



## **Local Government Act 1972**

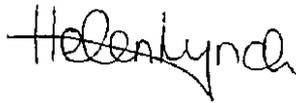
**I Hereby Give You Notice** that an **Ordinary Meeting** of the **Durham County Council** will be held in the **Council Chamber, County Hall, Durham** on **Wednesday 4 December 2019** at **10.00 a.m.** to transact the following business:-

1. To confirm the minutes of the meeting held on 23 October 2019 (Pages 3 - 16)
2. To receive any declarations of interest from Members
3. Chairman's Announcements
4. Leader's Report
5. Questions from the Public
6. Petitions
7. Report from the Cabinet (Pages 17 - 38)
8. Restructuring of the Corporate Management Team - Report of Chief Executive (Pages 39 - 56)
9. Local Council Tax Reduction Scheme 2020/21 - Report of Corporate Director of Resources (Pages 57 - 76)
10. 2019/20 Treasury Management Half Year Update - Report of Corporate Director of Resources (Pages 77 - 88)
11. Review of the Officer Code of Conduct in relation to Gifts and Hospitality - Report of Corporate Director of Resources (Pages 89 - 104)

12. Witton Gilbert Neighbourhood Plan - Report of Corporate Director of Regeneration and Local Services (Pages 105 - 110)
13. Public Health Annual Report 2019/20 - Report of the Director of Public Health (Pages 111 - 134)
14. Motions on Notice
15. Questions from Members

**And** pursuant to the provisions of the above-named act, **I Hereby Summon You** to attend the said meeting

Dated this 26th day of November 2019

A handwritten signature in black ink that reads "Helen Lynch". The signature is written in a cursive style with a horizontal line through the middle of the name.

Helen Lynch  
Head of Legal and Democratic Services

**To: All Members of the County Council**

## DURHAM COUNTY COUNCIL

At an **Ordinary Meeting** of the County Council held in the **Council Chamber, County Hall, Durham** on **Wednesday 23 October 2019** at **10.00 a.m.**

**Present:**

### **Councillor K Corrigan in the Chair**

Councillors E Adam, J Allen, J Atkinson, P Atkinson, B Avery, A Bainbridge, B Bainbridge, A Batey, D Bell, E Bell, J Bell, R Bell, H Bennett, G Bleasdale, L Boyd, P Brookes, L Brown, J Chaplow, J Charlton, J Clare, J Clark, M Clarke, J Considine, B Coult, P Crathorne, R Crute, M Davinson, S Dunn, S Durham, D Freeman, A Gardner, Geldard, J Grant, N Grayson, O Gunn, D Hall, C Hampson, K Hawley, T Henderson, S Henig, D Hicks, J Higgins, A Hopgood, K Hopper, L Hovvels, P Howell, G Huntington, S Iveson, I Jewell, O Johnson (Vice-Chair), P Jopling, A Laing, J Lethbridge, K Liddell, L Maddison, J Makepeace, R Manchester, C Marshall, L Marshall, C Martin, E Mavin, L Mavin, S McDonnell, M McKeon, I McLean, O Milburn, S Morrison, A Napier, J Nicholson, R Ormerod, A Patterson, C Potts, S Quinn, G Richardson, J Robinson, J Rowlandson, A Savory, E Scott, P Sexton, K Shaw, A Shield, J Shuttleworth, M Simmons, A Simpson, H Smith, T Smith, W Stelling, J Stephenson, B Stephens, D Stoker, A Surtees, O Temple, K Thompson, F Tinsley, T Tucker, J Turnbull, A Watson, M Wilkes, A Willis, C Wilson, M Wilson, S Wilson and D Wood

Apologies for absence were received from Councillors A Bell, J Blakey, D Brown, J Brown, C Carr, I Cochrane, S Hugill, E Huntington, B Kellett, H Liddle, J Maitland, P Oliver, L Pounder, A Reed, S Robinson, R Yorke and S Zair

### **1 Minutes**

The minutes of the meeting held on 18 September were confirmed by the Council as a correct record and signed by the Chair.

### **2 Declarations of interest**

There were no declarations of interest in relation to any items of business on the agenda.

### 3 Chair's Announcements

The Chair informed the Council of a number of successes in recent awards, as follows:

- the Council's building and facilities maintenance team had recently won the Best Service Team of the Year in the Facilities Management and Building Cleaning Service category at the 2019 APSE awards. The team had been praised for their continuous drive in providing an excellent service to customers;
- the Payroll and Employee Services Team had achieved re-accreditation by the Chartered Institute of Payroll Professionals following a rigorous external assessment which incorporated new, more stringent assessment criteria developed in partnership with HM Revenues and Customs. The re-accreditation was more notable given that Durham County Council was one of only seven English local authorities, and the only council in the region to achieve the accreditation for Payroll and Employee Services as part of the Payroll Assurance Scheme. It was the third time that the team had achieved the status after first being accredited in 2015 and then reaccredited in 2017; and finally
- County Durham had once again been recognised in the Northumbria in Bloom Awards for 2019 including gold medals for:
  - Durham City (best small city and joint best city for its collaboration with the Durham BID);
  - Wharton Park (best park);
  - Kynren and Hardwick Park (best tourist/visitor attraction);
  - Bishop Auckland (best large town);
  - Sedgefield (best small town);
  - Tanfield (best overall entry, the Percy Boydell Trophy, best small village);

In other areas:

- Coundon and Fishburn had been awarded silver gilts in the best large village category;
- Sacriston and Waldrige had been awarded silver gilts in the best small towns category;
- Seaham had been recognised as the most improved entry;
- Durham Botanical Gardens, Durham Railway Station and Belmont Scrambles had been commended, along with community champions singled out for special awards in both Belmont and Middleton in Teesdale;

- Schools including, Durham Gilesgate Primary, St. Joseph's Primary in Coundon, St. Joseph's RC in Stanley, and Hardwick Primary in Sedgefield, had also been recognised for their efforts.

The Chair asked the Council to join with her in placing on record their congratulations to everybody involved, most notably all of the Council staff, volunteers, community groups, schools and individuals to help showcase the very best of County Durham.

Finally, the Chair reminded the Council that a briefing about Lumiere 2019 would be held in Committee Room 2 at 1 p.m. The Chair also asked Councillors to take the time to visit colleagues from the County Durham Fire and Rescue Service at their stand in the Council Chamber Foyer which contained information about fire safety and the commercial trading arm of the Fire Service.

#### **4 Leader's Report**

The Council noted a report from the Leader of the Council as follows:

- There were less than four weeks to go until the biggest cultural event in the Council's calendar and preparations were in full swing to deliver the tenth anniversary Lumiere festival between Thursday 14 and Sunday 17 November. The 2019 programme would be the largest ever with 37 installations. Ten festival favourites would return from previous years as well as a programme of new artworks. The Leader thanked everyone in advance including the council's teams, partners and sponsors for their tremendous support in making the Lumiere biennial event such a success. Tickets for the free event would be available from Monday 28 October, online and from eleven venues across the County. It was important to note that ticketing was only required for the very busy central areas of the event areas at peak periods (from 4.30 p.m. to 7.30 p.m.) to help ensure that everyone had a comfortable and enjoyable visit. 26 of 37 installations would be outside the festival area and after 7.30pm none of the areas would be ticketed. The Leader stressed the importance of events like Lumiere for the county, highlighting that over the last ten years Lumiere in Durham had established a world-class reputation allowing Durham to shine bright on a global scale with images from the festival beamed across the world to people who may otherwise not have heard of Durham. It had helped change perceptions of the city and the county where people literally saw Durham in a new light and allowed Durham's already famous history and heritage to be illuminated in unique ways. More broadly it had helped put Durham on the map as a culturally vibrant place to live, visit and work. The UK's largest light festival also provided a significant economic boost to local businesses. Over the

last ten years there had been over 840,000 visits to Lumiere bringing in more than £28 million at a time of year in mid-November when visitor numbers were traditionally lower. In 2019 Durham would look forward to welcoming it's millionth visitor. Lumiere also touched the lives of hundreds of people of all ages and backgrounds through community outreach programmes, providing the chance to work with professional artists and become part of the festival. Over 10,000 people had taken part in Lumiere related community projects to date and there were over 300 volunteer Festival Makers each time. Lumiere would be the culmination of County Durham's year of culture 2019 which recently saw a very successful Durham Book Festival and would shortly see the re-opening of Auckland Castle after a multimillion pound re-development.

- On Friday 25 October 2019, around 200 partners would come together at the Riverside in Chester-le-Street to launch the County Durham Partnership's new vision. The vision had been built following extensive public consultation, where residents, businesses, partners and visitors were asked what they would like to see in the future for the county. Building on the success of the last ten years the new vision would replace the current 'Altogether Better' vision from 2009. Some successes included:
  - an increase in employment from 64.6% in 2010 to 74.6% in 2018;
  - a reduction in smoking from 22% in 2012 to 14% in 2018;
  - a reduction of the Council's carbon emissions of 45% in the past 10 years; and
  - a reduction of 55% in 10 years in the amount of household waste sent to landfill.
- The annual County Durham Environment Awards would be taking place at Hardwick Hall, Sedgefield. The awards celebrated projects that improved and enhanced the County's environment, whilst also recognising the environmental achievements of individuals and groups. This year's Environment awards were particularly special as it was the 30th anniversary of the awards.
- Annual winter road maintenance operations were underway. Daily TwitterGritter reports commenced on 1st October and the Council were well prepared.
- Sumitomo Electric Wiring Systems Europe was the first tenant to sign up for a new business unit at Jade Business Park, located off the A19 near Dalton Park on the outskirts of Murton, and was set to provide over 1 million sq ft of new employment space and over 2,500 jobs. The

Council was funding the first phase of development. The Leader thanked the North East Local Enterprise Partnership (NELEP) and the Highways Agency for involvement with the scheme. Meanwhile work continued apace at the Integra 61 site off the A1(M) which would also create thousands of new jobs;

- Freemans Quay Swimming pools had re-opened following essential repair works and refurbishment of the changing village and toilets. New lockers and changing cubicles had been added to modernise the space. Reception and studio areas had also been freshened up with new flooring and wall decoration. Since opening in 2008, over five million customers had visited the facilities.
- The new £3.4 million digital media centre at Durham Sixth Form Centre had opened last month. The new state of the art facility, built by the Council's building and facilities maintenance team, included a high-tech IT hub, a multimedia room, TV studio, cinema, conference and events suite and 13 classrooms.
- Work was continuing on the new County Council HQ in Durham City, which would free up the current County Hall site to create one of the best new business parks in the north east, creating up to 6,000 jobs whilst also providing a £400m economic boost to the county. It would also see 1,000 extra workers in the city centre, providing an all year round economic boost to Durham. 850 staff currently at County Hall would be moving to four strategic sites across the county, boosting footfall and the local economy of towns, such as Crook and Spennymoor.
- During October the Council would be joining with colleagues across the country to raise the profile of adoption as part of National Adoption Awareness Week. This year there would be an extended awareness campaign lasting around three weeks. The adoption team had included extra public information sessions, including an open-door event at their offices in Seaham, a coffee and chat session in Consett, and an event specifically for staff based at County Hall. Recent figures showed that three times as many children were waiting to be adopted as there were people coming forward to adopt in the North East. The Council were working hard to redress the balance and it was hoped that the awareness campaign would encourage people to explore how they could start their next chapter by adopting with the Council.
- 28 October was Care Leavers Week. The Council had maintained its very public commitment in ensuring that care leavers were given the best possible support, to enable them to live fulfilling independent lives and to help them reach their potential. A range of both practical and

financial support was on offer, including money to help buy essential items for setting up a home, priority bidding for housing, assistance to access grants and benefits, bursaries for higher education and guaranteed interviews for certain council jobs. During care leavers week the Council would be asking staff across the council what they could do to provide further help or guidance to care leavers. From mentoring and work experience through to sponsorship and discounts there were many things that the various Council teams were considering that could result in a hugely positive impact on the lives of care leavers. The Leader of the Council explained that community groups and local businesses were also being encouraged to think if there was anything they could do to help those vulnerable and sometimes disadvantaged young people to enjoy a good quality, healthy and prosperous independent life.

- The Leader congratulated Angela Hilton, a teacher at Cleves Cross Primary and Nursery School Academy in Ferryhill. Angela was one of eleven UK teachers who had been honoured as winners of the 2019 Pearson Teaching Awards for their inspirational work in education. The Pearson Awards celebrated the best of teaching across the UK. Angela had played a vital role in helping her pupils reach high standards along with a key role in the school's highly successful International Schools programme. Working with the Council's International team, exchange visits had been arranged with partner schools in Sri Lanka and France. Angela was currently leading a countywide project to build relationships with schools in Kenya.
- County Durham's efforts to ditch single-use plastics had earned a national award with the Council's single-use plastics pledge having won the Best Waste Minimisation or Prevention Project award at the LARAC (Local Authority Recycling Advisory Committee) Awards.
- The Council's pest control team had again achieved a prestigious European standard, for the second-year running having been awarded the Confederation of European Pest Management Associations (CEPA) certified status, meaning their work met the highest industry standard.
- Finally, the Leader reported that an aspiring child psychologist, Amy Waites, who held a passion for youth work, had been appointed as the county's first young people's commissioner. Amy's appointment came via the Council's apprenticeship programme and would help ensure that the voices of children and young people were heard and that their needs were met by professionals in the county. The Leader wished Amy well in her important role.

## 5 Presentation by Area Action Partnership

The Council received a presentation from the AAP Coordinator and the Chair of Derwent Valley Area Action Partnership (for presentation see file of Minutes).

The Council were informed that Derwent Valley was a mix of urban and rural areas located in North West Durham, with a population of over 45,000. The area had a rich heritage of steel and sword making.

The Derwent Valley AAP priorities from 2019-2021 were:

- Employment, Enterprise and training;
- Environment; and
- Health and Wellbeing – specific focus on mental health and suicide prevention.

The AAP had well-developed action plans set against limited resources. Areas with the greatest needs were targeted. The AAP also had cross cutting themes including Older People and Transport and Community Safety.

Delivering sustainable projects was key to the partnership and examples of three such projects were highlighted to the Council, as follows:

- Beat the Scammers – How to handle nuisance callers - initially piloted in the Derwent Valley area, now extended across the County. The project had received both local and national recognition and was delivered by a range of partners. The project had reached over 5000 older people and helped make residents feel safer;
- Primary and Secondary Coding Clubs – these sessions included programming, algorithms and IT networks which helped pupils understand, from a very early age, as to how all aspects of coding came together. Each primary school were provided with their own piece of coding equipment for their own use. Due to the success of the project at primary school level, it was extended to secondary schools. Teachers and parents had also been trained to help deliver the activities; and
- School apple project – which helped encourage children to learn and appreciate the environment in which lived. Cookery and horticulture skills were delivered as part of the project which also helped participants appreciate where food came from. The ‘hands on’ project also included cookery classes, education sessions, learning about food waste, apple swapping and orchard planting.

Other, more recognised events in the area included:

- Party in the Park (2014, 2016 and 2018) - a free event consisting of live music, activities and information stalls which provided residents with access to information from a variety of partners;
- Consett Cycle Festival in 2019 - delivered in conjunction with Project Genesis, British Cycling and local members; and
- Christmas in Consett 2014-2017 - created for residents included competitions, prizes and information.

The Chair and AAP Coordinator finished their presentation by providing the Council with details of a wide and varied range of forthcoming projects.

The Chair thanked the AAP Chair and Coordinator for their presentation.

## **6 Questions from the Public**

There were no questions from the public.

## **7 Petitions**

There were no petitions for consideration.

## **8 Report from the Cabinet**

The Leader of the Council provided the Council with an update of business considered by Cabinet at its meeting held on 11 September 2019 (for copy see file of Minutes).

## **9 Appointment of a Head of Integrated Strategic Commissioning**

The Council considered a report of the Corporate Director of Adult and Health Services which sought approval to create a Head of Integrated Strategic Commissioning (for copy see file of Minutes).

The Corporate Director of Adult and Health Services informed the Council that the post would be jointly funded between the County Council and the Durham Clinical Commissioning Groups (CCGs), in response to the development of a Health and Social Care Plan for County Durham and specifically the development of an Integrated Strategic Commissioning function. The anticipated benefits of integrated commission were outlined for the attention of the Council.

In **Moving** the report Councillor L Hovvells explained that County Durham had a strong track record of partnership working, particularly within Health

and Social Care where significant progress had been made in recent years in improving outcomes for local people. Most recently the Council had included an integrated approach to governance arrangements, integrated community services and taken a proactive approach in caring for communities. The benefits of working in an integrated way were clear, minimised duplication and maximised skills of the combined workforce. The next phase of the integration journey would see the introduction of the integrated commissioning function and would enable Durham County Council and the Durham Clinical Commissioning Groups to work collectively in terms of commissioning health, social care and public health services to meet the needs of the local communities. It was a complex and challenging area of work, requiring strong leadership which demonstrated the importance of the post.

Councillor O Gunn, **Seconded** the proposal and explained that area of work had a very clear focus. The new function was all-age and would include the commission of services for children and young people. This would be extremely important in terms of enabling the children's health agenda and the appointment would be an important part of taking such areas of work forward on behalf of the Council and the CCGs.

Councillor J Shuttleworth, referring to the austerity regime, explained that the Council had reduced the number of Heads of Service, however, the last eighteen months had seen the creation of five posts. The post in question would cost £151,000 per year including on-costs and sought clarification regarding the salary costs associated with the appointment.

In response the Corporate Director of Adult and Health Services informed the Council that the post had been job evaluated in line with the job profile included within the report and the post was being jointly funded with the CCGs.

Upon a vote being taken it was

**Resolved**

That the Council approve the establishment of a Head of Integrated Strategic Commissioning within Adult and Health Services, at Head of Service Band 1, to be jointly funded by Durham County Council and North Durham and Durham Dales, Easington and Sedgefield Clinical Commissioning Groups.

## **10 Review of the Council's Statement of Licensing Policy**

The Council considered a report of the Corporate Director of Regeneration and Local Services which sought approval of a revised Statement of Licensing Policy which had been updated to create a policy document providing applicants, licensees, Members, officers and the public with more

guidance, information, recommendations and direction in relation to licensing matters (for copy see file of Minutes).

The Head of Community Protection informed the Council that the Licensing Act 2003 required licensing authorities to prepare and publish a statement of their licensing policy at least every five years. The policy had to be kept under review and the licensing authority may make revisions, as it considered appropriate.

In the absence of the Chair of the Licensing Committee, Councillor B Stephens **Moved** the report. Councillor Stephens informed the Council that the Licensing Policy sought to provide responsible management of licensing activities and provided an effective framework to ensure that licensing was safe, well run and continually supporting the local economy.

Councillor L Marshall **Seconded** the report.

#### **Resolved**

That the Council approve and adopt the revised statement of policy, having taken into account the current policy and the comments received during the consultation.

### **11 Adoption of Sedgefield Neighbourhood Plan**

The Council considered a report of the Corporate Director of Regeneration and Local Services regarding a proposal to adopt the Sedgefield Neighbourhood Plan which set out new policy requirements for Sedgefield Parish and would form part of the development plan (for copy see file of Minutes).

The Head of Community Protection informed the Council that a referendum was held on 12 September for the Sedgefield Neighbourhood Plan. 92.86% of all votes were in favour of the Neighbourhood Plan demonstrating support from the local community.

**Moved** by Councillor C Marshall, **Seconded** by Councillor J Robinson

#### **Resolved**

That the Council formally adopt the Sedgefield Neighbourhood Plan which would form part of the statutory development plan.

### **12 County Durham Vision 2035**

The Council considered a report of the Director of Transformation and Partnerships which presented the latest draft of the County Durham Vision 2035 (for copy see file of Minutes).

The Director of Transformation and Partnerships informed the Council that the draft vision document had been developed with partners as a shared vision for the county for the next 15 years. Extensive public consultation had been carried out between 12 June and 31 July 2019. As referred to in the Leaders Report, the vision would be agreed by each of the Council's partners on the County Durham Partnership Board and would be launched at the County Durham Partnership event on 25 October.

In **Moving** the report Councillor S Henig explained that the new County Durham Vision would aspire to see County Durham become a place for more and better jobs, where people lived longer and independent lives with well-connected communities that supported each other. The Vision had been subject to significant consultation over recent months and there was a belief that the vision was something everyone could share across the Council and the wider partnership.

Councillor L Hovvels **Seconded** the report and highlighted the work carried out with partnership agencies, the voluntary and community sectors, Area Action Partnerships and the public.

In response to a question from Cllr R Bell regarding performance management reporting through the Service Directorates and Overview and Scrutiny, the Director of Transformation and Partnerships informed the Council that when the Council adopted the 'Altogether Better' objectives in 2008/09, all such arrangements including partnership governance, strategies, policy management framework and scrutiny arrangements were reviewed to ensure that they fitted with the vision at that time. There would now be an ongoing process of review with the adoption of the new vision and explained that it was extremely important to ensure that governance, performance management and the various action plans were assessed with the adoption of the new vision.

Councillor Wilkes referred to the Council reducing carbon emissions by 2035 and explained that from his point of view, 2035 was the day by which the Council should be eliminating carbon emissions and could not offer his support.

Upon a vote being taken it was

**Resolved**

- (a) that the public consultation feedback contained and summarised within the report be noted;
- (b) that the Council agree the vision for County Durham in accordance with Article 4 paragraph 4.01(a) of the Council's Constitution;

- (c) note that the vision would be agreed by each of our partners on the County Durham Partnership Board and will be launched at the County Durham Partnership event on 25 October;
- (d) Note that a new branding strategy was being developed for the vision; and
- (e) Note that a review of the delivery framework and monitoring arrangements for key strategies had commenced.

### **13 Corporate Parenting Panel Annual Report 2018/19**

The Council noted the Corporate Parenting Panel Annual Report for the period April 2018 to March 2019 (for copy see file of Minutes).

The Chair of the Corporate Parenting Panel, Councillor P Brookes explained that the annual report was the second report produced by looked after children. The report contained many jargon free facts and was rich with exciting content.

Councillor Brookes highlighted that the annual reporting procedure had come about as a result of changes made to the Constitution following an OFSTED report produced in 2017 and highlighted a number of weaknesses.

Councillor Brookes announced that the changes made had been successful and referred to the latest OFSTED report which acknowledged that 'quality of practice had improved' and there was now 'strong political insight and challenge'. Councillor Brookes expressed his delight to achieve this positive endorsement.

Councillor Brookes paid tribute to Councillor H Smith, Vice-Chair of the Panel for her expertise and input and placed on record his thanks to the Senior Partnerships Officer who had been proactive in her support to the Panel. Councillor Brookes also reserved praise for Councillor B Bainbridge for participating in the care leavers challenge.

Councillor O Gunn placed on record her thanks to the Chair and Vice-Chair of the Panel for their hard work, expertise and challenge. Councillor Gunn also made special mention of those Councillors who contributed through the fostering and adoption panels who undertook a tremendous amount of very important work. Councillor Gunn urged all Councillors to read the report which had been put together with the help of children.

Councillor A Hopgood thanked the Corporate Parenting Panel for the very interesting and informative report and placed on record her thanks to Councillor Brookes for leading on a very important piece of work. Councillor Hopgood explained that her participation in the Care Leavers Challenge was one of the hardest things she had undertaken and provided her with a unique

insight into how difficult it was to survive on £57.90 per week and encouraged all Members to attempt the challenge.

## **14 Motions on Notice**

There were no Motions on Notice.

