



**North East  
Derbyshire**  
District Council

Our Ref: NC/AJD  
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Date: Friday, 30 August 2019

To: **All Members of the Council**

You are summoned to attend a meeting of the Council to be held on **Monday, 9 September 2019 at 3.00 pm in the Council Chamber**. District Council Offices, 2013 Mill Lane, Wingerworth, Chesterfield, S42 6NG.

**Please note that a number of parking spaces will be reserved for Member use on the day of the meeting.**

Yours sincerely

A handwritten signature in cursive script, reading "Sarah Steenberg".

Joint Head of Corporate Governance and Monitoring Officer

## **PLEASE NOTE:**

**1 For Members' information the following room arrangements have been made for Group Meetings prior to this Council meeting:**

Labour Group	-	Executive Meeting Room
Conservative Group	-	Council Chamber
Liberal Democrat	-	Meeting Room 102A

**2 Members are requested to bring their laptops and iPads to the meeting where assistance will be provided to anyone who may require it in order to follow the meeting electronically.**

# **A G E N D A**

## **1 Apologies for Absence**

## **2 Declarations of Interest**

Members are requested to declare the existence and nature of any disclosable pecuniary interest and/or other interests, not already on their register of interests, in any items on the agenda and withdraw from the meeting at the appropriate time.

## **3 Minutes of Last Meeting (Pages 7 - 23)**

To approve as a correct record and the Chair to sign the attached Minutes of the Council meeting held on 8 July 2019.

## **4 Chair's Announcements (if any)**

As part of the Chair's Charity Appeal this year, Beryl Welburn from Sheffield Children's Hospital Parents Association of Children with Tumours and Leukaemia, (PACT) will be attending to give Members an insight into the work of the charity.

## **5 Armed Forces Covenant (Pages 24 - 29)**

To receive a presentation from Steve Lee, Strategic Partnership Co-ordinator, and to consider the report from Councillor M E Thacker MBE, Leader of the Council, on the Council's contribution to the Armed Forces Covenant, followed by a re-signing of the Covenant by the Leader of the Council.

## **6 Presentation - Derbyshire Law Centre**

To receive a presentation from Tony McIlveen and Lisa Haythorne from the Derbyshire Law Centre.

## **7 Public Participation**

In accordance with Council Procedure Rule No 8 to allow members of the public to ask questions about the Council's activities for a period up to fifteen minutes. The replies to any such questions will be given by the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

No questions have been submitted under Procedure Rule No 8 for this meeting.

## **8 To answer any questions from Members asked under Procedure Rule No 9.2**

In accordance with Council Procedure Rule No 9.2 to allow Members to ask questions about Council activities. The replies to any such questions will be given by the Chair of the Council or relevant Committee or the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

- (a) Question submitted by Cllr Ross Shipman to Cllr Martin Thacker MBE, Leader of the Council

*Does Councillor Thacker believe that ward members should be briefed of issues relating to their area before the media receive copies of any press releases about said issues?*

- (b) Question submitted by Cllr Suzy Cornwell to Cllr Barry Lewis, Portfolio Holder for Partnerships & Leisure

*Please could you inform the Council what the plans are for this administration to help people and communities in the District with their health and wellbeing?*

## **9 To consider any Motions from Members under Procedure Rule No 10**

In accordance with Council Procedure Rule No 10 to consider Motions on notice from Members. Motions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

- (a) Motion proposed by Cllr Ross Shipman

*“Council notes:*

*VE Day is a memorable day in our history marking the end of the Second World War. Friday, 8 May 2020 marks the 75<sup>th</sup> Anniversary of VE Day and local communities may wish to celebrate by organising events such as street parties across North East Derbyshire.*

*Some community events of national importance may require temporary road closures under the Town Police Clauses Act 1847, which North East Derbyshire charge £200 to administer.*

*Council agrees:*

*To waive the fee for road closures on Friday, Saturday and Sunday of VE Day weekend.*

*For officers to be given powers to waive such fees on other dates which have national significance where road closures may be needed.”*

- (b) Motion proposed by Cllr David Hancock

*“Council notes:*

*The Department of Health and Social Care definition of food poverty as “the inability to access or afford food to make up a healthy diet”.*

*The food poverty is a complex issue with many causes, that it can affect anyone, including many people who work and many families, even in apparently well off areas.*

*There is a growing problem of food insecurity in the UK, affecting as many as 8.4 million people, of which increasing reliance on food banks is one symptom.*

*The food banks in North East Derbyshire supply thousands of food parcels each year to local people.*

*The importance of local food systems and education in ensuring access to affordable sustainable and healthy food options.*

*Addressing food poverty may contribute to improving the health, wellbeing, education and independence of local residents; supporting the local food economy; and reducing environmental impacts.*

*Council therefore:*

*Commends the invaluable work done by local charities, churches and food banks in North East Derbyshire to support people facing food poverty and crisis.*

*Requests the Communities Scrutiny Panel to work with local organisations and develop recommendations for a Food Poverty Action Plan for North East Derbyshire.*

*Request that Cabinet initiate a Local Food Strategy for North East Derbyshire.”*

(c) Motion proposed by Cllr Alex Dale

*“This Council notes:*

*1 in 4 people will experience a mental health problem in any given year.*

*The World Health Organisation predicts that depression will be the second most common health condition worldwide by 2020.*

*Mental ill health costs some £105 billion each year in England alone.*

*People with a severe mental illness die up to 20 years younger than their peers in the UK.*

*This Council believes:*

*As a local authority we have a crucial role to play in improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.*

*Mental health should be a priority across all the local authority’s area of responsibility, including housing, community safety and planning.*

*All Councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing*



*mental health on an individual and strategic basis.*

*This Council resolves:*

*To sign the Local Authorities' Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, AMHP, Mind, Rethink Mental Illness, Royal College of Psychiatrists and Young Minds.*

*To commit to appoint an elected member as 'mental health champion' across the Council.*

*To identify a member of staff within the Council to act as 'lead officer' for mental health.*

*This Council will also:*

*Support positive mental health in our community, including in local schools, neighbourhoods and work places.*

*Work to reduce inequalities in mental health in our community.*

*Work with local partners to offer effective support for people with mental health needs.*

*Tackle discrimination on the grounds of mental health of our community.*

*Proactively listen to people of all ages and backgrounds about what they need for better mental health".*

**10     NEDDC Contribution to the VE Day 75th Anniversary Celebrations** (Pages 30 - 33)

To consider the attached report from Councillor M E Thacker MBE, Leader of the Council and Portfolio Holder for Overall Strategic Leadership.

**11     Council Plan** (Pages 34 - 76)

To consider the report from Councillor M E Thacker MBE, Leader of the Council, on the Draft Council Plan 2019-2023. All Members will have received a copy of this report as part of the agenda for the Cabinet meeting to be held on Thursday, 5 September 2019. The Cabinet's views and recommendations on the report will be reported verbally to Council.

**12     Draft Organisational Policies** (Pages 77 - 146)

To consider the attached report from Councillor A Dale, Deputy Leader of the Council and Portfolio Holder for Council Services on the appended Draft Organisational Policies:-

- (a)     Capability Policy
- (b)     Probation Policy
- (c)     Disclosure and Barring Service Policy

- (d) Learning and Development Policy
- (e) Smoke Free Policy

### 13 **Chair's Urgent Business**

To consider any other matter which the Chair is of the opinion should be considered as a matter of urgency.

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***We speak  
your language***

Polish  
***Mówimy Twoim językiem***

French  
***Nous parlons votre langue***

Spanish  
***Hablamos su  
idioma***

Slovak  
***Rozprávame Vaším  
jazykom***

Chinese  
**我们会说你的语言**

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**MINUTES OF COUNCIL MEETING HELD ON 8 JULY 2019**

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**NORTH EAST DERBYSHIRE DISTRICT COUNCIL**

**MINUTES OF THE MEETING OF THE COUNCIL**

**HELD ON 8 JULY 2019**

**Present:**

Councillor P Antcliff..... Vice Chair (in the Chair)

Councillor W Armitage

“ N Barker  
“ J Barry  
“ J Birkin  
“ K Bone  
“ P Bone  
“ S Clough  
“ A Cooper  
“ S Cornwell  
“ C Cupit  
“ A Dale  
“ L Deighton  
“ P Elliott  
“ A Foster  
“ M Foster  
“ J Funnell  
“ O Gomez-Reaney  
“ R Hall  
“ D Hancock  
“ E A Hill  
“ P A Holmes  
“ A Hutchinson  
“ M Jones

Councillor J Kenyon

“ P R Kerry  
“ B Lewis  
“ H Liggett  
“ G Morley  
“ S Pickering  
“ M Potts  
“ A Powell  
“ T Reader  
“ C Renwick  
“ J Ridgway  
“ M Roe  
“ K Rouse  
“ D Ruff  
“ R Shipman  
“ K Tait  
“ M E Thacker MBE  
“ R Welton  
“ N Whitehead  
“ P Windley  
“ B Wright  
“ P Wright

Also in attendance:-

D Swaine - Chief Executive  
K Hanson - Strategic Director (Place)  
S Sternberg - Head Corporate Governance & Monitoring Officer  
J Dethick - Section 151 Officer  
N Calver - Governance Manager

**86 Apologies for Absence**

Apologies for absence had been received from Councillors M Emmens, L Hartshorne, C D Huckerby, C Hunt, J Lilley and P Parkin.

**87     Declarations of Interest**

Members were requested to declare the existence and nature of any disclosable pecuniary interest and/or other interest, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no declarations of interest made at this meeting.

**88     Minutes of the Annual Council Meeting held on 20 May 2019**

**RESOLVED** – That the Minutes of the meeting of the Annual Council held on 20 May 2019 be approved as a correct record and signed by the Chair.

**89     Chair's Announcements**

The Vice Chair of the Council announced that the Chair of Council was unable to be present at the meeting as she was recovering from a broken leg. All Members present sent their best wishes for a speedy recovery.

The Vice Chair further announced that on behalf of the Chair she had attended an inaugural meeting at County Hall with the Chair of Derbyshire County Council and the Buxton Military Tattoo.

As the former Chair had been unable to attend the previous meeting of Council the Vice Chair took the opportunity to present Councillor J Ridgway with a book commemorating some of her memories from her year in office. She also expressed her thanks to Councillor J Ridgway for the good work and charity fund raising she had undertaken over the previous 12 months.

**90     Public Participation**

In accordance with Council Procedure Rule No 8 members of the public were allowed to ask questions about the Council's activities for a period of up to 15 minutes. The replies to any such questions will be given by the appropriate Cabinet Member. Questions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

No questions from the public had been submitted.

**91     Questions from Members under Procedure Rule No 9.2**

In accordance with Council Procedure Rule No 9.2 Members were permitted to ask the Chair of the Council or relevant Committee or the appropriate Cabinet Member questions about Council activities.

Two questions had been submitted by Members under Procedure Rule 9.2 for this meeting.

- (a) Question submitted by Cllr Tracy Reader to Cllr Martin Thacker MBE, Leader of the Council:-

*“In times of austerity and Council budgets being squeezed can the Leader of the Council tell us how much it is costing the Council to rebrand and to also redecorate the Council corridors”?*

Councillor T Reader was invited to ask her question of Councillor M E Thacker MBE as set out in the agenda for the meeting.

In responding to the question Councillor M E Thacker MBE advised that redecoration had taken place to areas of the Mill Lane building in accordance with the programme of repairs and maintenance of the building agreed and designated by the previous Administration. This was at a cost of £500.

Councillor M E Thacker MBE clarified that the Council had not be re-branded. Under the Labour Administration re-brand away from using the Council's Coat of Arms had incurred significant cost and also removed links to the Council's heritage. In re-adopting the branding of the Council using the Coat of Arms the Conservative Administration had restored the civic identity of the Council as established during re-organisation in the 1970s. Councillor M E Thacker MBE confirmed that a large Coat of Arms, that had been mounted at the previous Council building located at Saltergate, Chesterfield, had been abandoned during the move to Mill Lane in Wingerworth. This Coat of Arms had now been re-located to the Council building at a cost of £1,400. Re-adoption of the previous branding was taking place within existing resources and budgets.

#### SUPPLEMENTARY QUESTION

In exercising her right to ask a supplementary question of the Leader of the Council, Councillor T Reader queried whether the Leader considered the work undertaken to-date was value for money.

In his response the Leader of the Council expressed his view that the expenditure made to move the Coat of Arms to Mill Lane was a cost of rectifying a mistake made by the previous Administration.

- (b) Question submitted by Cllr Nigel Barker to Cllr Charlotte Cupit, Portfolio Holder for Environment:-

*“Given that the Local Plan process has been paused, what assurances can you give to the residents of North East Derbyshire that this will not lead to more opportunistic development in the District”?*

Councillor N Barker was invited to ask his question to Councillor C Cupit as the Portfolio Holder for Environment.

Councillor C Cupit in responding to his question advised that the pause in the Local Plan process would allow Members and Officers to take stock of the implications of the areas within the Plan that the Administration were

unhappy with and Council would be advised in due course of the next steps to be taken.

In regard to opportunistic development within the District, Councillor C Cupit advised that inappropriate developments had been sanctioned under the previous Administration and pausing the Local Plan was an opportunity to resolve this.

#### SUPPLEMENTARY QUESTION

In exercising his right to ask a supplementary question of Councillor C Cupit, Councillor N Barker made note to the diminishing weight that could be given to local plans in regard to planning cases caused by the pause in the Local Plan process. In her response Councillor C Cupit placed responsibility on the Labour Administration for the failure to put in place an adequate Local Plan for a number of years.

#### **92     Motions from Members under Procedure Rule No 10**

In accordance with Council Procedure Rule No 10 to consider Motions on Notice from Members. Motions must be received in writing or by email to the Monitoring Officer by 12 noon seven clear working days before the meeting.

(a)     Motion proposed by Councillor R Shipman and seconded by Councillor D Hancock

*“Council notes:-*

- *That the impacts of climate breakdown are already causing serious damage around the world.*
- *That the ‘Special Report on Global Warming of 1.5°C’, published by the Intergovernmental Panel on Climate Change in October 2018, (a) describes the enormous harm that a 2°C average rise in global temperatures is likely to cause compared with a 1.5°C rise, and (b) confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector.*
- *That all governments (national, regional and local) have a duty to act, and local governments that recognise this should not wait for their national governments to change their policies.*
- *That strong policies to cut emissions also have associated health, wellbeing and economic benefits.*
- *That, recognising this, a growing number of UK local authorities have already passed ‘Climate Emergency’ motions.*

*Council therefore resolves to:-*

- *Declare a 'Climate Emergency' that requires urgent action.*
- *Make the Council's activities net-zero carbon by 2030.*
- *Achieve 100% clean energy across the Council's full range of functions by 2030.*
- *Make use of the newly announced grant scheme administered by the Forestry Commission; which can fund the implementation of a tree planting scheme to help reduce air pollution and carbon emissions across North East Derbyshire.*
- *Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2030.*
- *Support and work with all other relevant agencies towards making the entire area zero carbon within the same timescale.*
- *Ensure that political and Chief Officer leadership teams embed this work in all areas and take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council's activities, ensuring that any recommendations are fully costed and that the Executive and Scrutiny functions review council activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline.*
- *Request that Council Scrutiny Panels consider the impact of climate change and the environment when reviewing Council policies and strategies.*
- *Work with, influence and inspire partners across the District, County and region to help deliver this goal through all relevant strategies, plans and shared resources by developing a series of meetings, events and partner workshops.*
- *Request that the Council and partners take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future.*
- *Request that the Executive Portfolio Holder with responsibility for Climate Change convenes a Citizens' Assembly in 2019 in order to involve the wider population in this process. This Group would help develop their own role, identify how the Council's activities might be made net-zero carbon by 2030, consider the latest climate science and expert advice on solutions and to consider systematically the climate change impact of each area of the Council's activities.*
- *Set up a Climate Change Partnership Group, involving Councillors, residents, young citizens, climate science and solutions experts, businesses, Citizens Assembly representatives and other relevant*



*parties. Over the following 12 months, the Group will consider strategies and actions being developed by the Council and other partner organisations and develop a strategy in line with a target of net zero emissions by 2030. It will also recommend ways to maximise local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy.*

- Report on the level of investment in the fossil fuel industry that our pensions plan and other investments have, and review the Council's investment strategy to give due consideration to climate change impacts in the investment portfolio.*
- Ensure that all reports in preparation for the 2020/21 budget cycle and investment strategy will take into account the actions the Council will take to address this emergency.*
- Call on the UK Government to provide the powers, resources and help with funding to make this possible, and ask local MPs to do likewise.*

*Consider other actions that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of buildings, in particular to address fuel poverty, proactively using local planning powers to accelerate the delivery of net carbon new developments and communities, co-ordinating a series of information and training events to raise awareness and share good practice”.*

In presenting his motion to Council, Councillor R Shipman advised that he had contacted every member of the Council two months previous with details of the motion to be put today. He advised that two weeks in advance of the meeting the Leader had requested a discussion, during which, an agreement on the content of the motion could not be found. Therefore there were two motions on the agenda for consideration that contained similar principles but with some significant differences.

In particular, he made note of the second motion promoting gas fire boilers which he did not consider reflective of a motion promoting renewable energy. In addition Councillor R Shipman's motion promoted a shift to zero carbon by 2030 whilst the second motion put forward aimed to reduce carbon emissions by 80%.

The Liberal Democrat motion put forward promoting recycling, planting trees and wild flower gardens and inspired ideas to help deliver an ambitious target.

In seconding the motion Councillor D Hancock advised that whilst 2030 was only a short time away it would be the starting point to move swiftly forward on this agenda.

Councillor T Reader offered an amendment to the motion as follows:-

**AMENDMENT**

“That Council notes:-

- ***THE CONTENT OF THE COMMITTEE ON CLIMATE CHANGES REPORT INTO THE NECESSARY INCREASE IN TREE PLANTATION REQUIRED TO ACHIEVE NET ZERO CARBON EMISSIONS BY 2050.***
- ***THAT CLIMATE CHANGE IS AN ISSUE WHICH TRANSCENDS PARTY POLITICS AND REQUIRES EVERYONE TO WORK TOGETHER.***

The Council resolves to:-

- ***REPLACE SEASONAL PLANTING IN MAINTAINED PUBLIC SPACE AREAS WITH EVERGREEN PLANTING, INCLUDING WILDLIFE/POLLINATING/SEASONAL AND PERENNIAL FLOWERING PLANTS.***
- ***ADOPT THE COMMITTEE ON CLIMATE CHANGES MINIMUM PLANTATION COVERAGE OF 17% INTO THE LOCAL PLAN AS A MINIMUM PUBLIC OPEN SPACE PLANTATION REQUIREMENT FOR ALL HOUSING ALLOCATION DEVELOPMENTS.***
- ***FORM AN ALL PARTY SCRUTINY COMMITTEE TO MONITOR, TO PROPOSE NEW INITIATIVES, AND TO WORK WITH MEMBERS OF THE PUBLIC, THIRD PARTY ORGANISATIONS AND CLIMATE SPECIALISTS TO ENSURE THAT THE COUNCIL DELIVERS AGAINST ITS TARGETS.***

In seconding the amendment, Councillor N Barker advised that the Labour Group believed these were actions needed and pledged their support for the Climate Change Action Plan.

Councillor C Cupit spoke to compare both motions put before the meeting, advising that the principles within and the sentiment was applaudable, however, the first motion itself was considered too broad with the second motion focusing on North East Derbyshire directly advising on how it would realistically be achieved and monitored.

The second motion tied in with national and regional priorities and there was a clear action plan devised (as set out later in the agenda) on how this would be delivered.

In speaking on the amendment Councillor D Hancock advised that no motion put could have a full delivery plan worked out and he supported the amendment put and the timescales set out in Councillor R Shipman's motion.

Councillor J Kenyon supported the premise of the motion put and the amendment, including declaring a climate emergency. However, in regard to the targets set within he advised that should the Council set a zero target it

would need to employ carbon off-setting methods such as tree planting, however, this did not necessarily promote reducing emissions as in theory all could be off-set through mitigating methods. Within the second motion targets had been set for reduction which was deemed to be more effective in the long run.

*At this point Councillor J Barry left the meeting.*

In supporting Councillor J Kenyon's points, Councillor A Dale advised that the Conservative Group, whilst they supported the sentiments within Councillor R Shipman's motion, could not in all good faith agree to targets that could not be achieved. Further, Councillor B Lewis advised that setting 2050 targets would ensure that the Authority would align with resources that would be made available from Central Government to deliver against targets.

Members discussed the reasoning why an agreement on one single motion had not arrived prior to the meeting and after a lengthy debate it was noted that agreement could not be found between the political groups on this matter.

In accordance with Council Procedure Rule 14.4 a recorded vote was requested by Councillors N Barker, J Barry (prior to her departure) and T Reader.

