

COUNCIL AGENDA

To:- The Members of the Staffordshire County Council

Notice is given that the meeting of the Staffordshire County Council will be held in the Council Chamber - County Buildings at 10:00 on Thursday 9 December 2021 to deal with the matters set out on the agenda.

John Henderson
Chief Executive
1 December 2021

AGENDA

(**Note:** The meeting will begin with prayers)

PART ONE

General Housekeeping and Declaring an Interest

1. **Apologies for absence (if any)**

2. **Declarations of Interest under Standing Order 16**

3. **Confirmation of the minutes** (Pages 5 - 26)

(a) Meeting held on 14 October 2021

(b) Special Council Meeting held on 14 October 2021

4. **Chairman's Correspondence**

The Chairman will mention a range of recent items of news which may be of interest to Members

5. **Statement of the Leader of the Council** (Pages 27 - 34)

The Leader will inform the Council about his work and his plans for the Council, and will give an overview of decisions taken by the Cabinet (and Portfolio Holders) since the previous meeting of the Council

6. **Recommendations to the Council**

a) Financial Regulations (Pages 35 - 98)

b) Change to the Constitution - Amendments to the Council's Procurement Regulations (Pages 99 - 130)

7. **Report of the Chairman of the Staffordshire Police, Fire and Crime Panel** (Pages 131 - 138)

(a) Meeting held on 12 October 2021

(b) Meeting held on 25 October 2021

8. **Questions**

Questions to be asked by Members of the County Council of the Leader of the Council, a Cabinet Member, or a Chairman of a Committee. The question will be answered by the relevant Member and the Member asking the question may then ask a follow up question which will also be answered

9. **Petitions**

An opportunity for Members to present and speak on petitions submitted by their constituents

10. **Exclusion of the Public**

The Chairman of the Council will move the following motion so that the County Council can consider confidential business in private:-

“That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 indicated below”.

PART TWO

(All reports in this section are on pink paper)

Nil

Note for Members of the Press and Public

Filming of Meetings

The Open (public) section of this meeting may be filmed for live or later broadcasting or other use, and, if you are at the meeting, you may be filmed, and are deemed to have agreed to being filmed and to the use of the recording for broadcast and/or other purposes.

Recording by Press and Public

Recording (including by the use of social media) by the Press and Public is permitted from the public seating area provided it does not, in the opinion of the chairman, disrupt the meeting.

NOTICES FOR COUNCILLORS

1. Questions

- 1.1. Questions must be addressed to the Chairman, or to the Leader of the Council or to a Portfolio Holder or to the Chairman of a Committee. Notice in writing of any question must be emailed to the office of the Director of Corporate Services (michael.bradbury@staffordshire.gov.uk) by no later than 1:00 pm on the third working day preceding the Council Meeting i.e. **by not later than 1:00 pm on Monday, 6 December 2021**. All questions and answers will be circulated around the Chamber before the commencement of the meeting.
- 1.2. Questions may be addressed to the Chairman of the Council, the Leader of the Council, any Cabinet Member or a Committee Chairman. The Leader of the Council may refer questions asked of them to the relevant Cabinet Member if they consider it appropriate.
- 1.3. Each Member may submit a maximum of one question each, however only the first 15 questions received by the Director of Corporate Services before the deadline will be dealt with at the meeting. All other questions will receive a written answer.
- 1.4. Questions and written responses will be circulated to all members at the start of each meeting and will be made available online to accompany the webcast but will not be read out at the meeting.
- 1.5. Each questioner will be entitled to ask one supplementary question on their question/answer and the time limit for supplementary questions and answers will be at the sole discretion of the Chairman.

2. Notices of Motion

- 2.1. A Notice of Motion must reach, by email, the Director of Corporate Services (michael.bradbury@staffordshire.gov.uk) nine clear days before the relevant Meeting of the Council, i.e. **by not later than midnight on Monday, 29 November 2021**. Further information on Notices of Motion can be found in Paragraph 11 of Section 12 of the Constitution.
NB. Notices of Motion for the County Council meeting on 10 February 2022 must reach the Chief Executive by not later than midnight on Monday, 31 January 2022.

RULES OF DEBATE

3. Speaking at Council Meetings

- 3.1. Councillors shall conduct debate politely and with due respect for others.
- 3.2. Councillors shall not use foul or offensive language.

3.3. As far as is possible, Members should use notes for reference where necessary but should avoid reading directly from a script. This will assist with engagement in debate and the ability of the microphones to pick up the sound.

4. Content and Length of Speeches

4.1. Subject to Paragraph 4.2 below, no Member may speak for more than five minutes during debates by the Council unless the Chairman gives an extension.

4.2. When the Leader of the Council, Cabinet Members nominated by the Leader or Committee Chairmen propose reports to the Council they may speak for up to ten minutes. Members who have been nominated by the Leaders of minority political groups as spokesmen on a report discussed by the Council may also speak for up to ten minutes.

4.3. Members will confine their speeches to the question under discussion or to a personal explanation or a point of order. No Member may question another Member's motives or use offensive expressions to any Member of the Council or Officer.

4.4. The Chairman may call the attention of the Council to continued irrelevancy and tedious repetition or any breach of order by a Member and may direct them to discontinue their speech. If the Member continues to disregard the authority of the Chairman, the Chairman may ask them to retire for the remainder of the sitting. Should a Member refuse to retire the Chairman may order their removal from the meeting.

4.5. The Council operates a 'traffic light' system for speeches. During any speech, the amber light will come on notifying the speaker that they have 60 seconds left.

4.6. Where a Local Member is presenting a petition, they may speak for a maximum of two minutes. The amber light will come on for the final 30 seconds.

4.7. If there is serious disorder or persistent disregard of the authority of the Chairman, the Chairman may, without prejudice to any other powers which they have, direct that the Meeting be suspended for such period as they consider desirable.

GUIDANCE ON DECLARING DISCLOSABLE PECUNIARY INTERESTS AT MEETINGS - WHAT SHOULD YOU SAY

DEFINITION OF WHAT IS A DISCLOSABLE PECUNIARY INTEREST

A 'Disclosable Pecuniary Interest' is an interest of yourself or interest known to the Member or relatives and close associates within the following descriptions:

SUBJECT	DESCRIPTION
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from Staffordshire County Council) made or provided within the relevant period in respect of any expenses incurred by you or your partner in connection with you carrying out duties as a member or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract which is made between you or your partner (or a body in which you or your partner has a beneficial interest) and Staffordshire County Council- (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of Staffordshire County Council
Licences	Any licence (alone or jointly with others) to occupy land in the area of Staffordshire County Council for a month or longer
Corporate Tenancies	Any tenancy where (to your knowledge) (a) the landlord is Staffordshire County Council and (b) the tenant is a body in which you or your partner has a beneficial interest
Securities	Any beneficial interest in securities of a body where- (a) that body (to your knowledge) has a place of business or land in the area of Staffordshire County Council; and (b) either- (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you or your partner has a beneficial interest exceeds one hundredth of the total issued share capital of that class

You are also required to declare a pecuniary interest if an issue being considered at a meeting where you're present affects your or your partner's personal well being or financial position to a greater extent than it affects that of a member of the general public.

WHAT SHOULD YOU SAY?

If you also have a Disclosable Pecuniary Interest you must notify the Chairman of that interest and withdraw from the room when the matter is being discussed.

An example of what you should say

"I have a disclosable pecuniary interest in item number..... on the agenda. The interest is I shall leave the room when that matter is being discussed"

DECLARING INTERESTS AT FULL COUNCIL

The Code of Conduct only requires that disclosable pecuniary interests are declared where the matter to which the interest relates is being considered. Some items will be mentioned in the papers for Full Council but are not actually being considered by Full Council. In particular, some items are mentioned in the Leader's Statement as having been dealt with in Cabinet but are not actually mentioned or discussed at full Council. In such circumstances the Monitoring Officer's advice to members is that there is no need to declare an interest unless the particular matter is mentioned or discussed. As a general rule, members only need to declare an interest at full Council in the following circumstances:

- Where a matter is before the Council for a decision and/or
- Where the matter in which the member has an interest is specifically mentioned or discussed at the Council meeting.

Minutes of the County Council Meeting held on 14 October 2021

Attendance		
Arshad Afsar	Graham Hutton	David Smith
Charlotte Atkins	Thomas Jay	Paul Snape (Chairman)
Philip Atkins, OBE	Jason Jones	Mike Sutherland
Gill Burnett	Peter Kruskonjic	Mark Sutton
Tina Clements	Ian Lawson	Stephen Sweeney
Richard Cox	Tom Loughbrough-	Simon Tagg
Mike Davies	Rudd	Samantha Thompson
Mark Deaville	Johnny McMahon	Carolyn Trowbridge
Janet Eagland	Paul Northcott	Ross Ward
Ann Edgeller	Jeremy Oates	Jill Waring
Keith Flunder	Gillian Pardesi	Alan White
Richard Ford	Ian Parry	Philip White
John Francis	Jeremy Pert	Conor Wileman
Colin Greatorex	Bernard Peters	Bernard Williams
Gill Heath	Jonathan Price	David Williams
Jill Hood	Robert Pritchard	Victoria Wilson
Derrick Huckfield	James Salisbury	Mark Winnington
Philip Hudson	Janice Silvester-Hall	Mike Worthington

Apologies for absence: Jak Abrahams, Philippa Haden, Phil Hewitt, Syed Hussain, Julia Jessel, Kath Perry, MBE, Bob Spencer, Mike Wilcox and Ian Wilkes.

PART ONE

27. Declarations of Interest under Standing Order 16

The following Members declared an interest in accordance with Standing Order 16.5:-

Member	Minute Nos.	Interest	Reason
Mark Deaville	30	Personal	Director of Nexus
Mark Winnington	30	Personal	Director of Nexus
Connor Wileman	30	Personal	Director of Harvey Girls

28. Confirmation of the minutes of the Council meeting held on 22 July 2021

RESOLVED – That the minutes of the meeting of the County Council held on 22 July 2021 be confirmed and signed by the Chairman.

29. Chairman's Correspondence

Honorary Alderman Brian Edwards MBE

The Chairman informed the Council of the death on 13 August 2021 of Honorary Alderman Brian Edwards MBE. Mr Edwards represented the Kinver (South Staffordshire) County Electoral Division on the County Council between 1989 and 2017. He served on a number of the Council's Committees including the Audit and Standards Committee, Planning Committee, Policy and Resources Committee, Waste Disposal Committee, Corporate Review Committee, Prosperous Staffordshire Select Committee (of which he served as Chairman), and the Charities and Trusts Committee.

Mr Edwards was awarded the MBE in 2015 for Services to the Community. He was also appointed as an Honorary Alderman in 2017 in recognition of the contribution he had made to the work of the Council.

Cllrs Wilson, Philip Atkins, Winnington and David Williams paid tribute to Mr Edwards following which Members observed a one minute silence in his memory.

Honorary Alderman Terry Alec Dix

On behalf of the Council, the Chairman extended congratulations to Honorary Alderman Terry Dix of Tamworth on his recent award of the Cross of the Order of Merit of the Federal Republic of Germany (German equivalent of the OBE).

The award was presented at the German Embassy in London by Ambassador Andreas Michaelis and was in recognition Terry's work to help establish the town twinning between Bad Laasphe and Tamworth, Staffordshire and his selfless interest, in the name of peace and understanding, in the Cannock Chase German Military Cemetery and memorial.

The Ambassador said: "Town twinings create vibrant links between our societies. Now, especially, they are more important than ever. Each one of the more than 480 twinings between German and British communities builds bridges between our countries and brings people

closer together. Your outstanding commitment to supporting the twinning between Bad Laasphe and Tamworth over decades and indeed to this day is impressive and an example to us all.”

Cllrs Oates, Charlotte Atkins and Clements paid tribute Mr Dix for the valuable contribution he had made in establishing and maintaining the town twinning between Bad Laasphe and Tamworth and also for his work in relation to the German War Grave Cemetery on Cannock Chase.

Retirement of Andrew A Haigh, HM Senior Coroner Staffordshire (South)

The Chairman informed the Council of the proposed retirement on 31 October 2021 of Andrew A Haigh, HM Senior Coroner Staffordshire (South). The Council extended their thanks to Mr Haigh for his services to the County and wished him well in his retirement.

Cllr Ross Ward

On behalf of the Council, the Chairman extended congratulations to Cllr Ward on his forthcoming marriage.

30. Statement of the Leader of the Council

The Leader of the Council presented a Statement outlining his recent work since the previous meeting of the Council.

Intensive Support for Staffordshire Children with Disabilities

(Paragraph 1 of the Statement)

Cllr Charlotte Atkins enquired about impact of the proposals on the provision of Youth Clubs for children with Special Educational Needs. In response, Cllr Sutton offered to meet with Cllr Atkins to discuss her concerns.

Child Exploitation and Missing Children & Young People Service

(Paragraph 3 of the Statement)

Cllr Sutton informed the Council that this issue was a priority for the Council and that the new contact would address all forms of child exploitation.

Public Health Commissioning Plans

(Paragraph 4 of the Statement)

Cllr McMahon informed the Council that, during the Covid pandemic, Public Health alcohol services provision had been increased by 10%, not only to help those described as “problem drinkers” but also those referred to as

“hazardous drinkers”. He extended his thanks to Human Kind, the providers of the service.

In response to concerns expressed by Cllr Charlotte Atkins in relation to reductions in Government funding for Public Health over the past five years, Cllr Alan White confirmed that he had recently met with the Chancellor of the Exchequer to discuss the need for adequate funding for the County Council.

Recommission of Staffordshire Integrated Advocacy Service

(Paragraph 5 of the Statement)

Cllr Northcote indicated that he was pleased to see the Cabinet’s commitment to the provision of advocacy services. In response, Cllr Sutton indicated that there was a statutory requirement for the Council to provide such services.

UK Community Renewal Fund - Priority Projects

(Paragraph 6 of the Statement)

In response to a question from Cllr Huckfield about the level of deprivation in the area he served and his hope that the Council would look carefully at what support could be provided to the villages in Newcastle-under-Lyme Borough, Cllr Philip White indicated that Newcastle Borough had been identified as a priority area to receive funding under the scheme.

Integrated Performance Report - Quarter 1 2021/22

(Paragraph 8 of the Statement)

Cllr Winnington indicated that he was pleased to see the planned overspend on capital projects and he enquired as to what type of schemes were coming forward. In response, Cllr Parry indicated that the Capital Programme would fund a wide range of projects including spending on schools, roads and other infrastructure schemes.

Cllr Francis referred to traffic issues at Beaconside in Stafford arising from new housing developments. He also expressed the view that more needed to be done with regard to Section 106 monies being used to improve the infrastructure in Stafford. Cllr Smith also referred to similar traffic issues in Lichfield as a consequence of new developments in the city. In response, Cllr David Williams referred to the planning restrictions as to how Section 106 monies could be utilised. He added that Members should contact him directly if they had any concerns as to how Section 106 monies were being used in their area.

Cllr Alan White added that he was pleased to see the wide range of infrastructure projects taking place in the County.

Framework Agreement for the Provision of Asbestos Removal and Encapsulation Services

(Paragraph 9 of the Statement)

Cllr Price referred to the additional £5.5m allocation for the Schools Capital Programme in Staffordshire and how important it was to ensure that appropriate framework agreements were in place to so that works, such as asbestos removal from school buildings, were carried out in a timely manner and at a reasonable cost to the taxpayer. In response, Cllr Deaville indicated that all proposals to enter into Framework Agreements were scrutinised to ensure they offered value for money.

COVID-19

(Paragraphs 10, 17 and 18 of the Statement)

Cllr Charlotte Atkins asked the Leader as to whether he was aware that school pupils who attained the age of 16 were no longer eligible to have a Covid vaccine given to them in school and that they needed to obtain one elsewhere. She, together with Cllr Francis, also referred to shortages of the Flu vaccination in Leek and Stafford. In response, Cllr McMahon undertook to raise with the NHS the issue of those school pupils who attained the age of 16 not being able to obtain their vaccination at their school. He also indicated that there had been a short delay in the roll-out of the Flu vaccination which was why there had been a temporary shortage in some areas. He added that the Flu vaccination was available in pharmacies as well as at GP practices.

Cllr Smith indicated that he was delighted with the success of the Covid vaccination programme across the County. He also expressed his concern and disappointment with regard to those individuals who were spreading false information about the vaccine and those who were protesting outside schools. In response, Cllr McMahon indicated that the issue of anti-vaccine protests outside schools was being raised with the Police, Fire and Crime Commissioner and also with the Chief Constable. Cllr Cox expressed his thanks to Cllr McMahon for the action being taken in relation to the anti-vaccine protests outside the Friary School in Lichfield.

Cllr Price referred to Covid levels in schools and indicated that, in some areas, the rates had plateaued and were now starting to fall.

Cllr Francis expressed concern about difficulties some of his constituents were encountering in getting face-to-face appointments with their GPs. In response, Cllr Alan White indicated that this issue was being considered by Central Government.

Cllr Pardesi expressed the view that Covid was not over and could be with us for a very long time as vaccine rates in some countries remained low.

Staffordshire Means Back to Business – Oral Update

(Paragraph 11 of the Statement)

Cllrs Oates, Winnington, Northcote, Sweeney, Burnett, Waring and Sutherland referred to development and regeneration schemes currently taking place in Tamworth, Stafford, Newcastle and Cannock including those schemes aimed at regenerating town centres. Cllr Sutherland also asked that the County Council work with Cannock Chase District Council to develop additional spaces for new business start-ups.

Cllr Smith referred to young enterprise and the support available to them. He also highlighted the importance of apprenticeships.

Cllr Deaville also referred to the bounce-back of the hospitality sector following the lifting of Covid restrictions.

Cllr Philip Atkins spoke about the important role played by the Midlands Engine and Midlands Connect and how the Council was working with neighbouring authorities on regional development schemes such as improvements to the A50. He also enquired as to whether any progress had been made regarding the proposed North Midlands Manufacturing Corridor. In response, Cllr Philip White and Cllr Alan White indicated that the Council was engaging with relevant Authorities including the Midlands Engine on pursuing the concept of the North Midlands Manufacturing Corridor.

Developing Family Hubs in Staffordshire

(Paragraph 13 of the Statement)

Cllr Edgeller referred to the vital role played by Children's Centres during the Covid pandemic and expressed the hope that the proposed new Family Hubs would include the provision of mental health support for young people. Cllr Charlotte Atkins added that she hoped that the development of the Family Hubs would not lose focus on early years provision. Cllr Flunder stated that he would also like to see the Family Hubs expanding to form Community Hubs. In response, Cllr Sutton indicated that the proposals would build upon what Children's Centres were already doing. He also confirmed that the concentration on early years provision would not be lost and that the Hubs would provide support in respect of Mental Health and Wellbeing.

Cllr Pardesi referred to the role of the Family Hubs, including its preventative work/early intervention, and enquired as to why the Council had previously decided to close many of its Sure Start and Youth Centres. In response, Cllr Alan White indicated that we could lament over what had happened in the past but that did not serve any purpose whatsoever. He added that the Council was coming up with solutions to issues it was facing today, not looking backwards.

High Needs Provision Capital Allocation Funding

(Paragraph 14 of the Statement)

Cllr Price referred to the Council's commitment to the SEND agenda. He also commended the Council's SEND Strategy to all Members.

Strategic Review of the Care Home Market in Staffordshire 2021

(Paragraph 15 of the Statement)

Cllr Pardesi and Cllr Charlotte Atkins referred to the impact of the Covid on the care home market and also how, early in the pandemic, the failure to test patients for Covid when discharging them from hospital back into care homes had resulted in additional deaths. They, together with Cllr Parry, also referred to the lessons which needed to be learned as highlighted in the Parliamentary report.

Cllr Winnington referred to the important role played by Nexxus Cares in providing reablement services and in plugging the gaps in the Care Home market provision. Cllr Deaville also invited Cllr Pardesi to see first-hand the work of Nexxus Cares. Cllr Hood also paid tribute to the commitment of the employees of Nexxus Cares and the need for the work of all those working in the Care Sector to be recognised and properly remunerated. In response, Cllr Alan White agreed that the point about pay was a fair one which needed to be addressed.

Cllr McMahon highlighted the support provided by the Council during the pandemic including ensuring that no Care Home went without PPE.

Olympics and Paralympics

(Paragraph 19 of the Statement)

Cllrs Oates, Peters, Charlotte Atkins, Hudson and Worthington paid tribute to the Staffordshire Olympians and Paralympians who took part in the 2021 Tokyo Olympics and Paralympics. They also referred to the inspiration they gave to others, including those with disabilities. Cllr Oates also paid tribute to the parents and carers of young athletes for the support they provided. He also extended his thanks to the National Lottery for the financial support it provided to Sport.

Afghan Evacuees

(Paragraph 20 of the Statement)

Cllr Tagg expressed his thanks to the staff of Newcastle-under-Lyme Borough Council and the County Council for the work they had done in finding temporary accommodation, at very short notice, for the large number of families fleeing Afghanistan. Cllr Edgeller and Cllr Trowbridge also paid

tribute to those, individuals, groups and charitable organisations who had offered assistance to the evacuees, including the provision of food and clothing.

Holiday Activities and Food Programme

(Paragraph 21 of the Statement)

Cllrs Clements, Silvester-Hall and Sutherland paid tribute to the success of the Summer Holiday Activities and Food Programme. Cllr Sutton thanked the Members for their comments and indicated that, in Staffordshire, the Programme offered over 20,000 places over the four weeks it ran. He added that over 600 children with disabilities were also able to attend.

Staffordshire Mental Health Strategy Refresh

Cllr Edgeller encouraged all Members to take part in the survey on the refresh of the Staffordshire Mental Health Strategy and added that a link to the survey would be emailed to all Members at the conclusion of the Council meeting.

RESOLVED – That the Statement of the Leader of the Council be received.

31. Change to the Constitution - Number of Questions by Members at Full Council

The Council considered a report of the Director for Corporate Services recommending that paragraph 8.3 of Section 12 (Procedural Standing Orders) of the Council's Constitution is amended to limit the maximum number of questions that may be submitted by a member to one rather than the current two. This change would ensure that each member had a better chance of being able to successfully put forward a question at each meeting. It would guarantee that 15 members would be allowed to submit a question at each meeting whereas under the current maximum the number of members able to submit a question could be limited by those members who choose to submit two questions.

The change was presented to the Audit and Standards Committee on the 13 September whereby the recommendation was approved.

Cllr Charlotte Atkins indicated that she was opposed to the proposed changes and expressed the view that Members of the Audit and Standards Committee were misled on 13 September when they were told that she was 'more than happy' with this change; which was not true. She added that there was no evidence that the change was necessary as only once over the past five years had the maximum allowable number of fifteen questions been reached; and that this was an attempt to close down Opposition voices. In response, Cllr Alan White indicated that following the County Council

elections in May, 92% of the Council Chamber was Conservative with only 6% being Labour (and 2% Independent). He added that the number of questions being asked by Members of the Labour Group was disproportionate and that the proposed change to the Constitution was necessary to address this.

