

Governance and Ethics Committee

Wednesday, 12 June 2019 at 13:00

County Hall, West Bridgford, Nottingham, NG2 7QP

AGENDA

- 1 To note the appointment by Full Council on 16 May 2019 of Councillor Bruce Laughton as Chairman and Councillor Andy Sissons as Vice-Chairman of the Committee for the 2019-20 municipal year.
- 2 To note the membership of the Committee for the 2019-20 municipal year as follows: Councillors Bruce Laughton, Andy Sissons, Nicki Brooks, Steve Carr, Kate Foale, John Handley, Errol Henry JP, Rachel Madden, Phil Rostance, Keith Walker and Jonathan Wheeler.
- 3 Minutes of last meeting held on 1 May 2019 3 - 8
- 4 Apologies for Absence
- 5 Declarations of Interests by Members and Officers:- (see note below)
(a) Disclosable Pecuniary Interests
(b) Private Interests (pecuniary and non-pecuniary)
- 6 Follow-up of Internal Audit Recommendations 9 - 26
- 7 Update on Local Government and Social Care Ombudsman Decisions March -April 2019 27 - 70
- 8 Presentation on 2018/19 Statement of Accounts and Status of External Audit
- 9 National Audit Office Review of Governance in Local Government 71 - 76

10	Annual Fraud Report 2018-19	77 - 94
11	CIPFA Statement on the Role of the Head of Internal Audit	95 - 100
12	Update on use of the Councillors' Divisional Fund	101 - 126
13	Resources for Education Appeal Panel Members	127 - 130
14	Review of Council Constitution	131 - 134
15	Work Programme	135 - 140

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 **Wednesday 1 May 2019 (commencing at 1.00 pm)**

membership

Persons absent are marked with 'A'

COUNCILLORS

Bruce Laughton (Chairman)

Richard Butler
Steve Carr **A**
Kate Foale
John Handley
Errol Henry JP

John Longdon
Rachel Madden **A**
Liz Plant
Phil Rostance
Keith Walker

OFFICERS IN ATTENDANCE

Caroline Agnew
Glen Bicknell
Heather Dickinson
Rob Disney
Keith Ford
Kaj Ghattora
Marjorie Toward
James Ward

Chief Executive's Department

OTHER ATTENDEES

John Gregory

Grant Thornton (External Auditors)

1. MINUTES

The Minutes of the last meeting held on 13 March 2019, having been previously circulated, were confirmed and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

No apologies for absence were received.

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

- Councillor John Longdon had replaced Councillor Andy Sissons
- Councillor Liz Plant had replaced Councillor Nicki Brooks
- Councillor Richard Butler had replaced Councillor Mike Quigley MBE

3. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

Page 3 of 140

None

4. GOVERNANCE & ETHICS COMMITTEE'S ANNUAL REPORT

Rob Disney, Head of Internal Audit, introduced the report which outlined the work of the Committee since its establishment in June 2017.

RESOLVED: 2019/016

That the content of the report, to formally appraise Full Council of the achievements of the Committee to date and to set out the Committee's planned areas of work for the coming year, be agreed.

5. LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN (LGSCO) DECISIONS FEBRUARY 2019 – MARCH 2019

Heather Dickinson, Group Manager for Legal and Democratic Services and Complaints introduced the report which detailed the LGSCO decisions received in this latest monitoring period.

Following discussions, Members queried, in light of the number of complaints that were not relevant to the LGSCO's remit, whether clearer guidance was needed for complainants in that respect. Heather agreed to speak with the Complaints Team about that issue and feedback to Members on that issue.

RESOLVED: 2019/017

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

6. INFORMATION GOVERNANCE ACTION PLAN 2019-20

Caroline Agnew, Data Protection Officer / Programme Manager, introduced the report which set out the proposed annual Action Plan.

RESOLVED: 2019/018

- 1) That the Information Governance Action Plan for 2019-20 be approved.
- 2) That the Committee receives quarterly updates on the delivery of the Action Plan.

7. STATEMENT OF ACCOUNTS 2018-19 – ACCOUNTING POLICIES

Glen Bicknell, Senior Accountant, introduced the report which provided an opportunity for the Committee to review the accounting policies used in creating the Council's Statement of Accounts for 2018-19.

RESOLVED: 2019/019

That the updated Accounting Policies be recommended to Policy Committee for approval.

8. INFORMING THE AUDIT RISK ASSESSMENT – 2018-19 STATEMENT OF ACCOUNTS

John Gregory, Director of Grant Thornton introduced the report which informed the Committee of the External Auditors' requirement for the provision of information regarding the Council's approach to dealing with fraud, litigation, laws and regulations as part of their audit of the 2018-19 accounts.

RESOLVED: 2019/020

That the information which had informed the audit risk assessment for the 2018-19 audit of the Statement of Accounts be noted, with no further actions required.

9. FINANCIAL REGULATIONS WAIVERS 2018-19

Kaj Ghattora, Group Manager, Procurement, introduced the report which informed the Committee about requests to waive the Council's Financial Regulations in the period 1 April 2018 – 31 March 2019.

RESOLVED: 2019/021

That the contents of the report and the continued progress in keeping waivers to a minimum be supported.

10. ASSURANCE MAPPING ANNUAL REPORT 2018-19

Rob Disney, Group Manager – Assurance, introduced the report which presented the outcomes of the assurance mapping pilot carried out in 2018-19 with a view to expanding this approach in 2019-20.

RESOLVED: 2019/022

- 1) That the assurance mapping process be retained in 2019-20.
- 2) That the scope of the assurance map for 2019-20 be widened to embrace two further aspects of governance (people management and asset management).
- 3) That progress against proposed actions to address the issues identified by the pilot be reported to this Committee as part of the update reports on the Annual Governance Statement.
- 4) That the positive assurance delivered in the three aspects of governance covered by the pilot exercise be welcomed, with no additional actions required.

11. LOCAL CODE OF CORPORATE GOVERNANCE AND ANNUAL GOVERNANCE STATEMENT

Rob Disney, Group Manager – Assurance, introduced the report which reviewed the Local Code of Corporate Governance for the Council and sought approval for the proposed Annual Governance Statement 2018-19.

During discussions, officers agreed to clarify how Opposition Members can be kept up to date about any discussions which Chief Officers may be having with central government about the implications of Brexit for local government.

RESOLVED: 2019/023

- 1) That the updated Code of Corporate Governance be approved.
- 2) That the Annual Governance Statement 2018-19 be approved.
- 3) That updates on progress against the action plan be submitted to the Committee on a quarterly basis.

12. REVIEW OF OUTSIDE BODIES

The Chair of the Committee introduced the report on behalf of the cross party working group, detailing the group's findings and seeking support to submit these findings to Policy Committee for approval.

The Chair thanked Sarah Ashton and Keith Ford for their support to the working group with this review.

RESOLVED: 2019/024

That the following recommendations of the working group be endorsed for approval by Policy Committee:-

- a) That the approach to divide the various types of organisations within the Outside Bodies register to three categories be agreed, with Members' views welcomed on the initial categorisation of each of the bodies.
- b) That the various Planning Liaison Committees continue to be attended by the relevant Councillors and Planning officers and continue to be supported by the Planning team but that such committees be removed from the Outside Bodies list together with the outside bodies listed at paragraphs 18 and 19 and denoted in bold font in Appendix B and C.
- c) That the Safer Nottinghamshire Board and the Clayworth Educational Foundation be added to the register of outside bodies and the relevant formal appointments be made by the Ruling Group's Group Business Manager.
- d) That the proposed approach for sharing information about outside bodies with relevant committees be agreed, with Members' views welcomed on which are the most relevant committees for each body and that each committee be informed of the relevant outside bodies and their representatives which come within their remit, to enable information to be requested from the Council's representatives on specific bodies as and when required.
- e) That any concerns raised about a lack of attendance by Councillor representatives at meetings of any outside body in the register be raised with the Ruling Group's Group Business Manager and the Group Business Manager of the relevant Councillor as appropriate.

- f) That further clarification be sought as to whether the number of Councillor appointments can be reduced on the Lambs Charity and SACRE.
- g) That the proposed process for adding or removing outside bodies to the register, as detailed in paragraphs 28-31, be agreed and authority be delegated to the Team Manager, Democratic Services, in consultation with the Monitoring Officer, to categorise any new outside bodies and to add Category B bodies to the register.
- h) That appointments to any outside bodies included in the register continue to be made by the Ruling Group's Group Business Manager, in consultation with the Group Business Manager of the relevant opposition group/s where appropriate.

13. COMMITTEE ON STANDARDS IN PUBLIC LIFE – LOCAL GOVERNMENT ETHICAL STANDARDS REPORT

Heather Dickinson, Group Manager for Legal and Democratic Services and Complaints introduced the report which outlined the recommendations made by the Committee on Standards in Public Life following its consultation about ethical standards in local government and proposed a subsequent follow-up report to Committee if appropriate.

RESOLVED: 2019/025

- 1) That no further actions were required at this stage in connection with the contents of the report.
- 2) That a follow up report be submitted to this Committee if Government and/or the Local Government Association implement any of the recommendations of the Committee on Standards in Public Life.

14. UNDERSTANDING YOUR COUNCIL'S FINANCIAL REPORTING REQUIREMENTS – CIPFA WORKSHOP

The Chair of the Committee introduced the report which sought approval for two Members to attend this Workshop on 29 May 2019 in Leeds. The Chair underlined that one of the two places would be offered to the Main Opposition Group.

RESOLVED: 2019/026

That attendance at the CIPFA workshop on Understanding Your Council's Financial Reporting for two members be approved.

15. THE CODE OF CONDUCT FOR COUNCILLORS AND CO-OPTED MEMBERS – APPOINTMENT OF INDEPENDENT PERSONS

Heather Dickinson, Group Manager for Legal and Democratic Services and Complaints introduced the report which sought the Committee's endorsement for two candidates to the role of Independent Person.

RESOLVED: 2019/027

That the appointment of Ian Bayne and Craig Cole to the role of Independent Person be endorsed to Full Council for approval.

16. WORK PROGRAMME

RESOLVED: 2019/028

That the work programme be agreed.

17. EXCLUSION OF THE PUBLIC

RESOLVED: 2019/029

That the public be excluded for the remainder of the meeting on the grounds that the discussions were likely to involve disclosure of exempt information described in paragraph 3 of the Local Government (Access to Information) (Variation) Order 2006 and the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

18. THE CODE OF CONDUCT FOR COUNCILLORS AND CO-OPTED MEMBERS – APPOINTMENT OF INDEPENDENT PERSONS – EXEMPT APPENDIX

RESOLVED: 2019/030

That the contents of the updated Exempt Appendix be noted.

The meeting closed at 2.14 pm.

CHAIRMAN

12 June 2019

Agenda Item: 6

REPORT OF SERVICE DIRECTOR, FINANCE, INFRASTRUCTURE & IMPROVEMENT

FOLLOW-UP OF INTERNAL AUDIT RECOMMENDATIONS

Purpose of the Report

1. To report progress with the implementation of agreed management actions to address Internal Audit recommendations.

Information

2. Internal Audit carries out regular follow-up work to obtain assurance that the actions proposed by management in response to Internal Audit's recommendations are being taken. This assurance is obtained in two phases, as set out below:

Priority rating of recommendation	Management assurance	Internal Audit assurance
Priority 1	Assurance is sought from management that all agreed actions have been taken	Compliance testing scheduled to confirm all agreed actions relating to high priority recommendations are carried out consistently.
Priority 2		Compliance testing is scheduled for selected medium priority actions

3. Internal Audit carries out the following work to provide an update on progress on a 6-monthly basis:
 - For recommendations agreed in audit reports issued since the date of the previous meeting, seeking assurance from management that agreed actions have been taken in accordance with the proposed timescales
 - For actions previously confirmed to have been taken by management, carrying out compliance testing to confirm satisfactory implementation.
4. Progress continues to be made with improving the process for obtaining management assurance. Testing is due to commence on a development with Internal Audit's automation system to enable action owners across the Council to input their updates on progress directly to the Audit system. This will be prompted by system-generated reminders as each

action's implementation date falls due. Once tested and rolled out, this should bring further efficiency to the follow-up procedure.

Priority 1 Actions

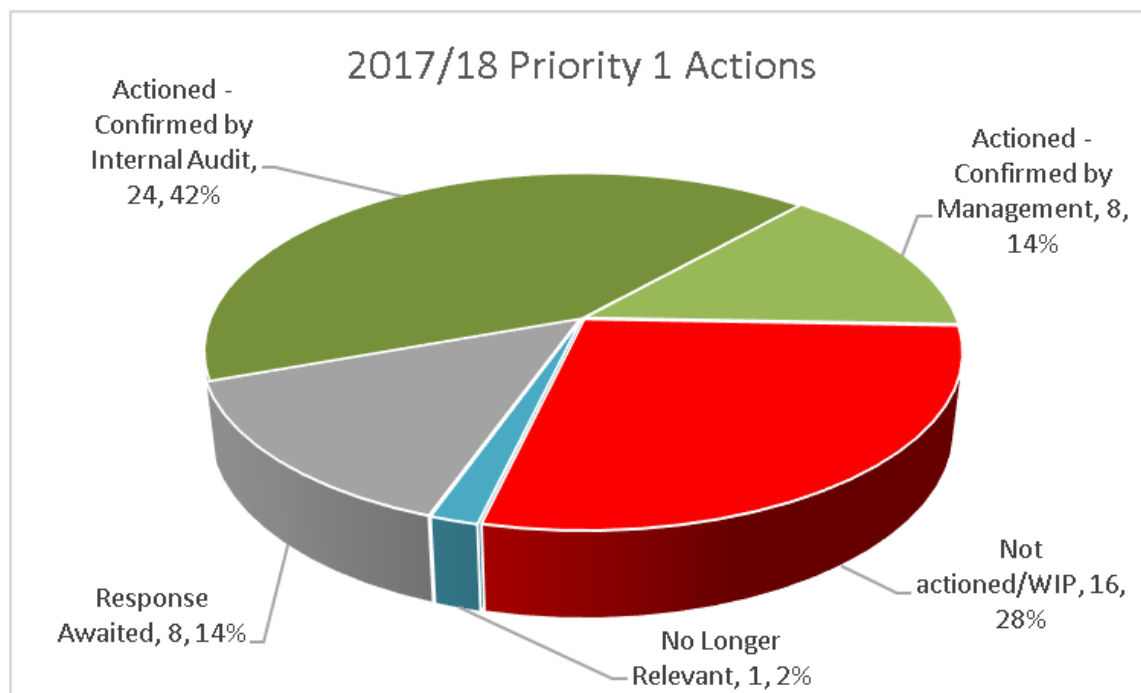
5. **Appendix 1** sets out the updated position with the Priority 1 actions that are being cleared through the follow-up process. This sets out details of the agreed management actions, the management assurances received and the outcome of Internal Audit's follow-up testing to date. The categorisation we follow as regards the Red-Amber-Green (RAG) rating included in the appendix is:

- Red – the implementation date has passed but the action remains in progress – based either on management's update or on Internal Audit's own testing;
- Amber – management has confirmed that the action has been completed; and
- Green – Internal Audit's testing confirms the action is operating consistently.

The appendix also indicates the proposed timing for follow-up testing by Internal Audit in future periods. It has been updated since the previous update to Committee as follows:

- Actions previously confirmed as implemented by Internal Audit have been removed
- New actions agreed in recently issued reports have been added.

6. The status of the Priority 1 actions from 2017/18 audits is summarised in the following chart:



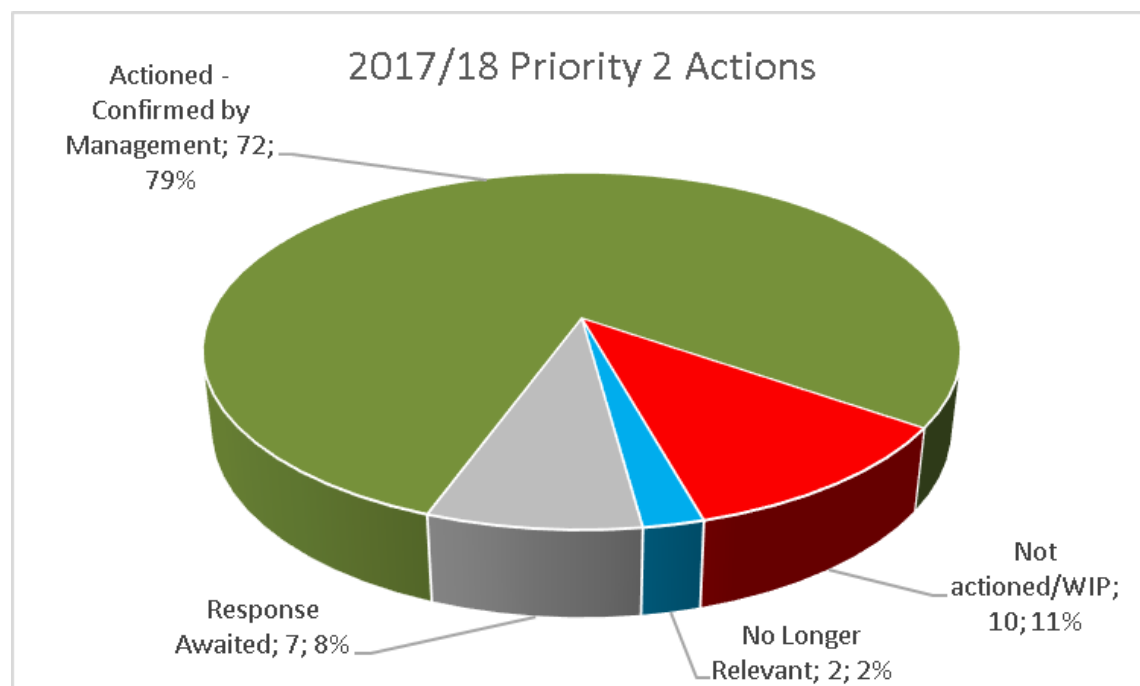
7. Follow-up testing by Internal Audit since the previous update in January 2019 has been completed in the following areas:

- a) ASCH Dept: Procurement of Homecare – the service has been retendered and it was hoped this would remove the need for the use of spot providers, other than to provide continuity of service to on-going service users. Our testing in January 2019 reported the use of a further spot provider to supplement the work of the tendered providers, and our latest testing confirms this arrangement remains in place. It should be noted, however, that this relates to only 4% of the value of the total relevant expenditure.

- b) ASCH Direct Payments – our testing confirms that clear guidance has been issued to service users regarding the expectations and requirements of nominated and authorised account holders. Progress is being made with developing and implementing standard procedures for identifying and taking action on suspected cases of misuse. Once all procedures have been fully implemented, further follow-up testing by Internal Audit will be scheduled.
- c) ASCH Dept: Procurement of suppliers – it was reported in January 2019 that full implementation of four actions was continuing and members of the Procurement Team attended the Committee to provide a verbal briefing on the progress being made. This latest follow-up identifies some progress regarding day services transport and out of county care support and enablement, but further action is required on these and the other two areas of service identified in the appendix.
- d) ASCH Safeguarding adults – testing confirmed implementation of two actions, and a much improved position in relation to the third.
- e) ASCH Services to self-funders – testing confirmed the implementation of actions to secure self-funder data for decision-making and to refer service users to the Benefits Team.
- f) ASCH Homecare commissioning & contract management – progress is being made across all recommendations, with further testing to be carried out in relation to those which remain in progress.
- g) Place Dept: Innovation centres – the actions have been taken to mitigate the risks identified by the audit.
- h) Cross-cutting: Strategic Risk Management – good progress is being made concerning the role of the Risk, Safety & Emergency Management Board in reviewing the departmental risk registers.
- i) Cross-cutting: Employee recruitment – testing confirmed implementation of the action relating to recruitment checks. Management assurance is provided in relation to the other two actions and these will be tested by Internal Audit in time for the next update report.
- j) Cross-cutting: Serious & organised crime – the actions relating to the DBS checking status of taxi company employees, and the review and issue of awareness-raising material, have both been implemented.
- k) Cross-cutting: Ethical framework – an electronic form of the register of interests for Members has been implemented. Management assurance is provided in relation to the other two actions.

Priority 2 Actions

8. Progress with implementation of these recommendations is summarised in the following chart.



9. The position above relates primarily to the assurance updates received from management and this continues to provide a positive level of assurance that improvements to the Council's system of internal control are being made as a result of Internal Audit's work.

Management updates to the Governance & Ethics Committee

10. Arising from the details presented in this report, the Committee may consider that it requires further updates and assurances from management at its next meeting in relation to one or more of the areas in which agreed actions remain outstanding.

Other Options Considered

11. No other options for obtaining the required assurances were considered at this time.

Reason/s for Recommendation/s

12. To enable the Governance & Ethics Committee to consider whether it has received sufficient assurance that actions in response to Internal Audit's recommendations are being implemented as agreed, or whether it considers that further and more detailed updates from management are required.

Statutory and Policy Implications

13. 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.

Many of Internal Audit's recommendations are made with specific financial implications in mind. Such recommendations, and the associated management actions, are designed to secure effective governance, internal control and risk management.

RECOMMENDATION/S

1) The progress detailed in the report and its appendix are considered, and the Committee determines whether it wishes to receive further and more detailed updates on progress from relevant managers in any of the areas of activity covered by this report.

Nigel Stevenson

Service Director – Finance, Infrastructure and Improvement

For any enquiries about this report please contact: Rob Disney, Group Manager - Assurance

Constitutional Comments (KK 29/05/2019)

The proposal in this report is within the remit of the Governance & Ethics Committee.

Financial Comments (CSB 29/05/2019)

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.

- None

Electoral Division(s) and Member(s) Affected

- All

Action Description	Implementation date (original & revisions)	Management Update	Internal Audit follow-up status	Internal Audit follow-up outcome	Action Status
Adult Social Care and Health					
Procurement of homecare services					
Competitive tendering - Only providers that have been awarded a competitively tendered contract to be used. No other providers should be used without a discussion with both the Market Management team and Corporate Procurement to find a solution. A waiver from tendering to only be applied for in accordance with financial regulations 9.5.2 to 9.5.5.	21/11/2016 (Home care contracts commenced 1/7/2018)	The 'interim homecare service' and 'home based care and support services' are now properly procured. However about 4.3% of the value of work is being awarded to another contractor where these suppliers cannot provide the full service	Testing performed; further management update and testing to be scheduled	Information provided in the management update has been evidenced.	Cleared by Internal Audit (GREEN)
Direct Payments					
Nominated or authorised account holders - Guidance provided to service users to clearly explain the roles of nominated and authorised persons in the context of receiving a direct payment and the Direct Payments Policy to accord with the Care Act 2014 in this regard.	31/03/2018, revised to 31/12/2018	Guidance updated to clearly explain the roles of nominated and authorised persons in the context of receiving a direct payment	Testing performed. Actions confirmed.	Confirmed that DP Agreement has been updated to more clearly address roles of nominated and authorised person. Staff guidance around employing a relative or close friend is detailed in the policy sections 6.3 – 6.4 and staff guidance, both approved in Feb 2019. DP agreement (Apr 19) was also amended for DPSS indemnity.	Cleared by Internal Audit (GREEN)
Adequacy of financial monitoring procedures - The processes for escalation, times scales for dealing with alerts, reporting back and consequence for non-return of bank statements to be clearly defined in the financial auditing/monitoring process and the Assessment and Care	31/03/2018, revised to 30/06/2019	A process flow chart has been agreed for this task which includes escalation and flow and timescales. Strategic Commissioning are also working on detailed interactive decision trees to help guide staff through the process and actions required. Pending approval by SLT.	Testing of compliance with new processes to be scheduled.	Pending finalisation and approval of decision trees.	Implementation remains in progress (RED)
Misuse identification - The procedures regarding the examination of bank statements and identification of misuse to be routinely followed by ACMT.	31/03/2018, revised to 30/06/2019	A process flow chart has been agreed for this task which includes escalation and flow and timescales. Once agreed, this will be included in staff guidance.	Testing of compliance with new processes to be scheduled.	As above.	Implementation remains in progress (RED)
Access to bank statements - To have an effective way of obtaining bank statements where service users repeatedly fail to return them.	31/03/2018, revised to 30/04/2019	DP guidance and agreement form now modified to include DP being stopped for failing to provide info requested or misuse. But not possible to have remote access to bank accounts, only to prepaid cards, whose use is encouraged. DPSS providers have been asked to provide real time date from SU accounts for audit purposes.	Testing of compliance with new processes to be scheduled.	DP guidance (S8.1) was amended in February 2019 to include action to be taken for non-return of bank statements. DP Agreement forms were modified in March 2019 and now include the Council's right to transfer the DP payment to a pre-paid card or stop the DP where bank statements are not provided.	Confirmed by management (AMBER)
Alerts for non-return of bank statements - Where alerts remain unresolved after referral to workers, to have agreed procedure of what should happen following this.	31/03/2018, revised to 30/04/2019	Waiting for approval by HR to recruit additional BSO to follow up on alerts. SLT already approved. More robust controls (utilising flow charts) is helping to address non-compliance much earlier in process.	Testing of compliance with new processes to be scheduled.	Testing confirms standard procedures have been established (as set out in Flow Charts C & D) and introduced (May 2019).	Confirmed by management (AMBER)
Potential Fraud Investigations - To have adequate procedures and capacity to follow-through where there is suspected fraud. Further action to prevent repeated misuse to be taken.	31/03/2018, revised to 30/06/2019	When bank statements are not returned, an update alert is being sent to the operational workers. When potential or actual misuse is detected, this is to be dealt with in accordance with the new flowchart mentioned above which is pending approval by SLT.	Testing of compliance with new processes to be scheduled.		Implementation remains in progress (RED)
Repeat Recoups - Action to prevent repeated excess balances and recoups to be more effective.	31/03/2018, revised to 30/04/2019	New processes for assessment workers to check audit history before reviews. ACFS currently only sending out alerts for large amounts. ACFS have also introduced the payment calculator which helps to more accurately calculate the cost of care, therefore reducing the risk of over-payment.	Testing of compliance with new processes to be scheduled.		Confirmed by management (AMBER)

Action Description	Implementation date (original & revisions)	Management Update	Internal Audit follow-up status	Internal Audit follow-up outcome	Action Status
Recoupment of Funds - Formal debt to be established through the BMS system for monies to be recouped. All previous recoupment to be matched with service users.	31/03/2018, revised to 30/06/2019	Invoices are not being generated to establish formal debt. Procedures have been enhanced through the introduction of an online payments form (achieve form). Cheques are easily matched. However, not all previous recoupment can be matched with service users easily and ACFS Audit resource capacity has reduced due to vacancies making this process more difficult. Additional resources are being sourced.	Further update to be obtained; testing to be scheduled.		Implementation remains in progress (RED)
Ceased Payments - Final bank statements to always be obtained when a payment ceases. In cases where there has been prior misuse or fraud and where bank statements have been actively pursued but have still not been obtained, standard procedures to be agreed, which may include referral to Nottinghamshire Police or Action Fraud.	31/03/2018, revised to 14/05/2019	ACFS have drafted a stronger letter to say if bank statements are not received, payment will be due back from the date of last audit or start of service if no audit has taken place. Unless service users can provide bank statements it will be treated as misuse. This letter has been approved. In addition to the new letters a newly devised flow-chart addresses the non-return of bank statements and action to be taken.	Testing of compliance with new processes to be scheduled.	We confirmed the letters and flow charts designed satisfactorily address the issues raised and agreed actions have recently been implemented.	Confirmed by management (AMBER)
Non-payment of Service-user Contributions - To have a robust method of ensuring that service user contributions are made in full into their direct payment account.	31/03/2018, revised to 30/06/2019	A process flow chart has been produced which maps the escalation process for non-payment of contributions. ACFS are designing an alert workflow in Mosaic which will make it mandatory for the worker receiving the alert to respond with actions taken to resolve the issue.	Further update to be obtained; testing to be scheduled.		Implementation remains in progress (RED)
Procurement of adult social care suppliers and providers					
Out of county care support and enablement - A Care, Support and Enablement Framework Agreement to be tendered to capture out of County Services	01/07/2017	Four of the five providers in our report are still being used. A properly procured provider agreement has been established. Two of the providers are to join this. The other two have not joined it and spot contracts will be considered	Further management update to be obtained; testing to be scheduled		Implementation remains in progress (RED)
Day services transport - To be under review with the Category Manager – Place who is looking at procurement approaches	30/04/2018	Partly actioned. The two providers mentioned in our original report are still being used but one did not compete for the work because it intended to leave the market in the near future. A competitive procurement exercise is now planned for this	Further management update to be obtained; testing to be scheduled	We have confirmed that one of the two providers has been competitively procured.	Confirmed by Internal Audit as Partly Implemented (AMBER)
County Enterprise Foods: specialist food products - To be under review with the Category Manager – Place who is looking at procurement approaches	30/04/2018	Delays in progress were down to specific requirements that the supplier provides that are unique to them. All catering services will be going out to tender and this will be included in that exercise.	Further management update to be obtained; testing to be scheduled		Implementation remains in progress (RED)
County Enterprise Foods: packaging for meals - To be under review with the Category Manager – Place who is looking at procurement approaches	31/03/2018	A meeting in May 2019 confirmed that the packaging line used at County Enterprise Foods uses a specific style and size of food container. It is not possible to use an alternative food container as these would not fit in the packaging line. The average spend per year of £74,000 will continue and consideration of using a negotiated procedure without prior publication or the issuing of a Voluntary Transparency Notice is to be determined in order to issue a formal contract.	Further management update to be obtained; testing to be scheduled		Implementation remains in progress (RED)
Stop Smoking (S4H) contract - lessons to apply to other Payment by Results (PbR) contracts					

Action Description	Implementation date (original & revisions)	Management Update	Internal Audit follow-up status	Internal Audit follow-up outcome	Action Status
Clarification of eligibility criteria - To be included in the mobilisation plan during the mobilisation period prior to the start of all new contracts, or where eligibility has changed by contract variation with an existing contract. These criteria must be in written form, and discussed face to face for clarity. It must be clear whether one, several or all criteria must be met, including residency, NHS registration and/or any other criteria such as membership of priority population groups.	20/12/2017, revised to 31/03/2019, and provisionally to 31/03/2020	Actions applied to S4H. Actions would also apply to PbR element of Obesity Prevention & Weight Management (OPWM) contract, which expires 31/3/20. Currently £311K (21%) is for PbR and c.£1M (79%) is block payment. 84% of PbR element is for service activity and 16% for behaviour change outcomes. <i>However, focus thus far has been in turning around service performance, rather than PbR eligibility criteria and data assurance and validation.</i>	To schedule further management update and testing for later in year, after full service evaluation		Implementation remains in progress (RED)
Confirmation of provider plans and procedures for assuring accuracy of Payment by Results (PbR) claims - To be included in the mobilisation plan during the mobilisation period prior to the start of all new PbR contracts, and will be confirmed within existing PbR contracts as they	31/03/2019, revised provisionally to 31/03/2020	See above	Management update and testing to be scheduled for later in year		Implementation remains in progress (RED)
Agreement of the format and level of detail required of supporting data that allows for validation of claims - To be included in the mobilisation plan during the mobilisation period prior to the start of all new PbR contracts, and will be confirmed within existing PbR contracts as they come up for	31/03/2019, revised provisionally to 31/03/2020	See above	Management update and testing to be scheduled for later in year		Implementation remains in progress (RED)
Validation of detailed claims data from the provider before payment - To be implemented and reviewed regularly within the Public Health Contracting team, balancing internal capacity with level of risk.	01/04/2017 for S4H; revised to 31/03/2019 for other PbR contract, and provisionally to 31/03/2020	See above	Management update and testing to be scheduled for later in year		Implementation remains in progress (RED)
County Enterprise Foods					
Production targets - Targets set within the service plan to be reflected within the budget. Discussions to be undertaken between the finance department, service director and production unit to determine achievable targets to be reflected in the budget figures.	01/04/2018, later revised to 01/04/2019	CEF continues to work with finance business partner and service director : targets set within the service plan to be reflected within the budget.	Testing performed	External sales are no longer significantly lower than budget. There are ongoing financial issues with CEF, it has also had to incur significant capital costs, however has been subject to CDU and Challenge Panel Scrutiny, and has a savings plan.	Cleared by Internal Audit (GREEN)
Safeguarding adults - governance, monitoring & reporting					
Progress on workstream action plans - The workstream action plans that are reported to the Governance Group are to be complete with respect to targets and progress made.	12/07/2018	This was confirmed as having been actioned in November 2018.	Testing performed	Satisfactory. All 3 workstream plans and the Quality Assurance Framework action plan have target dates, responsible officers, have been updated recently for progress, and each action is RAG rated to denote progress.	Cleared by Internal Audit (GREEN)
Response rates for internal quality assurance audits - Internal quality assurance audits need to be completed.	30/09/2018	The response rate has improved from the 64% at the time of our audit and is now 85%. This is still below the target of 95%.	Further management update to be obtained; testing to be scheduled		Confirmed by management as partly implemented (AMBER)
Action plan from the internal quality assurance audits - An action plan still needed to be developed to address the findings of the January 2018 internal quality assurance audits.	21/05/2018	This was confirmed as having been actioned in November 2018.	Testing performed	Satisfactory. There is an action plan based on the internal quality assurance audits. All actions have target dates. It has been updated recently for progress, and each action is RAG rated to denote progress.	Cleared by Internal Audit (GREEN)
Services to self-funders					