## **15 Questions from Members**

In accordance with Council Procedure Rule 9.7, Councillor B Coult asked the following question:

*At the Environment and Sustainable Communities Scrutiny Committee this month it was revealed that last year there was a building and facilities overspend of £67,000 on 8 named buildings.*

*With 57 council buildings not in use this year, can the portfolio holder explain the logic of having a budget of only £31,198 specifically allocated to these 57 properties, and inform council of the current projected year-end spend on these buildings?*

Councillor K Shaw, Cabinet Portfolio Holder for Housing responded to thanked Cllr Coult for her question and explained that the Council were constantly reviewing its operational estates and had considerably reduced the number of buildings, generated millions of pounds in capital receipts and made significant revenue savings since 2009.

The 57 buildings referred to in the question were currently under review. The Council sought to spend as little as possible on the properties identified and of those 57:

- 6 were in process of reoccupation;
- 4 were being held for strategic project delivery;
- 18 were being marketed;
- 16 were being prepared for marketing; and
- 7 were programmed for demolition

Whilst some spend on unoccupied buildings was essential, inevitably there were sometimes unforeseen circumstances whereby additional expenditure was required. The Council would continue to keep this to a minimum by taking steps to bring buildings back into use or declaring properties surplus as soon as possible.

In response to the second part of the question, Councillor K Shaw explained that expenditure on buildings was difficult to predict and any shortfall would be met from other service budgets. Further work would be carried out to align

property related budgets as part of the introduction of a corporate landlord model for managing the council's estate.

4 December 2019

Report from the Cabinet



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## Purpose of the Report

To provide information to the Council on issues considered by the Cabinet at its meetings held on to enable Members to ask related questions.

## Contents

16 October 2019

- Item 1 Oral Health Strategy Update  
[Key Decision: AHS/01/19]
- Item 2 Health and Wellbeing Board Annual Report 2018/19
- Item 3 County Durham Health and Social Care Plan –  
Integrated Strategic Commissioning Function
- Item 4 Director of Public Health Annual Report 2019
- Item 5 In House Enforcement Service
- Item 6 Update on the delivery of the Medium Term Financial  
Plan 9
- Item 7 The County Durham Strategic Partnership approach to  
Early Help for Children, Young People and Families

13 November 2019

- Item 8 Review of School Provision – Wolsingham  
School & Sixth Form Key Decision No. CYPS/03/2018
- Item 9 Review of the Council Tax Long Term Empty Premium  
Charges Key Decision: CORP/R/19/03

- Item 10 Council Tax Base 2020/21 and Forecast Surplus on the Council Tax Collection Fund as at 31 March 2020  
Key Decision: CORP/R/19/02
- Item 11 Mid-Year Review Report on Treasury Management for the period to 30 September 2019
- Item 12 County Durham Plan – Delivery of the Western Relief Road
- Item 13 Forecast of Revenue and Capital Outturn 2019/20 Period to 30 September 2019
- Item 14 Overview and Scrutiny Review, Children’s Residential Care Homes

**1. Oral Health Strategy Update [Key Decision: AHS/01/19]  
Councillor Lucy Hovvels, Cabinet Portfolio Holder for Adult and Health Services  
Contacts - Gill O’Neill, Tel: 03000 267696 and Chris Woodcock, Tel: 03000 267672**

We considered a joint report of the Corporate Director of Adult and Health Services and the Director of Public Health on the County Durham oral health strategy. The report provided an overview of activity to date to tackle oral health inequalities across County Durham and included an update on the technical appraisal undertaken by Northumbrian Water to consider the feasibility of expanding the community water fluoridation scheme in County Durham, from the current scheme. The report also requested on the next legislatively defined steps for community water fluoridation.

In December 2017 we agreed to commission Northumbrian Water to complete a detailed technical appraisal of how operationally viable it would be to expand the community water fluoridation scheme and what the cost implications would be to make the distribution equal across the County. The draft technical appraisal highlighted the operational features and cost implications of a proposed expansion of the County Durham Community Water Fluoridation Scheme, which would impact the residents of Sunderland, South Tyneside and a very small number of households within Darlington, Hartlepool, Stockton, Gateshead and Cumbria.

All affected Local Authority areas covered by the current scheme would be consulted to determine whether they would wish to participate in establishing a joint committee and progress a 12-week public consultation. The affected Local Authorities would have three months to respond. Not all affected Local Authorities who are part of the existing scheme would receive newly fluoridated water, therefore those authorities may not seek to participate in the joint committee.

The technical appraisal identified that there is the operational ability to implement a community water fluoridation scheme covering all of County Durham, Sunderland and South Tyneside other than Barnard Castle and its surrounding area. Barnard Castle and the immediate surrounding population would not be part of the community water fluoridation scheme as their water is part of Teesside supply system.

The proposal for the extension of the community water fluoridation scheme would be fully inclusive of Sunderland and South Tyneside populations, therefore democratic processes would require consideration across all three of these areas.

## **Decision**

We noted the progress made on the oral health action plan and next steps for delivery together with the findings of the technical appraisal by Northumbrian Water which included the capital costs to be funded by Public Health England and the potential revenue costs which would be sourced from Local Authority public health budgets.

We agreed;

- (a) to write to the Secretary of State for Health and Social Care seeking agreement that the scheme is operable and efficient and subject to that agreement to write to the Local Authorities affected by the current scheme inviting them to notify the Council whether they would be in favour of further progressing the proposal;
- (b) to delegate that the Head of Legal and Democratic Services, in consultation with the Leader, to nominate representatives from the Council to the Joint Committee and agree the Constitution of the Joint Committee, providing that the Local Authorities consulted do not oppose taking further steps on the proposals agree to participation in a Joint Committee; and
- (c) that the Joint Committee undertake a public consultation set out in 5(2) and 5(3) of the Water Fluoridation (Proposals and Consultation) (England) Regulations 2013

and report the outcomes of any such consultation to  
Cabinet Health and Wellbeing Board Annual Report 2018/19

**2. Health and Wellbeing Board Annual Report 2018/19  
Councillor Lucy Hovvels, Cabinet Portfolio Holder for  
Adult and Health Services and Chair of the Health and  
Wellbeing Board Councillor Olwyn Gunn, Cabinet  
Portfolio Holder for Children and Young People's  
Services  
Contact - Gordon Elliott Tel: 03000 263605**

We considered a joint report of the Corporate Director of Adult and Health Services, the Corporate Director of Children and Young People's Services and the Director of Public Health County Durham which presented the Health and Wellbeing Board Annual Report for 2018/19.

The Health and Social Care Act 2012 requires all upper tier local authorities to establish Health and Wellbeing Boards. The Health and Wellbeing Board was formally established as a committee of Durham County Council in April 2013. The Health and Wellbeing Board Annual Report outlined the key performance achievements of the Board. A new Joint Health and Wellbeing Strategy (JHWS) for 2020-25 was being developed with new priorities based on information from the Joint Strategic Needs Assessment which linked with the new County Durham Vision for 2035. Key performance indicator areas for improvement included:

- (a) Reducing tobacco dependency in pregnancy;
- (b) Increasing the percentage of patients seen with face to face second contact within 9 weeks of referral to Child and Adolescent Mental Health Services;
- (c) Reducing falls, injuries and hip fractures in the over 65s;
- (d) Reducing the gap between the employment rate for those with a long-term health condition and the overall employment rate.

There would be wider long-term system challenges to face including ensuring people lived longer in good health, reducing life expectancy variations, improving healthy life expectancy in a climate of ongoing austerity and reducing health inequalities in places where people lived, worked, learned and played. The report proposed that the Health and Wellbeing Board Annual Report 2018/19 be presented through partnership governance arrangements during October and December 2019 for endorsement.

## **Decision**

We noted the work undertaken in 2018/19 by the Health and Wellbeing Board and endorsed the Health and Wellbeing Board Annual Report 2018/19. We also noted the intent to include more performance information in the Annual Report to demonstrate impact, moving forward.

### **3. County Durham Health and Social Care Plan – Integrated Strategic Commissioning Function** **Councillor Lucy Hovvels, Cabinet Portfolio Holder for Adult and Health Services** **Contact - Jane Robinson Tel: 03000 267355, Stewart Findlay Tel: 0191 371 3222**

We considered a report of the Corporate Director of Adult and Health Services which provided an update on the development of an Integrated Strategic Commissioning function for Health and Social Care Services across County Durham. The report sought agreement on the proposed model for the Integrated Strategic Commissioning function and its implementation from April 2020 for Health and Social Care Services across the whole life course.

In April 2018 the proposed direction of travel in developing a Health and Social Care Plan for County Durham was approved. This was further developed and principles for the development of an Integrated Commissioning Model were agreed by Cabinet in March 2019. The report provided an update on the current national, regional and local context, with consideration of options for an Integrated Strategic Commissioning Function.

Since March 2019 progress had been made in developing a model for Integrated Commissioning through a standard programme management approach. We considered the following options:

#### **Option 1 - to retain existing arrangements**

Health and Social Care commissioning teams would continue to operate independently as they do now, recognising that some services had already been jointly commissioned locally between the Council and Clinical Commissioning Groups (CCGs) i.e. Community Equipment, Carers' Services, Social Prescribing and the post diagnosis Autism Service.

#### **Option 2 - to informally enhance current arrangements**

Teams working more closely and taking opportunities to commission together, should the occasion arise.

### **Option 3 – to create a separate entity**

Set up of an independent “spin off” organisation that commissioned across Health and Social Care.

### **Option 4 - To implement an Integrated Strategic Commissioning Function based on the principles agreed in March 2019, as set out below:**

- (i) Commissioning for Children and Adults across the whole life course.
- (ii) With the initial focus on Community Services it was acknowledged in line with national policy, that the direction of travel sought more hospital based services to be provided within the Community, therefore the model for Durham should include, in time, all Acute, Community and Mental Health services that related to Durham.
- (iii) Working with existing and emerging elements on a potential hub and spoke model, i.e. links with Primary Care Networks (including Teams Around Patients), the Mental Health and Learning Disability Partnership and the five CCGs operating across the Tees Valley.
- (iv) Joint Management arrangements reporting to the Corporate Director of Adult and Health Services and the Chief Officer, North Durham & Durham Dales, Easington and Sedgfield CCGs.
- (v) In line with the Community Services model, staff would retain their employment status with their own organisation and associated terms and conditions.
- (vi) The function would be hosted by Durham County Council giving opportunities to explore support to CCGs, for example in terms of legal advice.
- (vii) Enhanced existing connections with Primary Care to ensure the local influence of clinical leads across the Primary Care Network is maximised
- (viii) Both Durham County Council and the Clinical Commissioning Groups would retain their statutory responsibilities and decision-making processes.

The potential impacts for each of the options would be as follows:

**Option 1** – things would continue to operate across organisations as they did currently, however, this would not maximise opportunities for

more efficient ways of working, retained duplication in the system and would not maximise the use of resources or optimise outcomes.

**Option 2** – similar to the above, although there may be some instances whereby joint commissioning of services could be possible should suitable occasions arise. However, this would not necessitate significant change or reorganisation of work and was a reactive approach that did not facilitate broader development activity or cultural change.

**Option 3** – this would provide a very clear identity to the integrated commissioning function and achieve similar benefits to option 4. However, very little was understood about this type of approach and would require the set up of a new organisational structure with associated governance mechanisms in place.

**Option 4** – there would be a number of potential benefits as shown below and this would be a more proactive approach:

- Increased ability to influence the Children's Health agenda
- Resources could be managed more efficiently, maximising the impact of the Durham Pound
- Provider market could be shaped more in line with requirements of the Durham system
- Leadership strengthened and working alongside integrated Community Services
- Joint Contract monitoring introduced to enable improved quality of service provision
- Reduced duplication to improve efficiency and processes
- The aim of all the above would be to improve outcomes for the people of County Durham

There were some unknowns that would need to be considered, particularly the uncertainty over the green paper for Social Care and the role of the Integrated Care Partnership. These issues would need to be managed irrespective of any changes or models proposed.

To build on the work already done, Option 4 would be the most logical recommendation at this point in time. An integrated management structure that worked in parallel with the community contract would enable the maximum use of the Durham pound, reduce duplication and commission better outcomes for the people of County Durham. The proposed model would be in line with the central direction of integrating service to provide better care and more joined up working across the system.

## **Decision**

We noted the progress made since the previous report in March 2019 and that the report was being presented to the Governing Bodies of both North Durham and Durham Dales, Easington and Sedgefield Clinical Commissioning Groups.

We approved the progression of the joint management arrangements and associated delivery model outlined in option 4 and recognised the detail that needed to be worked through before implementation.

We agreed to the model being implemented from April 2020 and further reports on the Integrated Strategic Commissioning Function would be received, once operational.

### **4. Director of Public Health Annual Report 2019 Councillor Lucy Hovvels, Portfolio for Adult and Health Services Contact - Amanda Healy Tel: 03000 264323**

We considered a joint report of the Corporate Director of Adult and Health Services and the Director of Public Health, County Durham which presented the 2019 annual report of the Director of Public Health for County Durham.

The production of an annual report on the health of the local population was a statutory requirement under the Health and Social Care Act 2012 and the local authority had a duty to publish the report. The report for 2019 focussed on the following:

- (a) Joint Strategic Needs Assessment/ Durham Insight
- (b) Update on the recommendations from the 2018 annual report
- (c) The Taylor family (one year on)
- (d) Mental health at scale
- (e) Healthy workforce

## **Decision**

We received and agreed the publication of the Director of Public Health's Annual Report for 2019.

**5. In House Enforcement Service**  
**Councillor Alan Napier, Cabinet Portfolio Holder for Finance**  
**Contact: Paul Darby Tel: 03000 261930, Michelle Waters**  
**Tel: 03000 260495**

We considered a report of the Corporate Director of Resources which detailed proposals to establish an Internal Enforcement Agent Service for the collection of council tax, business rates, parking fines, fixed penalty notices, commercial rents, sundry debt and housing benefit overpayments. The report also outlined the benefits of adopting the Citizens Advice Council Tax Protocol for Council Tax collection and proposals to adopt this protocol.

The Tribunal, Courts and Enforcement Act 2007, The Taking Control of Goods Regulations 2013 and The Taking Control of Goods Fees Regulations 2014, regulate the Enforcement Agent industry, defining procedures and charges associated with the enforcement of Council Tax, Business Rates and sundry debt. The Council's current contract with two external enforcement agents ends on 30 June 2020. The Regulations have facilitated the introduction of an internal or in-house Internal Agent Services in 11% of Councils, including Newcastle, Hartlepool and Stockton Councils locally. The report set-out proposals for the creation of an Internal Enforcement Agents Service and detailed the benefits, set-up cost and associated implications. The new in-house service would be in place for 1 July 2020 and would be supported by a contract with external Enforcement Agents for out of county debt and to provide resilience to the new service.

**Decision**

We approved the creation of an Internal Enforcement Agent Service to be effective from July 2020; and also agreed to adopt and sign-up to the Citizens Advice Council Tax Protocol from April 2020.

**6. Update on the delivery of the Medium Term Financial Plan 9**  
**Councillor Simon Henig, Leader of the Council and all Cabinet collectively**  
**Contact: Andy Palmer Tel: 03000 268551**

We considered a report of the Director of Transformation and Partnerships which provided an updated position of the delivery of the 2019/20 Medium Term Financial Plan (MTFP9).

We have received regular updates on the progress made by the Council in delivering the financial targets within the MTFP since 2011/12.

MTFP9 savings were agreed by Council in February 2019 which set a savings target of just under £10 million for 2019/20. This brought the overall savings target for the period from 2011/12 to 2020/21 to circa £251 million. Significant progress was currently being made towards achievement of these savings.

The development of MTFP10 proposals for 2020/21 was underway to meet the ongoing austerity. Proposals are being financially assessed and the implications on the equal treatment of client groups is being considered through equality impact screenings and assessments. Proposals are on target to be presented to us in February 2020.

## **Decision**

We noted the contents of the report and the amount of savings delivered during quarter 1 of the MTFP9 period and agreed to consider MTFP10 proposals once all relevant information was available, including equality impact screenings and assessments.

**7. The County Durham Strategic Partnership Approach to Early Help for Children, Young People and Families**  
**Councillor Olwyn Gunn, Portfolio Holder for Children and Young People's Services**  
**Contact: Martyn Stenton Tel: 03000 268067, Karen Davison Tel: 03000 286 904**

We considered a report of the Corporate Director of Children and Young People's Services which presented the County Durham Strategic Partnership Approach to Early Help for Children, Young People and Families.

The strategy set out the partnership vision, priorities and approach for providing effective, targeted and coordinated 'early help' in County Durham in order to address inequalities, promote opportunity and secure better outcomes for children, young people and their families. The strategy focussed on supporting family and community resilience. The strategy also outlined the collective responsibility across key partners for identifying children and young people who required additional help and support as well as our collective response to meet the needs of these children, young people and families at the earliest opportunity.

The strategy had been developed jointly with key partners and wider consultation undertaken to ensure the strategy is fully collaborative. Feedback from parents, carers, young people and children had helped shape the approach. An updated performance management framework was being developed for the Early Help and Think Family Partnership to

monitor success of the strategy. Performance exceptions would be escalated to the Integrated Steering Group for Children (ISGC).

The strategy was accompanied by an action plan which set out a range of key actions to be progressed over the coming year to ensure effective approaches were developed to deliver early help for children, young people and families in County Durham.

## **Decision**

We received the strategy.

### **8. Review of School Provision – Wolsingham School & Sixth Form Key Decision No. CYPs/03/2018 Councillor Olwyn Gunn, Portfolio Holder for Children and Young People's Services, Councillor Alan Napier, Portfolio Holder for Finance**

We considered a joint report of the Corporate Director of Children and Young People's Services and the Corporate Director of Resources which provided an update on the future of Wolsingham School and Sixth Form, following the report to Cabinet on 13 March 2019. The report set out the issues and implications arising from the decision of Wolsingham School and Sixth Form to seek to join the Advance Learning Partnership Academy Trust in order to achieve a financially sustainable position for the school going forward.

Previous Cabinet reports had outlined the funding challenges that all schools faced, particularly schools in rural settings which had fewer than 600 pupils (the Department for Education threshold for viability), which included Wolsingham School and Sixth Form. A wide range of options were set out in the report of November 2017. These were subsequently assessed and reported upon and the only viable options faced by the school (short of closure) were federation with other schools, or, for governors to agree to a decision to join a multi-academy trust (MAT). The option for Wolsingham School to federate with other schools was fully considered but too few schools agreed to form a federation, leading officers to conclude that the savings achievable would not be sufficient to eliminate the in-year and accumulated deficit of Wolsingham School.

The remaining option, that governors agree to Wolsingham School joining a multi-academy trust, had been progressed. In June 2019, the Advanced Learning Partnership (ALP) accepted Wolsingham School could join their trust, pending resolution of some terms. These terms were covered in the report and duly considered. The governing body of

Wolsingham School has undertaken due diligence and is in agreement that joining a multi-academy trust should proceed. The provisional date of joining the MAT was set at September 2020.

Whilst the school had successfully restructured in order to reduce its in-year deficit, with a plan to bring the school into an in-year balanced position by 2021/22, the Council would need to agree to cover the cumulative deficit from the General Fund at the point of conversion. As an alternative to closure, the opportunity presented to the school by ALP's invitation to join the multi academy trust was considerably more preferable. The consequences of closure, explained in detail in previous reports, were summarised in the report. Implications of the academisation of Wolsingham School were also covered, although an arrangement by which the County Council would assume responsibility for operating the leisure provision, including swimming pool. This would ensure that a like-for-like offer to the school and community could be maintained, despite the academy conversion.

## **Decision**

We agreed the following:

- (a) Officers would continue to work with governors of Wolsingham School and Sixth Form and from the Advance Learning Partnership (ALP), plus the Regional Schools Commissioner, to deliver the schools decision to join the ALP Multi Academy Trust;
- (b) To write off the accumulated deficit of Wolsingham School and Sixth Form at the point of conversion in order to deliver a financially viable future for the school. The costs of writing off the deficit would be met from earmarked reserves; and
- (c) To assume responsibility for operating the leisure provision, including swimming pool, to secure community access and provision going forwards.

## **9. Review of the Council Tax Long Term Empty Premium Charges**

**Key Decision: CORP/R/19/03**

**Councillor Kevin Shaw, Cabinet Portfolio Holder for Housing and Assets and Councillor Alan Napier, Cabinet Portfolio Holder for Finance**  
**Paul Darby Tel: 03000 261930**

We considered a joint report of the Corporate Director of Regeneration and Local Services and the Corporate Director of Resources which considered the outcomes of the consultation on potential changes to the council's policy in terms of empty homes discounts and the policy of

applying a 50% premium on those properties that were unoccupied and unfurnished for more than 2 years, where councils now have the power to:

- (a) apply a maximum 100% premium on such properties (from April 2019) along with;
- (b) apply a maximum 200% premium on properties which have been unoccupied and unfurnished for more than 5 years (from April 2020).

The report outlined the positive impact the policy made in terms of contributing to the council's Housing and Homeless Strategies and included updated modelling of the impact of changing the current policy and proposed changes to the existing policy to provide greater protection and support to households in certain circumstances.

Since April 2013, councils had been able to apply a maximum 50% council tax premium on those properties which had been unoccupied and unfurnished for more than two years. In line with most councils, Durham introduced the premium charge from April 2013. The aim of the policy was to encourage the owners of long-term empty (LTE) properties to bring those homes back into use. It underpinned and supported the council's Housing Strategy and Homelessness Strategies. When the current policy was implemented in April 2013, there was an initial sharp reduction in the number of LTE properties (approximately 33% in the first 6 months). Those numbers had remained static afterwards, along with an increase in revenue to the council from those properties that were not brought back into use.

Following a change in legislation, which came into effect from April 2019, councils now had the power to charge a 100% council tax premium for properties which had been unoccupied and unfurnished for more than two years. A 200% premium on those properties which have been unoccupied and unfurnished for five years or more could be charged from April 2020. Further powers to charge a 300% premium on those properties that have been empty for more than ten years would come into force on 1 April 2021, although that had not been subject to consideration currently. To implement these powers the council needed to change its adopted policy on Long Term Empty Property Charges. The advantages of implementing these changes would be as follows:

- (a) There would be a further incentive for the owners of LTE properties to bring them back into use, potentially boosting the supply of properties available to rent in the county and making a positive impact on the Housing and Homeless strategies. Most LTE properties were in the lowest council tax band (A), often in the more deprived areas of the county and could be a useful source of affordable housing.

- (b) There would be an increase in revenues to the council which provided the opportunity for MTFP savings where properties were not brought back into use

On 10 July 2019 we approved a 12 week public consultation on the potential to implement changes from April 2020. The consultation ran from 15 July 2019 to 6 October 2019 via the following methods:

- on-line consultation via the council's website;
- targeted correspondence to key stakeholders;
- discussions with representatives of the County Durham Housing Forum; and
- presentations to Corporate Overview and Scrutiny Management Board and the Local Councils Working Group.

There were 258 responses to the online questionnaire, 255 comments left on the council's social media page and 10 responses from various stakeholders during the consultation.

The results were summarised in the report. The views expressed were mainly polarised with those generally unaffected by the policy supporting the proposed changes. Those directly affected by the policy did generally not support any changes.

For those who did not support a change in the policy, this tended to be on the basis that the properties affected were not being deliberately kept empty but rather the owners could not sell or let them for various reasons often beyond their control. This would lead to an increased financial burden. Guidance issued by the Department for Communities and Local Government in May 2013 recommended that the policy was not intended to penalise owners in such circumstances.

Large social landlords also described circumstances where they were working with the council to regenerate certain areas of the county which required them to proactively manage voids in an area which they could otherwise have let, with a view to demolition and estate remodelling.