Following a vote, it was:

RESOLVED – That paragraph 8.3 of Section 12 (Procedural Standing Orders) of the Council’s Constitution be amended to limit the maximum number of questions that may be submitted by a member to one rather than the current two so that the wording of paragraph 8.3 will then read:

"Each Member may submit a maximum of one question each, however only the first 15 questions received by the Director for Corporate Services before the deadline will be dealt with at the meeting. All other questions will receive a written answer."

32. Scrutiny Annual Report 2020/21

Cllr Greatorex moved consideration of the Scrutiny Annual Report 2020 - 2021.

Cllrs Greatorex, Clements, Burnett and Pert outlined some of the work their Committees had undertaken over the year and how this had been impacted by the Covid pandemic. They also outlined some of the areas which were going to be scrutinised over the forthcoming year and expressed their thanks to their fellow Members of the Overview and Scrutiny Committees and also to the officers who supported them.

Cllrs Sutton, Philip White and Alan White also paid tribute to the work of the Overview and Scrutiny Committees and highlighted the valuable contribution they made in challenging the Council’s Executive.

RESOLVED – That the Scrutiny Annual Report 2020 - 2021 be received.

33. Report of the Chairman of the Staffordshire Police, Fire and Crime Panel

Cllr Pardesi referred to the on-going recruitment of additional police officers, after years of reducing their numbers; and also expressed surprise that the report before members did not mention the action being taken to tackle violence against women. In response, Cllr Edgeller indicated that she had raised the issue of violence against women with the Police, Fire and Crime Commissioner and the Chief Constable at a recent meeting.

Cllr Tagg referred to the work being done by Councils and the Police to make town centres safer.

Cllr Sweeney welcomed the appointment of Rob Barker as Chief Fire Officer following Becci Bryant's announcement of her retirement.

Cllr Peters also informed the Council of the appointment of Chris Noble as the Chief Constable for Staffordshire.

RESOLVED – That the report be received.

34. Questions

Cllr Pritchard asked the following question of the Cabinet Member for Highways and Transport whose reply is set out below the question:-

Question

The Governments On-Street Residential Chargepoint Scheme has allocated £20 million of funding in 2021 to 2022 financial year for local authorities to install on street EV charging points. The scheme covers 75% of the capital costs of procuring and installing the chargepoint infrastructure.

Will the Cabinet Member inform me how many applications the council is looking to submit, and would Staffordshire County Council look favourably at developing a bid for the Leys in Tamworth?

Reply

I am aware of the Governments On-Street Residential Chargepoint Scheme and this Council is currently developing its own EV strategy to determine how it can best support the growth of electric vehicles in the future.

The installation of charge points on residential streets, to service homes that do not have off street parking, is a matter that is being carefully considered by many Local Transport Authorities and potential energy providers at the current time.

The availability of charging points in Staffordshire is slowly increasing due to many retailers making provision at end destination points. Before introducing additional street furniture, on certain roads in Staffordshire, we need to think carefully about the future considering the change to different vehicle fuels including electric vehicles and particularly the possible provision of a rapid charging infrastructure.

Supplementary Question

Tamworth Borough Council are meeting with the Office for Zero Emission Vehicles from the Department for Transport. May invite the Cabinet Member, along with relevant officers from the County Council, to attend this meeting?

Reply

I would be happy to attend if I am available.

Cllr Charlotte Atkins asked the following question of the Deputy Leader and Cabinet Member for Economy and Skills whose reply is set out below the question:-

Question

What assessment has Staffordshire County Council made of the numbers of people in the County affected by the removal of the £20 uplift in Universal Credit and the impact this will have on them, with the rising costs of living, particularly of energy and food? What additional plans are in place to support vulnerable families struggling to make ends meet after this substantial cut in their household incomes?

Reply

Many people in Staffordshire have received the temporary uplift in Universal Credit and we are working with partners to understand the impact of ending this support. This includes the announcement last week from the Government that a new Household Support Fund (HSF) grant will be made available to County Councils and Unitary Authorities in England to support those most in need this winter. This new grant will run from 06 October 2021 to 31 March 2022 and totals over £5.5 million for Staffordshire.

At least 50% of the total funding must be spent on families with children. In terms of type of support, the expectation is that the Household Support Fund should primarily be used to support households in the most need with food, energy and water bills. It can also be used to support households with essential costs related to those items and with wider essential costs.

A plan for this funding is currently being developed with partners, principally the Borough and Districts, but we expect that this will help people across Staffordshire who are unable to meet the costs for food, energy and water this winter.

Our work to grow employment has meant that the County historically has had low rates of unemployment and high employment rates which has meant that the claimant count is now 3.6% compared to 5.1% nationally. But during the pandemic we have continued our work to support people to progress in work or find work, particularly the low paid and low skilled who have been most affected.

The County wide Redundancy Task Group has provided support to businesses and people to remain in work, upskill and reskill or secure new further employment opportunities. This includes helping to co-ordinate the Government plan for Jobs, promoting the Kickstart and restart schemes helping young people and adults find work. The Recruitment & Redundancy Triage Service has worked with over 2,000 people to find work or training. The Staffordshire Means Back to Business scheme in partnership with our District and Borough Councils provides over £5million to help start or business their grow, train their staff and recruit apprentices. Over £2million has been committed directly to businesses through the scheme creating over 200 apprenticeships and enabled over 200 businesses to upskill their workforce.

Supplementary Question

What assessment has been made of the number of people likely to fall into poverty as a result of this cut in Universal Credit?

Reply

This is a matter of concern for everyone and we are working with our partners in District/Borough Councils to assess that need so that we can address it. When we have that further information, I would be delighted to share it with all Members.

Cllr Charlotte Atkins asked the following question of the Cabinet Member for Health and Care whose reply is set out below the question:-

Question

To what extent will the Government's proposed reforms and additional funding announced in September for adult social care:

1. ensure the County Council can fund its present and future demand for adult social care
2. deal with workforce issues, such as, existing vacancies, poor pay and conditions
3. have a differential impact in different English regions
4. guarantee that no one needing care will have to sell their home to pay for it

5. compare to the County Council's own 'Social Care Green Paper', which was being drafted some months ago?

Reply

On 7 September HM Government announced a series of proposals for adult social care reform to be implemented from October 2023. These include:

- a. Raising the capital asset thresholds at which the state makes a contribution to the cost of people's care and support.
- b. Setting a 'cap' of £86,000 on the maximum contribution an individual makes to the cost of their care and support in a lifetime.
- c. Support for the workforce – including more training places, mental well-being resource, and recruitment / retention initiatives.
- d. Giving self-funders the option to ask their local authority to arrange their care and support, at local authority rates.

The intention is that these will be supported by a share of £36bn to be raised from a 1.25% increase in National Insurance for workers and employers.

Further details are awaited and therefore it is not yet clear what additional funding will be available, the timescales involved and any preconditions. As soon as further details are known, council members will be informed.

The reforms will benefit people who might otherwise face very high costs for care and support. Local authorities already pay the full cost of people's care and support once their capital assets fall below £14,250. Local authorities also offer deferred payments for people with higher capital assets to prevent people needing to sell their homes to pay for care and support.

Now that the Government has published its own proposals, with further proposals to be developed for adult social care, the County Council will no longer be pursuing its own Green Paper.

Supplementary Question

What social care vacancies do we have in Staffordshire, both in terms of domiciliary care and in the Care Homes and what is the Council doing to ensure that staff vacancies do not lead to a fall in the quality of care both in peoples' homes and also in Care Homes?

Reply

We are assured that in respect of the Care Home market, the vaccination rate is such that it shouldn't have a material effect on the service currently. The staff position across both domiciliary care and the Care Home market is a challenge and we are doing all we can to address that challenge. We have a care development team which supports recruitment and retention in the sector and also assists in the training of staff. I don't have a figure for current vacancies, but I will get that figure and give it to you.

Questions

Cllr Hussain asked the following question of the Cabinet Member for Education (and SEND) whose reply is set out below the question:-

Question

When children are hungry, they are unable to concentrate on their studies, which has a detrimental impact on their academic performance and affects their immune system later in life. What more can be done to ensure that children receive an uninterrupted balanced diet in their free school meals, as well as better value for money for those who pay for the food during the term, given that this is often the only major meal of the day for many children, and what strategy is in place to protect them from holiday hunger?

Reply

Since September 2014, children in Reception, year 1 or year 2 can receive free school meals even if they do not meet the entitlement criteria. For other ages, children have to meet the entitlement criteria set by the DfE in order to access a free school meal.

Food served in local authority maintained schools and academies must meet the school food standards so that children have healthy, balanced diets. The school food standards are to ensure that food provided to pupils in school is nutritious and of high quality; promotes good nutritional health in all pupils; protects those who are nutritionally vulnerable and promotes good eating behaviour.

A number of initiatives are currently underway to prevent Holiday Hunger, these include;

- **Holiday Activities and Food:** This is a scheme that was delivered for the first time in Staffordshire this year but has seen thousands of children across the county access both activities and nutritious food during the holidays.

- COVID Winter, Locality and latterly the Household Grant: This scheme administered via LA's on behalf of the Department for Work and Pensions has offered children across Staffordshire who access FSM access to supermarket vouchers throughout the holidays to ensure that children and their families have access to food throughout the holidays. We have supported families to make healthy meals using our videos and recipe cards online at [Family Hub Cooking | Staffordshire Connects](#)

Cllr Hussain asked the following question of the Cabinet Member for Communities and Culture whose reply is set out below the question:-

Question

Local charities, community interest companies, and community organisations offered vital support to people during the pandemic. They have been found to be an excellent partner in our immunizations, testing, community cohesiveness, and assisting people in overcoming depression and loneliness, as well as women's education and empowerment, among other things. What plans does the council have to provide long-term assistance to these organisations?

Reply

The VCSE sector are a vital partner for Staffordshire County Council in helping our communities to prosper and be healthy and happy. This is evident in the crucial and ongoing role of the VCSE sector in supporting and mobilising our communities in response to the Covid-19 pandemic.

Our current VCSE Strategic Capacity Building Partnership contract, delivered by SCVYS and Support Staffordshire, has been in place since August 2016. Over the past 5 and a half years, this contract has provided support for the VCSE sector to be sustainable and grow. It has also played a vital role in working with the VCSE sector to help the Council deliver our strategic priorities, including Supportive Communities, Earliest Help, the Place Based Approach, and Staffordshire's offer for Young People. The relationships developed with SCVYS and Support Staffordshire through this contract were also vital in helping organise, support, and sustain the mobilisation of our communities across the pandemic.

The support delivered by the current VCSE Strategic Capacity Building Partnership contract will end on 31st July 2022. As set out in the Communities Delivery Plan 2021-22 (agreed by Cabinet in December 2020), work has begun to recommission this contract based on our learning from the past 5 and a half years and the Covid-19 response. These new arrangements will be due for further consideration by Corporate Overview and Scrutiny Committee and Cabinet in the coming

months, with a view to new arrangements being in place by 1st August 2022.

Through the pandemic we also developed a Community Champions approach in Burton which helped challenge myths around Covid and increased uptake in vaccines. This was a new approach to engagement and communication effectively with local communities. We are now building on this model working with local organisations, groups, individuals and businesses on issues that they identify as important. We are also supporting the Burton Champions to access training, better networking plus access to information advice and guidance. We plan to roll out this model incrementally across Staffordshire and more broadly we want to ensure everyone can find ways to encourage and support community action.

In addition, the County Council continues to ensure funding is available to support Staffordshire's local VCSE sector and help communities recover from Covid-19. Examples include the '2021 Community Fund' and future years of the Members fund, (which sees £2,500 available per year for each local county councillor to allocate towards projects or groups) and the 'Doing Our Bit Covid-19 self-isolator grant scheme' (grants to groups that can support those who have to self-isolate because of Covid-19). Looking further to the future we will also explore additional funding opportunities to continue to help support and grow this vital part of our communities.

Cllr Pardesi asked the following question of the Cabinet Member for Highways and Transport whose reply is set out below the question:-

Question

What is this Council's response to the former UN Special Rapporteur who recently said of our bus services that "deregulation has provided a master class in how not to run an essential public service"?

What does this Council have to say to those that the Rapporteur's report says "it found many people have lost jobs and benefits, faced barriers to healthcare, been forced to give up on education, sacrificed food and utilities and have been cut off from friends and family because of a costly, fragmented and inadequate privatised bus service that has failed them"?

Reply

I am aware of the report produced by Philip Alston, the former UN Rapporteur, where he comments on bus deregulation in Great Britain, introduced as part of the Transport Act 1985 some thirty-five years ago.

Although the setting of operational models for the provision of public transport in Great Britain is a matter for Central Government, clearly much has changed in those thirty-five years and we all need a public transport network that is fit for the future.

This Council has provided support for the local bus industry over the last difficult 18 months and is working closely with operators to help Staffordshire bus passenger figures return and hopefully exceed the pre Covid-19 figure of c15m passenger trips per year.

These bus trips help connect people to jobs, enable access to health care and education and link people to friends and family.

Supplementary Question

If privatisation of our bus services has worked, why has the Government allowed Transport for London to control and regulate the network in the capital, but has allowed public transport in other regions to fall into ruins?

Reply

You would want to ask this question of the Prime Minister rather than myself. However, the decline of the use of public transport in rural areas is a national problem and we are working with all of the bus companies in Staffordshire to see what we can do to improve customer experience and also the number of people using the bus network.

Cllr Pardesi asked the following question of the Deputy Leader and Cabinet Member for Economy and Skills whose reply is set out below the question:-

Question

When local companies, farmers and small businesses face a possible crisis of rising energy prices, a supply chain problem and a worker shortage, what is this Council doing to support them?

Reply

Staffordshire County Council alongside a wide range of partners including the DWP, district and borough councils, HE, FE, and private companies has put in place a wide range of business, employment and skills initiatives to support the local businesses and residents in the recovery from the pandemic. This includes challenges around energy, supply chain and worker shortage.

Much of this activity is channelled through the Staffordshire Business Helpline. This is managed as part of the Stoke on Trent & Staffordshire

Growth Hub. Staffordshire County Council is the accountable body and contributes resources to enable these to function.

In relation to energy, calls, emails and webchats come into the Business Helpline and Advisers signpost and refer businesses to the place where they will receive the most appropriate help and assistance to resolve their query. In the case of energy, they would be signposted to SBEN who would work to help them using the Low Carbon Evolution Programme - a project which provides the company with a two-day energy audit and then access to up to £20,000 of grant funding to assist in the purchase of equipment which will reduce their energy usage. The County Council provides funding to support SBEN.

Supply Chain issues have become a priority. In response the Growth Hub has agreed a partnership with the Manufacturing Growth Programme to run a pilot Supply Chain Programme which involves two workshops in October and January for up to 30 businesses in Staffordshire to look at ways to improve their supply chains, understand the importance of managing them effectively and de-risk supply chain issues through continuous improvement. 15 of these companies will also receive the opportunity of an individual supply chain audit which will include a bespoke action plan for them. A report will be created after the audits to provide intelligence to the key partner organisations of the Growth Hub on the main issues facing Staffordshire businesses and supply chains.

Further support is available through the £5 million Staffordshire Means Back to Business Scheme. This provides funding and business support to SMEs in Staffordshire – including a COVID-19 recovery grants programme, investment to fund wages for apprentices and nil cost workforce training to help businesses take on new staff and upskill their existing staff. The Growth Hub also works closely with the Universities and Colleges as well as private training providers to ensure that workforce training is discussed with local businesses at every opportunity.

Worker shortage is also supported through the countywide Redundancy Task Group and the setting up of the 'Redundancy and Recruitment Triage Service.' Here, jobs and careers specialists, from local advisors right up to and including the DWP and BEIS, have come together with local public, private and FE and HE sector partners, both to support individuals at threat of redundancy into work in new emerging growth sectors, and also support businesses experiencing extreme change themselves. The group has the experience, skills and business intelligence to move at pace, mitigate redundancies and support businesses experiencing growth to recognise and take on immediately available local people with the talent and transferable skills they need to realise their potential.

In summary, the County Council, with its partners, is working hard to support business working with the challenges of energy cost, supply chain and worker shortage.

Cllr Afsar asked the following question of the Cabinet Member for Environment, Infrastructure and Climate whose reply is set out below the question:-

Question

Local climate grants from the previous year have a positive impact on larger climate change pledges that benefit the community. What is the future of the climate change grant to aid local efforts?

Reply

I am very pleased to hear that the Climate Change Action Fund, launched last November, has had a positive impact on your local community.

The next round of the fund will be launched at the Members Autumn Event being held next month on the 8th November.

Cllr Afsar asked the following question of the Cabinet Member for Communities and Culture whose reply is set out below the question:-

Question

Almost a month has passed since the County Council held a public consultation on the future of Burton Library. What was the result of the consultation? What were the conclusions reached as a result of the consultation?

Reply

The Consultation ended on the 10th September. In total, 1161 responses have been received. Detailed analysis of the consultation responses has yet to be completed. The intention is to pull together a full report on the consultation that will be presented to Cabinet on the 15th December.

35. Petitions

(i) 20 mph Speed Limit in Leek Town Centre

Cllr Atkins presented a petition from local residents requesting the introduction of a 20 mph speed limit in Leek Town Centre together with safe crossings.

(ii) Provision of Stop Signs and Road Markings at the Junctions of Crowborough Road, Horton with Lask Edge Road and Blackwood House Lane

Cllr Worthington (on behalf of Cllr Heath) presented a petition from local residents seeking the provision of "Stop" Signs and road markings in place of the current "Give Way" signs at the junctions of Crowborough Road, Horton with Lask Edge Road and Blackwood House Lane.

(iii) Improvements to the junction at Grange Lane/Eastern Ave, A5192, Lichfield

Cllr Silvester-Hall presented a petition seeking improvements to the junction at Grange Lane/Eastern Ave, A5192, Lichfield.

Chairman

Minutes of the Special County Council Meeting held on 14 October 2021

Present:

Attendance		
Arshad Afsar	Graham Hutton	Paul Snape (Chairman)
Charlotte Atkins	Thomas Jay	Mike Sutherland
Philip Atkins, OBE	Jason Jones	Stephen Sweeney
Gill Burnett	Peter Kruskonjic	Simon Tagg
Tina Clements	Ian Lawson	Samantha Thompson
Richard Cox	Tom Loughbrough-Rudd	Carolyn Trowbridge
Mike Davies	Johnny McMahon	Ross Ward
Mark Deaville	Paul Northcott	Jill Waring
Janet Eagland	Jeremy Oates	Alan White
Ann Edgeller	Gillian Pardesi	Philip White
Keith Flunder	Ian Parry	Conor Wileman
Richard Ford	Jeremy Pert	Bernard Williams
John Francis	Bernard Peters	David Williams
Colin Greatorex	Jonathan Price	Victoria Wilson
Gill Heath	Robert Pritchard	Mark Winnington
Jill Hood	James Salisbury	Mike Worthington
Derrick Huckfield	Janice Silvester-Hall	
Philip Hudson	David Smith	

Apologies for absence: Jak Abrahams, Philippa Haden, Phil Hewitt, Syed Hussain, Julia Jessel, Kath Perry, MBE, Bob Spencer, Mike Wilcox and Ian Wilkes

PART ONE

1. Appointment of Honorary Aldermen

The Chairman informed the Council that Section 249 of the Local Government Act 1972 authorised the County Council to confer the title of Honorary Aldermen on persons who had, in the opinion of the County Council, rendered eminent services to the Council as past Members of the Council, but who are no longer councillors.

The purpose of today's meeting was to seek the approval of the County Council to confer the title of Honorary Alderman on four former Members of the County Council.

Cllrs Alan White, Charlotte Atkins and Philip Atkins paid tribute to the contributions made by Ben Adams, Maureen Compton, Derek Davis and Susan Woodward during the years they had served as Members of the County Council.

On the motion of the Chairman of the County Council it was:-

RESOLVED – (a) That, in accordance with Section 249 of the Local Government Act 1972, the title of Honorary Alderman be conferred on Ben Adams of Burntwood in the County of Stafford in recognition of his eminent services as a past member representing the Perrycrofts (Tamworth) County Electoral Division on the County Council from 2009 to 2021.

(b) That, in accordance with Section 249 of the Local Government Act 1972, the title of Honorary Alderman be conferred on Maureen Compton of Stafford in the County of Stafford in recognition of her eminent services as a past member representing the Stafford Central (Stafford) County Electoral Division on the County Council from 2005 to 2009 and also from 2013 to 2021.

(c) That, in accordance with Section 249 of the Local Government Act 1972, the title of Honorary Alderman be conferred on Derek Davis of Hednesford in the County of Stafford in recognition of his eminent services as a past member representing the Chadsmoor (Cannock Chase) County Electoral Division on the County Council from 1985 to 2021.

(d) That, in accordance with Section 249 of the Local Government Act 1972, the title of Honorary Alderman be conferred on Susan Woodward of Burntwood in the County of Stafford in recognition of her eminent services as a past member representing the Burntwood North (Lichfield) County Electoral Division on the County Council from 2005 to 2009 and also from 2013 to 2021.

Chairman

Statement of the Leader of the Council

1. Adult Learning Disability 2022 Community Offer: Update on Learning Disability Residential Services Directly Provided by Staffordshire County Council

The Cabinet have approved proposals to extend and refurbish the Hawthorn House lower building to accommodate up to 15 residents, to ensure that adults with profound and multiple learning disabilities can be cared for in an environment that best suits their needs. They have also approved the disposal of the Hawthorn House upper building, once the new lower building development is complete.

(Cabinet – 20 October 2021)

2. Climate Change Annual Report and Climate Action Plan Action Plan 2

The Cabinet have considered feedback from the Corporate Overview and Scrutiny Committee where Members commented on the Council's first Climate Change Annual Report. The report records the positive progress that has been made on the Council's target to become net carbon zero by 2050. The Cabinet have also approved the Climate Change Action Plan 2 (CCAP 2) which contains specific actions to be undertaken by the Council prior to 2025 which lists our key climate change mitigating actions over the next 4 years.

(Cabinet – 20 October 2021)

3. Formal Report of the Local Government and Social Care Ombudsman

The Cabinet have considered a Formal Report by the Local Government and Social Care Ombudsman in relation to Post 16 travel for a SEND child. They have noted the findings of the report and have agreed to implement the recommendations contained therein.

(Cabinet – 20 October 2021)

4. Impact of Covid-19 on SCC Communities, Economy and Organisation and Recovery Progress – Update October 2021 and Way Forward

The Cabinet have considered the high-level priorities which have been identified for recovery from the impact of Covid-19 across the County Council and the continued progress against these; together with the on-going approach to the leadership, influencing and monitoring of the

recovery process moving forwards. They noted that, following the May 2021 elections, work to develop the Strategic Plan and Medium-Term Financial Strategy for 2022-26 was underway and would continue throughout the Summer and Autumn. The completed plan and financial strategy would be considered by Cabinet and Full Council in early 2022. The Cabinet also noted that each directorate was leading recovery for its own area, and recovery which cuts across all the directorates was being led through recovery groups linked to the four principles – communities, digital, people and climate change.