Action Description	Implementation date (original & revisions)	Management Update	Internal Audit follow-up status	Internal Audit follow-up outcome	Action Status
Data collection and reporting of self-funder numbers - A task and finish group to be established to review current information captured and make recommendations.	31/05/2019	A task and finish group was set up. An extensive online survey was carried out in Notts care homes, and information captured and analysed, including the financial risks to the Council. Biannual surveys will occur in future, to be written into contracts.	Testing performed	Testing confirmed that soundly-based self-funder data has been captured for presentation to SLT, including estimates of self-funders who may have to fall back on council funding, unless those risks can be mitigated.	Cleared by Internal Audit (GREEN)
Data collection and reporting of self-funder numbers - To better use information in our current systems to capture self-funders via Mosaic and ACFS.	31/03/2020	There is an option in Mosaic to note down that a service user is 'a previous self-funder' however this is not currently mandatory. Part of the wider mapping work of changes required to Mosaic includes consideration of steps required to improve data collection.	Testing to be scheduled once changes to Mosaic complete to confirm this action will address the issue raised		Implementation remains in progress (RED)
Financial advice signposting (brought in-house in July 2018) - Performance measure to apply to be the number of people signposted to independent financial advice from the CSC. A follow up survey to be offered to users to find out whether their outcomes were met.	31/05/2019	The service has fixed the reporting mechanism and collects performance data. Whilst the service does have a process to collect additional information and people are signposted to the online survey nobody has chosen to complete this as of yet. Pending approval from ASCH chairs we will be carrying out a marketing campaign around the service area and targets will be attached to judge the impact of this.	Testing performed	Since the Council took over, 215 people have been identified as self funders and provided with information. Of these 82 people were provided with more specific information regarding contacting financial advisors. This is comparable to the service previously offered by Age UK, which provided 156 people with factsheets and referred 113 people to financial advice during 2016-17.	Cleared by Internal Audit (GREEN)
Benefits signposting - Changes to be made to the system to enable referrals to the Benefits Team	31/05/2019	Systems and processes continue to be set up to allow the benefits signposting to be provided to all, both self-funders and non-self-funders. Finances are always considered in every conversation the CSC have. The CSC does not gather data relating to the benefits advice or guidance or signposting provided specifically to self-funders.	Testing performed	When the new model was brought in, £130k additional benefits were acquired in 5 months.	Cleared by Internal Audit (GREEN)
Homecare commissioning and contract management					
Contract governance and management: Contract management arrangements, based around the key deliverables in the new contract, to be implemented in consultation with ASCH to ensure a smooth transition of the arrangements over to the department in 2020.	24/07/2018	Homecare implementation Manager appointed to bed in new contract management arrangements. Contract management role of CPOs defined and responsibilities assigned.	Testing of Implementation Manager role and progress to be scheduled.	Mechanism for payment of performance element of contract yet to be finalised. CPO contract management role tested and confirmed.	Confirmed by management (AMBER)
Outstanding risks: Contingency plans to be kept under review and tested as necessary.	31/03/2019	Development of IT solution passed by the Gateway process. Oversight will be via the Systems Review Board. The necessity for a contingency plan will be kept under review.	Continue to monitor.	Discussion with Reablement Performance Manager ASCH and also Implementation Manager Homebased care confirm slippage of IT programme and retention of brokers and contingency brokerage system in interim period.	Confirmed by management (AMBER)
Outstanding risks: Processes to be established to monitor the progress of existing core providers in transferring cases to the lead providers within the three month period scheduled	31/08/2018	Implementation Manager confirms that providers exchanged information directly and with no reported breaches of data security.	Complete	Comparison of old and new lead and additional providers indicates risk has not materialised. Discussion with Implementation Manager Homebased Care and Support confirms that careplan transfer between providers was by hard copy and careplans subsequently returned to originating providers within 3 week deadline. TUPE'd staff files hard -copied across to new providers by sole providers. NCC not involved in information transfer process.	Cleared by Internal Audit (GREEN)

Action Description	Implementation date (original & revisions)	Management Update	Internal Audit follow-up status	Internal Audit follow-up outcome	Action Status
Outstanding risks: Direct payment activity to be monitored and intervention resources deployed accordingly.	31/08/2018	Direct payment activity is closely performance monitored and reported to SLT so any differing patterns would be picked up.	Direct Payment Statistics to be reviewed	New DP case per month over the relevant period evidence that there was no increase in DP applications.	Cleared by Internal Audit (GREEN)
Spot provider contracts - That a contract is issued to Spot Providers at the earliest opportunity.	01/08/2018	Spot provider contracts issued 7/8/18	Complete	Evidence confirmed	Cleared by Internal Audit (GREEN)

Action Description	Implementation date (original & revisions)	Management Update	Internal Audit follow-up status	Internal Audit follow-up outcome	Action Status
Children and Families					
School expansion & pupil place planning					
Use of forecasting model to prioritise pupil place demand pressures between planning areas - A standardised scoring methodology/model evaluation template for planning areas to be developed to ensure that all relevant factors are evaluated, subject to challenge and outcomes ranked in order of priority.	31/12/2018	May 2019: Work in progress. Programmes and Projects team engaged and process maps developed. Further work required.	Further management update to be obtained; testing to be scheduled		Implementation remains in progress (RED)
Expansion business case accuracy and completeness - Business cases to explicitly address standardised set of criteria so all relevant factors can be identified and evaluated. Impacts on planning areas (including school estate) to be evaluated as standard element of business cases. Full audit trail of decisions to be maintained. Ofsted reports to be	31/12/2018	May 2019: Work in progress. Basic need report in development	Further management update to be obtained; testing to be scheduled		Implementation remains in progress (RED)
Specialist Education Provision					
Audit Trail - Mosaic - Complete records to be recorded electronically in Mosaic for all INM and AP education placements.	31/12/2018	The process for all education referrals and requests is now managed within Mosaic. The initial part went live in December 2018 with the final step going live April 2019. Children's Commissioning no longer accept referrals not made through Mosaic.	To be scheduled for next update in January 2020.		Confirmed by management (AMBER)
Issuing of Contracts and IPAs - Contracts should be drawn up for all specialist education placements.	31/03/2019	The process of issuing providers with appropriate copies of Schedule 2 and/or IPAs been progressed and the previous backlog is being alleviated.	To be scheduled for next update in January 2020.		Confirmed by management (AMBER)
Quality Assurance - Provider Visits - Visits to all INM and AP providers should be carried out in accordance with the provision set out in the contract with schools.	01/04/2019	The quality assurance and monitoring process set out in the management response, has been established as planned. A Provider Event was held in February 2019 to share the new process with them, including the remote self-assessment process. A timetable for provider visits has also been established and the first QAF visit is taking place on week commencing 13 May 2019.	To be scheduled for next update in January 2020.		Confirmed by management (AMBER)

Action Description	Implementation date (original & revisions)	Management Update	Internal Audit follow-up status	Internal Audit follow-up outcome	Action Status
Place					
Catering (County Hall & Trent Bridge House)					
Confirmation of goods received prior to paying invoices to suppliers: Re-introduce checks of consolidated invoices on the basis of a 10% ratio	1/4/2016 (revised to start from April 2019 invoices)	The checks cover 100% of each invoice, rather than the original target of 10%, and have already been carried out on one supplier's invoices. 100% checks on all other suppliers' invoices (except one, which still has to move to consolidated invoicing) are to start imminently from the April 2019 invoices onwards. A verbal update was given to the committee in Jan 2019 with an undertaking to return in 6 months' time.	Testing to be scheduled		Confirmed by management (AMBER)
Innovation Centres					
Risk Assessment of Fraud - ensure that adequate fraud checks are undertaken on future letting and contracts for those managed through OI Ltd and NCC contracts.	01/10/2018	The OI Ltd contract fraud checks have been brought in-house and now reviewed by NCC. A new process for ensuring and obtaining fraud checks is being developed and will include a risk assessment.	Site visit to Worktop Turbine completed.	Innovation Centre now managed in-house. Fraud risk mitigation checks undertaken re Centre tenants.	Cleared by Internal Audit (GREEN)
KPI Validation - ensure adequate resources are devoted to periodically obtaining independent assurance as to the accuracy of information reported by the contractor in any future management contracts	01/10/2018	The independent assurance has been obtained through the review undertaken by the Team Surveyor and Team Leader. The KPI report is generated and now excludes the OI Ltd contracts.	Awaiting development of strategy and business plan from which KPIs will be derived..	Innovation Centre now managed in-house. Performance reporting framework in development.	Cleared by Internal Audit (GREEN)
Vacant property management					
Reliable documentation of handover checks / Extent of handover checks / Documented vacant property and site security strategy / Decommissioning / Exit fire risk assessment - Existing handover documentation to be revised and improved to incorporate a check list to ensure consistency of application. A new procedure for managing and monitoring vacant properties, complete with responsibilities of service departments and stakeholders will be produced and shared with affected parties. This will include an assessment of risk (trespass, vandalism, fire, etc.) and detail utility provision and management (including ensuring disconnections and certification where appropriate). Documents to be available on clearly identified shared drive.	28/02/2018	Internal Audit received an update report on progress with implementation of all recommendations contained in the Vacant Management Report which was reported to the Governance and Ethics Committee on 25 July 2018. The progress report identified that action had commenced on each of the recommendations but the implementation of several recommendations would need to be considered alongside the Turner & Townsend review of Property Services.	Further management updates to be obtained and testing scheduled as implementation becomes confirmed	The development of recommendations remains the same as reported to the Governance and Ethics Committee and subsequently due for follow up July 2019	Implementation remains in progress (RED)
Review and reporting of vacant properties / Insurance and Health & Safety advice - Corporate Property Management Group, comprising senior operational managers from service departments, Health and Safety and Risk and Insurance to be established and meet on a quarterly basis to share information, issues, and best practice.	28/02/2018			The development of recommendations remains the same as reported to the Governance and Ethics Committee and subsequently due for follow up July 2019	Implementation remains in progress (RED)
Chief Executive's					
Pensions administration					

Action Description	Implementation date (original & revisions)	Management Update	Internal Audit follow-up status	Internal Audit follow-up outcome	Action Status
Reconciliation of pension payments to pension system - A feedback and monitoring mechanism should be established by the Pensions Administration Team to provide assurance that only authorised transactions have been paid through the Pensions Payroll and Business Support Payments System.	31/03/2019	As at May 2019 : Reconciliation of UPM to Payroll pensioner numbers is complete. Reconciliation of UPM to payroll values is in progress with support from Civica. Once reconciliation is complete UPM will directly post payments to pensions payroll without manual intervention. Pensions non-recurring payments : for example refunds, lump sum payments. These types of payments are currently made through the pensions payments access database. Pensions are working with their systems supplier Civica and the BSC Competency Centre to deliver system improvements and efficiencies by moving these types of payments into the Civica UPM system which will create the BACS file and post payments directly into BMS.	Testing to be carried out in time for the next update in six months' time		Confirmed by management (AMBER)
Periodic reconciliation of Pension UPM and Pensions Payroll data sets - That following the completion of the Guaranteed Minimum Pension (GMP) reconciliation exercise a periodic reconciliation of the UPM and Pension Payroll datasets is undertaken to enable the prompt investigation of any significant variances identified.	31/10/2018	May 2019: UPM reconciliation to payroll exercise being led by Civica UPM.-issue in trying to extract and compare UPM and Payroll formats.Latest iteration has matched a 'high percentage' of the data. Variances are due to UPM legacy data introducing discrepancies together with gratuity and compensation payments present on the payroll system but not logged in UPM as these are not part of NLGPS. Guaranteed Minimum Pension (GMP) reconciliation project is a national project initiated by HMRC and applies to all private and public sector Pension Funds. Nottinghamshire Pension Fund submitted its data file to HMRC by the October 2018 deadline date. The results file was due to be returned by HMRC in January 2019. HMRC have delayed their response back to the Fund twice, initially from January 2019 to May 2019 and recently moving the date back to November 2019. Once returned GMP will need payroll data to be successfully uploaded into UPM to enable completion of GMP reconciliation and calculation of potential over and underpayments due to/from HMRC. The pension Regulator now requires that Pension Payroll is reconciled to Pension Administration system as part of data quality assurance process.	Further management updates to be obtained and testing scheduled as implementation becomes confirmed		Implementation remains in progress (RED)
Treasury management					
Business continuity arrangements - A layered approach to establishing a sustainable continuity plan is in process. In the event of a failure of Barclays systems we would be reliant upon its continuity plans. An emergency payment backstop		Emergency payment made using protocol, although Barclays only required one signature. Senior Accountant ensured that other authorised signatories were informed and approval obtained internally.	Implementation and testing to be scheduled Term 1 2019/20	Barclays.Net failure on 7th December 2018 resulted in emergency payment process being successfully implemented. Supporting authorisation process confirmed.	Cleared by Internal Audit (GREEN)
Business continuity arrangements - A remote solution is in development to enable partial continuity of operations in the event of a failure of NCC IT systems. Approval has been sought to add Barclays.Net to the IT 'Safelist' which will enable the use of Barclays.Net from remote locations without having to pass through the NCC firewall.	31/11/2018	May 2019: Number of meetings held with IT. In December 2018 there was a failed payment due to system downtime which resulted in an overdrawn balance over the weekend. This resulted in IT escalating the priority re continuity and they have provided an IPAD which is configured to enable working if the network goes down. The safelist option is still being considered. No further progress to report.	To be scheduled following management update		Implementation remains in progress (RED)

Action Description	Implementation date (original & revisions)	Management Update	Internal Audit follow-up status	Internal Audit follow-up outcome	Action Status
Business continuity arrangements - A remote home-working process is under development to enable the Treasury Management process to be completed by staff working remotely	31/12/2018	May 2019: IT are not comfortable with individuals using their own home PCs in the event of a system failure as reliance cannot be placed on the integrity of personal security software. Decision currently taken to ensure that 2 members of the Pensions and Investment Team are in the office at any one time. Potential Sharepoint solution to provide an authorisation trail that will enable home working using NCC laptops is yet to be trialled.	To be scheduled following development of tangible solution.		Implementation remains in progress (RED)
Payroll (data analytics review)					
Overtime and other timesheet payments entered by, approved by and paid to the same person - review reports generated that identify the transactions that are not subject to approval controls.	09/10/2018	The BSC has implemented a specialised software solution, called Profile Tailor Dynamics from Grey Monarch. This enables the BMS Authorisation and Security Team to monitor all transactions used by BMS users. The BMS Authorisation and Security Team receive an alert which highlights where employees are updating their own data. The output of the Grey Monarch reporting is reviewed to identify employees who are using Business Administrator roles to input data rather than ESS. There may be some circumstances where employees have to enter their own data where the risks have to be managed but ESS is encouraged. Users with the Business Administrator role are subject to monitoring through Profile Tailor Dynamics with an alert issued to named individuals within the BSC. Each alert is investigated and appropriate action taken where required	Testing to be carried out in time for the next update in six months' time		Confirmed by management (AMBER)

Action Description	Implementation date (original & revisions)	Management Update	Internal Audit follow-up status	Internal Audit follow-up outcome	Action Status
Cross-Cutting					
Agency Staff & Consultants					
Automation of management information: Build into future tendering exercises for this service the requirement to differentiate between the nature of agency placements	Originally the end of the contract in November 2017, extended to November 2018 - after option to extend was taken up. Extended to September 2019	The contract with Reed expired in 2018 and a direct award was made again with Reed until September 2019. Corporate Procurement have confirmed they are currently going out to tender and will incorporate Internal Audit's suggestions into the process. In addition, amendments to the VCDR process below will provide additional control around the engagement process and will address this issue prior to the contract re-tender.	Testing of compliance with new processes to be scheduled.		Confirmed by management (AMBER)
Strategic Risk Management					
Updated information on risk registers - Review risk registers to ensure information is up to date	31/12/2017	Has given rise to introduction of ongoing rolling review process by RSEMB. Each future meeting will examine one register in close detail and all will be reviewed at the annual Away Day. A column has been added to indicate the potential risk once outstanding actions have been completed.	Further testing to be scheduled for after Away Day in Nov-19	Although testing confirmed that RSEMB reviewed C&F risk register in Sep-18, the Away Day due Nov-18 was cancelled, and other risk registers remain in need of review (or of re-compilation).	Internal Audit testing confirms partial implementation (AMBER)
Procurement compliance					
Fuel for fleet vehicles: There are 2 contracts for fuel, 1 for bulk fuel (called off from an ESPO), and Via also use fuel cards. To undertake a desktop exercise and understand who is the lead (NCC or Via). To liaise with Via regarding this to establish who is responsible for fuel cards.	31/03/2018	This was delayed whilst the status of Via in relation to this has been uncertain. In May 2019 we have been informed that this is on the immediate workplan and will be out to tender shortly.	Further management update to be obtained; testing to be scheduled		Implementation remains in progress (RED)
Water: to continue to competitively procure water supplies, although this will not start until the end of 2018	31/12/2018 (revised to 31/7/2019)	In April 2019 we were informed that a procurement exercise with the Crown Commercial Services framework was planned for April or May 2019. If successful, a properly procured contract could begin in July 2019.	Further management update to be obtained; testing to be scheduled		Implementation remains in progress (RED)
Employee recruitment					
Vacancy Control Decision Record for Manager-led recruitment - review of the process to ensure it is robust and fit for purpose and work with targeted teams to develop bespoke recruitment processes	Original due date - ongoing	The revised and updated VCDR process has been reviewed and configured. The revised process is scheduled to go live on the 24th May 2019.	Testing of compliance with new processes to be scheduled.		Confirmed by management (AMBER)
Evidence of recruitment checks - for Business Services Centre (BSC)-led recruitment development of pre-employment checks within the electronic system	30/09/2018	Medical clearance – process is live and embedded. Reference Checking – interim online referencing has been in use for 7 months through XRef. The process recently transferred to Oleo system and is being further enhanced.	Actions evidenced	Testing carried out confirmed actions complete.	Cleared by Internal Audit (GREEN)
Contract of employment - development work to enable the production of contracts of employment at the point of formal offer. Original implementation date was September 2018.	30/09/2018	Contract production has been delayed by the build of the vacancy approval process; though tested, the link between approval and appointment must be rebuilt. Scheduled for completion by the 30th June 2019.	Testing of compliance with new processes to be scheduled.		Confirmed by management (AMBER)
Serious & organised crime					

Action Description	Implementation date (original & revisions)	Management Update	Internal Audit follow-up status	Internal Audit follow-up outcome	Action Status
Taxi licensing authorities - work is required with taxi companies and licensing authorities to monitor the DBS checks and information received.	01/06/2018	With regards to our partnership with the licensing authorities they hold all relevant driver documentation associated with the issuing or withdrawal of taxi driver licences. As part of their role they now advise all operators and ourselves when a licence has been withdrawn. Specific details are not included in this due to data protection but the driver badge number and name are placed on a list of withdrawn and revoked licences.	Actions evidenced	Actions complete	Cleared by Internal Audit (GREEN)
Awareness material - the awareness material to raise concerns needs to be reviewed, refreshed and re-issued with the engagement of taxi companies and users.	01/09/2018	Letters and information sent to service users request that any issues, concerns or problems with the taxi services provided are reported to Transport and Travel Services. We as part of our procurement and contract management check licence and qualifications of drivers and escorts and maintain a database of this information. Any driver changes must be reported to us and appropriate documentation supplied to ensure we do continue to provide safe and reliable services.	Actions evidenced	Actions Complete	Cleared by Internal Audit (GREEN)
Health & safety					
Mandatory training - The facility and processes to identify and record mandatory training to operate effectively.	28/03/2018	Discussed at Compliance Board on 12th March. Commitment is to ensure all training records are uploaded onto the 'My Learning My Career' platform. Learning portal to be relaunched and publicised to all managers/staff through WP&OD.	Testing to be scheduled following implementation.		Confirmed by management (AMBER)
Emergency Response Team training - Information recorded in the Designated Fire Officer System (DFO) to be up to date.	28/03/2018	Due to be implemented 31/5/19. Corporate NPO to take ownership of this action.	Testing to be scheduled following implementation.		Confirmed by management (AMBER)
Emergency response provision - Staffing levels to be adequate in the event of an emergency.	28/03/2018	Due to be implemented 31/5/19. Corporate NPO to take ownership of this action.	Testing to be scheduled following implementation.		Confirmed by management (AMBER)
Ethical framework					
Register of Members' Gifts and Hospitality - newly created register to be maintained in accordance with the Members' Code of Conduct, and Members to be reminded of the requirements.	31/03/2019	A register of Members' gifts and hospitality is now in place and operating and Members have been notified of the need to declare any gifts offered or accepted. Further reminders will be issued periodically.	Testing to be scheduled once actions confirmed as taken.	Testing confirmed an electronic form listing all Members has been devised and published on the intranet. An email was sent to all Members in October 2018 and some responses have been received and recorded on the register.	Cleared by Internal Audit (GREEN)
Register of Staff' Gifts and Hospitality - A consistent form of register for gifts and hospitality to be devised for use by all departments. Original implementation date 31st March 2019.	31/03/2019, revised to 31/05/2019	On track for implementation at the end of May 2019. Form has been devised and is awaiting approval before roll out to staff.	Testing to be scheduled once actions confirmed as taken.		Confirmed by management (AMBER)
Staff Declaration of Interest - staff declarations should be made annually. Original implementation date 31st March 2019.	31/05/2019	On track for implementation at the end of May 2019. Form has been devised and is awaiting approval before roll out to staff.	Testing to be scheduled once actions confirmed as taken.		Confirmed by management (AMBER)

12 June 2019**Agenda Item: 7****REPORT OF THE SERVICE DIRECTOR FOR CUSTOMERS, GOVERNANCE
AND EMPLOYEES****LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN DECISIONS
MARCH-APRIL 2019****Purpose of the Report**

1. The purpose of this report is to inform the Committee about Local Government & Social Care Ombudsman's (LGSCO) decisions relating to the Council since the last report to Committee up to 13 May 2019.

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 1st May 2019.
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/). The decisions are anonymous, but the website can be searched by Council name or subject area.
5. A total of 9 decisions relating to the actions of this Council have been made by the Ombudsman in this period (attached at annex A). Following initial enquires into 5 complaints, the LGSCO decided not to continue with any further investigation. The Ombudsman concluded that the matters were either outside their jurisdiction, the responsibility of a body other than the Council, out of timescale or that no meaningful remedy would be possible.

6. Four social care complaints were fully investigated. In one adult social care case the Council was found not to be at fault in the way it had assessed a service user's social care needs or the decisions made regarding the level of support offered. (Annex A, page 14).
7. In a second adult social care case, the service was found at fault for not providing enough information to a family member concerning the change from funding a parent's care privately to getting direct payments from the Council. The recommendations were accepted and are in the process of being implemented which included the recommendation for staff guidance to be reviewed, updated and re-issued to all staff. (Annex A, page 32).
8. Two further decisions found fault in children's social care complaints. The first case related to a complaint which had been investigated by the Ombudsman in 2018 concerning the department's responsibilities to a grandparent with a special guardianship order. (Annex A, page 1). In the subsequent investigation the Council was found at fault for not satisfactorily resolving part of the complaint regarding its financial responsibilities and the assessment of the special guardianship allowance. The Ombudsman has noted that there were complex issues involved which hindered the department's progress in this particular case. The investigator has been regularly updated and confirmed he is satisfied with the department's recent progress to implement the specific recommendations. These include a financial remedy in this case and a review of the Council's current policy and procedures for special guardianship payments.
9. The second children's social care investigation found fault concerning the process followed and communication with a couple who had put themselves forward to care for a family member's child. During the course of the complaints process the department had accepted there had been some communication failures and offered the complainants an apology and financial remedy. This was increased by the Ombudsman following investigation to a further £1000 payment for the distress caused. (Annex A, page 25).

Statutory and Policy Implications

10. 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

11. The decisions attached are anonymised and will be publicly available on the Ombudsman's website.

Financial Implications

In the 3 cases where fault was found the following financial remedies were accepted:

Complaint reference:18 009 200 page 1 - £300 plus back payment and ongoing support - totals not yet known but will be met from children's social care budget

Complaint reference:18 012 802 page25 - £2000 in total to be met from children's social care budget

Complaint reference:18 012 814 page 32 - £100 time and trouble payment – second calculation to establish if an overpayment took place is yet to be determined but will be met from adult social care and health budget.

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 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 (RWK 03/06/2019)

The LGSCO decisions reported in the report have resulted in financial remedies totalling £2,400. Further payments may be due in 2 cases following calculations to determine if back/over payments are due and whether ongoing support costs are to be funded. All costs will be met from within the existing budget allocations for adult and children's social care.

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: Mr and Mrs G complain the Council has not satisfactorily remedied a complaint we investigated in 2018 which concerned its responsibilities to Mrs G as a special guardian for her grandson. We have upheld this complaint also, finding fault by the Council in its assessment of a special guardianship allowance paid to Mrs G. We consider this has caused Mrs G further injustice as distress. The Council has agreed action to remedy this injustice including undertaking a further reassessment of the allowance it pays to Mrs G.

The complaint

1. The complainants, whom I have called 'Mr and Mrs G' complain the Council has not satisfactorily remedied an earlier complaint they made to the Ombudsman. Their complaints concern the support offered to Mrs G as a special guardian for her disabled grandson 'Child X'. They complain the Council:
 - Has not liaised enough with another local authority area ('Council 2') where Child X lives with Mrs G.
 - That Mrs G does not receive enough financial support paid as a special guardianship allowance. In particular, the Council wrongly takes account of Disability Living Allowance paid to Child X when calculating its payment.
2. Mr and Mrs G say delay in resolving these matters has caused distress, further to that identified by our earlier investigation. They also say that Mrs G currently faces financial hardship because the special guardianship payments she currently receives are inadequate to help meet Child X's needs.

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 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*)

How I considered this complaint

5. Before issuing this decision statement I considered:
 - Mr and Mrs G's complaint in writing to this office and further information provided in telephone conversations and emails.
 - Information provided by the Council in response to written enquiries. This included listening to a recording of a meeting held with Mr and Mrs G in May 2018.
 - An earlier decision taken by us which considered a previous complaint made by Mr and Mrs G and relevant to this complaint also.
 - Relevant law and guidance as referred to in the text below.
 - Comments made by Mr and Mrs G and the Council in response to a draft decision statement where I set out my thinking about this complaint.

What I found

Background & Key Facts

General Background

6. Mrs G is Child X's parental grandmother. She lives outside the Council's area. Mr and Mrs G keep separate houses, with Mr G living around 200 miles from Mrs G. Mrs G works one evening a week and at weekends.
7. Child X has a diagnosis of autism, a learning disability, mental health issues, attention deficit hyperactivity disorder (ADHD) and an attachment disorder. These contribute to Child X displaying behavioural issues with episodes of self-harming, smearing, violent outbursts of temper towards people and property and so on. Because of his mental illness, Child X receives disability living allowance, a non-means tested benefit, at the highest rate for support with his care and at a low rate for support with his mobility needs.

Summary of our earlier investigation

8. Mr and Mrs G first complained to us in 2017. Child X had lived with Mrs G since July 2015. In November 2016, Mrs G had become Child X's special guardian. They complained the Council:
 - Did not recognise that Child X entered Mrs G's care as a looked after child given concerns the Council had for his welfare.
 - That as a result Mrs G did not receive enough financial support for Child X between July 2015 and November 2016; at which point she became his Special Guardian.
 - That further, because the Council did not consider Child X a looked after child, it had also provided inadequate support for Mrs G after November 2016, under the Special Guardianship Regulations.
9. In March 2018, I issued a decision upholding the complaint on all three points. I found the facts supported the view Child X entered Mrs G's care as a looked after child. Because the Council had not recognised this, I found it had not paid the correct amount of financial support to Mrs G between July 2015 and November 2016. I also found this led to it not providing enough support for Mrs G after November 2016. The Council wrongly took the view it did not have a continuing duty to provide support services to Mrs G because she lived in another local

authority area. But this did not apply because Child X had been a looked after child before entering Mrs G's care.

10. Part of the support local authorities can provide special guardians includes financial support. I found fault in how the Council assessed the financial allowance paid to Mrs G after she became Child X's special guardian. I found the Council had not considered loan repayments made by Mrs G when she had taken out loans to furnish her home for Child X's arrival. It had also not considered if Mrs G had child care costs when calculating her allowance (an assessment for special guardianship allowance can disregard child care costs in some circumstances).
11. I found further fault in extra payments made by the Council to Mrs G to support contact between Child X and his birth parents. I considered the sum paid by the Council did not take account of the difficulties Child X had travelling on public transport, something Mrs G had consistently explained to the Council.
12. The Council accepted these findings and agreed to undertake a series of measures to remedy the complaint. It gave an unreserved apology to Mr and Mrs G and made a payment to them recognising the distress and time and trouble caused by its faults. It also paid for the shortfall in financial support received by Mrs G between July 2015 and November 2016.
13. It further agreed:
 - To contact 'Council 2' (Mrs G's local authority area) within 20 working days to discuss Child X and Mrs G's needs moving forward. It would find out what support Council 2 provided and/or what assessments were ongoing. It agreed to take over paying for any care needs Council 2 paid for and/or agree with that authority how the two authorities would assess Mrs G's support needs moving forward. The Council agreed to provide whatever support Mrs G needed in line with Special Guardianship Regulations until November 2019.
 - To complete a reassessment of the financial support paid to Mrs G. The Council agreed to meet with Mr and Mrs G to gather information reasonably required to complete that reassessment. This reassessment would consider Mrs G's loan repayments and any childcare costs. It would also consider Child X's contacts with his birth parents. The Council would then review payments made to support contact from April 2016 (excluding a three-month period before 20 January 2017 when a Court agreement covered payments). It would "*consider the situation moving forward*" and whether it still considered it necessary for Mrs G provide two contact visits a month as well as the funding provided for those visits.
14. The matters in paragraph 13 are the subject of this investigation, because there is no dispute the other parts of the remedy completed satisfactorily.

Events since March 2018

15. In March 2018, the Council paid Mrs G around £55 a week in special guardianship allowance and an extra £44 a month as a contribution to enable visits between Child X and his birth parents.
16. In April 2018, the Council contacted Council 2, which confirmed its children services already knew about Child X and he had a dedicated social worker. In May 2018, Council 2 told it the social worker's assessment of Child X remained ongoing.