The report recommended that the council amended its policy, to take up the full powers available with effect from April 2020, but in doing so, to mitigate the effects of amending the policy, adopt a new section 13A(1)(c) policy to address the issues and concerns highlighted in the consultation. The current policy did not contain the proposed exemptions, instead there is reliance placed on applications to the council's Hardship Relief Policy. This would ensure that those who genuinely attempted to bring their properties back into use or were being prevented from doing so, due to justifiable and evidenced reasons, would not be penalised by the policy. Absent landlords and

those who were keeping long term empty properties empty for speculative purposes would be subject to it.

## **Decision**

We agreed to implement the full powers allowed by the change in legislation by amending our Long-term Empty Property Charges Policy to increase the empty homes premium charge from April 2020 as follows:

- (a) charge a 100% empty homes premium on properties that have been unoccupied and unfurnished for between two and five years at 1 April 2020;
- (b) charge a 200% empty homes premium on properties that have been unoccupied and unfurnished for five years or more at 1 April 2020; and
- (c) charge the empty homes premium on properties that have been unoccupied and unfurnished for two years or more that required or are undergoing major repairs; and
- (d) adopt and implement a new section 13A(1)(c) policy to provide assistance to owners who have been unable to sell or let their properties for legitimate reasons, have purchased long term empty properties and are renovating them to return to the property market, or who have deliberately kept properties empty due them being in an area subject to regeneration or where the properties have been earmarked for demolition.

## **10. Council Tax Base 2020/21 and Forecast Surplus on the Council Tax Collection Fund as at 31 March 2020 Key Decision: CORP/R/19/02 Councillor Alan Napier, Cabinet Portfolio Holder for Finance Contact: Paul Darby Tel: 03000 261930**

We considered a report of the Corporate Director of Resources which determined the council's tax base for domestic properties liable to pay council tax, which is an important component in the council's budget setting process for 2020/21. The report also provided details of the estimated collection fund surplus as at 31 March 2020, which would need to be distributed to the principal precepting authorities in 2020/21.

Regulations made under the Local Government Finance Act 1992 required each billing authority to calculate its 'council tax base' for the

following financial year. The council tax base was a measure of the county council's 'taxable capacity', for the purpose of setting its council tax. Legislation required the council to set out the formula for calculation and that we formally approve the tax base.

In determining the council tax base for 2020/21 the following issues had to be factored into the calculation:

- (a) The impact of exemptions and discounts being applied to properties within County Durham;
- (b) Forecasted impact on the tax base as a result of changes in the incidence of Local Council Tax Reduction (LCTR) claims, which was a discount rather than a benefit payment and therefore reduced the tax base;
- (c) Forecasted impact on the tax base as a result of the changes to be applied to the Long Term Empty (LTE) property council tax premium, offset by the estimated impact of the new section 13A(1)(c) policy;
- (d) Forecasted impact on the tax base as a result of growth (i.e. new build) or reductions (e.g. demolitions or increases in the incidence of other council tax discounts and exemptions) for 2020/21; and
- (e) Provision for non-collection of council tax due to bad debts that needed to be written off.

Having taken all such matters into account the council tax base for the financial year 2020/21 had been calculated to be 141,742.0 Band D equivalent properties, an increase of 2,003.2 (1.43%) on the council tax base for 2019/20.

As at 30 September 2019 the council tax collection fund was forecast to achieve a surplus of £1.074 million at 31 March 2020 and the council would be declaring a surplus for budget setting purposes and needed to apportion this between the major precepting bodies. Durham County Council's share of the surplus was £0.899 million.

## **Decision**

We approved the council tax base for the financial year 2020/21 for the county, which had been calculated to be 141,742.0 Band D equivalent properties.

We noted the impact on individual Town and Parish council tax bases and the Local Council Tax Reduction Scheme Grant allocations for the financial year 2020/21;

We approved the declaration of a surplus on the council tax Collection Fund at 31 March 2020 of £1.074 million, to be distributed to the council; the County Durham Fire and Rescue Authority; and the Durham Police, Crime and Victims' Commissioner in accordance with council tax regulations.

**11. Mid-Year Review Report on Treasury Management for the period to 30 September 2019**  
**Councillor Alan Napier, Cabinet Portfolio Holder for Finance**  
**Contact: Jeff Garfoot Tel: 03000 261946 and Azhar Rafiq Tel: 03000 263480**

We considered a report of the Corporate Director of Resources which provided information on the treasury management mid-year position for 2019/20. The report provided a summary of the Council's treasury position, borrowing activity, investment activity, treasury management and prudential indicators.

The Council held £341 million in borrowing, with £287 million cash balances invested at 30 September 2019. During the half year period, borrowing of £40 million was taken out from the Public Works Loan Board (PWLB) at rates ranging from 1.75% to 2.23%. Although the level of cash balances did not warrant borrowing at this time the historic low level of interest rates had enabled the council to borrow at very low rates.

Investments had been undertaken in line with both the CIPFA Code and government guidance which required the Council to invest its funds prudently, whilst having regard to the security and liquidity of its investments before seeking the highest rate of return, or yield.

During the half year period to 30 September 2019, the Council has complied with Treasury Management Indicators relating to interest rate exposure, maturity structure of borrowing and sums invested for more than one year. The Council has also complied with Prudential Code Indicators which relate to the capital programme and how much the Council can afford to borrow.

## **Decision**

We noted progress with the Treasury Management Strategy 2019/20 and approved a revised operational debt boundary of £556 million and authorised limit of £611 million for 2019/20 reflecting increased finance lease commitments referred to in the report.

**12. County Durham Plan – Delivery of the Western Relief Road**  
**Councillor Carl Marshall, Cabinet Portfolio Holder for Economic Regeneration and Councillor Alan Napier, Cabinet Portfolio Holder for Finance**  
**Contact: Mike Allum Tel: 03000 261908 and Jeff Garfoot Tel: 03000 261946**

We considered a joint report of the Corporate Director of Regeneration and Local Services and Corporate Director of Resources which sought agreement to the delivery of the proposed Western Relief Road. The Western Relief Road was a proposal set out within Policy 23 of the County Durham Plan and was required to reduce traffic congestion on the western edge of the city around Neville's Cross and the surrounding network. The relief road would also facilitate development at Sniperley Park and connect the A691 at Sniperley Park and Ride roundabout at its northern end with the B6302 Broom Lane at its southern end.

**Decision**

We agreed the continued preparation for the construction of the Western Relief Road, subject to examination in public of the County Durham Plan, on the principle that the Council committed to the delivery of the Western Relief Road by agreeing to forward funding the delivery of the road which was detailed in the report.

**13. Forecast of Revenue and Capital Outturn 2019/20 Period to 30 September 2019**  
**Councillor Alan Napier, Portfolio Holder for Finance**  
**Contact: Jeff Garfoot Tel: 03000 261946 and Paul Darby Tel: 03000 261930**

We considered a report of the Corporate Director of Resources which provided information on the updated forecasts for the:

- (a) revenue and capital outturn for 2019/20;
- (b) council tax and business rates collection fund position at 31 March 2020;
- (c) use of earmarked, cash limit and general reserves and estimated balances to be held at 31 March 2020.

The report also sought approval of budget adjustments and the proposed sums outside of the cash limit.

The 2019/20 projected revenue outturn a forecast cash limit overspend of £1.010 million plus an underspend on all other budgets of £2.062 million. The forecasted net underspend of £1.052 million represented 0.3% of the net expenditure budget of £412.454 million. The total earmarked and cash limit reserves (excluding school reserves) were forecast to reduce by £11.290 million in 2019/20, from £209.069 million to £197.779 million. The updated projected capital outturn was £142.205 million. The estimated outturn for the Council Tax Collection Fund was a surplus of £1.074 million. Durham County Council's share of this forecasted surplus was £0.899 million, which would be available to support the 2020/21 budget. The estimated outturn for the Business Rates Collection Fund was a surplus of £1.718 million. Durham County Council's share (49%) of the estimated surplus was £0.841 million and would be available to support the 2020/21 budget.

## **Decision**

We noted the council's overall financial position for 2019/20, the forecast use of earmarked reserves, the forecast end of year position for the cash limit and general reserves, and the position on the capital programme and the Collection Funds in respect of Council Tax and Business Rates

We also agreed the revenue and capital budget adjustments.

### **14. Overview and Scrutiny Review, Children's Residential Care Homes** **Cllr Heather Smith, Chair of Children and Young People's Overview and Scrutiny Committee** **Contact: Ann Whitton Tel: 03000 268143, Jonathan Slee** **Tel: 03000 268142**

We considered a report of the Director of Transformation and Partnerships which presented a draft of key findings and recommendations following an overview and scrutiny review of Children's Residential Care homes by the Safer and Stronger Communities Scrutiny Committee.

A joint review group had been established from the memberships of the Children and Young People's and Safer and Stronger Communities Overview and Scrutiny Committees to consider Children's Residential Care Homes. The aim of the review was to gain an understanding of concerns associated with the impact of private children's residential care homes on demand of services and to explore approaches to lobby government/ national bodies for tighter legislation. These concerns were focussed on demands on services particularly with the Council's Children and Young People's Services (e.g. children's social work and

education) and the Police with reports of children reported missing, risks of vulnerability linked to criminal child exploitation and anti-social behaviour.

At the time of the review, within County Durham there were 22 private children's residential care homes providing approximately 90 beds to which over 77% have either a good or outstanding Ofsted rating. There were 10 local authority children's residential care homes in County Durham. This included a secure unit providing a national resource and a respite centre. The remaining eight homes provided 32 beds for children looked after from County Durham.

Members were advised by officers from Children and Young People's Services and Durham Constabulary of existing approaches through partnership working to engage with children's residential care homes and the development of an accreditation process. In addition, the emerging County Durham Plan provided for a policy regarding any new development of children's homes.

The review gathered evidence through desktop research, meetings with officers from the Council's Children's services, virtual school and commissioning teams and Durham Constabulary. The Chair of the Review Group also met with young people from a residential care home, attended a network meeting of children's residential care managers and held a focus group session on community concerns with councillors.

## **Decision**

We noted the recommendations contained in the Overview and Scrutiny review report as follows:

- (a) **Recommendation One** - That consideration be given for the Durham Safeguarding Children Partnership via the Corporate Director of Children and Young People's Services and the ERASE team to receive a further report on timeliness and accuracy of information received from placing authorities to the Council and partner agencies in line with regulation 5 'to engage with the wider system to ensure the children's needs are met' for out of area children looked after residing within a children's residential care home within the county.
- (b) **Recommendation Two** - That the Corporate Director of Children and Young People's Services and the Durham Safeguarding Children Partnership (DSCP) monitor the demand placed upon the LADO and ensure that all private children's Residential care homes receive information about courses provided by DSCP relating to residential care.

- (c) **Recommendation Three** - That the Durham Safeguarding Children Partnership receive regular information to monitor the number of incidents reported to Durham Constabulary from all Residential Children's Care Homes within the county and action taken to reduce demand.
- (d) **Recommendation Four** - That the Council's Corporate Parenting Panel receive regular information relating to reported incidents to Durham Constabulary, for County Durham children looked after who reside within any residential children's care home within County Durham with a specific focus on reports of missing from home.
- (e) **Recommendation Five** - That following an evaluation of the trial of the accreditation scheme, the Corporate Director of Children and Young People's Services takes proposals for a revised scheme to Corporate Parenting Panel. As part of the implementation of a revised scheme it should be promoted with all children's residential care homes within County Durham.
- (f) **Recommendation Six**- That the Durham Safeguarding Children Partnership give consideration to lobbying regionally and nationally for agreement to explore an accreditation scheme for residential children's care homes nationally.

We agreed that the report be shared with the Durham Safeguarding Children Partnership; and that a review of the progress made against the recommendations contained in the report would be undertaken in six months time.

**Councillor S Henig**  
**Leader of the County Council**

26 November 2019

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4 December 2019

Restructuring of the Corporate  
Management Team



**Report of Terry Collins, Chief Executive**

**Councillor Brian Stephens, Cabinet Portfolio Holder for  
Neighbourhoods and Local Partnerships**

**Councillor Kevin Shaw, Cabinet Portfolio Holder for Housing and  
Assets**

**Councillor Carl Marshall, Cabinet Portfolio Holder for Economic  
Regeneration**

**Councillor Joy Allen, Cabinet Portfolio Holder for Transformation,  
Culture and Tourism**

**Electoral division(s) affected:**

None

**Purpose of the Report**

- 1 To seek Council approval to establish two new posts of:
  - Corporate Director Regeneration, Economy and Growth
  - Corporate Director Neighbourhoods and Climate Change
- 2 To inform Council of the deletion of the posts of Corporate Director Regeneration and Local Services and the Director of Transformation and Partnerships and the subsequent re-distribution of responsibilities to other posts.

**Executive summary**

- 3 Ian Thompson, Corporate Director Regeneration and Local Services has resigned from his post and will leave the organisation in January 2020. This has provided an opportunity to review the structure of the Corporate Management Team, ensuring leadership is aligned to the council's strategic priorities and that appropriate resources are in place to deliver the wider partnership vision for the county.

- 4 Having considered the current span of responsibility and level of workload associated with the current Corporate Director Regeneration and Local Services role and the significant and increasing focus on regeneration, climate change and the environment, it is proposed to delete this role and establish two new Corporate Director posts as follows;
  - Corporate Director Regeneration, Economy and Growth;
  - Corporate Director Neighbourhoods and Climate Change.
- 5 The Director of Transformation and Partnerships submitted an application for voluntary redundancy which given the naturally time limited nature of the transformation programme and the significant milestones achieved across all major projects has been approved. Accordingly the post will be deleted from the structure.
- 6 Details of the proposed changes including the proposed re-alignment of Heads of Services are set out in the report.

### **Recommendation(s)**

- 7 Council is recommended to:
  - i) Approve the creation of two new posts of Corporate Director Regeneration, Economy and Growth and Corporate Director Neighbourhoods and Climate Change; and
  - ii) note the deletion of the Corporate Director of Regeneration and Local Services post and the Director of Transformation post and consequent proposed changes

## Background

### Regeneration and Local Services

- 8 The role of Corporate Director of Regeneration and Local Services was established in October 2016 and amalgamated the former Neighbourhood Services and Regeneration and Economic Development service groupings.
- 9 Since then, the council has evolved, and new priorities have been identified. In particular, the volume and scale of regeneration projects, which are vital for the county to prosper, has grown significantly. It is anticipated that the council could continue to attract new regeneration and growth opportunities although it is important there is the required capacity and leadership to take forward this important area of work so that these can be delivered.
- 10 Major regeneration projects such as developments at INTEGRA 61 at Bowburn, Jade Enterprise Zone (adjacent to Dalton Park), Forrest Park development at Newton Aycliffe, Milburngate, Aykley Heads and University developments in Durham city will require significant work to deliver. The council also has a strategic role in relation to housing, asset management and planning matters in the county which will require dedicated leadership and strategic focus. Attracting new developments and regeneration opportunities will continue to be a key area of focus for the council in the future. The council is also committed to delivering its Towns and Villages regeneration programme.
- 11 Climate change and the environment are major priorities for the council and residents. It is important that the council has appropriate leadership in place across these priorities to ensure it can shape and influence policy whilst delivering high quality services that are valued by local residents.
- 12 The council declared a climate change emergency on 20 February 2019 which included ambitious targets to reduce its own carbon emissions (60% by 2030) and to investigate what further actions are necessary to make County Durham carbon neutral by 2050. To achieve these targets strategic focus and leadership is required working with partners and organisations across the county and region.
- 13 The council's highways asset is vital to allow the transportation of our residents, visitors and businesses across the county. The asset incurs significant investment and management whilst the effective delivery of services such as refuse and recycling, street cleaning, grounds maintenance and street lighting are critical frontline services.

## **Transformation and Partnerships**

- 14 The council has been successfully implementing one of the largest transformation programmes in the country. Review meetings with the Director of Transformation and Partnerships have established that the major projects within the programme have now been developed sufficiently to provide a natural transition to business as usual.
- 15 The HQ project is now on site for construction with risk transferred to the developer. All co-ordination and programming with the strategic sites in Crook, Spennymoor, Seaham and Meadowfield has been completed, with Crook providing the blueprint for the council's smarter working arrangements. Completed on time and to budget and, most importantly, with evaluation showing that staff feel more productive and have a better work life balance in the new arrangements, the lessons learned from Crook are now being applied to all strategic sites and the staff move from County Hall.
- 16 Moving the council's archives out of County Hall and creating an innovative new history centre is also at an advanced stage, with designs favourably received across all AAPs and a planning application imminent.
- 17 Unitisation of strategic support services has been completed and the transformation of business services is very well advanced, with all savings targets delivered or on track to be delivered.
- 18 The wide ranging and inclusive process to develop a new vision to drive partnership working for the next decade has been completed. Now in their second decade, AAPs continue to be an innovative and sector-leading example of how to work well in partnership and deliver genuine community engagement on the ground.

## **Issues for Consideration**

- 19 The resignation of the Corporate Director of Regeneration and Local Services and the voluntary redundancy request of the Director of Transformation and Partnerships provides an opportunity to review the structure of the Corporate Management Team (CMT).
- 20 The current CMT structure (appendix 2) and the proposed new structure (appendix 3) are attached to this report.
- 21 It is considered that the proposed new structure provides capacity to allow the council to more effectively manage the services it provides.

- 22 It is proposed there will be no change to the associated Head of Services roles within Regeneration and Local Services, re-alignment will be required as demonstrated below:

**Corporate Director Regeneration, Economy and Growth**

- Managing Director Business Durham
- Head of Development and Housing
- Head of Corporate Property and Land
- Head of Transport and Contract Services
- Head of Culture, Sport and Tourism

**Corporate Director Neighbourhoods and Climate Change**

- Head of Technical Services
- Head of Environment
- Head of Community Protection Services
- Head of Partnerships and Community Engagement

- 23 Whilst the current arrangements have served the council well, moving forward it is vital there is the necessary leadership capacity to enable us to achieve our ambitions, with a continued focus on building a high-quality economy, addressing the challenge of climate change and ensuring the provision of customer focussed environmental services.
- 24 The proposals reflect the council's strategic approach to creating more, better paid jobs and the focus on regeneration activity across the county, which is attracting significant investment. This area requires significant strategic capacity and focus to ensure County Durham can continue to maximise economic opportunities in an ever more competitive environment whilst continuing to work on existing initiatives such as Town and Village Masterplans and the development of the strategic employment site at Aykley Heads.
- 25 Climate change and the environment dominate the national and local agenda. The council is taking a leading role in developing a commitment to environmental responsibility and has a desire to lead across the county and country on climate change. The report sets out that it is vital that the council demonstrates leadership in this area that is a key focus now and into the future.

- 26 The role profiles for the two newly proposed Corporate Director posts are attached at appendix 4 and 5. The annual salary for both roles is £148,583.
- 27 The voluntary redundancy application from the Director of Transformation and Partnerships was approved by the Corporate Director of Resources in consultation with the relevant Cabinet members under delegated powers in accordance with the Council's Pay Policy and officer scheme of delegation. This has been supported on the basis that there is a well-established and appropriately managed transformation agenda including governance and project management arrangements to support progression of key council projects as well as the move to the new headquarters site.
- 28 In supporting this voluntary redundancy, and associated deletion of the Director of Transformation and Partnerships post, existing Heads of Service will be re-aligned as follows;

<b>Head of Service</b>	<b>Re-aligned to:</b>
Head of Strategy	Corporate Director of Resources
Head of Communications and Marketing	Chief Executive
Head of Transformation	Corporate Director of Resources
Head of Partnerships and Community Engagement	Corporate Director Neighbourhoods and Climate Change

### **Approval of New Posts**

- 29 In accordance with the Council's Pay Policy Statement, the creation of any new Corporate Director post requires the approval of council.
- 30 Subject to approval a meeting will then be held with the Chief Officer Appointments Committee who are involved in appointments at Chief Officer level within the Authority with a view to recruiting to the posts.

### **Conclusion**

- 31 This report sets out details of the deletion of the post of Corporate Director Regeneration and Local Services and the creation of two new posts of Corporate Director Regeneration, Economy and Growth and Corporate Director Neighbourhoods and Climate Change. The proposals will enable the Council to have a better strategic focus on

existing and future regeneration projects, growing the economy, climate change and the portfolio associated with the environment.

- 32 The deletion of the role of Director of Transformation and Partnerships will also offset the cost of the proposals.
- 33 It is proposed that affected Heads of Service will be re-aligned as outlined in this report.

### **Background papers**

- None

### **Other useful documents**

- None

### **Author(s)**

Terry Collins

Tel: 03000 268 062

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## **Appendix 1: Implications**

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### **Legal Implications**

In considering the proposals for new posts and approving the voluntary redundancy of the Director of Transformation post, regard has been had to the Openness and Accountability in Local Pay Guidance. The proposals are in accordance with the Council's Pay Policy.

### **Finance**

The net cost of deleting the posts of Corporate Director Regeneration and Local Services and Director of Transformation and Partnerships and creating the two new posts set out in this report is £27,700 including on-costs. These costs can be accommodated from efficiencies within the cash limit budgets without impacting on MTFP10.

### **Consultation**

Consultation on proposals has taken place with trade unions and affected Heads of Service.

### **Equality and Diversity / Public Sector Equality Duty**

Recruitment will be undertaken in accordance with the Council's policy and procedures.

### **Climate Change**

The restructure report includes proposals to create new posts, one of which has a strategic focus on the environment and climate change.

### **Human Rights**

No specific issues relevant to this report.

### **Crime and Disorder**

N/a

### **Staffing**

Staffing proposals are as set out in the report.

### **Accommodation**

N/a

**Risk**

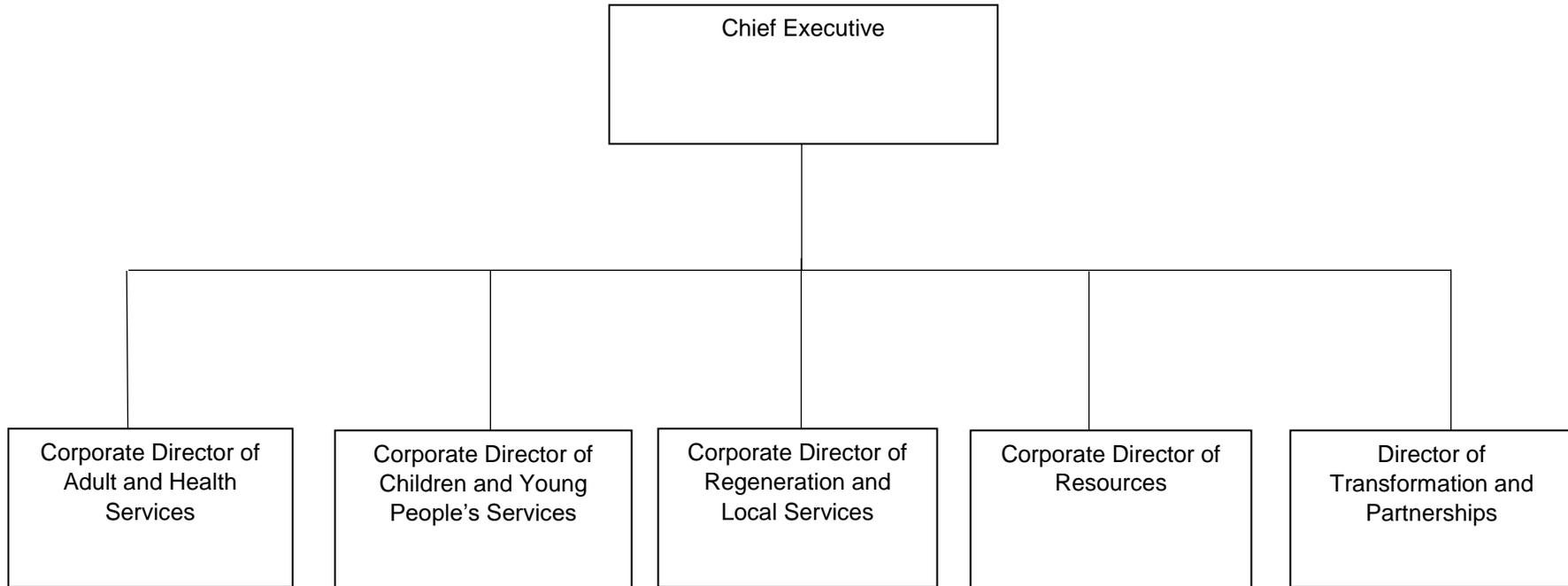
The report sets out proposals for CMT structural changes which will ensure the structure is aligned to the Councils priorities.