For the amendment – 16

(Councillors N Barker, J Birkin, S Cornwell, D Hancock, E A Hill, P Holmes, M Jones, P R Kerry, G Morley, S Pickering, T Reader, J Ridgway, K Rouse, R Shipman, P Windley and B Wright)

Against the amendment – 1

(Councillors W Armitage)

Abstentions – 28

(Councillors P Antcliff, K Bone, P Bone, S Clough, A Cooper, C Cupit, A Dale, L Deighton, P Elliott, A Foster, M Foster, J Funnell, O Gomez-Reaney, R Hall, A Hutchinson, J Kenyon, B Lewis, H Liggett, M Potts, A Powell, C Renwick, M Roe, D Ruff, K Tait, M Thacker MBE, R Welton, N Whitehead and P Wright).

The amendment was CARRIED.

The amendment was duly agreed as the substantive Motion, and, in accordance with Council Procedure Rule 14.4 a recorded vote on the substantive motion was requested by Councillors E A Hill, T Reader and N Barker.

For the Motion – 16

(Councillors N Barker, J Birkin, S Cornwell, D Hancock, E A Hill, P Holmes, M Jones, P R Kerry, G Morley, S Pickering, T Reader, J Ridgway, K Rouse, R Shipman, P Windley and B Wright)

Against the motion – 27

(Councillors P Antcliff, W Armitage, K Bone, P Bone, S Cough, C Cupit, A Dale, L Deighton, P Elliott, A Foster, M Foster, O Gomez-Reaney, R Hall, A Hutchinson, J Kenyon, B Lewis, H Liggett, M Potts, A Powell, C Renwick, M Roe, D Ruff, K Tait, M Thacker MBE, R Welton, N Whitehead and P Wright)

Absentions – 2

(Councillors A Cooper and J Funnell)

The motion was **DEFEATED**.

(b) Motion proposed by Councillor C Cupit:-

*“This Council notes that climate change is one of the biggest threats facing our world and recognises that changing human behaviour to confront the danger to our planet and secure a sustainable, healthy and prosperous environment for us and for future generations to continue to enjoy. To confirm our commitment to this challenge, this Council declares a climate and ecological emergency.*

*In recognising this urgency for change and to lead the way with positive action for the transformation of our District and wider area, this Council therefore resolves to:-*

- *Adopt a Climate Change Action Strategy with immediate effect that includes action planning.*
- *Adopt all targets set out in the Council Climate Change Action Plan and achieve at least an 80% reduction in our carbon emissions by 2030.*
- *Implement a monitoring system and reporting mechanisms as set out in the Climate Change Plan, and establish a Climate Change Council Sub-Group of cross-party membership (chaired by the Council’s Climate Change Portfolio Holder), which will also consider all necessary future actions as required.*
- *Promote and embed sustainable and energy efficient practices, buildings, workplaces and transport across our organisation and services with the target of 100% clean energy by 2030.*
- *Continue to harness our Streetscene Teams and planning processes to protect and enhance our natural environment, stimulate biodiversity and nurture our wildlife and pollinators.*
- *Introduce a communication strategy, organise community action events, establish ‘Climate Change Schools’ conferences, and work with our partners, businesses, schools, communities and other Councils to promote behavioural change, and develop new ideas and co-ordinated responses to climate change and plastic pollution.*

*In accepting the above initial steps, this Council also endorses the ongoing close review of, and a dynamic approach to, our climate change strategy to capitalise on new opportunities and technologies, and thereby continue to influence and inspire positive change in the local and wider areas”.*

In putting forward her motion on the Climate Change Emergency Councillor C Cupit announced that she was presenting her motion alongside the Climate Change Action Plan to agree evidence based solutions to the pressing issues on climate change along with setting achievable targets.

She advised that both the action plan and the motion was a starting point which would require continual review and building on achieved targets. The plan itself would be open to development of renewable energy and a pledge for the Council to work with partners and stakeholders to champion issues such as eco homes. It was clear that a behavior change was required for the Council and for the District as a whole in order to achieve the targets set.

Councillor C Cupit wanted the Council to recognise the impact on biodiversity and the ecological impact of the use of carbon, including declines in species and ensuring that land was more sustainable. Education on this matter was imperative within schools as well as businesses, this Authority and the wider community.

In the seconding the Motion Councillor J Kenyon noted a lack of progress over the previous few years nationally on this matter. He felt that the Authority could lead the way with local businesses as well as looking internally.

Councillor N Barker spoke on behalf of the Labour Group to support the action plan associated with the Motion and applaud the work put into it. He expressed the wish to work cross party on its delivery.

Councillor D Hancock offered an amendment to the Motion at the second bullet point to state:-

#### AMENDMENT

*“Adopt all targets set out in the Council’s Climate Change Action Plan and achieve **100%** reduction in our carbon emissions by 2030”.*

Councillor M Thacker MBE seconded Councillor D Hancock’s amendment and also offered a further amendment, which was:-

#### FURTHER AMENDMENT

*“To adopt all targets set out in the Council’s Climate Change Action Plan and **AIM TO** achieve 100% reduction in our **NET** carbon emissions by 2030”.*

After the amendment to the amendment was duly seconded a recorded vote was taken where the amendment was AGREED.

Members discussed renewable energy sources such as water power and adding value to waste. Councillor J Ridgway requested for consideration to be given to a requirement for trees to be replanted when felled for planning reasons. Councillor P Windley also requested for provision to be made for the protection of hedgehogs.

In accordance with Council Procedure Rule 14.4 a recorded vote was requested by Councillors Angelique Foster, O Gomez-Reaney and M Foster.

For the Motion – 45

(Councillors P Antcliff, W Armitage, N Barker, J Birkin, K Bone, P Bone, S Clough, A Cooper, S Cornwell, C Cupit, A Dale, L Deighton, P Elliott, A Foster, M Foster, J Funnell, O Gomez-Reaney, R Hall, D Hancock, E A Hill, P Holmes, A Hutchinson, M Jones, J Kenyon, P R Kerry, B Lewis, H Liggett, G Morley, S Pickering, M Potts, A Powell, T Reader, C Renwick, J Ridgway, M Roe, K Rouse, D Ruff, R Shipman, K Tait, M Thacker MBE, R Welton, N Whitehead, P Windley, B Wright and P Wright)

Against the Motion – 0

Abstentions – 0

The Motion was **CARRIED**.

**RESOLVED** – That Council:-

- *Adopt a Climate Change Action Strategy with immediate effect that includes action planning.*
- *Adopt all targets set out in the Council Climate Change Action Plan and aim to achieve at least a 100% reduction in our carbon emissions by 2030.*
- *Implement a monitoring system and reporting mechanisms as set out in the Climate Change Plan, and establish a Climate Change Council Sub-Group of cross-party membership (chaired by the Council's Climate Change Portfolio Holder), which will also consider all necessary future actions as required.*
- *Promote and embed sustainable and energy efficient practices, buildings, workplaces and transport across our organisation and services with the target of 100% clean energy by 2030.*
- *Continue to harness our Streetscene Teams and planning processes to protect and enhance our natural environment, stimulate biodiversity and nurture our wildlife and pollinators.*
- *Introduce a communication strategy, organise community action events, establish 'Climate Change Schools' conferences, and work with our partners, businesses, schools, communities and other Councils to*

*promote behavioural change, and develop new ideas and co-ordinated responses to climate change and plastic pollution.*

- (c) Motion proposed by Councillor D Hancock and seconded by Councillor P Windley:-

*“Council notes:-*

- The content of Procedure Rules 8.3 and 9.6 – restricting the number of questions per elector and per elected Member to one (plus one supplementary question) per Council meeting.*
- That, during the last two years, there have been only eight questions submitted under Procedure Rule 8 and seven questions submitted under Procedure Rule 9.*
- That questions occasionally require a written response.*

*The Liberal Democrats believe that these restrictions are an unnecessary obstacle in regard to the transparency and accountability of the Council, and that the number of questions submitted historically does not present any legitimate logistical reason for imposing any restriction.*

*The Liberal Democrats also believe that all responses to public questions should be recorded in the public domain, whether the response is given verbally or in writing.*

*Council resolves to:-*

- Delete Procedure Rules 8.3 and 9.6 from its Constitution and to publish all written responses to questions as appendices to the minutes of the meeting”.*

Councillor D Hancock proposed his Motion to Council stating that the restrictions within the Constitution were unnecessary. Councillor P Windley duly seconded the Motion.

Councillor A Dale expressed his sympathy with the aims of the motion and that, in tune with the recent pledges for greater openness within the Council’s democratic processes, he agreed that written responses should be evidenced within Minutes in order to give assurance to all that those responses had been issued within a timely manner.

In regard to questions to Council he felt that the proposed changes required further consideration. As questions at Council had a time limit imposed if all questions were allowed it may be that not all could be answered. This may not improve the openness and transparency the Council were hoping for. Other aspects such as order of questions needed more thought and therefore the following amendment was proposed:-

**AMENDMENT**

“Council resolves to:-

- **IMPLEMENT WITH IMMEDIATE EFFECT THE PUBLICATION OF** *all written responses to questions as appendices to the Minutes of the relevant meeting.*
- **CONSIDER THE DELETION** *of Procedure Rules 8.3 and 9.6 from its Constitution* **AND FOR THIS SUGGESTION TO BE REFERRED TO THE STANDARDS COMMITTEE FOR DISCUSSION AND EXPLORATION AS PART OF THE ONGOING REVIEW OF THE CONSTITUTION”.**

The amendment was duly seconded by Councillor A Foster and supported, in theory, by Councillor N Barker on behalf of the Labour Group. Councillor D Hancock also understood the logic behind the amendment put and gave his support.

On being put to the vote the amendment was agreed as the substantive Motion and a further vote concluded that the Motion be **CARRIED**.

**RESOLVED:-**

- (1) That the publication of all written responses to questions as appendices to the Minutes of the relevant meeting be implemented with immediate effect.
- (2) Consideration of deletion of Procedure Rules 8.3 and 9.6 from the Constitution to be referred to the Standards Committee for discussion and exploration.
- (d) Motion proposed by Councillor P Windley to Councillor C Cupit, Portfolio Holder for Environment & Climate Change

“Council notes:-

- *Public concerns regarding the frequency of fly-tipping reports around the District.*
- *The provisions within The Control of Waste Regulations 2015 permitting the seizure, and the right for Local Authorities to apply to the Court for the destruction of any vehicle involved in fly-tipping.*

*Council believes, based on the effectiveness of this enforcement in other parts of the country that adopting such stringent measures would have a positive effect in North East Derbyshire.*



*Council resolves to enforce the penalty provisions within the remit of The Control of Waste Regulations 2015 to their maximum extent in order as a deterrent to prospective fly-tippers in order to ultimately reduce the Council's cost of clearing up after such incidents".*

Councillor P Windley put her Motion to Council which was duly seconded by Councillor R Shipman. Councillor A Dale expressed his support for the Motion and advised that he had been a long term advocate for serious action in relation to fly tipping. He did, however, raise some issues to give consideration to such as the rights of appeal, storage of vehicles, partnership working with the police and the environmental impact. He therefore made a proposal for amendments to the Motion as follows:-

#### AMENDMENT

*"That Council notes:-*

- *Public concerns regarding the frequency of fly tipping reports around the District **AND THE UNACCEPTABLE LACK OF ADEQUATE LACK OF ENFORCEMENT IN RECENT YEARS.***
- *The provisions within the Control of Waste Regulations 2015 permitting the seizure and the right of local authorities to apply to the Court for the destruction of any vehicle involved in fly tipping.*

*Council believes, based on the effectiveness of this enforcement in other parts of the Country that adopting such stringent measures **COULD** have a positive effect in North East Derbyshire.*

*Council resolves to **EXPLORE THE PRACTICAL IMPLICATIONS OF HOW IT COULD** enforce the penalty provisions within the remit of the Control of Waste Regulations 2015 to their maximum extent in order as a deterrent to prospective fly tippers in order to ultimately reduce the Council's cost of clearing up after such incidents.*

***THIS WILL BE CONSIDERED AS PART OF A WIDER REVIEW OF ENFORCEMENT WHICH HAS ALREADY COMMENCED UNDER THE NEW ADMINISTRATION. THE REVIEW WILL ALSO CONSIDER THE MANY WAYS IN WHICH THE COUNCIL CAN PROACTIVELY DETER FLY TIPPING, INCLUDING THE USE OF OTHER PENALTY MEASURES, IMPROVED SURVEILLANCE, PUBLICITY AND COMMUNICATIONS, EDUCATIONAL CAMPAIGNS AND BETTER PARTNERSHIP WORKING".***

The amendments put were duly seconded by Councillor C Cupit.

On responding to the amendment Councillor N Barker advised the previous administration did take fly tipping seriously and advised that the fly tipping incidents within the District were less than in other local areas. He did highlight the cost to action increased control over fly tipping which would need to be evaluated against the reward for taking such measures.

Councillor D Hancock, in responding to the amendments, agreed with all amendments bar those set out in the third paragraph. He requested for Councillor A Dale to withdraw that amendment, which was declined.

On being put to the vote the amendment was agreed as the substantive motion and a further vote concluded that the motion be carried.

**RESOLVED:-**

- (1) It be noted that there is concern within the public regarding the frequency of fly tipping reports around the District and the unacceptable lack of adequate enforcement action in recent years.
- (2) That the provisions within the Control of Waste Regulations 2015 be noted.
- (3) The practical implications be explored of how the authority can enforce the penalty provisions within the remit of Control of Waste Regulations 2015 to their maximum extent.
- (4) That this be considered as part of a wider review of enforcement that has already commenced and which would include the many other ways in which the Council could proactively deter fly tipping, including the use of other penalty measures, improved surveillance, publicity and communications, educational campaigns and better partnership working.

**93     Climate Change Action Plan 2019-30**

Council considered a report of Councillor C Cupit, Portfolio Holder for Environment, which sought approval of the proposed Climate Change Action Plan 2019-30, which formed part of the Council's Transformation Programme.

As outlined earlier in the meeting the ambition of the Plan was to achieve 80% carbon reduction measured against our 2014 base line by 2030. This target, whilst ambitious, was realistic given the challenges and the Authority's capabilities. With this in mind, the action plan and targets within would be reviewed regularly with a comprehensive review undertaken annually for the lifetime of the Plan. The Plan would change and flex as new opportunities arose which may support, and most likely further, the ambition for carbon reduction.

The Leader of the Council, Councillor M Thacker MBE, thanked officers for their excellent work on developing the Plan which had great potential and tied in with not only the Conservative manifesto but agreed targets at a County, regional and national level. He further wished to offer his thanks to the Partnerships Co-ordinator for his work on projects associated with this.

Councillor T Reader echoed positive comments about the report and for the officer time dedicated to developing it, as well as their guidance under the previous Administration.

RESOLVED – That proposed Climate Change Action Plan 2019-30 be adopted.

**94     Scrutiny Annual Report 2018/19**

Council considered the Annual Report submitted by the Overview and Scrutiny Committees which provided examples of the work undertaken during the previous municipal year, the current Scrutiny Reviews that were underway, and the plan for the forthcoming year.

RESOLVED – That the Overview and Scrutiny Annual Report be accepted.

**95     Draft Pay Policy Statement 2019/20**

Council considered a report of Councillor A Dale, Deputy Leader and Portfolio Holder for Council Services, which asked Council to consider and approve for publication the draft Pay Policy Statement attached as Appendix 1 to the report.

Members noted that the Pay Policy Statement for the Council had now been reviewed and updated for 2019/20 and included the application of the recently approved pay award, agreed nationally for 2019/20.

RESOLVED – That the Pay Policy Statement 2018/19 attached as Appendix 1 to the report be approved.

**North East Derbyshire District Council**

**Council**

**9 September 2019**

**NEDDC Contribution to the Armed Forces Covenant**

**Report of Councillor M E Thacker MBE JP, Leader of the Council**

This report is public

**Purpose of the Report**

- To inform Members of the Council's contributions towards the delivery of the Armed Forces Covenant for Derbyshire.

**1 Report Details**

1.1 Since 2012, when it first signed the "Charter of Respect for our Armed Forces," the Council has been committed to working with partners to support the Armed Forces Community residing in the District. The Armed Forces Community are those currently in service, reservists, people of working age who have left the Armed Forces, those who have performed National Service, veterans beyond retirement age and the dependents of these individuals. The Armed Forces Covenant is based upon two key principles:-

- no member of the Armed Forces Community should face disadvantage in the provision of public and commercial services compared to any other citizen;
- in some circumstances, special treatment may be appropriate for the injured or bereaved.

1.2 The Council is member of the Derbyshire Covenant Partnership, meeting regularly with other local authorities, statutory agencies, and Armed Forces charities and representative groups. Originally established to consider applications to the Armed Forces Covenant Fund, the partnership now focuses on sharing best practice, identifying services, barriers to engagement and developing initiatives which benefit the Armed Forces Community within the county. The Partnership is currently commissioning a research project into Armed Forces Community needs in Derbyshire and developing a countywide action plan which will identify the activities planned to meet these needs.

1.3 To address issues raised by residents from the Armed Forces Community the approach taken by the Council is that officers and teams from the appropriate services use their respective specialisms and experience. This ensures that experts in their field work to resolve issues rather than employing specific Armed Forces Community caseworkers, which is a greater challenge to current resources.

- 1.4 The Council's Partnership Strategy Team undertakes a co-ordination and external partnership representative role for the Covenant work, working with other agencies to map the needs within the Armed Forces Community to help inform how services are shaped and delivered. To inform this the Team has worked closely with the Communications Team to develop a web page, newsletters, flyers and articles in The News to publicise the support of the Council and other service providers.
- 1.5 It is nationally recognised that identifying and engaging with the Armed Forces Community can be very difficult, which has been the Council's experience despite working with the Royal British Legion, SSAFA, Forces in the Community and the Departments of Work and Pensions. With support from the Revenues Team in 2017 and 2019 the Council distributed flyers with Council Tax correspondence to every household within the District, encouraging the Armed Forces Community to register for support and information from local agencies and charities and explain their specific needs. To date over 70 individuals have registered.
- 1.6 The Council's Home Improvement Co-ordinator has visited many of these households, recognising that through discussion there may be other opportunities for providing support. Historically support has included working with SSAFA (the Soldier, Sailor, Air Force Association) to use their funds to help a Holmewood tenant get a mobility scooter and a private tenant in Clay Cross to install mobility adaptations in an upstairs flat. Since spring 2019, as well as undertaking an energy audit for each household visited, examples of support to date includes:-
- One new boiler via the Warm Homes Fund
  - One person signposted to bereavement support
  - One household given a fire safety check and fire alarms installed by Derbyshire Fire & Rescue Service
  - Two referrals to Citizen's Advice
  - Three Trusted Trader Advice sessions
  - Three households supported on addressing damp and mould
  - Four referrals for Disabled Facilities Grants via the occupational therapists.
- 1.7 Those registered for information also receive periodic newsletters or information which may be of interest (electronically unless requested otherwise), such as dates for the quarterly Armed Forces Community Hub which is facilitated by the DWP and usually held at Chesterfield Town Hall or the Proact Stadium in Chesterfield. The Hub offers information and support on employment, volunteering, housing, health and wellbeing, funding and includes representation from forces welfare charities.
- 1.8 Another area of support developed by the Partnerships and Customer Services Team is the establishment of a dedicated e-mail address and telephone number, the latter linking directly to a script for Contact Centre Staff to allow them to signpost the caller to the most appropriate department or service provider to address their needs. Training was supplemented by the Armed Forces Covenant for Front Line Workers online training system developed by Warwickshire County Council.
- 1.9 An example of where the Council's approach of providing support by specialist officers who understand their procedures in detail is in Housing Options, where a Housing Options Officer (Homelessness Prevention) worked with the Regimental Casualty Officer for the Grenadier Guards to help an ex-serviceman suffering with

post-traumatic stress disorder (PTSD) to find a house after he was threatened with homelessness. Due to the urgency of the case temporary accommodation was offered until a permanent council house was found shortly afterwards.