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17. The meeting agreed as part of the remedy to the earlier complaint took place in May 2018. Mrs G's local Ward Councillor arranged this (he has helped Mr and Mrs G in pursuing their complaint). Representatives from Council 2 also attended. At the meeting, the Council explained that it would pay for any services provided by Council 2. But that it could not pay for services until they were in place. Council 2 confirmed it was not providing social care services to Child X, but its assessment of his needs continued.
 18. At the meeting Mrs G said that from July 2015, when Child X first entered Mrs G's care, she agreed that she would keep up weekly contact with his birth parents. From when she became special guardian in November 2016 this became twice monthly. Mrs G said she could only do this by using taxis. This involved a round trip of around 130 miles, costing around £130 (rising to £140 from 2018).
 19. Mrs G said Child X stopped having regular contact with his mother around April 2017 and with his father in October 2017. Between October 2017 and May 2018 his father had travelled to Mrs G's home on around four occasions to see Child X. But he would only do so if Mrs G gave him 'petrol money' of £40 for each round-trip.
 20. At the meeting in May 2018 Mrs G also said Child X had contact with an adult sibling and another younger sibling over weekends. They would travel from the Council's area to look after Child X overnight while Mrs G went to work. Mrs G paid for taxis to enable them to do this. Mrs G also said that she also paid the parent of one of Child X's friends £20 to look after him while she was at work. This would usually be during the one evening a week that she worked.
 21. After the meeting in May 2018 Mrs G provided the Council with more details about her income. In June 2018, the Council wrote to Mr G with an update on its position about funding contact. It then revised that position in July 2018 in response to further representations from Mr G. It agreed payments of £4420 to cover the journeys taken by Mrs G to its area between April and November 2016 (34 weeks at a round-trip cost of £130). It paid just under £950 for the period November 2016 to October 2017. This represented 11 round-trips costing £130 minus money already paid to Mrs G at £43.80 a month.
 22. The Council said it would continue to pay Mrs G £43.80 a month. This would enable Mrs G pay the expenses asked for by Child X's father, if he continued visiting once a month. The Council has said Mrs G can decide in the future about what contact Child X should have with his parents.
 23. Also by July 2018 the Council also completed its reassessment of Mrs G's special guardian allowance. It took account of information she provided after the meeting in May including wage slips. It decided it could now only pay Mrs G between £30 and £40 a week in special guardianship allowance. The amount lowered over time as it took account of Mrs G's loan payments for furniture which gradually dropped out of the calculation. The Council said this meant it had paid Mrs G more allowance than it should, although it would not seek recovery of any overpayment. It also agreed not to lower any allowance payments while this investigation completed.
 24. During this investigation Mr G told me Child X's father had stopped visits to him (September 2018), although there was some sporadic contact in early 2019. Child X continues to have contact with two of his siblings. Currently, the Council has stopped all payments to Ms G to promote contact as Child X no longer has contact with his parents. It initially said any childcare costs incurred by Mrs G did not relate specifically to Child X's disability and therefore implied it would not take

account of these in its assessment. Although the Council has re-considered this position further to the draft decision I sent it in February 2019.

25. During this investigation, the Council also said it intended issuing a new special guardianship plan setting out its support for Child X and Mrs G. However, it had deferred that until Council 2 completed its assessments of Child X and clarified what social care support it had assessed him as needing.
26. It says that in July 2018 one of its social workers visited Mrs G at home with the Child X's social worker from Council 2. It understood her happy with services provided by Council 2 then.
27. The Council has provided a copy of a needs assessment completed by Council 2 that month. This identified that Child X had unmet needs to support him with education. The action points envisaged Child X's school address these. It also recorded Mrs G being physically and emotionally exhausted caring for Child X and that it would identify support for her. The plan suggested Mrs G may want to resume contact between Child X and his parents but only if the Council paid for taxi fares.
28. In October 2018, the Council produced its own children and families' assessment for Child X. This detailed Child X's diagnoses of mental health illness and resulting behaviours. It described him receiving weekly psychotherapy from his local Child Mental Health Services (CAMHS) located in Council 2's area. It described his being out of education (see below). The Council said it had discussed Child X's case with his social worker in Council 2's area and said, "*the current child in need plan in [Council 2's area] is meeting all [Child X's] unmet needs and it is financial support that [Mrs G] needs. We discussed respite and [Council 2 social worker] stated it is her intention to look into this but identifying the right support may be an issue [...] they will also be looking at a personal assistant and direct payments*".
29. The assessment recorded Mrs G paying over £20 a day to take Child X to school and a further £20 a week taking him to medical appointments (these journeys by taxi). She also paid £140 a week for a taxi for Child X's adult sibling and his brother to visit and look after Child X while she went to work. Mrs G also said her wages had recently dropped and she had run up debts since looking after Child X.
30. The Council considered it could close its own involvement in Child X's case through the assessment procedure. It says this is because Council 2 would pick up any unmet needs as part of its continuing work with Child X. It said the only support Mrs G needed from the Council at that time was financial. After it took this decision the Council sent a standard letter to Mrs G saying it had 'closed the case'.
31. Council 2 has responsibility for Child X's education. He has an Education, Health and Social Care Plan (EHCP) detailing what extra help he needs to access education. He began secondary school in September 2018 but his placement soon ran into difficulties with the School identifying it struggling to meet Child X's needs. He is therefore currently out of school and receiving home tuition while his EHCP is under review. Before his school placement ended Council 2 agreed to fund Child X's education transport. The current EHCP for Child X does not identify him having any social care needs.

Relevant law and Council policy

32. To come to a view on this complaint I have first considered the Special Guardianship Regulations 2005 and associated guidance.
33. I note first **Regulation 3**. This says the Council must provide special guardianship support services. It defines these as:
- financial support;
 - services to enable groups of special guardians or children to meet;
 - assistance to support contact between the child and their parents or relatives;
 - therapeutic services for the child;
 - help for the continuance of the relationship between the child and special guardian; to include training for the special guardian to meet any special needs of the child and respite care;
 - counselling, advice and information.
34. Guidance accompanying Regulation 3 says that local authorities can consider giving a person help in cash where it considers it appropriate. It gives as examples *“giving a special guardian cash to pay a babysitter so they can have a break for an evening or money for petrol when a contact visit has been arranged”*.
35. **Regulation 4** allows the Council to arrange for another body to provide guardianship support services. This includes through another local authority.
36. **Regulation 5** says that where a child was previously a looked after child the authority ‘where the child was last looked after’ remains responsible for providing services for three years after the making of the special guardianship order.
37. **Regulation 6** covers financial support. The Council can pay this in circumstances including where:
- It is necessary to ensure the special guardian can look after the child;
 - Where the child *“needs special care which requires a greater expenditure of resources than would otherwise be the case because of illness, disability, emotional or behavioural difficulties or the consequences of past abuse or neglect”*.
38. Guidance accompanying the second bullet above says: *“payment of financial support is intended where the child’s condition is serious and long-term. For example where a child needs a special diet or items such as shoes, clothing and bedding need to be replaced at a higher rate than would normally be the case with a child of similar age who was unaffected by the particular condition”*.
39. **Regulation 10** allows the Council to place conditions on paying financial support, including requiring special guardians tell it of relevant changes in circumstances. For example, if the special guardian has any changes in their financial circumstances.
40. **Regulation 13** requires the Council to ensure that payments made to special guardians do not *“duplicate any other payment available to the special guardian”*. The guidance says that before paying any allowance the Council must therefore consider:
- The special guardian’s financial resources including any tax credit or benefit available because the child lives with them.

- The amount required by the special guardian in respect of their reasonable outgoings and commitments.
 - The financial needs that relate to the child (for example, because of special diet or need for replacement bedding) and the resources of the child (for example a trust fund).
41. Any payments must also take account of any comparable fostering allowance. This includes taking account of any enhancement payable for a particular child.
 42. Guidance accompanying this Regulation also says the Council must disregard *“any special care [...] which requires a greater expenditure of resources than would otherwise be the case because of illness, disability, emotional or behavioural difficulties or the consequences of past abuse or neglect in relation to a child who has been previously looked after by the authority”*.
 43. **Regulation 14** requires local authorities to draw up a plan setting out what services it will provide and covering matters such as objectives for the child; how it will evaluate those and how it will monitor/review the plan.
 44. **Regulation 18** provides for the Council to review any financial support it pays periodically.
 45. The Council’s policy says it takes account of these Regulations. When it comes to financial support the Council uses a means test model published in 2006 by the Government. This adds up family income and then considers certain expenses, disregarding some of that expense before arriving at a final figure for support.
 46. Guidance accompanying the means test says the Council should record benefits received by all members of the household, although it does not specifically refer to Disability Living Allowance (DLA). The Council also produces its own guidance for officers but this too provides no advice on how it should treat DLA income received by children.
 47. The model allows the Council to disregard costs for childcare. Accompanying guidance says it should allow for *“reasonable”* childcare costs taking account of family circumstances and local costs for childcare. It says assessment should take account of any childcare element paid as part of a tax credit award.
 48. In comments in reply to my enquiries the Council says it can consider making *“exceptional payments”* to cover extra costs associated with disability.

My findings

49. It is now 12 months since I issued my decision on Mr and Mrs G’s first complaint. The remedy to that complaint held out the hope that within three months Mrs G would have greater certainty about what support the Council would provide her and Child X moving forward. I recognise therefore Mr and Mrs G’s frustration there remains no such certainty. The Council has not completed a plan saying what support it will offer. While Mr and Mrs G remain especially unhappy with the extent of the Council’s financial support.
50. I accept the Council faces challenges in drawing up such a plan. The Council must have support for special guardians that can respond to change. Clearly both Mrs G and Child X have had changes in circumstance since Child X first went to live with Mrs G. His needs have become greater. While Mrs G’s employment patterns have changed and reduced in response to the greater demands this places on her. I find this contributes to some of the uncertainty about what support the Council can offer.

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51. Taking account of this I am not minded to find fault in the Council's position on any non-financial support it might offer to Mrs G and consequently its contacts with Council 2. I consider immediately after issuing my decision last year the Council could have reacted sooner to contact Council 2. I also think the letter it sent Mrs G in October 2018 caused unnecessary confusion as it did not properly explain why the Council had 'closed' Child X's case.
52. But I consider these matters while frustrating, have not disadvantaged Mrs G. Clearly by May 2018 the Council knew Council 2 was assessing Child X's needs and that remained ongoing. It confirmed it would meet the cost of any social care services Council 2 went on to provide. It considered this approach consistent with Regulation 4 and its responsibilities under Regulation 5 and I agree. Its position on this has not changed.
53. In May 2018 Council 2 had not offered any direct services to Child X and that remains the position. Its Children's Services have supported Mrs G with Child X's education needs and accessing suitable support from CAMHS. But none of this support falls under those 'support services' defined in Regulation 3. Council 2 has not arranged any direct services to help Child X or Mrs G in meeting Child X's social care needs, such as respite care, which might come under Regulation 3.
54. There is nothing in the papers I have read to suggest that Mr or Mrs G have any complaint with Council 2's Children's Services. I consider it implicit in the papers that Council 2 takes a patient approach with Child X given his complex needs. Council 2 may yet step in and provide more direct social care services but until it does there is little the Council can do other than keep a watching brief.
55. This also has implications for the plan setting out services for Mrs G. I understand why the Council had not produced a plan while waiting for clarity about what social care services Child X needs. I consider at this stage it has probably waited long enough. But though I find the delay unfortunate, for the reasons set out above I do not consider the Council at fault in its handling of these matters since March 2018.
56. This leaves me therefore to consider the financial support the Council gives to Mrs G. Here I consider the Council remains at fault.
57. I consider the fault stems in part from the Council's decision to use the standard assessment model when deciding what payment it will make to special guardians. There is no inherent fault in using this model but it remains subservient to the Regulations.
58. Regulations 6 and 13 clearly set out an expectation the support offered to special guardians of disabled children must take account of their extra needs compared to children without such disabilities. There can be no dispute that Child X has such extra needs. He would not receive DLA if this was not the case.
59. Yet the standard assessment model gives the Council no guidance on how to take such account in practice. It implies, but does not say, the Council should include DLA in its calculation. But it does not allow for any extra allowance when calculating allowable expenses. I find there is an assumption that in the means test a disabled child's allowance may start from a higher base. This is because of the linkage between special guardianship allowances and fostering allowances, with many authorities paying a higher fostering allowance to foster carers looking after disabled children. But the Council does not have such extra allowances in this case, instead paying its foster carers on their skills and qualifications, rather

than linking payments to the needs of the child. So, this assumption of a higher base does not apply here.

60. In which case I consider the Council should have considered some other way to take account of Child X's extra needs. I have noted some authorities discount DLA received by children when calculating special guardianship allowance. Others assume a disregard of 50%. As there is no clear caselaw or guidance in this area I do not think I can be prescriptive and say exactly how the Council should treat this income. But I consider simply adding DLA into the assessment calculation and not taking account of the child's extra expenses implicit in its award, runs contrary to the expectations in Regulation 6 and 13. This must result in a finding of fault.
61. I also consider the Council must consider the impact of the public-sector equality duty. The Equality Act 2010 requires local authorities not to discriminate in delivering services on grounds including disability. I consider the Council's current model of assessing payments may inherently disadvantage disabled children. Because it treats their DLA like any other income, meaning the support offered a special guardian with a disabled child is the same as that given to one with the same income, but without disability.
62. I note that during this investigation the Council indicated a willingness to reconsider its approach to these payments and I welcome that.
63. I accept that currently I have not seen a significant quantity of evidence for what extra expenses Mrs G incurs because of Child X's disabilities. I consider his need for travel by taxi as opposed to public transport demonstrated. Although some of that spending may reduce now Council 2 accepts the need to pay for his school transport. But I have not seen evidence that points towards Mrs G having higher costs arising from Child X's care, such as clothing or bedding costs higher than an average child of his age. Yet I do not find the Council has explored this in any detail. This is something that arises from the use of the standardised model which does not encourage such enquiries.
64. In addition, even using the standardised model I do not consider the Council has provided a coherent response for why it has not allowed childcare expenses for Mrs G. The guidance accompanying Regulation 3 makes clear a local authority can consider making allowance to help a special guardian's childcare costs; so long as this does not duplicate an existing child tax credit award. The comment made that Child X's childcare costs were not caused by his disability appeared true, but also irrelevant in this context. I am therefore grateful the Council has signalled a re-think here also.
65. Consideration of this matter could also run alongside a reconsideration of the potential need to fund continuing contact between Child X and his family. I consider there is no fault in how the Council has resolved the matter of expenses on contact incurred by Mrs G before May 2018. I also accept the Council cannot agree to fund contact which is not happening. But Mrs G made clear in May 2018 that Child X still saw some of his siblings. While they provide childcare for Mrs G, the Council should also consider the potential benefit to Child X of preserving some contact with his birth family, if not his parents.
66. Clearly the position on contact also remains fluid and I need to consider this also. This is therefore reflected in the agreed action to remedy this complaint.
67. In summary, therefore I remain concerned the allowance Mrs G receives is insufficient. Because it does not properly take account of Child X's disability,

Mrs G's childcare costs and contact arrangements. Further drift on all these matters is not good for any of the parties involved. The Council's faults have caused more distress to Mr and Mrs G because there remains a lack of certainty about what financial support Mrs G should receive. This is their injustice. Although I also consider some uncertainty remains inherent. Because of Child X's needs and the variations around contact the Council cannot simply set its financial support in stone. I note here the impact of Regulations 10 and 18 which require the Council to ask for information in support of its financial assessment and review that assessment periodically.

Agreed action

68. To remedy the injustice identified at paragraph 67 the Council has agreed that within 20 working days of a decision on this complaint, it will:
- a) Provide a further apology to Mr and Mrs G recognising the findings of this investigation.
 - b) Make a further payment of £300 to Mr and Mrs G in recognition of their distress.
69. In addition, the Council has committed to completing a draft of its plan setting out the support, including financial support it will give to Mrs G, within 20 working days of receiving any further information it needs from Mrs G (see also notes at paragraphs 72 & 73). It has now requested further information from Mrs G in connection with this. It has also agreed its assessment will consider my findings at paragraphs 58 to 66 above (see also note at paragraph 74).
70. The Council will also backdate any financial support agreed on at 69 above as appropriate to 20 January 2017 (see also note at paragraph 75).
71. The Council has also agreed to complete its review of its current policy towards assessment of special guardianship allowance for children with disabilities. The Council will aim to produce a working draft of its new policy within two months of this decision statement. This will further inform its decision at 69 above (see also note at paragraph 76).

Explanatory notes in support of agreed action

72. Mrs G's support plan will take account of any social care services provided by Council 2 that fall within the scope of special guardian support services. The Council should not delay the plan further if Council 2's assessment of Child X's needs remains incomplete. It can instead amend the plan later to take account of Council 2's actions. The priority must be to finalise the financial support.
73. The plan should set out how changes to financial support can be made. Where needs fluctuate (for example around contact) the Council may want to indicate a maximum ceiling cost of trips it is willing to fund each month and give Mrs G a float to that value. It could then top that up subject to Mrs G providing receipts when she incurs expenses, providing her with contact details to enable this. The Council should make clear it accepts the necessity for Child X to use taxis if travelling to its area but may consider if it reasonable for an adult sibling to also use this method of transport.
74. The Council is not restricted to only asking for information about Child X's disability needs, childcare costs and contact. It can ask for any information reasonably required to complete its assessment. But it should also bear in mind

what records it is reasonable and proportionate to expect Mrs G to have retained, especially if seeking confirmation of costs incurred in 2017 or 2018.

- 75. The agreed action does not require the Council to backdate every calculation to January 2017. It can take account of when changes in circumstance occur. In its financial reassessment the Council should consider if its special guardianship payments, which are based on fostering allowances, should also include allowance for birthday and festive allowances (paid to foster carers).
- 76. As part of its review of policy the Council has agreed it will identify any other children similarly affected to Child X; i.e. those to whom it pays special guardianship allowance where the child is disabled. It should commit to reviewing their payments also, in line with its new policy once this is agreed.

Final decision

- 77. For the reasons set out above I have upheld this complaint, finding fault by the Council causing injustice to the complainants. The Council has agreed action that I consider will remedy the injustice. I can therefore complete my investigation satisfied with its actions.
- 78. Under the information sharing agreement between the Local Government and Social Care Ombudsman and the Office for Standards in Education, Children's Services and Skills (Ofsted), we will share this decision with Ofsted.

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 handling of a highway matter. It is unlikely we would find fault by the Council causing Mr X significant injustice.

The complaint

1. The complainant, Mr X, complains about the Council's handling of a highway matter. He is concerned the Council has not provided proper answers to his questions and feels victimised by the Council's approach 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 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.

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

How I considered this complaint

3. I reviewed the information provided by Mr X including his complaint and the Council's responses. I shared my draft decision with Mr X and considered his comments.

What I found

4. The Council wrote to Mr X in 2019 requiring him to remove an obstruction from the highway and stop driving over a raised kerb and grass verge to access his driveway. It explained that if he wanted easier access to his driveway he may apply for a vehicle crossing or instruct his own contractor to carry out the work.

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5. Mr X questions the Council's actions as he says it has not dealt with similar obstructions in the same way. He believes it could be an excuse to raise money as the Council has now informed him he would have to pay not only for the vehicle crossing but also to remove a lighting column located outside his home. He is unhappy a council officer terminated his phone call and that another officer did not make a record of their conversation with his wife. He assumes the Council would prefer him to park on the road and believes it should accept liability for any damage it may suffer while parked there. He complained to the Council but was not satisfied with its response.
 6. The Ombudsman will not investigate this complaint. The Council has a duty under the Highways Act 1980 to keep the public free of obstructions. There is no question in this case that Mr X placed objects on the public highway and the Council decided it should take action to remove them. This is a decision it is entitled to take and whether it has done the same in other cases does not affect Mr X. The Council's warning letter set out the possibility of further action in the event he did not comply, but it did not come to this. Mr X removed the objects and that is the end of the matter.
 7. The Council has also explained to Mr X that the law does not allow motorists to cross the footway without a properly constructed vehicle crossing; it explained his options and Mr X is exploring the costs involved to construct a new crossing. The extension of the existing vehicle crossing will involve the removal/repositioning of an existing streetlight and this is a cost that the Council will not cover. Mr X must therefore factor it in when deciding how to proceed. It is unlikely we would find fault in the Council's insistence that he must either stop driving over the footway or pay for a properly constructed crossing and we could not say it should accept liability for any damage that may occur to his vehicle as a result of parking on the road.
 8. Mr X is unhappy with the Council's handling of the case but while I note he had some concerns over security and the accusation that he had raised his voice while speaking to a council officer, we would not investigate this issue or the Council's handling of his complaint about it in isolation. This is because it has not caused Mr X significant injustice and it would not be a good use of our resources to investigate it.

Final decision

9. The Ombudsman will not investigate this complaint. This is because it is unlikely we would find fault by the Council causing Mr X significant injustice.

Investigator's decision on behalf of the Ombudsman

The Ombudsman's final decision

Summary: Miss X and Mr X complain about the Council's support provision for Miss X. The Council was not at fault in the way it assessed Miss X's social care needs or its decision not to increase her support hours. The Council was also not at fault when it decided not to continue to fund accommodation for support workers for Miss X's holidays.

The complaint

1. Miss X and her father Mr X complain that the Council has:
 - Reneged on an agreement to pay for carer accommodation when Miss X goes on holiday.
 - not increased Miss X's care hours despite advice from medical professionals to do so.
 - delayed at each stage of the process.

What I have investigated

2. I have investigated the complaint as outlined above. Miss X and Mr X have since made a further complaint to the Ombudsman about the provision of the agreed respite care. This complaint was made after I started my investigation and so has not been considered as part of it. This is currently being considered by the Ombudsman separately.

The Ombudsman's role and powers

We normally expect someone to refer the matter to the Information Commissioner if they have a complaint about data protection. However, we may decide to investigate if we think there are good reasons. (*Local Government Act 1974, section 24A(6), as amended*)

3. 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*)

How I considered this complaint

4. I considered the information provided by Miss X and Mr X and discussed their complaint with them. I have also considered the Council response to my enquiries and the documents it provided.

What I found

5. There is a significant amount of correspondence relating to this complaint. I have not included details of all of the actions or correspondence, but have included those that provide relevant background information or details relevant to my decision making.
6. I have outlined the complaints process and then addressed each of the complaints made to the Ombudsman.

Complaints process

7. Mr X made a complaint regarding Miss X in January 2017. This complaint was that:
 - the Social Worker did not enclose a copy of Miss X's care and support plan from 2016 as she said she would.
 - The care package for Miss X was not increased despite letters from Miss X's consultant neurologist indicating that the hours of support should be increased.
 - The Council removed funding for carer's accommodation whilst Miss X is on holiday.
 - That a Direct Payment was paid without agreement or explanation.
8. The Council said it would respond to Mr X by 8 February 2017. It sent its response on 10 February 2017. This said that:
 - The Council did not send the support plan as it said it would. However, this had now been done.
 - The Council said Miss X's care package had not been reduced and remains the same. Miss X continues to receive 18 hours of 1:1 support per week and 432 hours respite. The Council explained that the hours of support had not been increased because Miss X's assessment package had not been increased because her assessment specified that her indicative budget was set at £75.03 per week. However, she was in receipt of £266.04 per week. The Council also said that although Miss X's consultant had written to the Council to ask if Miss X's hours could be increased to 22 hours, he did not say that this was essential to meet her needs but recommended that the hours should not be reduced. The Council said that it considered his opinion and in line with this it did not reduce the level of support.
 - Regarding the provision of funding for accommodation for support staff whilst Miss X is on holiday the Council said "Considering you are already in receipt of a support package that is above your indicative budget and a bespoke respite plan which meets your needs in line with your assessment, it is felt funding accommodation for carers to accompany you at the same hotel is not essential." It confirmed that the £1000 one off payment that was previously made for accommodation would no longer be provided.
 - To explain why the Council had intentions to reduce Miss X's care plan in the future, the Council said that the objective of a Care and Support Package is to meet people's needs and achieve specific outcomes, for example, find activities and also to provide help to teach individual's new skills so that they can become more independent in the future rather than relying on social care support in the long term. It also said that Miss X has many independent skills, including cooking, shopping, travelling independently, managing finances, staying alone when Mr X goes away and attending to personal care.

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- The Council said that the Direct Payment made to Miss X was commissioned in error. The Council apologised for any confusion or inconvenience this caused.
9. The Council records that following this, Miss X contacted the Complaints Team by telephone because she was unhappy with the complaint response. Miss X reiterated that she felt her care package should be increased that the £1000 accommodation payment for support staff that had been withdrawn was not enough. The complaints officer suggested that a meeting should take place when Miss X returned from holiday.
 10. A Complaints Officer contacted Miss X to discuss next steps. The Council records it confirmed Miss X's outstanding issues were:
 - Cheque for £7000 for a Direct Payment that was paid to her in error.
 - Additional 4 hours need to be added to the care package which would increase it to 22 hours per week.
 - £1000 one off annual payment which was to cover the cost of Miss X taking her carers on holiday has been stopped.
 11. The Complaints Officer also spoke to Mr X. The Council records that Mr X said the response they had received to the complaint was unsatisfactory. Mr X said that Miss X had only seen a social worker once every twelve months yet the social worker was now saying Miss X could improve to the point her care hours could be reduced. Mr X said that is never going to happen. Mr X said he did not feel the department had given Miss X's consultant's letter of support proper consideration.
 12. Following this, there was a large amount of contact between the Council and Mr X and Miss X regarding how to progress with the concerns raised. The Council says it offered Miss X a meeting on 31 March 2017 with the Group Manager and Team Manager. It says Miss X refused this as she was unavailable and said that this would not be effective as the Group Manager and Team Manager had already been involved in the case. Miss X says the Council did not offer any such meeting so she could not have refused. The Group Manager escalated the issue to the Service Director who confirmed that the Corporate Director was also aware and that the Group Manager should meet with Mr X and Miss X.
 13. The Group Manager suggested that a new assessment of Miss X's care needs is completed before a meeting takes place. The Council records that it provided Miss X and Mr X with an update by email.
 14. Mr X complains about the delay in organising a meeting and requests to meet with the Corporate Director or Service Director. The complaint was then again referred back to the Service Director. The Service Director agreed to meet with Mr X and Miss X alongside the Group Manager. A meeting was proposed for 18 May 2018.
 15. Following this the Service Director requested that the meeting be put on hold until a new needs assessment was completed, however Miss X and Mr X refused a further assessment. The Council then suggested a further written response which was also refused by Mr X and Miss X.
 16. A meeting was eventually proposed again for 18 May. Miss X and Mr X were unable to attend on this date. A meeting was ultimately arranged for 31 May 2017. I have reviewed the Council's record of this meeting. The Council appears to have outlined its position and has recorded Miss X and Mr X's views.

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17. The Service Director sent a letter to Mr X and Miss X confirming the outcomes that were agreed during the meeting. These were that the Service Director agreed to:
- Send a copy of the most recent assessment and care plan to Miss X.
 - Clarify the amount the Council would fund for respite care.
 - Ask the Social Worker to arrange for someone to visit Miss X from the services that she has suggested to look firstly at Miss X accessing some social activities.
 - Ask the Social Worker to set out what support the Support Workers will provide as well as the arrangements regarding their mileage and meals.
 - The Social Worker to return the cheque sent in error to Adult care Financial Services on Miss X's behalf.
18. Following a further series of correspondence, Mr X contacted the Ombudsman to complain that the Council:
- Had not increased Miss X's care hours despite advice from medical professionals to do so.
 - Reneged on an agreement to pay for carer accommodation costs during Miss X's holidays once a year.
 - delayed at each stage of the process.

Findings

Care Package

2016

19. My investigation has reviewed the care needs assessments conducted by the Council in December 2016 and July 2017 and the associated care and support plans and reviews. The Council decided, following both assessments, not to increase Miss X's care provision from 18 hours to 22 hours, despite her request and letters from her consultant.
20. Council's must follow government legislation, guidelines and regulations to establish who is eligible for social care and support.
21. Council's use a care and support assessment to decide whether a person is eligible for support from it. The eligibility threshold is based on identifying how a person's needs affect their ability to achieve relevant outcomes, and how this impacts on their wellbeing. To have needs which are eligible for support, the following three criteria must apply:
- The needs must arise from or be related to a physical or mental impairment or illness.
 - Because of the needs, the adult must be unable to achieve two or more of the following:
 - a. Managing and maintaining nutrition;
 - b. Maintaining personal hygiene;
 - c. Managing toilet needs;
 - d. Being appropriately clothed;
 - e. Being able to make use of the adult's home safely;
 - f. Maintaining a habitable home environment;
 - g. Developing and maintaining family or other personal relationships;

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- h. Accessing and engaging in work, training, education or volunteering;
 - i. Making use of necessary facilities or services in the local community including public transport, and recreational facilities or services; and
 - j. Carrying out any caring responsibilities the adult has for a child.
- Because of not achieving these outcomes, there is likely to be, a significant impact on the adult's well-being.
22. Where local authorities have determined that a person has any eligible needs, they must meet these needs.
23. In December 2016 the Council recorded that Miss X had eligible care needs as it considered she could not meet the following outcomes;
- Maintaining a habitable home environment,
 - Developing and maintaining family or other personal relationships and
 - Making use of necessary facilities or services in the local community including public transport and recreational facilities or services.
24. Following an assessment, the Council uses a Resource Allocation System to calculate an Indicative Personal Budget amount based on the answers provided by the individual in the assessment. The indicative budget is intended as a guide and the amount of support a person receives will be determined during support planning process. Miss X's indicative personal budget was £75.03 per week. The Council's support package put in place following this review was £234 per week one to one care and £137.76 per week in respite care. The respite cost is what the annual respite package costs per week. This would therefore cost approximately £7163 per year.
25. Miss X and Mr X complained that the Council did not increase the support hours provided to Miss X. It is not my role to determine what support I think Miss X should have had. I must consider whether the Council conducted the assessment properly and considered the eligible needs when deciding what support is necessary to meet the identified needs. Following the complaint made to the Council about the outcome of this assessment, the Council offered to complete another assessment if Miss X and Mr X thought the previous assessment was not accurate, however Mr X and Miss X refused this. From the evidence, it appears the Council considered all of the relevant information and did not consider irrelevant information when considering what support Miss X required. Because I have not found fault in the way the Council conducted the assessment or made its decision, I cannot question the outcome.

2017

26. In July 2017 the Council conducted its annual review of Miss X's assessment. This identified no eligible care needs. Because of this Miss X was not automatically eligible for support from the Council. However, the Council made a decision to apply discretion to enable Miss X to continue with the same level of support.
27. The Council did consider whether the Council conducted the assessment properly. From the evidence, it appears the Council considered all of the relevant information and did not consider irrelevant information when determining whether Miss X had eligible care needs. The information recorded on the 2016 and 2017 assessments shows that different information was provided and different answers to the questions make a decision to provide support, using its discretion. The Council recorded that it was felt that there could be a significant impact on Miss

X's health and wellbeing if she was not provided with support to socialise and access the community. The Council's system determined an indicative budget of £31.10. However, the Council made a decision that Miss X could retain the level of support she already received. The cost of the weekly package was £279.18. Miss X was also given a respite package of £7400.32 per year.

28. It is not my role to determine whether Miss X has eligible care needs, but instead to consider whether the Council conducted its assessment properly. Again, my role is to Miss X and Mr X complained that the care package did not increase despite the letters sent by Miss X's consultant neurologist they also complain that the Council used the Resource Allocation System amount to explain why it would not increase Miss X's support.
29. When determining Miss X's care package, the Council has shown that it had regard to the letters from Miss X's consultant. It discussed these with Miss X and Mr X and replied to Miss X's consultant directly. The Council also explained that it obtained information from support workers when it conducted the 2017 assessment. I would expect the Council to consider information from health professionals alongside other information gathered in the assessment process.
30. I have reviewed Miss X's assessment and am satisfied that there was no fault in the way the Council decided how to meet Miss X's social care needs, because the assessment properly considered information provided by Miss X, Mr X and Miss X's neurologist and the Council carried out the assessment in line with the Care and Support Statutory Guidance.
31. I understand that Miss X and Mr X disagree with the Council's decision that Miss X did not require an increase in her support hours, however, I cannot challenge this decision because it appears the Council followed the correct procedure in making it.

Resource Allocation System

32. The Council, on several occasions has referred to Miss X's indicative budget, calculated through its Resource Allocation System, being lower than the provision she receives. It appears to suggest that this is the reason for why Miss X's support should not be increased. While this may be a factor the Council would consider when determine a person's care plan to meet their needs, it is not, on its own, a valid reason to reduce or not increase a person's support.
33. In spite of the Council's explanation, there is no evidence to suggest the Council has relied solely on the indicative budget from the Resource Allocation System when determining Miss X's support plan. I am satisfied, that in both 2016 and 2017, it properly considered Miss X's needs when determining the support it provided. It is important to note that when considering the support package following the 2017 assessment, the Council was providing this, using its discretion. Miss X was not automatically entitled to support as it was considered that she has no eligible care needs Because I have found no fault in the way it reached its decision, I cannot question the decision itself.
34. While it was unhelpful for the Council to continue to use the Resource Allocation System to explain its decision not to increase Miss X's support hours, without properly reiterating that the Council considers the current package meets Miss X's needs, I do not consider this amounts to fault.