(Cabinet – 20 October 2021)

5. Integrated Performance Report - Quarter 2, 2021/22

The Cabinet have received an overview of Staffordshire County Council's progress, performance, and financial position in delivering against its Strategic Plan and Delivery Plan. They noted that, at the end of Quarter 2, the overall assessment on the council's performance and financial position was AMBER. Although significant progress had been made across the organisation during the quarter, challenges remained in relation to capacity and demand across all service areas. There continued to be areas of financial risk in Adult Social Care and Families and Communities. The latest revenue forecast outturn showed a forecast saving of £1.992m (0.4%). This was compared to the previous forecast of a saving of £8.119m (1.5%) at Quarter 1. The Cabinet also approved the use of up to £3.2m of the Exit and Transition Fund to support the cost of redundancies associated with the Children's Transformation programme.

(Cabinet – 20 October 2021)

6. Nexxus Trading Services Limited – Annual Report 2020/21

The Cabinet have considered Nexxus Care Annual Report 2020/2021 which summarised the activities and Performance of Nexxus during 2020/2021. They noted that Nexxus Care achieved good performance and rapid growth during 2020/21. The company had 414 staff and in 2020/21 had an annual turnover of £6.238m, £2.344m (60%) greater than the previous year. Key achievements over the year included:

- maintenance of care services during the Covid pandemic;
- establishment of a lateral flow device testing service within a very short timescale, which has now completed over 107,000 tests; and
- digital transformation across the business.

(Cabinet – 20 October 2021)

7. Supplementary Capital Programme for Schools 2021/2022

The Cabinet were informed that Central government recently confirmed an extra £300m national investment for maintaining and improving the school estate. This additional funding, combined with a new methodology for calculating School Condition Allocations (SCA), resulted in an increased amount of funding for the upkeep of County Council maintained schools. The Cabinet have therefore approved the Schools Capital Programme Phase 2 2021/22 investment proposals as follows:

- Planned Maintenance - £2,118,842
- Planned Maintenance (Sustainability) - £1,122,688
- Climate Change - £331,797
- Priority Projects - £1,106,161
- Toilet Refurbishment - £878,599
- Health & Safety - £128,155
- **TOTAL Phase 2** - £5,686,242

(Cabinet – 20 October 2021)

8. Branston Locks Primary - Proposed 2FE and Associated S106 Contributions (Wave School)

The Cabinet have approved the acquisition of land and the development of a 2-form entry primary school at Branston Road, Burton on Trent to be known as Branston Locks Primary School under the Department for Education's wave programme. The Department for Education will contribute any capital over and above the £6,400,000 Section 106 Contribution for the construction of the new school.

(Cabinet – 20 October 2021)

9. Staffordshire Bus Strategy - Bus Service Improvement Plan

The Cabinet have approved the submission of the Staffordshire Bus Service Improvement Plan (BSIP) which has been developed in partnership with the public bus providers operating in Staffordshire. The BSIP is ambitious and represents an ask of government of some £113m to deliver outcomes which have been shaped by a recent public engagement exercise and comments from the Prosperous Overview and Scrutiny Committee at the meeting held on the 16 September 2021.

(Cabinet – 20 October 2021)

10. Household Support Fund

The Government has announced a new Household Support Fund (HSF) Grant which will be made available to County Councils and Unitary Authorities in England to support those most in need this winter. At least 50% of the total funding must be spent on families with children. In terms

of type of support, the expectation is that the HSF should primarily be used to support households in the most need with food, energy and water bills. The Cabinet have approved the proposed expenditure and delivery arrangements for the HSF in Staffordshire which is required to be fully spent by 31st March 2022.

(Cabinet – 20 October 2021)

11. Half Yearly Treasury Management Report for the Period Ended 30 September 2021

The Cabinet have received a summary of the Council's borrowing and investment activities during the first six months of the year. They noted that:

- all transactions were undertaken by authorised officers and within the limits approved;
- all investments were to counterparties on the approved counterparty list and fully met the requirements of the relevant regulations;
- the Council operated within the limits and Prudential Indicators set out in the Council's Treasury Management Practices and Annual Treasury Management Strategy, with the exception of the Upper Limit for variable rate interest exposure and the External Loan limit. With regard the Upper Limit for variable rate interest exposure, it was noted that this indicator was calculated based on the highest expected cash balance in the year which, because of additional grant and money received at the end of 2020/21 such as Covid-19 pandemic support, Local Enterprise Partnership funds and the Midland Engine, has been higher than forecast. The result of this was that approval was required to revise the indicator from £259 million to £340 million. With regard to the External Loan Limit, it was noted that the External Loans indicator, set at £464 million for the whole of 2021/22, represented a full year of activity and, therefore, the outturn estimate. Currently the actual loan figure was £468 million, exceeding the estimate by £4 million. A loan was due to be repaid on 21/02/22 which would bring the indicator in line for year end;
- the Council maintained a cautious approach to investments. The policy of using cash instead of borrowing continued to generate savings, helping reduce the average interest the Council pays on its debt; and
- the Council's borrowing and investment activities are being undertaken prudently and in line with agreed strategies in a very challenging environment.

(Cabinet – 17 November 2021)

12. Staffordshire Means Back to Business – Oral Update

The Cabinet have received an update on “Staffordshire Means Back to Business” activity including the following matters:

- The County Council was successful in its bid for Community Renewal Funding, £751,000, to support the Staffordshire Means Back to Business Programme. Working with Staffordshire Districts and Borough Councils, this takes the total amount available to the business community in Staffordshire to in excess of £6M to support apprenticeships, training and business start-up activity.
- The Council’s Business and Enterprise Team, as part of the Economy, Infrastructure and Skills Directorate, have been able to secure £581,800 of One Public Estates Brownfield Land Release Fund to support the demolition of the former Magistrates Court in Stafford. This site forms part of the efforts to drive forward town centre regeneration through the Eastgate Programme.
- Cannock Chase District Council have also been successful in their Levelling Up Fund bid and have been awarded £20M to support key regeneration schemes in their town centre.
- Staffordshire continues to see job vacancies increase, which grew by 18% between September and October, equivalent to over 5,400 more job vacancies. Through the Staffordshire Means Back to Business the Council is making good progress not least through supporting nearly 240 apprenticeships.
- The co-ordinated and quick response Redundancy and Recruitment Triage Service was continuing to offer free bespoke plans to any Staffordshire and Stoke business who need to restructure but also want to help their staff get into other work in growth sectors as quickly as possible. Following the conclusion of the Governments Job Retention Scheme on the 30th September, very few redundancy notification forms had been received for the Staffordshire area. The few that had received mainly related to changes in T&C’s and not potential risk of redundancy.
- Responding to the increased job vacancies and limited redundancies, with partners, the Council has tweaked the name of the service from ‘Redundancy and Recruitment Triage Service’ to the ‘Stoke-on-Trent and Staffordshire Triage Service’. This is in recognition that people don’t have to have been made redundant to contact the service which

is very much about ensuring people and jobs have access to each other.

(Cabinet – 17 November 2021)

13. COVID-19

The Cabinet have received an update from the COVID-19 Member led Local Outbreak Control Board and noted the following:

- The number of new cases of Covid in Staffordshire remains high, and above the England average. Cases rates were highest in school age children, although these were falling due to schools adopting proportionate measures to limit transmission of infection, the 12-15 vaccination programme, and rising natural immunity in this age group.
- The NHS plans to accelerate booster vaccinations for over 50s and first doses for 12-15 year olds. The NHS and social care are coping at the moment but continue to experience considerable pressure from Covid and other conditions.
- The need for residents to continue to take sensible precautions to limit the spread of infection such as good hygiene, keeping a respectful distance, and wearing face coverings in crowded indoor places; and also continuing to get a Covid test twice weekly.
- The Council is continuing to maintain Covid defences for the remainder of 2021/22. This includes testing and contact tracing, as well as managing outbreaks and supporting the most vulnerable. These will be reviewed in line with emerging Government policy.

Making sure as many people are vaccinated as possible remains the key priority for the county council and our NHS partners this winter.

With Covid rates still high, the vaccination programme has proved to be the real game changer in the UK.

It is important, that everyone gets the vaccine and also the booster as soon as they are eligible and, the good news is it has never been easier to get the jab.

Testing goes hand in hand with this. The new emphasis is on personal responsibility, with people encouraged to get a lateral flow test if they are out and about in crowded places or meeting up with friends and family and, also to get a PCR test if they have any symptoms, however mild.

14. Winter Bonus for Home Care Staff

Our home care staff do a fantastic job giving people the support they need to both remain in their homes or to return there after a spell in hospital.

In what is thought to be the first deal of its kind the NHS has agreed to fund to the tune of £2.8million a winter package of recruitment and retention incentives for staff this winter.

While this is a one-off initiative, it is a great example of how the NHS here in Staffordshire and ourselves are proactively looking for solutions and I am sure it is one that many other areas will follow.

15. Winter Operations

Staying with winter, there is one thing which is a constant for the county council, and this is the fantastic job our gritting crews do year in and year out.

Officially, winter starts for us as early as October and our crews are now well into the swing of helping keep us safely on the move.

We have one of the biggest highways networks in the country and so we do need to prioritise gritting where it is needed most.

I would encourage people to find out more on our winter webpages.

16. SWAR

It was great to see the Stafford Western Access Route fully opened to traffic last month.

Construction of the £63million project began in the summer of 2019 and work continued safely throughout the pandemic period.

It is a fantastic example of how such major projects can support future growth of towns by unlocking development sites for new homes, businesses and community facilities.

17. 2021 Community Fund

The 2021 Community Fund has closed after a really successful period from its launch in June. The fund focused on recovery from Covid-19 but with a broad spectrum, to allow communities to use it on what they need most. One group receiving funding has bought kitchen items to allow them to set up in a new venue; another put on new activities to help recruit new members. Others have returned to delivering community events, or made one-off investments to help future fundraising. The common theme is that member funding has allowed these communities to start to get back to

normal. We received 204 applications in all, and more than 40 in November after we extended the deadline. For now, the priority is processing applications and payments, but detailed analysis of this year's fund is also underway and will be presented to county council next year.

18. 2021

This time last year, as a county we were facing tough Covid restrictions and as a country we were hurtling towards a full-on lockdown.

It has been amazing to see how as a county, this council, our partners and our residents have really pulled together to get where we are today.

We can't take our eye off Covid just yet, but the hope, belief and ambition is for a brighter, stronger 2022.

I would like to thank each and every one of you in the chamber, for the role you continue to play on behalf of your communities and this council.

Finally, I would like to wish you and your families a happy Christmas and a peaceful and prosperous New Year.

Local Members' Interest

N/A

COUNTY COUNCIL – 9 December 2021

Recommendation to the Council - Financial Regulations

Recommendation of the Chairman of Audit & Standards Committee

I recommend that the County Council:

- (a) Approves the recommendation from the Audit & Standards Committee to recommend that the County Council approves the revised Financial Regulations for inclusion within the Constitution.

Report of the County Treasurer

Background

1. Any major organisation needs a set of clearly understood rules and regulations to manage its financial affairs. So, in line with Section 151 of the Local Government Act 1972, the Director of Finance and Resources is responsible for dealing with these affairs.
2. All documents within the financial regulations are designed to achieve four main aims. These are to:
 - make sure there are sound and proper financial procedures and arrangements for dealing with our financial affairs.
 - make sure that proper controls are in place.
 - provide a framework for managing our finances and delivering services which will allow, wherever possible, us to link together managerial and financial responsibilities; and
 - protect our members and employees.
3. There is a requirement to review and update the Financial Regulations on a regular basis to ensure that they remain accurate and fit for purpose. A detailed review has been undertaken to reflect the changes that have occurred since the regulations were last reviewed in 2018 following the introduction of the My Finance and MyHR financial systems, together with minor amendments reflecting changes to job titles of relevant officers.
4. The updated Financial Regulations are attached with the main changes highlighted in yellow.
5. The main areas of change are as follows:
 - Financial Regulation B – updated to include specific reference to the requirement to obtain Cabinet approval in all instances where

the County Council wishes to undertake the formal role of Accountable Body for a partnership and that the partnership will follow SCC financial policies and practices as standard practice.

- Financial Regulation E – updated to include arrangements for the receipt and payment of invoices electronically. Order approval limits have been amended in line with the revised procurement regulations. In addition, the purchase card guidance has been strengthened to state that the purchase of food and drink for staff social events is prohibited.
- Financial Regulation F has been updated to include reference to the use of direct debits as the preferred payment method for those services that are provided frequently.
- Financial Regulation H – the section on the disposal of supplies has been updated to include the need to speak to a procurement advisor regarding the best way forward including any potential sale process.

Equalities and Climate Change Implications

There are no direct implications arising from this report.

Legal Implications

Financial Regulations are part of the County Councils constitution and set the framework for dealing with our financial affairs. They are approved by Council following review by the Audit and Standards Committee

Resource and Value for Money Implications

Financial Regulations are key governance documents. They aim to strike a balance between ensuring effective governance and yet, at the same time, maximising value for money. Clearly there can be tensions between the two and effective risk management is key.

Risk Implications

A lack of adherence to these documents can lead to loss of reputation, finance, and external censure.

Report author

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List of Background Documents:

Existing Financial Regulations

Financial Regulations

Author: County Treasurer

Date Tuesday, 30 November 2021

Introduction by the County Treasurer

Any major organisation needs a set of clearly understood rules and regulations to manage its financial affairs. So, in line with Section 151 of the Local Government Act 1972, the County Treasurer is responsible for dealing with these affairs.

Section 25 of the Local Government Act 2003 places a duty on the County Treasurer to report to Council about:

- (a) whether the proposed reserves will be enough for our purposes; and
- (b) how robust the budget is.

Under Section 114 of the Local Government Finance Act 1988, the County Treasurer has a duty to report to Council if any of our officers or members, have:

- (a) made, or are about to make, a decision which involves illegal spending.
- (b) taken, or are about to take, an unlawful action which has or would result in a loss to the authority; or
- (c) made, or are about to make, an unlawful entry in our accounts.

The County Treasurer must also report under section 114 if it appears that our spending (or proposed spending) in a financial year is likely to be more than our resources (including amounts borrowed).

These financial regulations are part of the county council's constitution and set the framework for dealing with our financial affairs. The parts of the framework are as follows:

Financial regulations - Approved by Council

Schemes of delegation

Delegations to senior leadership team (SLT) members (as set out in the constitution)	Approved by Council
Delegations by SLT members	In line with the framework set by the corporate governance working group
Financial regulations for schools	Approved by the County Treasurer (following a consultation with the Schools Forum)

All documents within the financial regulations try to achieve four main aims. These are to:

- (a) make sure there are sound and proper financial procedures and arrangements for dealing with our financial affairs.
- (b) make sure that proper controls are in place.
- (c) provide a framework for managing our finances and delivering services which will allow, wherever possible, us to link together managerial and financial responsibilities; and
- (d) protect our members and employees.

The last point is most important as without clearly defined financial procedures and arrangements, members and employees could find themselves in difficult and vulnerable situations. It is very important that we keep to these policies. If a member or employee breaks them, it may mean a complaint is made against us or disciplinary proceedings are taken against a member or employee.

If you are in any doubt about keeping to these procedures, please consult either your Finance Business Partner, the Corporate Finance Section, or the Internal Audit Section for guidance.

Rob Salmon
County Treasurer

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Financial regulation A – general

- A1 These financial regulations form part of the overall financial regulatory framework approved by Council. They apply to the whole organisation, apart from schools. The financial regulations for schools will apply in this case.
- A2 The County Treasurer is responsible for reviewing all matters relating to our financial rules and regulations and so will produce, from time to time, updates to these financial regulations.
- A3 Where appropriate, SLT members must set out in guidance notes the detailed arrangements for putting the financial regulations into practice. The County Treasurer must approve guidance notes before they are applied.
- A4 These regulations will be reviewed by Council at least once every two years after consideration by the Audit and Standards Committee. In the meantime, minor changes can be made by the Director for Corporate Service and the County Treasurer in consultation with the Chairman of the Audit and Standards Committee.
- A5 If a member or employee fails to keep to the conditions in all documents shown in paragraphs A1 to A3 above (including our Credit Management Strategy and anti-money-laundering strategy), we may take disciplinary action against them. This will be dealt with in line with our disciplinary policy and procedure.

Financial regulation B – Financial planning, budgeting, and reporting

Definition

- B1 The procedures shown in this section apply to all spending and income. They apply to all our activities (including trading and support services) except for spending and income delegated to schools and any partnerships where we have agreed separate guidance notes.

Principles

- B2 Both the budget strategy and how we manage the revenue and capital budgets are based on the principle that the budgets are simply a statement of the strategic plan in financial terms. Any spending we agree to make should be identified through the strategic plan, plans for delivering outcomes and service plans. Using the revenue budget and capital programme, we will decide how and when we meet those needs.
- B3 SLT members are responsible for organising how services are delivered to achieve the aims set out in these plans within the resources they have available. Further approval will only be needed if there is a change in how we share the resources between services or if spending proposals involve a new policy or a change to the policy.

Financial planning

- B4 Cabinet will put forward a recommendation to Council, after taking the advice of the County Treasurer, for a medium-term financial strategy (MTFS). This will be developed at the same time as we prepare the strategic plan, plans for delivering outcomes and service plans.
- B5 We will prepare these plans after taking account of:
- a legal requirements.
 - b medium-term planning prospects.
 - c the resources available.
 - d spending pressures, investment needs and savings options.
 - e government guidelines.
 - f community impact assessments.
 - g exit strategies.
 - h cross-cutting issues (where relevant); and
 - i possible risks.

Budget process

- B6 Cabinet will decide how to use the resources and budget process in a way that takes account of our strategic plan. As well as the revenue budget, these recommendations will also consider the arrangements for deciding our strategy for spending capital funds, including preparing the capital programme and the processes for assessing and prioritising individual projects.
- B7 In preparing the budget, SLT members must keep to the rules, procedures and timetables set by Cabinet.
- B8 Following advice from the County Treasurer and after consulting the appropriate Select Committee, Cabinet will put forward recommendations to Council on:
- a the net revenue budget, including setting money aside for unexpected events (contingencies).
 - b how much is to be spent on each service.
 - c the programme for spending capital and the capital strategy, including financing arrangements.
 - d an assessment of whether the reserves and balances will be enough and how we will use the reserves and balances to support the budget; and
 - e council tax levels and the precept charge to be made to individual billing authorities (district and borough councils).
 - f Financial Health indicators.
 - g Capital & MRP strategy.
 - h Treasury Management strategy.
 - i Investment strategy.
- B9 The report will include comments from the County Treasurer on how robust the budget is and whether the level of reserves are in line with section 25 of the Local Government Act 2003.
- B10 The County Treasurer is responsible for making sure that, as part of the capital strategy, we prepare a capital budget, capital programme and financing plan each year for Cabinet to consider.
- B11 The capital strategy will make recommendations on:
- a the overall level of the proposed capital budget.
 - b how we use capital to reflect the needs of individual services.
 - c how we use capital to tackle our corporate priorities.
 - d individual projects.
 - e prudential indicator measures including the overall affordability of proposed plans; and

- f the financing arrangements including borrowing levels, using reserves, and using capital receipts.

B12 Within the capital programme framework, Cabinet can consider funding projects from specific centrally held corporate budgets.

Plans for delivering outcomes, service plans and budgets

B13 Producing an appropriate plan is an essential part of good management. Plans need to set clear aims and actions for the future and should include details of the resources needed to deliver the aims set out in the plan. Plans for delivering outcomes will set out how the strategic plan aims will be delivered. These plans will be approved by Cabinet. At service level, SLT members will need to produce plans which set out the main actions, as well as a resourcing plan and budget for that service for the relevant period, which must be agreed by the County Treasurer.

B14 Portfolio holders and SLT members will consult the County Treasurer and produce plans for delivering outcomes. These individual plans will then be presented to members of the relevant select committee.

B15 SLT members will produce service plans in a format suitable for that service. The plans will include details of the proposed budget and capital investment plans for the services within the relevant areas of responsibility.

B16 The plans should identify investment (or capital) needs as well as the revenue implications associated with delivering the stated aims. Capital spending will normally include spending on buying items, construction, preparation, reclamation, replacing or improving land, roads, buildings, and other structures, and (if not paid for from the revenue budget) buying, installing, and replacing plant, machinery, apparatus, and vehicles. We normally also include furniture and equipment, information technology, landscaping and professional fees if related to a project within a capital budget.

B17 Trading and support services must set out the basis of charges to other services and the planned trading 'surplus' or 'deficit'. For charges to our own services, any increase should be no more than inflation (not including inflation on pay) assumed in the medium-term financial strategy (MTFS). If services want to increase charges above this level, Cabinet will need to approve them. The service plan for the trading or support service must

also include proposals for tackling a budget shortfall or for any extra money (surplus). We will need to take account of the effects of any planned shortfall or surplus for a trading or support service as part of the overall plans for the portfolio area.

Project appraisal and prioritisation processes

- B18 We need to carry out a project appraisal for all capital spending no matter where that money is coming from. We cannot include a scheme in the capital programme unless it has been through the agreed appraisal and prioritisation processes.
- B19 SLT members are responsible for making sure there is an appropriate appraisal and prioritisation process for all new investment schemes. This process must be agreed with the County Treasurer.
- B20 The project appraisal should show how the project meets the following conditions. It must:
- a be supported by a well-thought-out brief which defines the aims of the project and specifies any issues which must be carried out within a certain time.
 - b be part of an appropriate business case for the proposal including an analysis of options.
 - c meet the principles set out in the HM Treasury Treasury's Guide to Appraisal and Evaluation in Central Government (The Green Book) as appropriate for the project by the SLT member –see https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/685903/The_Green_Book.pdf
 - d meets one or more of our strategic priorities set out in the strategic plan in terms of the economic, social, or environmental wellbeing of the people of Staffordshire.
 - e meets one or more of the priorities identified in the relevant plan for delivering outcomes or be needed to help meet our legal responsibilities or new legal requirements.
 - f improves one or more of the services' performance measures identified in the strategic plan, plans for delivering outcomes or the service plans.

- g clearly shows whether it is affordable and improves value for money, including any tax implications it may have (for example, VAT, stamp duty and land taxes).
- h shows how the project has been assessed against the agreed prioritisation process.
- i take account of relevant cross-cutting policies (for example, sustainability, social inclusion, Local Agenda 21); and
- j prove that it can be supported by a clear and achievable funding strategy.

B21 A project may relate to a proposal to tackle a specific theme or issue such as disabled access or traffic calming. It may include a general project on minor improvements or a group of low-value schemes. However, we must be able to produce one project appraisal for each 'grouped proposal', which should include a shared aim. In these cases, an SLT member must have in place a clear process for using resources on individual schemes.

Taking responsibility

B22 We have to have a system in place which sets out the operational responsibilities of our staff. SLT members are responsible for making sure that staff responsibilities are clearly shown in schemes of delegation.

B23 SLT members and the County Treasurer will jointly issue 'accountability statements', which budget holders must sign and return.

The power to spend

B24 Under these financial regulations, SLT members have the power to spend money from the approved revenue budget and capital programme.

B25 SLT members cannot spend money without approval by Council if the spending is not in line with the strategic plan or approved budget. By this we mean spending:

- a on creating a new policy.
- b which goes over approved budget levels (see B30 and B31 below).