- 1.10 Whilst the Council focuses much of its work on consistently quality service for all residents, there are some areas where policy frameworks make additional provision for the Armed Forces Community. For example, the Council's Choice Based Lettings Allocation Policy gives reasonable prioritisation to Armed Forces personnel, such as waiving the "district connection," enabling Armed Forces families (which includes widowed families) to automatically go to band 2 ("urgent need"), whilst adult children in Armed Forces families are allocated a bedroom each (rather than the expectation of sharing). Additionally, NEDDC provides an extra week's paid leave for Armed Forces Community employees for military training as well as the potential for additional unpaid leave for Armed Forces duties subject to the needs of the service.
- 1.11 To inform opportunities for policy developments, the Council engages wherever possible with the Ministry of Defence and Service support charities, whether responding to ministerial consultations or attendance at national and regional policy development networks such as East Midlands Armed Forces Symposium.
- 1.12 The Council has also taken a lead in honouring decorated service personnel and the wider remembrance of the sacrifices made by local residents. In October 2017 a commemorative stone was laid at Killamarsh war memorial to observe the 100<sup>th</sup> anniversary of Killamarsh-born Fred Greaves' award of the Victoria Cross in World War One for 'most conspicuous bravery, initiative and leadership.' Working closely with the Parish Council, Killamarsh Heritage Society, local traders and the local branch of the Royal British Legion, a public service and reception was organised, where the Victoria Cross was displayed and commemorative beer shared.
- 1.13 More recently, in December 2018 the Democratic Services Team arranged a civic ceremony at the Council offices to celebrate the award of France's highest honour – the Legion d'Honneur – to Grassmoor resident Jack Parrott, in recognition of his efforts during the Normandy invasion on D-Day. The Council also commemorated the centenary of the end of the Great War by displaying four life sized "Tommy" silhouettes at the Council offices and leisure facilities, in remembrance of the men and women from North East Derbyshire who have fallen whilst serving their country.
- 1.14 Since May 2019 the Council has achieved a number of actions which will be recorded as part of the District's contribution to the Armed Forces Covenant Action Plan for Derbyshire that is currently in development and will be overseen by the countywide Covenant Partnership. These actions include:-
  - Corresponding with the Minister for Housing and Homelessness and Minister for Defence People and Veterans, to identify opportunities for further assistance to the Armed Forces Community and their support organisations;
  - Council Chair and Leader representation at local events including the Buxton Military Tattoo and Staveley Armed Forces Weekend in July 2019 and officer attendance at the Derbyshire SSAFA Annual General Meeting;

- Achieving the Bronze Award in the Ministry of Defence's Employer Recognition Scheme (ERS). This awards organisations that pledge, demonstrate or advocate support to defence and the armed forces community, and align their values with the Armed Forces Covenant;
- Registering dedicated pages on the Forces Families Jobs website, a dedicated site for training and employment opportunities for family members of currently serving UK military personnel  
(<http://forcesfamiliesjobs.jobboard.com/recruiter-directory/north-east-derbyshire-district-council/103/>);
- Commencing discussions with the Clay Cross Army Cadet detachment regarding the establishment of an annual Civic Cadet role, who will accompany the Council Chair to various events throughout the civic calendar.

1.15 With long-standing personal connections to local Armed Forces organisations and charities, Cllr Martin Thacker MBE has been appointed as the Council's Armed Forces Champion. As Council Leader he is in the position to provide Authority-wide leadership to service and policy development which will meet the needs of the Armed Forces Community within North East Derbyshire wherever possible.

1.16 As stated in the 2019-23 Council Plan, the Council has pledged to review its contribution to the Armed Forces Covenant for Derbyshire within the District. Re-signing the document at the meeting will re-emphasise the Council's commitment to the Covenant and the local Armed Forces Community.

1.17 Within the resources available officers will continue to develop the Council's offer to the Armed Forces Community in terms of services offered, communication of support to residents and harnessing funding and partnership opportunities within the resources available.

## **2 Conclusions and Reasons for Recommendation**

2.1 The Council is committed to the Armed Forces Covenant for Derbyshire and the actions and services identified emphasise this commitment to the local community.

## **3 Consultation and Equality Impact**

3.1 Mechanisms for consulting with the Armed Forces Community have been established which allow for the development of appropriate support.

## **4 Alternative Options and Reasons for Rejection**

4.1 By not developing its promotion and access to the services, the Council would miss the opportunity to clearly show how it is meeting its commitment to the Armed Forces Covenant for Derbyshire.

## 5 **Implications**

### 5.1 **Finance and Risk Implications**

- 5.1.1 Financial support towards the Council's Armed Forces Covenant support is currently met from existing resources.

### 5.2 **Legal Implications including Data Protection**

- 5.2.1 Records of individuals registered for Armed Forces Community updates and support are compliant with all data protection legislation.

### 5.3 **Human Resources Implications**

- 5.3.1 Staff support is met from existing resources.

## 6 **Recommendations**

- 6.1 That Council notes the activities undertaken to date to support the delivery of the Armed Forces Covenant for Derbyshire and the planned activities for the future.
- 6.2 That Council approves the re-signing of the Armed Forces Covenant for Derbyshire, to highlight its commitment to the Armed Forces Community within the District.

## 7 **Decision Information**

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000 <input type="checkbox"/></i> <i>Capital - £150,000 <input type="checkbox"/></i> <i>NEDDC: Revenue - £100,000 <input type="checkbox"/></i> <i>Capital - £250,000 <input type="checkbox"/></i> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>Has the relevant Portfolio Holder been informed</b>	No
<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	All



## 8 Document Information

Appendix No	Title
NA	NA
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
NA	
Report Author	Contact Number
Steve Lee Strategic Partnership Co-ordinator Partnerships Strategy	01246 21(7512)

AGIN 5 (COUNCIL 0909) 2019 – Armed Forces Covenant/AJD

**North East Derbyshire District Council**

**Council**

**9 September 2019**

**NEDDC Contributions to the VE Day 75<sup>th</sup> Anniversary Celebrations**

**Report of Councillor M E Thacker MBE JP, Leader of the Council**

This report is public

**Purpose of the Report**

- To advise Members of the Council's planned contributions to the celebration of the 75<sup>th</sup> anniversary of VE (Victory in Europe) Day.

**1 Report Details**

- 1.1 VE Day is a significant event in the nation's history. The 75<sup>th</sup> Anniversary provides an opportunity for communities to recognise the sacrifice and efforts of those who either served in the Armed Forces or made significant contributions closer to home.
- 1.2 Friday 8th May 2020 has been designated by the Government as a Bank Holiday to enable as many local authorities, communities, voluntary organisations and businesses to celebrate the 75<sup>th</sup> Anniversary of VE day. A national programme of events over the VE Day weekend of the 8<sup>th</sup>-10<sup>th</sup> May 2020 is being led by the Queen's Pageantmaster Bruno Peek LVO OBE OPR and organisations are encouraged to register their participation at the official website ([www.veday75.org](http://www.veday75.org)) and explain what activities they will be undertaking.
- 1.3 The Council has registered its commitment to the programme via the Queen's Pageantmaster and is beginning to work with partners to develop events within the District which reflect the recognition of the actions of North East Derbyshire residents during the Second World War and celebrate the anniversary of peace in Europe. The Council is aware of preparations being made within a number of Parishes to hold events on the Friday and Sunday of the Anniversary weekend and plans are therefore being developed to focus on Saturday 9<sup>th</sup> May 2020, which has been scheduled by the Pageantmaster as day for celebrations and parties.
- 1.4 Two civic events will be held within the District, one in a northern Parish and one in a southern Parish, working closely with the respective Parish Councils. It is envisaged that one event will take place in the morning and the second in the afternoon, to enable invited dignitaries to attend both events. Whilst plans are at an early stage it is likely that as well as celebrations involving local community members and groups there will be a civic service with a piper, local standard bearers and also cadet branches in attendance. Further information about the events will be publicised as programmes develop.

- 1.5 Due to the national importance of the Anniversary weekend it is likely that local groups and communities within the District will also wish to hold their own celebrations and the Council may be asked to support the publicity and facilitation of these events (such as waiving fees for temporary road closure fees for street parties which meet all requirements of the existing road closure policy). It is proposed that only requests from local VE Day 75<sup>th</sup> Anniversary celebration events officially registered on the Pageantmaster's website are considered for such support, as they will be working to meet the nationally identified aims and aspirations for the celebrations.
- 1.6 It is recognised that other dates of national significance may generate requests for waiving fees for temporary road closures, as currently granted by the Council for Remembrance Day or Royal Weddings. It is therefore important that the Council is clear about what constitutes as a date of national celebration to ensure that any applications for waived fees are consistently considered by officers. A protocol is being prepared that outlines the reasons for which the Council would support the waiving of fees.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 The Council is committed to the Armed Forces Covenant for Derbyshire and participation in the VE Day 75<sup>th</sup> Anniversary celebrations and support to activities would emphasise this commitment to the local community.
- 2.2 There may be occasional differences in political and social perceptions amongst the community, Members and officers as to what constitutes as a date of national significance which would warrant the consideration of waiving fees for temporary road closures. Due to potential sensitivities it is not felt appropriate to delegate authority to define these dates to officers. To ensure that officers are consistent in their consideration of applications to waive such fees it is appropriate that formal Council recognition is agreed for what constitutes a date of national significance for celebration. Consideration of the dates against the protocol could be given at Council meetings as they are announced throughout the year, recognising that some dates cannot be anticipated.

## **3 Consultation and Equality Impact**

- 3.1 Equality Impact Assessments will be undertaken for the events organised by the Council.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 By not supporting official events for the VE 75<sup>th</sup> Anniversary the Council would miss the opportunity to clearly show how it is meeting its commitment to the Armed Forces Covenant for Derbyshire.

## **5 Implications**

### **5.1 Finance and Risk Implications**

- 5.1.1 Financial support for organising the events will be met from existing resources.

5.1.2 Requests for waiving of temporary road closure charges for officially registered VE Day 75<sup>th</sup> Anniversary events and events on other dates of national celebration as usually indicated by Government may incur a cost to the Authority.

5.1.3 Risk assessments will be undertaken for the events organised by the Council.

## **5.2 Legal Implications including Data Protection**

5.2.1 There are no arising legal or data protection implications.

## **5.3 Human Resources Implications**

5.3.1 Staff support towards organising the Council's events and publicising other officially registered events within the District will be met from existing resources.

## **6 Recommendations**

6.1 That Council notes the plans to celebrate the VE Day 75<sup>th</sup> Anniversary.

6.2 That Council approves to support the publicity and waiving of road closure fees for officially registered VE Day 75<sup>th</sup> Anniversary celebration events within the District.

6.3 That Council approves the establishment of a list of dates of national significance for celebration for the civic year, to be confirmed at the next Council meeting and then reviewed on a regular basis as dates arise. This will inform officers of which dates to consider for waived fees for temporary road closures.

## **7 Decision Information**

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC:      Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC:   Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>Has the relevant Portfolio Holder been informed</b>	No
<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	All

## 8 Document Information

Appendix No	Title
NA	NA
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
NA	
Report Author	Contact Number
Steve Lee Strategic Partnership Co-ordinator Partnerships Strategy	01246 21(7512)

AGIN 10 (COUNCIL 0909) 2019 – VE Anniversary Celebrations/AJD

**North East Derbyshire District Council**

**Cabinet**

**5 September 2019**

<b>Council Plan 2019-2023</b>
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**Report of Councillor M E Thacker MBE, Leader of the Council**

This report is public

**Purpose of the Report**

- To present the draft Council Plan 2019-2023 to Cabinet and request that it is recommended to Council for adoption.

**1 Report Details**

- 1.1 The Corporate Plan 2015-2019 has come to the end of its lifespan. On 13th March 2019, the (then) Cabinet received a report entitled 'Corporate Plan 2015-2019 Statement of Delivery'. The report acknowledged the end of the Corporate Plan period and confirmed that development of a new Plan would take place after the Local Elections in May 2019 with transition arrangements put in place in the interim.
- 1.2 Following the Local Elections, the new Cabinet received a report on 13th June 2019 confirming that a new Corporate Plan (to be known as the Council Plan) would be developed forthwith. Development of a draft plan commenced immediately. The draft Council Plan as attached at Appendix 1.
- 1.3 Formal consultation on the draft Council Plan commenced 22nd July 2019 and ran until 23rd August 2019. A copy of the consultation timetable is attached at Appendix 2 of this report. The consultation consisted of a short questionnaire which was available online or in paper versions (large print, braille, alternative language versions etc. available on request). The following methods of publicising the consultation were used:
  - The summer edition of The NEWS (circulated to all 45,000 homes within the District)
  - Press release to local media
  - Council websites and social media accounts
  - Ask Derbyshire website
  - Rykneld Homes website and social media
  - Plasma screens in receptions at the Mill Lane Office and leisure centres
  - Employee extranet site

- Posters in receptions in Mill Lane office, leisure centres, Rykneld Homes, within the offices at Mill Lane and on Parish and Town Council noticeboards. Paper copies were also available through these organisations
- Strategic Alliance Management Team
- Senior officers (workshop and individual contributions)
- Service Managers (Email and individual contributions)
- Members (Email and individual contributions)
- Parish and Town Councils (event and individual contributions)
- The North East Derbyshire Citizens' Panel (Mailed/emailed)
- Trade Union representatives
- Communications with Rykneld Homes
- Communications with partner organisations and stakeholders (Mailing, email and individual contributions).

- 1.4 A total of 219 completed questionnaires were received during the consultation period. A summary of the consultation report is attached at Appendix 3. The report will be published on the Ask Derbyshire website in due course. There has been high levels of support for the aims and priorities within the draft Plan. The results showed that the vast majority of respondents agreed that the commitments listed would help us to achieve each of the four aims (85% agreed for Aim One, 79% for Aim Two, 78% for Aim Three and 78% for Aim Four).
- 1.5 Following adoption of the Council Plan, monitoring of progress will begin and will be reported quarterly. All data relating to the targets will be included in the Council's performance management system (PERFORM). The Council will also receive an Annual Report on progress. Individual departments will also develop their own Service Plans to complement the Council Plan once approved.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 Following an extensive period of consultation the proposed Council Plan 2019-2023 is presented to Cabinet prior to submission to Council for formal adoption.

## **3 Consultation and Equality Impact**

- 3.1 The timetable of internal and external consultation has been developed and followed. A copy of this timetable has been attached at Appendix 2 of this report together with a copy of the consultation report at Appendix 3.
- 3.2 In addition, an Equality Impact Assessment has been developed and updated as part of the consultation. This is attached at Appendix 4. Within the Council Plan, specific priorities have been included to ensure equality and diversity is embedded into the work of the Council.

## **4 Alternative Options and Reasons for Rejection**

- 4.1 The consultation responses show that the aims and priorities within the draft Plan have received broad support. All responses have been considered and those concerning more operational matters or suggestions for service improvements will be shared with departments for consideration and further action where appropriate. The

Plan has therefore been progressed to Cabinet for recommendation to Council for adoption.

## **5     Implications**

### **5.1     Finance and Risk Implications**

- 5.1.1 The Council Plan will ensure that the Council has a clear set of priorities over the next four years and will enable performance to be monitored and measured throughout this period.
- 5.1.2 The Plan does not contain financial details. These will be provided through the regular financial monitoring processes for the Council and will also be presented through the Council's Medium Term Financial Plan.

### **5.2     Legal Implications including Data Protection**

- 5.2.1 There are no legal or data protection implications in the development of the corporate plan.

### **5.3     Human Resources Implications**

- 5.3.1 Employees and the trade unions have been consulted in relation to the draft Council Plan.
- 5.3.2 There are no direct human resource implications in the development of the Council Plan. Specific targets have been included that support employees within the workplace.

## **6     Recommendations**

- 6.1 That Cabinet notes the development of the Council Plan 2019-2023 (together with the results of the formal consultation) and recommends it to Council for adoption.
- 6.2 That any minor amendments to the Council Plan 2019-2023 can be made by the Joint Strategic Director of Place in consultation with the Leader prior to submission to Council.



## 7 Decision Information

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>Has the relevant Portfolio Holder been informed</b>	Yes
<b>District Wards Affected</b>	Not applicable
<b>Links to Corporate Plan priorities or Policy Framework</b>	All

## 8 Document Information

Appendix No	Title
1	Draft Council Plan 2019-2023
2	Council Plan Consultation Timetable
3	Consultation Report
4	Equality Impact Assessment
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Karen Hanson Joint Strategic Director – Place	7053





**North East  
Derbyshire**  
District Council

# **Council Plan**

2019 - 2023



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# Foreword

**North East Derbyshire is brimming with history, culture and heritage that we need to protect and embrace.**

It is our responsibility to work with partners, towards a shared aspiration for North East Derbyshire to be the best area and the best Council.

We value our heritage and all of the District's key features such as areas of natural beauty and historical interest. That's why we have put protecting our Green Belt, promoting our tourism assets, encouraging Neighbourhood Plans and reducing our carbon footprint at the heart of our Plan.

It's vitally important we do all this whilst listening to what our local residents want and responding to their needs.



*Cllr Martin Thacker MBE  
Council Leader*

Our core business is to provide good quality services, fit for the 21st century. We will do this by transforming our services and reviewing our property portfolio, whilst maintaining a balanced budget and making sure you receive value for money through the Council Tax you pay.

None of what we are trying to achieve can be delivered in isolation. We recognise the combined expertise and knowledge that our partners, our communities and our employees bring when delivering improved outcomes across the District. This is integral to the planning and delivery of local services.

With the clear strategic direction set out in this plan, we will create a successful and sustainable district and will support people and communities to fully realise their ambitions.

**Cllr Martin Thacker MBE,  
Council Leader**

# About North East Derbyshire

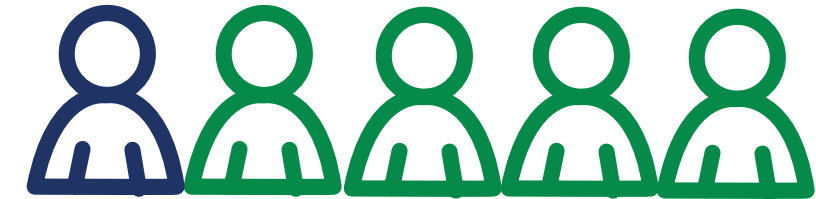
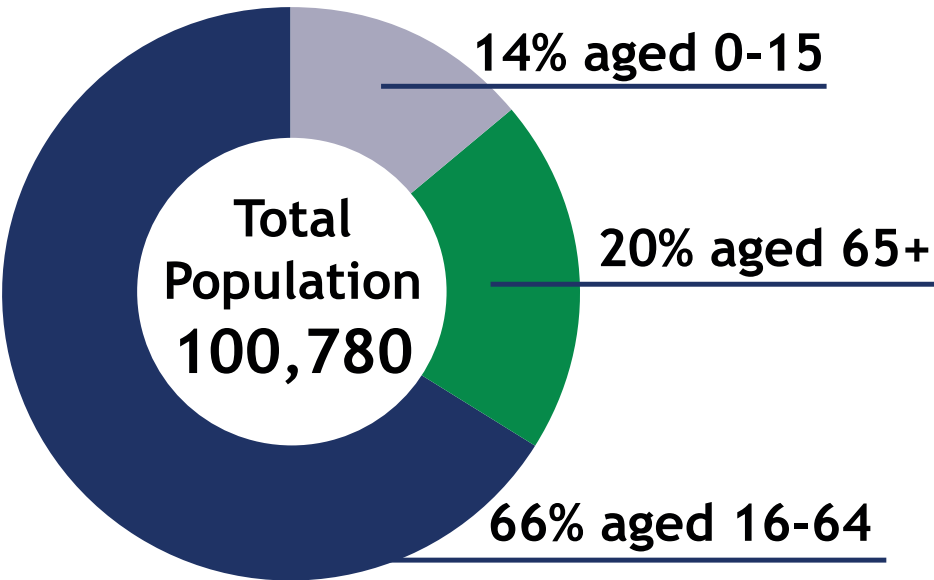
North East Derbyshire is a largely rural area, set within one of the most picturesque counties in England, and forms part of the border of the historic Peak District.

A district of contrasts, from thriving urban settlements to beautiful rural villages and countryside. It covers almost 258 sq kilometres with the main centres being Clay Cross, Dronfield, Eckington and Killamarsh.

It has excellent national rail and road links, with close proximity to other regional towns and cities providing local residents with employment and leisure opportunities, and attracting day visitors.

The District has a rich rural leisure infrastructure and includes a country park in Grassmoor, Linacre Reservoirs nature area, greenways, and four Local Nature Reserves.

It has a business base of over 4,000 businesses with micro enterprises (under 10 employees) forming the majority. The District is also home to some large nationally recognised businesses.



1 in 5 residents have some day-to-day activity limitation

# About the Council

Empties **1,630** litter and dog waste bins each week (84,760 annually).



Recycles **18,890** tonnes of waste each year (2018/19) = 47%.

Cleanse **702** miles of streets each year on varying daily, weekly, monthly and quarterly frequencies.



Undertake collection of **3,349,897** household, black, burgundy, green wheeled bins each year.

Maintain **3,873,592m<sup>2</sup>** (387Ha) of green open space, parks, playing fields and housing areas each year.



Processes over **740** Housing Benefit and **1,650** Council Tax Support applications each year.



Revenues and Benefits answers over **58,500** telephone calls and deals with over **3,500** face-to-face customers each year.

Customer Services answers **59,000** calls and around **10,000** visitors each year.



Own **7,793** Council housing units.

Over **1,000** businesses effectively supported by the Council by giving advice and networking events.



Runs **3** Leisure Centres which together receive over **740,000** visits per year.



# Our Vision

*North East  
Derbyshire is:*

- *Clean and attractive*
- *A place where people are proud to live and work*
- *A place where people will prosper*
- *A place where people will feel safe, happy and healthy*

# Our Values

- Honest, open and accountable
- Treat everyone fairly and with respect
- Listen, involve and respond
- Embrace change and innovation



# Our Aims

- Enhancing our residents' quality of life
- Protecting and promoting the Character of our District
- Delivering high quality cost effective services by engaging with our residents, our partners and our staff
- Growing our local economy and being a business friendly District

*Providing value  
for money for  
our residents,  
businesses and  
visitors*

## Managing our finances

We are committed to providing excellent well-managed services that are efficient and meet residents' needs.