Reduction in respite provision

35. It is important to recognise that the number of days of respite provision to Miss X and Mr X remains the same as the previous years that I am considering. There

was a previous reduction in overnight respite care, however this does not form part of my investigation.

36. During the time period I am considering, Mr X chose not to have a carer's assessment. I therefore do not consider the Council to be at fault in not conducting one. The Council has, in any case, recognised that Miss X and Mr X need respite from each other and given that it has used its discretion to meet this need, it should do so. The respite package in place included two weeks where Miss X would be away from home. In such circumstances, it seems the Council would ordinarily arrange for a residential placement to take place. However, my understanding is that Miss X did not want to go to a residential placement for this respite period but instead wanted to go on holiday outside of the Council area.
37. Previously the Council agreed that it would arrange for a support worker to accompany Miss X to go on holiday outside of the County area to provide respite to both her and Mr X. The support worker would stay in the same room as Miss X overnight. The care provider then made a decision that its support workers would now require a separate room. Because of this the Council, during 2014 and 2015 provided an additional payment of £1000 per year to Miss X to pay for the accommodation of support workers when she went on holiday. This was agreed by the Council for 2014 and 2015. I have found nothing to suggest that this was agreed or intended to be an ongoing provision. By contrast the Council has provided me with an extract from the panel meeting where the decision was made to commission two £1000 payments. This said "Two one off direct payments of £1000. One backdated to 1.4.2014 and the second to be paid on 1.4.2015. This will enable costs to reflect current support plan and allow time for work to be carried out with family in reducing costs."
38. In 2016, the Council decided that it would no longer pay the one off £1000 payment. It has explained that this was because in February 2016 the Council introduced a Short Breaks for Service Users and their Carers policy. This policy states that the personal budget cannot be used for accommodation or food costs which remain the responsibility of the service user. The Council has explained that as a result of this policy, the £1000.00 was no longer available to Miss X which, the Council says, she was verbally informed of at the review of her care and support assessment during a home visit in April 2016. Mr X says that, at this time, the Council was told that this was unacceptable. In 2016 due to issues with providing Miss X and Mr X with a copy of Miss X's support plan the Council again paid £1000 as a one-off payment, however this was made in July 2016 and not in April 2016 as Miss X and Mr X expected. Mr X has explained that this meant his daughter had to borrow money from him to pay for her holiday. From the information I have, it seems there was no reason for Miss X and Mr X to expect that the payment would be made as it had not been agreed for that instance and was by all accounts discretionary.
39. I do not consider that the Council was at fault when it paid £1000 one off payment in July 2016, instead of April as Miss X and Mr X had expected. This is because Miss X and Mr X had been informed verbally that the payment would not be made, there is no indication this was promised previously and the payment was a discretionary decision, made at that time.
40. Miss X's assessment in 2017 does not identify any eligible care needs. As explained above, the Council has used its discretion to provide support to Miss X. The Council has identified the need to provide respite to Miss X and Mr X. Given that it has identified such needs, I would expect the Council to meet these needs. It is important to recognise that the needs the Council has agreed to meet are not

that Miss X must go on holiday out of County. The Council has explained that the respite needs it has identified could be met through a residential placement, which Miss X is unwilling to consider. The Council has therefore agreed to fund support, generally, at an equivalent value as to what a residential placement would cost.

41. The Council has calculated a budget to meet the respite needs of Miss X and Mr X. It has used the cost of two weeks temporary residential care to calculate this budget. It has considered the wishes of Miss X, who does not want to go into a temporary residential placement and has agreed that she can use the available funding for support workers to support her whilst she goes on holiday. It is important to recognise that the needs identified by the Council do not include the need for an out of County holiday and so I would not expect the Council to fund this, over and above what it has agreed to pay for respite care. The Council is entitled to seek value for money, providing it is meeting the needs it has identified. Because of this, I do not consider the Council was at fault when it decided not to pay for accommodation for support workers during the time when Miss X took out of County holidays. This is because the Council has evidenced how it can meet the needs it has identified. The Council is entitled to meet a person's needs in the most cost-effective way. It also has a policy for out of County holidays which makes clear that personal budgets cannot be used to pay for support workers accommodation.

Delay

42. As above, due to the significant amount of correspondence relating to this complaint, I have not included a timeline of all of the correspondence.
43. It is evident that there has been some delay throughout the process in providing Miss X and Mr X with a response to correspondence, at some points, for several weeks. It also seems that the Council caused delay and confusion when organising a meeting between Miss X, Mr X and the Service Director.
44. The Council has provided several reasons for specific delays. These include priority safeguarding work, personal circumstances and annual leave. It has also explained that communication with Miss X can be difficult due to her sleeping pattern and the lack of voicemail service on Miss X and Mr X's telephone. It has also said that correspondence has been sent to both the adult social care and complaints departments in the Council. I can see from the documents the Council has provided that it was attempting to find a resolution to the issues when arranging the meeting between Miss X, Mr X and the Service Director.
45. I acknowledge that there was some delay on the Council's part, throughout the process. However, I consider that the Council has provided rational reasons for the delay and has evidenced that, where possible, it was attempting to resolve the issues despite the delay. It would have been better if the Council had kept Miss X and Mr X informed of the delays, however, in the circumstances, I do not think this amounts to fault.
46. I do not consider the Council was at fault in the way it conducted Miss X's care needs assessments in December 2016 and July 2017 and the way it decided the outcomes of the associated care and support plans.

Final decision

- 47. The Council was not at fault in the way it assessed Miss X's social care needs or its decision not to increase her support hours. I also do not consider the Council was at fault when it decided not to continue to fund accommodation for support workers for Miss X's holidays.
- 48. Subject to further comments by Miss X, Mr X and the Council, I intend to complete my investigation.

Investigator's decision on behalf of the Ombudsman

The Ombudsman's final decision

Summary: The Ombudsman will not investigate Mr F's complaint that the Council has refused to provide a residential placement as part of his son's educational provision. Mr F has a right of appeal to a Tribunal against this decision and this is the only way of securing the outcome he seeks.

The complaint

1. The complainant, whom I shall call Mr F, complains that the Council will not pay for his son to have a residential placement at the school he already attends.

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. The law says we cannot normally investigate a complaint when someone can appeal to a tribunal. However, we may decide to investigate if we consider it would be unreasonable to expect the person to appeal. (*Local Government Act 1974, section 26(6)(a), as amended*)
4. SEND is a tribunal that considers special educational needs. (*The Special Educational Needs and Disability Tribunal ('SEND')*)
5. A child with special educational needs may have an Education, Health and Care (EHC) plan. This sets out the child's needs and what arrangements should be made to meet them. The EHC plan is set out in sections. We cannot direct changes to the sections about education, or name a different school. Only SEND can do this.

How I considered this complaint

6. I have considered information provided by both Mr F and the Council. Mr F has had an opportunity to comment on my draft decision.

What I found

7. Mr F's son, S, attends a school for children with autism. Mr F says that the opportunity has come up for S to have weekly overnight stays in the residential part of the school. He says that the school believes that this will benefit S's education significantly. He would like the Council to fund this as part of S's educational provision. [Page 53 of 140](#)

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8. The Council says that it does not consider that overnight stays are an educational need for S. It has now sent Mr F a final ECH Plan which does not specify a residential placement at the school. It suggests that Mr F could use funding he currently receives for respite care for S towards the cost of overnight stays if he wishes. It has advised Mr F that he has the right to appeal to SEND if he disagrees with the provision specified in the Plan. Ms F has indicated that he wants to do this.

Assessment

9. Mr F has a right of appeal against the Council's decision not to include residential stays as part of the education provision set out in S's ECH Plan. This means that his complaint is outside the Ombudsman's jurisdiction.
10. I have considered whether we should make an exception and investigate notwithstanding the right of appeal. I consider that we should not because the Ombudsman, unlike the Tribunal, could not direct the Council to include the residential provision in the Plan. It is therefore reasonable to expect him to appeal as this is the only way to achieve the outcome he seeks.

Final decision

11. I have decided that the Ombudsman should not investigate this complaint. This is because Mr F has a right of appeal and it is reasonable to expect him to use it.

Investigator's decision on behalf of the Ombudsman

The Ombudsman's final decision

Summary: Mr and Mrs B complain about the Council's actions when they approached it to adopt a child. Mr and Mrs B say this caused them significant distress and financial loss. The Council has accepted fault and offered a remedy. Mr and Mrs B are unhappy with the remedy. The Ombudsman finds fault with the Council. The Council agrees to reimburse Mr and Mrs B's costs, make a payment for avoidable distress and review its fostering and adoption policy.

The complaint

1. Mr and Mrs B complain about the Council's actions when they approached it to adopt a child, C. The Council has accepted fault and offered a remedy. Mr and Mrs B are unhappy with the remedy.

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. 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)
4. Under the information sharing agreement between the Local Government and Social Care Ombudsman and the Office for Standards in Education, Children's Services and Skills (Ofsted), we will share this decision with Ofsted.

How I considered this complaint

5. I considered:
 - Mr and Mrs B's complaint and the information they provided;
 - documents supplied by the Council;
 - relevant legislation and guidelines;
 - the Council's policies and procedures; and
 - The Council and Mr and Mrs B commented on a draft decision.

What I found

What happened

6. This chronology includes key events in this case and does not cover everything that happened.
7. In June 2018, Mrs B emailed the Council. Mrs B said her and her husband would like to be considered as adopters for C. Mr and Mrs B are relatives of C. C was living in foster care.
8. In July 2018, Council records say C's social worker completed a viability assessment for Mr and Mrs B. However, the copy provided by the Council is dated September 2018. There are no records of this meeting.
9. In August 2018, C's social worker and a fostering social worker met with Mrs and Mr B to discuss the care of C and to start a family and friends fostering assessment. Mr and Mrs B said they would like to adopt C. The social workers advised Mr and Mrs B to foster to adopt so C could live with them sooner. Mr and Mrs B agreed. However, a foster to adopt assessment was not undertaken. The Council continued with the family and friends fostering assessment.
10. Mrs B says the social workers told them C could be placed with them that month. The social workers told Mr and Mrs B about documents and equipment they would need and adaptations they would have to make to their home. The fostering social worker's view of this meeting was that C's social worker suggested that pending a legal planning meeting and the result of the fostering assessment, a plan would be made to transition of C into their care.
11. Following this meeting, the fostering social worker emailed Mr and Mrs B and listed changes they needed to make to their home and items they needed to buy to meet fostering standards. The fostering social worker commented, 'the following are required to help ensure C's safety in your care'. The fostering social worker told Mr and Mrs B the Children's Social Care department could support them to buy the equipment and furniture needed. The fostering social worker asked Mr and Mrs B to contact her when they had met the requirements.
12. Mrs B emailed C's social worker to say the fostering social worker had said they had been accepted to care for C. Mrs B said the fostering social worker had told her to speak to her about financial support to buy items for C.
13. C's social worker emailed the fostering social worker about the email sent by Mrs B. In the email, C's social worker said, 'Mrs B states she has had confirmation from yourself that the couple have been 'accepted' to care for C.' The fostering social worker emailed C's social worker and suggested Mr and Mrs B had 'gotten a little bit ahead of themselves'. The fostering social worker shared that Mrs B wanted an update because she would like to tell her employer of the plan. The fostering social worker said she had advised Mrs B that 'it should be fine' for her to start preparing their spare room for C.
14. C's social worker left to take a planned extended period of leave. There is no evidence the Council told Mr and Mrs B about this. It was a month before C's new social worker responded to Mr and Mrs B's requests for an update.
15. Mr and Mrs B started to prepare to look after C. They decorated a room for her, altered their home and told their relatives.
16. Mrs B emailed the Council to say she had been unable to get in touch with C's children's social worker. This message was forwarded to the fostering social

worker because C's social worker was not available. There is no evidence the Council replied to Mrs B.

17. The fostering social worker emailed C's social worker's team manager. The fostering social worker advised the team manager that C's social worker's part of Mr and Mrs B's family and friends fostering assessment was outstanding. The fostering social worker commented that Mr and Mrs B 'are aware that I will be making a positive recommendation and have been proactive in preparing their home for C in the meantime'.
18. In September 2018, the Council assigned a new social worker to C.
19. Mrs B emailed C's new social worker asking for an update. Mrs B explained they wanted to adopt C but were told by the previous social worker that C could live with them sooner if they fostered to adopt.
20. C's social worker visited Mr and Mrs B. Mr and Mrs B told the children's social worker they were confused about the process. They explained social workers who visited them in August 2018 told them to apply to foster to adopt as this would be quicker. Mr and Mrs B said they thought they had been through the assessment, had been approved to care for C and it was just a matter of time before C would live with them. Mrs B explained that she had arranged adoption leave with her employer. C's social worker told them she understood permanency for C had not been agreed and that she would check with her manager and get back to them about this. C's social worker advised Mr and Mrs B the Council would pay for them to get legal advice.
21. The following day C's social worker sent Mr and Mrs B an email and wrote, 'I will also speak to our legal department about the plan which was to place C with you.' Mrs B replied to C's social worker asking whether foster to adopt was happening or if they had been misadvised.
22. C's social worker replied to Mr and Mrs B. She said there would be a court case in October 2018 to discuss the long-term plan for C. Mr and Mrs B say this was the first time the Council told them the case needed to go to court; 9 working days before the hearing. C's social worker told Mr and Mrs B to get legal advice and said the Council would pay £250 towards legal fees, 'to support you both in making a decision about the long-term care needs of C in deciding if you are able to offer permanency for C throughout her childhood.' C's social worker told Mrs B a manager would contact to discuss concerns about the advice she had been given to adapt her home.
23. C's social worker emailed Mr and Mrs B and told them the Council was going to court to seek an interim care order for C. C's social worker explained an interim care order would allow the Council to share parental responsibility with C's mother.
24. The Council completed its viability assessment of Mr and Mrs B. The viability assessment recommended Mr and Mrs B as potential carers for C.
25. Mr and Mrs B sought legal advice. The solicitor told them the court case was to seek a special guardianship order. Mr and Mrs B wanted to adopt C, not to become her special guardian, and they withdrew from proceedings.
26. In October 2018, Mr and Mrs B complained to the Council about:
 - Social workers giving them wrong information about adoption;

- The Council not listening to them when they said they were only interested in adoption;
 - Social workers leading them to believe C would be placed with them and this would happen quickly;
 - Poor communication; and
 - Confusion about the legal support the Council would provide.
27. A team manager and C's social worker met with Mr and Mrs B to discuss their complaint. Mr and Mrs B said because they were told they could not adopt C and they had lost confidence in the Council, they were withdrawing from the process. The team manager challenged Mr and Mrs B's account of what the social worker had told them in the meeting in July 2018. The Council have been unable to provide a record of this meeting and the social worker involved went on long-term leave in mid-August 2018. It is unclear what evidence the team manager had to support her claims. Mr B told the manager he was being honest about what happened. Mr and Mrs B were distressed by the meeting.
28. The following day, Mr and Mrs B emailed the complaints team to say they were upset by the visit because the team manager had challenged their account of what had happened. Mr and Mrs B said they found the team manager insensitive and rude. Mr and Mrs B said the meeting was intimidating and asked for all future correspondence to be by email. Mr and Mrs B also said they felt the team manager was trying to shift the blame from her team to the family and friends fostering team.
29. In November 2018, the Council responded to Mr and Mrs B's complaint. The Council recognised there was a lack of clarity between C's social worker and the fostering social worker. The Council accepted because of this, Mr and Mrs B could have been under the impression that C would definitely live with them. The Council reflected that it would have been better if workers had been clearer about C's care plan and the likelihood of C being placed with Mr and Mrs B. The Council also accepted it had told Mrs B she could prepare their spare room for C.
30. The Council offered Mr and Mrs B £1000 as a "goodwill gesture".

Analysis

31. The Council did not explain the process of care planning, the likelihood of C being placed with them or the purpose of the fostering assessment clearly. Mr and Mrs B believed the Council was assessing them to foster to adopt. However, the Council were assessing them as family and friends foster carers. This is despite, Mr and Mrs B clearly stating they wanted to adopt C.
32. Mr and Mrs B contacted the Council more than once to raise concerns about the process and make their position clear; see paragraphs 8, 10, 13, 20 and 21. These were opportunities for the Council to manage their expectations and correct any misunderstandings. The Council did not take these opportunities to explain the process.
33. The children's team and the family and friend fostering teams did not work together effectively and this contributed to Mr and Mrs B being given mixed messages about the long-term care of C.
34. The Council is at fault for not explaining the foster to adopt and the family and friends fostering options clearly to Mr and Mrs B. It is also at fault for not correcting their belief that C would definitely be placed with them. The outcome of these failures was that Mr and Mrs B believed they would be able to adopt C and

prepared for this. Mr and Mrs B spent money on adapting their home and buying equipment. They also invested emotionally.

35. Further to this, the lack of working together between the two Council departments hindered the complaints process and caused Mr and Mrs B further distress.
36. The £1000 “goodwill gesture” offered by the Council covers the money Mr and Mrs B spent preparing for C to come and live with them. It does not remedy the avoidable distress Mr and Mrs B experienced because of the Council’s faults. Mr and Mrs B believed C would live with them. The Council knew this, had opportunities to correct their misunderstanding but did not.

Agreed actions

37. Within one month, the Council should:
- Reimburse Mr and Mrs B £1000 to cover the cost of decorating C’s room, buying equipment and adjusting their home in preparation for C, and getting legal advice.
 - Pay Mr and Mrs £1000 for the avoidable distress caused by the Council’s faults.
38. Within two months, the Council should:
- Review its fostering and adoption policies and procedures to make sure the information given to potential foster carers and adopters is clear and accurate.
 - Provide complaint management training to team managers involved in this case.

Final decision

39. I have completed my investigation and uphold Mr and Mrs B’s complaint. Mr and Mrs B have been caused an injustice by the actions of the Council. The Council has agreed to remedy that injustice.

Investigator’s final decision on behalf of the Ombudsman

The Ombudsman's final decision

Summary: The Ombudsman will not investigate Mr X's complaint about a Council social worker's action. It is reasonable to expect Mr X to complain to the Health and Care Professions Council and it is unlikely we could achieve a significant remedy.

The complaint

1. The complainant, whom I shall call Mr X, says a Council officer wrongly advised his ex partner and called him a liar.

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 fault has not caused injustice to the person who complained, or
 - the injustice is not significant enough to justify the cost of our involvement, or
 - it is unlikely further investigation will lead to a different outcome, or
 - there is another body better placed to consider this complaint. (*Local Government Act 1974, section 24A(6), as amended*)

How I considered this complaint

3. I considered the information Mr X provided with his complaint and the Council's reply which it provided. Mr X had an opportunity to comment on a draft version of this decision.

What I found

Back ground events

4. Mr X has a child with an ex partner Ms Y. Mr X says in early February 2019 a Council social worker told Ms Y to stop allowing Mr X contact with their child. Mr X says the social worker also lied about him, and referred to an old assessment report rather than a more recent one.

-
5. Mr X complained to the Council. It replied by mid March 2019. It apologised for the advice given to Ms Y. It agreed to change the social worker allocated to the case. A manager met with Mr X to discuss the case and the Council was reassessing the child's care.
 6. Mr X says since then the Council decided the child should have a child protection plan. He says he has applied to Court for it to decide the child's care arrangements.

Analysis

7. We cannot decide the child's care arrangements. This issue is now before the Courts to decide.
8. It is reasonable to expect Mr X to report his concerns about the professionalism or integrity of an individual social worker, to their professional body, the Health and Care Professions Council.
9. The Council has changed the social worker and held a multi agency meeting, called a Child Protection Conference, to consider the child's welfare and care. It is unlikely our investigation could achieve more.

Final decision

10. The Ombudsman will not investigate this complaint. This is because there is another body better placed and is unlikely we could achieve a significantly different outcome.

Investigator's decision on behalf of the Ombudsman

The Ombudsman's final decision

Summary: Mrs X complained fault by the Council led to her mother overpaying for home care. The Ombudsman finds the Council was at fault for not providing enough information when Mrs X's mother moved from funding her care privately to getting direct payments from the Council. The Council has agreed to give Mrs X further written explanations and, if her mother paid the care agency more than she should have done, refund the difference. It will also amend staff guidance to prevent the fault recurring.

The complaint

1. Mrs X complained the Council failed to follow procedures about informing a care provider when her mother, Mrs Y, moved from privately arranged home care to direct payments. Mrs X says because of this the care agency invoiced Mrs Y at the wrong, higher, rate. The agency has now changed the rate and backdated the change to an extent. But Mrs X says Mrs Y has still overpaid for the first 30 weeks of being on direct payments.

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. 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*)

How I considered this complaint

4. I have considered information from:
 - Mrs X's complaint, telephone conversations with her and documents she has sent me; and
 - The Council's response to Mrs X through its complaints procedure and its response to my enquiries.
5. I have also considered: [Page 62 of 140](#)

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- The Care Act 2014
 - The Care and Support Statutory Guidance 2014 (“the Guidance”)
 - The Care and Support (Charging and Assessment of Resources) Regulations 2014 (“the Regulations”)
6. I gave Mrs X and the Council the opportunity to comment on a draft of this decision before making this final decision.

What I found

The Care Act’s provisions about providing information

7. The Care Act places a duty on councils to provide information and advice about care and support for people in its area. The Guidance says councils should make all reasonable efforts to ensure information and advice they give meets an individual’s requirements, is comprehensive and is given at an early stage. It says councils must seek to ensure all relevant information is available to people for them to make the best informed decision in their particular circumstances.

Charging for home care

8. Where a council arranges home care and support to meet a person’s needs, it may charge the adult for the cost of the care. The Guidance and Regulations state that people who have over the upper capital limit set by the Council are expected to pay for the full cost of the care they receive at home. However, once their capital has reduced to less than the upper capital limit, they only have to pay an assessed contribution towards their fees.
9. Councils must assess the means of someone who has less than the upper capital limit, to decide how much they can contribute towards the cost of home care. I refer to the amount decided from this process as the assessed contribution. A council must tell the person what their assessed contribution is.
10. A council’s care and support planning process will identify how best to meet someone’s care needs. As part of that, the council must provide the person with a personal budget. The personal budget is the cost to the council of meeting the person’s needs which the council chooses or is required to meet.
11. Councils can make direct payments to a person to pay for some, or all, of their personal budget. Someone receiving direct payments contracts with the care agency directly.
12. The direct payment and assessed contribution should come to the same amount as the personal budget. If a care agency charges more for the care it provides than the personal budget, the person receiving care can choose to pay the extra amount. The extra amount can be referred to as a ‘top-up’.

The Council’s direct payments policy

13. The Council’s policy says it will:
- provide information about direct payments and ensure that service users who choose to receive a direct payment understand their roles and responsibilities; and
 - monitor the status of, and carry out financial audits of, service user accounts.

What I found

Background

14. Mrs Y received care at home from a care agency (the Agency). She had an hour visit every morning and a half hour visit every evening. At the start she funded the care herself. Mrs Y's capital then went below the threshold for self funders.

July – December 2017

15. In July 2017 the Agency was charging Mrs Y £11.40 for each half hour visit and £19.40 for each hour visit. This was the Agency's self-funders rate and was a higher rate than it charged people on direct payments. Mrs X and Mrs Y were unaware the Agency charged different rates.
16. In early July 2017 the Council assessed Mrs Y's needs. It agreed she was eligible for care and support. The assessment said the next step was to arrange a direct payment to fund her current care package. The assessor also prepared a support plan for Mrs Y. The plan set out her support as an hour visit every morning and a 45 minutes visit every evening – a total of 12.25 hours a week. Using a rate of £15.20 per hour the plan said the personal budget for this was £186.20 a week.
17. By early August 2017 Mrs X and Mrs Y had signed a direct payment agreement with the Council. The agreement said by having direct payments Mrs Y was responsible for arranging and managing her support. The agreement made clear Mrs Y was in control of the direct payment but she nominated Mrs X as the person to help with the management of the direct payment account.
18. In the agreement Mrs X and Mrs Y said they would set up a separate bank account for the direct payments and use them to buy care from the Agency. They also said Mrs Y would pay any assessed contribution into the direct payment account every four weeks. The Council agreed its assessment workers would make sure Mrs Y had a financial assessment and paid her assessed contribution into her direct payment account every four weeks. The Council agreed its Adult Care Financial Services (ACFS) would carry out the financial assessment to decide how much the contribution towards the direct payments would be and pay. The Council said ACFS would pay the direct payment into the direct payment bank account every four weeks and tell Mrs Y about any changes to the direct payments or assessed contributions.
19. In early August 2017 the Council assessed Mrs Y's contribution towards her care.
20. On 1 September 2017 a Council officer, Officer A, recorded she spoke to Mrs X and said when Mrs Y moved over to direct payments she should have been asked to top up the account because the Council would not pay the Agency over the 'managed rate' of £15.20. Officer A noted Mrs X was fine with this and would top up to remain with the Agency. Officer A said she would contact Mrs X the next week to tell her what Mrs Y's contribution and top-up would be. The Council says the case notes showed Officer A advised Mrs X it was Mrs X's responsibility to contact the Agency to confirm the rate payable. However the case notes make no mention of this.
21. Officer A then completed a further support plan for Mrs Y. It said the Council would pay direct payments towards 10.5 hours of care a week at a rate of £15.39 per hour. The personal budget for this was £161.60 a week. The support plan did not refer to Mrs Y's assessed contributions or any top-up needed. The Agency was still charging Mrs Y its self-funders rate of £11.40 for each half hour visit and £19.40 for each hour visit.

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22. The Council's records show it sent a letter to Mrs Y on 11 September 2017. The letter confirmed she would receive a backdated payment for direct payments due from 6 July 2017. The Council would then pay direct payments to her every four weeks in advance. The letter confirmed her assessed contribution and said she would need to pay this into her direct payment account. The direct payment and assessed contribution amounted to £186.20 a week. The letter made no reference to the Agency's different rates for self-funders and people receiving direct payments or to the need for any top-up payments. The Agency was charging Mrs Y £215.60 a week as a self funder, a difference of £29.40 a week.
23. Mrs Y had not received the letter by 19 September 2017 when Mrs X rang Officer A as she had heard nothing about funding. Officer A's note of the call says:
- Officer A told Mrs X Mrs Y's letter should be received shortly, Mrs Y should open the separate account needed, Mrs Y could add the contribution and top-up and then pay this to the Agency.
 - Mrs X said she would open the new account the same day to pay in the cheque.
 - Officer A worked out the top-up due to the Agency as being £6.40 a week. She noted this was the difference between the Agency's 'managed hourly rate' of £15.39 per hour and the 'DP hourly rate' of £16 per hour.
 - Officer A noted *"(Mrs X) was happy with this and understood this"*
24. In early October 2017 Officer A closed the case. The closure summary said the family had been made aware of the Agency's rate and what the Council would pay up to and were happy to make top-up payments to remain with the Agency.
25. Mrs Y continued to pay the Agency according to its self-funders rate and continued to receive 10.5 hours care a week. Mrs X managed the payments by transferring the Council's direct payments from the new direct payment account to Mrs Y's personal account, then paying the Agency in full from that personal account.

January – May 2018

26. The Council's Adult Care Financial Service (ACFS) checked Mrs Y's finances in January and February 2018. ACFS sent alerts to Officer A in January and February because there was no record on the support plan of a top-up having been discussed with Mrs Y, and Mrs Y appeared not to be making her assessed contributions as she should have been. ACFS recorded the top-up as being £54 a week. ACFS asked that Officer A contact Mrs X to explain the need for a top-up and decide whether the underpaid assessed contribution should be addressed. ACFS also said in future Mrs Y must make all payments to the Agency from the direct payment account, not her personal account.
27. Officer A recorded she tried to call Mrs X in mid February 2018 and left a message asking her to call back. There is no record of further contact until 9 May 2018.
28. ACFS's records say Mrs Y started to use a new account from early February 2018.
29. On 9 May 2018 Officer A rang Mrs X again and spoke to Mr X. Officer A recorded she had called to discuss contributions and top-ups. Mr X said Mrs X had sorted the issues with top-ups and was now putting the correct amount into the direct payment account and paying the Agency. The record does not show what figures

this entailed. Officer A said she would amend the support plan to include reference to the top-up.

30. In early May 2018 Officer A amended Mrs Y's support plan. The plan says the reason for the update was to include the top up fee which had been discussed previously by telephone but not been included on the support plan. The plan said Mrs Y was to get the same direct payment as before, but added she would also need to pay her assessed contribution and a top-up. By then ACFS had amended the assessed contribution for 2018/19 to be £80.60 a week. The plan says the assessed contribution was £80.60 every four weeks. The top-up was recorded as £6.41 a week, the difference between the Agency's rate of £16 per hour and the £15.39 per hour which was the maximum the Council would pay.
31. By May 2018 the Agency was still charging Mrs Y its self funders rate which was now £12 for a half hour visit and £19.98 for an hour visit.
32. Later in May 2018 Officer A contacted the Agency. She said she understood the Agency's direct payment rate was £17 an hour so did not understand why Mrs Y appeared to be paying at a higher rate. The Agency said no-one had told it Mrs Y was getting direct payments from the Council. It confirmed the Agency's self-funder rates were higher than its direct payment rates. The Agency agreed to change the rate but said it could only backdate the direct payment rate to early May 2018. Later the Agency agreed to backdate the rate to 12 February 2018.

Mrs X's complaint to the Council

33. In July 2018 Mrs X complained to the Council. She said Mrs Y was owed money from July 2017 to January 2018.
34. On reviewing the case the Council realised it had calculated its direct payment on the basis that Mrs Y would get 12.25 hours. However her then current plan said she would get 10.5 hours care a week and she had only ever received 10.5 hours care a week. In August 2018 the Council made a one-off payment to Mrs Y's direct payment account of £1412.05 as she had paid for 15 minutes more care each day than she had received.
35. The Council wrote to Mrs Y in September 2018 to say the one-off payment was being made. The letter said Mrs Y would already have discussed and agreed with her social care worker what the payment could be used for and offered further clarification if needed. Mrs X says she does not understand why the payment has been made and has not used it.
36. Mrs Y now both pays for and receives 12.25 hours care a week.
37. However, the Council did not accept it should pay for the difference between the Agency's self funders rate and its direct payment rate between July 2017 and January 2018. The Council considered it was Mrs X and Mrs Y's responsibility to negotiate the appropriate rate with the Agency and Officer A had advised them of this.

Findings

38. Mrs X and Mrs Y did not know the Agency charged a different rate for self-funders compared to people receiving direct payments from the Council. They had always contracted directly with the Agency and just thought the Council was now contributing towards what they paid. They had no reason to think the Agency's rate would change because of the Council's financial help.
39. The Council had a duty to seek to ensure Mrs Y had the information she needed to make informed decisions about moving from being a self-funder to having

direct payments. The Council should have been aware that moving to direct payments could alter the rate the Agency charged. The Council should either have checked the Agency's rates or advised Mrs X and Mrs Y to check them. There is no evidence anyone at the Council advised Mrs X going on to direct payments might alter the rate payable and that she should confirm the rate payable with the Agency. The direct payment agreement gave no indication this might be an issue. The Council failed to provide the relevant information about rates when it should have done and that is fault.

40. The Council's fault led to the Agency continuing to invoice Mrs Y at a higher rate than it would have done had it known she had moved to direct payments. But, from the evidence I have seen, it is not clear how the Council's fault has affected Mrs Y's finances overall. The Council should now assess this.
41. The Council's fault also led to Mrs X spending avoidable time and trouble trying to sort out Mrs Y's finances.

Agreed action

42. Within two months the Council will write to Mrs X to explain for the period from 6 July 2017 to 11 February 2018:
- both the Agency's and the Council's direct payment rates, and what direct payments the Council paid Mrs Y;
 - what assessed contributions and top-ups (if any) Mrs Y should have paid had she been charged at the Agency's direct payment rate;
 - what assessed contributions and top-ups Mrs Y did pay;
43. If Mrs Y paid more than she should have done, the Council will then refund the difference.
44. Within two months the Council will make changes to its staff guidance on direct payments. The changes will ensure staff are aware that if someone moves from being a self-funder to receiving direct payments staff must advise them they need to check with the care provider to see if there is a different rate for someone receiving direct payments.
45. Within six weeks of a final decision the Council will pay Mrs X £100 to acknowledge her time and trouble trying to sort out the problems caused by the Council's failure to provide enough information.