- c which is basically transferring resources between budget heads (unless this is covered in the scheme of virement as shown in B37 to B39).
 - d if it involves a major change in the nature of a project as set out in the original project appraisal; or
 - e if it will count against our borrowing limit or will affect the revenue budget if no specific provision has been made in the budget for that service.
- B26 SLT members are responsible for making sure that any increase in an estimate for a capital project that happens during the course of the project can be kept within the overall capital budget for that service.
- B27 SLT members cannot agree any spending that involves the specific approval of a government department or agency, the European Union or any other funding organisation until we have received that approval or written assurance that we will get that approval shortly.
- B28 We cannot enter into a lease, hire, rental, or similar arrangement that may count against our borrowing limit without the approval of the County Treasurer.
- B29 The Director for Corporate Services can decide on urgent matters not relating to a 'key decision' which cannot wait until the next council or cabinet meeting. This also applies to spending in relation to an emergency or disaster to which section 138 of the Local Government Act 1972 applies.

Monitoring and reporting

- B30 SLT members are responsible for making sure they regularly monitor revenue and capital budgets. They must also investigate any variations and take appropriate action to deal with them.
- B31 SLT members must report to Cabinet if they cannot balance spending and resources within the approved budget. Cabinet will consider these reports and, where appropriate, make recommendations to deal with the shortfall.
- B32 SLT members will send monitoring and outturn reports to Cabinet in line with timetables and procedures set by Cabinet.
- B33 The County Treasurer is responsible for producing the annual

statement of accounts and for sending it to the Audit and Standards Committee for approval.

- B34 Reports will be made to select committees on specific issues SLT members feel are appropriate, after consulting the County Treasurer.
- B35 As well as reporting the final position to Cabinet, SLT members must, within six months of a significant project or programme finishing, carry out a review. The review must include an assessment of how far we achieved the project or programme aims, as shown in the project appraisal. The review should assess the process we used to manage the project or programme and report on the final cost. We will also need to consider longer-term assessments, including value for money evaluations and any relevant feedback from any satisfaction surveys, as part of the review.

Scheme of virement and in-year changes to the budget

- B36 SLT members can carry out virements between their budget heads as long as:
- a it does not involve a new policy or policy change.
 - b it does not result in an increasing commitment in future years which cannot be met within the existing approved budget; and
 - c it does not transfer resources between services.
- B37 Cabinet can agree to carry out virements which transfer resources between services as long as:
- a it does not involve a new policy or policy change; or
 - b it does not result in an increasing commitment in future years which cannot be met from existing approved budgets.
- B38 Cabinet is responsible for approving virements from contingencies.

Partnerships

B39 SLT members are responsible for making sure that partnership arrangements are approved, carried out, monitored, and evaluated in line with our partnership policy.

B40 Cabinet approval must be obtained for Staffordshire County Council to undertake the formal role of Accountable Body for a partnership or other organisation. Where SCC acts as the Accountable Body, the partnership will follow the financial policies and practices in place for SCC, unless otherwise agreed by the Director for Corporate Services and County Treasurer

Financial regulation C – financial standards and systems

Financial management standards

- C1 The County Treasurer is responsible for setting our financial management standards and for ensuring compliance with them.
- C2 The County Treasurer is also responsible for making sure we keep to proper professional practices and accounting policies. He will act as head of profession in relation to standards, performance, and development of finance staff throughout the authority.

Systems and procedures

- C3 The County Treasurer is responsible for keeping our main accounting records. These records will be kept on our financial management system – My Finance. SLT members will not use any other system for keeping accounting or other records relating to our finances unless they have written permission from the County Treasurer
- C4 The County Treasurer, along with SLT members, will make sure that all systems and processes related to My Finance are fully documented and that staff are trained in using them. These systems and processes will include the controls needed to make sure that the information used to update My Finance is complete, accurate, timely and not previously processed.
- C5 SLT members must consult the County Treasurer before introducing or changing any book, form, record, administrative procedure, or system used for keeping accounting or other records relating to our finances. They should then act on any advice given.

- C6 The County Treasurer and SLT members will jointly make sure that all accounting records are kept properly and held securely. The records and all related vouchers and documents must be managed in line with our document retention policy for financial records – click on hyperlink below.

[Retention Schedules](#)

Financial regulation D – audit, control, and irregularities

- D1 The County Treasurer is responsible for carrying out a continuous internal audit in line with the Accounts and Audit (England) Regulations 2015.
- D2 SLT members must co-operate with, and provide all necessary information for, the Internal Audit Section and our external auditor in a timely manner.
- D3 SLT members are responsible for setting up effective and efficient arrangements for internal control. They will ask the County Treasurer for advice on any significant matter if the principles of internal control prove difficult to put into practice or maintain.
- D4 SLT members must let the County Treasurer know immediately about all instances of potential and actual irregularity which affect our finances.
- D5 The County Treasurer or his authorised representative, must be given reasonable access to our property and to see any documents, records, and computer files they may need for the audit. He can also ask staff and members for information and explanations if he thinks this is necessary for that audit and that they are promptly provided.
- D6 Depending on any related legal requirements, the Head of Audit & Financial Services and Chief Internal Auditor will have the right to report directly to the Chief Executive, to any member of Cabinet and the Audit and Standards Committee. Where appropriate responses to audit recommendations have not been made within a reasonable period the County Treasurer may refer the matter to the Audit and Standards Committee for further action.

Response to audit reports

- D7 SLT members must consider and respond promptly to recommendations in audit reports and make sure that any agreed actions arising from audit recommendations are carried out as soon as possible.

Internal control and checks

- D8 The duty of providing information, working out, checking, and recording the amounts due to or from us must be separated,

as far as possible, from the duty of collecting or paying these amounts.

- D9 Wherever possible, we need to make arrangements to make sure that:
- a work, goods, and services are ordered properly.
 - b we acknowledge when they have been received; and
 - c invoices and accounts are not examined by the same person.

Financial regulation E - spending

General

- E1 Depending on financial regulation G3, all payments made on our behalf will be made by the County Treasurer
- E2 Payments will be made in line with our standard payment policy as set out in the reports of the County Treasurer relating to the medium-term financial strategy.
- E3 In making these payments, the County Treasurer will, where necessary, rely on the certification (electronic or manual) of authorised employees.
- E4 Every employee involved in the procurement process must keep to our Procurement Regulations, Instructions, and the officers' code of conduct as set out in the constitution. Employees in schools must keep to schools' financial regulations and schools' procurement regulations (whichever is appropriate).

Raising an order

- E5 Depending on the requirements of E6 below, you need to raise official orders when asking for supplies, works or services. You must not raise an order after the supplies have been received or the work carried out unless it is an emergency. If this is the case, an official order marked 'confirmation' must be issued as soon as possible (normally within seven working days of the order being given in person or over the phone).
- E6 You need to raise an official purchase order for all items you buy using the My Finance purchasing module.

There is an approved list of suppliers and expenditure types where it has been agreed that purchase orders are not required and payment can be processed via a non-order invoice raised in the My Finance purchase Ledger. This is called the Non-Order Exceptions list and can be found [here](#)

The only other reasons for not raising a purchase order are shown below:

- a payments needed where there is no invoice, for example, grant payments (unless an order is part of the grant conditions), refunds, compensation payments and property rentals if there is no invoice provided by the landlord. Please

fill in an EX1 payment if you do not have an invoice it can be found here [Staffordshire County Council - One off payments and non-order invoices](#)

- b payments using a purchase card; and
 - c other payments approved by the County Treasurer
- E7 Unless otherwise included under a non-order exception, all purchases require a formal purchase order and provision of a purchase order number.
- E8 Orders raised in My Finance must be either against the catalogue listings or the relevant contract entry first. These will have a contract code prefixed by 'IA'. Where a contract does not exist in My Finance the order is to be placed as free text against the ProClass/Category code relevant (or closest to) to the area of purchase.
- E9 It is not acceptable to use random ProClass/Category codes when placing free-text orders.
- E10 Orders may be rejected internally where they are seen to ignore the contract or relevant ProClass code requirements.
- E11 Where an order is to receive more than one invoice, 'blanket / limit' orders should be considered and implemented.
- E12 All blanket / limit orders raised shall carry on the order suitable wording to ensure suppliers are aware that the order raised is that of the blanket / limit variety and is not a formal commitment of to spend the total amount.
- E13 Users must ensure that the order carries sufficient wording to provide clarity to the supplier as to which set of legal terms and conditions the purchase is referring. All orders raised against a MyFinance contract will automatically carry the IA contract reference number
- E14 In the absence of any other instructions, all orders issued default suppliers to the standard terms and conditions shown of the Council internet.
- E15 When liaising with suppliers purchase order numbers should be conversed rather than requisition numbers.

- E16 Requisitions raised may be immediately released as orders where the order value is below any agreed user self-authorisation limit. Alternatively, all requisitions will require approval within MyFinance.

Order Approval Levels

In line with Procurement Regulations:

- E17 For Orders at, and over £500,000 Officers must obtain the approval of an Officer Band B.
- E18 For Orders at, and over, £100,000 and below £500,000 Officers must obtain the approval of an Officer Band C.
- E19 For Orders at, and over, £3,000 and below £100,000 Officers must obtain the approval of an Officer Band D.
- E20 For Orders below £3,000 Officers must obtain the approval of an Officer Band E.
- E21 In line with approved schemes of delegation, SLT members must approve each official order and make sure that:
- a the spending is for proper purposes.
 - b the spending can be met from approved budgets.
 - c we have kept to procurement regulations (for example, the requirement to use centrally negotiated contracts).
 - d the main fields of the purchase order are filled in correctly (for example, the description of supplies, work or services, and delivery address.
 - e the spending is charged to the correct cost code (this is included in the order coding and cannot be changed at invoice stage).
 - f any staff who have delegated responsibility for a budget keep to these instructions; and
 - g anyone who approves orders arranges for somebody else to do it when they are on annual leave.
- E22 You must never use official orders to arrange work, supplies and services for your own private use.

- E23 If there is a clear business need, an SLT member can self-authorise orders that they have agreed. In other words, you can approve an order you have raised. Self-authorisation is to be used for low-value orders up to £500 for staff and up to £3,000 for managers. Officers who are approved to carry out self-authorisation must be included in the relevant service sub-scheme of delegation.

Matching invoices

- E24 SLT members must make sure that effective arrangements are in place to make sure that the supplies, services, or work needed have been received before entering a goods received note into My Finance. Provision should be in place to ensure that goods received notes are entered in a timely fashion.

Receiving Invoices

- E25 All invoices should be received centrally and electronically from suppliers on apinvoices@staffordshire.gov.uk

Paying invoices

- E26 Unless otherwise stated in current contractual provisions with suppliers, all new contracts, and orders to state payment terms of 30 days for all payments to suppliers. The County Treasurer may seek permission from Cabinet to vary these default terms should it be merited by the prevailing circumstances.

General

- E27 Payments must not be made against a statement or any document other than a formal invoice unless the County Treasurer agrees. Replacement invoices must be signed as 'not previously passed for payment'. To reduce the risk of duplicate payments, it is important to accurately enter the supplier's invoice reference when posting an invoice.
- E28 Invoices should be presented whenever possible in an electronic format (preferably .pdf) and should be submitted to apinvoices@staffordshire.gov.uk
- E29 Payment by direct debit, standing order or charge card should not be agreed unless authorised by the County Treasurer.
- E30 In all cases, invoices and other supporting documents should be attached to invoices and credit notes registered in the My Finance system.

Certifying invoices

- E31 If an order has been raised using the My Finance Requisition and Supplies System module, the invoice will upon receipt be entered onto My Finance by the central Accounts Payable team. Providing a goods received note has been raised against the order, no further certification process is needed unless the value of the invoice is more than the receipted value of the order. If this is the case, the invoice will need further authorisation which will be managed by the My Finance system workflow.
- E32 Entering a goods received note against a purchase order in the My Finance Requisition and Supply will mean the following:
- a You have followed procurement regulations and financial regulations and the order has been received to value of the amount receipted:
 - b the supplies have been received, examined, and approved in line with the specification, and are satisfactory, and the prices and discounts (if any) are correct and meet the conditions of the order:
 - c the subsequent invoice can be paid from within approved budgets: and
 - d entries have been made in inventories or stock records, if relevant and appropriate.
- E33 If a non-order invoice payment is being made using the Purchase Ledger module, (see section E6), Except for exceptions agreed by the County Treasurer invoices will be registered on the system within the central Accounts Payable team. Invoices will then be required to be approved for payment within the relevant business unit in a process managed by the My Finance workflow.
- E34 Certifying an invoice within the My Finance Purchase Ledger module will mean the following:
- a You have followed procurement regulations and financial regulations and the account is correct in all respects.
 - b the supplies have been received, examined, and approved in line with the specification, and are satisfactory, and the

prices and discounts (if any) are correct and meet the conditions of the contract quotation or order.

- c the invoice can be paid from within approved budgets.
- d entries have been made in inventories or stock records, if relevant and appropriate.
- e the invoice has not been previously passed for payment and is due; and
- f the invoice keeps to the VAT requirements of HM Revenue & Customs (see [VAT on Purchases](#) on the intranet).

E35 Anyone who approves invoices must arrange for somebody else to do it when they are on annual leave.

E36 Invoices must be entered into My Finance as soon as possible and authorised promptly to meet payment terms and avoid late-payment penalties. Invoices are paid based on the date on the invoice, not on the date they are entered on the system.

Payments in advance

E37 Generally advance payments are not allowed. However, if a contractor needs paying in advance or a grant payment is needed in advance, then this can be done but only on the agreement of the County Treasurer. The Director for Corporate Services must also be told if supplies, work, or services are then not provided after making a payment.

Recurring payments

E38 SLT members are responsible for keeping records of regular payments (such as rates and rentals) both for property and equipment. If necessary, they will raise EX1 invoices (see E6) for these payments and make sure that any payments are correct and not duplicated.

Other checks

E39 The County Treasurer has the right to carry out any extra checks he considers necessary either before or after payment. He has the right to check that the procedures laid down for authorising and ordering supplies, work or services and examining accounts have been properly carried out.

Purchase cards (P-cards)

- E40 SLT members must make sure of the following for each item bought using the purchase card:
- a the spending is for proper purposes.
 - b the spending can be met from approved budgets.
 - c the procurement regulations have been kept to.
 - d the spending is charged to the correct cost code.
 - e All transactions are reviewed and approved each month on a timely basis and in accordance with published timescales.
(see link)
[Staffordshire County Council - Purchase Cards](#) failure to adhere to the approval process will lead to suspension of the card.
 - f The goods have been received, examined, and approved in line with the specification, and are satisfactory. The prices and discounts (if any) are correct or the work done or services provided have been satisfactorily carried out, and the materials used (if any) were of the right standard, and the prices and discounts (if any) are correct.
 - g The VAT is accounted for correctly and VAT receipts have been kept; and
 - h Invoices, receipts, and other appropriate supporting documents must be retained for all expenditure incurred using a purchase card, preferably as attachments within the purchase card system but if that is not possible as paper records.
 - i In instances where a card is used to withdraw cash, complete and accurate records of the goods and services purchased with that money must be maintained. Ideally, this record should be attached to the cash withdrawal in the purchase card system together with the invoices, receipts, and other supporting documentation.

- j An appropriate separation of duties between card holder and approver must be maintained within the purchase card system.
 - k Purchase cards have not been used to buy work, supplies and services for private use. This includes purchasing alcohol in any circumstance and purchasing food and drink for staff social events
- E41 SLT members are responsible for any staff who have budgetary responsibility keeping to these instructions. Each card will have single transaction and monthly limits, which the SLT member will set.
- E42 Internal Audit –may review a sample of transactions to make sure that purchases are valid, that all transactions have been appropriately authorised and coded, and that VAT has been accounted for correctly.
- E43 SLT members must make sure that there is a procedure in place to avoid mistakenly paying a supplier again when the invoice is received for a purchase-card transaction.
- E44 You can get more information on using purchase cards on the intranet by following the link below.

[Purchasing cards](#)

Payments to employees and pensioners

- E45 The County Treasurer is authorised to pay all salaries, pension benefits and other employment-based payments.
- E46 The SLT member must authorise all appointments, resignations, dismissals, suspensions, secondments, and transfers in a form approved by the County Treasurer
- E47 Each SLT Member must let the County Treasurer know as soon as possible and in the form he has approved (including, for example, My HR being updated at source), about all matters which may affect paying items referred to in E28 and E29. This includes:
- a absences from work for sickness and other absences which affect pay.

- b changes in pay, other than normal increments and pay awards and agreements which apply to everyone; and
 - c information needed to keep records of service for superannuation, income tax, National Insurance and so on.
- E48 All-time records or other pay documents must be in a form approved by the County Treasurer and must be confirmed by the SLT member.
- E49 All employees must be paid in the most economical way – currently BACS – unless the SLT member approves otherwise in line with guidelines issued by the County Treasurer
- E50 SLT members must make sure that they have processes in place to make sure that payments made to employees are properly due.

Members and staff travelling and subsistence allowances

Travelling and subsistence allowances

- E51 SLT members must make sure that all claims for employees' car allowances, subsistence allowances, travelling and other expenses are input into My HR and approved as soon as possible. Expenses entered that relate to a period of time more than three months prior to the claim, will not be paid. Copies of VAT receipts must be kept in business units or establishments in line with our document retention policy.
- E52 SLT members are responsible for making sure that employees who use their cars for official business are properly insured against all third-party risks and that the insurance includes indemnity against any loss and are insured for business use.
- E53 Before approving claims, SLT members are responsible for checking:
- travelling and subsistence allowances.
 - the accuracy of the mileage claimed.
 - the purpose of the journeys made.
 - the taxable status of the claim; and
 - that they have kept to our car allowance regulations, car leasing scheme and any other decisions we have made (if appropriate).

If you have any questions about the taxable status, you must contact the County Treasurer for advice.

- E54 The County Treasurer will rely on SLT members to certify and authorise payments for claims.

Allowances to members

- E55 Members (including co-opted members), who are entitled to claim travel and other allowances for an approved duty, must send in a claim by using the online electronic claims system. By sending in a claim, the member is confirming that this is a true record of expenses they have paid out. The County Treasurer will make a payment. Members should send copies of VAT receipts to the Member and Democratic Services Unit in line with our document retention policy.
- E56 The County Treasurer will pay special allowances and basic allowances in line with our instructions.
- E57 The County Treasurer will accept a certificate if a co-opted member claiming financial loss declares that:
- a they have lost earnings of not less than the amount included in their claim; or
 - b they have had to pay extra expenses in employing domestic help or other help because they have been on council duty.

Financial regulation F – income (credit management strategy)

- F1 Each year SLT members must:
- a review and make recommendations to Cabinet (or the relevant non-executive committee) about charges for services we provide in line with our powers to charge as set out in relevant laws including the Local Government Act 2003; and
 - b review and put into practice all fees and charges where we have powers to decide on the amount of the fee or charge.
- F2 If the SLT member sets or changes any fee or charge that involves a policy change, Cabinet must approve this.
- F3 SLT members must manage all money (cash or credit) due to us in line with our credit management strategy (Appendix 1) and

the anti-money-laundering strategy (Appendix 2). You must follow detailed procedures relating to collecting income, receipting, and banking (as detailed below) at all times.

- F4 Terms and conditions of any grants, awards or income streams which place on the council additional financial or reporting obligations or represent a deviation from existing financial management policy need to be approved by the County Treasurer before acceptance.

Collection

- F5 After consulting the County Treasurer, SLT members must make arrangements to make sure they record all amounts due to us and for collecting, controlling, banking of and accounting for all money recovered as soon as possible.
- F6 SLT members must make sure that, wherever possible, at least two officers are present when post is opened to make sure that postal payments are dealt with properly and recorded as 'received' immediately.
- F7 SLT members must tell the County Treasurer as early as possible about all money due to us under contracts, leases, tenancy agreements, agreements for selling property, BACS remittances for grant payments and any other agreements where we receive money.

Receipting

- F8 Each officer who receives money on behalf of the council must acknowledge the amounts received in line with procedures prescribed by the County Treasurer. Receipts should not be given in any form other than the official receipt form. Official receipts for cash payments (not cheques) need only be issued for amounts over £20 or if the customer specifically asks for a receipt. SLT members may use their discretion about whether to issue a receipt for amounts of less than £20.
- F9 All official receipt forms or receipt books, licenses, tickets (of value) and all documents or vouchers representing receipts for money or similar must be in the form approved by the County Treasurer who will control, issue, and order them. All stationery of this type must be properly recorded and acknowledged.
- F10 Every transfer of official money from one member of staff to another must be recorded and signed by the receiving officer.

- F11 Each officer who receives money on behalf of the council must also keep records that the County Treasurer decides are appropriate. This includes an accurate account of all receipts and when money was paid into bank accounts or agents' accounts.
- F12 Personal cheques must not be cashed out of the money held on the council's behalf.
- F13 If cheque payments are presented personally, the officer must make sure that the customer both signs the cheque and writes their address on the back in front of them. If the cheque has already been signed, the customer must then sign and put their address on the back of the cheque.

Banking

- F14 SLT members must pay directly and promptly all money received on the council's behalf, to our bankers or other agents we have approved.
- F15 For the purpose of paying money to the council's bankers, or their agents the County Treasurer will give an officer a paying-in book. No other stationery must be used.
- F16 An officer must add the following information to the paying-in slip – whether electronically via My Finance or on paper paying-in slips:
- a the amount of each cheque or postal order.
 - b Some reference which will connect the cheque or order with the debt or debts (for example, the receipt number or customer's name).
 - c the reference number of either the customer's account or invoice numbers which related to the payment.
 - d if no customer invoice has been raised, use the codes provided by the County Treasurer, the budget heading to which the income will be paid into and the value to be paid in; and
 - e an idea of the purpose and source of the payment if it does not relate to money which is owed.

Payment by electronic means

- F17 SLT members must contact the County Treasurer before introducing card payment facilities. The County Treasurer will make sure that named staff are given secure access to appropriate facilities and receive relevant training. Any establishment which accepts payment by this method must keep to the banking agreement (especially the conditions on keeping and storing customers' card details).

To comply with the Payment Card Industry (PCI) data security standards, card holder account numbers and sensitive information cannot be retained, for example, the information on the front of a debit or credit card and the CSV (three-digit security code on the back of the card). If the customer has given card details in writing to support a booking or a contractual arrangement, they must be destroyed once payment is processed.

- F18 All commission costs relating to these facilities must be paid from the budget of the portfolio area which is offering them.

F19 Payment by direct debit is the preferred means in instances where frequent payments are required. In these instances, services should promote and facilitate settlement by this method.

F20 Direct debit payments will only be collected from customers who have supplied a valid and authorized direct debit mandate.

F21 Direct debits will be processed in accordance with the requirements of the Direct Debit Guarantee Scheme and those of the Automated Direct Debit Instruction Service (AUDDIS) and the Automated Direct Debit Amendment and Cancellation Service (ADDACS)

Sending customer invoices

- F22 SLT members are responsible for raising customer invoices and credit notes as soon as possible. Managers can only raise customer invoices and credit notes using My Finance. Accounts raised in My Finance will have an invoice number given to them automatically by the system.

F23 If an establishment does not have access to My Finance, assistance from the business support team or Finance Business Partner should be requested to raise an invoice. Do not issue a manually raised invoice to a customer.