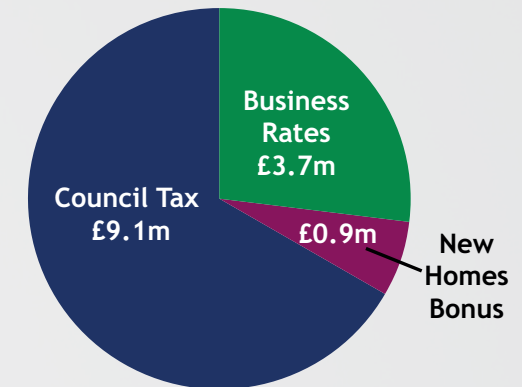
To do this we will spend every penny we receive wisely and fairly, while ensuring value for money.

We have already pledged to freeze our share of the Council Tax bill for 2020/21, while a line-by-line budget review will ensure our residents get the most for their money.

Our Audit Committee regularly monitors and scrutinises our budgets to ensure any spending decisions are made with value for money in mind.

We've inherited a Council with budget constraints, but despite this, we will ensure we manage the financial legacy

Where does the  
money come from?



we've been left with, to deliver the best possible services for residents.

A strong and effective culture of financial management across the Council will enable us to deliver a balanced budget, together with measures to reduce the underlining level of expenditure while maintaining standards of service.

We will continue to work to ensure this progress is maintained throughout the life of the Council Plan against the background of a challenging financial environment for local government.





## Enhancing our residents' quality of life

# Our Residents

### Providing a range of leisure facilities for our communities

- Provide high quality services throughout the District
- Work with communities to tackle issues such as childhood obesity and lack of exercise

### Engage better with our communities

- Undertake a review of the Council's website and use of social media
- Use technology to connect Communities with our staff

### Improving our housing

- Improve housing stock condition
- Promote home ownership
- Review capital investment and rental income
- Actively seek to prevent homelessness

### Protecting the most vulnerable within our communities

- Support care leavers, children in care and tackle childhood poverty
- Work with partners to improve well-being and mental health services across the District
- Review and re-launch the Armed Forces Covenant
- Develop an Older People's Strategy
- Adopt the British Sign Language Charter

### Help communities address local issues and concerns

- Develop and promote a Community Action Grants Fund
- Enable local action by empowering and supporting local volunteers and organisations
- Work with Parish and Town Councils to maximise local control over local issues





## *Protecting and promoting the character of our District*

# Our Environment

### *Protect the character of our District*

- Undertake a review of the Local Plan and the proposed sites within the Green Belt
- Work with our communities to encourage the delivery of Neighbourhood Plans
- Enhance planning enforcement activity to address environmental crime

### *Tackle climate change*

- Develop and deliver a climate change and carbon reduction strategy
- Continuously review our operations and facilities to meet our carbon reduction pledge
- Work with residents and businesses to reduce their carbon footprint
- Embed a culture of 'green thinking' amongst staff, residents and businesses

### *Ensure a clean, green environment*

- Enhance litter enforcement
- Implement litter picks and Love Where You Live initiatives
- Adopt a preventative approach to tackling environmental crime
- Tackle fly-tipping

### *Enhance the natural Environment*

- Enhancing biodiversity
- Supporting new habitats and wildlife corridors
- Carefully managing our open spaces to promote our vital plants and pollinators
- Working with/inspiring our schools and community groups to protect and support our native wildlife





*Delivering high quality cost effective services by engaging with residents, partners and Council staff*

# Our Services

## Transforming how our Council works

- Work with staff to redesign services, encourage innovation, involvement and ownership
- Freeze our part of the Council Tax for 2020/21 and improve value for money
- Undertake a line-by-line budget review to ensure that the Council spends every penny wisely

## Creating a safe District in which to live and work

- Tackle anti-social behaviour within our communities
- Develop a car parking enforcement strategy, reviewing parking outside schools as a priority
- Working with partners to lead a review of the District's Community Safety Partnership arrangements, including services to tackle domestic abuse

- Review enforcement and maximise the use of tools and powers

## Being a listening Council

- Ensure consultations are fair, open and accessible and that the Council engages with residents
- Review the Council's petition scheme and provide other ways for residents to become involved in the work of the Council

## Providing high quality street scene

- Ensuring timely and efficient collection of waste and recycling
- Promote recycling
- Ensure effective street cleansing

## Providing an effective Planning Service

- Provide a user-friendly planning service
- Ensure effective planning enforcement





## *Creating a business friendly District that develops skills and jobs*

# Our Economy

### Supporting businesses to maximise their potential

- Creating a business friendly district
- Ensure a supply of high quality business premises
- Support businesses with grant applications and advice

### Skills

- Attract and retain skilled jobs within our friendly rural District
- Create university and higher education links
- Facilitate job fairs and develop apprenticeships

### Develop and promote a visitor economy across the District

- Develop a tourism strategy
- Promote heritage sites
- Encourage day-trippers and over-night stays

### Implementing a revised District Growth Strategy

- Focus on innovation and technology
- Maximise the benefits of current developments
- Develop a commercial investment strategy

### Town centre regeneration

- Support the One Public Estate agenda and work with partners for maximum benefit
- Proactively seek out funding opportunities to improve our town centres and high streets



# Managing Performance

We will carry out regular monitoring and reporting as we progress with our Council Plan.

We will ensure we are transparent with the key performance measures we put in place and the outcomes are also made available for all to see.

Each year we will undertake an annual review on our delivery of the plan and present a report to full Council for consideration by Elected Members. Information will also be published on our website and in the Council's newspaper the News for our residents and customers.



The plan will be monitored through the Council's performance management framework in a number of ways:

- Cabinet Members will retain an overview of performance through quarterly reports.
- A suite of performance indicators will also be reviewed by Scrutiny committees.
- Sample targets will be audited to ensure data quality.





# Have your say

We would very much welcome your views on our priorities within the Council Plan. If you would like to comment on it or require more information, please contact the Council at the address (right).

North East Derbyshire District Council,  
District Council Offices, 2013 Mill Lane,  
Wingerworth, Chesterfield, S42 6NG  
Tel: 01246 231111  
[www.ne-derbyshire.gov.uk](http://www.ne-derbyshire.gov.uk)







**North East  
Derbyshire**  
District Council

***We speak your language***

**Polish**

***Mówimy Twoim językiem***

**French**

***Nous parlons votre langue***

**Spanish**

***Hablamos su idioma***

**Slovak**

***Rozprávame Vaším jazykom***

**Chinese**

***我们会说你的语言***

If you require this publication in **large print** or another format  
please call us on **01246 231111**

**Council Plan 2019-23**  
**Communications and Consultation Schedule**

Channel	Issues	Date
	Consultation period begins (5 weeks)	Mon 22 <sup>nd</sup> July
Ask Derbyshire	Information available on the NED consultation website. Link to online survey from this site	22 <sup>nd</sup> July
Consultation	Paper questionnaires (and reply paid envelopes) available in reception at Mill Lane	22/07 - 20/08
Website	NEDDC Website information goes live. News article on Rykneld Homes website.	22 July
All staff Email/ Extranet	Information for staff and link to online questionnaire	22 July
Social media	Regular posts on Council's Facebook page and Tweets start	22 <sup>nd</sup> July - 20 <sup>th</sup> Aug
Service Managers/Frontline staff	Email Managers re informing staff who do not have access to the internet that they can call for a paper copy of questionnaire	w/c 22 <sup>nd</sup> July
Press release	News releases in the media	w/c 22 <sup>nd</sup> July
Radio interview	Pre-recorded interview Cllr Alex Dale with Peak FM	
Posters/hard copy questionnaires	At Mill Lane office At Rykneld Homes At 3 Leisure Centres (Sharley Park, Dronfield and Eckington) At 4 Area Housing Offices (Dronfield, Killamarsh, North Wingfield and Clay Cross)	23 <sup>rd</sup> July 23 <sup>rd</sup> July
Screen presentations	Mill Lane reception and 3 x leisure centres	



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Channel	Issues	Date
Consultation	Questionnaire to Citizens' Panel members	w/c 29 <sup>th</sup> July
NEWS magazine	Article in magazine. Delivery to all residents	w/c 29 <sup>th</sup> July
Stakeholders	Distribution of online link and paper copies.	w/c 29 <sup>th</sup> July
Consultation	Parish and Town Councils consultation event. Distribution of paper copies of questionnaire and small posters for local display. Mailing to Councils who could not make the event. Holymoorside and Walton requested a web version for their website.	Thursday 25 <sup>th</sup> July
Management Team	SAMT discussion and performance management workshop	August SAMT
Consultation	All Members' drop-in	
Managers	Service Managers' Forum	August meeting
Extranet	Reminder to all staff that consultation ends on Friday 23 <sup>rd</sup> August	21 <sup>st</sup> August
	<b>Consultation period ends</b>	<b>Friday 23<sup>rd</sup> August</b>



# **North East Derbyshire District Council**

## **DRAFT COUNCIL PLAN SURVEY CONSULTATION**

**July - August 2019**

### **Report - Extract**

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Prepared by  
**Debbie Whitehead**  
Performance Team  
27/08/19

Contents

	Pages
1 Methodology and profile	1 – 3
2 Executive Summary	4 – 7
3 Appendix: Data Tables	8 – 9

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# 1 Introduction and Methodology

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## Background and Introduction

The Corporate Plan 2015 – 2019 has come to the end of its lifespan and so a new Plan must be developed.

The new draft Council Plan outlines our priorities for the District over the next four years, 2019 – 2023. The Plan is split into four main themes: Our Residents, Our Environment, Our services and Our Economy.

Each theme has a number of priorities the Council will focus on, to deliver the vision for the District – that North East Derbyshire is clean and attractive, a place where people are proud to live and work, a place where people will prosper and a place where people will feel safe, happy and healthy.

Before the Plan is considered for adoption, a formal consultation took place, commencing on 22<sup>nd</sup> July 2019 and running until 23<sup>rd</sup> August 2019. The consultation consisted of a short questionnaire which was available online or in paper versions (large print, braille, alternative language versions etc. were available on request).

The consultation was widely publicised to encourage all of our residents and organisations in the District to have their say. The following methods of publicising the consultation were used:

- The summer edition of The NEWS (circulated to all 45,000 homes within the District)
- Press release to local media
- Council websites and social media accounts
- Ask Derbyshire website
- Rykneld Homes website and social media
- Plasma screens in receptions at the Mill Lane Office and leisure centres
- Employee extranet site
- Posters in receptions in Mill Lane office, leisure centres, Rykneld Homes, within the offices at Mill Lane and on Parish and Town Council noticeboards. Paper copies were also available through these organisations
- Strategic Alliance Management Team
- Senior officers (workshop and individual contributions)
- Service Managers (Email and individual contributions)
- Members (Email and individual contributions)
- Parish and Town Councils (event and individual contributions)
- The North East Derbyshire Citizens' Panel (Mailed/emailed)
- Trade Union representatives
- Communications with Rykneld Homes
- Communications with partner organisations and stakeholders (Mailing, email and individual contributions).

Once published, reports, and questionnaires are available to view and download at the Council's consultation website [www.askderbyshire.gov.uk](http://www.askderbyshire.gov.uk).

## **Methodology**

The consultation was open between 22<sup>nd</sup> July and 23<sup>rd</sup> August 2019. The survey was available to complete on-line, as well as via a paper questionnaire.

The questionnaire comprised of four agree/disagree questions after each of the sets of commitments that the Council intend to make in order to achieve the four aims..

At the end of the consultation period a total of 219 replies had been received.

In the Executive Summary section of this report and the Data Tables in the appendix, the base for each question is "valid responses" or all those providing an answer. All those who did not complete the question are excluded from the calculations. The base size does, therefore, vary from question to question, depending on the extent of non-response.

Where percentages do not sum to 100, this may be due to computer rounding or multiple answers.

## Profile of Respondents

The information in this section compares the profile of respondents to this survey with the District as a whole at the time of the 2011 Population Census. This helps indicate how representative the findings are and should be taken into consideration alongside the results.

	Respondents to Survey (CP May 2019)	Population Figures (2011 Census)
Respondent characteristic	%	%
<b>Gender</b>		
Male	47	49
Female	49	51
Prefer not to say	3	-
Prefer to self-describe	1	-
<b>Age Group</b>		
		(age % as a proportion of 2011 population aged 16+)
16 – 24 years	3	12
25 – 64 years	44	63
65 years and over	50	25
Prefer not to say	3	-
<b>Ethnicity</b>		
White British or Irish	95	97
Ethnic Minority (including white, other)	1	3
Prefer not to say	4	-
<b>Disability</b>		
Yes, limited a lot	9	11
Yes, limited a little	17	11
No	71	78
Prefer not to say	4	-
<b>Sexuality</b>		
Heterosexual	89	-
Gay	-	-
Lesbian	-	-
Bisexual	1	-
Prefer not to say	11	-

A series of 'demographic' questions were also asked to enable results to be analysed by key groups and to assess the level of engagement with the survey from different members of the community. The results of these questions showed that respondents were over representative of the age group 65 years and over, and are under representative of the younger age groups compared to the age profile of those aged 16+ in the District at the time of the 2011 population census.

## 2 Executive Summary

---

### **For Aim One: Our Residents Enhancing our residents' quality of life**

We are committed to:

Providing a range of leisure facilities for our communities

Engaging better with our communities

Improving our housing

Protecting the most vulnerable within our communities

Helping communities address local issues and concerns

### **Q1 How strongly do you agree or disagree that these commitments will help us to achieve the aim of "Enhancing our residents' quality of life"?**

The vast majority of respondents (85%) agreed that these commitments would help the Council to achieve the aim of "Enhancing our residents' quality of life". Very few (5%) disagreed.

<b>Aim One</b>		
<i>Base: 210</i>	<b>%</b>	<b>Number</b>
Strongly agree	<b>33</b>	70
Agree	<b>52</b>	110
Neither agree nor disagree	<b>9</b>	19
Disagree	<b>3</b>	7
Strongly disagree	<b>2</b>	4

\*Excluded from the calculations are those stating "don't know" (2) or not answering (7)

**For Aim Two: Our Environment**

**Protecting and Promoting the character of our District**

We are committed to:

Protecting the character of our District by; undertaking a review of the Local Plan and the proposed sites within the Green Belt

Working with our communities to encourage the delivery of Neighbourhood Plans

Enhancing planning enforcement activity to address environmental crime.

Tackling climate change by; developing and delivering a climate change and carbon reduction strategy

Continuously reviewing our operations and facilities to meet our carbon reduction pledge

Working with residents and businesses to reduce their carbon footprint

Embedding a culture of 'green thinking' amongst staff, residents and businesses

Ensuring a clean, green environment by; enhancing litter enforcement

Implementing litter picks and Love Where You live initiative

Adopting a preventative approach to tackling environmental crime

Tackling fly tipping

Enhancing the natural environment by; enhancing biodiversity

Supporting new habitats and wildlife corridors

Carefully managing our open spaces to promote our vital plants and pollinators

Working with/inspiring our schools and community groups to protect and support our native wildlife.

**Q2 How strongly do you agree or disagree that these commitments will help us to achieve the aim of "Protecting and promoting the character of our District"?**

79% agreed that these commitments would help the Council to achieve the aim of "Protecting and promoting the character of our District". A small proportion (10%) disagreed.

<b>Aim Two</b>		
<i>Base: 215</i>	<b>%</b>	<b>Number</b>
Strongly agree	<b>33</b>	72
Agree	<b>46</b>	99
Neither agree nor disagree	<b>10</b>	22
Disagree	<b>7</b>	16
Strongly disagree	<b>3</b>	6

\*Excluded from the calculations are those stating "don't know" (2) or not answering (2)



**For Aim Three: Our Services**

**Delivering high quality cost-effective services by engaging with residents, partners and Council staff.**

We are committed to:

Transforming how our Council works by; working with staff to redesign services, encourage innovation, involvement and ownership

Freezing our part of the Council Tax for 2020/21 and improve value for money

Undertake a line-by-line budget review to ensure that the Council spends every penny wisely.

Creating a safe District in which to live and work by; tackling anti-social behaviour within our communities

Developing a car parking enforcement strategy, reviewing parking outside schools as a priority

Working with partners to lead a review of the District's Community Safety

Partnership arrangements, including services to tackle domestic abuse

Reviewing enforcement and maximising the use of tools and powers

Being a listening Council by; ensuring consultations are fair, open and accessible and that the Council engages with residents

Reviewing the Council's petition scheme and provide other ways for residents to become involved in the work of the Council

Providing high quality street scene by; ensuring timely and efficient collection of waste and recycling

Promoting recycling

Ensuring effective street cleansing

Providing an effective and user-friendly planning service and ensuring effective planning enforcement.

**Q3 How strongly do you agree or disagree that these commitments will help us to achieve the aim of "Delivering high quality cost effective services by engaging with residents, partners and Council staff"?**

The majority of respondents (78%) agreed that these commitments would help the Council to achieve the aim of "Delivering high quality cost effective services by engaging with residents, partners and Council staff". A small proportion (7%) disagreed.

<b>Aim Three</b>		
<i>Base: 215</i>	<b>%</b>	<b>Number</b>
Strongly agree	<b>36</b>	77
Agree	<b>42</b>	90
Neither agree nor disagree	<b>15</b>	33
Disagree	<b>5</b>	11
Strongly disagree	<b>2</b>	4

\*Excluded from the calculations are those stating "don't know" (2) or not answering (2)

**For Aim four: Our Economy**

**Creating a business friendly District that develops skills and jobs**

We are committed to:

Supporting businesses to maximise their potential

Creating a business friendly district

Ensure a supply of high quality business premises

Support businesses with grant applications and advice.

Attracting and retaining skilled jobs within the District

Creating university and higher education links

Facilitating job fairs and developing apprenticeships

Developing and promoting a visitor economy across the District by; developing a tourism strategy

Promoting heritage sites

Encouraging day-trippers and overnight stays

Implementing a revised District Growth strategy by; focussing on innovation and technology

Maximise the benefits of current developments

Developing a commercial investment strategy

Town centre regeneration by supporting the One Public Estate agenda and working with partners for maximum benefit

Proactively seeking out funding opportunities to improve our town centres and high streets.

**Q4 How strongly do you agree or disagree that these commitments will help us to achieve the aim of “Creating a business friendly District that develops skills and jobs”?**

The majority of respondents (78%) agreed that these commitments would help the Council to achieve the aim of “Creating a business friendly District that develops skills and jobs”. Very few (5%) disagreed.

<b>Aim Four</b>		
<i>Base: 210</i>	<b>%</b>	<b>Number</b>
Strongly agree	<b>29</b>	60
Agree	<b>49</b>	102
Neither agree nor disagree	<b>18</b>	17
Disagree	<b>4</b>	8
Strongly disagree	<b>1</b>	3

\*Excluded from the calculations are those stating “don’t know” (6) or not answering (3)

## Appendix A

### Data Tables

**Q1 How strongly do you agree or disagree that these commitments will help us to achieve the aim of “Enhancing our resident’ quality of life”?**

<i>Base: 210</i>		
	%	Number
<b>Strongly agree</b>	<b>33</b>	70
<b>Agree</b>	<b>52</b>	110
<b>Neither</b>	<b>9</b>	19
<b>Disagree</b>	<b>3</b>	7
<b>Strongly disagree</b>	<b>2</b>	4

\*Excluded from the calculations are those stating “Don’t know” (2) or not answering (7).

**Q2 How strongly do you agree or disagree that these commitments will help us to achieve the aim of “Protecting and promoting the character of our District”?**

<i>Base: 215</i>		
	%	Number
<b>Strongly agree</b>	<b>33</b>	72
<b>Agree</b>	<b>46</b>	99
<b>Neither</b>	<b>10</b>	22
<b>Disagree</b>	<b>7</b>	16
<b>Strongly disagree</b>	<b>3</b>	6

\*Excluded from the calculations are those stating “Don’t know” (2) or not answering (2).

**Q3 How strongly do you agree or disagree that these commitments will help us to achieve the aim of “Delivering high quality cost effective services by engaging with residents, partners and Council staff”?**

<i>Base: 215</i>		
	%	Number
<b>Strongly agree</b>	<b>36</b>	77
<b>Agree</b>	<b>42</b>	90
<b>Neither</b>	<b>15</b>	33
<b>Disagree</b>	<b>5</b>	11
<b>Strongly disagree</b>	<b>2</b>	4

\*Excluded from the calculations are those stating “Don’t know” (2) or not answering (2).