Final decision

46. I have now completed my investigation because the Council's actions will remedy the injustice caused by its fault.

Investigator's decision on behalf of the Ombudsman

The Ombudsman's final decision

Summary: The Ombudsman will not investigate this complaint about highways works carried out by the Council more than three years ago. The complaint is made too late.

The complaint

1. The complainant, who I refer to here as Mr B, has complained about bollards, a bus stop and parking restrictions installed by the Council on roads near his home. He says these present a safety risk and the Council will not tell him what risk assessments it carried out.

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. It says 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

3. I have considered what Mr B said in his complaint which included the Council's response to his concerns. Mr B commented on a draft before I made this decision.

What I found

4. The Council carried out the works Mr B complains about more than three years ago.

Final decision

5. I have decided we will not investigate this complaint. This is because Mr B did not complain within 12 months of knowing about the matter and there is no exceptional reason he could not have complained to us earlier.

Investigator's decision on behalf of the Ombudsman

The Ombudsman's final decision

Summary: On Ms B's behalf, Ms X complains about the amount of money the Council leaves Ms B to live on given the level of Ms B's disability. The Ombudsman will not investigate the complaint because there is no evidence of fault by the Council and an investigation by the Ombudsman would achieve no useful purpose.

The complaint

1. Ms X complains on behalf of her daughter, Ms B, that the Council's assessment of Ms B's level of contribution towards her care and support package is unfair and leaves her with insufficient funds.

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. In considering the complaint I spoke to Ms B and reviewed the information Ms X provided, including the Council's response to the complaint.

What I found

4. Ms B is severely disabled and Ms X complained to the Council on her behalf about the amount of money Ms B is left to live on once the Council has calculated Ms B's contribution to her care and support package.
5. The Council responded by explaining to Ms X that its complaints procedure could not override or change a policy decision made by Council Committee. It advised

that it is responsible for calculating the maximum amount a person can contribute towards their care and support and explained the national regulations under which it must operate. It told Ms X that its revised contribution policy would bring the Council in line with many other local authorities and the national guidance given to councils by central government. It encouraged Ms B to check with its Finance Team to ensure she is claiming for all the benefits she is entitled to.

Assessment

6. The Ombudsman cannot review the merits of a council policy nor propose a change or amendment to it when it complies with national guidance. There is no evidence of fault by the Council and no useful purpose to be served by an investigation by the Ombudsman.

Final decision

7. The Ombudsman will not investigate the complaint because there is no evidence of fault by the Council and an investigation by the Ombudsman would achieve no purpose.

Investigator's final decision on behalf of the Ombudsman

12 June 2019

Agenda Item: 9

REPORT OF SERVICE DIRECTOR FOR FINANCE, INFRASTRUCTURE & IMPROVEMENT

NATIONAL AUDIT OFFICE REVIEW OF LOCAL AUTHORITY GOVERNANCE

Purpose of the Report

1. To bring to Committee's attention the findings of a National Audit Office (NAO) review of governance in local authorities, and to consider any implications for the local governance arrangements at Nottinghamshire County Council.

Information

2. The objective of this NAO study was to examine whether local governance arrangements provide local taxpayers and Parliament with assurance that local authority spending delivers value for money and that authorities are financially sustainable. There were three specific strands to the review:
 - a) the pressures acting on the local governance system and the consequent challenges for governance
 - b) the extent to which local governance arrangements function as intended
 - c) whether the Ministry of Housing, Communities & Local Government (MHCLG) is fulfilling its responsibilities as steward of the system.
3. The report sets out a diagrammatic representation of the local government framework. This is reproduced at Appendix 1 as an aid to understanding the scope of the review and the relative responsibilities of local authorities within it.
4. The following table sets out the key findings and recommendations from the review in relation to the parts of the review directly relevant to local authorities' controls (at a. and b. above in paragraph 2). Alongside each finding is an assessment of the implications for the governance arrangements at this Council.

NAO Finding	Implications for Nottinghamshire
a) Challenges to local government arrangements	
Risk profiles have increased in many local authorities as they have reduced spending and sought to generate new income in response to funding and demand pressures	The NAO report highlights the combination of a real-terms reduction in spending power for local government (from government grant and council tax) between 2010/11 – 2017/18 of 28.6% and increasing demand in key services over the same period, such as a 15.1% increase in the number of

NAO Finding	Implications for Nottinghamshire
	<p>looked after children. These pressures continue to be challenges for this Council.</p> <p>Like other local authorities, this Council has a wide-ranging transformation programme in place and it has been successful in driving through savings whilst also protecting the delivery of essential services.</p> <p>The Council has not exposed itself to higher levels of risk by engaging in commercial investments, which the NAO identified as a strategy in some Councils.</p> <p>The evidence from the assurance mapping pilot is that the Council is taking a prudent and pro-active approach to managing the financial challenges it faces.</p>
Local checks and balances need to be effective in a more complex and less well-resourced context for local decision-making.	The Council has robust governance arrangements in place. The Annual Governance Statement for 2018/19 confirms that the Local Code of Corporate Governance is operating effectively
Effective governance arrangements are an important aspect of ensuring financial control at a time of financial pressure	Assurance mapping confirmed the Council has strong arrangements in place both for future planning and for in-year budgetary control. In April 2019, the Chief Executive wrote to all budget holders in the Council to set out a Spending Control Framework for the new financial year. A focus on the effectiveness of contract management across the Council will also be a priority for 2019/20.
b) The operation of local governance arrangements	
While section 151 officers as a whole are positive about their ability to deliver their role, those that do not report directly to their chief executive are less positive than those that do.	The s151 officer at this Council is the Service Director – Finance, Infrastructure & Improvement and he reports directly to the Chief Executive. He is positive that he is able to deliver the role effectively.
<p>A survey of external auditors raised concerns about the effectiveness of a range of internal checks and balances, such as:</p> <ul style="list-style-type: none"> - the audit committee - internal audit - risk management, scrutiny, challenge and debate - whistleblowing policy 	<p>The Governance & Ethics Committee has self-assessed its effectiveness in delivering its role as the Council's audit committee. This confirmed effective arrangements are in place, whilst also identifying some opportunities for improvement.</p> <p>The Internal Audit Service successfully completed its external assessment in March 2018.</p> <p>The Council's Committee system ensures significant opportunity for strong scrutiny, challenge and debate for all decision-making.</p> <p>The Council maintains its whistleblowing policy and reports annually on its operation.</p>
There is a sizeable group of local authorities with multiple issues with	No matters of concern have been highlighted by the external auditor at this Council.

NAO Finding	Implications for Nottinghamshire
these internal checks and balances.	
Auditors concluded that in 2017-18 nearly one in five single tier and county councils did not have adequate arrangements in place to secure value for money	The Council received a clear VFM assessment as part of the external auditor's work on the 2017/18 final accounts.
Over half of the section 151 officers from single tier and county councils responding to our survey indicated that they wanted changes to be made to external audit.	NCC contributed its comments to the recent NAO consultation paper on the code of practice for external audit, and this included the opinions of the Service Director – Finance, Infrastructure & Improvement.

5. The NAO review makes a number of recommendations, all of which are targeted at action to be taken by the MHCLG. Many of these are concerned with its own operations and how it leads the sector, but some relate to its role in working with local authorities to improve controls at local level. Key among these recommendations are for the MHCLG to work with local authorities to assess possible responses to the following:
- the status of s151 officers and the efficacy of their statutory reporting arrangements;
 - the effectiveness of audit committees, and how to increase the use of independent members;
 - the effectiveness of overview and scrutiny functions and ways to enhance their impact; and
 - the sustainability and future role of internal audit.
6. It is suggested there are no matters of significance identified by the self-assessment on which additional actions are required at this time. The Council will remain ready to respond to subsequent initiatives by MCHLG in response to the findings of this NAO report. Any such initiatives will be incorporated in future updates to Committee on best practice for effective governance.

Other Options Considered

7. None.

Reason for Recommendation

8. To enable the Committee to assess whether any changes to the Council's local governance framework should be recommended in light of the NAO findings.

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.

RECOMMENDATION

- 1) That Committee assesses the implications for Nottinghamshire County Council arising from the NAO report and determines whether there are any changes that should be made to this Council's governance framework.

Nigel Stevenson

Service Director for Finance, Infrastructure & Improvement

For any enquiries about this report please contact:

Rob Disney

Group Manager – Assurance

Constitutional Comments (KK – 29/05/2019)

The proposal in this report is within the remit of the Governance & Ethics Committee

Financial Comments (CSB – 29/05/2019)

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

Background Papers and Published Documents

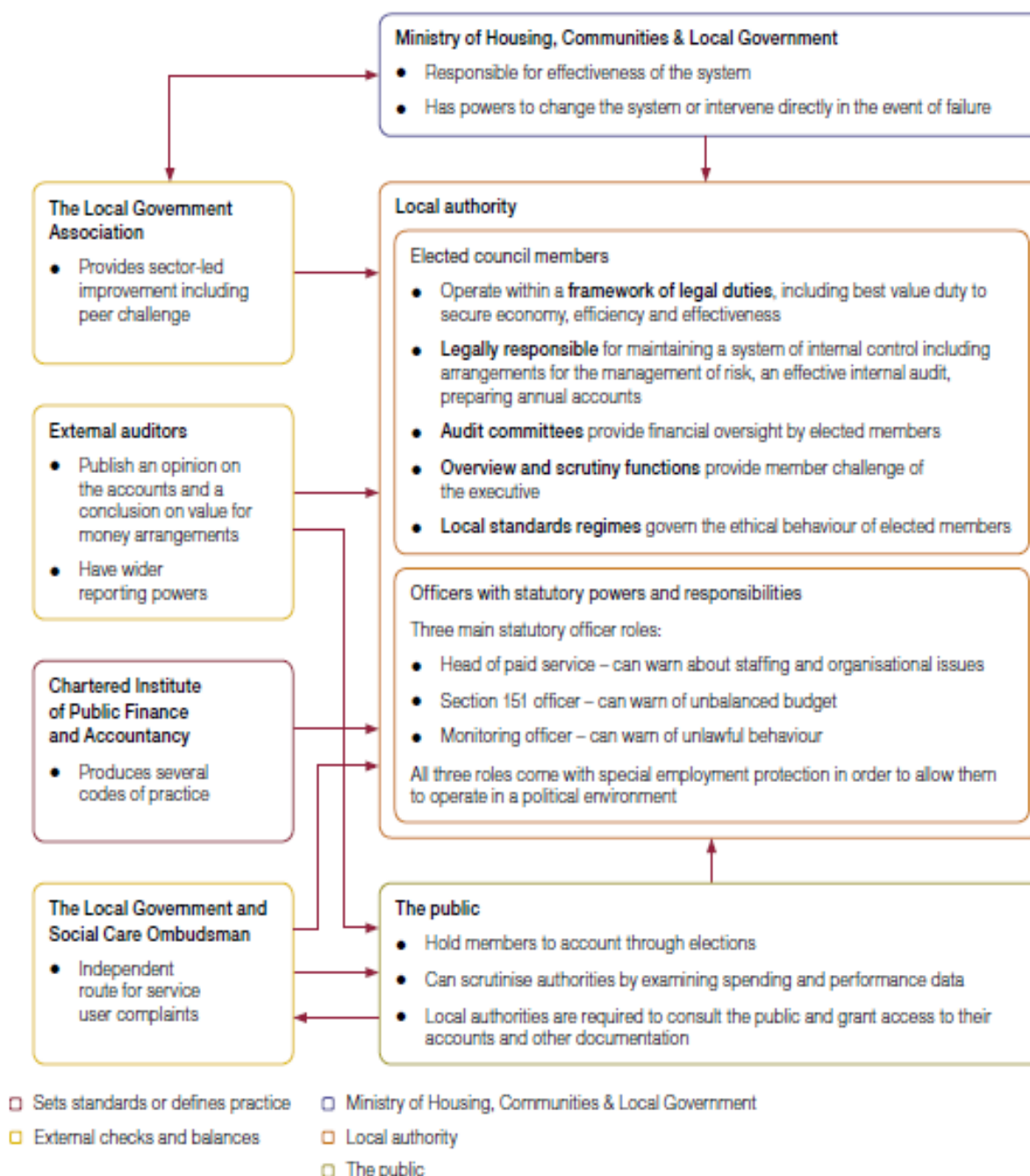
Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

Electoral Division(s) and Member(s) Affected

- All

Figure 1
Core local governance framework



Notes

- 1 Links with other departments and service inspectorates not shown.
- 2 There are other statutory roles in an authority but the three listed in the chart are our main focus.
- 3 Arrows show the main influences acting on local authorities' governance arrangements.

Source: National Audit Office analysis of Ministry of Housing, Communities & Local Government information

12 June 2019

Agenda Item: 10

REPORT OF SERVICE DIRECTOR FOR FINANCE, INFRASTRUCTURE & IMPROVEMENT

ANNUAL FRAUD REPORT 2018/19

Purpose of the Report

1. To present to Members the Council's Annual Fraud Report, and to invite feedback on the content.

Information

2. The Council's strategy for countering fraud and corruption includes the requirement for an Annual Fraud Report to be submitted to the Governance & Ethics Committee. This requirement is included in the strategy with a view to demonstrably strengthening the counter-fraud culture at the Council.
3. The attached report represents the fourth edition of the Annual Fraud Report. It sets out an update regarding National fraud risks impacting on the County Council, the preventative and detective incidents identified over the last 12 months and an assessment of the Council's resilience to attacks. The report also reviews progress against the fraud related actions planned for delivery in 2018/19, along with those to be pursued in the coming year to ensure the Council's defences against fraud are maintained.

Other Options Considered

4. None, since the requirement to publish an Annual Fraud Report is a feature of the Council's refreshed strategy for countering fraud and corruption.

Reason for Recommendation

5. To inform the Committee of the Council's current arrangements for tackling fraud and corruption and to invite suggestions for how those arrangements can be improved.

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 the Committee notes the content of the Annual Fraud Report 2018/19.
- 2) That the Committee offers its feedback on the adequacy of the Council's current and planned arrangements for tackling fraud and corruption.

Nigel Stevenson

Service Director for Finance, Infrastructure & Improvement

For any enquiries about this report please contact:

Rob Disney

Group Manager - Assurance

Constitutional Comments (KK 29/05/2019)

The proposals in this report are within the remit of the Governance & Ethics Committee.

Financial Comments (CSB 29/05/2019)

There are no specific financial implications directly arising 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.

- None

Electoral Division(s) and Member(s) Affected

- All

ANNUAL FRAUD REPORT

2018/19

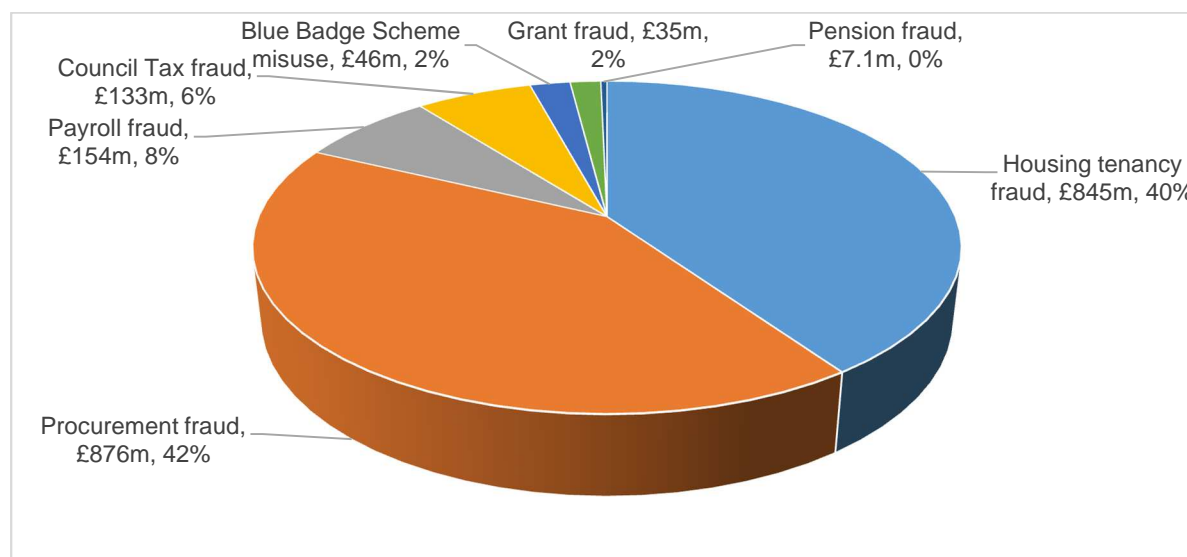
Contents

1	National Fraud Landscape	2
2	Instances of Fraud Prevention and Detection at Nottinghamshire County Council	4
3	Fraud Risk Assessment (FRA)	8
4	How is Nottinghamshire County Council responding to fraud risk	9
5	Action Plan	13

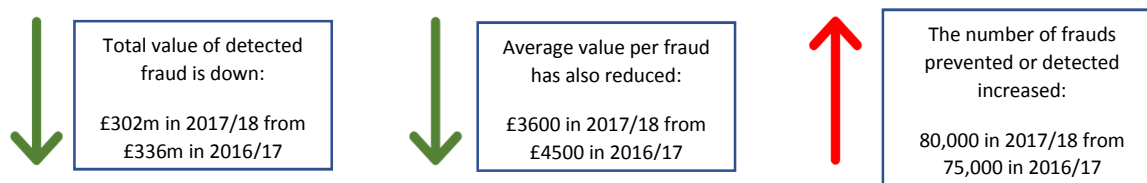
1. National Fraud Landscape

- 1.1. The CIPFA Counter Fraud Centre (CCFC) publication, 'Fighting Fraud & Corruption Locally' (FFCL), was published in 2016 and remains the local government counter fraud and corruption strategy. The strategy is due for renewal in 2019, and this Council's Internal Audit Team is engaged in the consultations around its refresh.
- 1.2. The strategy provides a blueprint for a response to fraud and corruption perpetrated against local authorities, following the core principles of 'Acknowledge, Prevent and Pursue'. The strategy estimates fraud losses across all sectors in the UK to be £52 billion, of which £20.6 billion is thought to be perpetrated against the public sector. Local government losses are considered to be around £2.1 billion, comprising the following components:

Figure 1 – Breakdown of estimated losses of £2.1 billion to fraud in local government













- 1.3. The Council takes part in the CCFC's Counter Fraud and Corruption Tracker (CFaCT) which continues to provide a national picture of fraud, bribery and corruption in local government. Despite a reduction in the number of County Councils who responded to the CFaCT 2018 (slightly below 60% compared to slightly over 70% in 2017), the tracker allows the Council to consider trends and analysis in a meaningful, comparative way. Key findings from the 2018 exercise are set out below:



The main targets for fraud, based on the volume of investigations or value of the financial loss, are set out below in Figure 2.

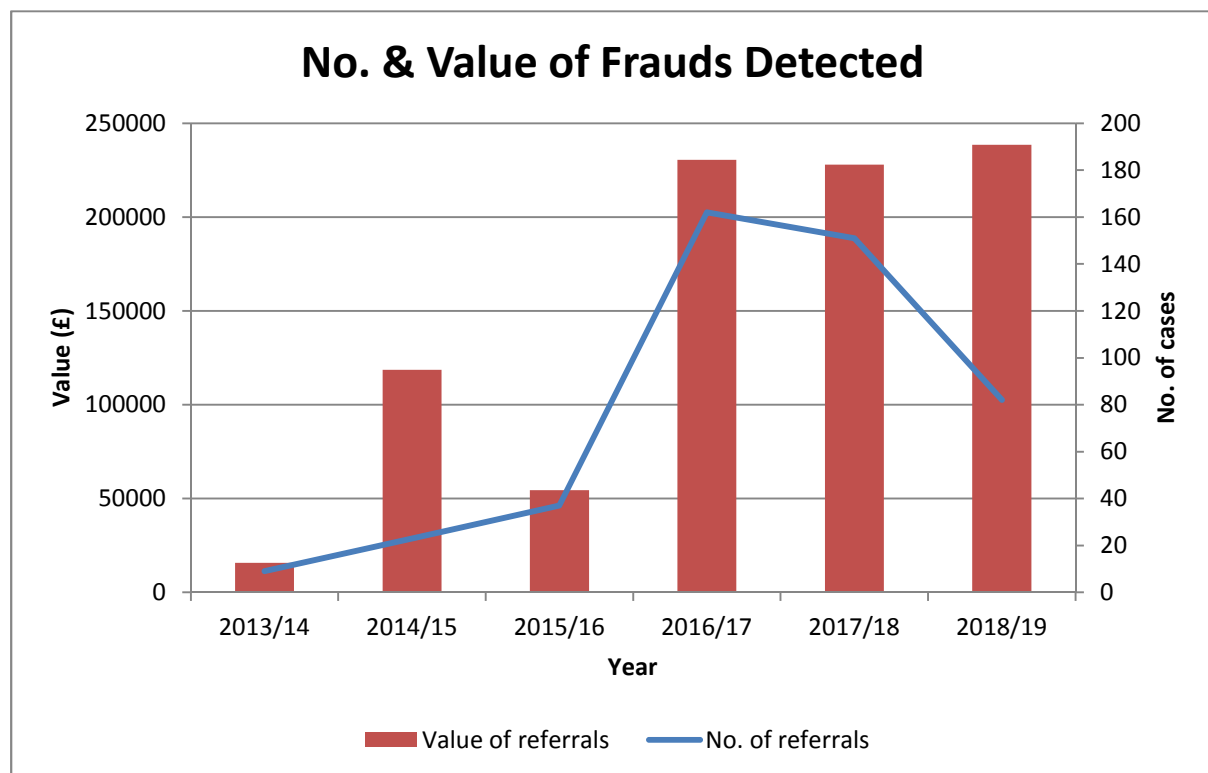
Figure 2 – Key targets for fraud against local authorities extracted from CFaCT

Fraud Target	Movement in Value/Volume 2016/17 to 2017/18	Context to fraud target
Disabled Parking Concessions	 156% increase in volume 70% increase in value	<ul style="list-style-type: none"> No standard way to calculate the value of this type of fraud Offenders are often prosecuted and fined Cost awarded to prosecuting authority but may not meet the full cost of the investigation and prosecution This type of fraud may be an indicator of other benefits-related frauds
Adult Social Care – personal budget	 27% increase in volume 14% increase in value	<ul style="list-style-type: none"> Fall in the average value per case for all adult social care cases - £9,000 in 2017/18 compared to £12,500 in 2016/17 Significant rise in the number of frauds not related to personal budgets Many authorities have strengthened controls and funded training to tackle personal budget fraud - value per case has fallen to under £9,800 in 2017/18 compared to over £10,000 in 2016/17
Adult Social Care - other	 121% increase in volume 25% increase in value	
Insurance	 24% reduction in volume 31% reduction in value	<ul style="list-style-type: none"> Targeted work to tackle insurance fraud - insurance companies are working with organisations to develop new ways to identify fraud and abuse within the system
Procurement	 28% reduction in volume 16% reduction in value	<ul style="list-style-type: none"> Remains one of the most significant areas of fraud risk, despite the reductions It can be difficult to measure the value of fraud cases 25% of reported cases were insider fraud A further 20% were linked to serious and organised crime
Serious & Organised Crime	 Number of cases more than doubled	<ul style="list-style-type: none"> Ministry of Housing, Communities & Local Government is targeting this area and its links with procurement fraud
Payroll	 32% reduction in volume Value remained the same	<ul style="list-style-type: none"> 51% of the payroll cases investigated or prevented were reported as insider fraud Recruitment fraud - fraud practitioners' work often results in applications being refused or withdrawn, therefore the value of cases is likely to represent estimated savings in salary that would otherwise have been paid
Expenses	 55% reduction in volume 70% reduction in value	
Recruitment	 13% increase in volume 145% increase in value	
Pension	 28% reduction in volume 29% reduction in value	

2. Incidence of Fraud Prevention and Detection at Nottinghamshire County Council

- 2.1. The Council is committed to responding to the threat of fraud and it continues to take a zero-tolerance stance. Internal Audit, the Counter Fraud Specialist and departmental staff undertake a variety of activities on a daily basis that prevent and detect fraud. A minority of cases result in sufficient evidence to warrant the use of the prosecution sanction.
- 2.2. Within this section we have tried to recognise both fraud detection and fraud prevention outcomes in assessing the value of the Council's overall exposure to suspected and possible fraudulent activity.
- 2.3. During 2018/19, updates on counter fraud activities and suspected cases were brought to the attention of the senior leadership team and were also discussed at regular meetings between the Group Manager – Assurance and the Chair of the Governance & Ethics Committee. The progress with counter fraud activities and case work is reported in the form of a Counter Fraud Progress Report to the Governance & Ethics Committee during the year.
- 2.4. Figure 3 analyses the trend over the last five years in the number and value of fraud prevention and fraud detection cases at the Council. In 2018/19, the total number of cases decreased by 46%, but the estimated value increased by 4.5%. The cases included in the analysis incorporate activity to prevent a payment, stop an entitlement, reduce a contribution paid by the council or to challenge an insurance claim.

Figure 3



2.5. The chart shows a consistent value of detected and prevented fraud compared with recent years, despite a reduction in the number of cases. This is mainly due to a reduction in the volume of cases involving users of adult care services depriving themselves of assets in order to avoid contributing to their care costs. A summary of the cases identified in 2018/19 is presented below:

Figure 4 - Summary of prevented and detected cases of fraud in 2018/19

Nature of fraud	Detection Source	Value involved (£)	Response status
Blue Badge – Misuse (7 Penalty Notices)	Civil Parking Enforcement Officers	unquantified	Misuse resulting in the cessation of pass.
Social Care – Fraud Referrals cases (8 cases)	Internal Controls	68,193.39	A range of cases - action is taking place from police referral to payment recovery.
Social Care – Deprivation of Assets (16 cases)	Financial Assessment Challenge	75,631	Estimated annual reduction in NCC costs
Social Care – Deprivation of Assets – Section 70 (2 cases)	Financial Assessment Challenge	11,295.60	Estimated annual reduction in NCC costs
Procurement – duplicate payments to suppliers (15 payments detected)	Use of dedicated analytical software by the Business Services Centre	33,843.97	Internal control processes prior to actual payment.
Insurance – successfully defended claims (*1)	Internal controls within claims handling	2.6m	Internal controls
Insurance – suspected fraudulent claims (1 case)	Internal controls within claims handling	8,000	The claim is expected to be successfully repudiated
Internal Audit – fraudulent job application (1 case)	Internal recruitment checks	5,000	The preferred candidate has not been appointed
Bank Mandate – attempt to transfer funds to an individual's account (1 case)	Internal Controls	350	Transfer not undertaken
Schools - Credit Card – attempted fraudulent use of credit card (1 case)	Internal Controls	1,334	Investigated by Barclay card
Procurement – overcharging on invoice payment (1 case)	Internal Controls	1,500	Payment due reduced
Procurement – attempted fraudulent cheque payment (1 case)	Internal Controls	12,528	Cheque stopped, and appropriate payment pursued
Human Resources – Cases with HR input (5 cases)	Referral through departments.	7,348.66	The cases continue to be reviewed by HR
Pensions – NFI Recheck against mortality data (23 cases)	NFI Re-check exercise	13,484.63	Potential cases are being reviewed by Pension staff

Nature of fraud	Detection Source	Value involved (£)	Response status
Cyber Security (numerous daily attempts)	ICT controls	unquantifiable	External and internal defence systems to prevent and detect attacks.
Cases - 82		£238,509.25	
*1 – value for outcome excluded			

2.6. The continuing trend in the past few years for higher levels of detected and prevented fraud can be attributed to a number of factors:

- Corporate Leadership Team and senior member commitment to the counter fraud agenda through the development and backing of the Counter Fraud and Counter Corruption Strategy
- Raising awareness of the counter fraud agenda among all our staff, along with improving understanding and arrangements for capturing instances of detected and prevented fraud
- Continued engagement with national research, intelligence gathering and development of data analysis
- Risk assessment to identify emerging risks and to target reviews in higher risk areas.

2.7. In compliance with the Transparency Code, NCC publishes summary information on its website each year concerning its arrangements for countering fraud. This includes the number of fraud cases investigated each year. The published details for the past three years are shown below.

Figure 5 – Transparency Data

Information	2016/17	2017/18	2018/19
No. employees involved in fraud investigation	28	28	25
No. professionally accredited fraud specialists	0	1	1
Cost of employee time investigation fraud	£109,073	£71,614	£72,744
No. fraud cases investigated	162	151	82

Comparison of NCC's fraud exposure against national trends

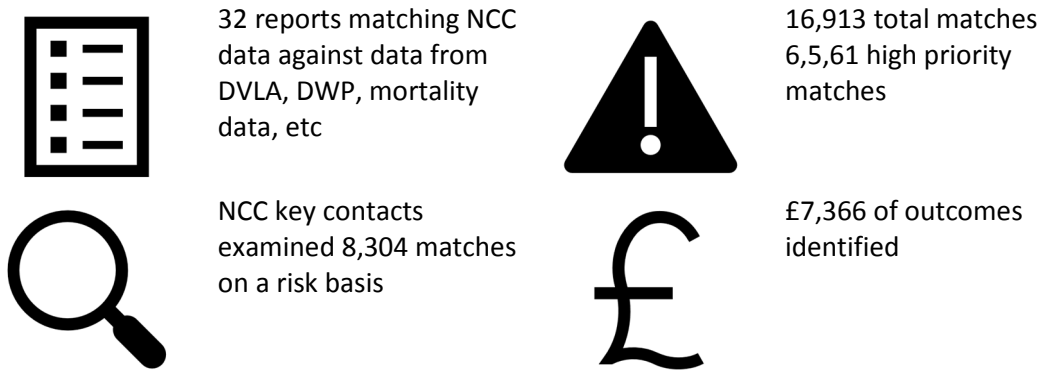
2.8. A comparison of the fraud experience at Nottinghamshire over the past year against the national trends summarised above identifies a number of points of note:

- Disabled parking concessions** - NCC has identified fewer cases concerning the misuse of Blue Badges. This is an area that Internal Audit and the Counter Fraud Specialist have identified as an outlier for priority attention in 2019/20.
- Adult social care** – in common with national trends, NCC continues to identify cases of fraud and error within the adult social care environment. The Direct Payments Team is working

with the support of Internal Audit to embed new process maps for taking strong recovery actions and sanctions.

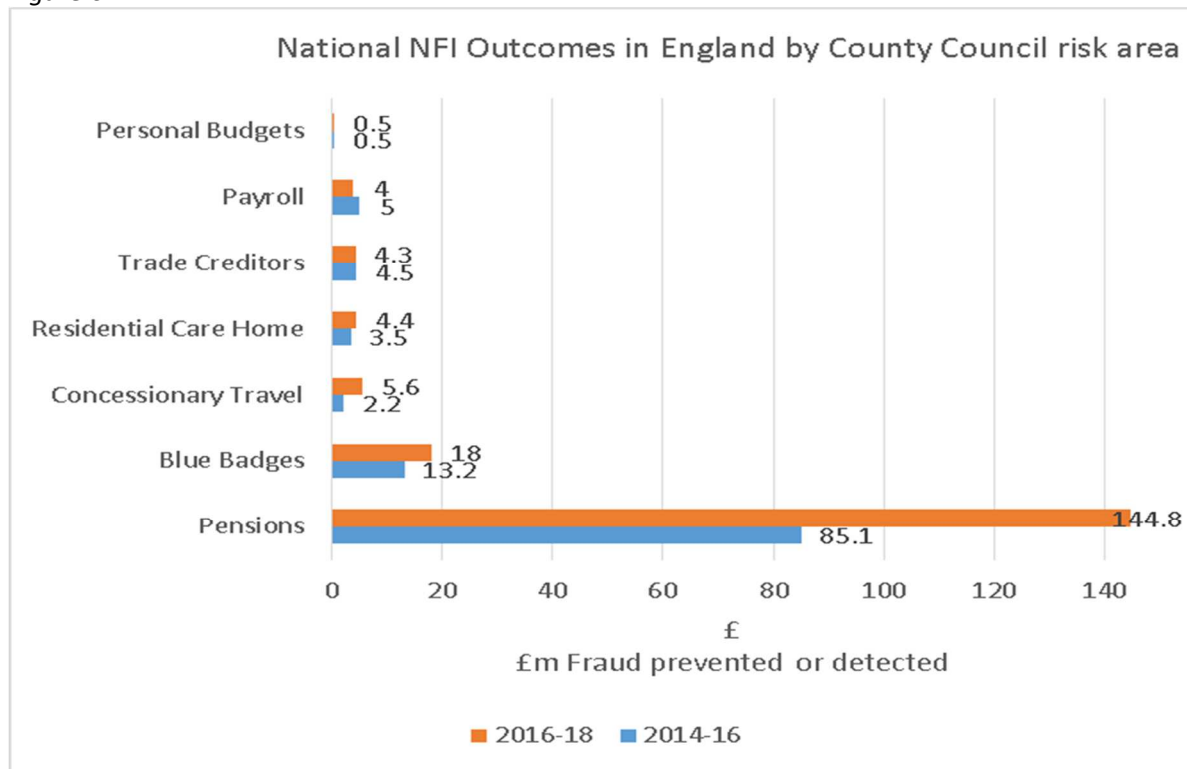
National Fraud Initiative (NFI)

- 2.9. Internal Audit continues to be the key point of contact for NFI. The 2016-18 exercise has now been completed and the key statistics for Nottinghamshire were:



- 2.10. These outcomes were included in the 2017/18 annual fraud report. In terms of the national outcomes, 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.