**Procurement**

N/a

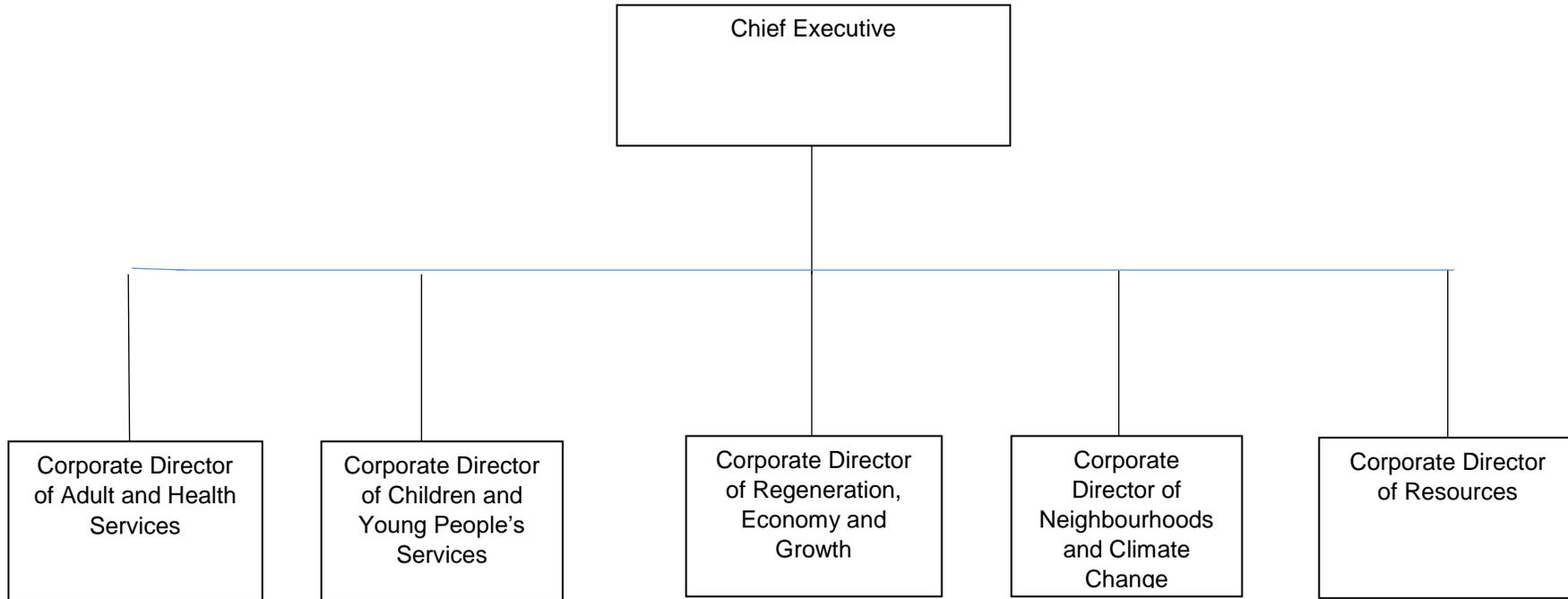
## Appendix 2

### Existing CMT Structure



## Appendix 3

### Proposed CMT Structure



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## **Appendix 4: Job Description - Corporate Director of Regeneration, Economy and Growth**

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- Job Title:** Corporate Director of Regeneration, Economy and Growth
- Reports to:** Chief Executive Officer
- Direct Reports:** Heads of Service within Service Area
- Job Purpose:** To take a corporate role in supporting the Chief Executive, the Leader and the Cabinet to achieve the Council's vision for the residents and communities of County Durham. Take the lead role on the Council's approach to regeneration and economy, leading the delivery of services within the portfolio.

### **Corporate Responsibilities:**

Member of the Corporate Management Team developing a strong corporate approach to all aspects of council business. Ensuring all council assets, skills, resources, influence and intelligence are collectively focused to maximise impact on priority policy areas.

### **Key Corporate Tasks - shared accountability with the Chief Executive and other Directors to:**

- Develop, deliver and achieve strategic priorities, objectives, values and long- term vision for the council;
- Provide advice and support to Councillors;
- Develop and maintain a one organisation ethos with demonstrable commitment to corporate culture;
- Manage overall performance of the council;
- Ensure a corporate approach which provides visible and effective leadership, and which focuses on outcomes for customers and the community;

- Develop the Council's wider leadership role and delivery of effective partnership working;
- Lead on major cross-cutting theme(s) and/or whole council 'champion' for a geographical area;
- Ensure implementation of corporate policy covering the control of Health and Safety risks.

### **Service Responsibilities:**

The provision of all services within County Durham related to:

- Business Durham;
- Economic development and housing
- Corporate property and land
- Transport and contract management
- Culture, sport and tourism

### **Key Directorate Tasks:**

- Lead on the development of strategy and policy
- Lead on development and delivery of a customer focused approach, including the establishment of consultation frameworks and the development of services in response to feedback.
- Drive service excellence and sound financial management promoting a culture of value for money, innovation, performance management and empowerment amongst individuals and teams to ensure continuous improvement.
- Represent the Council at local, regional and national forums, and take the lead role in developing regional partnerships with the public, private and voluntary sectors
- Ensure required responses are made to national agenda and legislation.

- Undertake any relevant statutory duties and responsibilities on behalf of the Council associated with the role.
- Ensure provision of advice and guidance to the Chief Executive, the Cabinet and the Overview and Scrutiny Committee as required;
- Ensure the principles of equality and diversity and the Council's other corporate values are embraced and underpin all work for employees and service users;
- Accountable for the effective management and deployment of all resources;
- Build capacity and develop skills to enable the Council to deliver on its priorities and ambitions;
- Ensure that effective and efficient Health, Safety and Welfare systems are in place.

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## **Appendix 5: Job Description – Corporate Director of Neighbourhoods and Climate Change**

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<b>Job Title:</b>	Corporate Director of Neighbourhoods and Climate Change
<b>Reports to:</b>	Chief Executive Officer
<b>Direct Reports:</b>	Heads of Service within Service Area
<b>Job Purpose:</b>	To take a corporate role in supporting the Chief Executive, the Leader and the Cabinet to achieve the Council's vision for the residents and communities of County Durham. Take the lead role on the Council's approach to climate change and environment leading the delivery of services within the portfolio.

### **Corporate Responsibilities:**

Member of the Corporate Management Team developing a strong corporate approach to all aspects of Council business. Ensuring all Council assets, skills, resources, influence and intelligence are collectively focused to maximise impact on priority policy areas.

### **Key Corporate Tasks - shared accountability with the Chief Executive and other Directors to:**

- Develop, deliver and achieve strategic priorities, objectives, values and long- term vision for the Council;
- Provide advice and support to Councillors;
- Develop and maintain a one organisation ethos with demonstrable commitment to corporate culture;
- Manage overall performance of the Council;
- Ensure a corporate approach which provides visible and effective leadership, and which focuses on outcomes for customers and the community;
- Develop the Council's wider leadership role and delivery of effective partnership working;

- Lead on major cross-cutting theme(s) and/or whole council 'champion' for a geographical area;
- Ensure implementation of corporate policy covering the control of Health and Safety risks;

### **Service Responsibilities:**

The provision of all services within County Durham related to:

- Climate change strategy
- Environmental services
- Community protection services
- Technical services
- Partnerships and community engagement
- CCU and community safety

### **Key Directorate Tasks:**

- Lead on the development of strategy and policy
- Lead on development and delivery of a customer focused approach, including the establishment of consultation frameworks and the development of services in response to feedback.
- Drive service excellence and sound financial management promoting a culture of value for money, innovation, performance management and empowerment amongst individuals and teams to ensure continuous improvement.
- Represent the Council at local, regional and national forums, and take the lead role in developing regional partnerships with the public, private and voluntary sectors
- Ensure required responses are made to national agenda and legislation.
- Undertake any relevant statutory duties and responsibilities on behalf of the Council associated with the role.

- Ensure provision of advice and guidance to the Chief Executive, the Cabinet and the Overview and Scrutiny Committee as required;
- Ensure the principles of equality and diversity and the Council's other corporate values are embraced and underpin all work for employees and service users;
- Accountable for the effective management and deployment of all resources;
- Build capacity and develop skills to enable the Council to deliver on its priorities and ambitions;
- Ensure that effective and efficient Health, Safety and Welfare systems are in place.

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## Report of Corporate Management Team

John Hewitt, Corporate Director of Resources

Councillor Alan Napier, Cabinet Portfolio Holder for Finance

### Electoral division(s) affected:

Countywide

### Purpose of the Report

- 1 To seek Council approval for the continuation of the current Local Council Tax Reduction Scheme (LCTRS) for a further year into 2020/21, with two minor amendments, which would continue the protection afforded to all claimants in line with what their entitlement would have been under the Council Tax Benefit System, as agreed by Cabinet at their meeting on 10 July 2019. The proposed amendments to the scheme will enhance flexibility in terms of backdated awards.

### Executive summary

- 2 The national Council Tax Benefit system was abolished and replaced by LCTRS on 1 April 2013. Since that date local authorities have designed their own council tax support schemes for working age residents.
- 3 Councils are required to review and approve their schemes annually and have this agreed by a Council Meeting before 11 March each year.
- 4 Government funding towards council tax support was reduced by 10% nationally in 2013/14. By so doing, the Government also transferred the risk of any growth in the system through more council taxpayers becoming eligible for support with their council tax to local authorities as the government grant was a fixed amount.
- 5 Durham is one of only 36 local authorities nationally, and the only one in the North East now, to continue to offer the same level of support to residents as under the Council Tax Benefit scheme. Meaning no LCTRS claimants in our area have been worse off in the last seven years than they would have been under the previous national scheme.

- 6 Nationally the most common change made to LCTRS is the introduction of minimum payments. In the over 80% of local authority areas where these have been introduced, all liable residents, regardless of their income, have to pay a percentage of their council tax. This ranges from 5% to 50% of their full liability. There is a clear correlation between higher minimum payments in LCTRS and reductions in Council Tax collection rates.
- 7 There are currently 57,091 LCTRS claimants in County Durham, of which 22,785 (40%) are pensioners and 34,306 (60%) are working age claimants. 27,015 (78.75%) of working age claimants currently receive 100% LCTRS discount, with LCTRS support forecast to be circa £56.5 million in 2019/20.
- 8 The rollout of Universal Credit (UC) is scheduled to be completed in 2023, but the new benefit is already in payment to a significant number of people in Durham. As of 1 October 2019 there were circa 13,250 LCTR applicants receiving UC, around 39% of the working age LCTR caseload. The council is four times more likely to receive a report of a change in circumstances when a working age LCTR claim is based on UC, than when it is not. Regular monthly recalculations of UC and LCTR, most frequently caused by changes in earnings, are leading to multiple bills being issued to the household and significant difficulties for residents trying to maintain their council tax payments.
- 9 The Council will need to keep track of the impact of the continuing roll out of UC. After many years of continued improvement, our in-year council tax collection rate reduced slightly in 2018/19 to 96.65%.
- 10 In July 2019, Cabinet resolved to recommend to Council that the current LCTR scheme should be extended for a further year into 2020/21 and, therefore, that no additional council tax revenues or pressures are built into the medium term financial plan (MTFP) projections from a review of the LCTRS at this stage.
- 11 The reasons for extending the current scheme are due to the current scheme remaining within existing cost parameters for the council. In addition, whilst the full impacts of the Government's welfare reforms are complex and difficult to track, demand for Discretionary Housing Payments; social fund applications and rent arrears statistics in County Durham compared to others across the region, would suggest that the council tax benefit protection afforded to working age claimants, in addition to the wide ranging proactive support that has been put in place, is continuing to have a positive impact on these households.
- 12 To date, we have maintained a backdating limit of six months for residents in receipt of LCTR, whereas many local councils have

reduced their maximum LCTR backdating period to one month, in line with changes made to Housing Benefit rules. The maximum length of backdate allowed in Durham's LCTRS is set out in our 2019/20 Scheme, Schedule 2, Paragraph 5(2) and defined as:

'That date is the latest of—

(a) the first day from which the applicant had continuous good cause;

(b) the day 6 months before the date the application was made;

(c) the day 6 months before the date when the applicant requested that the

application should include a past period.'

- 13 The proposals in this report seek to amend the above provisions and extend the backdating provisions to 12 months for all LCTR applicants, to increase flexibility within the scheme still further and provide additional assistance where appropriate 'good cause' is shown.
- 14 The current LCTR scheme has no provision to help residents who have been made liable for council tax retrospectively for a period exceeding the backdating limit. Such cases are rare, but can affect some of our most vulnerable residents. A minor amendment is proposed to treat LCTR applications as made on the date council tax liability started where the application is received within one month, or longer if reasonable, from the date the council tax liability was first created. This would simplify the process for these cases and reduce the reliance on the council's existing discretionary powers.

### **Recommendation(s)**

- 15 Council is recommended to:
  - (a) continue the current Local Council Tax Reduction Scheme into 2020/21, which will retain the same level of support to all working age council tax payers on low incomes;
  - (b) in doing so, agree to amend the scheme to allow for a maximum of 12 months backdating where appropriate and allow applications to be treated as made on the date council tax liability started where applications are received with one month, or longer if reasonable, of the date that the council tax liability was created; and
  - (c) agree that the extension to the Scheme be initially for a further year only and be kept under continuous review with a further decision on the scheme to apply in 2021/22 to be considered by

Cabinet in spring / summer 2020 and Full Council by 11 March 2021.

## Background

- 16 The Government abolished the national Council Tax Benefits system on 31 March 2013, replacing it with a requirement for local authorities to work with their precepting bodies to establish a LCTRS with effect from 1 April 2013. The LCTRS provides a 'discount' against the Council Tax charge, rather than a benefit entitlement.
- 17 The Council Tax Reduction Scheme Grant replaced Council Tax Benefit subsidy and from April 2013 was paid directly to the council and the major precepting bodies (Police and Fire).
- 18 Government funding towards council tax support was reduced by 10% nationally in 2013/14. By so doing, the Government also transferred the risk of any growth in the system through more council taxpayers becoming eligible for support with their council tax to local authorities as the government grant was a fixed amount.
- 19 The funding made available to support the LCTRS in 2013/14 (90% of the previous funding available under the Council Tax Benefit System) now forms part of the council's formula funding arrangements. Whilst separate figures were published for this in 2013/14, there is no longer any visibility over what level of funding is now for LCTRS that is contained within the formula.
- 20 The council's formula grant includes an element relating to town and parish councils and whilst the council has passed the grant on to the town and parish councils, there is no statutory requirement to do so.
- 21 Following discussions with the Town and Parish Councils' Working Group, and in the spirit of partnership working, recognising the important role town and parish councils play in providing local services to communities, it is proposed to continue to pass on the town and parish element of the formula grant in 2020/21. In doing so, it is proposed that the council continues to apply pro-rata reductions in the Council Tax Support Grant paid to town and parish councils in line with any reductions in the overall formula funding made available to the council and this is reflected in the MTFP model.
- 22 Formula grant has been subject to significant ongoing year on year reductions since 2010/11, however, based on the Spending Round announcements on 4 September 2019, the latest MTFP is forecasting a consumer price index (CPI) inflationary increase in revenue support grant and in the local share of business rates and top up grant under the localisation of business rates, for 2020/21. The Local Council Tax Reduction Scheme Grant payable next year to town and parish councils is therefore estimated to be £1.33m.

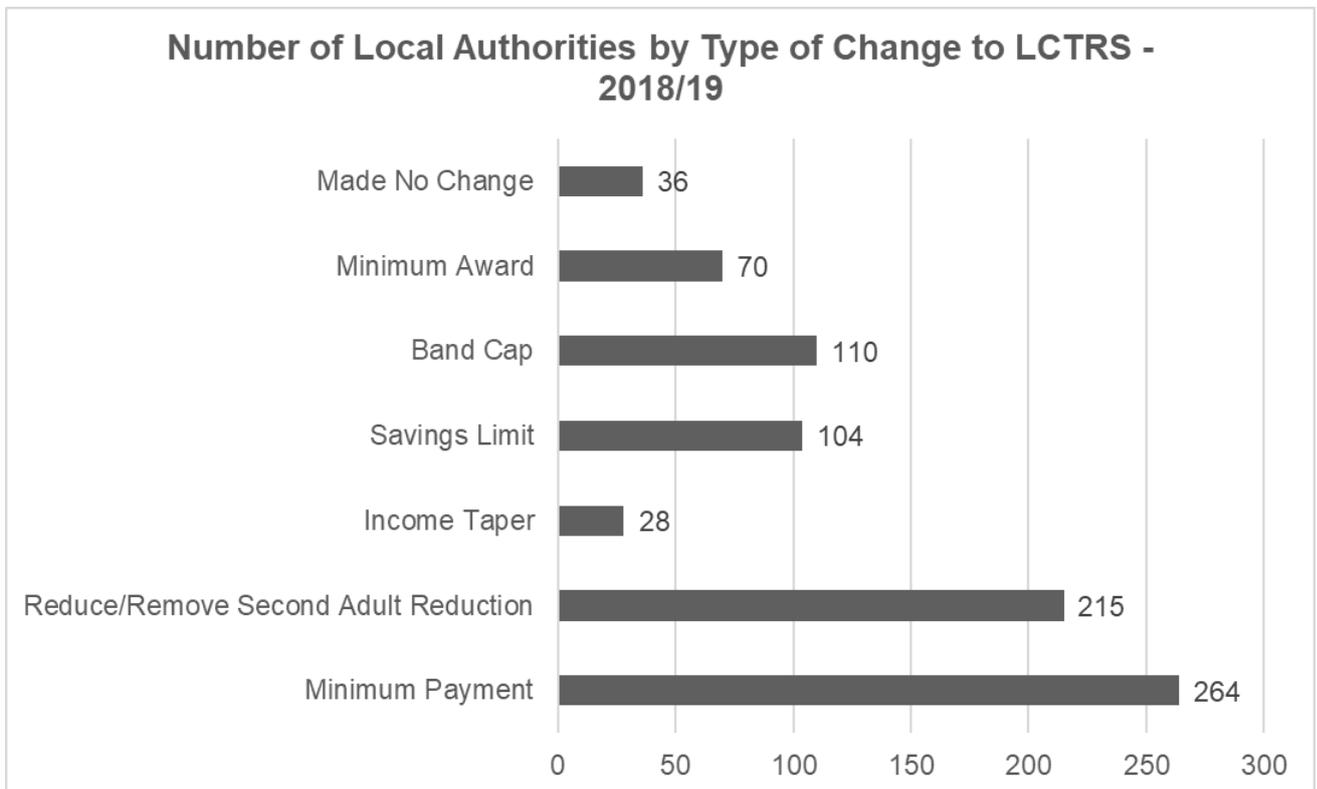
## Review of the Local Council Tax Support Scheme

- 23 On 31 October 2018 Council agreed the current LCTRS for 2019/20, which mirrors the previous entitlement under the Council Tax Benefit System for all claimants. No council tax support claimants have therefore been worse off in the last seven years than they would have been under the previous national scheme.
- 24 The council has been mindful of the continuing impacts of the wider welfare reforms which are having a detrimental impact on many low income households and the fact that the additional council tax liabilities for working age households could have a significant impact on affected household budgets by around £100 a year based on a scheme whereby entitlement for working age claimants is set at a maximum of 90% entitlement. This would make collection of council tax more difficult and costly to recover from these low income households.
- 25 In approving the scheme for 2019/20, the Council (31 October 2018) gave a commitment to review it on the grounds of MTFP affordability and on-going austerity.
- 26 In the North East region, Durham are now the only authority whose scheme continues to mirror entitlement under the former Council Tax Benefit system, whilst the other ten councils have schemes that cap the maximum entitlement to working age claimants.
- 27 The Institute for Fiscal Studies (IFS) estimate that a quarter of the additional council tax liability created by cuts to LCTR since 2013 is not being collected in year. The table below summarises the key features of the schemes in place across the North East in 2019/20 and how their in-year council tax collection rates have changed between 2012/13 and 2018/19 (which is the latest published data available):

Local Authority	Basis of Scheme	Minimum Payment	Second Adult Reduction Offered?	Change in in-year council tax collection rate between 2012/13 and 2018/19
Durham	CTB	No	Yes	+1.62%points
Darlington	CTB	20%	No	-0.12%points
Gateshead	CTB	8.5%	No	-0.86%points
Hartlepool	CTB	12%	No	-1.30%points
Middlesbrough	CTB	15%	No	-3.41%points
Newcastle	Income Banded	10%	No	+0.06%points
North Tyneside	CTB	15%	No	-1.46%points
Northumberland	CTB	8%	Yes	+0.33%points
South Tyneside	CTB	30% or 15% if vulnerable	Yes	-1.99%points

Local Authority	Basis of Scheme	Minimum Payment	Second Adult Reduction Offered?	Change in in-year council tax collection rate between 2012/13 and 2018/19
Stockton	CTB	20%	No	-2.44%points
Sunderland	CTB	8.5%	Yes	-1.38%points

28 In 2018/19, Durham County Council was one of just 36 nationally who continued to mirror entitlement under the former Council Tax Benefit system (11%), with 290 (89%) out of 326 having cut the amount of support available to claimants. The latest published data available shows the most common changes to have been implemented elsewhere have been the introduction of a minimum payment level and reducing or removing the Second Adult Reduction. The chart below shows the types of changes and restrictions implemented to schemes across England:



29 In some local authorities, like Durham, the lowest-income households continue to be exempt from paying council tax whilst in others they are required pay between 5% and 50% of their bill. There is therefore, a wide disparity of support available across the Country.