- F24 The date the service is provided should be input into My Finance when raising customer invoices.
- F25 When raising an invoice, a Contact Code should be selected in My Finance in all instances, this is to ensure the invoice recipient has a point of contact within SCC should they have a query or dispute with any aspect of the invoice.
- F26 Supporting documentation must be attached to the invoice in My Finance when appropriate evidencing the calculation of charges, the goods and / or services supplied and any authorisation or instructions to charge.
- F27 Invoices for amounts below £25 should not be issued for non-statutory services. If there is a business need to recover amounts below this threshold, contact the Central Income Team for advice on an appropriate mechanism.

Issuing credit notes

- F28 We can only reduce the amount of an account using an official credit note if the amount was raised by mistake or the invoice contains incorrect information. If the credit note is raised in My Finance, the system will pass the credit note to a designated member of staff for approval.
- F29 If a credit results in changing the VAT originally charged, the credit note must show the full details HM Customs & Excise will need.

VAT

- F30 SLT members must take all practical steps to make sure the correct VAT is charged on income and they should consult the County Treasurer if necessary.

Debt recovery

- F31 SLT members must follow the debt-recovery policy shown in the Credit Management Strategy. They must follow the My Finance Sales Ledger module process as the standard approach to recovering debt. If the My Finance process is not successful in recovering debts, refer the matter for further recovery processes in a timely manner as given in paragraph 19 of Appendix 1 – Credit Management Strategy.

- F32 All processes and My Finance transactions to recover debts are on the SCC e-learning platform.
- F33 The County Treasurer will review debt recovery performance and report quarterly to Cabinet.

Financial regulation G - Treasury Management and Banking

Banking

- G1 The County Treasurer is responsible for arranging our banking arrangements, including the opening, and closing of all bank accounts.
- G2 Only the County Treasurer and staff duly authorised under the Council's bank mandate arrangements will transfer funds electronically by CHAPS, BACS or Faster Payments, through the banking providers platform. International Payments will also be made in exceptional circumstances.
- G3 All other payments we make (see E1), will be made by BACS, through the Council's finance system or in certain circumstances a cheque, signed by the County Treasurer

Treasury Management

- G4 We keep to CIPFA's Code of Practice for Treasury Management in the Public Services.
- G5 Council is responsible for approving the following matters, after consideration by Cabinet:
- a borrowing limits and prudential indicator measures in line with the Local Government Act 2003 and the CIPFA Prudential Code.
 - b the Annual Investment Strategy (AIS) for treasury management and any necessary updates; and
 - c any revised CIPFA Code of Practice and Treasury Management Policy Statement.
- G6 Cabinet is responsible for approving the annual treasury management strategy (to include borrowing and investment strategies) and will receive reports on policies and activities on treasury management, including, at the least, a mid-year review and a yearly report in the form set by our treasury management practices (TMP).
- G7 The Corporate Overview & Scrutiny Committee is responsible for making sure we consider and check all activities linked to treasury management.

- G8 The County Treasurer is responsible for carrying out all activities linked to treasury management. More specifically, he will carry out these responsibilities in line with CIPFA's Code of Practice for Treasury Management in the Public Services and CIPFA's Prudential Code and government regulations and guidance. The County Treasurer has delegated certain activities to other members of staff under a specific sub scheme of delegation.
- G9 In carrying out the above responsibilities, the County Treasurer will do the following:
- a act in line with these Financial Regulations and CIPFA's Standard of Professional Practice on Ethics.
 - b review and update the Treasury Management Policy Statement.
 - c prepare suitable practices setting out the way in which we will achieve the aims of our policies on treasury management and presenting how those activities are managed and controlled.
 - d in terms of b and c above, he will follow the recommendations in sections 6 and 7 of CIPFA's Code of Practice for Treasury Management in the Public Services. However, he may make changes where necessary to reflect our particular circumstances. These changes must not result in us moving away from the code's main principles.
 - e prepare the yearly treasury management strategy at or before the start of each financial year for Cabinet to approve and the annual investment strategy linked to this for Council to approve.
 - f report the outcome of all activities related to treasury management. This will be, at the least, a yearly outturn report and a half-year monitoring report for approval by Cabinet; and
 - g act as Chair of the Treasury Management Panel.
- G10 The Treasury Management Panel will be made up of treasury staff and senior officers. They will:
- a help the County Treasurer with his responsibilities as above.
 - b regularly monitor performance against borrowing limits and

prudential indicator measures and ask for approval for changes to those limits if this is needed.

- c agree the practical ways the yearly treasury management strategy will be put into practice.
 - d receive audit reports on activities linked to treasury management.
 - e consider and propose changes to policies and limits as a result of changes in the economic or financial climate if Council and Cabinet approve.
 - f approve changes to the scheme of delegation which relate to treasury management; and
 - g each year, assess the quality of the external service provider appointed to provide us with treasury advice.
- G11 The County Treasurer can take urgent decisions, including changes to limits or strategy in consultation with a nominated portfolio holder, where appropriate. An urgent decision which affects a previous Cabinet decision will be reported to Cabinet, and if necessary, to Council, with an explanation for the action taken.

Financial regulation H - assets

Land and buildings

- H1 The County Treasurer will keep a register of all properties we own or use.
- H2 The Director for Corporate Services is responsible for making arrangements for looking after all title deeds and formal contract documents.
- H3 SLT members are responsible for looking after the assets they manage and must make sure that properties are safe, watertight, and comfortable.
- H4 The Director for Corporate Services must send to Cabinet and the Property Sub Committee a corporate property strategy and the asset management plan. This will make sure we review assets regularly to identify properties that are underused and no longer needed.

Vehicles

- H5 The Director for Corporate Services will keep a record of all vehicles we own and lease.

Stocks and stores

General

- H6 SLT members are responsible for keeping proper records and for looking after stocks and stores.
- H7 SLT members are responsible for deciding upon and maintaining efficient levels of stock. They will need to make sure that these levels continue to be appropriate.

Records

- H8 We will need a delivery note signed by the person receiving the supplies for every delivery at the time of the delivery. All supplies must be checked and inspected for quality and suitability as soon as is practical after they are delivered. The quantity of supplies delivered must be checked at the time of delivery.
- H9 SLT members must give the County Treasurer any returns in connection with stores records, or cost records needed to

complete our accounting and financial records. The County Treasurer, after consulting the SLT member concerned, will decide the method to use to value stores.

- H10 Anything issued from the stores must be supported by a requisition note signed by an authorised officer. This must give the quantity of goods needed. The stores officer will provide a receipt for stores issued on a stores issued note.

Checking stock

- H11 On 31 March each year (or a date agreed by the County Treasurer a responsible officer independent from the storekeeper must carry out stocktaking. That officer will be responsible for making sure that the actual stock agrees with the stock records. This yearly stock take is not needed if the County Treasurer is satisfied that the stores area runs a satisfactory system of continuous stocktaking.
- H12 Stock sheets or stock records must be signed by or on behalf of the SLT member and certified that the details and prices shown are correct. Each SLT member must send the County Treasurer certificates relating to stocks and stores.
- H13 Whenever a storekeeper or person in charge of stores hands over, leaves or no longer has custody of stores, the SLT member must, wherever practical, check the stores concerned and sign the stock sheets.

Levels of stock

- H14 SLT members may write off stock up to an individual limit of £2,500. Stocks written off will then be subject to procurement regulations for disposal. Amounts over this figure will need approval from the County Treasurer. For audit purposes, SLT members must keep full documents of all stock written off in this way.
- H15 SLT members may sell spare stock. Please see H25 to H32.

Inventories

- H16 SLT members must keep inventories of fixed plant, machinery, furniture, and equipment. The Head of ICT will keep inventories of hardware and software.
- H17 At least once a year, SLT members are responsible for checking

that all items on the inventory are accounted for.

- H18 The County Treasurer will decide how much of our property information is recorded and the form in which the inventories (administrative or computerised) must be kept and write-offs recorded.
- H19 Our property must not be removed unless it is in the ordinary course of our business. Council property can only be used for council purposes unless an SLT member issues specific instructions otherwise.
- H20 Whenever an employee hands over, leaves or is no longer responsible for any of our property which is entered on an inventory, the SLT member must, wherever possible, check that property and make sure a handing-over certificate is signed by the outgoing and incoming employees.
- H21 The County Treasurer or their representative will have access to all our property and to the inventories and any relevant documents.

Security

- H22 SLT members are responsible for arranging proper security for all assets and records under their control.
- H23 All employees must keep to our Information Technology Acceptable Use Policy.
- H24 The person responsible must keep on them any keys to safes, cash boxes, and other places in which money or valuables are stored. If any keys are lost, this must be reported to the County Treasurer immediately.

Selling spare supplies and stock

- H25 SLT members are responsible for dealing with any spare supplies they do not need (except ICT and electrical equipment).
- H26 The same competitive process for buying supplies, services and work must also be applied to selling spare supplies. (See the procurement regulations for more instructions.)
- H27 SLT members must get professional advice if they are in any doubt when making valuations.

- H28 SLT members can consider selling spare supplies by auction instead of sealed bids, but they need to make sure they have evaluated the full cost of the process and the commission that will be due.
- H29 The SLT member should normally accept the highest value offer without conditions unless they feel an offer with conditions gives better value to us.
- H30 The route by which supplies, except for ICT electrical or mechanical items, may be disposed of, including potential sale should be discussed with a procurement advisor and included within the sourcing strategy and approved in line with procurement regulations authorisation limits.
- H31 SLT members may set a reserve price before offering the supplies for sale. If the reserve value is not met, do not sell the supplies, and advertise them again. A person setting the reserve price cannot privately bid for the item.
- H32 SLT members must not release any items sold before we receive payment. If payment is made by cheque, this must be cleared before we release the items.

Intellectual Property

- H33 Intellectual property is a generic term that includes inventions and writings. If these are created by an employee during the course of employment, then as a general rule they belong to the employer, not the employee. Various Acts of Parliament cover different types of intellectual property.
- H34 It is possible that some activities undertaken within the County Council may give rise to items which may be patentable. These are collectively known as intellectual property.
- H35 SLT members should ensure that advice from Legal Services is sought if a piece of intellectual property is identified.
- H36 Managers should ensure that there are no conflicts concerning staff conducting private work in County Council time.

Financial regulation I – insurance and managing risk

- I1 The County Treasurer is responsible for arranging appropriate insurance cover for risks which are not self-insured. If appropriate, the County Treasurer will consult SLT members before arranging cover.
- I2 Unless we say differently in agency agreements, the County Treasurer will negotiate claims with insurers.
- I3 The County Treasurer is responsible for co-ordinating activities linked to managing risk across the county council.
- I4 SLT members must tell the County Treasurer as soon as possible about all new risks, properties or vehicles that need to be insured and about any changes which affect existing insurance.
- I5 SLT members should make sure that officers involved in insurance claims do not admit liability as this will affect our insurance cover.
- I6 SLT members must immediately write to the County Treasurer about any loss, liability or damage or any event likely to lead to a claim.
- I7 SLT members must consult the Director for Corporate Services and the County Treasurer about the terms of any indemnity we are asked to give.

Financial regulation J – other funds

General

- J1 Voluntary and trust funds, and any related bank accounts, should be operated in line with any detailed instructions issued by the County Treasurer.

Voluntary funds

- J2 Each SLT member must keep a record showing the purpose and nature of all voluntary funds held by their staff in the course of their duties. They must make sure that the reporting arrangements agreed by the voluntary fund are followed and, where appropriate, checked by an independent person. The County Treasurer is entitled to check the voluntary fund reporting arrangements and reports and accounts produced as he feels are appropriate.

Trust funds

- J3 All members and employees acting as trustees because of their official position must make sure that accounts are audited and sent to the appropriate organisation each year. The County Treasurer is entitled to check that this has been done.

Appendix 1

Credit management strategy

Aims and overview

- 1 The aim of this strategy is to make sure we receive all of our income by improving cash flow and reducing the level of bad debts.
- 2 The strategy is based on the following principles:
 - wherever possible, we will provide services on a pay-as-you-go basis.
 - we will offer customers, clients, and service users a range of appropriate payment methods.
 - unless there are special circumstances, all service areas must keep to the standard debt collection policy.
 - all service areas will use active processes to collect income. The Central Income Team must follow the My Finance accounts Sales 2 Cash process as the standard approach to recovering debt. If the My Finance process has been unsuccessful in recovering debts, they must be passed for further recovery processes as described in paragraph 19 below.
 - processes for resolving customer queries and disputes must keep to our customer complaints, compliments and comments policy and any other complaints procedures which apply by law; and
 - we will regularly monitor our performance in collecting income and collecting debts against agreed performance standards and targets.

The main responsibilities

- 3 SLT members are responsible for setting detailed arrangements for collecting income and recovering debts which meet the strategy, including performance standards.
- 4 The Central Income Team is responsible for:
 - reviewing the credit management strategy.

- drafting appropriate performance standards.
- monitoring performance against those standards.
- organising appropriate and cost-effective payment methods.
- managing IT systems for collecting income and recovering debts.
- monitoring what is provided for bad and doubtful debts.
- providing an enquiry officer and designated debt-recovery.
- providing a debt recovery service.
- receipt, collection and banking of all postal income and payments into SCC's main bank accounts; and
- management of cash carrier and collection service provided to SCC establishments contract.

5 The County Treasurer is responsible for:

- approving the strategy and associated instructions.
- approving performance standards and monitoring performance against these standards; and
- approving changes to the strategy to reflect specific circumstances.

Charging for services

- 6 Traditionally we have raised invoices for collecting income for the services we provide and only collected cash without an invoice at the point of service delivery or in advance if the amounts due are relatively small.
- 7 By developing facilities so our customers can order services over the internet or by phone and face-to-face front office services gives us the opportunity to review that approach and, where appropriate, offer services on a pay-as-you-go basis.
- 8 We have developed an e-payment facility which allows our customers to make payments over the internet, automated telephony and through the SCC Contact Centre using credit and debit cards. The ability to accept credit- and debit-card payments also allows us to introduce, where appropriate, facilities for taking payment at the point of delivery.
- 9 SLT members must take all practical steps to satisfy themselves that the correct VAT rate has been used and they should contact the County Treasurer if they need to about this.

Payment methods

- 10 We will aim to offer the following payment methods to our customers depending on the service provided:
- payment by cash, cheque, debit, or credit card (chip and pin) when goods or services are ordered or at the point of delivery.
 - payment over the internet by debit or credit card when goods and services are ordered.
 - payment over the phone by debit or credit card when the service or goods are ordered.
 - payment by cash, cheque, debit or credit card (chip and pin) at one-stop shops when the service or goods are ordered.
 - payment by Giro credit at banks.
 - paying invoices over the internet, by automated telephone payment, over the phone or in person at SCC establishments and by post by cheque.
 - where appropriate, payment by Direct Debit or standing order; and
 - Payment direct into our County Fund bank account by BACS and CHAPS transfers.

Debt-recovery policy

11. SLT members are responsible for promptly raising customer invoices and credit notes. Service areas can only raise customer accounts and credit notes using My Finance. Accounts raised in My Finance will have an invoice number given to them automatically by the system. There must be a clear description of the service (goods) provided, and payment terms and methods.

(By promptly, we mean within 30 days of supplying the goods or services, unless business units have taken their own recovery action before we issue a formal invoice, for example for libraries and nursery services.)

- 12 If your establishment does not have access to My Finance, you must ask your business support team or Finance Business Partner to raise your customer invoice. Do not issue a manually raised invoice to a customer.

Procedures for budget holders

- 13 When raising a customer invoice, you must enter into My Finance the date the service is provided.

- 14 Do not raise a customer invoice for amounts below £25 for non-statutory services. If there is a business need to recover amounts below this threshold, contact the Central Income Team for advice on an appropriate mechanism.
- 15 When you have raised an invoice, you should actively aim to collect the amount due.
- 16 Ensure that when raising an invoice, a Contact Code is selected in My Finance, this is to ensure the invoice recipient has a point of contact within SCC should they have a query or dispute with any aspect of the invoice.
- 17 Invoices will say that the payment is due within the 28 days of the date on the invoice.
- 18 The Central Income Team will set an appropriate timescale for collecting each category of debt. The minimum standard is shown below.
 - 5 days overdue - First reminder letter
 - 19 days overdue - Final demand
 - 33 days overdue - Start the debt-recovery process

My Finance will automatically follow the appropriate standard cycle.

- 19 Once the debt is 33 days overdue, the debt recovery officers based in the Central Income Team will review the debt and, where appropriate, contact the debtor by phone. If it is unlikely that we will receive immediate payment, consideration will be given to do one or a combination of, the following. This will be based on knowledge of both the customer and the nature of the debt:
 - telephone and letter chasing up to the issue of the formal Letter Before Action (court approved document).
 - if the customer is an individual and lives in Staffordshire, could the matter be referred for a visit.
 - if the customer is either an individual living outside of Staffordshire or any commercial organisation (wherever they may be based), could the matter be referred to the debt-recovery agency.
 - the matter may be referred for legal action at any point; and

- the matter may be referred to other local visiting officers, for example, a vulnerable client's social worker or other visiting staff used within service areas.

- 20 If a debt has still not been paid after 90 days from the invoice date, we will consider making provision for the bad debt and if appropriate action the writing off of the amount to the revenue account.
- 21 The above procedures are a framework which should apply to all types of debt. However, we know that different categories of debt and different types of customer may need us to use other recovery cycles. Any change from the standard cycle must be agreed by the County Treasurer.

Taking an active approach to collecting income

- 22 This approach involves discussing the debt with the customer before the due date for payment. The main aim is to make sure that the customer is satisfied with the goods or services provided or to identify any possible disputes the customer may have and to sort them out before the due date for payment.
- 23 You should target this action, as it is not cost-effective to apply it to every customer. To help with the process, the system will create management reports which analyse the invoices raised the previous week by category and value.
- 24 The Central Income Team will provide a single point of contact for the recovery of debts with other public organisations such as Staffordshire districts and other large public organisations.

Sorting out customer queries and disputes

- 25 Controlling and sorting out customer queries and disputes is an essential part of good customer service.
- 26 As a result, each service area should have in place a system or procedure for identifying, recording, and dealing with customer queries and disputes. This must keep to our customer complaints, compliments and comments policy and any other legal complaints procedures.

Action by the enquiry officer or debt -recovery agency

- 27 The enquiry officer will try to get payment in full, or if instalments have previously been arranged, will try to persuade

the customer to start making payments again. They will also assess the customer's circumstances. They will give debt recovery officers progress updates during the ongoing investigation and produce a short report of recommended action at the end of each case.

- 28 The matter may be referred to the enquiry officer, where appropriate, before considering legal action. The enquiry officer's report will show whether or not legal action would be successful. The enquiry officer will also support the legal recovery process to recover money due after successful legal action.
- 29 If other attempts to get payment from either individual or commercial customers have failed; the debt may be referred to a debt-recovery agency. This will be done through the Central Income Team.
- 30 Cases may be referred to the recovery agency, where appropriate, before considering legal action. The debt-recovery agency will supply progress updates on referred cases and a final written report for each case.

Legal action

- 31 Prior to legal action being taken, the service may be contacted to ensure that all the supporting evidence has been collected and is available. We have included the minimum information we need for specific types of debt in the Legal Services procedural notes.
- 32 The minimum value of a debt for referral for court action is £250. However, debts below this minimum value can be referred and the Central Income Team will consider whether court action is appropriate. A formal letter will be issued before we take any action. Debt recovery officers can issue the court-approved letters before action.
- 33 If a customer has outstanding debts with more than one service area, the customer will be sent a single claim covering all debts.
- 34 If a judgment from the court has not been made but instalments have been agreed after a referral, the relevant debt-recovery officer will monitor these. If a judgement has been made and instalments agreed in court, these cases will be monitored by the Central Income Team.

- 35 My Finance will be updated with the relevant query markers depending on the outcome of the referrals.

Writing off debts and bad debt provision

- 36 SLT members must introduce written policies, agreed by the County Treasurer, setting levels for authorising write-offs.
- 37 SLT members can write off a debt if a valid debt or outstanding balance cannot be collected as opposed to credit notes that are used if a debt is not valid or to correct invoices as a result of a mistake. Debt recovery officers in the Central Income Team can write off amounts under £25 so long as they can demonstrate due process in recovery has been followed.
- 38 SLT members can write off debts up to £10,000 for each customer if this is authorised in writing. Debt-recovery officers must not input write-offs into My Finance until they have written authorisation. SLT members cannot write off bad debts over this figure without the approval of the County Treasurer
- 39 SLT members can identify debts as write-offs using the following mechanisms:
- Recommendation by Legal Services.
 - Recommendation by the enquiry officer or recovery agency.
 - Recommendation by area budget holders.
 - Recommendation by Central Income Team.
 - Recommendation by local visiting officers; and
 - Central Income staff if a bankruptcy case has been formally closed and no further amounts are due from the customer.
- 40 Each year, the Central Income Team will prepare a list of possible bad debts and send it on to Accountancy by the dates shown in the closedown timetable. The Income Manager and Senior Corporate Accountant can, based on their service knowledge, increase, or reduce this figure if appropriate.

Issuing credit notes

- 41 We can only reduce an account by issuing an official credit note if the invoice was raised by mistake or it contains incorrect information. If the credit note is raised in My Finance, the request will need to be approved by the appropriate officer via workflow.
- 42 If the credit note relates to non- My Finance or migrated legacy SAP issued customer invoices, it will only be issued by the County

Treasurer upon written instruction from the debt recovery officer or budget holder. The written instruction must be attached to the My Finance transaction.

- 43 If a credit results in changing the amount of VAT originally charged, the credit memo must show the full details HM Revenues & Customs will need.

Monitoring performance

- 44 The quality of service we provide is most important. It is essential that we reflect this commitment to quality in the billing and recovery process.
- 45 Cabinet will set standards to measure performance and will monitor against these standards on a quarterly basis.

Appendix 2

Anti-money-laundering strategy

1. We will do all we can to:
 - prevent us and our employees from being exposed to money laundering.
 - identify the possible areas where it may happen; and
 - comply with all legal and regulatory requirements, especially in terms of reporting actual or suspected cases.

The main points

- We are committed to preventing, detecting, and reporting money laundering.
- All employees must be on the lookout for the signs of money laundering.
- Any employee who suspects money laundering is taking place must report this promptly to the Money Laundering Reporting Officer (MLRO).
- We will not accept a payment in cash if it is more than £2000; and
- The Money Laundering Regulations are detailed and complicated – if you are in any doubt about how to follow this strategy, please contact the MLRO, Deborah Harris, Chief Internal Auditor: Email: deborah.harris@staffordshire.gov.uk/Tel: 01785 276406

Scope

2. This strategy applies to all our employees and members and aims to maintain standards of behaviour which currently exist within the council by preventing money laundering. The strategy sets out the procedures which must be followed (for example, reporting suspicions of money laundering).
3. This strategy should be considered alongside the Whistleblowing and Anti-Fraud, Bribery and Theft Policies.

Background

4. The law which comprises the UK Anti Money Laundering (AML) Legislation Framework is contained in the following legislation and relevant amending statutory instruments:

- The Proceeds of Crime Act 2002 (POCA) as amended by the Serious Organised Crime and Police Act 2005 (SOCPA).
- The Terrorism Act 2000 (TA 2000) (as amended by the Anti-Terrorism Crime and Security Act 2001 (ATCSA) and the Terrorism Act 2006 (TA 2006)).
- The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (the 2017 Regulations).
- Terrorist Asset-Freezing Act 2010.
- Anti-terrorism, Crime and Security Act 2001.
- Counter-terrorism Act 2008, Schedule 7.
- The Criminal Finances Act 2017.