Figure 6



2.11. The 2016-18 national outcomes in the headline categories of fraud for County Councils are shown below, alongside the NCC outcomes.

Figure 7

Category	NFI	NCC
Pension Fraud and Overpayments	£144.8m	£0
Personal budgets	£0.5m	£5,848
Trade Creditors	£4.3m	£1,498
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

2.12. The 2018-20 NFI exercise is now underway and initial data matches have been provided to the Council from the Cabinet Office. Several staff across the Council have been engaged in the review of NFI data and to date the outcomes shown in Figure 8 have been identified to date:

Figure 8

Progress	May 2019
Total Matches	14,239
Recommended Matches	3,483
Matches Processed (reviewed by NCC)	1,793 (13%)
Frauds	2 (0%)
Values Identified	£9,375.84

2.13. The review of matches is at an early stage, but the Council has focused on recommended matches for high risk reports such as DWP deceased persons. The two cases identified to date relate to 2 cases within private residential care and personal budgets where a deceased person had not previously been notified to the Council.

3. Fraud Risk Assessment (FRA)

3.1. Internal Audit annually reviews and updates the Council's FRA to assess the nature of fraud and corruption threats to the Council. The assessment draws on intelligence from a variety of national publications, professional bodies and our collaboration with Assurance Lincolnshire. In addition to intelligence gathered from these networks, information is also drawn from:

- National Anti-Fraud Network and National Fraud Intelligence Bureau alerts which are routinely received, reviewed and disseminated by Internal Audit.
- Discussion with service managers across the Council to understand inherent and residual risks facing services vulnerable to fraud.
- Head of Internal Audit's knowledge and risks from core systems and the assurance mapping process.
- Analysis of incidences of suspected cases at the Council.

- 3.2. The latest review and update of the FRA highlights the following threats as potentially having the highest impact at the Council:

External Threats

- Procurement Fraud – during the contract management stage of activities and including invoices for services not delivered, received or sub-standard.
- Adult Social Care – Misuse of Direct Payments
- Adult Social Care – Deprivation of assets to increase the Council's contribution for care costs
- Pension Fund – continuation of payments in respect of deceased persons
- Blue Badge – invalid use of parking permits
- Cyber Security – targeted attacks, application of general ICT controls and data breaches

Internal Threats

- Collusion – two or more employees acting together to nullify internal check
- Banking – including the misappropriation of cash, bank reconciliation, bank mandate
- Payroll – submission of false claims for overtime, allowances and expenses
- Procurement – abuse of procurement processes and procurement cards

- 3.3. The FRA forms the basis of the planned activities in relation to the counter fraud agenda within Internal Audit. The 2019/20 FRA has also incorporated risk areas identified during the development of the Criminal Finance Act 2017 – Tax Evasion Policy. The activities to address the risks are subsequently included within Internal Audit's termly planning process. The Council's resilience to these higher risk exposures to fraud is highlighted in the next section of the report and an action plan is included at the end of this report to identify how the residual threats are being addressed.

4. How is Nottinghamshire County Council responding to fraud risk?

Governance and Members

- 4.1. The Council's Governance and Ethics Committee continues to provide the focal point for member engagement with the counter fraud agenda. Members are engaged in the review of policies and guidance material that underpin the delivery of the counter fraud agenda across the Council. During the year members have been engaged in the development and review of the work of internal audit and the counter fraud specialist in relation to:
- Counter Fraud Progress Report;
 - Criminal Finances Act Policy;
 - Public Sector Audit Appointments;
 - Counter Fraud e-learning materials;
 - Review of Counter Fraud & Corruption Policy; and
 - Fraud Response Plan
- 4.2. Internal Audit supports the counter fraud agenda with periodic reports on plans and progress through routine updates and meetings with the Chair of the Governance and Ethics Committee to discuss developments and potential fraud cases.

Internal Audit and Counter Fraud

- 4.3. The Internal Audit Team, through the CIFPA Accredited Counter Fraud Specialist, continues to promote the counter fraud agenda through the dissemination of information and advice to co-ordinate the counter fraud messages. This has been re-enforced to staff across the council through the development of on-line fraud awareness materials and through 'Team Talk' and 'Intranet News' items over the year and to coincide with the International Fraud Awareness Week.
- 4.4. Over the last 12 months the Counter Fraud Specialist has been engaged with CIPFA, HMCLG and CiFAS in order to contribute to, and gain insight from, the procurement fraud agenda.
- 4.5. During the year the Council's Counter Fraud Strategy and supporting policies, such as the Council's Anti-Money Laundering Policy, Whistle-Blowing Policy and Fraud Response Plan, have been reviewed and refreshed. In addition, a new policy outlining the Council's response to the Criminal Finance Act 2017 – Preventing Tax Evasion has been developed and agreed with the Governance and Ethics Committee and Policy Committee. Subsequent training for high risk areas will be developed and delivered during 2019/20.
- 4.6. The Counter Fraud Specialist has developed links with other teams across the Council to promote and disseminate the counter fraud messages and to address some of the national risk areas. Work has been undertaken with the Ministry of Housing Communities & Local Government (MHCLG) and Procurement to review potential cartels and engage with a national study into Procurement Fraud and Corruption Risk Review. The results of this work will provide insight at a national level on techniques and approaches to address the various stages of procurement fraud. In the meantime, this insight has been used to develop a pro-active piece of internal audit work in relation to contract management which forms part of the post procurement stage.
- 4.7. Recent links have been made with Risk & Insurance and Trading Standards:
- Risk & Insurance - potential for intelligence gathering and data sharing with Zurich Mutual, who have access to industry networks and co-ordinated links with the City of London Police, along with development of the Insurance Team's Insurance Fraud Policy.
 - Trading Standards - exploring the co-ordinated use of investigation resources to support investigations undertaken by Internal Audit.
- 4.8. Internal Audit has taken the lead on the completion of the Serious and Organised Crime audit endorsed by the Home Office and the Ministry for Housing, Communities and Local Government. Since the previous annual fraud report this piece of work has been completed, recommendations made and implemented. We have provided an update to members of the Governance and Ethics Committee on subsequent progress. A key element of this work was closer liaison with Nottinghamshire Police and the sharing of information for data-washing exercises. We have also recently commenced work with the National Government Agency Intelligence Network (GAIN) Coordination & Disruption Team Manager to refine matches within the data-washing exercise and will explore the potential for a six-monthly refresh process. This work will continue to take place throughout 2019/20.

- 4.9. The Council continues to utilise a range of fraud prevention techniques including the use of technology to detect and prevent fraud. Internal Audit has been involved in the use and development within departments of several solutions as set out below:
- Data Analytics – using data analytic software (IDEA and Excel) to process high volumes of data populations, not only to provide additional assurance to management on the effectiveness of internal controls but also to identify outliers. Internal Audit has developed the use of data analytics through its Data-Enabled Audit Strategy in a number of assignments over the last 12 months, notably in relation to audit work on the payroll.
 - Business Services Centre – the use of pre-payment software to detect duplicate payments ahead of authorising payments continues to generate successful results. The BSC has also developed the use of software to monitor transaction compliance against expected internal controls. Breaches are subsequently reported to management.
 - ICT - continue to use technology on a daily basis to detect and deflect virus, malware and other malicious attacks against the Council.
 - Data Matching – Internal Audit continues to co-ordinate participation in national exercises such as NFI and NFI Recheck but also use local forums to share intelligence and approaches with other Councils.

Business Services Centre (BSC)

- 4.10. A range of fraud preventative activities are carried out by the BSC as part of the recruitment process and the setting-up of new employees on the payroll
- All new and existing employees taking up new posts are required to prove evidence of their right to work in the UK.
 - Details of employees with temporary leave to remain in the UK are logged within BMS and managers notified through the BMS worklist to complete the necessary recheck.
 - References are taken up
 - Disclosure and Barring Service (DBS) checks (including identity checks) are carried out for prescribed categories of employee.
- 4.11. BSC continue to use analytical software to identify potential duplicate supplier payments prior to each payment run being processed. This pro-active activity is a preventative fraud control. During the year approximately £34,000 of duplicate payments were detected.
- 4.12. Since the previous report BSC have worked with Internal Audit to trial the use of the Re-Check facility, developed by the Cabinet Office to review NFI matches on a more regular basis. The trial of Re-Check provided promising results and BSC undertook a Re-Check exercise in June 2018 to update data and matches on deceased pensioners. This exercise identified 154 matches of which 23 cases involving potential overpayments to the value of £13,484.63 were identified. The BSC will be undertaking this activity on a 6-monthly basis going forward.

Cyber Security

- 4.13. The cyber security agenda continues to make national headlines, and this is compounded through the GDPR agenda. Cyber security risk continues to be reviewed and updated in line with the FRA. The Council's ICT department continue to employ a range of security measures to provide for digital and physical asset protection and during the year have successfully defended a variety of cyber related attacks. ICT have undertaken a specific cyber security

risk assessment using the National Audit Office – Cyber Security and information risk guidance for Audit Committees to assess the Council’s current state of preparedness to address cyber security risks.

Adult Care Financial Services Department (ACFS)

- 4.14. The misuse of direct payments and intentional deprivation of assets continues to be a significant area of fraud nationally and across the Council.
- 4.15. The Council, through the actions of the ACFS, have developed a proactive approach and has in place rigorous measures to ensure that the misuse of Direct Payments is minimised wherever possible. ACFS have been involved in the development of the Direct Payment Policy in July 2018 to support the Direct Payment Agreement and staff guidance which includes the Direct Payments Auditing and ACFS escalation process. The Council continues to proactively identify cases of misuse, resulting in invoices being issues for repayment and alternative ‘managed’ services being provided.
- 4.16. The ACFS proactive approach to challenging and dealing with deliberate deprivation cases has become fully embedded within the financial assessment process. In-year cases continue to be identified following peaks in previous years where historic cases were revisited to challenge previous assessments. Where the challenge process identifies the intentional deprivation of assets, notional capital is used to reduce the contribution that would have been made by the Council. The proactive challenge by ACFS may not always identify a fraud but generates a saving to the Council. The annual report also identifies where recovery action has been undertaken in accordance with Section 70 of the Care Act 2014.

Risk & Insurance

- 4.17. The Risk and Insurance Team continues to use a 48-point checklist to screen claims on a risk basis to detect false, exaggerated and potential fraudulent cases. This proactive work has been supported with specific training for the Team provided through the Council’s insurers, Zurich Municipal. This brings the opportunity to share knowledge and experience, along with access to industry networks and co-ordinated links with the City of London Police.
- 4.18. Each year, on average, the Council receives approximately 800 liability claims. These can be from employees or members of the public who are claiming for damage to property or injuries which have allegedly arisen from the Council’s negligence. The majority of the claims result from accidents on the highway.
- 4.19. Each liability claim is thoroughly investigated, and payments are only made where we believe that the claim cannot be defended. In 2018-19, 484 claims were concluded without payment of damages, the estimated cost of these claims would have been approximately £2.6m. Because of the nature of the Council’s insurance arrangements, had the claims not been dealt with robustly the majority of the cost would have had to be funded by the Council. Three of these claims proceeded to trial and were successfully defended in Court.
- 4.20. All liability claims are screened for potential fraud. Only one of the claims settled in 2018-19 had been flagged with an “amber” fraud status. Amber indicates that the Risk and Insurance Team had concerns about the credibility of the claim. This claim was successfully defended

on the basis of the inspection and maintenance regime which exists for the highway. The claim had an initial estimated value of £8,000.

Schools Finance

- 4.21. Advice on finance and governance continues to be provided by Schools Finance who continue to liaise with Internal Audit in relation to potential fraud cases. Schools Finance and Internal Audit liaise directly with head teachers and office managers through the school's portal to disseminate counter fraud messages and alerts. Internal Audit have been involved in various cases during 2018/19 which have involved: inappropriate use of a school's bank account & credit card and bank mandates.
- 4.22. During 2018/19 Internal Audit continued to visit schools on a five-year basis to review internal controls and controls in relation to potential fraud risks. Finding from such individual reviews have provided intelligence to identify areas of fraud risk and to disseminate warnings to others. Over the next 12 months the audit visits will be undertaken by staff within Schools Finance to provide enhanced coordination of the counter fraud activity and dissemination of advice directly to schools.

Blue Badge

- 4.23. Blue badge misuse continues to receive national recognition and has been identified as an area of increased risk. The Enforcement Team regularly undertakes spot checks of Blue Badges when used in parked vehicles to ensure that the badge is being used correctly. This results in a number of Penalty Charge Notices issued annually when there is evidence that the badge holder is not present and a subsequent letter is sent warning of the potential implications for mis-use. The Blue Badge Team who administer the applications also continue to be vigilant to potential fraud and abuse and will alert the Enforcement Team of any suspicious applications including repeated claims of badges being lost. The Blue Badge Team continues to participate in the National Fraud Initiative but, compared to other Councils, have recorded limited outcomes in this area. This is a priority area for increased counter fraud activity.

5. Action Plan

- 5.1. The following sets out a summary of progress against the actions included in the previous annual fraud report, followed by new actions for 2019/20 .

Action	Timescale	Responsibility	Progress & revised timescale
Update on previous actions			
Develop the use of interactive, counter-fraud e-learning to promote engagement and learning among all staff.	March 2018	Head of Internal Audit and Human Resources	Achieved - E-learning materials have been completed and launched to staff in July 2018
Provide insight and responses to fraud alerts with the	2 releases in year	Head of Internal Audit	Achieved – this was incorporated within articles to support the

Action	Timescale	Responsibility	Progress & revised timescale
dissemination of information through 'Team Talk' updates.			International Fraud Awareness Week
Respond to any issues identified by the data-washing exercise with Nottinghamshire Police	March 2019	Head of Internal Audit	Ongoing – revised data has been provided for washing but to date no specific targets have been identified. Further work is being undertaken with GAIN.
Pro-active work with the Group Manager – Procurement to assess vulnerability to procurement cartels.	November 2018	Head of Internal Audit	Achieved – work has been undertaken with procurement and has resulted in joint working and feedback MHCLG National Procurement review.
Provide a more detailed assessment for the Governance & Ethics Committee on the Council's defences against cyber fraud	September 2018	Head of Internal Audit and relevant ICT Service Manager	Achieved – a separate report was presented to the Governance and Ethics Committee.
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	Ongoing – the current NFI exercise has identified matches for review. Internal Audit have also undertaken a review of Concessionary Travel.
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	Outstanding – this will be taken forward as part of the 2019/20 action plan
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 – the results have been positive and continued use is proposed.
New actions for 2019/20			
Pro-active work with the Travel & Transport team to review processes to challenge the use and recording of outcomes for Blue Badges.	September 2019	Head of Internal Audit	
Pro-active work with the Group Manager – Procurement to assess vulnerability to contract management fraud.	November 2019	Head of Internal Audit	
Update of the self-assessment for the Council's defences against	July 2019	ICT Service Manager	

Action	Timescale	Responsibility	Progress & revised timescale
cyber fraud and review progress against the action plan			
Continue to support the Direct Payments Team to map and review processes for fraud/overpayment referrals	September 2019	Head of Internal Audit & Service Director Strategic Commissioning, Adult Access and Safeguarding	
Develop e-learning materials to respond to tax evasion risks arising from the Criminal Finances Act Policy	August 2019	Head of Internal Audit	
Disseminate insight and responses to fraud alerts through 'Team Talk' to coincide with International Fraud Awareness Week.	2 releases in year	Head of Internal Audit	

12 June 2019

Agenda Item: 11

**REPORT OF SERVICE DIRECTOR FOR FINANCE, INFRASTRUCTURE &
IMPROVEMENT****CIPFA STATEMENT ON THE ROLE OF THE HEAD OF INTERNAL AUDIT****Purpose of the Report**

1. To bring to Committee's attention the Chartered Institute of Public Finance and Accountancy (CIPFA)'s updated statement on the role of the Head of Internal Audit (HIA) in public service organisations, and to consider any implications for the arrangements and practices at Nottinghamshire County Council.

Information

2. The CIPFA statement represents best practice for internal audit in local government. CIPFA is the relevant internal audit standard setter in respect of local government across the UK. It works with the other relevant standard setters for internal audit in the public sector to agree common standards.
3. The statement is not just targeted at the HIA in a local authority, but also at the authority's leadership and members of its audit committee. Through this statement, CIPFA aims to assist local authorities in supporting their HIA and to drive up audit quality and governance arrangements. The aim of the statement is to set out the role of the HIA in public service organisations and to help ensure organisations engage with and support the role effectively.
4. The statement sets out five principles that define the core activities and behaviours that should characterise the HIA role. It also identifies the organisational arrangements needed to support the role. CIPFA suggests that successful implementation of the statement's principles requires an appropriate set-up in terms of: the organisation; the HIA role; and the individual performing the role.
5. The HIA role at this Council is delivered by the Group Manager – Assurance. A self-assessment of our arrangements against each of the principles is set out below. This largely confirms that effective arrangements are already operating, but some opportunities for further improvement are highlighted.

Principle 1

The HIA plays a critical role in delivering the organisation's strategic objectives by objectively

assessing the adequacy and effectiveness of governance and management of risks, giving an evidence-based opinion on all aspects of governance, risk management and internal control

Organisational responsibilities

The NCC Internal Audit Charter is approved by the Governance & Ethics Committee and confirms the arrangements the senior leadership has made for delivery of the internal audit service in the Council, particularly in terms of:

- the responsibilities of the leadership team for internal audit
- the responsibilities of the HIA and the independence of the role within the Council
- the arrangements for working independently of, but in consultation with, external audit
- establishing clear lines of reporting by the HIA to the leadership team and to the Governance & Ethics Committee and its Chairman
- reporting by the HIA in his own right, including the HIA's annual internal audit opinion

The Council has formally adopted an assurance mapping process. This confirms:

- how the internal audit service works with other providers of assurance
- how the assurance framework supports the Annual Governance Statement and internal audit's role within it

Core HIA responsibilities

The HIA confirms arrangements are in place to ensure that:

- internal audit's work is risk-based and will support the annual internal audit opinion
- the annual internal audit opinion is evidence based

The assurance mapping process now strengthens arrangements for ensuring Internal Audit directs its resources in areas where it will add the most value.

Opportunities for improvement:

The Internal Audit Charter should be updated to reflect the additional responsibilities the HIA now has in the post of Group Manager – Assurance, along with the safeguards in place to preserve independence and objectivity.

Internal Audit's termly plans may be more clearly expressed in terms of:

- how it aligns to the Council's strategic objectives
- the extent of alternative sources of assurance on which reliance will be placed
- the resources and skills needed to deliver the planned work.

The HIA's annual opinion may be more clearly expressed in terms of the three linked elements of risk management, governance and internal control arrangements in the Council.

Principle 2

The HIA in a public service organisation plays a critical role in delivering the organisation's strategic objectives by championing best practice in governance and commenting on responses to emerging risks and proposed developments

Organisational responsibilities

The Council demonstrates its top level commitment to the principles of good governance through the work of the Governance & Ethics Committee, as evidenced in its annual report, and through the engagement of the

Core HIA responsibilities

The HIA is pro-active in working with senior management and the Governance & Ethics Committee to promote and support good governance in the Council.

<p>Corporate and Extended Leadership Teams in its approach to updating and maintain the Governance Statement.</p> <p>The senior management in the Council frequently engages with Internal Audit to seek its advice and consultancy in relation to emerging risks and major developmental projects, and the advice offered is taken into account by providing formal feedback and responses to issues raised.</p>	<p>The work of Internal Audit is focused on the risks to good governance.</p> <p>Internal Audit has a strong track-record of engagement on new programmes and projects to advise on risk and control issues.</p> <p>The Internal Audit team promotes and practises the highest standards of ethics based on integrity, objectivity, competence and confidentiality.</p>
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Opportunities for improvement:

Recent resourcing difficulties have restricted the Internal Audit Team's capacity for engaging with as many major projects and programmes as has been the case in former years. The Group Manager – Assurance is developing an assurance framework for high governance programmes and projects, based around the principle of mapping its own assurance capacity with assurance activity at the second line of defence.

A more explicit focus of Internal Audit's termly plans on the strategic objectives of the Council should ensure that sufficient resource is allocated to developmental projects.

Principle 3

The HIA must be a senior manager with regular and open engagement across the organisation, particularly with the leadership team and with the audit committee.

Organisational responsibilities	Core HIA responsibilities
<p>The leadership team has designated the Group Manager – Assurance as the HIA for the Council, who reports directly to the s151 Officer, a member of the Corporate Leadership Team.</p> <p>The HIA is sufficiently independent within the Council structure in order to effectively provide credible challenge to the management team, who welcome this input</p> <p>The Governance & Ethics Committee has direct responsibility for overseeing and encouraging the work of Internal Audit. The Chairman of the Committee and the HIA maintain a professional and effective working relationship.</p> <p>The HIA is afforded unfettered access to the Chief Executive and all levels of senior management. The HIA is granted regular slots at meetings of the Corporate and Extended Leadership Teams for routine reporting and is able to schedule additional slots if the need arises.</p> <p>The HIA's access to all records and employees in the Council is established and enforced.</p>	<p>The HIA has ensured the Internal Audit Charter establishes appropriate reporting lines and facilitates engagement with the Corporate Leadership Team and Governance & Ethics Committee.</p> <p>The HIA makes use of his unfettered access to senior managers and Members by raising issues on both a routine and ad hoc basis.</p> <p>The HIA contributes to reviews of the effectiveness of the Governance & Ethics Committee and consults with the Committee on the content of its termly plans.</p>

Opportunities for improvement: The HIA will implement a formal stage of consultation with the Committee Chairs and Opposition Group Members in drawing up its termly plans.	

Principle 4
 The HIA must lead and direct an internal audit service that is resourced appropriately, sufficiently and effectively.

Organisational responsibilities	Core HIA responsibilities
<p>The HIA post is established at an appropriate level in the staffing structure</p> <p>The Internal Audit Team's budget provides for the resources, expertise and systems required for the HIA to perform the role effectively.</p> <p>The Governance & Ethics Committee actively engages in reviewing the performance of the Internal Audit Team and oversees its quality assurance and improvement programme.</p> <p>An external review of the Internal Audit Team was conducted in March 2018, in accordance with the Public Sector Internal Audit Standards (PSIAS).</p>	<p>The HIA leads and directs the in-house Team in accordance with PSIAS and engages with Members and senior managers to ensure the service is adding value to the Council.</p> <p>In recent reporting periods, the HIA has kept the Governance & Ethics Committee and senior management aware of recruitment difficulties and the actions being taken to address them.</p> <p>The training needs of the Team's staff are kept under regular review, both in terms of individuals' requirements and collective needs. There has been a recent focus on data analytics and counter-fraud training.</p> <p>The HIA and his staff actively keep abreast of developments in the internal audit profession and look for opportunities to identify and apply best practice approaches.</p>

Opportunities for improvement: Nothing additional identified. Actions are already in hand to address the recruitment difficulties the Team has been experiencing.

Principle 5
 The HIA must be professionally qualified and suitably experienced.

Organisational responsibilities	Core HIA responsibilities
<p>The Council requires a professionally qualified HIA to lead the in-house team and expects the postholder to deliver the service in accordance with PSIAS.</p> <p>The Council's recruitment process assesses the suitability of applicants for the HIA role.</p> <p>The HIA's line manager actively encourages the postholder to continue his professional development in the role.</p>	<p>The HIA is a CIPFA qualified professional and is active in continuing his professional development.</p> <p>The HIA is aware of the requirement to adhere to professional internal audit and ethical standards.</p>

Opportunities for improvement: Nothing further identified.
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6. The CIPFA statement goes on to set out the personal skills and professional standards of the HIA that are necessary to support the above principles in practice. These skills and standards are already reflected in the Employee Performance & Development Review (EPDR) for the HIA, and the input of the Chief Executive and Chairman of the Governance & Ethics Committee is sought by the Service Director – Finance, Infrastructure & Improvement when carrying out the EPDR of the Group Manager - Assurance. This year's process will be developed further to ensure:
- The skills and standards against which the Group Manager – Assurance is assessed fully reflect the requirements proposed in the CIPFA statement
 - Wider feedback on the performance of the Group Manager – Assurance in delivering the HIA role is sought from more senior managers and Members to identify further ideas for development.

Other Options Considered

7. None; the CIPFA statement represents best practice for the HIA role.

Reason for Recommendation

8. To enable the Committee to assess whether any changes to the Council's local governance framework should be recommended in light of the NAO findings.

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.

RECOMMENDATION

- 1) That Committee approves implementation of each of the actions identified under 'Opportunities for improvement' and determines whether there are any further actions it wishes to see taken to ensure compliance with the CIPFA statement.

Nigel Stevenson

Service Director for Finance, Infrastructure & Improvement

For any enquiries about this report please contact:

Rob Disney

Group Manager – Assurance

Constitutional Comments (KK 29/05/2019)

The proposal in this report is within the remit of the Governance & Ethics Committee.

Financial Comments (CSB 29/05/2019)

There are no specific financial implications directly arising 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.

- None

Electoral Division(s) and Member(s) Affected

- All

12 June 2019**Agenda Item: 12****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) for the period 1 October 2018 – 31 March 2019.

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 second such report and details of the applications received from Councillors during the period October 2018 – March 2019 are included at **Appendix A** (N.B. payments to individuals have been anonymised where relevant).

Audit of Previously Processed Applications

5. Officers from Democratic Services have recently commenced work on an audit of applications from the last financial year, in line with the requirements of the CDF Policy.
6. The officers have been guided by Internal Audit on the scope of this exercise and the Chairman of the Committee has been consulted, in line with the CDF Policy.
7. As the audit exercise is still in progress, the findings will be included in the next update report to the Committee.

New Electronic System

8. The Committee, at its meeting of 18 December 2018, supported the development of a new electronic 'self-serve' software package.
9. The new system will enable Councillors and their support officers to input applications directly and remotely in the future and will improve efficiency and administrative costs. The system also enables attachments to be added, so that correspondence from groups and other related documents can be stored electronically with the application.
10. It is recognised that some Councillors may require some additional support to move to this electronic approach. Group support officers will receive some training to enable them to assist Councillors in inputting applications.
11. The system will not impact upon the ongoing contact and relations between Councillors and relevant community groups and individuals, by which means proposals for funding are developed. Councillors can continue to request presentation cheques for use at events and ceremonies.
12. In its initial form, the system is not able to give a running record of funds available at the point of making an application but it is hoped that the functionality can be developed further in the future, with input from ICT, so that such a facility can be possible.
13. The system is currently in the final stages of testing prior to being piloted with Democratic Services Officers, Group support officers and then initially a few Councillors from the different political groups. Any concerns raised by the pilot will be considered and addressed accordingly and any unresolved issues will be brought back to this Committee for further discussion.

Other Options Considered

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

Reason/s for Recommendation/s

15. 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

16. 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.

RECOMMENDATIONS

- 1) That the Committee considers the CDF expenditure for the period October 2018 – March 2019 detailed in Appendix A and highlights any actions required.
- 2) That the outcomes of the ongoing audit exercise and progress with the development of the new electronic system be included in the next update report to 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

E-mail: keith.ford@nottsc.gov.uk

Constitutional Comments (KK – 22/5/19)

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

Financial Comments (SES 21/5/19)

There are no specific financial implications arising directly from this report. The total budget for the Councillors Divisional Fund is £329,000 and at the financial year end, £2,125.21 remained unspent. 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.