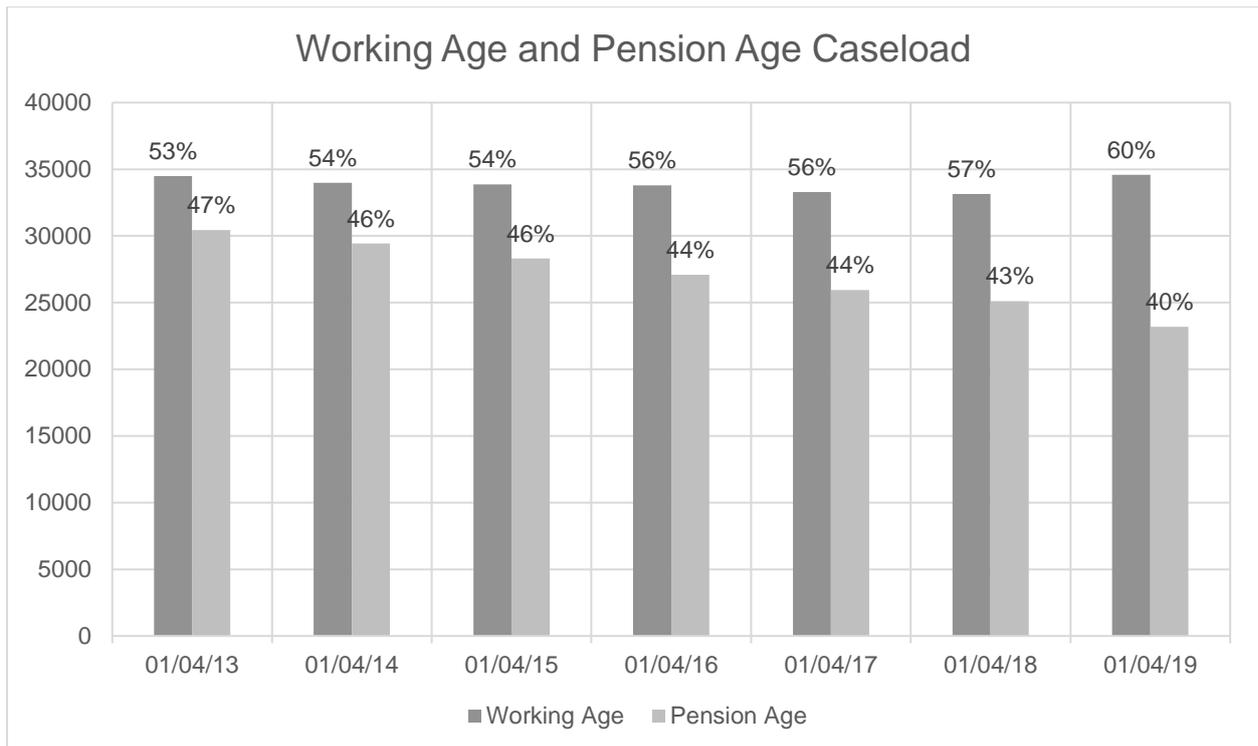
30 The majority of councils who made changes to their schemes in the first few years of LCTR did so to cap the overall amount that could be paid to working age households – 80% of councils had one in 2018-19 – but different councils have set them at very different levels. Combined with

different choices about other aspects of scheme design, this means that otherwise similar households are treated very differently according to where they live. However, more recently, local authorities have started to focus on making changes to better support applicants receiving UC, while maintaining a cap on the total amount that an applicant can receive.

- 31 The rollout of UC was originally intended to be completed by 2017, but after repeated rescheduling the current target date is December 2023. Despite the extended roll-out, UC is already in payment to a significant number of people in Durham. As of 1 October 2019 there were circa 13,250 LCTR applicants receiving UC, around 39% of the working age LCTR caseload.
- 32 The LCTR scheme in Durham, based on CTB, is a complex scheme, designed to reflect and interact with the Department for Work and Pensions' (DWP) long-standing range of legacy benefits. All of which are calculated weekly, are based on the same premiums and allowances, have identical income and capital assessment rules and an established history of common case law.
- 33 UC is a complete departure from the legacy benefits it replaces. It is calculated monthly, with new rules and new allowances, and for in-work claims is subject to regular monthly changes.
- 34 When compared to the legacy benefits schemes it replaces, UC produces more losers than winners, with prominent losers being disabled claimants, due to the loss of substantial disability allowances. Going forward, to offer effective support to applicants who receive UC, local authorities need to rethink their LCTR schemes.
- 35 Durham County Council took an early decision to accept electronic notifications of a new UC claim from the DWP as an application for LCTR. This measure has helped Durham maintain its working age caseload. Other local authorities have seen drops in the number of LCTR applications received, due to residents no longer being required to come to the council to make joint HB and LCTR claims. This will have resulted in increases in council tax arrears and impacted on collection performance.
- 36 In terms of impact on LCTRS workload, the council is around four times more likely to receive a report of a change in circumstances when a working age LCTR claim is based on UC, than when it is not.
- 37 Regular monthly recalculations of UC and LCTR, most frequently caused by changes in earnings, lead to multiple bills being issued to the household and significant difficulties for residents trying to maintain their council tax payments. Net council tax charges are repeatedly being

recalculated and instalment dates pushed back to later in the year. This is further complicated by the need to give customers paying by direct debit 14 days notice when making a change in their payments. These changing instalments can cause considerable budgeting difficulties for residents, as well as a knock-on impact for the council in terms of increased call traffic and council tax collection work.

- 38 Nationally, LCTR schemes provided 24% less support to working-age households in 2018/19 than if the national Council Tax Benefit system had been retained.
- 39 In 2018/19, over two million households across the Country were being adversely affected by the change from Council Tax Benefit. On average these families were paying £204 additional council tax in 2018/19 in comparison to what they would have paid under the national Council Tax Benefit scheme. The number of LCTRS claimants paying an additional £200 or more had increased to 933,000 in 2018/19.
- 40 There are currently 57,091 LCTRS claimants in County Durham, of which 22,785 (40%) are pensioners and 34,306 (60%) are working age claimants. 27,015 (78.75%) of working age claimants currently receive 100% LCTRS discount, with LCTRS support forecast to be circa £56.5 million in 2019/20.
- 41 The LCTRS caseload in Durham has reduced by 10.28% between 2013/14 (when there were circa 65,000 LCTRS claimants) and 2018/19 (when there were circa 58,000 LCTRS claimants), reflecting a national trend which is in part attributed to improved economic conditions (reduced unemployment) across this period and the increase in the state pension age. The reduction in working age LCTRS caseloads nationally has been 18.99% over the same period, which reflects the fact that many local authorities have made their schemes less accessible, meaning fewer applicants now qualify for support.
- 42 In Durham, there are now over 3,200 claimants currently classed as working age that would have been treated as pensionable age claimants prior to 2010, when the process began of moving state pension credit age from 60 for women and 65 for men, up to 66 for both. This process is expected to be completed in 2020 with a further move up to 67 between 2026 and 2028, then to 68 between 2044 and 2046. As the chart below shows, over the last six years there has been a seven percentage point increase in the proportion of working age applicants within Durham:



- 43 This means a higher proportion of our caseload is coming under the part of the LCTRS scheme that the Council has control over. Working age customers also carry a greater administrative workload as they have more frequent changes in their circumstances, particularly when they are in receipt of UC.
- 44 As Members will be aware, if any changes are made to the scheme, these must be consulted on and be subject to an equality impact assessment. Councils are required to review and approve their schemes annually and have this agreed by a Council meeting before 11 March each year.
- 45 Statutorily, pensioners have to be protected from any changes, therefore any reductions can only be applied to working age claimants.
- 46 Seven years after the Government abolished the national Council Tax Benefits System the council continues to have an LCTRS which mirrors the previous entitlement under the Council Tax Benefit System for all claimants. No council tax support claimants have therefore been financially worse off in the last seven years (including the current year) than they would have been under the previous national scheme.
- 47 The Council has been mindful of the continuing impacts of the wider welfare reforms which are having a detrimental impact on many low income households and the fact that the additional council tax liabilities for working age households could have a significant impact on affected household budgets by around £100 to £130 a year based on a scheme

whereby entitlement for working age claimants is set at a maximum of 90% entitlement. This would make collection of council tax more difficult and costly to recover from these low-income households.

- 48 In January 2019, analysis from the IFS showed a direct link between higher minimum payments in LCTRS and lower overall council tax collection rates:

<b>Minimum Payment Level in LCTRS</b>	<b>Estimated Effect on Collection Rate (percentage point change)</b>
Up to 8.5%	-0.09%
8.6% to 20%	-0.24%
Over 20%	-0.49%

- 49 Based on Taxbase assumptions, the estimated net cost of retaining the scheme is circa £5.1m – this reflects the reduction in Government Grant support towards maintaining these schemes in the first year. To recover the full £5.1m cost by reducing the benefit awarded to working age claimants, which currently totals circa £31.5million, and factoring in a prudent collection rate of 80%, would require the maximum entitlement to be reduced from 100% to 79.8%.
- 50 Should the council review its scheme and reduce maximum entitlement to working age claimants, depending on the forecasted council tax collection from affected low income households, there would be scope to increase council tax revenues by between £2.52million (based on a scheme that awarded maximum entitlement to working age households of 90% with a prudent collection rate of 80%) and £5.1million (based on a scheme that awarded maximum entitlement of 79.8% with a prudent collection rate of 80%). This would impact circa 34,300 working age households across County Durham, where 7,184 (21%) are actually in low paid jobs rather than being unemployed.
- 51 As part of the current scheme, we have maintained a backdating limit of six months for residents in receipt of LCTR, whereas many local councils have reduced their maximum LCTR backdating period to one month, in line with changes made to Housing Benefit rules. The maximum length backdating allowed in Durham’s LCTRS is set out in our 2019/20 Scheme, Schedule 2, Paragraph 5(2) and is defined as:

‘That date is the latest of—

- (a) the first day from which the applicant had continuous good cause;
- (b) the day 6 months before the date the application was made;

(c) the day 6 months before the date when the applicant requested that the

application should include a past period.’

52 On rare occasions, residents have demonstrated good reasons for delaying their LCTR claims for more than six months, however, we have been unable to consider backdating beyond six months due to the restrictions contained in the current scheme. In such cases officers have had to consider exercising discretion under Section 13A(1)(c) of the Local Government Finance Act 1992 to offset the limitations of the LCTR scheme in terms of backdating awards.

53 It is proposed that the scheme is amended to allow up to 12 months backdating for all residents if continuous ‘good cause’ is demonstrated for not submitting a claim earlier.

54 The current LCTR scheme has no provision to help residents who have been made liable for council tax retrospectively for a period exceeding the backdating limit. Such cases are rare, but can affect some of our most vulnerable residents. Scenarios can include:

- Residents renting a shared property where a decision has been made to change liability from a landlord to the tenants
- A couple where one member is a full-time student. The student member of the couple has been the CTR applicant. Council Tax records are updated retrospectively to exempt the student member of a couple from council tax liability and to award a discount. As a result the existing CTR claim is cancelled, and the non-student has to make a CTR application in their own name

55 In these cases officers currently have had to consider exercising discretion under Section 13A(1)(c) of the Local Government Finance Act 1992. To make the process more efficient, transparent and less stressful for vulnerable customers it is proposed that where:

- An LCTR application is made within one month, or longer if reasonable, of the date their council tax liability was created,

The LCTR application will be treated as if it was made on the date that council tax liability started.

## **Conclusion**

- 56 There is a statutory requirement for Full Council to approve the Local Council Tax Reduction Scheme (LCTRS) to be operated in 2020/21 before 11 March 2020.
- 57 The council will need to continue to review the national situation and track what is happening in local authorities that have introduced LCTRS that have reduced entitlement to their working age claimants in terms of impacts and performance in terms of recovery of the council tax due.
- 58 Following careful consideration of the current financial position of the council and in light of further cuts to the Welfare Budget planned by Government, including the continued roll out of UC Full Service, which commenced in October 2017 in County Durham; Cabinet (July 2019) resolved to recommend to Council that the current scheme should be extended for a further year into 2020/21 and, therefore, that no additional council tax revenues or pressures are built into the MTFP projections from a review of the LCTRS at this stage.
- 59 The reasons for extending the current scheme are due to the current scheme remaining within existing cost parameters for the council. In addition, whilst the full impacts of the Government's welfare reforms are complex and difficult to track, demand for Discretionary Housing Payments; social fund applications and rent arrears statistics in County Durham compared to others across the region, would suggest that the council tax benefit protection afforded to working age claimants, in addition to the wide ranging proactive support that has been put in place, is continuing to have a positive impact on these households.
- 60 To date, we have maintained a backdating limit of six months for residents in receipt of LCTR, whereas many local councils have reduced their maximum LCTR backdating period to one month, in line with changes made to Housing Benefit rules. The maximum length backdating allowed in Durham's LCTRS is set out in our 2019/20 Scheme, Schedule 2, Paragraph 5(2) and defined as:
- 'That date is the latest of—
- (a) the first day from which the applicant had continuous good cause;
  - (b) the day 6 months before the date the application was made;
  - (c) the day 6 months before the date when the applicant requested that the
- application should include a past period.'
- 61 The proposal is to amend the above provisions and extend the backdating provisions to 12 months, to increase flexibility within the

scheme still further and provide additional assistance where appropriate and necessary. This will negate the need for officers to have to consider exercising discretion under Section 13A(1)(c) of the Local Government Finance Act 1992 to offset the limitations on the policy in terms of backdating awards in certain circumstances.

- 62 The current LCTR scheme has no provision to help residents who have been made liable for council tax retrospectively for a period exceeding the backdating limit. Such cases are rare, but can effect some of our most vulnerable residents. A minor amendment is proposed to treat LCTR applications as made on the date council tax liability started where the application is received within one month, or longer if reasonable, from the date the council tax liability was first created. This would simplify the process for these cases and reduce the reliance on the council's existing discretionary powers.
- 63 The council will need to continue to review the national situation and track what is happening in local authorities that have introduced LCTRS that have reduced entitlement to their working age claimants in terms of impacts and performance in terms of recovery of the council tax due.
- 64 The council will also need to keep track of the impact of the roll out of UC. This presents continuing challenges for the administration of LCTRS as it results in a much higher number of changes in circumstances and removes the administrative economies of scale currently achieved by administering Housing Benefit and LCTRS claims side by side.
- 65 More significantly however, UC changes results in multiple reworking and changes to LCTRS entitlement throughout the year and multiple bills being issued to individual households resulting in numerous changes to their net liability and instalment plans for any council tax balance they are responsible for. After many years of continued improvement, our in-year council tax collection rate reduced slightly in 2018/19 to 96.65%.
- 66 Any proposed changes to the LCTRS for 2021/22 would need to be consulted upon and, should any changes be proposed, a report would need be brought to Cabinet in spring / summer 2020 before embarking on a consultation process thereafter.

## **Background papers**

- Local Government Finance Act 1992 (section 13A)
- Welfare Reform Act 2012

- The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012
- The Impacts of Localised Council Tax Support Schemes – Institute for Fiscal Studies Report January 2019

### **Other useful documents**

- Medium Term Financial Plan (10), 2020/21-2023/24 and Review of the Local Council Tax Reduction Scheme for 2020/21 – Report to Cabinet 10 July 2019
- Forecast of Revenue and Capital Outturn 2019/20 period to 30 June 2019 – report to Cabinet 10 July 2019

### **Author(s)**

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## **Appendix 1: Implications**

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### **Legal Implications**

The Welfare Reform Act 2012 abolished the national council tax benefits system (CTB), paving the way for new Local Council Tax Reduction Schemes (LCTRS) to be introduced under the auspices of the Local Government Finance Act 1992.

Section 13A of the Local Government Finance Act 1992 (“the 1992 Act”) requires each billing authority in England to make a scheme specifying the reductions which are to apply to amounts of council tax payable by persons, or classes of person, whom the authority considers are in financial need (“a council tax reduction scheme”).

The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012 (“the 2012 Regulations”) prescribe matters which must be included in such a scheme in addition to matters set out in paragraph 2 of Schedule 1A to the 1992 Act.

Each year regulations amending the 2012 Regulations are made in November/December. The majority of the amendments are to ensure consistency with changes to social security legislation and these are subsequently included in our local scheme.

The LCTRS provides a ‘discount’ against the council tax charge, rather than a benefit entitlement and as such impacts on the council’s tax base.

Regulations made under the Local Government Finance Act 1992 (The Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended) the council to calculate a council tax base for each financial year.

The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 which came into force on 30 November 2012 and applies to the financial years beginning 1 April 2013 onwards contains the rules which require the council to calculate the Council Tax Base.

A key element of the tax base calculation is the council’s policy in terms of its LCTRS.

There is a statutory requirement for the Council to adopt a local council tax support scheme for the ensuing financial year by 11 March each year. Where the council is proposing any changes to its scheme, there is a statutory requirement to consult on these proposals in advance of making any changes.

Pensioners, have to be protected from any changes, with any reductions applied to working age claimants only.

## **Finance**

The funding made available to support the LCTRS in 2013/14 (90% of the previous funding available under the Council Tax Benefit System) now forms part of the council's formula funding arrangements.

The council has continued to pass on the town and parish element of its formula grant over the last seven years but in doing so continue to apply pro-rata reductions in the Council Tax Support Grant paid to town and parish councils.

Formula grant has been subject to significant ongoing year on year reductions since 2010/11, however, based on the Spending Round announcements on 4 September 2019, the latest MTFP is forecasting a consumer price index (CPI) inflationary increase in revenue support grant and in the local share of business rates and top up grant under the localisation of business rates, for 2020/21. The Local Council Tax Reduction Scheme Grant payable next year to town and parish councils is therefore estimated to be £1.33m

The council is responsible for the costs of any increase in caseload as the level of Government support is fixed within formula grant.

Prudent estimates and provisions were built into the tax base forecasts at budget setting, and whilst the council is subject to greater financial risk now, the current scheme remains within the budget provisions.

Should the council review its scheme and reduce maximum entitlement to working age claimants, depending on the forecasted council tax collection from affected low income households, there would be scope to increase council tax revenues by between £2.52million (based on a scheme that awarded maximum entitlement to working age households of 90% with a prudent collection rate of 80%) and £5.1million (based on a scheme that awarded maximum entitlement of 79.8% with a prudent collection rate of 80%). This would impact circa 34,300 working age households across County Durham, where 7,184 (21%) are actually in low paid jobs rather than being unemployed.

## **Consultation**

Town and parish councils were consulted on the proposals to continue to passport an element of the council's formula grant, equivalent to the town and parish share of the Local Council Tax Reduction Scheme grant funding within formula grant for 2020/21.

No further consultation has been undertaken as Cabinet resolved on 10 July 2019 to recommend to Council that it extends and continues the current LCTRS into 2020/21, thereby retaining the same level of support to all working age council tax payers as the previous Council Tax Benefit Scheme, which was abolished on 1 April 2013.

The proposal to extend the flexibility within the existing policy to allow for a maximum period of backdating of 12 months and allow applications to be treated as made on the date council tax liability started where applications are received with one month, or longer if reasonable, of the date that the council tax liability was created are not considered material and therefore have not been subject to consultation.

### **Equality and Diversity / Public Sector Equality Duty**

Seven years after the Government abolished the national Council Tax Benefits System the council continues to have a LCTRS which mirrors the previous entitlement under the Council Tax Benefit System for all claimants. No council tax benefit claimants have therefore been financially worse off in the last seven years than they would have been under the previous national scheme and if the proposals set out in this report and ultimately agreed by Council in the autumn this will continue to be the case.

The Government EIA on the LCTRS was published in January 2012 and is relatively brief. It considered equality impacts in relation to age and disability, concluding that protection for pensioners would be a positive impact and the effects on disabled people would depend on how each local authority responded to the reduction in council tax support. No impacts were identified in relation to gender or ethnicity and no other protected characteristics were considered and it was left to individual councils to identify full local impacts, based on local implementation.

Given the proposals to extend the current LCTRS into 2020/21, and enhance the backdating provisions, thereby continuing to protect current entitlement, then there will be no negative equalities impact, with the financial position of claimants protected in 2020/21.

Should the Council decide against extending the current scheme into 2020/21, and elect instead to pass on reductions to working age claimants, there would be a range of potential negative equalities impacts. These include financial impact for working age claimants and possible additional impacts in relation to health and wellbeing, housing and the consequences of debt or legal action. These impacts are most likely in relation to gender, age and disability with limited impacts for race and sexual orientation and no evidence of impact on transgender status, religion or belief.

## **Climate Change**

None.

## **Human Rights**

None.

## **Crime and Disorder**

Any reduction in council tax support, alongside other welfare changes could see an increase in crime if customers seek to increase their income to make up for the benefits lost. The proposals set out in this seek to protect current entitlement in 2020/21 and as such have no implications, though the impact of the wider welfare reforms agenda will need to be kept under constant review.

## **Staffing**

None.

## **Accommodation**

None.

## **Risk**

The report outlines a range of financial risks surrounding the LCTRS. These are being effectively managed at this time. Given that the proposal is to extend the current arrangements into 2020/21 there are no system development issues or risk associated with these proposals as the systems were amended in advance of 2013/14.

The council will need to keep track of the impact of the roll out of Universal Credit (UC). This presents new challenges for the administration of LCTRS as it results in a much higher number of changes in circumstances (experience is that the UC earned income element changes frequently as the person moves through the claimant commitment with their Work Coach) and removes the administrative economies of scale currently achieved by administering Housing Benefit and LCTRS claims side by side.

More significantly however, UC changes results in multiple reworking and changes to LCTRS entitlement throughout the year and multiple bills being issued to individual households resulting in numerous changes to their net liability and instalment plans for any Council Tax balance they are responsible for. After many years of continued improvement, our in-year council tax collection rate reduced slightly in 2018/19 to 96.65%.

## **Procurement**

None.

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**County Council**

**4 December 2019**

**Mid-Year Review Report on Treasury  
Management for the period to  
30 September 2019**



**Report of Corporate Management Team  
John Hewitt, Corporate Director of Resources  
Councillor Alan Napier, Cabinet Portfolio Holder for Finance**

**Electoral division(s) affected:**

None.

**Purpose of the Report**

- 1 The purpose of this report is to provide information on the treasury management mid-year position for 2019/20.

**Executive Summary**

- 2 This report provides a summary of the Council's treasury position, borrowing activity, investment activity, treasury management and prudential indicators.
- 3 The Council held £341 million in borrowing and with £287 million cash balances invested at 30 September 2019. During the half year period, borrowing of £40 million was taken out from the PWLB at rates that ranged from 1.75% to 2.23%. Although the level of cash balances did not warrant borrowing at this time the historic low level of interest rates has enabled the council to borrow at very low rates,
- 4 Investments have been undertaken in line with both the CIPFA Code and government guidance which require the Council to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield.
- 5 During the half year period to 30 September 2019, the Council has complied with Treasury Management Indicators relating to interest rate exposure, maturity structure of borrowing and sums invested for more than one year. The Council has also complied with Prudential Code

Indicators which relate to the capital programme and how much the Council can afford to borrow.

### **Recommendation(s)**

- 6 Council is asked to:
  - (a) note progress with the Treasury management Strategy 2019/20;
  - (b) approve a revised operational debt boundary of £556 million and authorised limit of £611 million for 2019/20 reflecting increased finance lease commitments as referred to in the report.