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**Q4 How strongly do you agree or disagree that these commitments will help us to achieve the aim of “Creating a business friendly District that develops skills and jobs”?**

<i>Base: 210</i>		
	%	Number
<b>Strongly agree</b>	<b>29</b>	60
<b>Agree</b>	<b>49</b>	102
<b>Neither</b>	<b>18</b>	17
<b>Disagree</b>	<b>4</b>	8
<b>Strongly disagree</b>	<b>1</b>	3

\*Excluded from the calculations are those stating “Don’t know” (6) or not answering (3).



## Equality Impact Assessment

### Responsibility and Ownership

Name of policy, practice, service or function: .....Council Plan 2019-2023

Responsible department: .....Performance

Service area: .....Performance Team

Lead Officer: ..... Joint Strategic Director – Place

### Other members of assessment team

Name	Position	Area of expertise
Karen Hanson	Joint Strategic Director – Place	Local Government Leadership across a range of Council Services including policy, environmental protection, regulatory services, regeneration, economic development, place, planning, waste and re-cycling, housing and enforcement Services
Amar Bashir	Improvement Officer - NEDDC	Equality and diversity/ performance management
Kath Drury	Information, Engagement and Performance Manager	Performance management/data protection/equalities/consultation

## Scope of the assessment

1	<b>What are the main aims/objectives or purpose of the policy, strategy, practice, service or function?</b>	The Council is required to have a Council Plan to cover the 4 year civic office from the elections in 2019. The council plan will set out the direction for the Council and what it will seek to achieve over the next coming years. This is a high level document rather than an operational plan.
2	<b>Are there any external factors we need to consider like changes in legislation?</b>	Changes in legislation frequently impact on the work of the Council. Such changes will be taken into consideration as part of the development of the plan. Government funding will also have a huge impact on the Council over the next 4 years.
3	<b>Who implements the policy, strategy, practice, service or function?</b>	The council plan is developed, implemented and monitored by the Performance Team on behalf of SAMT and members.
4	<b>Who is affected by the policy, strategy, practice, service or function?</b>	The council plan is an outward facing document for residents, customers, the business community and partners. Internally the council plan shapes our performance management, including service planning and appraisals and therefore impacts on all employees and members.
5	<b>What outcomes do we want to achieve, why &amp; for whom?</b>	To achieve the aims contained with the council plan for the benefit of residents, customers, businesses and partners.
6	<b>What existing evidence do you have on the impact of the policy, strategy, practice, service or function?</b>	The delivery <a href="#">statement</a> for the last corporate plan 2015-2019 and the evaluation <a href="#">document</a> for the Single Equality Scheme 2015-2019.
7	<b>How is information about the policy, practice, service or function publicised?</b>	The draft plan has been extensively publicised through its consultation schedule. Once approved the plan will be published on the Council's website and publicised. An annual review of delivery against the plan will be undertaken and published.

## Identifying Potential Equality Issues

Consider any impacts / barriers on each of the protected characteristics set out below and consider any that might cross over e.g.: between race / disability, gender / religion and belief, sexuality / age etc. Indicate where the policy, practice, service or function could have a positive or negative impact for different groups and your reasons. Specify which data sources have informed your assessment.

Race			
8	Identify any adverse impacts/barriers of the policy or procedure on people who may be disadvantaged because of their race		
	White	English / Welsh / Scottish / Northern Irish / British	<p>The consultation will be widely published.</p> <p>The final document will be made available on the Council website which has the functionality of translation into different languages.</p> <p>Copies can be made available on request for those without internet access.</p> <p>Some actions may require an EIA which will address disadvantage.</p>
		Irish	
		Gypsy or Irish Traveller	
		Any other White background	
	Asian / Asian British	Indian	<p>The consultation will be widely published. The document will have an access statement.</p> <p>The final document will be made available on the Council website which has the functionality of translation into different languages.</p> <p>Copies can be made available on request for those without internet access.</p> <p>Some actions may require an EIA which will address disadvantage.</p>
		Pakistani	
		Bangladeshi	
		Chinese	
	Black / African / Caribbean / Black British	African	<p>The consultation will be widely published. The document will have an access statement.</p> <p>The final document will be made available on the Council website which has the functionality of translation into different languages.</p> <p>Copies can be made available on request for those without internet access.</p> <p>Some actions may require an EIA which will address disadvantage.</p>
		Caribbean	
		Any other Black / African / Caribbean / Black British background	
	Any other ethnicity	Arab	<p>The consultation will be widely published. The document will have an access statement.</p> <p>The final document will be made available on the Council website which has the functionality of translation into different languages.</p> <p>Copies can be made available on request for those without internet access.</p>
		Any other ethnic group	

<b>8</b>	<b>Identify any adverse impacts/barriers of the policy or procedure on people who may be disadvantaged because of their race</b>	
		Some actions may require an EIAs which will address disadvantage.

### Sex / gender

<b>9</b>	<b>Identify any adverse impact/barriers of policy, practice, service or function on people who may be disadvantaged because of their gender</b>	
	Female	No barriers in relation to the development of the council plan have been identified. Some actions may require an EIA which will address disadvantage.
	Male	No barriers in relation to the development of the council plan. Some actions may require an EIA which will address disadvantage.
	Transgender	No barriers in relation to the development of the council plan. Some actions may require an EIA which will address disadvantage.

### Age

<b>10</b>	<b>Identify any adverse impact/barriers of policy, practice, service or function on people who may be disadvantaged because of their age</b>	
	0-9 years	The Council Plan looks at ways to tackle childhood obesity and childhood poverty
	10-15 years	As above
	16-18 years	Consultation on the Council Plan is available to those 16 and above. Services provided by the Council are provided to a range of different groups and ages.
	19-24 years	As above
	25-34 years	As above
	35-44 years	As above
	45-54 years	As above
	55-59 years	The Council Plan has made a commitment to develop an Older people's strategy
	60-64 years	As above
	65 years and over	As above

### Disability



<b>11</b>	<b>Identify any adverse impact/barriers of policy, practice, service or function on people who may be disadvantaged because of their disability or long term ill health</b>	
	Physical or mobility impairments	The consultation was open to all and Equality groups and their representatives were consulted. The council plan will be made available on the website. The council plan will be made available in other formats on request. Some actions may require an EIA which will address disadvantage.
	Sensory (hearing, visual, speech)	The consultation is open to all and Equality groups will be consulted. The council plan will be made available on the website. The council plan will be made available in other formats on request. Some actions may require an EIA which will address disadvantage. The Council plan makes a commitment to adopt the BSL Charter
	Mental health	The consultation is open to all and Equality groups will be consulted. The council plan will be made available on the website. The council plan will be made available in other formats on request. Some actions may require an EIA which will address disadvantage. The Council plan makes a commitment to Working with partners to improve wellbeing and mental health services across the District
	Learning disabilities	The consultation is open to all and Equality groups will be consulted. The council plan will be made available on the website. The council plan will be made available in other formats on request. Some actions may require an EIA which will address disadvantage.
	Non-visible conditions such as epilepsy or diabetes	The consultation is open to all and Equality groups will be consulted. The council plan will be made available on the website. The council plan will be made available in other formats on request. Some actions may require an EIA which will address disadvantage

## Religion or belief

<b>12</b>	<b>Identify any adverse impact/barriers of policy, practice, service or function on people who may be disadvantaged because of their religion or belief, including non belief</b>	
	No religion	No adverse impact identified in relation to the development of this plan. Some actions may require an EIA which will address disadvantage.
	Christian	See Above
	Buddhist	See Above
	Hindu	See Above
	Jewish	See Above

<b>12</b>	<b>Identify any adverse impact/barriers of policy, practice, service or function on people who may be disadvantaged because of their religion or belief, including non belief</b>	
	Muslim	See Above
	Sikh	See Above
	Any other religion	See Above
	Any other philosophical belief	See Above

### Sexual orientation

<b>13</b>	<b>Identify any adverse impact/barriers of policy, practice, service or function on people who may be disadvantaged because of their sexual orientation</b>	
	Heterosexual	No adverse impact identified in relation to the development of this plan. Some actions may require an EIA which will address disadvantage.
	Lesbian	See Above
	Gay	See Above
	Bisexual	See Above
	Prefer not to say	See Above

### Other categories

<b>13</b>	<b>Identify any adverse impact/barriers of policy, practice, service or function on people who may be disadvantaged because of other factors</b>	
	Rural / urban	The plan considers the different geographical needs of the district. Some actions address issues of disadvantaged rural communities. Some actions may require an EIA which will address disadvantage.
	Carers	No adverse impact identified in relation to the development of this plan.
	Child poverty	Vulnerable people (including children) have been acknowledged as one of the priorities under 'our residents' and targets will be set to support.
	Social value	No adverse impact identified in relation to the development of this plan.
	Any other	

## Analysing the information and setting equality objectives and targets

Service or function	Policy or practice	Findings	Which groups are affected and how	Whose needs are not being met and how?
This is a high level document which sets out aims, priorities and actions to achieve those. Targets need to be established to enable those actions to be delivered and progress against the priorities monitored. At the target setting stage an exercise will be undertaken to assess which ones need an Equality Impact Assessment (EIAs). The EIAs will inform the setting of any specific equality objectives and targets which will then be included in the Council's performance framework.				

## Document the evidence of analysis

Data or information	When and how was it collected?	Where is it from?	What does it tell you?	Gaps in information
Consultation and community involvement	Formal consultation on the draft Council Plan commenced 22nd July 2019 and ran until 23rd August 2019	<p>The summer edition of The NEWS (circulated to all 45,000 homes within the District)</p> <p>Press release to local media</p> <p>Council websites and social media accounts</p> <p>Ask Derbyshire website</p> <p>Rykneld Homes website and social media</p>	In general there has been overall support for the aims and priorities within the draft Plan. Many respondents provided written feedback on the proposals which has been fully considered and also disseminated back to departments to assist with service planning.	n/a

Data or information	When and how was it collected?	Where is it from?	What does it tell you?	Gaps in information
		<p>Plasma screens in receptions at the Mill Lane Office and leisure centres Employee extranet site</p> <p>Posters in receptions in Mill Lane office, leisure centres, Rykneld Homes, within the offices at Mill Lane and on Parish and Town Council noticeboards. Paper copies were also available through these organisations</p> <p>Strategic Alliance Management Team</p> <p>Senior officers (workshop and individual contributions) Service Managers (Email and individual contributions)</p> <p>Members (Email and individual contributions)</p> <p>Parish and Town Councils (event and individual contributions)</p> <p>The North East Derbyshire Citizens' Panel (Mailed/emailed)</p>		

Data or information	When and how was it collected?	Where is it from?	What does it tell you?	Gaps in information
		<p>Trade Union representatives</p> <p>Communications with Rykneld Homes</p> <p>Communications with partner organisations and stakeholders (Mailing, email and individual contributions).</p>		
Performance information including Best Value	Previous performance data will be used to inform the development of the new targets.	PERFORM performance management system	Performance data will only be relevant to some targets. Good level of achievement against previous plan.	
Take up and usage data	Previous usage data will be used to inform the development of new targets	PERFORM performance management system	Usage data will help us shape new targets. In some cases this is very specific e.g. young people using leisure centre usage but this will not be applicable to all targets.	
Comparative information or data where no local information available	Benchmarking data is used where available to inform previous and new targets	Other authorities. National benchmarking organisations.	It allows us to compare some of our targets that impact on disadvantaged/ vulnerable people e.g. homelessness against the data held by others.	
Census, regional or national statistics	Collated in Single Equality <a href="#">Scheme</a> 2019-2023	Census summaries provided by County, elections data, national data	Provides a picture of those living in the district.	
Access audits or other disability assessments	To be identified once targets agreed	Reports by specialists.	Will ensure disability requirements are met.	

Data or information	When and how was it collected?	Where is it from?	What does it tell you?	Gaps in information
Workforce profile	N/a as plan is about delivery to the public unless specific targets are set for disadvantaged/vulnerable groups who need employment e.g. young people.			
Where service delivered under procurement arrangements – workforce profile	Some services are delivered by others through procurement arrangements e.g. recycling. Such arrangements are subject to equality and social responsibility assessments	Procurement	That services delivered by others on our behalf are delivered in line with our equality objectives.	
Monitoring and scrutiny arrangements	Scrutiny consulted on the draft plan and able to consider and review any aspect of Council services.  Following adoption of the Council Plan, monitoring of progress will begin and will be reported quarterly. All data relating to the targets will be included in the Councils performance management system (PERFORM). The	Information on scrutiny monitoring and review is held in committee reports.  Quarterly performance meetings monitor performance.	Performance management arrangements are well embedded.  How well the Council is delivering against its targets.  Members ask relevant and pertinent questions about Council performance and raise any concerns on behalf of their constituents.	

Data or information	When and how was it collected?	Where is it from?	What does it tell you?	Gaps in information
	Council will also receive an Annual Report on progress. Individual departments will also develop their own Service Plans to complement the Council Plan once approved.			

## Recommendations and Decisions

### Take immediate action by:

Amending the policy, strategy, practice, service or function	The draft Council plan maybe be amended due to the results of the consultation and analysis of comments
Use an alternative policy, strategy, practice, service or function	n/a
Develop equality objectives and targets for inclusion in the service plan	Departmental equality objectives may emerge as council plan targets are planned and delivered.
Any other method (please state)	Certain targets e.g. delivery of a new project may require an EIA to ensure the target is addressing equality requirements.

**All actions must be listed in the following Equality Impact Assessment Improvement Plan Summary**

## Equality Impact Assessment Improvement Plan Summary

**Name of policy, practice, strategy, service or function** Council Plan 2019-2023.....

**Department** developed by Performance Team on behalf of the Council.....

**Date of assessment** 2nd Draft 15/08/19 .....

Please list all actions, recommendations and/or decisions you plan to take as a result of the equality impact assessment.

Recommendation/Decision	Action Required	Responsible Officer	Target Date	Resources	Progress	Actual Outcome
Ensure equality and diversity is covered in committee reports.	Include in covering report	JSD - Place	05/09/19			
Complete an analysis of council plan targets by protected characteristics.	Design template	I&EM	31/12/19			
Identify which targets need EIAs within the period of the plan	Design template	I&EM	31/03/20			

## EIA Assessment

Date of assessment		1 <sup>st</sup> 08/08/19, 2 <sup>nd</sup> 15/08/19
Date published on council website		

The Council publishes its Equality Impact Assessments as evidence of the analysis that it undertook to establish whether its policies, strategies, practices, services and functions would further or would have furthered the 3 aims of the general equality duty, details of the information that it considered and details of engagement undertaken when doing the analysis.

The general duty requires the council to:

- Eliminate discrimination, harassment & victimisation
- Advance equality
- Foster good relations between different groups



**NE Derbyshire District Council**

**Council**

**9 September 2019**

**Draft Organisational Policies**

**Report of Councillor A Dale, Portfolio Holder for Council Services and Deputy Leader of the Council**

This report is public

**Purpose of the Report**

- For the following policies to be brought to Council for consideration:
  - Capability
  - Probation
  - Disclosure and Barring Service
  - Learning and Development
  - Smoke Free & Vaping

**1 Report Details**

1.1 Please find attached the final version of the following policies for consideration.

1.2 The purpose of the policies is to:

- To make processes simpler and clearer for managers and employees
- To fit the corporate context and supportive work environment both Council's have in place
- To ensure adherence to legislation and best practice

1.3 HR have been working with managers from both Councils and the Trade Unions to regularly review working practices to ensure the organisation's policies are fit for purpose and continue the ethos of being a supportive employer.

1.4 The policies have been approved by Joint Consultation Committee (JCG), Strategic Alliance Management Team (SAMT) and been with the Trade Unions for their comments from 8 April 2019 and Service Managers from 13 May 2019. A Minute Extract of the meeting of JCG is attached at **Appendix 1**.

**Smoke Free and Vaping Policy**

1.5 Concerns have arisen in relation to the smoking arrangements at key premises at the Council, including

- Suitability of existing smoking areas
- Increase in litter (largely cigarette butts)
- Impact on professional appearance and Council reputation
- Lack of clear signage and communication
- Conflict between enforcement work undertaken by the Environmental Health Team and the perception of smoking/litter present at Council premises

1.6 The recommended approach has taken into account the users of the building (public, tenants, staff) as each site is different and should be treated on its merits, the expectations of different stakeholders, the reputation of the Council and the degree of concerns/issues being experienced.

1.7 The proposed approach, supported by SAMT and JCG is:

- Circulate the refreshed Smokefree Policy with covering communication in to Staff and Managers.
- To remind and inform Tenants of the Council's smoking arrangements at Council properties.
- Re-designate the smoking area at Arc to front of site to the far side of the entrance gates and place an appropriate refuse bin at the smoking area (to be emptied by Streetscene) and appropriate signage.
- Other sites such as Leisure Centres, Depots and Business Centres have experienced no issues therefore no further action is required.
- Signage and provision of appropriate litter bins will cost approx. £1000

## **2 Conclusions and Reasons for Recommendation**

2.1 Approval of the attached policies will provide clear direction for managers when undertaking people management processes, delivering high performing services and supporting employees and other stakeholders in the workplace.

2.2 Agreement to the policies fulfils both legal and best practice guidance for employers.

## **3 Consultation and Equality Impact**

3.1 There are no equality implications arising from the implementation of these policies. The policies support corporate equality and diversity aims.

3.2 The policies are being submitted to Council for consultation purposes.

## **4 Alternative Options and Reasons for Rejection**

4.1 The alternative option is not to have these policies which has been rejected on the grounds of risk to the Council of failing to fulfil legal obligations and best practice.

## 5 Implications

### 5.1 Finance and Risk Implications

5.1.1 The financial implications arising from approval of the policies will be met from existing budgets.

### 5.2 Legal Implications including Data Protection

5.2.1 There are no direct legal implications arising from the approval of these policies.

### 5.3 Human Resources Implications

5.3.1 The HR implications are contained within the policies.

## 6 Recommendations

6.1 That Council support the following policies:

- Capability
- Probation
- Disclosure and Barring Service
- Learning and Development
- Smoke Free & Vaping

## 7 Decision Information

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC:</i> <i>Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC:</i> <i>Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>Has the portfolio holder been informed</b>	Yes
<b>District Wards Affected</b>	N/A
<b>Links to Corporate Plan priorities or Policy Framework</b>	Transforming our organisation.  Provide our customers with excellent service.

## 8 Document Information

Appendix No	Title
1.	Minute Extract – JCG - 26 June 2019
2.	Capability Policy <ul style="list-style-type: none"> <li>• Appendix A – Employee Support Pack</li> <li>• Appendix B – Corporate Work Tracker</li> <li>• Appendix C – Competency Framework</li> </ul>
3	Probation Policy <ul style="list-style-type: none"> <li>• Appendix A – Employee Support Pack</li> <li>• Appendix B – Corporate Work Tracker</li> </ul>
4	Disclosure and Barring Service Policy
5	Learning and Development Policy
6	Smoke Free & Vaping Policy
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Sara Gordon Human Resources & Organisational Development Manager	01246 217677

# **Appendix 1**

## **COUNCIL JOINT CONSULTATIVE GROUP**

**26 JUNE 2019**

### **MINUTE EXTRACT NO JT/06 – DRAFT ORGANISATIONAL POLICIES**

#### **Jt/06 Employer's Side Submissions**

##### **(a) Draft Organisational Policies**

This issue was raised by the Council. The Joint Consultative Group was asked to consider several draft organisational policies. These policies covered, Capability, Probation, Disclosure Barring Services, Learning Development and a Smoke Free Workplace. They had been passed to the trade union side for comments in April 2019.

The policies were intended to make organisational processes simpler and clearer for managers and employees to understand, as well as to ensure that they were in line with legislation and best practice. With the agreement of Members, the policies would be applied to both North East Derbyshire and Bolsover District Councils.

There was a wide ranging discussion about the draft organisational policies. Several key points emerged during this discussion. In particular, the Group noted that the Capability processes do not have to run in isolation, but can be followed at the same time as procedures relating to other policies. Several examples of these other policies and procedures were highlighted. It was stressed that the examples were not intended to be an exhaustive list. That the Capability Policy Procedures might also take place alongside actions relating to other policies that had not been specified, such as Learning and Development.

There was a general agreement that managers should ensure that all the meetings with staff set out in the Probation Policy actually take place. The HR and OD Manager explained how managers are helped to do this. The Group noted that the probation process also does not have to run in isolation, but can be followed at the same time as other procedures.

Finally, in response to a question from the trade union side, it was explained that staff movement between North East Derbyshire and Bolsover District Council would have to serve the whole probation period at both authorities, rather than just continuing with their probation, if they moved jobs between the two authorities during this probationary period.

The Group considered the Disclosure and Barring Services Policy and the Learning and Development Policy. It then discussed the proposed Smoke Free Policy. The aim was that this policy should be applied across the

Council's entire estate, but that in the first instance it would be rolled out at the Council's Mill Lane offices.

The Group discussed the proposals to establish an appropriate and clearly sign-posted smoking area on the Mill Lane site, for use by Council staff and also other users of the building. It was hoped that this would help to reduce greatly the number of discarded cigarettes left immediately outside the gates to the Mill Lane site, and the reputational damage to the Council that this can cause. It was made clear that staff would not be expected to police adherence to the new policy by either Council employees or others.