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

CDF Applications received from Councillors - 1 October 2018 – 31 March 2019

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

Councillor & Recipient	Amount £	Reason for application
Cllr Reg Adair		
Headway Nottingham	500.00	To purchase materials for therapeutic art sessions and a new tablet for translational purposes
Friends of Rushcliffe Country Park	1,000.00	To continue project BioBlitz to identify all species in park
1st Ruddington Scouts	450.00	To modernise and improve Scout Hut for the children attending Scouts and other activities
Ruddington Bowls Club	1,000.00	To assist in the cost of roof repairs at Bowls Pavilion at Elms Park Ruddington
Cllr Pauline Allan		
Warren Action Group	250.00	Christmas party
Arnold St Mary's Pre-school	250.00	Support the 'Forest School Initiative' and the development of the pre-school
We R Here	500.00	Training for CPD work with people affected by trauma
Eagle's Nest Church	1,000.00	Support the start of an intergenerational project between the playgroup and seniors friendship groups
1st Redhill Scouts and Guides	500.00	Repairs to central heating and leaking roof
Arnold Association of Neighbourhood Watch Schemes	500.00	Support Neighbourhood Watch newsletter and Best Buddy Awards
Via East Midlands	27.50	Refill grit bin on Saunby Close
Good Shepherd PTA	500.00	To create a sustainable gardening environment for the pupils of The Good Shepherd School
Friends of the Hobbucks Nature Area	222.50	To contribute towards bird boxes
Arnold Local History Group	500.00	To help produce a "Memories of Arnold" booklet
Arnold Age Concern Day Centre	250.00	Cover the cost of public liability insurance
Cllr Chris Barnfather		
Linby Parish Council	200.00	Contribution towards the purchase of a new Lawn Mower
Ravenshead Parish Council	250.00	Christmas trees and lights for the village light switch on event
Newstead Events Group	250.00	Community Bonfire and Fireworks event
Via East Midlands	310.00	2 Grit bins Chestnut Road & Fern Close junction / Summer Court Drive & Swinton Rise junction
Bestwood Village Christmas Tree Appeal	300.00	To part fund electrical testing and Christmas tree purchase for light switch on
Ravenshead Village Hall	250.00	To support fundraising for defibrillator
Friends of Bestwood Country Park	250.00	To support appeal to raise funds to replace play equipment
Via East Midlands	155.00	Grit bin junction of Bretton Road and Ashford Drive, Ravenshead
Joseph Whitaker School	300.00	To support students going on a visit to the House of Commons
Ravenshead Community Transport	300.00	Supply drivers with Hi-Viz safety bibs for assisting disabled passengers
Ravenshead Parish Council	185.00	To plant additional trees within the village
Cornwater Evergreens	500.00	To support the installation of signage for elderly persons day centre
Papplewick and Linby Village Hall	300.00	To fund safety markings and signage at busy village hall entrance

Friends of Moor Pond Woods	300.00	To contribute towards the completion of the path and bridge
Hawthorne Baby and Toddler Group	300.00	To support the expansion of services offered by the parent support group
Cllr Joyce Bosnjak		
Family Action	100.00	Contribution towards Christmas stockings for struggling families who attend the centre
Mansfield Woodhouse Community Development Group	1,300.00	To cover costs of projects and activities throughout the year
Mansfield Woodhouse Millennium Green	200.00	Contribution towards tools, training and equipment
Pennine Close Residents Association	100.00	To contribute towards the luncheon club for 40 residents
Old Mansfield Woodhouse Society	200.00	Purchase 80 calendars for use within community at a cost of £2.50 each
Mansfield Woodhouse Community Development Group	200.00	To purchase two grit bins containing grit to be placed on the cycle path
Mansfield Woodhouse Community Development Group	202.40	To contribute towards costs of the Summer event in Yeoman Hill Park
Mansfield Woodhouse Community Development Group	150.00	To contribute towards the installation of an Interpretation Board at the Butter Stumps
Northfield Neighbourhood Management Team	225.00	A contribution towards the annual Summer football tournament
Ashfield Voluntary Action	375.00	Covering the cost of producing an information handbook available for homeless people in Mansfield
J S	150.00	To provide a luncheon club for young children over the Summer break
Mansfield Lifesaving Club	100.00	To teach young people how to save lives in and out of water
Manor Park Neighbourhood Watch	100.00	As a contribution towards the cost of flyers
Mansfield Woodhouse Heritage Link	500.00	To contribute towards display cabinets and equipment for a community heritage project
Sherwood Colliery Swimming Club	100.00	To help train volunteers to teach young swimmers
Cllr Ben Bradley		
Ashfield District Council	750.00	Hucknall Gateway planting scheme
Reach Out Residents	700.00	To provide a new laptop/PC for the residents group
Kang Han Combat Academy	1,000.00	To provide a 6 week course to teach ladies how to defend themselves
Inspire and Achieve Foundation	500.00	To support the mentoring programme for young people in Hucknall
Each Amazing Breath	728.00	Take Five to work in schools in the Hucknall area
Benny's Boxing	322.00	To bring the flooring up to standards to be used for boxing and ring sports
T C	650.00	To provide a heritage workshop to Year 5 pupils in Hucknall School
Cllr Nicki Brooks		
Netherfield Forum	500.00	Youth Club engagement projects with the community
We R Here	200.00	Empowerment training for female survivors of domestic abuse
Netherfield Locality Co-ordinator	600.00	Funding for Outdoor Theatre Project, Netherfield in Bloom & Good Neighbour Award
Netherfield Wildlife Group	100.00	Contribution towards a booklet for visitors detailing the wildlife found at Netherfield

Nottinghamshire Wildlife Trust	200.00	Protective clothing to set up a new group of rangers (13-25years) at Skylarks
Burton Joyce Parish Council	100.00	Contribution towards street entertainer costs at Christmas Fayre
Foxhill Court Residents Fund	300.00	Purchase smart TV and DVD for residents lounge
St Helen's Church PCC	100.00	Christmas tree festival 15th & 16th December
1st Burton Joyce Guides	200.00	Purchase equipment for the 'Be well camp'
Lowdham Colts Girls	100.00	Providing funding for additional kit and equipment
Netherfield Forum	250.00	Activities and outings for group members
Netherfield and Colwick Senior Citizens Club	250.00	Funding for group day trips
Creative Care	100.00	Refurbish polytunnel to grow vegetables
Colwick Toddler Group	150.00	To purchase toys and furniture for play group
Carlton Town Football Club	150.00	Fund St John Baptist School children to attend match with refreshments and match balls
Netherfield Parent and Toddler Group	100.00	Purchase of new toys and games
Cllr Andrew Brown		
Miss HQ	150.00	Support H to attend the International trip to Budapest, representing Nottinghamshire Girl guides
Sutton Bonnington Joint Headquarters Management Committee	500.00	Disabled access to Scout & Guide Headquarters
Thrumpton Cricket Club	250.00	Contribution towards refurbishment of pavilion kitchen
East Leake Cricket Club	412.74	Cricket nets
Miss K C	150.00	Support K to travel across Europe, representing Nottinghamshire Girl guides
Sutton Bonington Parish Council	280.00	Refurbishment of Parish Council notice board
Normanton-on-Soar Parish Council	759.31	Contribution towards new seat in picnic area on playing field
Cllr Richard Butler		
Miss J L B	50.00	Contribution towards kit and expenses to compete in Ice Hockey for team GB
Cotgrave Football Club	550.00	Towards the cost of a defibrillator
Cotgrave Town Council	100.00	Support Christmas Lunch and Parties for the Cotgrave pensioners
Little Kites Playgroup	75.00	Christmas party for the children of the playgroup
South Locality Youth Service	250.00	Contribute towards Christmas activities and celebrations for the young people
Friends of Cotgrave Country Park	168.00	Insurance to cover volunteers when repairing equipment
Miss K C C	70.00	Contribution to costs involved for carol concert for resident of Hollygate Park Cotgrave
Cotgrave Open Gardens	150.00	Contribution towards the cost of banners / notices to advertise the open gardens event
Miss V T	50.00	Support a psychology student on a placement to promote mental health and gain experience
Candleby Lane School	140.00	Contribution to the schools breakfast club, for new toys and board games
Cotgrave Church of England Primary School	450.00	Contribution to cost of coach travel for pupils to attend a concert at the concert hall
Mrs J L D	160.00	To support the cost of bouncy castle, childrens entertainment at the "Manvers Rock" fundraising event in Cotgrave
2425 (Nottingham Airport) Squadron	329.00	To fund 6 new rucksacks to be used by the cadets when out on exhibitions

Cllr Steve Carr		
Via East Midlands	600.00	H-Bars for Abbey Road, Beeston
The Pearson Centre for Young People	456.00	Purchase tickets and programme for the Pantomime outing
Adam Cullen Skating Project	1,144.00	Skating rink costs for Beeston Carnival
T H	200.00	Set up engineering club for local primary school
Cllr John Clarke		
St James Church Porchester	300.00	Contribution towards the local festival that aims to reduce isolation
Poets Corner Neighbourhood Watch Scheme	200.00	To assist with the costs of purchasing a publication relating to 'staying safer'
Nottingham Arts Theatre	200.00	To assist with facilitating rehearsal space for the production of 'Beauty & the Beast'
Nottingham Organ Society	200.00	To further appreciation of our music to everyone and theatre
Carlton Pentecostal Church	200.00	Funding towards lunches and indoor bowling club
New Writers UK	300.00	To support the New Writers UK Creative Writing Competition for the Children of Nottinghamshire 2019
We R Here	300.00	Costs related to International Women's Day 9th March 2019
Arnold Association of Neighbourhood Watch Schemes	350.00	To contribute to printing costs of a newsletter sent to 5000 households in the area
Arnold Methodist Church	350.00	To support a Summer excursion for members of the Mental Health Befriending and Support Group
We R Here	500.00	To provide counselling for young people who are unable to access the specialist support they need
Royal British Legion Mapperley	300.00	Towards the remembrance parade road closure costs
Cllr Neil Clarke MBE		
Bingham Lawn Tennis Club	750.00	Contribution towards supply and installation of security fencing to protect refurbished courts
Cropwell Bishop Parish Council	100.00	Senior Citizens Christmas party 2018
CKOB (Cool Kids of Bishop)	200.00	Hire an oversized scalextric as a special treat at Christmas
Newton Parish Council	250.00	Contribution towards the cost of waste bin for play area
Langar cum Barnstone Parish Council	750.00	Contribution towards purchase of defibrillator
Cropwell Butler PC	300.00	Contribution towards purchase of new PA and audio system for village hall
Bingham Town Council	500.00	Contribution towards purchase of play equipment accessories at Orchard Avenue Play Park
Bingham Town Council	500.00	Contribution towards purchase of play equipment accessories and scooter park at Wychwood Play Park
Butt Field Sports Club	400.00	Contribute towards purchase of a large PA system for fundraising and community events
J C	364.00	Contribution to the purchase of javelin equipment to compete in the European Youth Games
Cllr John Cottee		
Keyworth & District Branch Royal British Legion	384.00	32 named wreaths for those who died in the Great War
Keyworth Mini Allotments	250.00	Create 2 new raised beds
Keyworth Parish Council	450.00	A bench on Beech Avenue
South Locality Youth Service	298.68	Contribution towards a football table for Keyworth Youth Club
Keyworth and District	299.40	Support the gardening association with purchasing plants to put

Gardening Association		around the community
Cllr Jim Creamer		
Age concern	200.00	Promoting age friendly environment & security - Age Concern centre Carlton Hill
Peacock Diabetes Support Group	100.00	Support 'GroupX' mass social event
Foxhill Residents Fund	400.00	Contribution towards Christmas party
The Brickyard Youth Club	200.00	To contribute towards Summer community events
Friends of Onchan Park	600.00	To purchase equipment for Onchan Park, including outdoor Table Tennis tables
Age Concern Carlton	200.00	Promotion of age-friendly environment based in Carlton Hill shopping area
Cllr Mrs Kay Cutts MBE		
Miss C D	100.00	Towards community work in Cambodia Summer 2019
St Edmunds Church Holme Pierrepont	250.00	To update the commemorative boards for those villagers that fought in the 1st World War
Miss G G	100.00	Towards community work in Cambodia Summer 2019
Miss J B	100.00	To send Radcliffe Ranger KB on the 'Fairytale & Scarytales' trip to Europe
Rushcliffe Olympic Football Club	300.00	Contribution towards club kit and equipment
Mr M A	100.00	Towards community work in Cambodia Summer 2019
1936 Newton Sqn ATC (Squadron Air Training Corps)	400.00	Support development of the Squadron and its facilities
Young Radcliffe	500.00	To support RadFest 2019
Holme Pierrepont & Gamston Parish Council	200.00	To purchase spring bulbs for the village hall
Radcliffe-on-Trent Junior School	100.00	To support a project for the school children in the current curriculum
Radcliffe-on-Trent Infant School	100.00	To support a project for the school children in the current curriculum
Radcliffe-on-Trent Cricket Club	180.00	To purchase equipment for the cricket club for the youth teams
1st Radcliffe-on-Trent Scout Group	100.00	To support a project for the scouts to broaden their community commitment
22nd Nottingham Boys Brigade	100.00	To support a project for the Boys Brigade to broaden their community commitment including parade
Cllr Maureen Dobson		
Newark Sustrans Rangers	1,000.00	To assist with new route for walking, cycling and wheelchair use
New Writers UK	200.00	To assist with Children's Writing Competition
South Clifton Parish Council	209.38	Purchase a dog waste bin
Harby Parish Council	300.00	New computer for Parish Council
Thorney Parish Council	800.00	To assist with road signs and repairs to children's play park
Via East Midlands	170.00	Grit bin and 3 bags of salt, Thorney Road (Wigsley Parish Meeting)
Newark & Sherwood District Council	279.62	Relocate CCTV in the Bridge Ward
Cllr John Doddy		
Trowell Parish Council	1,500.00	Resurfacing of parish hall car park
Awsworth Parish Council	1,000.00	Sports Pavilion extension
Bramcote and Stapleford Golden Jubilee Group	1,000.00	Contribution to the cost of Hemlock Happening
Cossall Parish Council	1,050.00	Cossall signage, floral displays and upkeep
Cllr Samantha Deakin		

Mansfield Community First Responders	400.00	Funding for uniform and equipment
Via East Midlands	1,240.00	8 Grit Bins Chatsworth Street ,The Bluebells, Church Street, Eastfield Side, Brown Crescent, Dovedale Avenue, Harby Avenue and Mowlands Close
Sutton Junction Residents Association	160.00	Activities within the community, Easter egg hunts and Christmas party etc
Sutton Street Poppy Appeal	1,000.00	To help fund the Remembrance Day commemorations including parade and service
Fountaindale Special School	200.00	Supporting music therapy within school
Cllr Boyd Elliott		
A R Musson Agricultural Contractors	240.00	Remove tree in the village of Lambley
Spring Lane Farm Shop	380.00	Christmas trees 2018 for Lambley, Woodborough and Calverton Villages
Woodborough Parish Council	200.00	Funding for a village event and payment for paint to be used in the village
Calverton Allotment Association	350.00	Funding new equipment and raised planters
Lambley Parish Council	212.00	To fund a defibrillator
S-Club	238.00	To purchase equipment for before and after school club
Cllr Sybil Fielding		
Shireoaks Parish Council	250.00	Church Tower Clock Fund
Workshop's Got Talent	250.00	Help fund Workshop's Got Talent on 26 October 2018
St Johns CofE Academy	1,000.00	To fund outside equipment for the nursery which opened September 2018
Rockware Sports and Social Club	1,000.00	To fund works to ground to remove trees and enable improvements to changing rooms
Balmoral TRA	300.00	To help fund transport costs for a specialist bus for people with mobility issues
Shireoaks Newsletter	300.00	To fund software to enable production of newsletter
4th Workshop St Johns Scout Group	200.00	To fund community activities involving the scout group
Royal British Legion Workshop	300.68	To support 100 years of RAF event on 30th March, including entertainment
Workshop and District Pensioners Association	300.00	To fund activities for the group and days out
Ryton Choral	284.00	To fund new music for both adult and junior choirs
Workshop Lions	400.00	To fund campaign for diabetes and a first aid course
Cllr Kate Foale		
Friends of Beeston Station	100.00	Contribution towards awareness raising materials for a newly constituted group
Pearson Centre for Young People	200.00	To contribute towards the cost for a young person to take part in a residential trip
Beeston Community Resource	100.00	To support the further development of the group
Canalside Heritage Centre	500.00	Christmas party for the volunteers
Redwood Crescent Association	200.00	To enable residents to maintain the Crescent as a safe and accessible community space
2nd Beeston Sea Scouts	210.00	Coaching for scout leaders
Bramcote and Stapleford Golden Jubilee Group	150.00	Contribution to the cost of Hemlock Happening
Broxtowe Community Celebration Group	500.00	To support the Broxtowe Community Celebration Group
John Clifford School	280.00	To support the pupils' residential trip to Hathersage, to enable all

		children to participate
Beeston Carnival Parade	110.00	To support the 2019 Carnival
Cllr Stephen Garner		
Via East Midlands	730.00	4 Grit bins and 2 Tonne of salt, helping the community in bad weather
Mr K S	150.00	To send OS to the World Cup Martial Kombat in Malta, November 2018
Smith Street Social Club	150.00	Local Community Christmas activities for the over 65's
2nd Mansfield Scouts	150.00	For help with tents and equipment for the scouts
Destiny Cheer	200.00	To help with funding for a springboard for gymnastics for young athletes
Friends of Forest Road Park	300.00	For wild flower garden and park developments
Friends of Fisher Lane	300.00	For a wild flower garden and tree planting
MBC Toddlers	250.00	For toys for children under 3 years old
St Peters Mums and Tots	200.00	For toys for children under 3 years old
Mansfield Folk Festival	450.00	For promotion of Mansfield Folk Festival
Via East Midlands	365.00	2 Grit Bins and 1 Tonne of salt for the Mansfield South area Winter 2019/2020
St Lawrence's Church	255.00	Material for "Messy Church" Activities - paper, print and art material
Mansfield Rugby Club	200.00	For help with training equipment for Under 12s Rugby Team
Cllr Glynn Gilfoyle		
Holy Family Catholic Primary School	150.00	Provision for additional keyboards for music lessons
St Augustine's School	225.00	To purchase a changing bed for the baby changing unit
Redland Primary School	100.00	To provide books for use with Children & Parents
Rayton Spur Afternoon Club	150.00	Provisions for Christmas lunch for residents
New Roots Housing Club	100.00	Support the Service User Awards
Fun Club Worksoop	150.00	To purchase new equipment
Polish Saturday School	150.00	Contribution towards 100 year celebrations of Poland's independence
Focus on Young People in Bassetlaw	100.00	Contribution towards the cost of a new website
Centre for Sport and Learning	100.00	To assist with funding street dance activities
Unison Retired Members	100.00	Contribution towards retired members outing
Worksoop Priory PCC	100.00	Making the Priory Church a place of welcome in response to Government initiative on isolation
St Augustines	150.00	To support the purchase of equipment for use by visually impaired children
The Carlton Flyer	100.00	To provide funding for cycle tour and social evening for group of former Carlton Cycles workers and enthusiasts
Clumber Park Cricket Club	100.00	To replace ground machinery
Sir Edmund Hillary Primary School	423.68	To support payments towards basketball stands and guardrail for safety reasons for school entrance
Worksoop Pride	200.00	To provide assistance towards the Worksoop Pride event on 13th July 2019
Cllr Keith Girling		
Newark & Sherwood DC (Hawtonville Safer Neighbourhood Group)	2,350.00	Hawtonville Safer Neighbourhood Group - Support 'Local Events to Solve Local Problems' 5 projects
Newark Patriotic Fund	250.00	Support a Joint Christmas Party for the Children of Veterans
NSDC Terry Bailey	1,000.00	Purchase locks to help reduce bike thefts - running a campaign to mark bikes and use better locks.

Newark District Scout Group	150.00	Help fund activities taking place for 40 young people with diverse backgrounds in Newark
William Gladstone C of E Primary Academy	200.00	Extra-curricular recourses
Cllr Kevin Greaves		
Holbeck & Welbeck Parish Council	700.00	Contribution towards a plaque in memory of the fallen in WW1
Miss M L S	500.00	To support travel and equipment costs - Representing England in the Athletics Indoor Championship
Workshop Cricket and Sports Club	300.00	Maintenance of the Greens and cutting equipment
Centre for Sport and Learning	100.00	To assist with funding street dance activities
Workshop Stroke Club	1,000.00	To take Members to the Thukford Christmas spectacular
The Crossing Social Enterprise Co. Ltd	1,000.00	To provide healthy meals and company for elderly people attending the lunch club
Welbeck Tennis Club	984.68	Refurbish club house and going forward to the purchase of defibrillator
Cllr John Handley		
Young at Heart Elderberries Over 60	250.00	To support a group of retired people in social activities
2nd Brinsley Underwood Scout Group	400.00	New equipment and flag
1st Greasley Scouts	400.00	Provide new equipment
Brinsley Parish Council	200.00	To support a voluntary play group run by parents at the parish hall
Community Choir	300.00	To purchase sound equipment for the group
Greasley Gathering	300.00	To support a fun day for the people of Greasley
Brinsley Senior Citizens Tote	300.00	To support an outing for the senior citizens of Brinsley
Brinsley and District Art Group	300.00	To support the local art group with guest speakers and materials
1st Greasley Guides	400.00	Buying equipment for camping and supporting a jamboree
Friends of Brinsley Headstocks	400.00	Support the Headstock Festival and the siting of a storage container
Valkyries Netball Club	200.00	To provide equipment and kits for the team
Brinsley Retired Peoples Clubs	200.00	To support the cost of speakers
Phoenix Freestyle Hapkido	250.00	To support the creation of this new club to teach them martial arts
Greasley Playgroup	150.00	To pay for replacement equipment for the children
Eastwood and District Ladies Probus Club	250.00	To support their programme of speakers
Brinsley Women's Fellowship	200.00	To help with the cost of speakers
Broxtowe Walk and Talk Group	250.00	To support the walking group in producing literature for groups
Cllr Tony Harper		
Eastwood Volunteer Bureau	500.00	To supply new football kits for Moorgreen Colts
Equation	500.00	Reach out to Secondary School to offer free workshops such as Personal space, sex & consent etc
Home Start Nottingham	250.00	To help fund Family Support and Friendship
Eastwood Volunteer Bureau	1,000.00	To support the Eastwood Foodbank and the 'Friend Scheme'
The Greasley Gathering	200.00	To support the free family day out event
Nowmads	100.00	To help fund a Community event. A production of Treasure Island
Eastwood Memory Café	500.00	Dementia awareness event for the people of Eastwood

East Colliery Male Voice Choir	200.00	To help fund Centenary celebrations
Mr B F	180.00	To run a poetry competition within primary schools
Age Concern Eastwood	500.00	To pay for a dropped curb to allow better access for members
Eastwood People Initiative	500.00	To pay for a computer for Eastwood Peoples Initiative
Valkyries Netball Club	70.00	To contribute towards netball kit
South Locality Youth Service	100.00	To build a memorial garden in Eastwood
New Greasley Singers	300.00	To help fund Centenary celebrations
Travelteer Ltd	100.00	To provide funding for a work placement abroad for a college student
Cllr Errol Henry JP		
Netherfield Locality Co-ordinator	250.00	First World War Silhouette
Foxhill Court Residents Fund	100.00	Christmas party
Ms A P J	720.00	To support a member of GB U20 handball team
Caribbean Elders Group	600.00	To contribute towards trips, social eating and planning a Windrush Day Event
Age Concern Carlton	200.00	Promotion of age-friendly environment based in Carlton Hill shopping area
The Brickyard Youth Club	200.00	To contribute towards summer community events
Friends of Onchan Park	130.00	To purchase equipment for Onchan Park, including outdoor Table Tennis tables
Cllr Paul Henshaw		
Brunts Charity Community Centre Social Fund	110.00	Christmas meal for elderly residents of Champion Crescent and West Mansfield
Mansfield Maulers Wheelchair Basketball Club	80.00	Replacement wheelchair and other supplies
Mr T G	300.00	Towards community work in Cambodia Summer 2019
Jigsaw Support Scheme	150.00	For 'Poppyfields' Dementia suffers to attend a pantomime of Snow White and the Seven Dwarfs
National Justice Museum	500.00	Contribution towards the Arts Council's 'Creative Court' project in the West Midlands
Salvation Army Mansfield	150.00	To provide a Christmas meal for the local community
Mr D S B	150.00	To purchase interactive training vest for the youth team
Pleasley Community Orchard	250.00	To purchase a hive for the orchard
Peace of Mind Framework	250.00	To support an allotment project for people who have mental health issues
6th Mansfield Boys Brigade	450.00	Contribution towards the cost of the annual camp and involved transport costs
Ladybrook Enterprises Ltd	200.00	To support the Dandelion Support Group
5th Mansfield Sea Scouts	224.00	To support the purchase of a sailing dinghy for use by the members of the scouts
Cllr Tom Hollis		
Ms K C	100.00	Contribution towards buffet at the Community Event on 6th December 2018
Ashfields Estates	1,500.00	Resurfacing crushed stone pathways within Ashfield Estates
Via East Midlands	465.00	3 Grit Bins The Head Stocks, Kedleston Close and Evans Avenue
Via East Midlands	125.00	Part paid for Grit bin Percival Crescent
Cllr Vaughan Hopewell		
Mr N D	150.00	Cost of marshalling for the Forest Town Remembrance Parade
Oak Tree Conservation Group	125.00	Christmas Activities

Flint Avenue Community Centre	350.00	Christmas celebrations, lunch and entertainment
Garibaldi Christmas Lights Fund	125.00	Contribution towards the Christmas lights fund
Forest Town Community Council	200.00	Contribution towards the Christmas lights fund
Forest Town Nature Conservation Group	125.00	Contribution towards the 'Wetlands Habitat Reaction' project at Spa Ponds Nature reserve
The Senior Moments Social Group	150.00	Contribution towards social events fund, enabling elderly members to visit places by coach
Rosemary Street Health Centre PPG	100.00	To help promote a dementia friendly surgery at Oak Tree
Men in Sheds	200.00	To support the "Men in Sheds" initiative at Age UK Notts
South Mansfield Community Association	400.00	A contribution to the refurbishment of the organisation's kitchen
Kingsway Hall Management Trust	500.00	Contribution to the cost of a new boiler, washing machine and tumble dryer
1st Forest Town Scout Group	200.00	Contribution to the cost of the Scout Group's St George's camp and refurbishment of their storage container
Willingham Court Lunch Club	200.00	To contribute towards an Easter party and future coach trip
Via East Midlands	235.00	3 grit bins, Snaefell Avenue, Minton Pastures and Santon Road plus 1 bag of salt
Age Concern Mansfield	200.00	To help fund a riverboat trip for service users and volunteers
Jigsaw Support Scheme	200.00	To support the scheme's "Hoarder Project"
West Locality Team	200.00	To support the use of the West Mobile B within East Mansfield
J and K.A C	200.00	To help support Clipstone & Forest Town Unity Band
Cllr Richard Jackson		
Chilwell Age Concern	500.00	Room rental for community events
Bramcote and Stapleford Golden Jubilee Group	250.00	Contribution to the cost of Hemlock Happening
Broxtowe Community Celebration Group	400.00	Contribution to community celebration event
Chilwell Community Centre	1,000.00	Contribution towards decorating
Chilwell Memorial Institute	1,350.00	Purchase of chairs and blackout curtains
Greenwood Community Centre	1,000.00	Contribution towards decorating
Cllr Roger Jackson		
Southwell Brambly Apple Festival	250.00	To support the Brambly Apple Festival
Central Nottm District Scouts Council	150.00	To send HQ. Southwell Scout to the International Jamboree in the USA
Hovering Parish Council	250.00	Help towards the cleaning of the War Memorial
Southwell Methodist Church	500.00	Help support the re-start of the Youth Club
Lowdham Village Hall	200.00	Contribute towards new stage in the village hall
Lowdham Colts Girls	150.00	Provide new equipment and bibs for training
Lowes Wong Junior School	129.00	Pay for bus to bring children to County Hall for a visit
Southwell Methodist Church	996.00	To help purchase equipment and games for young people to use
Cllr Eric Kerry		
Nottinghamshire Wildlife Trust	1,500.00	Security fencing to protect the hide for birdwatching at Attenborough Nature Reserve
Beeston & District Civic Society	300.00	Support for heritage open days leaflet

Mr S P	250.00	Contribution towards elite hockey spots equipment for TP
Literary Volunteers	500.00	Additional literacy education support in Toton, Chilwell and Attenborough schools
Life Skills Education	1,000.00	Contribution to deliver 'Life Skill' classes to 2 schools in Toton, Chilwell and Attenborough Division
Chetwynd: The Toton and Chilwell Neighbourhood Forum	750.00	Miscellaneous office printing supplies, specialist maps etc and stationary
St Mary's Parochial Church Council	200.00	Materials for the Attenborough Lane/Long Lane notice board replacement
Cllr John Knight		
Our Centre	500.00	Christmas party for pensioners and Christmas pantomime for Children
Coxmoor Tenants and Residents Association	400.00	Christmas party
Mrs K H	500.00	Funding of upcoming events and activities for members - Monkey Park and Llandudno
Kirkby Cats Home	300.00	Build new cat pens for abandoned cats
C A K E (Community for Action and Kirkby Events)	300.00	Funding towards community event on Kingsway Park, Kirkby-in-Ashfield
More2Life	300.00	To replace old equipment and to purchase extra items as the number in the group has increased
Our Centre	1,500.00	To contribute to the refurbishment of toilets
Coxmoor Tenants and Residents Association	500.00	Support trips for pensioners
C A K E (Community for Action and Kirkby Events)	400.00	Christmas market and Winter Wonderland event for Kirkby residents
Cllr Bruce Laughton		
Halam Parish Council	320.00	Community project, booklet for the village about the 4 local men killed in WW1
Central Nottm District Scouts Council	150.00	To send HQ, Southwell Scout to the International Jamboree in the USA
North Muskham Parish Council	400.00	Contribution towards cleaning up the skate park
Bilthorpe Parish Council	400.00	Contribution towards the reopening of Crompton Park & Maid Marion play areas
B C	200.00	Pay for memorial plaques
Kneesall Parish Council	200.00	Re-siting of 2 dog mess bins
Caunton Parish Council	375.00	Suitable infrastructure for new allotments
Lowdham Colts Girls	150.00	Funding for training equipment
Bilthorpe Parish Council	158.50	Help refurbish play area at Robin Hood Playing Fields
Sutton-on-Trent Parish Council	500.00	To supply a locked display cabinet for the Lord Snell CBE medal
Cllr John Longdon		
Breathe East Nottingham West	250.00	To pay for musicians to play with the choir
Kindness in the Community	500.00	To support elderly and vulnerable people with fitting more secure locks on doors and windows
Bramcote and Stapleford Golden Jubilee Group	2,400.00	To support Hemlock Happening
Cllr Rachel Madden		
Wesley Street Gardening Club	400.00	To purchase container for non-organic waste
Kirkby Living Memory Group	200.00	To support publication of book on textile history in Kirkby
Annesley Karate Club	200.00	To replace equipment (e.g. floor mats)

Via East Midlands	155.00	Grit bin Swifts View
Via East Midlands	310.00	2 Grit bins Ashland Road and Mayfield Street
Annesley All Saints Church	150.00	To replace toys for All Saints Playgroup
Cllr David Martin		
Mrs S B	500.00	Public liability insurance for the community Firework event
Via East Midlands	465.00	Grit bins for Fairview Avenue, Wilcox Drive and Smalley Close Underwood
T H	313.00	Hire of facilities and equipment for fundraising event
Cllr Diana Meale		
Brunts Charity Community Centre Social Fund	110.00	Christmas meal for elderly residents of Champion Crescent and West Mansfield
Mansfield Maulers Wheelchair Basketball Club	80.00	Replacement wheelchair and other supplies
Jigsaw Support Scheme	150.00	For 'Poppyfields' Dementia suffers to attend a pantomime of Snow White and the Seven Dwarfs
6th Mansfield St Marks Boys Brigade	250.00	Replace Bell Tent
St Augustines and St Barnabas PCC	100.00	Refreshments for children and supports from Crescent Primary at a community Carol service
National Justice Museum	1,500.00	Contribution towards the Arts Council's 'Creative Court' project in the West Midlands
Ladybrook Enterprises Ltd	300.00	Establish a support group for parents, children & Young people with additional needs and support SHE:NG training for domestic abuse
Pleasley Community Orchard	250.00	The purchase of a hive for the orchard
Mansfield Food Bank	685.00	To purchase 11 sleeping bags, mats and free standing racking for storage
Cllr John Ogle		
Rampton Parish Council	350.00	To help towards the cost of events for the elderly arranged by Rampton Evergreen Club, such as bowling
Fledgelings Pre-School Playgroup	500.00	To develop and resurface the outdoor play area
Sturton Le Steeple Parish Council	500.00	Play equipment for Sturton Village playing field
Bole School	500.00	Defibrillator for the community
Tuxford Primary Academy	500.00	Purchase a defibrillator
Tuxford Mine of Information	400.00	Provide support for a community magazine
Rampton Village Bowls Club	500.00	Resurfacing ground
Rampton Village Bowls Club	600.00	To help finance the start-up of an evening Roll a Bowl session
Cllr Philip Owen		
Kimberley Parent & Toddler Group	250.00	Contribution towards the 'Autumn Event' and Christmas party
Holy Trinity Church	500.00	Purchase Memorial plaques
Horsendale Toddler Group	250.00	Re-felt the roof of the shed that stores equipment
32nd Nottingham Boys Brigade	600.00	Purchase of AV equipment and under 16s dodgeball packs
1st Nuthall Girls Brigade	650.00	Purchase of sports equipment
2nd Kimberley Scouts	500.00	Purchase of camping equipment
1st Nuthall Scouts Group	650.00	Purchase and installation of disabled ramp at Scout hut
Cllr Michael Payne		
South Locality Youth Service	250.00	To support the Redhill 50+ Badminton Club

Arnold Town Football Club	150.00	Purchase kit & equipment for newly formed under 7's team
Royal British Legion Poppy Appeal	300.00	100 event poppies for display on streetlights across Arnold North division
Warren Action Group	500.00	Community Christmas light switch on and festive celebrations
Redhill Road Runners	250.00	To coach training and advertisement of new courses
Arnold St Mary's Pre-school	250.00	Support the 'Forest School Initiative' and the development of the pre-school
1st Redhill Scouts and Guides	500.00	Repairs to central heating and leaking roof
Happy Munchkins Preschool	250.00	To support development of Happy Munchkins Pre-school and establishment of their literacy shed
Via East Midlands	27.50	Refill grit bin on Saunby Close
Warren Action Group	150.00	To provide funding for bulb and wildflower project for Muirfield Road Recreation Ground
Good Shepherd PTA	500.00	To create a sustainable gardening environment for the pupils of The Good Shepherd School
Friends of the Hobbucks Nature Area	452.50	To provide funding for development and improvement of the Hobbucks Nature Reserve
1st Redhill Scouts and Guides	400.00	To assist with development and expansion of the group
Cllr John Peck		
1st Edwinstowe (St Mary's) Brownies	200.00	Purchase of equipment, neckerchiefs & contribution towards a 'Going Away' overnight adventure
Wellow Village Plan Steering Group	300.00	Assist with funding to create a village plan
Edwinstowe Parish Council	1,628.00	To pay for building of retaining memorial wall for the new memorial garden
Lynds Close Luncheon Club	200.00	Contribution towards the Summer outing for senior citizens
Sherwood Forest Trust	480.00	To assist with the cost of the Major Oak Woodland Festival
Thoresby Colliery Cricket Club	250.00	Purchase of cricket equipment and assistance with expenses of the junior team
Cllr Sheila Place		
St Patricks Catholic Primary School	150.00	Towards Christmas festivities
Harworth & Bircotes Age Concern	200.00	Towards Christmas festivities
Harworth & Bircotes Town Hall	200.00	Towards Christmas festivities
Agewell	150.00	Towards Christmas festivities
Primary School of St Mary & St Martin	150.00	Towards Christmas festivities
Harworth C of E Academy	150.00	Towards Christmas festivities
Serlby Park Junior School	250.00	Towards Christmas festivities
Serlby Park Academy	250.00	Towards Christmas festivities
Bircotes Pre-School	100.00	Towards Christmas festivities
Langold Dyscarr Community School	150.00	Towards Christmas festivities
Harworth & Bircotes Tenants and Resident Association	300.00	To provide lunch on their visit to County Hall 28.11.18
Harworth Brass	100.00	Entertaining elderly
North Locality Youth Work Team	300.00	Equipment and outings for Harworth and Bircotes Youth Centre
Blyth Players	200.00	To assist with funding for costumes
Surestart	100.00	Contribution towards Christmas activities