## Background

- 7 Treasury management is defined as ‘the management of the local authority’s investments and cash flows, its banking, money market and capital market transactions, the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks’.
- 8 The Council operates a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure this cash flow is adequately planned, with surplus monies being invested in low risk counterparties, with a main aim of providing sufficient liquidity, ahead of the achievement of the best possible investment returns.
- 9 The second main function of the treasury management service is to arrange the funding of the Council’s capital programme. The capital programme provides a guide to the borrowing need of the Council, and there needs to be longer term cash flow planning to ensure capital spending requirements can be met. The management of longer term cash may involve arranging long or short term loans, utilising longer term cash flow surpluses and, occasionally, debt restructuring to meet Council risk or cost objectives.
- 10 The Council adopts the latest CIPFA Code of Practice on Treasury Management (the Code) which is regarded as best practice in ensuring adequate monitoring of the Council’s capital expenditure plans and its Prudential Indicators (PIs). This requires that Members agree the following reports, as a minimum:
  - (a) an annual Treasury Management Strategy in advance of the year (reported to the County Council on 20 February 2019 for the 2019/20 financial year);
  - (b) an annual review following the end of the year describing the activity compared to the strategy (reported to the County Council on 18 September 2019 in respect of the 2018/19 financial year);
  - (c) a mid-year Treasury Management Review report, covering the first six months of this financial year, to 30 September 2019 (this report);
- 11 This mid-year report provides a summary of the following:
  - (a) summary treasury position;
  - (b) borrowing activity;

- (c) other debt activity/long term liabilities:
- (d) investment activity;
- (e) treasury management indicators;
- (f) prudential indicators;

## Summary Treasury Position

- 12 The Council's debt and investment position is organised to ensure adequate liquidity for revenue and capital activities, security for investments, and to manage risks within all treasury management activities.
- 13 At the beginning and mid-year point of 2019/20 the Council's treasury position (excluding borrowing by finance leases) was as follows:

	31.03.19	Rate /Return	Average Life	30.09.19	Rate /Return	Average Life
	£ million	%	years	£ million	%	years
<b>Total Debt</b>	310	3.75	17.99	341	3.47	19.24
<b>Total Investments</b>	244	0.97	0.32	287	1.01	0.51
<b>Net Debt</b>	<b>66</b>			<b>54</b>		

- 14 As at 30 September 2019, the Council had £341 million of borrowing and £287 million of cash balances invested. The main factor in the increase in cash balances over the period has been the increase in borrowing.

## Borrowing Activity

- 15 At 30 September 2019, the Council held £340.592 million of loans, a net increase of £29.987 million from the start of the year. The mid-year borrowing position and the change since the start of the year is shown in the following table:

	<b>31.3.19 Balance</b>	<b>In-year Movement</b>	<b>30.9.19 Balance</b>	<b>Average Rate</b>	<b>30.9.19 Average Life</b>
	<b>£ million</b>	<b>£ million</b>	<b>£ million</b>	<b>%</b>	<b>years</b>
Public Works Loan Board	258.977	29.998	288.975	3.31%	15.6
Private Sector Pension Fund	51.428	(0.003)	51.425	4.41%	26.7
	0.200	(0.008)	0.192	8.05%	8.5
<b>Total borrowing</b>	<b>310.605</b>	<b>29.987</b>	<b>340.592</b>		

16 The Council's chief objective when borrowing has been to strike an appropriate risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required.

17 To secure historically low rates of interest, new borrowing of £40 million was raised during the first half-year with details in the following table.

<b>Lender</b>	<b>Principal</b>	<b>Interest Rate</b>	<b>Start Date</b>	<b>Length</b>
	<b>£ million</b>	<b>%</b>		<b>Years</b>
PWLB	10.00	2.23	29/05/2019	40
PWLB	5.00	2.12	11/06/2019	45
PWLB	5.00	1.85	9/08/2019	46
PWLB	5.00	1.82	16/8/2019	44
PWLB	5.00	1.76	20/8/2019	30
PWLB	10.00	1.75	27/9/2019	30
<b>Total</b>	<b>40.00</b>			

18 The weighted average interest charged on the new loans is 1.94%

19 A £10 million PWLB loan at an interest rate of 2.79% matured during the period, in April.

20 No rescheduling has been done during the first half of the year as the differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.

### **Other Debt Activity / Long Term Liabilities**

21 Although not classed as borrowing, the Council also raised £0.108 million of capital finance for replacement fleet vehicles and equipment via finance leases during the first half year to 30 September 2019. It is expected that a further £9.127 million will be raised during the remainder of the year, giving total expected additional lease finance of £9.235 million.

## Investment Activity

22 The Council continues to temporarily invest cash balances, representing monies received in advance of expenditure plus balances and reserves held. During the half-year to 30 September 2019, investment balances ranged between £241.6 million and £309.4 million.

23 As at 30 September 2019 the Council held investments totalling £287.130 million. The following table provides a breakdown of these investments split by the type of financial institution and maturity period.

<b>Financial Institution</b>	<b>0-3 months</b>	<b>3-6 months</b>	<b>6-12 months</b>	<b>12-24 months</b>	<b>Total</b>
	<b>£ million</b>				
Banks	2.684	-	102.975	13.549	119.208
Building Societies	4.516	76.780	-	-	81.296
Central Government	0.903	-	-	-	0.903
Other Local Authorities	-	9.033	45.165	-	54.198
Money Market Funds	31.525	-	-	-	31.525
<b>Total</b>	<b>39.628</b>	<b>85.813</b>	<b>148.140</b>	<b>13.549</b>	<b>287.130</b>
<b>% of total</b>	<b>14%</b>	<b>30%</b>	<b>51%</b>	<b>5%</b>	

24 The Council's investment policy is governed by Ministry of Housing, Communities and Local Government (MHCLG) guidance, which has been implemented in the annual investment strategy approved by the Council on 20 February 2019. Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

25 The Council's measures its investment activity by comparing the yield achieved against the internal returns above the 7 day LIBID rate. The position as at 30 September 2019 is set out below:

<b>Investment Risk</b>	<b>Measured by</b>	<b>Benchmark</b>	<b>Actual position 30.9.2019</b>
Yield	Internal returns above the 7 day LIBID rate	0.57%	1.01%

## Treasury Management Indicators

- 26 There are three debt related treasury activity limits which are designed to manage risk and reduce the impact of an adverse movement in interest rates.

**Interest Rate Exposures:** This indicator is set to control the Council's exposure to interest rate risk. The upper limits on fixed and variable rate interest rate exposures, expressed as the proportion of net principle invested was:

	30.9.19 Actual	30.9.19 Actual	2019/20 Limit	Complied
Upper limit on fixed interest rate exposure	£301.1m	88%	100%	✓
Upper limit on variable interest rate exposure	£39.5m	12%	70%	✓

**Maturity Structure of Borrowing:** This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate borrowing were:

	Lower Limit	Upper Limit	30.9.19 Actual	Complied
Under 12 months	0%	20%	1%	✓
12 months to 2 years	0%	40%	3%	✓
2 years to 5 years	0%	60%	9%	✓
5 years to 10 years	0%	80%	21%	✓
10 years and above	0%	100%	66%	✓

**Principal Sums Invested for Periods Longer than 364 days:** The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments:

	Limit	As at 30.9.19	Complied
Actual principal invested beyond one year	£75m	£15m	✓

## Prudential Code Indicators

- 27 The Local Government Act 2003 requires the Council to have regard to the Chartered Institute of Public Finance and Accountancy's Prudential Code for Capital Finance in Local Authorities (the Prudential Code) when determining how much money it can afford to borrow.

- 28 The objective of the Prudential Code is to ensure, within a clear framework, that the capital investment plans of local authorities are affordable, prudent and sustainable, and that treasury management decisions are taken in accordance with good professional practice. To demonstrate that the Council has fulfilled these objectives, the Prudential Code sets out the following indicators that must be set and monitored each year.

**Capital Expenditure:** The table below summarises planned capital expenditure and financing when the 2019/20 budget was set in February 2019 and compares it to the estimated full year outturn position as at 30 September 2019:

	<b>2019/20 Original Estimate £ million</b>	<b>2019/20 Estimate at 30.9.19 £ million</b>	<b>Difference £ million</b>
<b>Capital Expenditure</b>	<b>148.000</b>	<b>142.205</b>	<b>-5.795</b>
<u>Financed by:</u>			
Capital grants and contributions	40.034	49.202	9.168
Revenue and reserves	29.131	17.490	-11.641
Capital receipts	9.245	13.947	4.702
<b>Net financing need for the year</b>	<b>69.590</b>	<b>61.566</b>	<b>-8.024</b>

**Actual Debt:** The Council's actual debt at 30 September 2019 is as follows:

	<b>31.03.19 Actual £ million</b>	<b>2019/20 Actual at 30.09.19 £ million</b>	<b>Difference £ million</b>
Borrowing	310.605	340.592	<b>29.987</b>
Finance leases	42.714	42.048	<b>-0.666</b>
PFI liabilities	38.346	37.454	<b>-0.892</b>
<b>Total Debt</b>	<b>391.665</b>	<b>420.094</b>	<b>28.429</b>

**Operational Boundary:** This is the limit beyond which external borrowing is not normally expected to exceed. Periods where the actual position is either below or over the boundary is acceptable subject to the authorised limit not being breached.

<b>Operational boundary</b>	<b>2019/20 Original Estimate</b>	<b>2019/20 Revised Estimate</b>	<b>2019/20 Actuals as at 30.9.19</b>	<b>Complied</b>
	<b>£ million</b>	<b>£ million</b>	<b>£ million</b>	
Borrowing	472.000	472.000	340.592	✓
Other long term liabilities	50.000	84.000	79.502	✓
<b>TOTAL</b>	<b>522.000</b>	<b>556.000</b>	<b>420.094</b>	<b>✓</b>

The revised estimate for other long term liabilities has been adjusted to reflect the Councils long term lease interest in properties at Freemans' Reach which are being treated as finance leases.

**Authorised Limit for external borrowing:** This represents a control on the maximum level of borrowing and is a statutory limit determined under section 3 (1) of the Local Government Act 2003. It reflects the level of external borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

<b>Authorised limit</b>	<b>2019/20 Original Estimate</b>	<b>2019/20 Revised Estimate</b>	<b>2019/20 Actuals as at 30.9.19</b>	<b>Complied</b>
	<b>£ million</b>	<b>£ million</b>	<b>£ million</b>	
Borrowing	523.000	523.000	340.592	✓
Other long term liabilities	53.000	88.000	79.502	✓
<b>TOTAL</b>	<b>576.000</b>	<b>611.000</b>	<b>420.094</b>	<b>✓</b>

The revised estimate for other long term liabilities has been adjusted to reflect the Councils long term lease interest in properties at Freemans' Reach which are being treated as finance leases.

## Conclusion

- 29 The Council has complied with its Treasury Management Strategy 2019/20 for its half-yearly activity covering the period to 30 September 2019.

## Background Papers

- County Council - 20 February 2019 – Medium Term Financial Plan, 2019/20 to 2022/23 and Revenue and Capital Budget 2019/20 – Appendix 13: Durham County Council Treasury Management Strategy 2019/20
- County Council – 18 September 2019 – Treasury Management Outturn 2018/19.

**Author(s)**

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Tel: 03000 263480

**Legal Implications**

None

**Finance**

The report details the Council's cash management, loans and investment activity during 2019/20 in the first half year to 30 September 2019. The report also provides the overall financing of the Council's capital expenditure, along with borrowing and investment income returns.

**Consultation**

None

**Equality and Diversity / Public Sector Equality Duty**

None

**Climate Change**

None

**Human Rights**

None

**Crime and Disorder**

None

**Staffing**

None

**Accommodation**

None

**Risk**

None

**Procurement**

None

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County Council

04 December 2019



**Review of the Officer Code of Conduct in relation to  
Gifts & Hospitality**

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**Report of Corporate Management  
Report of John Hewitt, Corporate Director of Resources**

**Electoral division(s) affected:**

None.

**Purpose of the Report**

1. To inform County Council of proposed revisions to the Employee Code of Values, Behaviours and Conduct on Section 5.10 Gifts and Hospitality.

**Executive Summary**

2. As part of the aim to promote high ethical standards within the authority and as good practice, a review was undertaken of the Code of Values, Behaviours and Conduct in January 2019, particularly in relation to Section 5.10 Gifts and Hospitality.
3. The review recommended a number of amendments to the Code by way of clarification to make it easier for Employees to understand their obligations in relation to Gifts and Hospitality.

**Recommendation**

4. County Council is asked to approve the proposed changes to Section 5.10 of our Code of Values, Behaviours and Conduct as attached at Appendix 2.

## Background

5. The Council adopted the new Code of Values, Behaviours and Conduct at a Full Council Meeting on 19 September 2018. Section 5.10 of the Code relates to Officer gifts and hospitality.
6. Members may recall that during the 2017/18 review of the Constitution, the arrangements for Members in relation to gifts and hospitality were reviewed. A similar review has now been undertaken in relation to the arrangements in place relating to Officer Gifts and Hospitality. The review recommended that the Employee Code of Values and Behaviours is amended to clarify the obligations for Officers in relation to gifts and hospitality.
7. The Code suggests that Officers do not need to declare offers/acceptance of gifts and hospitality where acceptance would not create a conflict of interest. Whilst there might not be a conflict of interest, accepting gifts and hospitality without the appropriate declarations may create the perception of a conflict of interest. The Code has therefore been clarified so that all offers of gifts and hospitality (other than token gifts/hospitality of a nominal value) should be declared.
8. The Code has therefore been amended to give examples of token gifts/hospitality that do not need to be declared such as light refreshments offered during meetings, conferences etc or token gifts such as mugs, mouse mats, pens etc.
9. Where Officers are invited to attend and/or speak at conferences or events and the event organiser pays for/reimburses travel expenses, accommodation costs and subsistence expenses, these should be declared as hospitality in advance of the event. The Code has therefore been amended to clarify this requirement.
10. Consideration was given as to whether all gifts and hospitality should be declared even if they are refused. However, declaring hospitality invitations which are declined may be particularly onerous to Officers who receive a number of such invitations. It is therefore proposed that hospitality only needs to be declared if it is to be accepted. However, it is recommended that all gifts are recorded even if they are declined/donated to the Chairman's charity. This will protect Officers from any accusations of theft or accepting inducements. It is proposed that section 5.10 is amended so that the obligations in relation to gifts and hospitality are separated so the different obligations are clear.

11. The review also recommended that the Code/declaration form should be amended to explicitly that gifts from service users and gifts of money should never be accepted. It was noted that in some instances refusal of a gift is not always possible or may cause offence. In such circumstances, Employees may donate the gift to the Chairman's charity. It is therefore proposed that the declaration form be updated to reflect the option of donating the gift to the Chairman's charity.
12. The Code requires that attendance at sporting events needed to be approved by the relevant line manager to confirm that there was a specific justification for attending such an event. This is inconsistent with the general requirement that acceptance of all gifts and hospitality is to be approved by Heads of Service. It is therefore proposed to amend the Code to address this inconsistency. The declaration form has also been amended to include rationale from the Head of Service as to the justification for approving acceptance of the gifts/hospitality.
13. The review also recommended that the Code should be amended to make it clear that hospitality should be approved in advance. However, it is acknowledged that there will be rare occasions where hospitality is offered at short notice and it is not possible for Officers to decline without causing offence. In those circumstances, a declaration should be made immediately after the event.
14. The Council's Standards Committee reviewed the revised Code of Conduct as part of its remit for maintaining high standards of ethical conduct within the authority at its meeting on 05 September 2019.
15. The Constitution Working Group considered the Code at its meeting on 11 November and agreed to recommend the revised Code of Conduct for approval by Council.

## **Conclusion**

16. Consideration has been given to recommendations of the review and the proposed updates to the Code have been made accordingly shown at Appendix 2.
17. Following Full Council approval, employees will be informed of the changes which will be carried out by briefings and direct communications.

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<b>Contact:</b>	Alison Lazazzera	Tel: 03000 264473
	Helen Lynch	Tel: 03000 269732

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## **Appendix 1: Implications**

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### **Finance**

None

### **Staffing**

The code applies to all employees of Durham County Council (excluding School employees), and the updated document will be available on the council's intranet.

### **Risk**

None

### **Equality and Diversity / Public Sector Equality Duty**

None

### **Climate Change**

None

### **Accommodation**

None

### **Crime and Disorder**

None

### **Human Rights**

None

### **Procurement**

None

### **Disability Issues**

None

### **Consultation**

Relevant consultation will be undertaken with Trade Unions and changes will be communicated to employees

### **Legal Implications**

None

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# Code of Our Values, Behaviours and Conduct



## 1 Introduction

At Durham County Council we are all committed to delivering excellent services to the people of County Durham and our employees are key to this commitment. Everyone who uses council services is entitled to expect the highest standards of conduct from council employees and we are all responsible for improving life for local people by delivering high quality services.

We have developed a clear set of values and behaviours around what is important to us as a Council and they apply to all employees. Our values are at the heart of everything we do and ensure that we do the right things in the right way and our behaviours have been designed to support and embed these values.

In addition to our values and behaviours it is important that we have standards of conduct to help guide us all in our behaviour and actions at work.

This Code explains our values, sets out the responsibilities we all have, and the standards of behaviour that are expected of us. It is vital that we are all familiar with and understand this Code and the supporting Council Policies and Guidance.

We are a team and we are all responsible for the quality and integrity of the services we provide. This Code together with the supporting Council Policies has been developed to ensure that we are all clear re: the Council's values and our individual responsibilities so that in turn the people of County Durham can be confident that they are receiving an excellent standard of service.

At Durham County Council we are committed to delivering excellent services to the people of County Durham within the resources we have available and our values reflect this commitment.



## 2 Our values

The council values are at the heart of everything we do. They are the guiding principles that define our culture and commitment to the highest standards of behaviour.



Our values are supported by the council's behaviour framework which sets out clear expectations in terms of the core behaviours for all employees. Managers and Leaders have supplementary behaviours within the framework to reflect their additional responsibilities.

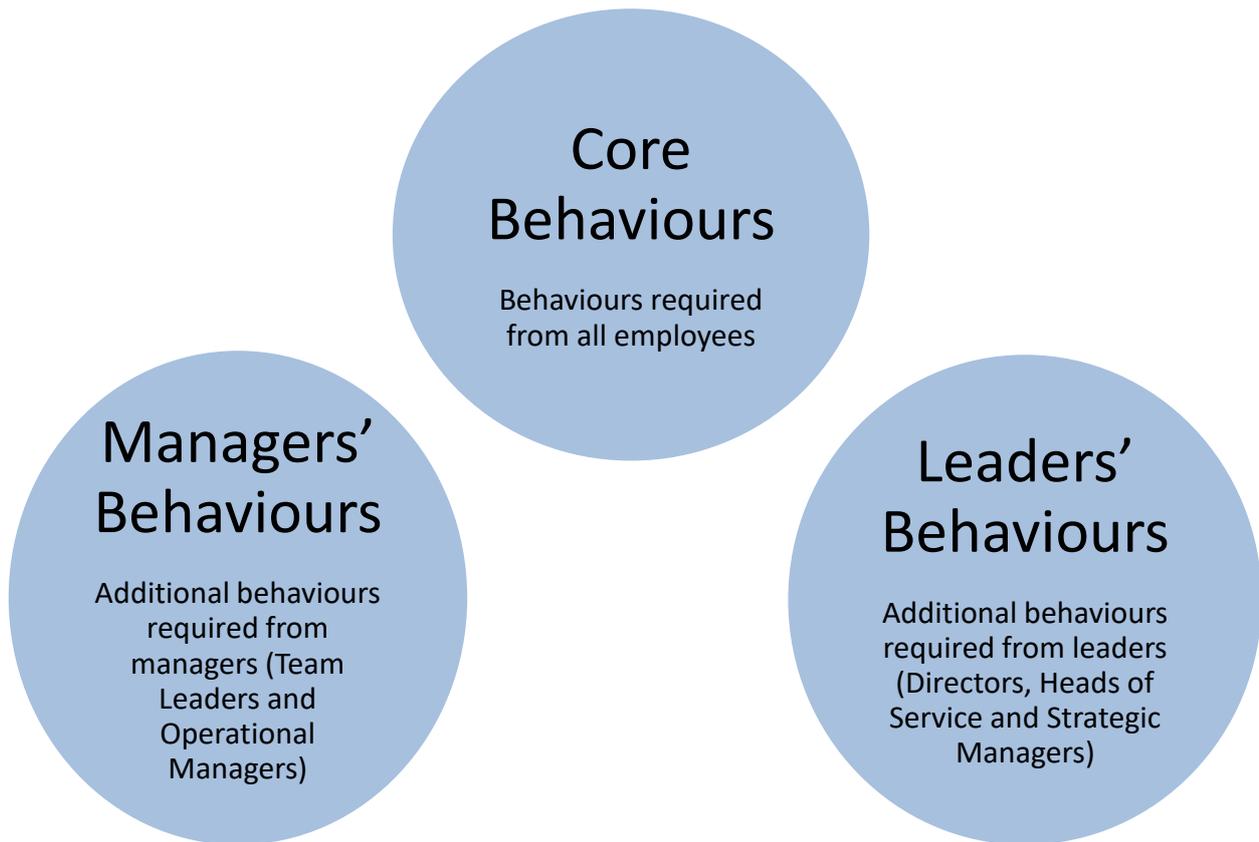
Our values and behaviours are therefore an intrinsic part of the Council's Code of our values, behaviours and conduct.

The behaviour framework includes behavioural examples that we expect our employees to display every day to achieve the expected standards of performance. The behaviours demonstrate the approach we take to our work including:

- How we do things
- How we treat others
- What we say and how we say it
- How we expect to be treated
- How we work together
- Our approach to work

By demonstrating the behaviours we can provide the best possible service to our people and communities and create a great place to work.

### 3 The Behaviour Framework and Core Behaviour



### One Council: Core values and behaviours

I will...	 Outcome Focused We work together to achieve the best for people	I won't...
<ul style="list-style-type: none"> <li>✓ Contribute to Council, service and team objectives</li> <li>✓ Try to find solutions to problems and issues</li> <li>✓ Make the best use of council resources</li> <li>✓ Share information and work effectively with others to get things done</li> <li>✓ Help people to access council services in different ways</li> <li>✓ Be flexible and use my skills to help and support others</li> </ul>		<ul style="list-style-type: none"> <li>✗ Speak about the Council, my colleagues, partners or the public in a negative way</li> <li>✗ Focus on problems instead of solutions</li> <li>✗ Blame others when things go wrong</li> <li>✗ Leave people to deal with difficult situations when they need help</li> </ul>
<ul style="list-style-type: none"> <li>✓ Provide a customer focused service to people both internal and external</li> <li>✓ Respect and value differences</li> <li>✓ Achieve results within agreed timescales and keep people updated on progress</li> <li>✓ Actively listen so I understand people's needs</li> <li>✓ Communicate clearly and appropriately with others</li> <li>✓ Care about my own and others health, safety and wellbeing</li> <li>✓ Protect the confidentiality and security of information</li> </ul>	 People Focused We put people and communities at the heart of everything we do and value our employees	<ul style="list-style-type: none"> <li>✗ Make decisions or act without considering the needs of others</li> <li>✗ Act in a way that puts others health, safety and wellbeing at risk</li> <li>✗ Ignore, exclude or treat people unfairly</li> <li>✗ Avoid ownership by passing people around the Council or by not responding enquiries</li> </ul>
<ul style="list-style-type: none"> <li>✓ Take ownership and be accountable for my own actions and performance</li> <li>✓ Seek opportunities to learn and develop</li> <li>✓ Share my skills and knowledge with others</li> <li>✓ Act on feedback and learn from mistakes</li> <li>✓ Challenge inappropriate behaviour and attitudes</li> <li>✓ Show appreciation and give praise and recognition to others</li> <li>✓ Influence others through my positive behaviours</li> </ul>	 Empowering We value, trust and support each other	<ul style="list-style-type: none"> <li>✗ Ignore the impact my actions or behaviour has on others</li> <li>✗ Forget to say thank you to others for their contribution</li> <li>✗ Be reluctant to learn new things</li> <li>✗ Ignore feedback and keep on making the same mistakes</li> </ul>
<ul style="list-style-type: none"> <li>✓ Identify better and more effective ways to deliver services</li> <li>✓ Be prepared to take on new challenges</li> <li>✓ Adapt smarter working practices and new ways of working</li> <li>✓ Think creatively and share ideas for improvement</li> <li>✓ Be open to change</li> </ul>	 iNnovative We embrace change and look for better ways to deliver services	<ul style="list-style-type: none"> <li>✗ Discourage ideas and suggestions for new ways of doing things</li> <li>✗ Say 'this is the way we have always done it'</li> <li>✗ Change things without thinking it through</li> <li>✗ Be unwilling to do things differently</li> </ul>

## 4 Our responsibility and commitments

We all have responsibilities and commitments as employees of the Council. Some responsibilities and commitments, such as applying the council values, meeting the competencies required for your role and adhering to your contract of employment apply to everyone whereas others are specific to your level of responsibility in the council.