RESOLVED – That the Council Joint Consultative Group supports the Capability Policy, Probation Policy, Disclosure and Barring Services Policy, Learning and Development Policy and Smoke Free Policy.



**North East  
Derbyshire**  
District Council

# **Capability Policy**

**July 2019**



North East  
Derbyshire  
District Council

## *We speak your language*

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Polish

*Mówimy Twoim językiem*

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French

*Nous parlons votre langue*

---

Spanish

*Hablamos su idioma*

---

Slovak

*Rozprávame Vaším jazykom*

---

Chinese

我们会说你的语言

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If you require this publication in

**large print** or another

format please call us on

**01246 231111**



## CONTROL SHEET FOR CAPABILITY POLICY

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Capability Policy
Current status – i.e. first draft, version 2 or final version	Final version
Policy author (post title only)	HR & OD Manager
Location of policy (whilst in development) – i.e. L-drive, shared drive	S Drive HR folder
Relevant Cabinet Member (if applicable)	Cllr Dale
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	N/A
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	SAMT JCG Council
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

# CAPABILITY POLICY

## 1. Introduction

1.1 The Capability Policy is designed to ensure employees are given the support, encouragement, development and guidance they need to achieve the levels of performance required and expected in their job role. The policy provides a framework for managing underperformance in a fair and consistent manner for all employees, when an employees' work performance falls below that expected for the role.

## 2. Scope

2.1 This policy applies to all employees of the Council regardless of whether they are full time, part time, fixed term or casual employees. It also pays due regard to the principles of the Equality Act 2010 covering age, disability, gender, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

It excludes new employees currently within their probation period, agency workers, volunteers and Elected Members who are covered under separate policies.

## 3. Principles

### 3.1 Purpose of the Capability Policy

- To inform employees of the expected level of performance required and to support employees to achieve these standards.
- To provide the employee with the opportunity to demonstrate they have the ability to undertake the role
- To manage underperformance in a fair and consistent manner

## 4. Statement

### 4.1 Responsibilities

- **Manager** – responsible for identifying underperformance together with implementing, managing, monitoring and assessing employees in accordance with this policy
- **Employee** – responsible for performing to the best of their ability together with fully engaging with and co-operating with the application of this policy
- **HR** – responsible for supporting the manager and employee and providing advice on the implementation of this policy in practice

### 4.2 Capability Process

It is recognised each case is treated on its' merits and the table below includes indicative timescales.

<u>Stage</u>	<u>Indicative Timescales</u>
Informal	1 to 2 months
First Formal Meeting	Following informal stage
Second Formal Meeting	At the latest 4-6 weeks after First Formal Meeting

Third Formal Meeting	At the latest 4-6 weeks after Second Formal Meeting
Meeting convened with Head of Service/Director	Following Third Formal Meeting if performance standards continue not to be met

The objective of the informal and formal meetings are as follows:

- To identify and address any underlying factors impacting on an employee's performance
- To establish, discuss, set targets for and monitor performance
- To identify development and support needs
- To identify any concerns on either side and ways of resolving these
- To provide an opportunity for positive and constructive feedback on both sides
- An Employee Support Plan should be completed by the manager and given to the employee (see Appendix One) at the **formal stage** (this tool can also be used at the informal stage).
- Alternatively, a Corporate Work Tracker can be used in lieu of the above where appropriate (see Appendix Two) at the **informal stage**
- The employee will be informed of the potential consequences of failing to improve their performance i.e. it may result in consideration of termination of employment.
- The manager will explain how the capability process aligns with the Councils Competency Framework (see Appendix Three) and how the employee's performance will be assessed against the requirements of the job role.

It is considered good practice for the manager to keep written notes at all stages of the capability process.

4.3 The employee will be given 5 working days notice of the **formal stage** meetings and be offered the right to be accompanied at the meeting by a Trade Union or other Representative. The meeting can be held sooner at the agreement of both parties. A representative from HR may be present at the meeting in an advisory capacity.

4.4 The manager has the discretion to bring forward review meetings if appropriate and following consultation with HR, subject to the requirements of paragraph 4.3.

4.5 The possible outcome of the informal and formal meetings are:

- The employee **has met** the performance standards required and no further action will be taken
- The employee **has not met** the performance standards required and the matter will be progressed to the next stage.
- The employee may be issued with a warning (see 4.13) and notified of the potential consequences of failing to improve their performance i.e. that it may result in the Head of Service considering the termination of the employee's employment.
- Some **progress has been made** towards the performance standards required by the employee. The review period will be extended for a short period within the current stage for a timescale appropriate and reasonable to the circumstances of the case, but for no longer than 4 weeks. The purpose of the extension is to enable the employee to demonstrate further improvement towards the achievement of the performance standards required.

4.6 Following a formal meeting, the employee will receive from their manager:

- An updated copy of their Employee Support Plan
- Written confirmation of the outcome of the meeting

4.7 The manager will also schedule regular meetings/catch ups with the employee in addition to the above in line with normal management best practice. The frequency and format of the meetings will vary from one service to another due to the difference in nature of these services.

4.8 It is important to note the capability process can be twin tracked with other associated policies and procedures such as:

- Sickness Absence Management
- Disciplinary Process
- Grievance Process

NB The above is not an exhaustive list

4.9 If the employee has demonstrated improved performance over a reasonable period of time and met the level of performance required, then this will be confirmed to the employee in writing and the process will end.

4.10 However, it is important to note that should an employee's performance decline within the 12 month period following a formal capability process being undertaken, then the formal process will recommence at the stage at which the employee had reached previously.

4.11 If an employee fails to co-operate with the policy, the manager can escalate the process and bring forward the meeting with the Head of Service/Director. If an employee fails to attend any meetings held in accordance with this policy without good reason, the meeting will proceed in their absence.

#### 4.12 Issuing a Capability Warning

A capability warning is issued by the manager to the employee when issues of concern have been raised with the employee and at the next review meeting subsequent to this no improvement has been achieved. The employee will be informed that failure to improve will place their ongoing employment with the Council at risk. The employee has the right to be accompanied by a Trade Union or other representative at the meeting.

- First level capability warning – issued at the second formal meeting if performance standards have not been achieved
- Final level capability warning - issued at the third formal meeting if performance standards have not been achieved

4.13 The warnings will be removed following the conclusion of a formal capability process. However, it is important to note that should an employee's performance decline within the 12 month period following a formal capability process being undertaken, then these warnings will be considered live.

#### 4.14 What happens if an employee continues not to meet performance requirements?

The employee will be informed that a meeting will be convened with the Head of Service/Director to review the position and consider whether the employee's contract of

employment should be terminated. Advice should be sought from HR by the manager at the earliest opportunity in these cases.

#### 4.15 Meeting Convened with Head of Service or Director

A meeting is convened with the Head of Service/Director to consider the employee's ongoing employment with the Council in cases where the employee has clearly failed to either:

- Meet expected performance requirements
- OR a capability warning has been issued

The manager will consult with HR prior to proceeding to this stage.

The employee will be given 5 working days notice of the meeting and offered the right to be accompanied at the meeting by a Trade Union or other Representative. The meeting can be held sooner at the agreement of both parties. A representative from HR will be present at the meeting in an advisory capacity.

4.16 The meeting with the Head of Service/Director will provide the opportunity for the manager to present their case and for the employee to present any information they wish to be considered relevant to the process. The Head of Service/Director will consider all the information presented and make a decision.

The possible outcomes of the meeting will be:

- Reaffirm capability warning and/or extend the capability period for up to a further four weeks
- Withhold pay progression
- Consider alternatives to dismissal such as exploring the option of redeployment
- Dismissal with notice or pay in lieu of notice

4.17 The employee will receive written notification of the outcome of the meeting within five working days and if dismissed the employee will be offered the right to Appeal in accordance with the relevant Council's Appeals Procedure.

## **5. Appendices (if applicable)**

Appendix A - Employee Support Plan

Appendix B - Corporate Work Tracker

Appendix C – Competency Framework

**Employee Name:**

**Manager:**

**Date:**

<b><u>Objective/Desired Outcome</u></b>	<b><u>Steps to be taken by Employee to achieve Objective/Outcome</u></b>	<b><u>Management Support to be put in place to facilitate achievement of Objective/Outcome</u></b>	<b><u>Timescales</u></b>	<b><u>Progress/Comments/Outstanding matters to address</u></b>

## Employee Support Plan

<u>Objective/Desired Outcome</u>	<u>Steps to be taken by Employee to achieve Objective/Outcome</u>	<u>Management Support to be put in place to facilitate achievement of Objective/Outcome</u>	<u>Timescales</u>	<u>Progress/Comments/Outstanding matters to address</u>

## Workstream Performance Tracker

Instructions for completion: Use new template for each meeting and save each version in your own folder, send updated version prior to each meeting to your Manager. Keep text to a minimum using bullets to separate information

DATE COMMENCED: ### 2019  LAST UPDATED:	<b>Employee Name / Team: #####</b> <b>Manager: #####</b>
<b>Task/Objectives</b>	<b>Actions / Progress</b>
1.	
2.	
3.	
4.	
5.	
6.	
7.	
<b>Team and (if line manager) 1:1's Update</b> <ul style="list-style-type: none"> <li>Team 1:1 meetings update (if line manager)</li> </ul>	



<ul style="list-style-type: none"> <li>• Timesheets submitted</li> <li>• Working hours update</li> <li>• Annual leave update</li> <li>• Customer Service update</li> </ul>	
<b>Progress against 'to do's' agreed at previous meeting (if not covered above)</b>	
<b>Evaluation of Learning, Development or Training Undertaken</b>	
<b>Learning, Development or Training Identified</b>	
<b>Other Areas of Discussion</b>	
<b>Overall Performance Update (to be completed by manager)</b>	

	Communication	Customer	Collaboration	Transformation	Performance	Leadership
<b>All Employees</b>	<p>Honest, open and accountable</p> <p>Listens, is involved and responds</p> <p>Shows empathy</p> <p>Clear, concise and confident approach</p> <p>Confident communicating and dealing with a range of audiences</p> <p>Checks people understand the message being conveyed</p> <p>Good oral and written communication skills</p>	<p>Value peoples differences and treats everyone fairly and with respect</p> <p>Ensures customer focus is a top priority</p> <p>Considers the customer's perspective whilst building good and trusting relationships</p> <p>Owens and deals effectively with any customer feedback to improve service</p> <p>Flexible in finding ways to exceed customer expectations</p> <p>Supports new initiatives and work practices to raise standards of service</p> <p>Keeps personal data secure at all times</p>	<p>Works with partners to provide quality services</p> <p>Committed to contributing to team goals</p> <p>Positive approach to working with others</p> <p>Works well within own team and with others to achieve objectives</p> <p>Clear and accountable for own actions</p> <p>Willing to provide support and assistance to others</p> <p>Develops effective relationships for the benefit of the team and organisation</p>	<p>Embraces change and innovation</p> <p>Will challenge themselves and change for the better</p> <p>Challenges the status quo and proactively seeks opportunity for service improvement</p> <p>Tries and tests new approaches and is positive about change</p> <p>Keeps an open mind, generates new ideas and solutions</p> <p>Helps others through change</p> <p>Always puts the organisation and customer first</p>	<p>Shows respect, honesty and openness</p> <p>Is proud and passionate about what we do</p> <p>Focused and committed to achieving excellent results</p> <p>Develops self to continually improve performance</p> <p>Consistently delivers</p> <p>Positive about taking on tasks and responsibility</p> <p>Persistent in the face of obstacles, sees tasks through to completion</p> <p>Works to a clear set of priorities, adjusting to meet changing demands</p> <p>Seeks feedback from others</p>	<p>Leads by example through own commitment and professionalism</p> <p>Maintains a positive and proactive approach</p> <p>Supports colleagues</p> <p>Provides constructive feedback to others</p> <p>Creates trust through being open and honest</p> <p>Treats everyone with respect, fairness and dignity</p>
<b>Managers</b>	<p>Translates strategic plans into actions appropriate to the audience</p> <p>Handles the communication of difficult issues effectively and with sensitivity</p> <p>Able to successfully address audiences and convey an impelling message</p> <p>Able to champion the organisation</p> <p>Inspires people around corporate vision, values and objectives by clearly explaining the situation to gain commitment</p>	<p>Has good customer insight and aligns plans and services accordingly</p> <p>Actively seeks opportunities to learn more about customers and build services accordingly</p> <p>Learns more about customers to improve the organisation</p> <p>Ensures personal data is managed appropriately</p> <p>Ensures services are delivered in a fair manner</p>	<p>Motivates the team to share goals and sets clear objectives and accountabilities</p> <p>Effective in providing support and constructive challenge</p> <p>Takes accountability for the team</p> <p>Develops and maintains constructive relationships with others</p> <p>Utilises the strengths of others to improve effectiveness and achieve objectives</p> <p>Recognises and celebrates success</p>	<p>Proactive in developing innovative ways of working to improve services</p> <p>Encourages new ideas, solutions and suggestions for improvement</p> <p>Influences others on the need and drive for change</p> <p>Flexible and adapts in response to new opportunities whilst managing risk</p> <p>Deals effectively with uncertainty and ambiguity</p> <p>Provides strong leadership in supporting others through change</p>	<p>Effectively manages people, budgets and resources to deliver effective and efficient services in a safe manner</p> <p>Sets stretching but realistic objectives ensuring people know priorities</p> <p>Keeps people focussed and ensure tasks are seen through to completion swiftly</p> <p>Develops self and others to improve, ensuring regular discussions on performance are embedded</p> <p>Ensure business continuity arrangements are in place</p>	<p>Inspires, coaches, mentors and empowers others</p> <p>Shows resilience</p> <p>Accessible and shows empathy</p> <p>Demonstrates strong personal conviction and confidence</p> <p>Provides clear direction and priorities where everyone understands their responsibilities</p> <p>Develops sustainable strategies, plans and policies</p> <p>Focus' on the bigger picture</p> <p>Champions a high performance culture</p>



**North East  
Derbyshire**  
District Council

# **Probation Policy**

**July 2019**



North East  
Derbyshire  
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## *We speak your language*

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Polish

*Mówimy Twoim językiem*

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French

*Nous parlons votre langue*

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## CONTROL SHEET FOR PROBATION POLICY

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Probation Policy
Current status – i.e. first draft, version 2 or final version	Final version
Policy author (post title only)	HR & OD Manager
Location of policy (whilst in development) – i.e. L-drive, shared drive	S Drive HR folder
Relevant Cabinet Member (if applicable)	Cllr Dale
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	N/A
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	SAMT JCG Council
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

# PROBATION POLICY

## 1. Introduction

1.1 The Probation policy is designed to ensure new employees are given the support, encouragement, development and guidance they need to achieve the levels of performance and behaviour required in their job role. The policy ensures a fair and consistent process is followed for all employees.

## 2. Scope

2.1 The Probation Policy applies to:

- New employees and Apprentices joining Bolsover District Council
- New employees and Apprentices joining NE Derbyshire District Council
- Any employee who transfers employment between the above two Councils

2.2 The duration of the probation period is six months, with the possibility of an extension for a further two months, but only in very exceptional circumstances.

2.3 This policy pays due regard to the principles of the Equality Act 2010 covering age, disability, gender, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It excludes agency workers, volunteers and Elected Members who are covered under separate policies.

## 3. Principles

### 3.1 Purpose of the Probation Policy

- To provide support to the new employee and welcome them to the Council
- To inform the new employee of expected standards of behaviour and performance and to assist employees to achieve these standards.
- To provide the new employee the opportunity to demonstrate they are suitable for the role

## 4. Statement

### 4.1 Responsibilities

- **Manager** – responsible for implementing, managing, monitoring and assessing the new employee in accordance with this policy and ensuring the Induction and Probation Meetings take place.
- **Employee** – responsible for their own performance and fully engaging with and co-operating with the application of this policy
- **HR** – responsible for supporting the manager and employee including monitoring that Induction and Probation Meetings take place. Providing advice on the implementation of this policy in practice

## 4.2 Probation Process

<u>Stage</u>	<u>Timescale</u>
Corporate Induction/ Service Induction	First week of employment
First Interview	End of first month of employment (4 weeks)
Second Interview	End of third month of employment (12 weeks)
Third Interview	End of sixth month of employment (24 weeks)
Extension	Granted by Head of Service in very exceptional circumstances for up to a further one month

The objective of the interview meetings are as follows:

- To establish, discuss and monitor performance, behaviour and attendance
- To identify short-term development and support needs
- To identify any concerns on either side and ways of resolving these
- To provide an opportunity for positive feedback on both sides
- To establish a two-way communication process

It is considered good practice for the manager to keep written notes at all stages of the probationary process.

4.3 The manager will also schedule regular meetings in addition to the above employee's during the probation period. The frequency and format of the meetings will vary from one service to another due to the difference in nature of these services.

4.4 The manager will explain how the probation process aligns with the Councils performance review process and how the employee's performance will be assessed.

4.5 It is important to note the probation process can be twin tracked with other associated policies and procedures such as:

- Induction
- Sickness Absence Management
- Disciplinary Process

NB The above is not an exhaustive list

Attendance at work and levels of sickness absence are factors that will be taken into consideration when assessing an employee during their Probation period.

4.6 If a new employee has demonstrated their suitability for the role and met the standards of behaviour and performance required, then at the end of the six month probation period the employee will be confirmed in the post to which they have been appointed.

### 4.7 What happens if a new employee is not meeting requirements?

- The manager has responsibility for addressing any concerns with the new employee as soon as reasonably practicable.
- The manager has the discretion to bring forward interviews/meetings if appropriate and following consultation with HR

- An Employee Support Plan should be put in place by the manager for the employee (see Appendix One)
- Alternatively, a Corporate Work Tracker can be used in lieu of the above (see Appendix Two)
- Regular meetings must be arranged by the manager with the employee to review and monitor the position
- The employee will be informed by the manager that failure to demonstrate improvement will result in a warning being issued. If a warning is to be issued the manager must notify the employee of their right to be accompanied at the meeting by a Trade Union Rep or other representative
- Advice should be sought from HR by the manager at the earliest opportunity

4.8 If an employee fails to co-operate with the policy, the manager can escalate the process and bring forward the meeting with the Head of Service/Director. If an employee fails to attend any meetings held in accordance with this policy without good reason, the meeting will proceed in their absence.

#### 4.9 Issuing a Probation Warning

A probation warning is issued by the manager to the employee when issues of concern have been raised with the employee and at the next review meeting subsequent to this no improvement has been achieved. The employee will be informed that failure to improve will place their ongoing employment with the Council at risk. The employee has the right to be accompanied by a Trade Union or other representative at the meeting, if a warning is likely to be issued.

#### 4.10 Meeting Convened with Head of Service or Director

A meeting is convened with the Head of Service/Director to consider the new employee's ongoing employment with the Council in cases where the employee has clearly failed to either:

- Demonstrate their suitability for the role
- Meet expected performance requirements
- Meet expected standards of behaviour
- OR a probation warning has previously been issued

The manager will consult with HR prior to proceeding to this stage. The meeting with the Head of Service/Director may be convened at any stage during the Probation Period subject to one or several of the above criteria being met.

4.11 The meeting with the Head of Service/Director will provide the opportunity for the manager to present their case and for the employee to present any information they wish to be considered relevant to the process. The Head of Service/Director will consider all the information presented and make a decision.

The possible outcomes of the meeting will be:

- Dismissal with notice or pay in lieu of notice
- Extension of the Probation Period for up to a further one month

4.12 The employee will be given 5 working days notice of the meeting and offered the right



to be accompanied at the meeting by a Trade Union or other Representative. The meeting can be held sooner at the agreement of both parties. A representative from HR will be present at the meeting in an advisory capacity.

4.13 The employee will receive written notification of the outcome of the meeting within three working days and if dismissed will be offered the right to Appeal in accordance with the relevant Council's Appeals Procedure.

NB: The decision to dismiss an employee may occur prior to the completion of the sixth month Probation Period or extended period.

## **5. Appendices (if applicable)**

Appendix A - Employee Support Plan

Appendix B - Corporate Work Tracker

**Employee Name:**

**Manager:**

**Date:**

<b><u>Objective/Desired Outcome</u></b>	<b><u>Steps to be taken by Employee to achieve Objective/Outcome</u></b>	<b><u>Management Support to be put in place to facilitate achievement of Objective/Outcome</u></b>	<b><u>Timescales</u></b>	<b><u>Progress/Comments/Outstanding matters to address</u></b>

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**North East  
Derbyshire**  
District Council

# **Disclosure and Barring Service Policy**

**July 2019**



North East  
Derbyshire  
District Council

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Polish

*Mówimy Twoim językiem*

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<b>Policy Details</b>	<b>Comments / Confirmation (To be updated as the document progresses)</b>
Policy title	Disclosure and Barring Service
Current status – i.e. first draft, version 2 or final version	Final Version
Policy author (post title only)	HR Link Officer (Organisational Development)
Location of policy (whilst in development)	HR
Relevant Cabinet Member (if applicable)	Cllr Dale
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	
Final policy approval route i.e. Cabinet/ Council	SAMT JCG Council
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Performance & Communications (to include on Extranet and Internet if applicable to the public)	



## **DBS Policy**

### **1. Introduction**

This policy sets out the approach to criminal background checks within Bolsover District Council.