Langold Hilltop Club	500.00	To contribute towards a disabled toilet
Firbeck Colliery Community Memorial	500.00	Towards names being engraved on the Memorial Stone
Focus On Young People In Bassetlaw	509.68	Towards events for young people
Cllr Liz Plant		
Nottingham Kayak Club	200.00	To purchase junior buoyancy aids to allow more young people to take part in this activity
Nottingham Arthritis Self Help Group	190.00	Support a trip to Meadow Hall for this newly established group
Wilford Karate School	150.00	Purchase Karate kit and training materials
Framework Housing Association	300.00	To provide a welcome pack for young people offered a place at the supported accommodation at Lady Bay
Churchcroft Community Association	100.00	To support a New Year's outing for residents
West Bridgford Liberty Singers	150.00	To support the purchase of t-shirts for choir members who sing for vulnerable groups
St Giles Pre-School	260.00	To purchase outdoor play equipment for the children
Cllr Mike Pringle		
South Forest Indoor Bowles Club	100.00	To support an ever developing sports group
Ollerton and Boughton Town Council	1,390.00	Purchase of bins to encourage young residents to be responsible with rubbish
Kettlewell Retford Ltd	340.00	To provide transport from Forest View Academy to the Alfreton base facility of modern tech
New Disabled Action Team	750.00	To hire a minibus to go to the national disability event
Ms J T	350.00	Provision of transport for East Coast away day for residents of De Lacy Court
Life Skills Education	500.00	Support for Substance Abuse Education
NCC Walesby C of E Primary	200.00	To provide funding for provision of transport to the BASF facility in Alfreton for a Science and tech seminar activity
Sherwood Forest Educational Partnership	520.00	To support the purchase of filing, storage and carrying equipment to help process historical documents
Cllr Francis Purdue-Horan		
Bingham Lawn Tennis Club	500.00	Contribution towards mini club house to store kit when playing
Langar cum Barnstone Parish Council	500.00	Contribution towards purchase of defibrillator
Bingham Community Events Group	400.00	To support the Bingham Community Fair
Bingham Town Council	500.00	To assist towards the renewal and refurbishment of Wychwood Road Play Park
Aslockton Parish Council	150.00	To repair and re-position damaged village gateway sign
Bingham Community Parks Project	350.00	To host a launch day celebration with a bouncy castle and refreshments
Butt Field Sports Club	500.00	Contribute towards purchase of a large PA system for fundraising and community events
R W	345.00	To support the travel to a jamboree
Cllr Mike Quigley MBE		
Goodwin Hall Management Committee	300.00	Contribution towards sound system, first responders and Hall hire for St George's day celebrations
Babworth Parish Council	500.00	Help towards improvements to Ranby Village Hall - new window signs relaying links to pilgrim fathers
Barnby Moor Parish Council	500.00	Help towards heating replacement in Village Hall
Retford Charter Day	500.00	Towards road closure costs related to annual event to mark the granting of Retford's Charter
1403 Sqn Welfare Fund	1,000.00	Help towards funding minibus to enable young people to attend

(Squadron)		activities and training
Cllr Alan Rhodes		
Mrs B C	300.00	Contribute towards the setting up of a 'Friday Night Club' to combat loneliness and isolation
Centre for Sport and Learning	100.00	To assist with funding street dance activities
Fun Club Worksop	200.00	To fund activities for the young people in the locality
Prospect Hill Primary School	500.00	To fund works on school woodland learning project
Carlton Youth Club	200.00	To assist with funding activities for young people
Worksop and District Live at Home Scheme	300.00	To assist with travel costs - picking up elderly people using a mini bus
Focus On Young People In Bassetlaw	200.00	To assist with funding of an exhibition of the work of local young people
Carlton Village Newsletter	200.00	To assist with cost of room hire and associated costs for fundraising concert by Worksop Choral Society
Rebecca's Dance Studios	200.00	Support dance related activities for young people, purchase of equipment and costumes
Clumber Park Cricket Club	300.00	To assist with purchase of equipment and grounds machinery
Thievesdale Women's Institute	139.68	To assist with cost of coach hire
Cllr Kevin Rostance		
Boys Brigade Nottingham Battalion Northern District	300.00	Contribute towards the cost of activities for the Boys Brigade
Ashfield District Council	750.00	Hucknall Gateway planting scheme
Reach Out Residents	150.00	Contribution towards a new PC
Rolls Royce Junior Football Club	135.00	Support the funding of training and match footballs
Each Amazing Breath	1,272.00	Take Five' to work in schools in the Hucknall area
T C	650.00	To provide a heritage workshop to Year 5 pupils in Hucknall School
Beauvale Community Association	650.00	To provide a computer and other equipment for the group and contribute to a community event
The Television Workshop Ltd	720.00	To run drama workshop sessions to increase primary age engagement with arts
L H	123.00	Printing of life coaching leaflets
Cllr Phil Rostance		
Hucknall Gateway	750.00	Hucknall Gateway planting scheme
Hucknall Tourism and Regeneration Group	380.00	Contribution towards printing an information leaflet for the Hucknall Community
Hucknall Byron Festival Committee	310.00	To cover public liability insurance required to hold the 2019 event
Titchfield Park Café	1,252.00	To cover the cost of 2 new picnic tables
Reach Out Residents	150.00	Contribution towards a new PC
Benny's Boxing	178.00	To bring the flooring up to standards to be used for boxing and ring sports
Beauvale Community Association	100.00	To provide a computer and other equipment for the group and contribute to a community event
Cllr Mrs Sue Saddington		
Rolleston Parish Council	150.00	Contribution towards Rolleston Village Christmas fuddle
Bleasby Parish Council	80.00	Contribution towards village Christmas tree
Cantamus	250.00	Contribution towards costs for visit to Sweden in 2019
Farndon Resident Environment Group	300.00	Contribution towards new Carol books, and improve disabled access when singing around the Christmas Tree
East Stoke with Thorpe	100.00	Towards WW1 Bonfire beacon celebration

Parish Council		
Beaumont House Community Hospice	200.00	Towards Christmas festivities for residents and day visitors
Fiskerton cum Morton Parish Council	250.00	Contribution toward village Christmas lunch
Elston Parish Council	250.00	Contribution toward village Christmas lunch
St Peters & Elston Primary School	284.60	School Council visit lunch 03.12.18
Elston Parish Council	100.00	Contribution towards improvements to the war memorial
Farndon Parish Council	90.00	Contribution towards new village sign
Syerston Village Hall	90.00	Contribution towards new hot water boiler for the village hall
St Peter's Cross Keys C of E Academy	100.00	Contribution towards eco project at school
East Stoke with Thorpe Parish Council	90.00	Contribution towards a village flag pole
Rolleston Parish Council	90.00	Contribution towards a tree for the village green
Hawton Parish Council	58.00	Contribution for bulbs to be planted around the village
Wellow House School	100.80	School Council visit lunch 05.03.19
Averham, Kelham, Staythorpe Parish Council	90.00	Additional dog bin at Kelham, required on Broadgate Lane
Fiskerton cum Morton Parish Council	100.00	Contribution towards village sign
Bleasby Parish Council	100.00	Contribution towards 2 signposts for direction to village pond
Cllr Andy Sissons		
St Marks' Toddlers Group	200.00	Soft play toys for 1-3 year olds
Mansfield and Ashfield Echo	250.00	For electronic CD recordings for the blind and impartially sighted
Maun Conservation	400.00	For improvement to the River Maun and conservation area for the protection of water vole
Westfield Folk House Pantomime	400.00	80th year for production settings, scenery, equipment and children's performance
10th Mansfield St Lawrence Brownies	250.00	To help supply materials for making things in activities
Big Barn Lane Mother and Toddler Group	250.00	For interactive sensory toys for young children
Age Concern Mansfield	250.00	To help with transportation cost for Christmas trip and visits to Age Concern Premises
6th Mansfield Boys Brigade	250.00	For disadvantaged families to go away on camp in the Lake District
St Peters & St Pauls Parochial Church	150.00	For toys and play equipment
Mansfield Harriers and Athletics Club	250.00	For the promotion of under-11 primary school cross-country events in Mansfield and District
8th Mansfield Scouts	200.00	For transport for disadvantaged children for a camping weekend
Little Explorers	250.00	For soft play toys for children up to 4 years old
Mansfield and District Childminders	200.00	To purchase educational toys and books for play
Garden Cottage Community Centre	150.00	To contribute towards bingo equipment for pensioners group
Mansfield Welfare Rights	200.00	To update ICT and upgrade software
On Your Doorstep	265.00	For safety training for group walkers
Via East Midlands	465.00	3 Grit bins for the Mansfield South division
Cllr Helen-Ann Smith		
Via East Midlands	1,890.00	12.5 Grit bins Percival Crescent, Back Lane, Pelham Street, Sutton Road, High Hazels Drive, Park Way, Calke Avenue, The

		Green, Cleggghill Drive, Chaucer Crescent, Coultons Avenue, Stainsby Grove and Baker Avenue
Teversal, Stanton Hill and Skegby Neighbourhood Forum	396.00	To contribute towards Stanton Hill Spring Fair
Cllr Tracey Taylor		
Clarlborough District W I	200.00	Senior Citizen's Christmas party
Blue Skies Community Initiative	150.00	Contribution towards guest speaker for 'Villages Together' Group
Wakeringham Village Hall Fund	200.00	Senior citizens Christmas lunch
Ms R S-F	250.00	Provide equipment for Gringley Netball Club (Community sports group)
Focus On Young People In Bassetlaw	300.00	To help with venue hire costs and associated setup for annual 'Sewhat' event showcasing design
The STAR	400.00	To assist in production costs of community magazine
Misterton Adult Swimming Club	300.00	Contribution towards pool hire fees for a community adult swimming club
Misterton Senior Citizens Christmas Party Fund	200.00	Contribution to costs of celebration/event, with hot meal and entertainment for senior citizens
Daneshill Sailing Club	300.00	Towards costs of replacement buoyancy aids for the sailing club, for use by schools and youth groups
Sutton Village Hall Building Fund	400.00	Towards cost of replacement audio equipment for the village hall following extensive works to hall and stage
Torworth Parish Council	500.00	Support towards costs of buying a defibrillator unit for the use of the community
Gringley on the Hill PCC	300.00	To support setup costs of bi-annual fundraising event for Gringley Church and 5 Villages First Responders
St Peters Church Clayworth PCC	300.00	Towards costs of disabled access to the church building which houses Traquair Murals
Cllr Parry Tsimbiridis		
Family Action	100.00	Contribution towards Christmas stockings for struggling families who attend the centre
Mansfield Woodhouse Community Development Group	1,300.00	To cover costs of projects and activities throughout year
Mansfield Woodhouse Millennium Green	200.00	Contribution towards tools, training and equipment
Pennine Close Residents Association	100.00	To contribute towards the luncheon club for 40 residents
Old Mansfield Woodhouse Society	200.00	Purchase 80 calendars for use within community at a cost of £2.50 each
Greek Community	350.00	To contribute towards an OAPs lunch
Mansfield Woodhouse Community Development Group	200.00	To purchase two grit bins containing grit to be placed on the cycle path
Mansfield Woodhouse Community Development Group	210.00	To contribute towards costs of the summer event in Yeoman Hill Park
Mansfield Woodhouse Community Development Group	150.00	To contribute towards the installation of an Interpretation Board at the Butter Stumps
Northfield Neighbourhood Management Team	225.00	A contribution towards the Summer football tournament
Ashfield Voluntary Action	375.00	Covering the cost of producing an information handbook available for homeless people in Mansfield
J S	150.00	To provide a luncheon club for young children over the Summer break

Mansfield Lifesaving Club	100.00	To teach young people how to save lives in and out of water
Manor Park Neighbourhood Watch	100.00	As a contribution towards the cost of flyers
Mansfield Woodhouse Heritage Link	500.00	To contribute towards display cabinets and equipment for a community heritage project
Sherwood Colliery Swimming Club	100.00	To help train volunteers to teach young swimmers
Cllr Steve Vickers		
Retford Civic Society	500.00	Contribution towards the painting of a mural on Spa Lane
St Saviours Community Centre	700.00	Support the 'Messy Church' project
Ordsall Tenants & Residents Association	500.00	To support the Children's outing and Christmas party
Retford Business Forum	500.00	Fund the Retford Square activities at the Christmas Market
Goodwin Hall Management Committee	300.00	Contribution towards sound system, first responders and Hall hire for St George's day celebrations
Retford Civic Society	1,000.00	Support "Retford in Bloom" initiative
Ordsall Bridon Cricket Club	500.00	Replacement carpet tiles in the Pavilion due to vandalism
1403 Sqn Welfare Fund (Squadron)	750.00	To support the project to purchase a minibus
Cllr Keith Walker		
Newark Academy	1,000.00	To help put on drama shows
John Hunt Primary School	1,000.00	To help fund school trips
Chuter Ede Primary School	1,000.00	To support residential trips for all children at the Fernwood site
Chuter Ede Primary School	1,000.00	To support residential trips for all children at the Balderton site
Fernwood Foxes Football Club	1,000.00	To support the start-up of a soccer school for 4 year olds
Cllr Stuart Wallace		
1st Balderton Brownies	240.00	Purchase of inductions packs for new Brownies and Rainbows
Newark Dementia Carers Group	500.00	Group support for instructors to meet carers and dementia sufferers and provide singing, music, exercises etc
Mr S B	200.00	Support 2 pupils of Inis Cara School of Irish Dancing to compete in the World Championship 2019 (USA)
1st Balderton Rainbows	200.00	To cover the cost of the weekend sleepover for 1st and 2nd Rainbows
1st Balderton Rainbows	360.00	To cover the cost of purchasing badge books, skills builders, activity cards and welcome books
Newark & District 1260 Squad ATC	400.00	Towards purchase of tents, sleeping bags & stoves for use in Duke of Edinburgh tasks and camping equipment for 12
2nd Balderton Rainbows	200.00	To assist funding for Guide, Brownie and Rainbow activities, camps and sleepovers
Newark Sea Cadets	400.00	Towards the cost of a new safety boat
Cllr Muriel Weisz		
New Writers UK	450.00	To provide support for the publication of a book written by centre users to raise money and awareness
Fibromyalgia Action Group Nottingham	200.00	To support the training of new helpers for this group, so that it can support more people
Phoenix Farm Open-door Project	800.00	Contribute towards garden project that this centre is opening to provide activities in the community
Daybrook Crew	500.00	Providing more table top games and enabling the group to provide some external visits and activities
Arnold Food Bank	500.00	To support the training of volunteers and travel expenses, plus new storage equipment
We R Here	400.00	To support more sessions provided for women in some form of

		domestic crisis
Cllr Andy Wetton		
None	0.00	(Funding fully allocated in April – September period).
Cllr Gordon Wheeler		
Nottinghamshire Wildlife Trust	250.00	Replacement bench at Wilwell Farming Cutting Nature Reserve
Friary Drop-in Ltd	250.00	To improve internal and external communication systems
Mrs D O	150.00	Contribution towards St Giles Church's Christmas Lunch for 80 seniors
Walcote Drive Community Centre	150.00	Christmas party for elderly residents
Mrs J L	150.00	Christmas party for elderly residents of Rugby Road Community Centre
Rushcliffe Asian Community Association	175.00	To part fund exercise program for the elderly
Greythorn Primary Academy	300.00	To part fund cost of a defibrillator
Heymann Primary	112.00	School Council visit lunch 17.01.19
Jesse Gray Primary	100.80	School Council visit lunch 01.02.19
Greythorn Primary Academy	112.00	School Council visit lunch 15.03.19
Mrs E T H	175.00	Christmas brunch 20.12.18 at Lutterell Court Community centre
Ellerslie Cricket Club	400.00	Provide equipment and a disabled ramp to encourage players with disabilities and those who are partially sighted
Nottingham & Notts Refugee Forum	200.00	To assist with the cost of running projects
Friends of Sharphill Wood	240.00	To assist with the purchase and planting of trees
10th West Bridgford Rainbows and Brownies	200.00	To purchase new Girl Guiding development books
Heymann Junior School	225.00	To assist with the cost of coach hire for a visit by the school council to the Houses of Parliament
Rushcliffe Asian Community Association	128.80	Provide lunch when visiting Chairman at County Hall 04.04.19
Miss R B	180.00	To assist with the purchase of a new boat for the World Championships
Cllr Jonathan Wheeler		
Wilford Karate School	100.00	Purchase equipment and costs towards a trip to a competition
Nottingham & Notts Refugee Forum	500.00	Support refugees with their health, education and social needs
Ms J V	350.00	Contribution towards the purchase of two Racing Canoes for EV & RV to compete for the United Kingdom
Rushcliffe Asian Community Association	100.00	Fund Health and Wellbeing tuition for elderly residents
Friends of Sharphill Wood	300.00	Planting of trees at Sharphill Wood
School Council Visit - Edwalton & Gamston	466.10	Transport and lunch costs for Edwalton Lunch costs for Gamston Primary school Council visits
Ms S W	600.00	To attend a course to enable her to coach and develop talented athletes within Nottinghamshire
Friary Drop in Ltd	300.00	For new signage on their van with details of the help they give and contact details for those in need
Hilton Grange Social Committee	650.00	To contribute towards a luncheon group for the elderly residents to attend and a social event for older residents
Pierrepont Gamston Primary School	196.00	School Visit to County Hall, lunch 22.11.2018
Pierrepont Gamston Primary School	100.00	School Visit to County Hall, transport 22.11.2018

Cllr Yvonne Woodhead		
New Writers UK	250.00	To support creative writing in children
Rainworth Parish Council	156.00	Emergency Christmas light repairs after damage caused by tree at the Church
Detached Youth Project	200.00	Support Christmas activities for the young people of Blidworth and Rainworth
Disability Nottinghamshire	500.00	To support extended services for people to better understand the needs and difficulties of the disabled
Sam's Workplace	200.00	Supporting young adults with learning disabilities to be involved in our community
Men in Sheds	300.00	To purchase an electric saw and other equipment
Spectrum Wasp	250.00	To help to send autistic young people to see the Mansfield Hospital's Theatre Troop's Panto
The Rainworth and Blidworth Detached Youth Project	200.00	To support the set-up of a new "Detached Youth Project" (Rainworth)
Nottingham Roosevelt Memorial Travelling Scholarship	500.00	To support the project study in America for the young adults that are awarded a scholarship
Joseph Whitaker School	300.00	To support students going on an exchange visit to China
Blidworth Oaks Primary	300.00	To contribute towards musical instruments for music sessions
Blidworth Bengals Football Club	400.00	To help to buy a portable defibrillator to allow a child with heart problems to join the team
A H	144.00	To support fibre optic equipment for a disabled child
Cllr Martin Wright		
Mr N D	150.00	Cost of marshalling for the Forest Town Remembrance Parade
Oak Tree Conservation Group	125.00	Christmas Activities
Mansfield District Council	350.00	Christmas celebrations, lunch and entertainment at Flint Avenue Community Centre
Garibaldi Christmas Lights Fund	125.00	Contribution towards the Christmas lights fund
Forest Town Community Council	200.00	Contribution towards the Christmas lights fund
Forest Town Nature Conservation Group	125.00	Contribution towards the 'Wetlands Habitat Reaction' project at Spa Ponds Nature reserve
The Senior Moments Social Group	150.00	Contribution towards social events fund, enabling elderly members to visit places by coach
Rosemary Street Health Centre PPG	100.00	To help promote a dementia friendly surgery at Oak Tree
Men in Sheds	200.00	To support the "Men in Sheds" initiative at Age UK Notts
South Mansfield Community Association	400.00	A contribution to the refurbishment of the organisation's kitchen
Kingsway Hall Management Trust	500.00	Contribution to the cost of a new boiler, washing machine and tumble dryer
1st Forest Town Scout Group	200.00	Contribution to the cost of the Scout Group's St George's camp and refurbishment of their storage container
Willingham Court Lunch Club	200.00	To contribute towards an Easter party and future coach trip
Via East Midlands	235.00	3 grit bins, Snaefell Avenue, Minton Pastures and Santon Road plus 1 bag of salt
Age Concern Mansfield	200.00	To help fund a riverboat trip for service users and volunteers
Jigsaw Support Scheme	200.00	To support the scheme's "Hoarder Project"
West Locality Team	200.00	To support the use of the West Mobile B within East Mansfield
J and K.A C	200.00	To help support Clipstone & Forest Town Unity Band
Cllr Jason Zadrozny		

Ashfields Estates	1,500.00	Resurfacing crushed stone pathways within Ashfield Estates
Via East Midlands	1,085.00	7 Grit bins Mapplewells Crescent, Bank Avenue, Franderground Drive, Westbourne View, Rosedale Gardens and Hardwick Lane
Miss N S	460.00	To pay for swimming coaching and support for competition travel for Nova Centurion SC

12 June 2019

Agenda Item: 13

REPORT OF THE SERVICE DIRECTOR, CUSTOMERS, GOVERNANCE AND EMPLOYEES

RESOURCES FOR EDUCATION APPEALS PANEL MEMBERS

Purpose of the Report

1. To consider making available a small annual payment to reimburse volunteers for printing costs arising from the Council's statutory responsibilities relating to education appeals.

Information and Advice

Background

2. The Council is legally required to provide a service for parents / carers who wish to appeal for any place refused at any of the Council's community schools. The Council also provides services for those academies and foundation schools that have chosen to buy in this service.
3. The Council currently has a pool of 43 volunteers covering the legally required categories (Education and Lay Members), 12 of whom have been trained as Chairs.
4. The costs for providing the School Admission Appeals service for the Council's own community schools are met from a distinct budget which is funded from the Dedicated Schools Grant to the admissions authority (i.e. Children and Young People's Department).
5. In line with the practice of many Councils nationally, the appeals are administered by Democratic Services, as this team is seen as an independent arm of the Council (ensuring there is no conflict of interest with the admissions authority).
6. Many of the costs incurred in administering the appeals for community schools are recharged to the Council's relevant admissions authority budget, including travel claims from Panel Members and printing and postage costs.
7. The process remains paper-intensive by its very nature (no Council nationally has managed to move to a paperless approach that meets the legislative requirements although some are starting to explore the possibility of this).
8. In recent years, there has been an increase in the amount of paperwork which some appellants have submitted as part of their case and often such papers are received very late in the day, without sufficient time for Democratic Services to post these onto Panel Members. As a result, there has been an increasing reliance on electronic circulation of late

paperwork, which requires Panel Members to print these documents using their own personal ICT equipment at home. This equates to a saving for the Council in terms of printing and postage costs, with the printing costs essentially being picked up by Panel Members in such cases.

9. As a result of this change in practice, Panel Members have queried, through their annual training event, whether a nominal payment could be made on an annual basis to go some way to recognising and recouping the costs they are having to incur.
10. The national School Admission Appeals Code permits Panel Members to receive travel and subsistence allowances and to be compensated for any loss of earnings or expenses. Following a recommendation of the Independent Remuneration Panel in 2009, the Council no longer pays subsistence to Panel Members, with lunch and refreshments now being provided as appropriate.
11. Any payment to cover printing costs would be permissible under the Code in relation to recompensing expenses, although it is proposed that a single annual payment would be more efficient to administer than ad hoc individual payments.
12. It is therefore proposed that Panel Members should be permitted to submit a claim for £30 to cover their annual printing costs where applicable (not all Panel Members have printing facilities and therefore do not incur such costs).
13. It is recognised that Chairs and some Panel Members are involved in hearings on a more regular basis than others (for example, some Chairs cover more than 100 days of appeals each year). It is therefore proposed that a second claim for £30 should be permissible where it can be evidenced by Democratic Services that such Members have been required to print at home on a more frequent basis.
14. It is proposed that the claims be included in the regular travel expenses claims, thereby not incurring further administration costs.

Financial Implications

15. If every Panel Member claimed £30 each year this would result in an annual cost of £1290. It is estimated that the maximum costs are likely to be in the region of £1500 each year (after discounting those Members who do not have printing facilities at home and including an element of second claims as per paragraph 11).
16. In light of these costs effectively replacing previous printing and postage costs which the Council would have funded via the School Admission Appeal budget in Children and Young People's Department, it is proposed that these costs should be recharged to that same budget.

Other Options Considered

17. To not make annual payments but this in effect would penalise Panel Members for undertaking this vital, voluntary role.

18. Panel Members could be requested to submit claims on an individual basis to cover each individual printing job but this would be difficult to cost on a fair and consistent basis and would be more time-consuming and costly to administer.

19. Panels could choose to not consider any late information received after the published deadline but this would be contrary to the inclusive approach which Members and clerks are keen to follow. This could also penalise appellants when information has only become available close to the date of a hearing (for example, medical information or documents from relevant public sector bodies) and could result in more hearings being adjourned, challenged, or reheard, which would result in further costs to the Council.

Reason/s for Recommendation/s

20. To address concerns from Panel Members that changes in practice and advances in technology have resulted in them incurring some of the costs of this function historically borne by the Council.

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 Education Appeal Panel Members be permitted to submit claims for an annual payment of £30 to cover any printing costs, with a second payment of £30 also permitted for those Panel Members where it can be evidenced that they have incurred further printing costs as a result of a high number of appeals attended involving late papers in a particular year.

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

E-mail: keith.ford@nottscc.gov.uk

Constitutional Comments (KK – 22/5/19)

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

Financial Comments (SS – 30/5/19)

The 2019-20 budget for School Admission Appeals is £30,000 and funded from the Dedicated Schools Grant. The estimated maximum cost of £1,500 for Panel Members printing costs can be contained within that amount.

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

12 June 2019**Agenda Item: 14**

REPORT OF THE MONITORING OFFICER

REVIEW OF COUNCIL CONSTITUTION

Purpose of the Report

1. To set out the proposed scope of work to be undertaken as part of a review of the Council's constitution and to identify the resource implications and proposed timescales for the review.

Background

2. At its meeting on 16 May, County Council commissioned the Monitoring Officer to undertake a review of the Council's constitution; subject to Governance and Ethics Committee approving the scope of the review and having oversight of the project throughout.
3. The Council's constitution was fully reviewed in 2012 when the Council changed from executive arrangements to the committee system form of governance. The Financial Regulations, which form part of the constitution were reviewed in 2015. The Committee structure was updated in May 2017 and Communities and Place Review Committee was added in September 2018. There have been other minor amendments and updated, however it is now some time since the document has been reviewed more comprehensively.
4. The objective of the review will be to modernise the document and ensure that it is clear and user-friendly for all. Particular emphasis will be given to Full Council and committee procedure rules; to facilitate the smooth and efficient running of meetings.

Information

5. The proposed scope of the review will focus on rules of procedure as envisaged by County Council. The scheme of delegation to officers will be reviewed to ensure that the current wording provides clarity over roles and responsibilities and the limits of individuals' authority. In addition, the review will ensure that any governance changes required to reflect the recent review of outside bodies are captured.
6. From a financial perspective, the wording of the Property section of the Financial Regulations will be reviewed along with the wording relating to procedures for both officers and members notifying offers of gifts and hospitality and officers' declarations of interest.
7. The review will also carry out a check for consistency where issues are referenced in more than one place to avoid any potential for confusion or problems with interpretation. At the same time consideration will be given to whether indexing the document could be readily

achieved without the need to completely re-write the entire document which would be extremely onerous.

8. At this stage it is not proposed to undertake a review of the entire document and therefore the following are proposed to be out of scope (except for any consequential amendments arising out of any of the elements of the review which are in scope):
 - a. the full Financial Regulations unless advised by the S.151 Officer
 - b. terms of reference for Committees
 - c. Councillors code of conduct (as this was reviewed only last year)
 - d. Councillors allowances scheme
 - e. Travel and Accommodation Policy.
9. The nature, extent and outcomes of the review will be considered and agreed by Governance and Ethics Committee. The Committee will receive update reports on progress and make recommendations to full Council for final approval of any changes to the Constitution.

Resourcing

10. This is dependent on the scope of the review and the desired timescales but may require some additional capacity in Democratic Services to undertake the work involved.
11. It is proposed that a core officer Project Team is established to develop the work streams and undertake the detailed work required with oversight from the Monitoring Officer reporting to Governance and Ethics Committee. This team would largely be made up of officers from Legal and Democratic Services with a standing invitation to the Group Manager for Internal Audit. Cross council input would be sought as required from colleagues in HR, Finance, Property and other Service Departments, most likely as critical friend reviewers of content relevant to their areas where appropriate.

Other Options Considered

12. Not to undertake a review; Governance and Ethics Committee will have oversight and by considering the scope will ensure that the scale of the project is proportionate and a good use of resources.

Reason/s for Recommendation/s

13. To ensure that the Council's constitution is modern and user friendly and facilitates the Council in decision-making and ensuring sound governance.

Statutory and Policy Implications

14. 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.

Financial Implications

15. It is currently envisaged that the work for the review can be contained within available resources, however if some temporary additional capacity is required in Democratic Services the costs of this will be met within Chief Executive's Departmental budgets.

RECOMMENDATIONS

It is recommended that:

- 1) Members agree the scope of the constitution review as set out in paragraphs 5-9 of the report.

Marjorie Toward

Service Director, Customers, Governance and Employees and Monitoring Officer

For any enquiries about this report please contact:

Heather Dickinson, Group Manager, Legal, Democratic and Complaints (Ext 74835)

Constitutional Comments (HD – 31/5/2019)

16. The decision falls within the remit of Governance and Ethics Committee which was tasked with oversight of the review by Full Council.

Financial Comments (RWK 03/06/2019)

17. 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

12 June 2019**Agenda Item: 15****REPORT OF THE SERVICE DIRECTOR, CUSTOMERS, GOVERNANCE AND
EMPLOYEES****WORK PROGRAMME****Purpose of the Report**

1. To review the Committee's work programme for 2019 - 20.

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:

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

E-mail: 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 4 JUNE 2019)

<u>Report Title</u>	<u>Brief summary of agenda item</u>	<u>Lead Officer</u>	<u>Report Author</u>
24 July 2019			
National Audit Office Cyber Security and Information Risk Guidance for Audit Committees	To consider a six monthly update and any subsequent actions required.	Nigel Stevenson	Adam Crevald
West Bridgford Campus Catering	Implications of internal audit recommendations	Adrian Smith	Shane Grayson
Information Governance Improvement Programme Update	To consider a six monthly update, as agreed by the Committee on 18 December 2018	Marjorie Toward	Caroline Agnew
Update on Use of Resources by Councillors	To consider the six monthly update.	Marjorie Toward	Keith Ford
Information Governance Action Plan Update	To consider a quarterly update on performance against this new Action Plan.	Marjorie Toward	Caroline Agnew
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
Statement of Accounts 2018/19	To seek approval for this year's Statement of Accounts	Nigel Stevenson	Glen Bicknell
Internal Audit Annual Report for 2018-19 2019-20 Term 2 Plan	To consider the Head of Internal Audit's Annual Report and to consult on the planned work for Term 2 of 2019-20.	Rob Disney	Rob Disney
11 September 2019			
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
Member Development and Training	To consider the current offer to Members.	Marjorie Toward	Keith Ford

6 November 2019			
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
Information Governance Action Plan Update	To consider a quarterly update on performance against this new Action Plan.	Marjorie Toward	Caroline Agnew
17 December 2019			
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
Update on Use of the Councillors' Divisional Fund	To consider the six monthly update.	Marjorie Toward	Keith Ford
22 January 2020			
National Audit Office Cyber Security and Information Risk Guidance for Audit Committees	To consider a six monthly update and any subsequent actions required.	Nigel Stevenson	Adam Crevald
Update on Use of Resources by Councillors	To consider the six monthly update.	Marjorie Toward	Keith Ford
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
4 March 2020			
Information Governance Action Plan Update	To consider a quarterly update on performance against this new Action Plan.	Marjorie Toward	Caroline Agnew
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

29 April 2020			
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