It is your responsibility to familiarise yourself and comply with this Code and all relevant council policies and procedures. If you are in any doubt about your responsibilities you must seek clarification from your manager.

### 4.1 Working with the public, service users and colleagues

You must:

- follow the council Customer Services Charter and Standards when dealing with service users in order to ensure the delivery of services as efficiently and effectively as possible;
- be polite, courteous and helpful when dealing with all members of the local community, service users and colleagues;
- treat all groups and individuals with respect, value their opinions and beliefs and behave in an appropriate manner;
- treat others in a fair and equitable manner in accordance with the council's Equality & Diversity Policy and the wider requirements of the law;
- keep all service users' money, personal records, information and correspondence secure in accordance with the council policies and procedures, and the General Data Protection Regulations.

### 4.2 Individual responsibilities

As an employee of the council, you are expected to conduct yourself to the highest standards and act with honesty, integrity and professionalism.

You must:

- carry out the full requirements of your role, as detailed in your contract of employment (statement of particulars), job description and within the council policies and procedures;
- complete all mandatory training as required;
- give the highest possible standard of service to the people of County Durham and provide appropriate and impartial advice;
- raise issues – if you have any concerns don't be afraid to speak up;
- act in an appropriate manner in any situation where you can be readily identified as a council employee, whether at work or otherwise;
- contribute to maintaining a safe and healthy working environment;
- report any concerns or suspicions you have to your manager or the Chief Internal Auditor and Corporate Fraud Manager;
- declare any relevant interest, outside employment or receipt of gifts or hospitality as outlined in this Code;
- maintain professional relationships with councillors, employees, contractors or partners, potential contractors and/or service users.

## 4.3 Leader and manager responsibilities

Those with leadership roles have additional responsibilities. Whether you are a team leader, manager or head of service you should:

- set a positive personal model of behaviour;
- ensure that standards in the Code are established and communicated;
- provide clarification, where required, to improve employee understanding;
- take appropriate action at the earliest opportunity to manage non-compliance with the standards set out in this Code;
- promote a safe and healthy working environment;
- maintain a culture that is free from bullying, discrimination and harassment where everyone is treated with respect and dignity and individual contributions are welcomed and acknowledged.

## 5 Other responsibilities

### 5.1 Confidentiality and keeping council information secure

Maintaining confidentiality of sensitive information is essential and all employees are under an obligation to comply with Data Protection legislation. The General Data Protection Regulations is the most significant update of data protection laws in the last two decades and deals with appropriate protection of personal and special category data/information.

You must ensure that you save, store, share and retain information in line with corporate policies and guidelines and treat all information you receive in the course of your employment as confidential to the council. Employees are only permitted to disclose confidential information where it is required by law or where the council has agreed to do so. If you are unsure you must consult your manager before any disclosure is made.

As the council moves towards smarter ways of working and more open office environments shared by different teams' the highest levels of confidentiality will be required. We need to respect others to undertake their work and to maintain privacy and confidentiality.

The use of information to further private interests or the deliberate disclosure of confidential information may be considered gross misconduct and may result in dismissal under the council's Disciplinary Procedure. It may also be a criminal offence and lead to criminal proceedings.

You must not compromise the security of council information, for example by installing unauthorised software, inappropriately securing information or interfering with standard security settings. Under no circumstances should you use council information or facilities for unauthorised personal use, improper or commercial gain or for fraudulent or malicious activities.

### 5.2 Internet and social Media

The council understands that employees may use social networking sites in their personal time both in and outside of work. Whilst these sites can be a way of keeping in touch with friends and colleagues, you should be aware that information posted on these sites is often public and may be viewed by colleagues, residents and the media/press.

As an employee, you have responsibility to act in the best interests of the people of the County and not breach any confidentiality or post anything that could damage the council's reputation. Further guidance is available in the [Personal Use of Social Media Policy](#).

The council may monitor the use of the internet for legitimate business reasons, including compliance with this Code. By using the internet employees are deemed to have consented to the monitoring, recording and auditing of internet use.

### **5.3 Political neutrality**

Employees of the council are required to work with all councillors. Employees must not favour or disadvantage any political group or politician in how they undertake their duties.

You must:

- Remain politically neutral and objective in your work role.

You must not:

- Allow your personal or political opinions to interfere with your work;
- Display political posters, including election material, in council buildings.

Certain posts within the council are deemed to be politically restricted due to the nature of the job. Your job description will state whether your post is politically restricted and you will have been notified of this in your Statement of Particulars. Further information is available in [the Recruitment and Selection Policy](#).

If you hold a politically restricted post you must not:

- stand as a candidate for public elected office (other than to a Parish/Town council);
- hold office in a political party;
- canvass at elections or act as an election agent or sub-agent for a candidate for election;
- speak or write publicly, demonstrating support for a political party.

### **5.4 Working with councillors**

Mutual respect, trust and courtesy between employees and councillors is essential to good local government.

You must:

- give appropriate and impartial advice to councillors when requested;
- ensure working relationships are kept on a professional basis;
- speak to your manager and/or refer to the Protocol for Member/Officer Relations if you are unsure about the information you are able to provide to councillors.

You must not:

- form close personal relationships with councillors which could damage your working relationship.

## 5.5 Criminal convictions/loss of driving licence or qualification

You must inform your manager immediately if:

- you receive any criminal conviction, caution or are subject to a police investigation, or placed under bond during your employment with the council, either within or outside of your normal working hours;
- you receive any driving convictions that result in the loss of your driving licence;
- you are subject to medical restrictions or changes to category entitlements in your driving licence that may impact on your ability to carry out the duties of your contracted role;
- you have engaged in behaviour that has resulted in loss of licence, affiliation, accreditation or qualification that may impact on your ability to carry out the duties of your contracted role.

If your post is subject to vetting and barring checks, as well as the above, you must also inform your manager immediately if you are subject to a criminal investigation. All information you provide in this regard will be dealt with in strict confidence.

## 5.6 Council contracts and personal interests

Where your role involves procuring, managing or administering council contracts or you have any other professional or personal relationship with contractors you must:

- comply with the Contract Procedure Rules and Financial Procedure Rules which are part of the council's Constitution, Financial Management Standards and any other relevant council procedures of orders and contracts;
- exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors;
- declare any current or previous private or personal relationships with contractors, sub-contractors or suppliers by completing form [CCE1](#).

Other financial interests include when money other than your salary is paid into your bank account by the council or where your address is linked to a business receiving payment from the council. In these circumstances you must declare any financial or non-financial interests which could conflict or be seen to conflict with the council's interests to your Head of Service by completing form [CCE2](#).

## 5.7 Handling council money or sponsorship

Durham County Council is a publicly funded organisation and as such, all employees who are authorised to be involved in financial activities and transactions on behalf of the council must be familiar with its Financial Procedure Rules and Financial Management Standards.

You must not benefit from any contract or sponsorship that is given to or by the council, or show any favour to a partner, spouse, relative, friend or associate.

You must ensure that any sponsorship accepted is related to council business and is approved by your Head of Service.

## 5.8 Intellectual property

'Intellectual property' is a generic legal term, which refers to the rights and obligations in relation to: inventions, patents, creative writings and drawings, including for example - reports, policy, training, computer programmes and technical documents and materials. Some aspects of the work

you carry out, or produce on behalf of the council will be classed as 'intellectual property' and therefore belongs to the council, rather than to you personally.

You must not make use of the council's intellectual property to conduct private work.

## 5.9 Commitments outside of work

Outside work means any paid or unpaid work, including voluntary work, undertaken in addition to your council employment. Any requests to undertake outside work will be considered and will not be unreasonably refused, however the council must consider whether or not such outside working would be in conflict with council interests or weaken public confidence in the council, or adversely impact upon your ability to carry out your role with the council.

Approvals will be reviewed should any concerns arise as to the impact the outside commitment on your ability to carry out your role within the council.

Before doing any outside work you must complete form [CCE3](#) for authorisation and if there are any subsequent changes relating to your outside work you may need to complete a further CCE3 form.

## 5.10 Gifts and hospitality

Gifts, hospitality or benefits in kind offered to you must be treated with caution to avoid any suggestion of improper motives or conduct. Approval must be given by the appropriate authorising manager, as detailed in the CCE4 form.

### You must always:

- declare to your Head of Service, by completing form [CCE4](#), if you are offered, or you wish to offer, any gifts, hospitality (for example attendance at sporting events, formal dinners or conferences), or other advantage;
- inform your Head of Service, by completing form CCE4, if you have been offered gifts, hospitality or advantage, even if your intention is to reject the offer, and you are not seeking permission to accept;
- use tact and courtesy if you need to refuse a gift or hospitality. Even where gifts are refused, this should still be recorded using the CCE4 form;
- report to your Head of Service any approaches made to you which may be an attempt to gain some form of preferential treatment;

### Specifically, in relation to Gifts:

- in circumstances where a gift is delivered and cannot be declined or returned, you should complete a CCE4 form to request permission to personally accept the gift or for the gift to be passed on to the Chairman's Charity;
- there is no requirement to seek approval for token gift such as mugs, mouse mats, pens etc.
- you must not accept gifts or legacies from current or former service users/clients (you personally or members of your family);
- gifts of money or alcohol should never be accepted (but alcohol may be donated to the Chairman's charity if refusal to accept would cause offence).

### Specifically, in relation to Hospitality:

- only accept hospitality (e.g. meals/refreshments/event tickets) if there is a genuine need to convey information or to represent the council;
- you need to be sure that accepting the hospitality does not create a conflict of interest;

- there is no requirement to seek approval to accept light refreshments which are offered during meetings, conferences, etc (for example tea/coffee/snacks/sandwiches);
- if invited to attend and /or speak at conference or events where travel expenses, accommodation costs and subsistence expenses are paid for by the organiser, these should be declared as hospitality in advance of the event;
- should hospitality be offered at short notice and it is not possible to decline without causing offence, a declaration must be made immediately after the event.

## 5.11 Using council equipment, materials and property

Council assets and facilities, including computers, laptops, mobile phones, photocopiers, vehicles, and offices must only be used for official council business and not for personal use. You must comply with health and safety regulations and use personal protective equipment as required. All council resources must be used with care to avoid wastage, loss or damage and, where applicable, returned on leaving employment.

## 6 Declaration forms

Declaration forms (CCE1 – CCE4) are to be completed as detailed in this Code. All declaration forms will be held by the Corporate Director of each service grouping and a copy must be forwarded to the HR Payroll and Employee Services Team for the purpose of logging onto a central register.

A copy of the completed declaration form will also be placed on an employee’s personal file. All forms will be acknowledged and recorded whether approved or declined.

The following declaration forms can be downloaded from the intranet. These forms must be completed in full.

<b>Form CCE1</b>	<a href="#">Declaration of Relationships with External Contractor or Supplier</a>
<b>Form CCE2</b>	<a href="#">Declaration of Personal Interests</a>
<b>Form CCE3</b>	<a href="#">Request for Approval to Undertake Outside Work</a>
<b>Form CCE4</b>	<a href="#">Declaration of Offers of Hospitality/Gifts</a>

All council HR policies and guidance can be found on the [HR Policies page](#) on the intranet. If you are unable to access the intranet, please speak to your manager.

For advice regarding the application of this policy please contact:

HR Advice and Support  
03000 265 451

[hradviceandsupport@durham.gov.uk](mailto:hradviceandsupport@durham.gov.uk)

Relevant forms or letters should be forwarded to Payroll and Employee Services:

Regeneration and Local Services

[PESREAL@durham.gov.uk](mailto:PESREAL@durham.gov.uk)

Children and Young People's Services

[PESCYPS@durham.gov.uk](mailto:PESCYPS@durham.gov.uk)

Adult Health Services

[PESAHS@durham.gov.uk](mailto:PESAHS@durham.gov.uk)

Resources

[PESResources@durham.gov.uk](mailto:PESResources@durham.gov.uk)

Transformation and Partnerships

[PESTAP@durham.gov.uk](mailto:PESTAP@durham.gov.uk)

Further support can be accessed by contacting:

Occupational Health  
03000 268 999

[occhealthadmin@durham.gov.uk](mailto:occhealthadmin@durham.gov.uk)

Health and Safety

[hsteam@durham.gov.uk](mailto:hsteam@durham.gov.uk)

Employee Assistance Programme  
0800 716 017

[www.healthassuredeap.com](http://www.healthassuredeap.com)

Username: durham Password: council

## Our values



Durham County Council complies with all relevant statutory obligations. Personal information processed by the Council will be handled in accordance with the Council's privacy statement, which can be accessed [here](#). Human Resources privacy notice provides more specific information on the data collected and how it is handled, a copy of which can be accessed [here](#).

If you have any concerns about how your data is handled, please contact either the Data Protection Officer at [dpo@durham.gov.uk](mailto:dpo@durham.gov.uk) or the [Information Commissioner's Office](#).

Author	Version	Last review	Next review
Senior HR Officer Page 104	v 6	December 2019	December 2020



4 December 2019

Adoption of the Witton Gilbert  
Neighbourhood Plan



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**Report of Corporate Management Team**

**Ian Thompson, Corporate Director of Regeneration and Local Services**

**Councillor Carl Marshall, Cabinet Portfolio Holder for Economic Regeneration**

**Electoral division(s) affected:**

Esh and Witton Gilbert Division

**Purpose of the Report**

- 1 To formally adopt ('make') the Witton Gilbert Neighbourhood Plan.

**Executive summary**

- 2 The Localism Act 2011 introduced a right for communities to draw up neighbourhood plans. Witton Gilbert Parish Council, with support from Durham County Council, have produced a neighbourhood plan which has undergone a successful examination.
- 3 On Thursday 7 November 2019, a referendum was held into the Witton Gilbert Neighbourhood Plan. 88% of all votes were in favour of the Neighbourhood Plan. This report advises that the Witton Gilbert Neighbourhood Plan should be made (adopted) by Durham County Council and form part of the statutory development plan.

**Recommendation**

- 4 It is recommended that the Witton Gilbert Neighbourhood Plan is formally made (adopted) by the Council to become part of the statutory development plan.

## **Background**

- 5 The 2011 Localism Act introduced measures for local communities to prepare neighbourhood development plans. A detailed legislative framework for undertaking neighbourhood planning was set out in the Neighbourhood Planning Regulations 2012. To date three Neighbourhood Plans have been made (Great Aycliffe, Whorlton and Westwick and Sedgefield), while around 9 further plans remain under preparation.
- 6 A neighbourhood plan, once adopted, forms part of the statutory development plan and sits alongside the Local Plan. Should planning permission be sought in areas covered by an adopted neighbourhood plan, the application must be determined in accordance with both the neighbourhood plan and the Local Plan.
- 7 There are a number of legally prescribed stages that need to be undertaken in preparing a neighbourhood plan. The plan needs to be subject to examination by an independent examiner. Subject to a positive examination outcome, the plan proceeds to a referendum. Where a neighbourhood plan is successful at referendum, and the local planning authority is satisfied that EU and human rights obligations have been met, it is a legal requirement to bring the plan into force as soon as reasonably practicable.
- 8 The Neighbourhood Planning Regulations 2012 and the Planning and Compulsory Purchase Act 2004 require local planning authorities to make a plan that has been supported at referendum within eight weeks of the day after the referendum.

## **Witton Gilbert Neighbourhood Plan**

- 9 The Witton Gilbert Neighbourhood Plan (the Neighbourhood Plan) relates to the whole of the Witton Gilbert parish area and is entirely within County Durham. Witton Gilbert Parish Council undertook pre-submission consultation on the draft Plan in accordance with Regulation 14 and refined the Plan accordingly thereafter.
- 10 Following the submission of the Witton Gilbert Neighbourhood Plan and supporting documents to the County Council in November 2018, the County Council consulted upon the Plan for a six-week period from 17 January 2019 to 4 March 2019 in accordance with Regulation 16. Upon the close of this consultation the Plan was then the subject of an independent examination.
- 11 The Examiner's report was formally submitted on 10 July 2019. The Examiner concluded that the Neighbourhood Plan meets all of the statutory requirements subject to a number of modifications to ensure

that it meets the four 'Basic Conditions'. Following the necessary modifications, the Plan proceeded to referendum which was held on Thursday 7 November 2019. It was declared that 88% of votes (from a turnout of 466 people, or 23 % of the electorate) were in favour of the Witton Gilbert Neighbourhood Plan.

## **Conclusion**

- 12 The Witton Gilbert Neighbourhood Plan sets out new policy requirements for Witton Gilbert Parish, which will form part of the development plan and have weight in planning decision making. The council has previously accepted the Examiners findings and support for the Plan subject to modifications. The modified plan has received the support of the local community. It is recommended that the Witton Gilbert Neighbourhood Plan is formally 'made' (adopted) by the county council to become part of the statutory development plan.

## **Background papers**

Witton Gilbert Neighbourhood Plan

Declaration of result

Examiners Report

<http://www.durham.gov.uk/article/18184/Neighbourhood-planning-what-s-happening->

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**Contact:** Carole Dillon

Tel: 03000 261911

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## **Appendix 1: Implications**

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### **Legal Implications**

The Neighbourhood Planning Regulations 2012 and the Planning and Compulsory Purchase Act 2004 require local planning authorities to make a plan that has been supported at referendum within eight weeks of the day after the referendum.

### **Finance**

There will be no financial implications from adopting the neighbourhood plan.

### **Consultation**

The Witton Gilbert Neighbourhood Plan has been subject to statutory consultation requirements of the Town and Country Planning England – the Neighbourhood Planning (General) Regulations 2012.

### **Equality and Diversity / Public Sector Equality Duty**

The Examiner's report confirmed that the Plan meets the Basic Conditions and would appear to have neutral or positive impacts on groups with protected characteristics.

### **Climate Change**

The Plan has been prepared in the context of the existing Local Plan for the area which has been the subject of sustainability appraisal. The independent examiner has also confirmed that the Plan meets the required basic conditions which include conformity with national planning policy which includes the Climate Change agenda.

### **Human Rights**

None identified.

### **Crime and Disorder**

None identified.

### **Staffing**

None identified.

### **Accommodation**

None identified.

**Risk**

The Council has a legal duty to adopt the neighbourhood plan and if the recommendations are not implemented the Council will be in breach of this.

**Procurement**

None identified.

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**Report of Corporate Management Team:**

**Jane Robinson, Corporate Director, Adult & Health Services**

**Amanda Healy, Director of Public Health, County Durham**

**Councillor Lucy Hovvels, Portfolio Lead for Adult and Health Services**

**Electoral division(s) affected:**

Countywide.

**Purpose of the Report**

- 1 The purpose of this report is for Council to receive the 2019 annual report of the Director of Public Health for County Durham (appendix 2).

**Executive summary**

- 2 Under the Health and Social Care Act 2012, one of the statutory requirements of the Director of Public Health is to produce an annual report about the health of the local population. The local authority has a duty to publish the report. The government has not specified what the annual report might contain and has made it clear that this is a decision for individual Directors of Public Health to determine.
- 3 The DPH annual report for 2019 focuses on the following:
  - (a) Joint Strategic Needs Assessment (JSNA) / Durham Insight;
  - (b) Update on recommendations from 2018 DPH annual report;
  - (c) The Taylor family (one year on);
  - (d) Mental health at scale;
  - (e) Healthy workforce.

**Recommendations**

- 4 Council is recommended to:
  - (a) receive the 2019 annual report of the Director of Public Health, County Durham.

## Background

- 5 The 2018 report focused on the new vision for the public's health in County Durham. The report shared the work that has been done to set out a new vision for the health and wellbeing of County Durham.
- 6 The report was based around a fictional family 'The Taylors' and describes the challenges the family face and is focussed on the 'assets' that the family have and how these can protect health and wellbeing.
- 7 The 2018 reports set out seven strategic priorities and specific actions against each priority for the forthcoming year.
  - Good jobs and places to live, learn and play
  - Every child to have the best start in life
  - Mental health at scale
  - High quality drug and alcohol services
  - Healthy workforce
  - Promoting positive behaviours
  - Better quality of life through integrated health and care services
- 8 The 2018 report ended with a set of recommendations.
- 9 The 2019, 2020 and 2021 DPH annual reports will provide updates on the seven strategic priorities detailed in the 2018 DPH annual report and outlined in paragraph 7.
- 10 The DPH annual report for 2019 includes the following:
  - (a) Health and wellbeing across County Durham which is based on evidence in the Joint Strategic Needs Assessment (JSNA) / Durham Insight;
  - (b) Building on our assets, for example, 12 miles of coastline, 9 dementia friendly communities and 150 breastfeeding cafes;
  - (c) Update on recommendations from our seven strategic priorities identified in the 2018 DPH annual report;
  - (d) The Taylor family (one year on);
  - (e) A focus on the following strategic priorities and recommendations for their future work:
    - (i) Mental health at scale;
    - (ii) Healthy workforce.

- (f) A set of recommendations based on the two priority areas of focus.
- 11 The 2020 DPH annual report will focus on the following strategic priorities:
- (a) Every child to have the best start in life;
  - (b) Good jobs and places to live, learn and play.
- 12 The 2021 DPH annual report will focus on the following strategic priorities:
- (a) High quality drug and alcohol services;
  - (b) Better quality of life through integrated health and care services;
  - (c) Promoting positive behaviours.
- 13 The annual report will be uploaded onto the council website and copies provided to a range of organisations and individuals including the County Durham Clinical Commissioning Groups, NHS England, Voluntary, Community and Social Enterprise Sectors, Healthwatch, NHS Foundation Trusts and Public Health England. In addition, copies will be made available to the members library, to individual members (where requested), Cabinet, Overview & Scrutiny Committees and officers.

## **Main Implications**

### **Legal**

- 14 It is a statutory responsibility for the Director of Public Health in a local authority to prepare an annual report on the health of the local population.

### **Background papers**

- DPH annual report 2018  
<https://www.durham.gov.uk/media/10077/Director-of-Public-Health-Annual-Report-2018/pdf/PublicHealthAnnualReport2018.pdf?m=636760677930970000>

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**Contact:** Amanda Healy

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## **Appendix 1: Implications**

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### **Legal Implications**

Section 73B (5) of the Health and Social Care Act 2012 amended the National Health Service Act 2006 to include the requirement that the Director of Public Health for a local authority must prepare an annual report on the health of the people in their area. Durham County Council must publish the report.

### **Finance**

No impact at present. However, key public health interventions are dependent on the public health ring fenced grant.

### **Consultation**

This is the independent report of the Director of Public Health and is not subject to consultation.

### **Equality and Diversity / Public Sector Equality Duty**

No impact.

### **Climate Change**

No impact.

### **Human Rights**

No impact.

### **Crime and Disorder**

No impact.

### **Staffing**

No impact.

### **Accommodation**

No impact.

### **Risk**

No impact.

### **Procurement**

No impact but should inform council commissioning plans in relation to services that impact on the health of the population.