POCA and TA 2000 contain the offences that can be committed by individuals or organisations. The 2017 Regulations set out the systems and controls that businesses are obliged to possess, as well as the related offences that can be committed by businesses and key individuals within them.

What is money laundering?

5. Money laundering is the term used for a number of offences involving the proceeds of crime or terrorism funds. The purpose of money laundering could be to:

- possess the proceeds of one's own crime.
- the transfer of criminal property between individuals or groups.
- concealing criminal property or entering arrangement to assist in the concealment of criminal property.

The following acts amount to money laundering:

- concealing, disguising, converting, or transferring criminal property¹ or removing it from the UK (section 327 of POCA).
- entering into or becoming aware of an arrangement which you know or suspect involves gaining, having, keeping, using, or controlling criminal property by or on behalf of another person (section 328 of POCA); and
- gaining, using, or possessing criminal property (section 329 of POCA).

¹ Criminal Property can take any form, including money or money's worth, securities, a reduction in liability, tangible and intangible property.

These are the primary money-laundering offences, which can be punishable by a sentence of up to 14 years imprisonment and/or an unlimited fine.

6. There are also two secondary offences:

- failure to disclose any of the three primary offences: and
- tipping off. Tipping off is where someone lets a person or people who are, or who are suspected of being, involved in money laundering know that they are under suspicion and this will reduce the likelihood of them being investigated or it will unfairly affect the investigation.

These secondary offences are not considered to have been committed if (i) the persons involved did not know or suspect they were dealing with the proceeds of crime, (ii) if a report of suspicious activity is promptly made to the MLRO or the National Crime Agency, (iii) if there is a reasonable excuse for not reporting the activity (e.g. concern for personal safety) and, (iv) in certain situations only, when the activity took that gave rise to the criminal property took place in a Country where the activity would be considered legal and would have resulted in a maximum sentence of less than 12 years had it taken place in the UK.

7. Whilst the AML Legislation Framework only places obligations on regulated businesses to report concerns, the Council's position is to comply with the legislation as good practice in preventing financial crime. This strategy sets out how any concerns of money laundering should be raised.

8. Money laundering typically requires the following stages of activity:

- placement – "Dirty" money is placed into a financial system (e.g. paid to the Council).
- layering – The proceeds of crime is are moved through a series of financial transactions, making it harder to establish their origin. The Council be used as one or more of these transactions; and
- integration – the money launderer creates a legitimate explanation for the source of funds, allowing them to be retained, invested into the legitimate economy or to acquire assets.

9. This strategy sets out how any concerns should be raised.

Strategy statement

10. Our strategy is to do all we can to prevent, wherever possible, us and our employees being exposed to money laundering. We must also identify the potential areas where it may happen, and keep to all legal and regulatory requirements, especially in terms of

reporting actual or suspected cases. However, we cannot stress too strongly that it is every employee's responsibility to be vigilant.

11. The following list identifies possible warning signs that may highlight areas you should be concerned about.
 - Large cash payments. You must not accept a cash payment if it is more than £2000 (cash is defined as notes, coins, or traveller's cheques in any currency).
 - No reasonable explanation for a transaction taking place, for example an unnecessary overpayment and subsequent request for refund.
 - Individuals who are happy to enter into an apparent bad deal for them which appears to make little financial sense.
 - A sudden change in the pattern of activity.
 - Financial arrangements taking place across a number of different countries' legal authorities (jurisdictions).
 - Funds being unnecessarily passed through third-party accounts.
 - Using offshore accounts, companies, or structures if this is not really needed in economic terms.
 - Concerns about honesty, integrity, identity, or location of the client.
 - Secretive behaviour e.g. unexplained refusal to provide information.
 - Instructions for settlement payments to an unexpected source.
 - Significant overpayments and subsequent request for refund.
 - Refunds following the cancellation or reversal of an earlier transaction.
 - No obvious legitimate source of funds.
 - Poor business records or internal accounting controls.
12. The following areas represent our operations which are at the greatest risk of money laundering:
 - treasury management.
 - legal services.
 - property sales.
 - accountancy.
 - public reception areas.
 - traded services.

This is not a full list and all staff must be aware of possible cases.

The Money Laundering Reporting Officer (MLRO)

13. The MLRO is responsible for ensuring appropriate compliance with the AML Legislation Framework. To do this, the MLRO should ensure they keep up to date with the latest requirements of the AML Legislative Framework and how these should influence Council policies and processes.
14. The MLRO and Deputy MLRO are responsible for being aware of when Suspicious Activity Reports should be made to the National Crime Agency.
15. Under the 2017 Regulations, organisations should apply a risk-based approach to dealing with Money Laundering. To comply with this, the Council will conduct a formal money laundering risk assessment exercise, which will be reviewed on an annual basis. The risk assessment will be updated as emerging or decreasing risks are identified.
16. Where risks are identified, consideration will be given to policies and procedures in place to identify potential money laundering, including employee knowledge of requirements.
17. Risks considered must include both individual service users of the Council, suppliers, and customers of the Council's services.
18. All relevant staff should have appropriate knowledge of how to identify potential money laundering, and what to do if they identify a concern. This will be co-ordinated by the MLRO and may include written briefings or face to face training to ensure the Council's staff have relevant knowledge to meet the Council's obligations under the AML legislative framework.
19. The Risk Assessment will be periodically distributed for discussion at the Corporate Governance Working Group and approved by the Director for Corporate Services.

Procedures and Guidance for All Staff

20. While the risk to us of breaking the law is low, it is important that all employees know their responsibilities. The main requirement is to promptly report any suspected money laundering activity to the money laundering reporting officer (MLRO). If you are in any doubt about putting our policy on money laundering into practice, please contact the MLRO or the Deputy MLRO.

MLRO:

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Deputy MLRO:

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21. If the named MLRO or Deputy are not available, please refer the matter to the Fraud and Corruption Reporting Line / 0800 7311890 or email fraud@staffordshire.gov.uk.
22. Employees are protected from liability under any other legislation (e.g. the data protection act) when they report suspected money laundering, as long as the information came to their attention in the course of their trade or profession, gives reasonable grounds for suspicion that another person is engaged in money laundering, and the disclosure is made to a constable, customs officer or nominated MLRO.

Cash payments

23. You must not accept a cash payment if it is more than £2,000 (cash is defined as notes, coins, or travellers' cheques in any currency).

Reporting

24. If you suspect money laundering, you must report it promptly to the MLRO or to her deputy. The MLRO will send you the appropriate forms to fill in as part of the reporting process. If you would prefer, you can discuss your suspicions informally with the MLRO or their deputy first.
25. You must follow any directions the MLRO or her deputy gives you and must not make any further enquiries into the matter. You must not take any further steps in any related transaction without authorisation from the MLRO.
26. You must not reveal your suspicions to the person suspected of money laundering. You must not discuss the matter with anyone else or add a note on the file that a report has been made to the MLRO in case this results in the suspect becoming aware of the situation.
27. The MLRO or deputy must promptly evaluate any report you make, to decide whether it should be reported to the National Crime Agency (NCA).
28. The MLRO or deputy must, if they decide, promptly report the matter to NCA on their standard report form and in the correct way. You can download up-to-date forms from the NCA website at <https://nationalcrimeagency.gov.uk/what-we-do/crime-threats/money-laundering-and-terrorist-financing/suspicious-activity-reports>
29. If you identify a suspicion of money laundering while employed as a legal advisor working in privileged circumstances, a report should be made to the Head of Legal Services in the first instance.

Customer due diligence (CDD)

30. The 2017 Money Laundering Regulations place extra obligations on 'relevant persons' carrying out certain 'regulated activities'. This means that extra care needs to be taken to check the identity of the customer or client. This is known as carrying out customer due diligence. Public authorities are not considered to be 'relevant persons' and are not governed by the 2017 Regulations with regards to Customer Due Diligence (CDD).
 31. Although it is not a legal requirement for public authorities to put in place formal procedures for checking the identity of those they do business with, in practice we make sure that staff are on the look-out for potentially suspicious circumstances. Examples include situations where funds flow through the authority from a source with which it is not familiar.
 32. Criminals often mask their identity by using complex or opaque ownership structures, so the purpose of CDD is to understand the customer or business partner's business activities so that money laundering risks can be appropriately considered. It is important to know who owns and controls and benefits from businesses we are working with.
 33. In particular, if we are forming a new business relationship or considering carrying out a significant one-off transaction, it would be essential to set up and maintain identification procedures for those people involved. This will be especially true if the people involved are not present for identification purposes and in situations where they may be acting for people who are not present.
 34. Below are some examples of the different types of identification checks which we may carry out. We may:
 - check the customer's website to confirm their business address.
 - carry out an online search at Companies House or Charity Commission to confirm the nature and business of the customer and confirm the identities of any directors; and
 - ask to see evidence from the main contact to check their personal identity, for example their passport, and position within the organisation.
- If in doubt, please seek advice from the MLRO.
35. You will find specific guidance on money laundering for treasury management activities in CIPFA's Treasury Management in the Public Services – Code of Practice and Cross Sectoral Guidance Notes (the TM Code).
 36. If at any time you suspect that a client or customer is carrying out money laundering, is financing terrorism, or has lied about their identity, you must report this to the MLRO immediately.

Further Information

37. You can get more information from the MLRO and the following sources.

- www.nationalcrimeagency.gov.uk – website of the National Crime Agency
- Proceeds of Crime (Anti-Money Laundering) – Practical Guidance for Public Service Organisations – CIPFA
- Consultative Committee of Accountancy Bodies (CCAB) guidance (www.ccab.org.uk)
- Money Laundering Guidance at www.lawsociety.org.uk
- SI 2017 No. 692, The Money Laundering, Terrorist Financing and Transfer of Funds (Information on Payer) Regulations 2017

Glossary

Band A	is a representative of a member of the Councils 'FULL' Senior Leadership Team.
Band B	is an Officer who reports direct to a Band A.
Band C	is an Officer who reports direct to a Band B.
Band D	is an Officer who reports direct to a Band C
Band E	is an Officer who reports direct to a Band D.
Budget heads	Income and expenditure budgets held at activity level within a service area.
Budget holder	A member of staff who has delegated responsibility for managing income and expenditure budgets.
Council	The full council.
Cabinet	The leader and Cabinet.
County Treasurer Regulations	where included within the Financial this also refers to the appropriate responsible officer
Financial framework	the agreed method we use to share money between particular services. This includes revenue and capital funding. The method is reviewed by Cabinet or appointed sub-committee or working group as appropriate.
Portfolio area	the way we group services for management purposes set out by Cabinet.
Portfolio holder or cabinet member	the cabinet member with specific responsibility for delivering services and

	themes.
Project	this may relate to a proposal to tackle a specific theme or issue and may include a general minor improvements project or a group of low-value schemes.
My Finance	the My Finance system is the council system for procurement, payments, income recovery and accountancy.,
My HR	the My HR system is the council system for the calculation and payment of salaries and deductions, staff and member expenses, and the maintenance of HR records.
Overview & Scrutiny Committees	A committee that helps us develop policies and consider options to improve services. They can also check that services are being delivered in the most efficient and effective way and make recommendations for improvement.
Senior Leadership Team	SLT members we have appointed under Article 12 of the Constitution. This includes the Chief Executive, Director for Corporate Services, Director of Economy, Infrastructure and Skills, Director of Health and Care, Director of Families and Communities and any other appropriate people authorised to carry out the duties shown in these regulations in line with delegations made by the SLT member under a Sub Scheme of Delegation approved by the Audit and Standards Committee.
Services	The groups of budget heads.
Virement	Transferring resources between budget heads or services.

Local Members Interest
N/A

Council – Thursday 9th December 2021

Change to the Constitution – Amendments to the Councils Procurement Regulations

Recommendation/s

1. To adjust the Officer approval levels for contracts to facilitate greater control and ownership amongst Band B and C Officers.
2. To ensure that the spend value of a particular contract 'variation' triggers the appropriate Officer approval rather than the spend of the source contract being varied.
3. To adjust the Officer approval levels for Exception Forms to facilitate greater control and ownership amongst Band B Officers.
4. Introduce minor amendments to the Procurement Regulations.

Report of the Director for Corporate Services

Report

1. Background

The Procurement Regulations form part of the council's Constitution and provide the rules around how officers will procure supplies and services in line with national legislation and internal decision-making processes.

The Regulations are reviewed periodically, minor changes are made by the Monitoring Officer, but more fundamental changes are made by full Council following recommendation by Audit and Standards Committee.

Whilst the opportunity is taken to update the Regulations with several minor amendments, a more key change is currently proposed that raises the level of approval for the various senior managers involved in procurement decisions and approval.

2. Previous Sessions

Corporate Governance Working Group - 4th March 2021

Corporate Senior Leadership Team - 21st April 2021

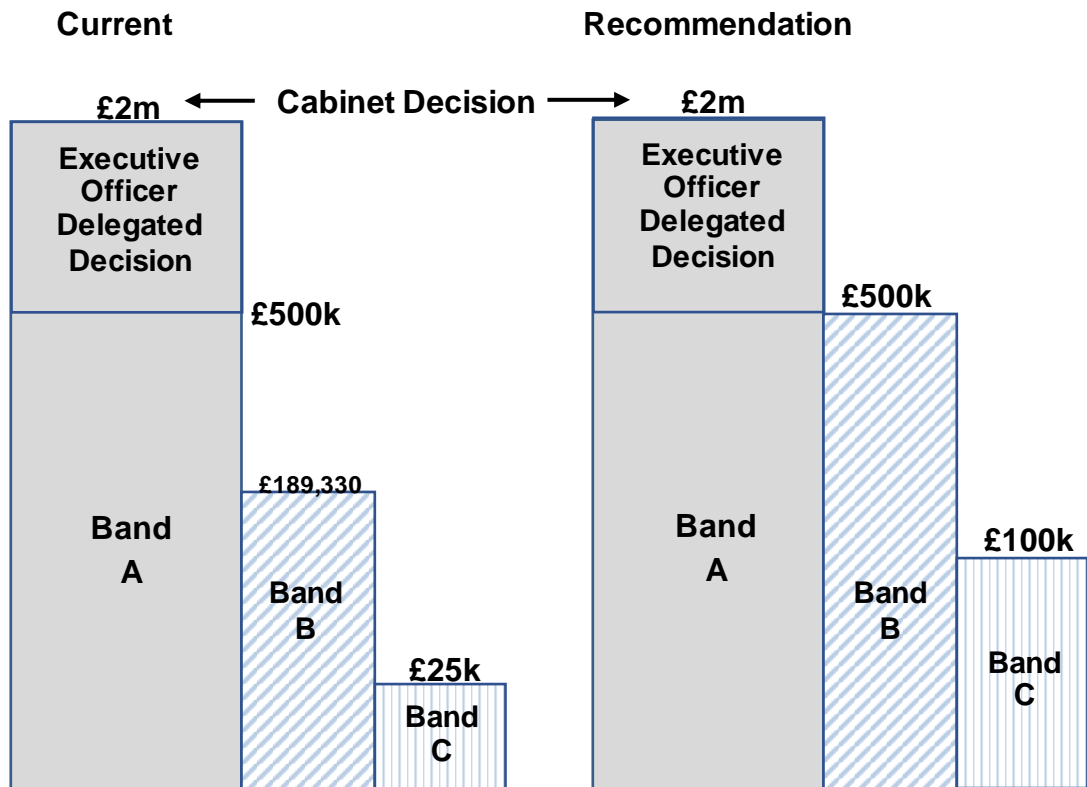
Corporate SLT – 4th October 2021

3. Recommendations

Band Approvals

To note - Band 'A' Officers are those that separately represent the councils full SLT, with Band 'B's' reporting directly into a Band 'A', and Band 'Cs' reporting directly to the Band 'B'. The respective Officer involvement is triggered by the value of contract under scrutiny.

The changes recommended here will apply to contract awards, modifications, extensions, terminations, and Exceptions and allow Officers to confidently apply approvals proportional to both risk and accountability, which currently would require a more onerous Banded Officer to approve. The option will always remain for deferring such contract awards to the original level where required. Effectively it is adjusting the current Officer Bands 'upwards': -



£2 million – Council Cabinet

£500,000 – Council Executive Officer Delegated Decision

£189,330 – Public Contracts Regulation 2015 threshold for

Services/Suppliers contracts (periodically revised by Cabinet Office)

£100,000 – simply aligns to the trigger value to involve a Procurement Advisor in a project

Recommendation 1 – to adjust the approval levels as above

Currently a modified/varied contract triggered approvals based on the originating contract value.

Recommendation 2 - to ensure that the spend value of the 'variation' instead triggers the approval.

Following Recommendation 1, for approving a council Exception (where the Regulations, in whole or in part, are not followed as presented), currently a Band B can approve an Exception below £25,000, and a Band A can approve a contract spend of £25,000 up to £189,330.

Recommendation 3 - allow a Band B to approve an Exception up to £100,000 and a Band A, at/over the £100,000 (assuming it is not a Council Cabinet Key Decision).

Minor Amendments – Recommendation 4

- General typographical
- Update of post titles for Director for Corporate Services, and Assistant Director for Commercial and Assets
- Clarity on use of the Sourcing Strategy
- Expand SLT Band A to include the S151 Officer
- Clarity on the appreciation of the Cabinet Decision process
- Clarity on contracts relating to sales / disposal of assets
- Ensuring quotations now consider suppliers in the local 'Shire' geography
- Vetting of all ICT procurements to screen for personal and sensitive data
- Removal of requirement to seek Assistant Director for Commercial and Assets for usage of many tools under the Public Contracts Regulations

4. Equalities / Legal Implications

There are no direct implications arising from this report.

5. Resource and Value for Money Implications

The Procurement Regulations are fundamental to all the Council processes which secure value for money.

6. Risk Implications

The Recommendations do not present any likely risk to the Council, rather they seek to effect changes to clarify, simplify and promote the understanding of the Council Procurement Regulations.

7. Climate Change implications

Whilst there are no direct climate change implications arising from this report, the Procurement Regulations underpin the procurement Sourcing Strategy document which does strongly prompt this agenda.

List of Background Documents/Appendices:

Appendix 1 – Procurement Regulations with tracked changes

Contact Details

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Staffordshire County Council Procurement Regulations

Approved by the Audit & Standards Committee on 26 June 2017
Approved by Full Council on 20 July 2017
Revised 2021



Change History

Change (most recent first)	Date of Change
Amended to remove OJEU and EU references	06 / 01 / 2021
The addition of C2.4 under Honesty and Conflicts of Interest.	14 / 07 / 2020
The addition the last bullet point under F3.2, Examples of Exceptions, and the removal of any reference to a unique single provider being an Exemption.	14 / 07 / 2020
Addition of B2.7 regarding wider Council Cabinet Key decisions.	27 //12 /2019
Updated PCR Thresholds for 1 st Jan 2020 on page 5 and throughout.	27 //12 /2019
B4.1 adjusted to widen use of the IGU Privacy Impact Assessment.	06 / 06/ 2018

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Notes:

1. Any capitalised wording within these Regulations is further defined within the Glossary of Terms.
2. These Regulations apply to all quotation and tender processes commenced from and including 1st September 2017.
3. Quotation and tender processes commenced on or before 1st September 2017 will continue under the previous Council Procurement Regulations approved by Audit Committee on 26th June 2017.

Threshold Ladder (All Contract spends exclude VAT)

Threshold	Process for Procuring	
Contract values up to £500	<p>Award to provider without formal procurement process.</p> <p>Use a Procurement / Purchasing Card (see section C9).</p> <p>Contract on the providers own terms.</p>	
Contract values at and over £500 up to £25,000 (the Council Advertising Threshold)	<p>Obtain 3 written quotations.</p> <p>Consider a Procurement / Purchasing Card for the lower value spends in this range.</p> <p>Contract on Council model Terms and Conditions where possible; contract on provider's terms and conditions where there is a business need and any associated risks have been considered.</p>	<p>The Procurement Tool Kit (see section C8) is to be used specifically for</p> <ul style="list-style-type: none"> • Advice on whether a procurement is required at all
Contract values at and over the Council Advertising Threshold up to Government Thresholds limits (see below for these)	<p>Publically advertised procurement.</p> <p>Consult a Procurement Advisor to manage the procurement via electronic tendering. A Sourcing Strategy is required.</p> <p>Consult a Procurement Advisor before embarking on <u>any</u> procurement at and over £100,000.</p> <p>Contracts Register to be populated.</p> <p>Contracts Finder will be used for posting both adverts and award notices for spends £25,000 and over.</p> <p>Use Council model Terms and Conditions.</p>	<ul style="list-style-type: none"> • Developing a Sourcing Strategy • Advising on Contract terms and conditions and procurement documentation • Preparing, issuing and evaluating quotations and tenders • Issuing quotations and tenders
Contract values at, and over, the Government Thresholds	<p>In accordance with the Public Contracts Regulations for: -</p> <ul style="list-style-type: none"> • Supplies and Services over £189,330* • Light Touch Regime contracts over £663,540* • Works over £4,733,252* <p>In accordance with the Concession Contracts Regulations for: -</p> <ul style="list-style-type: none"> • Works/Services over £4,733,252* <p>Consult a Procurement Advisor on <u>all</u> procurements over the Government Thresholds.</p> <p>Use Council model Contract Terms and Conditions. *refreshed every 2 years from January 2020</p>	

A AIMS, APPLICABILITY AND GOVERNANCE

A1 Aims

A1.1 These Regulations have the following main aims:

- to get best value / value for money, so that the Council may in turn offer better and more cost-effective services to the public;
- to keep to the obligations that govern spending public money;
- to enable visibility of Council spend data;
- to ensure the Council allows freedom of opportunity to trade, compete, be open, honest, fair and transparent in our procurements;
- to drive continuous improvement in our processes;
- to contribute to a healthy, happy and prosperous Staffordshire.

A1.2 There are legal and commercial consequences suffered by the Council as a result of failing to follow these Regulations.

A2 Applicability

A2.1 These Regulations apply

- to all Contracts for the procurement of all Works, Supplies or Services by the Council, including, ad-hoc, one-off requirements
- to Officers of the Council undertaking any procurement activity on behalf of the Council
- to any Contract that results in the Council making a payment and/or where a service is being provided for the Council resulting in income being generated for the Council
- where the Council is acting as the lead organisation in a partnership or other joint procurement arrangement
- to the selling / disposing of our assets

A3 Governance

A3.1 These Regulations are made under Section 135 of the Local Government Act 1972.

A3.2 The Council will review these Regulations periodically and as required by changes to legislation.

A3.3 These Regulations enable a separate set of Procurement Instructions which represent the practice to be followed when conducting a procurement process.

- A3.4 The Assistant Director for Commercial and Assets may from time-to-time issue new and/or revise the Procurement Instructions setting out the practice to be followed when using these Regulations.
- A3.5 A failure to follow these Regulations by any Officer may result in disciplinary action being taken against the Officer.
- A3.6 Officers are directed to their Code of Conduct, the Whistleblowing Policy and the Integrity Policy should they become aware of a non-compliance or breach of these Regulations by other Officers.
- A3.7 If in any doubt about how these Regulations apply, Officers must always check with a Procurement Advisor.