### **2. Scope**

This policy applies to all employees in both paid and volunteer positions.

The Council is committed to safeguarding the welfare of those accessing our services and has a statutory duty of care towards vulnerable members of society under the Safeguarding Vulnerable Groups Act 2006, as amended principally by the Protection of Freedoms Act 2012 and the Rehabilitation of Offenders Act 1974 (as amended in 2013). However this duty must be carried out with due regard to all other legislation including the Data Protection Act (2018), the Human Rights Act (1998) and in line with the General Data Protection Regulations (GDPR).

As an organisation using the Disclosure and Barring Service (DBS), the Council fully complies with the DBS Code of Practice.

The Council recognises the importance of employment in the rehabilitation of ex-offenders and will only take criminal records into account for recruitment purposes when the conviction is relevant. Unless the nature of the work means that a role is exempt, applicants are not required to disclose convictions which are spent under the Rehabilitation of Offenders Act 1974 (as amended in 2013). (See Appendix A)

Having an unspent conviction will not necessarily bar applicants from employment.

The Safeguarding Vulnerable Groups Act 2006 (as amended), identifies a number of offences which prevent barred people from working in regulated activities. The Council, as an employer and regulated activity provider, and individuals can be convicted of a criminal offence if a person who is barred from engaging in a particular activity does actually engage in that activity. A regulated activity provider also commits an offence if they permit a person to engage in a regulated activity while knowing or having reason to believe that the individual is barred.

The maximum sanctions for these offences are fines of up to £5,000 or up to five years in prison.

### **3. DBS Checks**

For applicants who are offered employment in posts which require undertaking any form of regulated activity, an Enhanced DBS Check must be undertaken and this must include a check to ensure that the successful candidate is not barred from working with children and or adults in vulnerable circumstances. (See Appendix B).

Regulated activity is defined by the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012, and includes roles where individuals are required to work unsupervised with children or in a limited range of establishments with opportunity for contact with children; or working with adults

providing healthcare, personal care, social work, assistance with cash, bills and/or shopping, assistance in the conduct of a person's own affairs or conveying children or adults for particular reasons. The definition of regulated activity with regard to children is detailed in Appendix C and definition of regulated activity with regard to adults is detailed at Appendix D.

It is an offence for individuals on the Barred Lists to apply for posts in Regulated Activity. We will not employ someone to work in Regulated Activity with children if they have been barred through the DBS Children Barred List, or someone to work with adults at risk who are barred through the DBS Adult Barred List. In addition if the Council receives an application from a person for either paid or voluntary work who is barred from working with children or adults, the Council will make a referral to the DBS to notify them of the individual's attempt to apply for barred work.

Other roles are identified by legislation as being eligible for an Enhanced Level DBS check without a check against the children or adults barred list. This means that it is at the employer's discretion as to whether a DBS check should be undertaken.

Users of the Public Services Network (PSN) are required to comply with the Baseline Personnel Security Standard: this is the minimum recruitment check required for all people with access to Government assets. Within this compliance a basic disclosure must be undertaken for those employees with administrative privileges across the Council's IT applications, and that check must have satisfactory results (Appendix B).

The minimum age that someone can have a DBS check is 16 years old.

#### **4 Roles and Responsibilities**

Human Resources (Organisational Development) along with Managers and the Strategic Alliance Management Team will determine if a post involves regulated activity and therefore requires a DBS check.

An audit of all relevant posts will take place annually to ensure that safeguards continue to be met and we are fully compliant with the DBS Code of Practice.

#### **5. Cost of Disclosure**

The cost of the DBS Disclosure checks relating to appointments to Council posts will be met by the Council.

If a prospective employee decides at a later date that they wish to decline the offer of appointment made to them, they will be charged for the cost of the DBS and Update Service check.

Checks for volunteers are free. A volunteer is currently defined by the DBS as a person who performs an activity which involves spending time, unpaid (except for travelling and other approved out-of-pocket expenses), doing something which aims to benefit some third party other than or in addition to a close relative.

## **6. Requesting a Disclosure**

A disclosure is only requested for the successful candidate following the selection process.

As the DBS no longer issue Disclosure Certificates to organisations, when an individual receives their certificate from the DBS they must take it into Human Resources for verification. This applies to prospective employees as well as current employees.

## **7. Update Service**

All new and existing employees who require an enhanced DBS check must subscribe to the DBS Online Update Service.

It is the employee's responsibility and a contractual obligation to keep this subscription up to date on an annual basis. If any employee fails to renew the subscription they will be charged for both the new DBS check and re-registering on the update service due to breaching the terms and conditions of employment. This may also result in disciplinary action and suspension from work pending receipt of an updated disclosure check.

For new applicants to the Council who already have an enhanced DBS certificate for the relevant workforce and who are signed up to the online update service, the Council will accept this disclosure and carry out an online status check to ensure that their disclosure is still valid.

The online status check will be carried out on an annual basis. If the online status check reveals a change in the disclosure status then a new DBS check will be required. Employees have a duty to inform their manager of any cautions or convictions they receive immediately. Failure to do so may result in disciplinary action being taken.

If existing or new employees are applying for a position within a different workforce - moving from adult workforce to children's workforce or vice versa - then a new DBS check will be required.

The Council will reimburse employees the cost of the annual subscription to the online update service.

## **8. Use of Disclosure Information**

A disclosure is only requested for a successful candidate following the recruitment and selection process or as a routine recheck for existing employees.

If a disclosure or online status check reveals information about spent or unspent convictions which may make the individual unsuitable for the applied post, or continuing in their current post, the appointing or line manager, along with Human Resources, will discuss the situation with the individual in line with the DBS Code of Practice and through use and completion of Appendix E – Checklist for Employees with Adverse Disclosures.

When assessing any disclosure or declared conviction information received, consideration will be given to a range of issues and the risk assessment will support a manager's decision enabling them to assess the suitability of the applicant for their proposed position in light of matter(s) disclosed on their DBS certificate.

## **9. Security, Confidentiality, Storage and Retention**

Disclosure information will be treated with the utmost confidentiality and kept in a secure place. Access to disclosure information is restricted to those individuals who have a requirement to see it in the course of their duties. Information will only be disclosed to third parties in exceptional circumstances and with the consent of the DBS.

Disclosures will be kept by the Council for a maximum of six months after a recruitment decision has been made. This is to allow for the consideration and resolution of any disputes or complaints. Disclosures will then be destroyed by secure means.

The Council will however keep a secure record of the name of the employee, the position for which the disclosure was requested, the unique reference number and date of the disclosure, and a record of the details of the recruitment decision made as a result. All information will be processed fairly, and in accordance with the provisions of the General Data Protection Regulations.

## **10. Disputes**

If an employee believes that the information provided in a DBS check is inaccurate or incorrect, then it is the responsibility of the individual to raise this with the DBS. The Council will base any decision on the information provided by the DBS and this decision will be final.

## **11. Employees with Adverse Disclosures**

Where existing employees who have not been previously checked, or their post requires a re-check and subsequently have an adverse disclosure result, Human Resources will discuss this with the employee and their line manager. Legal advice may also be sought. It may be appropriate to move the employee to an alternative post with no access to children and/or adults at risk depending on the nature of the disclosure and pending the outcome of a full investigation. If there are no suitable duties the employee could undertake during this period which does not bring them into contact with children/adults at risk, the line manager will give consideration to suspending the employee on full pay pending the outcome of a disciplinary investigation.

**Policy Statement on the Recruitment of Ex-Offenders**

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), the Council complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly.

The Council undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.

The Council will only ask an individual to provide details of convictions and cautions that it is legally entitled to know about. Where a DBS certificate at the enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended). The Council will only ask an individual about convictions and cautions that are not protected.

The Council is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, gender reassignment, religion, sexual orientation, marriage and civil partnership, maternity and pregnancy, age, and physical or mental disability or offending background.

The Council actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. The Council selects all candidates for interview based on their skills, qualifications and experience.

An application for a criminal record check is only submitted to the DBS after a risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all job adverts and invite to interview letters will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.

The Council ensures that those involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences and have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, eg the Rehabilitation of Offenders Act 1974 as amended.

At interview, or in a separate discussion, the Council ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal or an offer of employment.

The Council complies fully with the DBS Code of Practice and make a copy available on request. The Council will discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

<b><u>DBS POST CHECKLIST</u></b>	
<b><u>POSTS REQUIRING AN ENHANCED DBS CHECK FOR REGULATED ACTIVITY RELATING TO CHILDREN AND ADULTS</u></b>	
<b>BDC</b>	
ASB Case Worker	
Assistant Community Safety Officer	
Community Outreach Worker	
Community Ranger	
Community Safety Officer	
Domestic Violence Officer	
Housing Enforcement Manager	
Housing Needs Manager	
NG20 Multicultural Adviser	
NG20 Project Development Officer	
NG20 Project Community Dev Officer	
Senior Parenting Practitioner	
<b><u>POSTS REQUIRING AN ENHANCED DBS CHECK FOR REGULATED ACTIVITY RELATING TO CHILDREN</u></b>	
<b>BDC</b>	
Active Lifestyles Manager	
Activity Assistant	
Arts Development Officer	
Duty Manager	
Exercise/Fitness Improvement Coach	
Exercise/Fitness Referral Officer	
Extreme Sports Coach	
Extreme Wheels Manager	
Fitness Instructor	
Healthy Lifestyles Instructor	
Leisure Facility Manager	
Lifeguard/Leisure Attendant	
Manager (PVOAC)	
Outdoor Recreation Officer	
Physical Activity/Sports Co-ordinator	
Physical Activity/Sports Development Manager	
Physical Activity/Sports Development Officer	
Ranger/Instructor	
School Sports Coach	
Swimming Teacher	
<b><u>POSTS REQUIRING AN ENHANCED DBS CHECK FOR REGULATED ACTIVITY RELATING TO ADULTS</u></b>	
<b>BDC</b>	
Scheme Manager	
Support Officer	
<b><u>POSTS REQUIRING AN ENHANCED DBS CHECK</u></b>	

[illegible]

**REGULATED ACTIVITY RELATING TO CHILDREN****General exceptions:**

Regulated activity relating to children does not include:

- Family arrangements and personal, non-commercial arrangements.
- Activity by a person in a group assisting or acting on behalf of, or under direction of, another person engaging in regulated activity in relation to children.

Regulated activity relating to children is:

**1. Teaching, training or instruction of children:**

- a. Carried out by the same person frequently (once a week or more) **or** on 4 or more days in a 30-day period **or** at any time overnight (between 2am-6am *and* with an opportunity for face-to-face contact with children);
- b. NOT supervised – i.e. under reasonable day-to-day supervision by another person engaging in regulated activity;
- c. NOT activity relating to a child, aged 16 or over, in the course of his employment, not by a person for whom arrangements exist principally for that purpose; and
- d. NOT activity merely incidental to activity with adults

**2. Care or supervision of children (except that covered by points 6 or 7):**

- a. Carried out by the same person frequently (once a week or more) **or** on 4 or more days in a 30-day period **or** at any time overnight (between 2am-6am *and* with an opportunity for face-to-face contact with children);
- b. NOT supervised – i.e. under reasonable day-to-day supervision by another person engaging in regulated activity (unless providing relevant personal care or health care by or under a professional – see point 6 and 7 below);
- c. NOT health care provided by or directed or supervised by a health care professional;
- d. NOT activity relating to a child, aged 16 or over, in the course of his employment, not by a person for whom arrangements exist principally for that purpose; and
- e. NOT activity merely incidental to activity with adults.

**3. Advice or guidance:**

- a. Provided wholly or mainly for children;
- b. Relating to their physical, emotional or educational well-being;
- c. Carried out by the same person frequently (once a week or more) **or** on 4 or more days in a 30-day period **or** at any time overnight (between 2am-6am *and* with an opportunity for face-to-face contact with children);
- d. NOT legal advice; and
- e. NOT activity relating to a child, aged 16 or over, in the course of his employment, not by a person for whom arrangements exist principally for that purpose.



4. **Moderating a public electronic interactive communication service** which is likely to be used wholly or mainly by children
  - a. Carried out by the same person frequently (once a week or more) **or** on 4 or more days in a 30-day period; and
  - b. NOT activity by a person who does not have access to the content of the matter or contact with users.
5. **Driving a vehicle** being used only for conveying children and their carers/supervisors
  - a. Carried out by the same person frequently (once a week or more) **or** on 4 or more days in a 30-day period; and
  - b. Done under an agreement, either with the driver or with a person with whom the driver works, for gain or not.
6. **Relevant personal care**
  - a. Either:
    - i. Physical help with eating or drinking necessary due to illness or disability;
    - ii. Physical help with toileting, washing, bathing or dressing necessary due to age, illness or disability;
    - iii. Prompting, with supervision, in relation to i or ii where the child is otherwise unable to decide; or
    - iv. Any form of training, instruction, advice or guidance given to the child in relation to i or ii.
  - b. NOT activity relating to a child, aged 16 or over, in the course of his employment, not by a person for whom arrangements exist principally for that purpose; and
  - c. NOT activity merely incidental to activity with adults.
7. **Health care** provided for children
  - a. By, or under the direction or supervision of, a health care professional;
  - b. NOT activity relating to a child, aged 16 or over, in the course of his employment, not by a person for whom arrangements exist principally for that purpose; and
  - c. NOT activity merely incidental to activity with adults.
8. **Childminding**
  - a. On domestic premises, for reward; and
  - b. With a requirement to register, or voluntary registration, under Childcare Act 2006.
9. **Fostering** a child
  - a. NOT care arranged by family members, not for reward; and
  - b. NOT LA fostering a child with a barred person who is, or lives with, a relative of the child.

10. **Day-to-day management or supervision** on a regular basis of a person providing regulated activity as described by points 1-7 and 11 (or in relation to points 1, 2 and 11, activity which would be regulated activity if it was unsupervised).

11. Activity carried out at **certain establishments**:

- a. Carried out by the same person frequently (once a week or more) **or** on 4 or more days in a 30-day period;
- b. Carried out for in connection with the purposes of the establishment;
- c. Gives the person the opportunity, in carrying out their work, to have contact with children;
- d. NOT activity by a person contracted or volunteering to provide temporary or occasional services (and not mentioned in points 1-7 above);
- e. NOT supervised volunteering – i.e. under reasonable day-to-day supervision by another person engaging in regulated activity; and
- f. Carried out at one of the following establishments:
  - i. A school;
  - ii. A pupil referral unit;
  - iii. A nursery school;
  - iv. An institution for the detention of children;
  - v. A children's home;
  - vi. A children's centre; or
  - vii. Any childcare premises, including nurseries (but not including the home of a parent of at least one child to whom the childcare is provided).

**REGULATED ACTIVITY RELATING TO ADULTS****General exception:**

Regulated activity relating to adults does not include:

- Activity by a person in a group assisting or acting on behalf of, or under direction of, another person engaging in regulated activity relating to adults.

Regulated activity relating to adults is:

**1 Health care** provided for adults:

- g. By, or under the direction or supervision of, a health care professional.
- h. Includes first aid provided by a person acting on behalf of an organisation established for the purpose of providing first aid such as St John Ambulance but not first aid in the workplace.

**2 Relevant personal care:**

- a. Either:
  - i. Physical help with eating, drinking, toileting, washing, bathing, dressing, oral care or care of skin, hair or nails, necessary due to age, illness or disability;
  - ii. Prompting, with supervision, in relation to i where the person is otherwise unable to decide; or
  - iii. Any form of training, instruction, advice or guidance given to the person in relation to i.

**3 Relevant social work:**

- a. Provided by a social care worker to an adult who is a client or potential client; and
- b. Required in connection with any health, education or social services provided.

**4 Day to day assistance in relation to general household matters:**

- a. Either:
  - i. Managing the person's cash;
  - ii. Paying the person's bills; or
  - iii. Shopping.
- b. Necessary by reason of age, illness or disability.

**5 Relevant assistance in the conduct of an adult's own affairs:**

- a. Anything done on behalf of a person by virtue of:
  - i. A lasting power of attorney;
  - ii. An enduring power of attorney;
  - iii. A court order appointing a deputy or making decisions on the person's behalf;

- iv. The appointment of an independent mental health/capacity advocate;
- v. The provision of independent advocacy services; or
- vi. The appointment of an appointee to receive the person's benefit payments.

**6 Conveying:**

- a. Necessary by reason of age, illness or disability;
- b. Transporting to, from or between places where the person receives health care, personal care or social work; and
- c. NOT by family, friends or taxi drivers or licensed private hire drivers.

**7 Certain inspection functions**

**8 Day-to-day management or supervision** on a regular basis of a person who is providing a regulated activity relating to adults is also a regulated activity.

**Note:** There is *no* requirement for the above activities to be done a certain number of times before they become regulated activity.

NAME OF CANDIDATE/EMPLOYEE: \_\_\_\_\_

**CHECKLIST FOR EMPLOYEES WITH ADVERSE DISCLOSURES**

When deciding on the relevance of offences to particular posts the following risk assessment must be completed

**General**

- How serious is the offence and its relevance to the safety of other employees, customers, clients or property
- How long is it since the offence occurred?
- Was the offence a one-off, or part of a history of offending?
- Has the individual's circumstances changed since the offence was committed, making re-offending less likely?
- Has the offence been decriminalised by Parliament?
- In which country was the offence committed? (Some activities are offences in Scotland and not in England and Wales and vice versa?)

## **Post Specific**

- Does the post involve contact in any way with vulnerable groups?
- What is the post-holder's level of supervision?
- Does the post involve responsibility for finance or valuable items?
- Does the post holder come into direct contact with the public in general?
- Will the nature of the job present the opportunity in the workplace for the post holder to re-offend?
- If the post-holder did re-offend would this have a detrimental effect on the reputation of the Council?

**Date of interview to discuss criminal record history:**

**Interview conducted by:**

**Record of discussion (key points)**

**Decision (including rationale)**



**North East  
Derbyshire**  
District Council

# **Learning and Development Policy**

**July 2019**





North East  
Derbyshire  
District Council

## *We speak your language*

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Polish

*Mówimy Twoim językiem*

---

French

*Nous parlons votre langue*

---

Spanish

*Hablamos su idioma*

---

Slovak

*Rozprávame Vaším jazykom*

---

Chinese

我们会说你的语言

---

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**01246 231111**

## CONTROL SHEET FOR [Learning and Development Policy]

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Learning and Development Policy
Current status – i.e. first draft, version 2 or final version	Final Version
Policy author (post title only)	HR Link Officer (OD)
Location of policy (whilst in development) – i.e. L-drive, shared drive	S drive
Relevant Cabinet Member (if applicable)	Cllr Dale
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	SAMT JCG Council
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

# **LEARNING AND DEVELOPMENT POLICY**

## **1. Introduction**

Learning and development at all levels is crucial to achieving the Council's corporate objectives. The Council is committed to developing and managing its' workforce to ensure the organisation is able to sustain high performance and transform service delivery, and to assist employees to reach their full potential.

## **2. Scope**

This policy applies to all employees of the Council regardless of whether they are full time, part time, fixed term or casual employees. It also pays due regard to the principles of the Equality Act 2010 covering age, disability, gender, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

It excludes agency workers, volunteers and Elected Members who are covered under separate policies.

## **3. Principles**

The Council recognises that by investing in and engaging people through learning and development, the organisation is able to harness employees' full potential to improve and transform service delivery, while fulfilling their need for personal development and job satisfaction.

The Learning and Development Policy will support delivery of the Council's Corporate Aims.

In particular this policy supports the Transforming our Organisation priority of:

- Supporting and engaging with our employees
- Making the best use of our assets.

This policy is supported by the Appraisal Scheme.

## **4. Statement**

The Council is committed to making resources available to provide learning and development opportunities to maximise the potential of its employees.

## **5. Learning and Development**

Employees will have different learning and development needs at different stages of their career. The Council has identified that there will be some mandatory learning and development required for employees as follows:

## Essential

- Corporate induction
- Service induction
- Corporate learning:
  - Customer Service
  - Data Protection
  - Equality and Diversity
  - Health and Safety
  - Freedom of Information and Records Management
  - Safeguarding Children and Vulnerable Adults
- Where appropriate, policy knowledge which is essential for Managers
- Continuing Professional Development (CPD) which is essential for the post.
- In exceptional circumstances some qualifications listed as desirable on the person specification may be considered as essential post employment where the qualification is essential to succession planning.

## Desirable

- Learning that is not mandatory but would be useful for the post holder to carry out their duties.
- Skills and knowledge that will help improve an individual's job performance.