# Time to Talk

... about mental health and wellbeing





## **Acknowledgements**

Many thanks to

Sean Barry – Public Health Practitioner

Julie Bradbrook – Partnerships Team Manager

Christine Edgar – PA to Director of Public Health

Joy Evans – Public Health Advanced Practitioner

Lisa Lynch – Public Health Programme Manager

Jane Marley – Better Health at Work Project Officer

Kirsty Roe – Public Health Intelligence Specialist

Mick Shannon – Public Health Advanced Practitioner

Tracey Sharp – Independent Consultant in Public Health

Chris Woodcock – Public Health Strategic Manager





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## Foreword



Amanda Healy

Welcome to my second annual report. It is my role as Director of Public Health to promote and protect the health and wellbeing of people in County Durham.

Last year I set out seven priorities to fulfil this role and in this year's report you will see an update on each of these.

These priorities are closely aligned to the County Durham Vision 2035 which is a document developed with partners as a shared vision for the next 15 years with three strategic ambitions of:

- More and better jobs;
- People live long and independent lives;
- Connected communities.

In this report you will also see a more in-depth focus on mental health at scale and healthy workforce. For both of these areas there has been a real emphasis supporting people to be able to talk more openly about mental health. A quarter of people will experience a mental health problem at some point in their life. In County Durham over 51,000 adults have depression and 1 in 10 of our children have a diagnosed mental health disorder.

You were also introduced to the "Taylor" family last year, and there is an update on how the work carried out has made a difference to them. This year will see the links that the family have into their local communities, workplaces and schools and how the work we are doing is making a difference to real people's lives.

Last year's report also had a focus on smoking with a recommendation to continue with the ambition of only 5% of our local residents smoking by 2025. I am pleased to report that our levels of smoking are now at 15% (compared to 22.1% in 2013). However, smoking during pregnancy remains a key concern with over 18% of babies born to women who smoke.

As ever, no work to improve public health can ever be achieved without working with others, our partners and most importantly our local communities. My role as Director of Public Health is about working on behalf of local communities and the elected members who represent those communities.

I trust you will see the commitment to making a difference to health and wellbeing in this year's report. Wellbeing will become more prominent as we work with our communities and partners in 2020. Some countries are starting to use wellbeing as an equivalent measure to economic growth when defining the success of their policies and I am keen to develop that concept here in County Durham.

**Amanda Healy**  
Director of Public Health



## Health and wellbeing across County Durham

The Joint Strategic Needs Assessment (JSNA) helps to inform the planning and improvement of local services and guides us in making the best use of funding available. It builds a picture of current and future health and wellbeing needs of local people. This is used to shape joint commissioning priorities to improve health and wellbeing as well as reduce health inequalities in our communities. It is currently informing the refresh of our Joint Health and Wellbeing Strategy. Over the last year our JSNA has been transformed to create a tool that is fit for the future and rooted in intelligence and wider evidence about what drives health and wellbeing across the county.

The development of assets within the JSNA is a key priority. By focussing only on the “needs” of local communities we do not acknowledge the importance of the assets, or take account of the protective factors and strengths within individuals and across communities. This should incorporate practical skills, capacity and knowledge of residents and the networks and connections in a community. In short it should cover:

- Where we live
- Our services
- Our community

We are building assets into the JSNA and you will see them throughout this report.

The JSNA is now part of Durham Insight which is a shared intelligence, research and knowledge base for County Durham, informing strategic planning across Durham County Council and its partners. This site includes in-depth JSNA and insight factsheets, health needs assessments, health equity audits and lots of topic based intelligence including infographics, maps and story maps. New intelligence content is regularly added, and the site is continuously being developed and improved. [www.durhaminsight.info](http://www.durhaminsight.info)



During 2019 recent additions to Durham Insight include JSNA factsheets on Special Educational Needs and Disabilities (SEND), and Children Looked After (CLA) plus the development of a vulnerable children’s landing page and infographics to support our new Primary Care Networks (PCNs).

The JSNA, along with the use of evidence and local conversations, helps us to focus on the most important issues for the Taylor family and our communities across County Durham.



## Where we live, our services, our communities

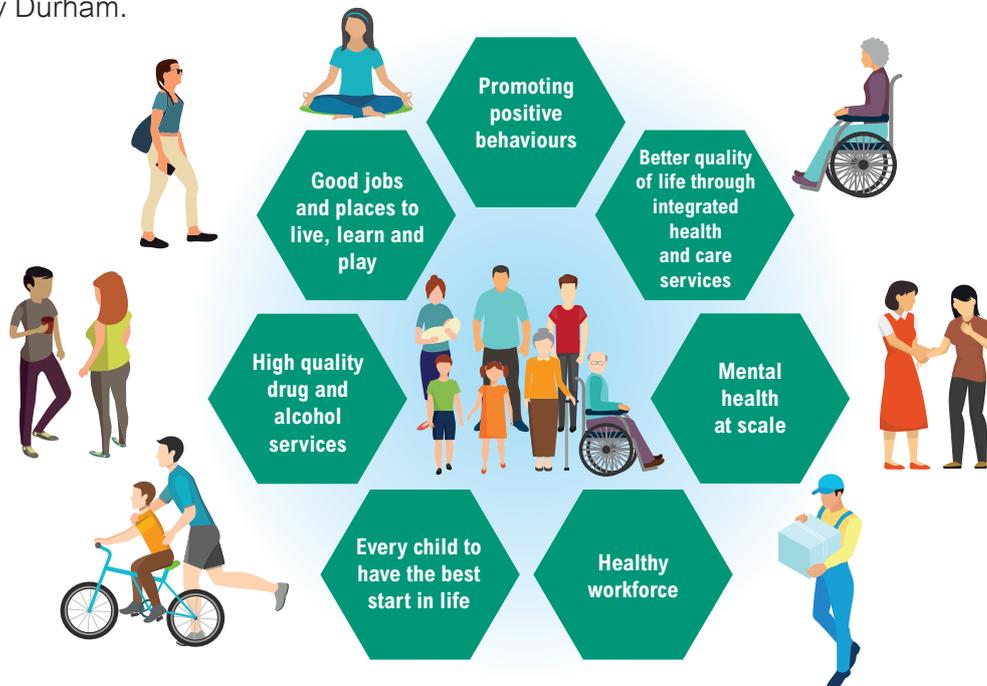
The many challenges to health and wellbeing were highlighted in my 2018 report. The emphasis on mental health and wellbeing in this year's report also reminds us we have a long way to go. However, County Durham also has many assets that can support and protect health, some of these are set out below:



\*A Cree is County Durham's version of Australia's Men's Shed. Crees aim to engage with those at risk of suicide by tackling social isolation and self-harm through skill-sharing and informal learning to promote social interaction. Although Crees were originally aimed at men, some have developed for women and young people.

## Update on Public Health priorities and actions

In my first annual report I identified seven key public health priorities for the Taylor family and local communities to lead healthier lives. These were based on the Joint Strategic Needs Assessment (JSNA) but also evidence of ‘what works’ to make a difference. A recommendation from 2018 was to implement the actions for each priority working with partners across County Durham.



### Good jobs and places to live, learn and play

#### Action

- 1 To develop health standards for private landlords to implement.
- 2 Older people to have support to ensure their homes are warm and safe and not at risk of fuel poverty.
- 3 Set out a plan to restrict the increase in take-away food.

#### Progress

- 1 Linked with housing colleagues to incorporate health priorities and standards within the new housing strategy.
- 2 Identified the most vulnerable older people with respiratory illness to access home improvements and financial advice. This contributes to benefits in health, a warmer home environment and protection against fuel poverty.
- 3 Published our ‘Working towards a healthy weight in County Durham’ (2018) to guide planning and licensing including hot food takeaways.

### Every child to have the best start in life

#### Action

- 1 All schools in County Durham working towards healthy schools with emphasis on mental health.
- 2 Provide dedicated support for women smoking while pregnant and include support for their partners.
- 3 Introduce breastfeeding friendly venues.
- 4 To understand the health and wellbeing needs of children with special educational needs and disability.

#### Progress

- 1 Worked with schools to understand the health and wellbeing needs of children and young people. An improvement plan is being piloted across County Durham from Autumn 2019.
- 2 Made changes to services after listening to mothers and partners to understand their needs to stop smoking during pregnancy.
- 3 155 local businesses are now signed up to the Breastfeeding Friendly County Durham scheme.
- 4 We have a much clearer understanding of the needs of children and young people with Special Educational Needs and Disability (SEND) in County Durham. A health needs assessment has been completed and this will inform our work moving into 2020.

## High quality drug and alcohol services

### Action

- 1 To support people needing help with our new drug and alcohol service.
- 2 To work with families to help them with drug and alcohol issues.
- 3 Promote awareness about sensible levels of alcohol intake.

### Progress

- 1 Increased our focus on the physical and mental health needs of those with drug and alcohol problems with a particular focus on women.
- 2 To be more family focused and flexible to the individual needs of families we have reshaped services to improve outreach support within our local communities.
- 3 Making alcohol unit guidelines more visible through work with licencing.

## Promoting positive behaviours

### Action

- 1 Introduce the Active 30 to help children to become more active.
- 2 Reducing exposure to second hand smoke.
- 3 Increase awareness about the risks of alcohol.



### Progress

- 1 150 schools have pledged to provide children and young people with up to 30 minutes of fun physical activities every day in school.
- 2 The danger of second hand smoke is now part of all training delivered to people who work with families (this includes brief intervention training for midwives, health visitors and staff in children and family settings).
- 3 Reviewed and developed our partnership response to tackling and reducing harmful drinking through local campaigns such as *what's the harm*.

## Better quality of life through integrated health and care services

### Action

- 1 To encourage people to have the flu vaccination.
- 2 To work with health and social care organisations to integrate services to improve quality of life.
- 3 Support people to get involved in local social and physical activities to reduce social isolation.

### Progress

- 1 Established a County Durham and Darlington Flu Board to promote flu immunisation and protect people most at risk from flu.
- 2 Worked towards and actively promoted integrated services including our work within the Joint Strategic Needs Assessment (JSNA).
- 3 Continue to fund local social activities and groups including Ways to Wellbeing, Crees/Men's Sheds, Area Action Partnerships (AAP) projects and Macmillan Joining the Dots. We are working with GP practices to develop link worker roles to support the most vulnerable in our communities.



### Mental health at scale

Mental health is a focus for this annual report see pages 10-12.



### Healthy workforce

Healthy workforce is a focus for this annual report see pages 13-15.

## What our work has meant for the Taylor family

The Taylor family is a fictional County Durham family that I introduced in my 2018 report. The challenges they face represent the key health and wellbeing issues across County Durham.



### John and Sarah

2018

- John is in a low paid job and worries about money especially with a new baby on the way.
- Sarah is pregnant and has been drinking quite a lot to cope.
- They live in a privately rented house.
- John and Sarah are smokers.
- Strong sense of family and support for one another.
- John enjoys his job and has some great friends. He coaches at the local football team.
- Sarah is very caring and spends time helping out at Olivia's school.
- Sarah and John provide a loving, safe home for Olivia and Callum and keep in touch with Dan.

A year ago

### Dan

2018

- Dan is Sarah's son from a previous relationship.
- He was doing well at school but felt under pressure to do better and ended up dropping out of school.
- He has been staying at a friend's house on the sofa and taking drugs to fit in with his friends.
- Dan enjoys physical activity and runs on a regular basis.

A year ago



### Jean and George

2018

- Their house is always cold and damp and George was very ill with the flu last winter.
- Both struggle to move around their home safely.
- Jean has just had a fall and can no longer care for George.
- They often feel isolated from their community.
- Jean until recently volunteered at the knit and natter group, teaching others to knit.
- George enjoys researching his family history.

A year ago



### Callum and Olivia

2018

- Callum has a learning disability and Olivia is overweight.
- They both eat lots of fast food and play video games for hours after school.
- Callum receives good support in school.

A year ago

The work carried out over the last year will have started to make a difference to our local communities. Some priorities will take a long time to change and I hope you can see how the Taylor family have started to improve their health and wellbeing along with where they live, learn, work and play. We have made a commitment to test every decision we make in terms of the impact it will have on families such as the Taylors.

### Good jobs and places to live, learn and play



- John's employer is working to achieve the Better Health at Work Award, this has changed the culture in the workplace enabling John to be more confident to discuss his mental health.
- Dan has a part time lifeguarding job and is also studying part-time for an NVQ.
- Jean and George have received help to improve the energy efficiency in their home.

### High quality drug and alcohol services

- Dan has accessed services for his drug misuse. This support together with the responsibilities he has in his role as lifeguard has helped him to stay drug free.
- Sarah stopped drinking alcohol in early pregnancy with the support from her local children's centre.

### Better quality of life through integrated health and care services

- Jean and George are finding it increasingly difficult to get out and about. An Area Action Partnership (AAP) funded car scheme helps them to travel to their classes.
- Jean and George have both taken up their free flu vaccination.
- Jean is showing signs of early dementia.
- Jean and George feel more connected to their community and are making new friends at their local classes.

### Every child to have the best start in life

- Callum lacks confidence and his parents are finding it hard to understand how best to support his future needs in school and at home.
- Olivia is a healthy weight and has joined a brownie group to try and make more friends.
- Sarah suffered with post-natal depression and struggled to breastfeed.
- Due to the demands on Sarah's time, Sarah has not made all appointments for Charlie. Charlie is not up to date with all vaccinations.



### Promoting positive behaviours

- Callum and Olivia's school has signed up to the Active 30 pledge and Callum and Olivia are enjoying being more active.
- John and Sarah both gave up smoking but unfortunately John started again as he was worried about the security of their home.
- Charlie is gaining weight and developing at a normal rate.
- John was worried he was drinking too much, so he has cut down on his alcohol intake during the week.



## Mental health at scale

### In my 2018/19 report I said we would:

- Support small businesses to take action about mental health, and train staff to become mental health first aiders;
- Get involved in Time to Change to reduce stigma and discrimination due to mental health.

County Durham has been one of 14 places across England to be part of a national programme of work called prevention at scale. In County Durham we chose a focus on mental health, prevention of suicide and tackling stigma and discrimination.

There was already a huge amount of work taking place across the county to improve mental health via a partnership group. This included work with children and young people, suicide prevention, crisis care, dementia and resilient communities.

This work, while very challenging, has also seen success in 2019 including a £1 million mental health trailblazer bid for children's mental health. Mental health at scale has enabled us to build on all of that and encourage more people to talk about mental health.



### Why is this important?

The figures below highlight the size of our challenge, and why we should not accept this situation. Participation in the mental health at scale programme allowed us to use national expertise and local knowledge and experience to begin to tackle some of the systemic challenges across County Durham.



## During this time, we have:

- Worked with businesses and organisations across County Durham partnership, including:



- These organisations have come together to help reduce the stigma and discrimination associated with mental health and to make it easier for people to talk about mental health. This includes training for staff, supporting Time to Change and ensuring support is available for staff in the workplace.
- Most of our businesses in County Durham are small or medium sized and they employ a significant proportion of our workforce. Working with Business Durham and the Federation of Small Businesses we have engaged a large network of employers and are using local knowledge to advise and help co-ordinate our approaches to improve mental wellbeing to ensure a consistent approach across all of our workforces.
- We have worked with Business Durham and its networks to find out how we can continue to support small and medium businesses to reduce mental health stigma and discrimination and achieve and sustain good mental health amongst their staff.



## Behavioural insights

We worked with students (aged 14-16) and men (aged 40-49) to gather their opinions, perspectives and thoughts on mental health stigma. Interviews were also held with professionals working in this area, so that we could learn more about the challenges they face and the success that they experience in their work. This learning highlighted the stigma that exists and how we require collective efforts to promote and protect mental health, provide help and support for those who need it, and a concerted effort to actively challenge stigma itself, to begin to make a difference. This learning has been fed through key mental health groups to inform their current practice and plans.



## Working with County Durham Time to Change Hub to tackle stigma and discrimination

Being part of mental health at scale has helped us to talk about mental health. On World Mental Health Day 2018, the County Durham Partnership held an event where Durham County Council and Pioneering Care Partnership signed the Time to Change employer pledge showing our commitment to change how colleagues think and act around mental health in the workplace. On Time to Talk day, in February 2019, senior leaders and staff across all areas from Durham County Council championed good mental health and endorsed our wide-ranging approach to improve good mental health. All partners committed to working towards the Time to Talk Employer Pledge.

**The Time to Change Employer Pledge is a commitment to changing the way we all think and act about mental health in the workplace.**



Time to Talk day, was also celebrated across County Durham. Time to Talk aims to encourage people to talk about mental health and opening up about their experiences, helping to diminish some of the stigma around mental health. A range of campaigns were run across County Durham in workplaces and community centres, which encouraged people to talk about mental health.

In March 2019, County Durham was successful in becoming a funded Time to Change Hub, enabling us to make positive progress in tackling mental health stigma and discrimination. The hub is co-ordinated by 'Investing in Children', a well-established partner of Durham County Council. Hub Champions have been visible at many events across the county including the Trimdon Community Festival, County Durham Children and Young People's Emotional Wellbeing Network, County Durham's Mental Health Provider Forum and a County Durham Volunteer's celebration event to raise awareness of issues around mental health stigma and discrimination.

### How has this work benefitted the Taylors

John has become a Mental Health First Aider (MHFA) at work. This will help him access the support he needs and help him to offer support to his family and work colleagues, directing them to support services.

During his MHFA training, John learned about the stigma and discrimination that is often experienced by those who have had problems relating to anxiety, depression or due to stress of work or home life. As a result, people are less likely to talk about these issues with work colleagues, managers or their employers. John's employer has signed the Time to Change employer pledge to commit to changing the way everyone in the workplace thinks and acts about mental health. He has noticed posters and information around his work and is hoping that he will be able to use his new skills in MHFA if they are needed.

John feels his MHFA training has helped him to support Sarah through her postnatal depression.



## Healthy Workforce

### In my 2018/19 report I said we would:

- Support organisations to promote the wellbeing of their staff;
- Reach more organisations with our Better Health at Work award;
- Support a range of marketing campaigns to promote health and wellbeing.

Whilst a good working environment is good for health, a bad working environment may contribute to poor health. Effective prevention approaches at work can not only promote better mental health but also help avoid some of the immediate substantial costs of absenteeism and presenteeism that are associated with poor mental health.

### Why is this important?

We know that good work is vital for people's health and wellbeing, impacting both directly and indirectly on the individual, their families and communities.

Healthier, active and engaged employees are more productive and have lower levels of sickness absence and presenteeism. Organisations that take a positive, proactive approach to mental health can benefit from:

- Attracting the best talent;
- More engaged and motivated staff;
- Retaining staff, with less turnover;
- Reduction in absence;
- Improved professional reputation.

### Poor mental health can have a large impact on a business, we know that nationally:



During 2018, and linked to mental health at scale, we have embedded mental health in the Better Health at Work Award (BHAWA). Equipping staff with the knowledge and skills to improve mental health and wellbeing and prevent mental illness and suicide is a specific recommendation within the NHS Five Year Forward View for Mental Health and Public Health England's (PHE) Public Mental Health Leadership and Workforce Development Framework.

The Better Health at Work Award gives a framework for workplace health. The award asks businesses to promote campaigns and deliver interventions and activities to promote positive health. 11 local authorities across the North East region support the delivery of the award.



The  
Better Health  
at Work Award

### The award is a scheme which is available to all businesses

Pioneering Care Partnership oversees the County Durham BHAWA on behalf of the council. County Durham has 63 businesses currently registered on the scheme (the highest in the region). A variety of businesses ranging from voluntary organisations to large manufacturers and business sizes are involved in the award:

- **Small** (1-49 employees) – **17** businesses (27%)
- **Medium** (50-250 employees) – **28** businesses (44%)
- **Large** (250+ employees) – **18** businesses (29%)

### Achievements 2018-2019 for the County Durham BHAWA:

- **13** new businesses recruited;
- **56** workplaces received mental health training;
- Over **320,000** contacts with a health campaign in a County Durham workplace e.g., stress and mental health, drug and alcohol awareness, stop smoking, healthy eating etc;
- **12** businesses achieved bronze status;
- **8** businesses achieved silver status;
- **6** businesses achieved gold status;
- **16** businesses achieved combined excellence.



Monitoring and evaluation of the award has shown that the participating businesses have reported:

- Reduced absenteeism;
- Increased productivity;
- Increased staff engagement.

This also has a direct influence on physical, mental, financial and social wellbeing of employees and their families.



## Across County Durham, businesses have introduced mental health activities into their workplace in excellent and innovative ways

**Hitachi** ran a campaign to raise awareness of their mental health first aiders (MHFA) by giving them t-shirts as part of their uniforms which had 'don't bottle it up' on the back. This made it clear who the MHFAs were and to raise awareness of mental health.

**Learning Curve** mental health campaign included each employee being given a lollipop stick with a message on it. The message might be to 'hold a door open for a colleague', 'ask someone how they are', 'talk to someone you don't know'.

**Pioneering Care Partnership** encourage staff to go on walking meetings or take phone calls where appropriate outside in the garden.

### Durham County Council

Workforce health and wellbeing is a strategic priority for the council with over 8000 staff, the majority of which live in County Durham. Staff wellbeing is vital to the smooth running of day to day business and delivering the best service to our residents.

A comprehensive approach across the authority has included senior figures championing mental health at work. Mental health awareness training has been delivered through all levels of management to almost 1000 staff. There are over 100 mental health first aiders and over 80 Time to Change Champions tackling stigma and discrimination. Our commitment to improving mental health has led to us signing the Time to Change Employer Pledge.

### Durham County Council's work towards the BHAWA in 2019 includes:

- ✓ **1124** classes attended including yoga, pilates, metafit and get creative;
- ✓ **430** staff receiving cancer awareness training;
- ✓ **243** staff members participated in Dry January;
- ✓ **180** staff receiving financial wellbeing training;
- ✓ Over **80** personal pledges made for mental health awareness week.

### How has this work benefitted the Taylors

John's employer has applied for the Better Health at Work Award and is promoting healthy eating and the benefits of physical activity to improve employee health. As a result, John has tried some of the healthy food options at work and has enjoyed cooking them at home with Sarah.

John has admitted that he worries about the family finances. Durham Savers delivered a financial wellbeing workshop at his team meeting. John intends to save money through the Credit Union and in future borrow from them, providing him with a low-cost lender and a financial safety net. John has supported Dan in seeking support and counselling for his mental health.



## Recommendations

This report has provided an insight into the work across County Durham to support people to be able to talk about mental health and wellbeing.

We still have a long way to go to make a long term change to those who feel isolated, depressed or in a crisis. The work set out in this report is just the beginning. However, if we keep talking and working with our local people about mental health, we will make a difference.

Following the information presented in my report this leads to a number of recommendations we will take forward next year.

### Mental health at scale recommendations

1. Increase the number of organisations involved in our collective approach to workforce development on mental health.
2. Take a proactive approach to reaching more small and medium sized businesses.
3. Continue our focus on Time to Change and tackling stigma and discrimination by more employers signing the Time to Change Employers Pledge and support the Time to Change Hub.



### Healthy workforce recommendations

1. Help create healthy workforces across County Durham by ensuring alignment with key strategies such as the County Durham Joint Health and Wellbeing Strategy.
2. Attract more businesses to participate and achieve the Better Health at Work award.
3. Encourage and support progress through Better Health at Work award levels.



The priorities identified and the work to achieve change are aligned to the County Durham Vision 2035 and will also support the refresh of the Joint Health and Wellbeing Strategy for County Durham.





### **What is coming up in future annual reports**

In my next annual report I will focus on the following public health priorities:

#### **2020**

- Every child to have the best start in life;
- Good jobs and places to live, learn and play.

#### **2021**

- High quality drug and alcohol services;
- Better quality of life through integrated health and care services;
- Promoting positive behaviours.



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