A4 Authority to procure arrangements with leases, hire, rental etc

- A4.1 An Officer will not, without approval from the Assistant Director for Commercial and Assets, enter into a Contract for a provider to supply Supplies or Services under any operating lease, hire, rental or any other credit arrangements.

B PRE-PROCUREMENT ACTIVITIES

B1 Appointment of Third Parties to act on behalf of the Council

- B1.1 The appointment of any third party to be responsible to the Council for preparing or supervising of a Contract on behalf of the Council (including contributing/leading the procurement process) must be prepared by a Procurement Advisor under a formal set of third party appointment terms.
- B1.2 All decisions made by any third party regarding a Council procurement must follow these Regulations.

B2 Sourcing Strategy

- B2.1 **Consult a Procurement Advisor before embarking on any procurement at and over £100,000.**
- B2.2 A written Sourcing Strategy is required for Contract values at / over the Council Advertising Threshold. For Contract values at and over £100,000 written approval of the Sourcing Strategy is to be sought from a Procurement Advisor.
- B2.3 Whenever Officers buy Works, Supplies or Services for the Council, they must always act to promote competition and to achieve best value / value for money.
- B2.4 Prior to any procurement at or over the Council Advertising Threshold Officers must explain the procurement route in a written Sourcing Strategy by considering the following specifically in the order presented: -
- B2.4.1 Not buying the Goods, having the Works done or receiving the Services at all;

- B2.4.2 By securing the provision of the Works, Supplies or Services in-house;
- B2.4.3 By getting someone else to provide the ongoing Works, Supplies or Services (e.g. using the voluntary sector or via another Local Authority);
- B2.4.4 By providing the Works, Supplies or Services via an existing Council Framework Agreement, Dynamic Purchasing System, Contract or similar arrangement;
- B2.4.5 By providing the Works, Supplies or Services from an already pre-procured Framework Agreement or Dynamic Purchasing System or Contract provided by an external public sector body or from a Central Purchasing Body;
- B2.4.6 By outsourcing/buying the provision of the Works, Supplies or Services through collaborative procurement with another local authority/partner, to/from an external provider on the open market by establishing a Contract;
- B2.4.7 By outsourcing/buying (via quotes or tenders) the Works, Supplies or Services to/from an external provider on the open market by establishing a bespoke Council Contract.

B2.5 It is important that Officers appraise the risk, value, provider activity, market pressures and all internal and external influencing forces associated with their procurement. Value may not always be proportional to risk. Consult a Procurement Advisor if in any doubt.

B2.6 Early-on in the process it is important to agree whether a procurement project is considered as a Council Cabinet Key Decision, and therefore appropriate timely action sought where it does meet the criteria. Where this is the case, the Band Officer approvals within these Regulations must only be followed in strict accordance with the agreed Cabinet delegated decisions.

B2.7 Where a Cabinet report or an Exception already documents the key requirements required by a Sourcing Strategy, no separate document will be required

B3 Threshold Ladder

B3.1 The Threshold Ladder is presented at the front of these Regulations and is to be read in conjunction with these Regulations and the Sourcing Strategy options outlined in the Procurement Tool Kit. The Threshold Ladder clearly presents the procurement processes required for the various procured contract values.

B4 Information Security

B4.1 It is a mandatory requirement that a Privacy Impact Assessment (refer to the Information Governance Unit) is completed and evaluated by the Information Governance Unit and that an ICT Business Engagement Manager is consulted before any Cloud service procurement is carried out.

The use of a Privacy Impact Assessment and 3rd Party Security Questionnaire should always be considered prior to issuing any other tender/quotation to the market. The Sourcing Strategy must make reference to these requirements.

- B4.2 The procurement of all ICT-related Suppliers / Services must be referred to the 'ICT' Commercial Team in the first instance prior to any procurement process commencing.

C OVERALL CONSIDERATIONS

C1 Contracts Register

- C1.1 A Contracts Register will be held by the Commercial Team which provides a central point for Contract information.
- C1.2 The Contracts Register provides full visibility of existing Contracts (to avoid any duplication) and is also a legal record of data as requested by the Transparency Code.
- C1.3 Every Contract awarded by the Council that has a total aggregated value at/over the Council Advertising Threshold will be recorded in the Council Contracts Register.
- C1.4 It is the responsibility of the Officer(s) (whoever is managing the procurement and the contract) to ensure that the Contracts Register is populated and updated on an ongoing basis as a result of any change in the Contract circumstance.

C2 Honesty and Conflicts of Interest

- C2.1 In all their dealings, Members and Officers shall preserve the highest standards of honesty, integrity, impartiality and objectivity. This includes compliance with Bribery Act 2010, Codes of Conduct and Section 117 of the Local Government Act 1972 (as may be amended from time-to-time) as a minimum.
- C2.2 Officers who are deemed 'Key Influencers' to a procurement shall complete and sign a Declaration of Interest and Confidentiality Undertaking document (Procurement Instruction) for each procurement project with a Contract spend over the relevant Government Threshold.
- C2.3 Officers should not accept any gifts or hospitality from anyone tendering for a procurement/Contract they are involved with, or, from any current provider. Officers are reminded of the instructions on the intranet under Gifts and Hospitality and within the Constitution.
- C2.4 Officers shall demonstrate consideration of Conflicts for Contract spends below the Government Thresholds, specifically following all instructions stated on the standard procurement template documentation.

C3 Contract Duration and Value

- C3.1 The total value of a Contract is the total estimated expenditure (excl. VAT) for the duration of the Contract including any extension options/periods.
- C3.2 Contracts cannot be divided (disaggregated) into separate Contracts with the intention of avoiding the application of the Public Contracts Regulations or these Regulations.
- C3.3 A Procurement Advisor must be consulted if a Contract is to last longer than 3 years including all extension periods.
- C3.4 Officers are required to consider and include (aggregate) the value of similar requirements in other parts of the Council when calculating a Contract value. The total aggregated value means the total value of similar purchased Works, Supplies or Services over the duration of a Contract.
- C3.5 If the Contract is for buying a single item, which is not related to buying other items, the Contract is worth the price, or estimated price, referred to in that Contract.
- C3.6 If the Contract is for buying a related group of items, the Contract is worth the total price, or estimated total price, of the group.

C4 Collaborative Procurement

- C4.1 Where the Council takes the lead procurement role in a Collaborative Procurement, these Regulations will apply to each procurement process carried out under the collaborative arrangement.
- C4.2 Where another public sector organisation takes the lead procurement role, its contract standing orders, or equivalent, will apply.
- C4.3 Where the Council enters into formal joint buying or consortia purchasing arrangements, the related Contract and procurement strategy must protect the Council to a level proportionate to the risk involved, whilst at the same time providing the basis for a partnering approach and delivery of best value / value for money.
- C4.4 A Procurement Advisor must be consulted prior to agreeing to enter into collaborative procurements.

C5 Framework Agreements / Dynamic Purchasing Systems ('DPS')

- C5.1 Framework Agreements and DPS's are agreements that allow Officers to place orders with selected providers on pre-agreed terms.

Joining another Contracting Authority's Existing Framework Agreement or DPS

- C5.2 Where the Council seeks to join an existing Framework Agreement or DPS then a due diligence exercise should be undertaken to ensure that the Framework Agreement or DPS was properly procured in accordance with the relevant legislation and ensure that the Council can access the

Framework Agreement or DPS under the terms it was originally advertised with.

- C5.3 A Procurement Advisor must be consulted before buying from a Framework Agreement or DPS that has been procured by another Contracting Authority.
- C5.4 Officers are required to follow the instructions issued by the 3rd party Contracting Authority when procuring from this type of Framework Agreement or DPS. In doing so, Officers will be required to use different legal terms etc. There is no requirement to log any Exceptions to these Regulations as a result of this. However, these Regulations are to be used where the price/quality evaluation criteria has not been expressly stated / left open.

Setting-up a Framework Agreement / DPS

- C5.5 If Officers decide that they (or their partners) are likely to need to buy the Works, Supplies or Services repetitively in the future but are unsure of exact quantities, it may be that the best way to buy them is by initially setting up a Council Framework Agreement or DPS.
- C5.6 Should a Framework Agreement or DPS need to be procured please consult a Procurement Advisor..

C6 Current Commercial Documentation

- C6.1 To ensure that Officers are current with all Commercial source documentation, proformas, and advice, the Council Commercial intranet must be referred to regularly.

C7 Concession Contracts

- C7.1 Officers must use a Concession Contract if they want to enter into a contract which gives the provider the opportunity to operate a business for commercial gain.
- C7.2 Officers are to use these Regulations to procure Concessions Contracts unless the spend trigger given in the Threshold Ladder is triggered in which case the Concession Contracts Regulations shall apply.
- C7.3 Officers must get advice from a Procurement Advisor before carrying out any procurement relating to a Concession Contract.

C8 Procurement Tool Kit

- C8.1 The Procurement Tool Kit is one of a suite of Procurement Instructions, and is an agreed set of standard documentation which is to be used for the preparation of a procurement (quotation or tender) and subsequent management of a Contract, for all Contract spends below those of the Government thresholds.

C8.2 It is mandatory to use the Procurement Tool Kit for Council procurements. Any exception from this must be agreed by the Assistant Director for Commercial and Assets.

C8.3 The standard documents that comprise the Procurement Tool Kit are to be tailored where indicated only. Officers must seek a Procurement Advisor's agreement regarding any other changes to the documents.

C9 Procurement / Purchasing Cards ('pCard')

C9.1 For the transaction spend levels indicated in the Threshold Ladder Officers can, where appropriate, use a pCard for both procuring and payment. Refer to the Council's Financial Regulations for more details.

C10 Community Right to Challenge

C10.1 The Community Right to Challenge means community organisations can submit to Local Authorities an expression of interest to run local services. This right is granted under the Localism Act 2016. If an expression of interest is accepted by the Council this may trigger a procurement exercise. Please consult a Procurement Advisor on receipt of any such public interest.

C11 Contracts relating to the Sale / Disposal of Council Assets

C11.1 When selling / disposing Council assets Officers must also comply with the Council's Financial Regulations but always consult a Procurement Advisor for disposal of assets with an estimated value over £500.

C11.2 The process should aim to ensure best value for the council, transparency, openness, non-discrimination, and probity. These Regulations do not apply to Land and Buildings.

C11.3 Officers must document a proportionate business case for the particular sale/disposal including

- how it will achieve value for money;
- if there is a reserve/minimum acceptable price;
- any geographic, environmental and social value factors;
- the mechanism for evaluation; and
- a justification for the channel for seeking interest (relevant to the asset)

C11.4 Approval authority of the business case is to be in writing before any sale process and follow that of the appropriate Contract award approval for Band A, B and C Officers (section D13).

C11.5 Seek a Legal Advisor for sale terms and conditions for items over £500 in value.

C11.6 As a minimum, a sale with value of under £100,000 must seek a minimum of 3 offers, using email.

- C11.7 As a minimum, a sale with a value at/over £100,000 must seek and collate expressions of interest from an advert on the Councils internet and invite the expressions of interest via sealed bid.
- C11.8 Officers must not release any items sold before payment is received. If payment is made by cheque, this must be cleared before items are released.
- C11.9 Officers engaged in the sale may not purchase items unless a Declaration of Interest and Confidentiality Undertaking document has been approved.

C12 Insurance

C12.1 Insurance conditions will be contained in the Contract terms and conditions. In terms of insurance, the Council will normally need the successful provider to have the following types and minimum limits of cover.

	Works Contracts	Supplies and Services Contracts
Public liability	£5 million	£5 million
Employers' liability	£10 million	£5 million
Professional indemnity	£5 million	£2 million

- C12.2 The above limits relate to each and every claim. For public liability and employers' liability, the cover must be in place throughout the period covered by the Contract. For professional indemnity, the conditions are more complicated. Not only must the cover be in place throughout the period covered by the Contract but also for a further six years after the end of the Contract (or 12 years if the Contract is under seal). For certain types of Services, for example, financial advice, the amount of professional indemnity insurance cover will need to be higher to protect the Council in case anyone gives inappropriate advice.
- C12.3 When providing Supplies or Services, the above limits may not be appropriate for small and medium enterprises ('SMEs') and sole providers. In these instances, the Council may be able to reduce these limits by applying for an Exception to these Regulations under section F.
- C12.4 Where additional insurances are required, refer this to the Council's Head of Insurance for approval in the first instance.

D PROCUREMENT PROCESS

D1 General

- D1.1 The Procurement Tool Kit further details the procurement process for seeking quotations and tenders under the Government Thresholds.
- D1.2 Officers throughout the procurement must consider all other Council policies which could apply to the procurement project, e.g. The Strategic

Plan, the Council's Financial Regulations, Business Plans, Delivery Plans, etc and legislative requirements such as (but not limited to) social value and equalities

D2 Sustainable Procurement (Social & Environmental Value)

D2.1 Sustainable Procurement incorporates the achievement of environmental, economic and social outcomes through procurement processes. All, where relevant to the subject of the Contract, should be incorporated into every procurement process paying particular attention to the Council's published advice or Procurement Instructions for these areas.

D2.2 If in any doubt, Officers must seek the advice of a Procurement Advisor.

Social Value

D2.3 Social value is the added value / benefit to the community as a result of the commissioning / procurement process, supporting the Council's vision of a connected Staffordshire, and maximising the benefits of public sector spend to local communities, engaging community spirit, in turn improving service delivery and quality.

D2.4 The Public Services (Social Value) Act 2012 mandates the Council to consider the wider benefits which may be achieved through the procurement of Contracts specific to Services with spends at, or over, the relevant Government Threshold.

D2.5 The Public Services (Social Value) Act further requires the Council to consider whether to consult on social value issues prior to undertaking a procurement exercise.

D2.6 Officers should demonstrate their consideration of social value for all other Contracts spends other than those in D2.4.

D2.7 The evaluation of social value should be considered as part of the Sourcing Strategy and in accordance with the Council Social Value Policy.

Environmental Value

D2.8 Environmental value focuses on the sustainable environmental considerations of a procurement. Please refer to the relevant Procurement Instruction.

D3 Employment issues and TUPE (Transfer of Undertaking Protection of Employment Regulations)

D3.1 Implementing contractual arrangements can give rise to TUPE implications. It is not always obvious that there are TUPE implications; for example: -

- contracting with a new provider;
- outsourcing from in-house;
- bringing services back in-house

may invoke TUPE transfers.

D3.2 It is essential that Officers consider all TUPE implications prior to going out to procurement. Officers must seek the advice of a Procurement Advisor or a HR Advisor to ensure that any relevant TUPE arrangements have been considered.

D3.3 Contracts must contain relevant TUPE conditions to ensure all necessary practicalities for the application of TUPE are agreed and to safeguard the Council from risk (for example, to ensure that appropriate workforce (and other) information will be made available by the existing provider prior to the Contract end date in sufficient time to allow the Council to fulfil TUPE obligations.

D4 Advertising

D4.1 It is mandatory that any public advert over the Council Advertising Threshold is placed on Contracts Finder by a Procurement Advisor.

D5 Pre-Qualification

D5.1 A separate pre-qualification stage is prohibited when publically tendering for Contracts with a value of less than the Government Threshold as set for Supplies/Services regardless of whether the subject matter of the Contract is Works, Supplies or Services.

D6 Invitation to Tender ('ITT')

D6.1 All below Government Threshold ITTs shall use the agreed standard documentation as described in the Procurement Tool Kit.

D7 Contract Terms and Conditions

D7.1 It is essential that Officers consider the model Contract Terms and Conditions well in advance of going out to procurement.

D7.2 There must be written evidence for every Contract (regardless of value), and all Contracts must be in a form agreed with the Assistant Director for Commercial and Assets, i.e. all procurements must use the appropriate model Terms and Conditions and standard documentation available on the Councils intranet as the starting point. Where they are deemed insufficient, or require any change, this must be agreed by a Procurement Advisor or a Legal Advisor. Note – it is not an Exception to these Regulations to vary the Terms and Conditions.

D7.3 Purchase orders must reference / contain model Contract Terms and Conditions. A quotation and a purchase order will create a legally binding Contract. Please see paragraph D13.6.

D7.4 Officers are not permitted to enter into Contracts on the provider's Terms and Conditions for spends above the Council Advertising Threshold and

should take care that they do not inadvertently enter into a Contract on the provider's Terms and Conditions.

- D7.5 It is accepted that Officers will contract on a provider's Terms and Conditions when using a Procurement / Purchasing Card.
- D7.6 In addition to D7.5, Officers should consider the use of model Council Contract Terms and Conditions below the Council Advertising Threshold although this is not mandatory.
- D7.7 In the rare event that a provider refuses to accept the model Contract Terms and Conditions, the provider's Terms and Conditions are to be referred to a Procurement Advisor or a Legal Advisor for review and possible approval.
- D7.8 Advice on any Terms and Conditions must be sought from a Procurement Advisor or a Legal Advisor.
- D7.9 The Assistant Director for Commercial and Assets must:
- keep a record or list of all model sets of Contract Terms and Conditions detailing when the conditions were last updated, who is responsible for updating them, and any changes to the models;
 - keep all current model Contract Terms and Conditions under review;

D8 Issuing Requests, Receiving and Opening Quotations and Tenders

- D8.1 Where Officers issue only one or two quotations for procurements below the Council Advertising Threshold, Officers must report the exception in accordance with section F.
- D8.2 Approval of a Procurement Advisor is required to abandon or terminate a procurement process (post advertisement) for Contract spends above the Council Advertising Threshold.
- D8.3 To support local spend, Officers are to ensure that quotations are issued to providers within the Staffordshire boundaries. Officers to record a written justification locally (Exception not required) where this is not possible.

D9 Emailed Quotations

- D9.1 For procurements for Contracts with spends less than the Council Advertising Threshold, quotations shall be requested and received by the Council email system.
- D9.2 Electronic quotations must:
- be received by Council email address; and
 - have a date/ time of submission communicated to the recipients.

D10 Electronic Tendering and Auctions

- D10.1 All procurements at or above the Council Advertising Threshold must be conducted via the Council's electronic tendering system. All systems must, as a minimum, conform to the requirements stated in the Public Contracts Regulations. Third parties (see B1) must first seek approval from a Procurement Advisor to use an alternative electronic tendering system.
- D10.2 Unless otherwise agreed by a Procurement Advisor, all electronic tendering for Contract spends above the Council Advertising Threshold will be performed by a Procurement Advisor.
- D10.3 The Procurement Advisor (or agreed delegate) will manage the posting of the tender and manage the resulting clarifications only for electronic tendering performed for Contract spends at, and above, the Council Advertising Threshold. Officers shall prepare their tender in accordance with these Regulations and the Procurement Tool Kit.
- D10.4 Approval from a Procurement Advisor is required to carry out an Electronic Reverse Auction.

D11 Late Tenders

- D11.1 The Council reserves the right to reject submissions over the Council Advertising Threshold if it is received late and after Officers have opened other tenders for that Contract, unless the cause is either an act or omission of the Council.
- D11.2 Any anomaly within the quotation process must be documented and authorisation to proceed sought in accordance with Exceptions (section F).
- D11.3 Seek the advice of a Procurement Advisor to determine whether a tender fulfils D11.1 and whether the use of post-tender clarification is acceptable for tender anomalies and omissions for Contracts at/above the Council Advertising Thresholds.

D12 Evaluating Quotations and Tenders

- D12.1 For procurements of Contracts with spend less than the Council Advertising Threshold, it is required that the quality aspect of the Specification will be evaluated under a pass / fail criterion and that price criteria will form 100% of evaluation.
- D12.2 For procurements of Contracts with spend at, and above, the Council Advertising Threshold, it is required that the price criteria will be a minimum of 80% of evaluation.
- D12.3 Where Officers wish to deviate from the stated price ratio above, Officers must obtain written authorisation using the Sourcing Strategy for Contracts with spends at, and above £100,000 or in accordance with Section F.
- D12.4 An Exception must be recorded (see section F) where an alternative evaluation scoring formula is employed to that presented in the Procurement Tool Kit.

D12.5 For post-tender submissions, consult a Procurement Advisor where there is a requirement to deviate from prices initially received, or there is a need to deviate from the original Specification.

D12.6 Consult a Procurement Advisor for authority to accept a Variant Bid tender.

D13 Approval to Award Contracts for Works, Supplies or Services

D13.1 For Contract awards with spends over £500 up to £100,000 Officers must obtain the approval of an Officer **Band C** (and above).

D13.2 For Contract awards with spends at, or over, £100,000 and below £500,000 (the level of Executive Officer Delegated Decision) Officers must obtain the approval of an Officer **Band B** (and above).

D13.3 For Contract awards with spends at, or over, £500,000 (the Officers must obtain the approval of an Officer **Band A**.

D13.4 Any alternative solution to D13 for the approval of 'high' volumes of call-off contracts from a Framework Agreement must be presented by a **Band A** Officer to, and be agreed by, the Assistant Director for Commercial and Assets.

D13.5 Officers must ensure that a Contract award notice is issued by a Procurement Advisor on the Contracts Finder portal for contracts with a value at and above the Council Advertising Threshold, together with a completed entry on the Contracts Register.

Entering into Contract

D13.6 The use of Offer and Acceptance and a valid Council purchase order will be used for all awards for Contract spends at and above £500, and under the Council Advertising Threshold, unless agreed by a Procurement Advisor or Legal Advisor.

D13.7 All awards over the Council Advertising Threshold will require the use of model Terms and Conditions. Consult a Procurement or Legal Advisor for advice on which Terms and Conditions will apply. The advice received will dictate whether the Contract is to be signed by the requisite Officer in accordance with banding in D13.1 to D13.3 or will require execution under seal.

D13.8 The authority to seal any Contract (the sealing authority) will also be in accordance with the Constitution, the Sub-Scheme of Delegation and the Officer banding in D13.1 to D13.3.

D13.9 Only an authorised officer of Corporate Services shall execute Contracts under seal.

D13.10 Officers shall ensure that the correct Purchase Order procedure is followed.

D14 Contract Monitoring and Management

D14.1 Contracts awarded by or on behalf of the Council must be monitored and contract managed throughout the Contract term to ensure delivery of the Contracted Works, Supplies or Services in accordance with the Contract requirements and standards.

D14.2 Contract monitoring and management arrangements agreed during the procurement process will be determined by the complexity and risk associated with the Contract and conditions in the relevant market. Such arrangements must take account of both financial and quality aspects.

D14.3 Officers must refer to the Commercial Team document 'Financial Appraisal' as to the process and regularity required in vetting a provider's financial well-being.

D15 Tender File

D15.1 Officers should ensure that written auditable records of all procurement activity (quotation, tender and otherwise) are kept in electronic format on the Council ICT server system including electronically scanned copies of any signed contract.

D15.2 Documentation shall be retained for a period stipulated in the Council's Records Retention and Disposal Policy.

D16 Transferring Contracts

D16.1 In appropriate circumstances the Council may agree to transfer a Contract, by novation or assignment.

D16.2 Consult a Procurement Advisor prior to assigning or novating a Contract.