### 5.1 Learning and Development Opportunities

The following learning and development opportunities are available within the Council:

Additional duties opportunities	Leadership Development
Apprenticeships – supported by the Apprenticeship Scheme	Management Development
Coaching	Mentoring
Conferences	Partnership Working
Development Opportunities eg career graded posts	Post Entry Training leading to a recognised qualification
Health and Safety	Professional Updates
Higher Education Courses	Project Work
ICT	Short Courses
In house training/briefings	Work Experience
Joint Working	Work Shadowing

## **5.2 Learning and Development Responsibilities**

### **5.2.1 Corporate**

SAMT are responsible for ensuring that this Policy is implemented across the Council and supports the Council's Corporate Aims.

SAMT should be aware of the Council's overall investment in learning and development and the quantification of how this investment has improved the performance of the Council.

In accordance with the Equality Act 2010, reasonable adjustments will be considered where appropriate for employees when undertaking learning and development activities.

### **5.2.2 Managers**

Managers are responsible for ensuring that this Policy is implemented across the Council, and supports the Council's Corporate Aims.

Managers are responsible for ensuring consistency in the application of learning and development requests.

Learning and development needs should be discussed with individual employees and an individual development plan agreed. Managers should encourage and support employees to be proactive about self-development at work and facilitate reinforcement and application of learning in the workplace.

The opportunity to utilise Apprenticeship Levy funding should always be explored prior to any other learning and development expenditure commitments.

Reviewing and evaluating the effectiveness of learning and development on individuals and teams is essential to demonstrate a clear benefit to the Council.

Managers are responsible for inducting new employees and employees new to a post, and provide coaching on immediate work processes.

Managers must ensure that HR is informed of all learning and development activity undertaken by employees so that information can be recorded on the Council's HR and Payroll system.

### **5.2.3 Employees**

Employees are expected to actively contribute to identifying and meeting their own job-related development needs and agree personal learning and development plans and implementation with their line manager.

Employees should recognise that learning and development is a two-way process and individual employees need to accept responsibility for their learning and development and its application in their work.

An evaluation form must be completed after any learning and development activity is undertaken, and discussed with the line manager and submitted to HR.

#### **5.2.4 Human Resources**

Human Resources are responsible for ensuring that this Policy is implemented across the Council, and supports the Council's Corporate Aims.

Human Resources are responsible for managing the learning and development budget and if required will provide specialist support to Managers in the development of their employees.

The opportunity to utilise Apprenticeship Levy funding will be explored prior to agreeing any other learning and development expenditure commitments.

Evaluation of learning and development activities will be recorded when submitted by managers and/or employees.

Human Resources will be responsible for developing and/or designing internal corporate learning and development programmes as required and will source suppliers for externally delivered corporate learning and development programmes such as Management and Leadership Development.

#### **5.3 Identification**

The identification of learning and development needs for all employees is essential to the success of a Learning and Development Policy. Managers and employees will ensure that needs are accurately identified, with a Plan being agreed with each employee as part of the Appraisal Scheme and as a result of day to day observations or interactions with employees.

The responsibility for analysis and identification of appropriate learning and development activities lies in the first instance with employees and Managers.

Appraisals are to be held with all employees in line with the Appraisal Scheme, with individual learning and development needs identified.

All learning and development activities provided for employees must be consistent with, and support the Council's Aims.

#### **5.4 Short Courses**

Requests for short course training should be made using the Learning and Development Request Form. (Attached at **Appendix A**). This form will be forwarded to the employee's line manager for approval. Once approved the line manager will complete a purchase order request using the Council's training cost code, which will then be forwarded to HR (OD) to enable details of the training to be recorded and details placed on the employee's personal file. The line manager or employee can then proceed to book the training course

## 5.5 Post Entry Training

Requests for post entry training leading to an accredited qualification should be made using the Learning and Development Request Form. This form will be forwarded to the employee's line manager for approval, before being sent to Human Resources (OD). HR (OD) will initially consider whether the training could be undertaken as part of an apprenticeship.

If a suitable apprenticeship can be identified, HR (OD) will make arrangements for the training through the apprenticeship levy.

If the post entry training is to be funded out of the corporate training budget, and there is sufficient funding available, HR (OD) will raise a Purchase Order for the training, and will inform the line manager that the course can be booked.

## 5.6 Learner Agreement and Repayment of Fees

Where the Council has provided financial sponsorship to undertake training leading to a recognised qualification, certificate, license etc, or training where the costs exceed £500, a learner agreement will be issued.

If an employee leaves the employment of the Council within two years of achieving their qualification, certificate, license etc, or receiving financial support to undertake training where the costs exceed £500, the employee will be required to repay the cost of the course on a sliding scale.

Information regarding the Post Entry Training scheme are attached at **Appendix B**.

**For jointly funded appointments where the Council has paid a percentage of the training costs, repayment will be based on the actual costs incurred by the Council.**

## 6 Evaluation

Following completion of either a short course or a course supported under the Post Entry Training Scheme, an Evaluation Form must be completed by the employee and sent to the line manager and to HR (OD) to include on the employee's personal file (**Appendix C**).

## 7 People Strategy Framework

Corporate Aim and Priority for People Strategy	People Strategy Action Plan Aims	Employee Life Cycle
<div>Transforming Our Organisation</div> <div>Provide our customers with excellent service</div>	1.Improve employee engagement	<pre>graph TD; Recruit[Recruit Induction] --&gt; Manage[Manage Organisation Practice]; Manage --&gt; Develop[Develop Training]; Develop --&gt; Reward[Reward Skills]; Reward --&gt; Retain[Retain Progression/Development]; Retain --&gt; Recruit</pre>
	2.Provide a healthy and safe work environment	
	3.Build workforce capability	
	4.Promote a high performance culture	
	5.Support organisational transformation	
	6.Transform HR and Payroll Service delivery	
<div>Learning and Development Action Plan Aims</div> <div><div>1. Support the Council in achieving the Corporate Plan</div><div>2. Effectively manage the Council’s learning and development budget</div><div>3. Respond to existing employee Learning and Development needs utilising the apprenticeship levy where appropriate</div><div>4. Support the development of employees to enable career progression both internally and externally</div><div>5. Procure Learning and Development as required for Management and Leadership development, and manage this ongoing relationship</div><div>6. Provide learning and development support and advice to employees and managers</div></div>		

## 8 Conclusion

The learning and development of employees is to be continually assessed and evaluated to ensure it meets the needs of the Council and individuals, and is delivered in the most effective way. Learning and development priorities are to be reviewed on an annual basis to ensure they meet the current and future needs of the Council and individuals.

## 9. Responsibility for Implementation

Responsibility for implementation of this policy lies with Strategic Alliance Management Team, Line Managers and Human Resources.



**10. Appendices (if applicable)**


Appendix A – Learning and Development Request Form

Appendix B – Post Entry Training Scheme

Appendix C – Employee Learning, Development and Training Evaluation

## Appendix A

### Learning and Development Request Form

		<h2 style="text-align: center; background-color: blue; color: white; padding: 5px;">REQUEST FOR TRAINING</h2>	
		<b>INSTRUCTIONS FOR USE</b> <ul style="list-style-type: none"> <li>• One form should be completed for each course.</li> <li>• If you are requesting qualification based training please read the Guidance Notes.</li> <li>• Training request must be signed by the employee's Line Manager/Service Manager</li> </ul>	
<b>PART A</b>			
Employee Surname:		Employee Forename(s):	
Job Title:		Service:	
<b>PART B</b>			
Course/Apprenticeship Title:		Certificating Body (if appropriate):	Level/Year (if appropriate):
<b>Course Provider Details</b> Name:		Address:	
Telephone number:			
<b>Pattern of Attendance (details):</b>  Short Course <input type="text"/>  <b>Qualification Based Training</b>  Day Release <input type="text"/> Block Release <input type="text"/> Full-Time <input type="text"/> E Learning <input type="text"/> Other <input type="text"/> If Other, please specify:		Date of Course:	
		Training Location:	
		Duration of Course/Apprenticeship:	
		Total Cost of Course/Apprenticeship Funding Band: £	
		Could this training be delivered as part of the Apprenticeship Programme? <div style="text-align: right;">YES/NO</div>	
<b>PART C</b>			
1. Please state why you wish to undertake this training and its relevance to your work.			
2. Is this training a requirement from your last Appraisal/Review?			

If no, why is the training necessary now? *(please tick)*

Legislation requirement ☐

Corporate requirement ☐

Continuing professional development ☐

Other – Please explain ☐

**PART D – to be completed if Qualification Based Training is requested**

Please give details of support requested per item:

<u>Item</u>	<u>Amount (£)</u>
Registration Fees	
Course Fees	
Exam Fees	
Books	
Other (please specify) _____	
<b>TOTAL</b>	<b>£</b> _____

**PART E - DECLARATION**

In submitting this application, I accept that should financial assistance be provided, I agree to comply with the conditions of approval as stated in my contract of employment, the Learning and Development Policy and other relevant Council Guidelines.

**Signature of Applicant:**

**Date:**

**THIS SECTION IS TO BE COMPLETED BY YOUR LINE MANAGER/SERVICE MANAGER**

I confirm that this training is necessary to meet the needs of the Service and is a \*Priority 1/ 2 (*\*please select*) learning and development need

Is this training fully funded through the apprenticeship levy? Yes / No

Which budget would fund these development costs? SERVICE / CORPORATE / APP LEVY

What is the main Corporate Aim that this training will contribute to? *(please tick)*

Unlocking Our Growth Potential ☐

Providing our Customers with Excellent Services ☐

Supporting our Communities to be Healthier, Safer, Cleaner and Greener ☐

Transforming our Organisation ☐

**APPROVAL**

Approved by Line Manager/Service Manager

Print Name:

Date:

Signature:

Approved by Human Resources (OD)

Name:

Date:

**Please return completed form to Human Resources for recording and/or approval**

Input onto CHRIS 21

Signed:

Date:

**Please note you will be required to complete a Post Learning and Development Evaluation Form following this training**

For more information on how we use personal information please go to our privacy statement on the Council's website or contact a member of the HR & Payroll team

## **Appendix B**

### **POST ENTRY TRAINING SCHEME (Including qualification training)**

#### **1 Responsibility of Employee**

- 1.1 A Learning and Development Application form should be submitted with the cost of the course, registration and examination fees. Where you are unable to obtain an exact figure from the College etc, please give an approximate figure in every case. Do not forget to include estimates for travel and subsistence.
- 1.2 If your application for Post Entry Training is successful, a learner agreement will be issued.
- 1.3 Once approved, any changes to your Post Entry Training request must be reported to and agreed by Human Resources (Organisational Development).
- 1.4 In some cases a letter for the College/University you are due to attend will be issued which gives them authorisation to invoice the Council for your tuition fees.

#### **2 Fees and Expenses**

- 2.1 The Council will pay for the following:
  - All course fees
  - Registration fee if required to undertake the course, but only for the duration of the course
  - Examination entry fee and request for approval for one retake if required
- 2.2 The cost of approved additional expenditure:
  - The excess of the cost of travelling to and from the venue of the course or examination over the cost of travelling to and from the place of employment. The cost will be based on public transport fares **or**
  - The excess of mileage to and from the venue of the course or examination over the mileage usually incurred travelling to and from the place of employment.
  - Subsistence allowance – current rates are available from Payroll
  - No subsistence allowances are made in respect of attendance at evening classes only.
- 2.3 All claims for reimbursement of travel, expenses etc should be made on HR21. If you are not on HR21 an expenses claim form can be collected from Human Resources.

#### **3 Repayment of Fees**

Where the Council has provided financial sponsorship for you to undertake training leading to a recognised qualification, certificate or license etc., or training where the costs exceed £500, the following conditions apply:

- If you decide not to carry on with the course without good reason (to be determined by Joint Head of Service – Corporate Governance, and ~~the~~ 136

and OD Manager, you will be liable to 100% repayment of all the course fees and expenses.

- If you leave the Council within two years of obtaining your qualification or assistance, there is a requirement to repay the course, registration and examination fees on the following basis:
  - First six months after end of assistance - 100%
  - 7 – 12 months after end of assistance - 75%
  - 13 – 18 months after end of assistance - 50%
  - 19 – 24 months after end of assistance - 25%

Where repayment of financial assistance is required, this will not include salary paid in respect of time spent at approved courses of study.

**For jointly funded appointments where the Council has paid a percentage of the training costs, repayment will be based on the actual costs incurred by the Council.**

#### **4 Study Leave**

- 4.1** Whilst undertaking Post Entry Training, study leave is granted as ½ day's leave per examination.
- 4.2** If you fail to sit for an examination without good reason, or fail to show satisfactory progress or discontinue your course, the Council will withdraw the facilities granted under this scheme and will require repayment of the financial assistance.
- 4.3** If you fail your final exam, the Council will pay for the first resit where there has been satisfactory progress in your studies. However the continuance of facilities under the Post Entry Training scheme will be reviewed if further resits or a lack of satisfactory progress occurs.
- 4.4** **As soon as you receive notification of the outcome of your studies, you will be expected to forward a copy of the appropriate certificate/document to HR (OD).**

## Appendix C



### Employee Learning, Development & Training Record/Evaluation

Please complete the form below using Adobe Acrobat reader.

Print off **two** copies and send one to your manager and one to Human Resources.

#### Section One: Record

Employee Name/s:

Job Title:

Name of Learning/  
Development/Training Event  
Undertaken:

Internally or Externally

Internal

☐

External

☐

Date/s Undertaken:

#### Section Two: Evaluation

1. Were your learning objectives achieved?

Fully

☐

Partially

☐

Not at all

☐

2. What did you feel was the best part of this learning/ training/ development and why?

3. How will you apply this learning/training/development back in the workplace?

4. Would you recommend this learning/training/development to your colleagues?

5. Is there anything that can be improved?

6. Any other comments?

HR Use:

Input on CHRIS:

Date:

Thank you for taking the time to complete this form

## **Appendix 6**

### Covering Communication

Dear All

The Council is committed to ensuring it's premises are a smoke-free environment and protecting employees to enable them to work in a smoke-free workplace.

As a reminder to everyone smoking is not permitted:

- By any persons including staff, Councillors, visitors and tenants within the premises or on the grounds from which Council services are delivered.
- Within vehicles parked on these premises.
- Within Council vehicles and pool cars at any time.
- In personal vehicles when transporting others within working hours and/or when on authorised business

There are dedicated smoking areas and individuals are requested to respectfully ensure they only smoke within these dedicated areas to minimise the impact of smoking on others.

The smoking areas are:

- Arc: Front of site to the far side of the Entrance gates
- Mill Lane: Top of steps in side car park
- Doe Lea Depot: Outside pedestrian entrance gate on the pavement or outside bottom vehicular entrance gates
- Eckington Depot: Outside entrance gates
- Coney Green, Tangent & Pleasley Vale Business Centres: Smokefree for Members of the Public and Tenants have a designated smoking area at the rear of the site
- Eckington Pool, Dronfield Sports Centre and Sharley Park Leisure Centre are smokefree sites
- South Normanton Hub: TBC

Other premises: Individuals must be 5 metres away from the building.

The use of e-cigarettes and vaping is prohibited wherever smoking is prohibited.

Please note smokers are expected to dispose of cigarette waste sensibly in an appropriate receptacle and not leave litter on the ground. In line with the Council's Smoking Policy and

the law any individual seen dropping litter can be liable to an immediate fixed penalty notice and fine.

Any employees failing to follow the Council's Smoking Policy will be subject to disciplinary action.

Any visitor seen smoking, vaping or using electronic cigarettes at any premises will be advised of the policy and asked to extinguish/put away their cigarette/electronic cigarette. Employees are responsible for making visitors to Council premises aware of the requirement to comply with the policy and that non-compliance will be a breach of the Health Act 2006 and therefore a criminal offence.

Any contractor seen to be smoking, vaping or using electronic cigarettes at any premise shall be reminded of the contractual conditions verbally and in writing.

Private Dwellings: smokers will be requested to refrain from smoking during visits from Council employees and that, if people insist on smoking or vaping in the presence of Council employees, the visit will be ended.





**North East  
Derbyshire**  
District Council

# **Smoke Free & Vaping Policy**

**July 2019**



North East  
Derbyshire  
District Council

## *We speak your language*

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Polish

*Mówimy Twoim językiem*

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French

*Nous parlons votre langue*

---

Spanish

*Hablamos su idioma*

---

Slovak

*Rozprávame Vaším jazykom*

---

Chinese

我们会说你的语言

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## CONTROL SHEET FOR PROBATION POLICY

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Smoke Free Policy
Current status – i.e. first draft, version 2 or final version	Final Version
Policy author (post title only)	HR & OD Manager
Location of policy (whilst in development) – i.e. L-drive, shared drive	S Drive HR folder
Relevant Cabinet Member (if applicable)	Cllr Dale
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	N/A
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	Final version SAMT JCG Council
Date policy approved	September 2013 Revised March 2019
Date policy due for review (maximum three years)	
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

## **SMOKEFREE & VAPING POLICY**

### **1. Introduction**

It is a well known and scientifically proven that exposure to second hand smoke, also known as passive smoking, increases the risk of lung cancer, heart disease and other illnesses. Ventilation or segregating smokers in the same airspace as non-smokers does not completely eliminate potentially dangerous exposure.

E-littering and vaping will be treated in the same way as cigarettes by the Council and for the purposes of this policy.

### **2. Aims of the Policy**

The Council recognises that exposure to second hand smoke has an adverse effect on the health of employees, workers, service users, customers, tenants and visitors.

This Policy Statement has been prepared and seeks to

- make arrangements which will protect persons employed by or having business with the Council from exposure to second hand smoke, and
- assist compliance with the Health Act 2006.

### **3. Policy Statement**

It is the policy of the Council that

- all workplaces under the Council's control are smoke free with designated smoking areas signposted for individuals choosing to smoke
- the Council's image and reputation are protected
- all employees have a right to a smoke free environment.

The original policy came into effect on 1<sup>st</sup> October 2007. This revised version of the policy includes the addition of electronic cigarettes and vaping. The following rules apply.

- Smoking, vaping and the use of electronic cigarettes is prohibited in all Council controlled workplaces with no exceptions. This includes council vehicles.
- The policy applies to all employees, elected members, workers, contractors, customers, tenants and visitors.
- Smoking, vaping and the use of electronic cigarettes will not be permitted in Council grounds unless within a designated smoking area.
- Any individual including employees seen dropping litter such as cigarette butts, can be liable to an immediate fixed penalty notice and associated fine.

, The following steps will be taken in relation to smokefree arrangements.

- Ask any service users or clients who are visited regularly not to smoke or vape for a certain period prior to any pre-arranged visit and during a visit. The client should also be asked to ensure that no-one living in the house with them smokes.
- If service users or clients do smoke or vape, ask that they limit their smoking to rooms where people will not be working and open windows in rooms where people are working to help clear secondhand smoke.
- Visitors etc. who refuse to comply with the policy will be asked to leave the premises.
- Identify employees who have a pre-existing condition that is made worse by exposure to tobacco smoke, such as asthma, COPD and cardiovascular disease or who face additional risks e.g. due to pregnancy. Employees who have such conditions are at higher risk and particular care should be taken to prevent or minimise their exposure to tobacco smoke.
- Ensure that no employee is expected to make consecutive visits, or even a sequence of visits, to houses in which they are likely to be exposed to tobacco smoke.
- Ensure all Tenants are informed of their requirement to comply with the Council's Smokefree Policy.
- Smoking is permitted outside the workplace and outside working hours, i.e. before/after work or during breaks.
- Employees on flexi time may be permitted to take smoking breaks, but must clock out and smoke/vape in their own time. However this is at the discretion of their manager, and is subject to the needs of the service.
- Smoking/vaping is prohibited within 5 metres of any Council workplace.
- Any smoking areas will be designated using appropriate signage and their locations are available from the Facilities Team or HR Team.

#### **4. Implementation**

Overall responsibility for the implementation of this policy rests with Line Managers.

All employees are expected to co-operate in the implementation of the policy.

The policy shall be included on the Extranet.

Line managers shall ensure that all new employees are made aware of the requirements of the policy.

Appropriate signs relating to smoking restrictions shall be displayed in all premises and vehicles.

## **5. Non-Compliance**

Disciplinary action may be taken against any employee failing to comply with the policy.

Any visitor seen to be smoking, vaping or using electronic cigarettes at any premises will be advised of the policy and asked to extinguish/put away smoking materials, vaping materials and/or electronic cigarettes.

Any contractor seen to be smoking, vaping or using electronic cigarettes at any premises shall be reminded of the contractual conditions verbally and in writing.

All persons attending Council premises need to be aware of the requirement to comply with the policy and that non-compliance will be a breach of the Health Act 2006 and therefore a criminal offence.

Private Dwellings: smokers will be requested to refrain from smoking during visits from Council employees and that, if people insist on smoking or vaping in the presence of Council employees, the visit will be ended

## **6. Policy Review**

This policy shall be reviewed as necessary and will be subject to change to take account of any operational or legislative requirements.