D17 Contract Extension, Default, Termination and Modification

D17.1 The approval to: -

- end a Contract early; or
- extend a Contract in line with its Terms and Conditions; or
- serve a default notice

shall be obtained from a **Band C** (and above) Officer where the Contract spend is less than £100,000; or

shall be obtained from a **Band B** (and above) Officer where the Contract spend is at, or over £100,000, and less than £500,000 ; or

shall be obtained from a **Band A** Officer where the Contract spend is at, or over, £500,000 .

D17.2 In all circumstances, Contracts procured at/over the Government Thresholds (under the Public Contracts Regulations), unless they have contractually already allowed for such a modification, may not be modified

where any increase in price resulting from the modification exceeds 50% of the value of the original contract.

D17.3 The approval to materially modify a Contract that results in an increase in price of up to 25% of the value of the original contract: -

shall be obtained from a **Band C** (and above) Officer where the variation spend is less than £100,000; or

shall be obtained from a **Band B** (and above) Officer where the variation spend is at, or over, £100,000, and less than £500,000; or

shall be obtained from a **Band A** Officer where the variation spend is at, or over, £500,000.

D17.4 The approval to materially modify a Contract that results in an increase in price between (at/above) 25% and (at/below) 50% of the value of the original contract

- by a **Band B** (and above) Officer where the variation spend is less than £500,000.
- by a **Band A** Officer where the variation spend is at, or over, £500,000 subject always to this not being a Council Cabinet Key Decision.

D17.5 Approval must be sought from a Procurement Advisor prior to fulfilling the actions in D17.1, D17.3 and D17.4. Where applicable the Public Contracts Regulations will be used to manage the modification of the Contract.

E PUBLIC CONTRACTS REGULATIONS

E1.1 The Public Contracts Regulations are derived from the EU Public Contracts Directive and came into effect in the UK on the 26th February 2015.

E1.2 Under the Public Contracts Regulations the Council is the Contracting Authority.

E1.3 A Procurement Advisor must be consulted prior to using the Public Contracts Regulations / Concession Contracts Regulations, and must lead all procurements for Contract spends at, and above, the Government Thresholds. All uses of Regulation 12, 32 and 72 must be approved by a Legal and Procurement Advisor.

F EXEMPTIONS AND EXCEPTIONS

F1 General

F1.1 Exemptions fit into the following categories: -

1. Circumstances where these Regulations do not apply;
2. Exemption from these Regulations for Contract spends up to the Government Thresholds.

F2 Exemptions - Circumstances where these Regulations do not apply

F2.1 These Regulations do not apply to the following: -

1. Contracts of employment;
2. Contracts relating to interest in land (also known as property) – see a Procurement Advisor first;
3. Contracts entered into by schools using delegated budgets as they have their own Regulations to follow;
4. Investment transactions placed by the Director for Corporate Services for treasury management activities;
5. Contracts placed by the Director for Corporate Services investing money or assets of the Staffordshire County Pension Fund;
6. Grants which the Council make Grants should not be used as a Contract for Services;
7. When buying from within the Council;
8. In instances where Officers are buying works of art, museum artefacts, manuscripts or archive collection items;
9. Where instructing external legal advisers in accordance with Regulation 10 of the Public Contract Regulations 2015 and as authorised by the Director of Strategy, Governance & Change

F3 Exceptions from these Regulations for Contract spends up to the Government Thresholds

F3.1 Any Works, Supplies or Services Contract or process declared to be an Exception from these Regulations must be authorised, in writing, as follows: -

- by a **Band B** Officer for Contract spends up to £100,000;
- by a **Band A** Officer where the Contract spend is at, or over, £100,000 subject always to this not being a Council Cabinet Key Decision;

F3.2 Examples of Exceptions: -

- where an immediate need is created by a sudden, unforeseen, real and demonstrable emergency or danger to life or health that requires immediate action to protect the interests of the Council;

- issuing (not receiving) only 1 or 2 quotations when 3 were required;
- adjusting the level of insurances when seeking SME providers;
- when detracting from an 80% price evaluation criteria unless approved in accordance with section D12.3;
- in instances where the Works, Supplies or Services can be bought from only one provider and this can be justified;

F3.3 Examples of what are not considered as Exceptions: -

- when required to vary, or use legal terms other than, the model Terms and Conditions;
- where 3rd party Framework Agreements dictate the procurement rules to be used (see C5.4);

F4 Non-Compliance of the Public Contracts Regulations and Concession Contracts Regulations

F4.1 No Officer may grant an Exception to procurements regulated by the Public Contracts Regulations or the Concession Contracts Regulations. The Exception Form alone cannot be used for any such approvals.

F4.2 Any risk of potential non-compliance of the Public Contracts Regulations or the Concession Contracts Regulations must be reported to the Council full Senior Leadership Team via a separate business case process (refer to SLT Business Case Template).

F5 Applying for / Authorising and Reporting an Exception

F5.1 All applications and subsequent authorisations for Exceptions must be in writing and recorded.

F5.2 All authorised Exceptions as described in F3.1 shall contain, as a minimum, the following: -

- Previous exceptions
- What part of the Regulations are not being followed
- Justification for the Exception
- Any monetary value underpinning the Exception
- Date of commencement if resulting in a Contract
- Duration of any subsequent Contract
- Commissioner/Requesting Officer of the Exception
- Procurement Advisor approval
- Band Officer approval name and post

F6 Recording / Reviewing of Exceptions

F6.1 The Assistant Director for Commercial and Assets will keep a register of all exceptions to these Regulations.

F6.2 It is the responsibility of the originating Officer of the Exception to ensure that it is reviewed and remains valid. The originating Officer is to seek further approvals where necessary.

Annex 1 - Glossary of Terms

Band A	Chief Executive, Corporate Directors and S151 Officer.
Band B	is an Officer who reports direct to a Band A.
Band C	is an Officer who reports direct to a Band B.
Central Purchasing Body	is a Contracting Authority in its own right that concludes pre-procured contracts for Works, Supplies or Services and allows access to these contracts by the wider public sector.
Commercial Team	is a Council department within the Corporate Services Directorate whom undertake all activities within a typical procurement/commissioning cycle activity on behalf of the Council and partner organisations.
Concession Contract	is a Contract between a company and the Council that gives the company the right to operate (and profit from) a specific business within the Councils jurisdiction, subject to certain conditions.
Concession Contracts Regulations	came into force on 18 th April 2016 for the regulation of certain service and works concession contracts (see Threshold Ladder) where consideration given to the provider is that the provider is permitted to exploit the Works or Services that are the subject of the contract (together with payment if desired).
Constitution	is the Councils document that contains the rules and procedures for making decisions and managing the Councils business.
Contract	<p>is, for the purposes of these Regulations, any agreement (whether in writing or not) between the Council and one or more other parties in respect of the acquisition or sale of Works, Supplies or Services for payment or otherwise.</p> <p>Throughout these Regulations, also read 'Contract' in context of a framework agreement.</p>
Contracting Authority	is a defined term in the Public Contracts Regulations means the State, regional or local authorities, bodies governed by public law or associations formed by one or more such authorities or one or more such bodies governed by public law, and includes central government authorities. Staffordshire County Council is a Contracting Authority.
Contracts Finder	is the Government's online procurement portal for both providers and Contracting Authorities. For the former it presents new procurement opportunities; for the latter it is

the mandatory portal to advertise their new opportunities and contract award information.

Contracts Register	is the list of Contracts entered into by the Council over a value of £25,000. This is held by the Assistant Director for Commercial and Assets and maintained by Officers.
Council	means Staffordshire County Council.
Council Advertising Threshold	is the lowest contract spend trigger at which a procurement is advertised to the public. See Threshold Ladder.
Council Cabinet Key Decision	A decision made around at/above £2 million, or implications on a service budget or affecting multiple divisions. Refer to current information on Committees and Decision-Making intranet.
Default Notice	is used to provide written notice that a provider is in breach of contract.
Electronic Reverse Auction	is the ability to compete providers in a 'live' situation (via specialised software) with the intention of reducing initially tendered prices.
Exceptions	are where these Regulations, in whole or in part, are not followed as presented, unless otherwise indicated.
Executive Officer Delegated Decision	A decision made around £500,000 to £1.999 million, or implications on a service budget, or policy amendment that is not a Council Cabinet Key Decision. Refer to current information on Committees and Decision-Making intranet.
Find a Tender Service (FTS)	The Government portal for publishing all public sector tender opportunities which have Contract spends over the Government Thresholds
Framework Agreement	is an agreement or other arrangement which sets the Terms and Conditions (in particular the price and, where appropriate, quality) under which the provider will enter into one or more (call-off) contracts with the Council. This may also be referred to as a call-off contract, a continuous contract or a standing offer.
Government Threshold	are the contract (spend) triggers that will apply to public procurement exercises run under the Public Contracts Regulations, and the Concession Contracts Regulations.
Assistant Director for Commercial and Assets	is the Council's Assistant Director for Commercial and Assets.
HR Advisor	is an Officer allocated by the Head of HR.

Invitation to Tender	is a document which invites providers to bid for the provision of Works, Supplies or Services.
Key Influencer	is an Officer within a procurement project who, by virtue of their normal duties in that project, could influence the choice of provider.
Legal Advisor	is an Officer allocated by the County Solicitor.
Light Touch Regime	Contracts for health, social, prison, postal, certain legal services and other community services, which effectively replaced the previous Part B services in historic Public Contracts Regulations.
Monitoring Officer	a designated Officer of the Council with the unique role to ensure that the Council, its Officers and Elected Councillors maintain the highest standards in all they do.
Offer and Acceptance	is the process of awarding a Contract which is usually conducted without signature.
Officer	is any employee of the Council and also Members.
Pre-Qualification	is the stage used to assess providers for inclusion in the shortlist of providers who will be invited to submit a final tender. They specifically evaluate the suitability of potential providers in relation to their technical knowledge and experience, capability and financial and economic standing.
Procurement Advisor	is an Officer allocated by the Assistant Director for Commercial and Assets.
Procurement / Purchasing Card	The 'pCard' is an efficient means of ordering and paying using a bespoke credit card issued by the Council. Refer to Staffordshire County Council's Financial Regulations for more details.
Procurement Instructions	issued separately, are technical procurement instructions which are enabled by, and underpin, these Regulations. The Procurement Tool Kit is an example of a Procurement Instruction.
Procurement Tool Kit	is a particular Procurement Instruction which outlines the processes and considerations involved in compiling a quotation and tender for contract spends below the Government Thresholds.
Public Contracts Regulations (PCR)	came into force on 26 th February 2015 and directly implement the 2014 EU Public Sector Procurement Directive together with some UK reforms aimed to make public procurement more accessible to small businesses.

Quotation	is a request for price and any other relevant matter without the formal issue of a public tender, for Contract spends less than the Council Advertising Threshold.
Regulations	are the Council's Procurement Regulations and are the Councils own internal governance and policy to public procurement.
Senior Leadership Team ('SLT')	Council Officers appointed under Article 12 of the Constitution, led by the Chief Executive, to carry out the duties shown in these Regulations.
Services	in their purest form, are not Supplies or Works, although they may form part of these. Services are all encompassing and include all actions, both tangible and intangible.
Sourcing Strategy	is the written justification of the options considered, dismissed and ultimately decided upon when implementing a specific procurement process.
SME	Small and Medium-sized Enterprises.
Specification	is the descriptive document(s) detailing the requirements required from the provider in delivering the Works, Supplies or Services.
Supplies	are stock items or amounts, usually tangible, of something supplied or available for use.
Tender	is a provider's tender response to the Invitation to Tender.
Terms and Conditions	means the Council's standard model sets of legal terms and conditions (as may be amended from time to time). Refer to the Procurement Tool Kit for details.
Threshold Ladder	the Council's agreed procurement processes outlined at various Contract value spend triggers/thresholds.
Transparency Code	issued in 2015, the Local Government Transparency Code mandates the Council to publish various spend data, and in particular specific procurement-related information.
Variant Bid	is a tender which technically meets the Specification but delivers the solution by a different means from that specifically requested by the Contracting Authority in the Tender.
Works	is the subject matter of a Contract which is ordinarily property construction and civil engineering related. A list of defined Works categories is shown in Schedule 2 of the Public Contracts Regulations. The Council may also treat 'Works' as an agreement where a

developer constructs a building on their own land (according to Council needs) and then transfers the land and structure to the Council at a later date. Refer these projects to a Procurement Advisor in the first instance.

Staffordshire Police, Fire and Crime Panel

Report of the Chairman of the Police, Fire and Crime Panel

To Staffordshire County Council

In accordance with agreed practice I am reporting on matters dealt with by the Police, Fire and Crime Panel at its meeting on 12 October 2021.

The main items considered were:

Confirmation Hearing Procedure

The Secretary to the Panel's report explained that the Panel was required to hold a Confirmation Hearing following receipt of formal notification by the Police Fire and Crime Commissioner of his wish to appoint his preferred candidate for both posts of Chief Fire Officer and Chief Constable.

The report explained that guidance on the role of the Panel recommended that through questioning of the candidate they should consider the 'professional competence' and 'personal independence' of the individual. To assist, the Panel had been provided with documentary evidence of the process followed by the Commissioner when recruiting to the posts and selecting his preferred candidates.

Consideration of the proposed appointment to the post of Chief Fire Officer

Presentation by the Police Fire and Crime Commissioner

The Commissioner reported on the detailed and lengthy process followed by him to recruit a new Chief Fire Officer for Staffordshire. Information provided to candidates was submitted to the Panel for information.

The Commissioner reported that Mr Barber was his preferred candidate.

Presentation by and questions to Mr Barber:

Mr Barber briefly summarised his career in the Fire and Rescue Service having served with Staffordshire Fire and Rescue since 1997. He went on to list the additional duties and responsibilities he had held both nationally and regionally.

The Panel questioned Mr Barber on various issues including the main challenges and risks facing the service; working within neighbourhoods; prevention and protection; working with other partners/services; communications and his experience in Staffordshire.

In his responses Mr Barber stressed that the challenges facing the service were the same as those facing the whole of society, such as Dementia, obesity and addiction, as fire is often a symptom of other causes and there is a need to work closely with partners to identify and address the root cause.

Mr Barber reported that in his view there had been a reduction in neighbourhood and community communication particularly with local Councillors and this needed to be restored so that information could be shared.

Mr Barber advised the panel that working relationships with both the Commissioner and other partners would always be based on him providing the best information at the time in order for informed decisions to be made.

The Panel unanimously agreed that the Police Fire and Crime Commissioner for Staffordshire be informed that this Panel recommends that he proceed with the appointment of Mr Robert Barber as the Chief Fire Officer for Staffordshire.

Consideration of the proposed appointment to the post of Chief Constable for Staffordshire

Presentation by the Police Fire and Crime Commissioner

The Commissioner introduced his report which included information provided to candidates and outlined the selection process.

Mr Haroon, an Independent Interview Panel Member, briefly outlined the recruitment and selection process and the stakeholder involvement which had taken place.

The Commissioner reported that Mr Noble was his preferred candidate.

Presentation by and questions to Mr Noble

Mr Noble briefly summarised his career in the Police Service having served in a number of Forces including 21 years in the Royal Ulster Constabulary and his current position as Deputy Chief Constable Humberside Constabulary.

The Panel questioned Mr Noble on various issues including the main challenges the force faced; how trust can be rebuilt following the recent Sarah Everard case; Neighbourhood and community policing; and staffing levels.

In his responses, Mr Noble felt that the long term effects of the pandemic would prove to be challenging, with increased unemployment and financial worries leading to crime and Anti-social behaviour. Mental health pressures would also lead to the need for closer partnership working. Community policing and tackling some forms of anti-social behaviour would involve partnership working and looking at the cause and how and who could address this.

Responding to a specific question on the independence of the role, Mr Noble informed the Panel that the role of Chief Constable involved working with many partners and forming relationships whilst retaining accountability and operational independence.

Mr Noble felt that whilst the majority of police officers showed excellent standards of behaviour, the culture in policing needed to change and the highest standards of behaviour needed to be set along with a zero tolerance to certain attitudes which had

been accepted in the past. Formal vetting of police officers could only go so far and informal scrutiny and improved leadership was needed to increase standards of behaviour.

The recruitment of the right people and their retention was a priority, with clear performance standards and expectations set out at the start of the recruitment process.

Following a question on communicating with the public, Mr Noble stated that the correct type of communication needed to be used to best suit the issue in question and the audience. The right person with the right information needed to the public face, not necessarily the Chief Constable.

The Panel unanimously agreed that the Police and Crime Commissioner for Staffordshire be informed that this Panel recommends that he proceed with the appointment of Mr Chris Noble as the Chief Constable for Staffordshire.

Webcast can be found at

<http://moderngov.staffordshire.gov.uk/ieListDocuments.aspx?CId=1150&MIId=13776&Ver=4>

For more information on these meetings or on the Police, Fire and Crime Panel in general please contact Mandy Pattinson e mail

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Councillor Bernard Peters
Staffordshire Police, Fire and Crime Panel Chairman

Staffordshire Police, Fire and Crime Panel

Report of the Chairman of the Police, Fire and Crime Panel

To Staffordshire County Council

In accordance with agreed practice I am reporting on matters dealt with by the Police, Fire and Crime Panel at its meeting on 25 October 2021.

The main items considered were:

Questions to the PFCC from Members of the Public

The Panel considered the questions ask by a member of the public and presented their written report which contained their considered response.

Decisions published by the Police, Fire and Crime Commissioner (PFCC).

There had been no decisions had been made since the last meeting.

Implementation of Reforms to the Police Misconduct and Complaints Regulations 2020

The Commissioners report updated the Panel on the implementation of Police Misconduct and Complaints Reforms, as set out in the Police (Complaints and Misconduct) Regulations 2020 which came into place on 1 February 2020. The Staffordshire Commissioner became the Appropriate Authority for reviews (formally known as appeals). The Commissioner now receives all reviews unless they are about a senior officer, criminal or misconduct proceedings, or article 2/3 (Human Rights), the review body for these is the Independent Office for Police Conduct (IOPC).

During the period 1 February 2020 and 31 December 2020, the Commissioner's office had received 52 reviews. 50 requests had been completed, 1 was withdrawn and 1 had been identified as the wrong review body and should have been sent to the IOPC.

During the period 1 January 2021 and 30 September 2021, the Commissioner's office had received 49 reviews. 48 requests had been accepted for review, 1 was refused as out of time.

The report outlined the lessons learned from the reviews and also the findings of the Ethics and Transparency Audit Panel, who had conducted a thematic review of complaints. The Panel noted the contents of the report.

Police and Crime Draft Plan

The Commissioner updated the panel on the progress made in developing his Police and Crime Plan. He emphasised that there would be wide

consultation with both partners and other bodies and that he was particularly interested in hearing from the public.

The Panel thanked Mr Adams for his presentation and after a number of questions the following information was noted:

- The consultation period was for 4 weeks. The panel were concerned that this was a short period of time for such an important document. It was explained that the consultation would be extensive and therefore hopefully effective.
- Hard to reach groups such as BME groups would be encouraged to comment on the plan, however, there was no intention as yet to translate the plan into other languages.
- All forms of social media would be used to reach as many people as possible. Paper copies would be available if needed.
- Young people were being encouraged to share their opinion. Schools and Colleges were part of the consultation programme.
- All Parish, District, County and City Councillors would be contacted.
- Road safety was in both the Police and Crime and Fire and Rescue plans as it was a significant issue in the County.
- Early intervention and clear expectations were needed with partners in order to reduce people entering the penal system and reduce reoffending.
- Delivery Plans would be developed to ensure that the priorities would be achieved. These would be performance monitored regularly and could be considered by the Panel when looking at the priorities in detail.
- Following a question on how process could be quickened, for example in the Courts system, it was explained that partnerships would need to work together to ensure that backlogs were cleared and more effective ways of working could be introduced for example, ensuring that all appropriate documents were available on time to ensure adjournments weren't required, or plea bargaining done in advance etc. The Commissioner felt that although he may not have control over a particular organisation, he could direct influence and could hopefully bring people together.
- It was acknowledged that some partnerships had not always worked effectively in the past and had not delivered on targets. The Commissioner felt that the right partnerships had to be established and this took time. Service demand also changed over time and being able to forge new relationships/agreements quickly was important.
- The Commissioners Plans would work alongside the Police force priority plans. The Police and Crim Plan would set out clear expectations with clear achievable targets.
- The new Chief Constable and Chief Fire Officer had been engaged in the process of drawing up the draft plans.

- The aim was to reduce the number of crimes and it was acknowledged that this meant overall levels of crime and not simply reducing numbers in some areas by redirecting effort/resources leading to an increase in other types of crime or in other geographical areas.
- Witness and Victim Support Services would be delivered with a number of partners/agencies. New structures may be developed but the relationship with the Community Safety Partnerships would remain.
- The Commissioner agreed to look at a scheme previously introduced in Medway, to reduce the number of young people entering the penal system.
- Volunteers would be encouraged. There were currently a number on scrutiny panels, ETAP, custody suits, appropriate adults etc but this was looking to expand.
- Rural crime and trespass need to be included in the plan.

The Panel were reassured that the consultation would be comprehensive and wide ranging and a rolling conversation which would remain an open discussion supplemented by further surveys and questionnaires.

However, they felt that four weeks may not be long enough particularly when consulting with partners who may not meet to consider responses on a frequent basis. Examples were given of a District Council whose meetings were every six weeks or a Parish Council which meets every two months. There was also concern that contacting young people may be difficult when one week of the four was during half term.

The Panel asked to see the finalised version of the plan along with details of the number of responses received and a breakdown of gender, age, ethnicity, organisations etc. It was agreed to scrutinise the overall performance and each priority at future meetings. The Draft plan and consultation report was noted.

Fire and Rescue Draft Plan

The Commissioner informed the Panel that the Draft Fire and Rescue Plan had much commonality with the previous plan but included new challenges such as changing legislation/regulations following Grenfell Tower and climate change and environmental threats such as flooding and fire.

The following issues were discussed:

- The Panel were reassured that the Priorities in the plan covered the areas they expected to see and ensured that new challenges such as responding to the Pandemic were still achievable.
- Why retained Fire Officers in the South of the County work out of the West Midland stations. It was explained that this was mainly

due to calls being dealt with through the West Midlands control centre and officers were deployed from the closest and most available resource.

- Relationships with neighbouring authorities/bodies was essential and good practice, but a Staffordshire delivery approach and knowledge from local officers was invaluable.
- There may be a need to redesign jobs to meet the new challenges. The relationship with unions was strong and open discussions would take place to discuss terms and conditions if they needed to change.
- Local fire officers could be invited to local community meetings to offer advice and answer concerns particularly concerning prevention.

Following a question on Fire and Police vehicles carrying defibrillators, the panel were informed that the possibility of providing defibrillator equipment on response vehicles would be looked at.

The Commissioners Fire and Rescue Draft plan was noted.

Webcast can be found at [Agenda for Staffordshire Police, Fire and Crime Panel on Monday 25th October 2021, 2:00pm - Staffordshire County Council](#)

For more information on these meetings or on the Police, Fire and Crime Panel in general please contact Mandy Pattinson e mail mandy.pattinson@staffordshire.gov.uk

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Councillor Bernard Peters
Staffordshire Police, Fire and Crime Panel Chairman