

Corporate Overview and Scrutiny Committee

Monday 12 December 2022

10:00am

Oak Room, County Buildings, Stafford

The meeting will be webcast live which can be viewed at any time here:

<https://staffordshire.public-i.tv/core/portal/home>

John Tradewell
Deputy Chief Executive and Director for Corporate Services
2 December 2022

Agenda

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes of the meeting held on 25 October 2022** (Pages 1 - 6)
4. **Empowering Our Communities - Developing our Strategy** (Pages 7 - 30)
Report of the Cabinet Member for Communities and Culture.
5. **Equality, Diversity and Inclusion - Progress Update** (Pages 31 - 62)
Report of the Leader of the Council
6. **Governance of outside bodies/partnerships review - update** (Pages 63 - 164)
Report of the Director of Corporate Services.
7. **Work Programme** (Pages 165 - 174)
8. **Exclusion of the Public**

The Chairman to move:-

“That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as

8. **Exclusion of the Public**

defined in the paragraphs of Part 1 of Schedule 12A (as amended) of Local Government Act 1972 indicated below”.

PART TWO

(All reports in this section are exempt)

Membership	
Charlotte Atkins	Kath Perry, MBE
Tina Clements	Jeremy Pert
Mike Davies	Bernard Peters
John Francis	Bob Spencer
Colin Greatorex (Chair)	Samantha Thompson (Vice-Chair (Overview))
Gill Heath (Vice-Chair (Scrutiny))	Mike Worthington
Jeremy Oates	

Notes for Members of the Press and Public

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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.

Minutes of the Corporate Overview and Scrutiny Committee Meeting held on 25 October 2022

Present: Colin Greatorex (Chair)

Attendance	
Charlotte Atkins	Bernard Peters
Mike Davies	Bob Spencer
John Francis	Samantha Thompson (Vice-Chair (Overview))
Gill Heath (Vice-Chair (Scrutiny))	Mike Worthington
Jeremy Pert	

Also in attendance: Councillors Alan White, and Simon Tagg

Officers: Kerry Dove, Kate Bullivant, Clive Thomson, James Cartwright, Ian Turner and John Tradewell.

Apologies: Tina Clements and Kath Perry, MBE

PART ONE

33. Declarations of Interest

There were no declarations of interest on this occasion.

34. Minutes of the meeting held on 13 September 2022

Resolved: – That the minutes of the meeting held on 13 September 2022 be confirmed as a correct record and signed by the Chairman.

35. Complaints Annual Report – Corporate Services

The Customer Feedback and Complaints Manager introduced the Customer Feedback and Complaints Service, Corporate Services Annual Report 2021-22.

It was noted that the Statutory report for the Children and Adult Social Care Services had been reported to the Safeguarding Overview and Scrutiny Committee.

It was explained that the Corporate Complaints procedure is a formal complaints procedure which is based on 'do it once, do it right'. Service departments are expected to support the corporate complaints team through the various stages of the complaint. Information was also collected on duty issues and public and MP issues raised, which weren't classed as complaints, but requests for service. This information was used to highlight areas of concern or areas for improvement.

During the debate the following points were raised:

- Digital communication and reporting of faults was encouraged, but the council still operated a customer call centre for those who found it easier or felt more comfortable to speak to a person.
- It was noted that complaint numbers were very low but elected members dealt with a number of issues which prevented complaints being raised. Refresh training on the complaints process was requested by members.
- Lessons were learnt from each complaint and processes reviewed where necessary.
- Communication had been highlighted throughout the complaints.
- Where English was not a first language, translators were employed and support offered where needed. When language was known to be an issue in advance of service provision, for example in Children's Services, additional support was provided early so that communication was not an issue.
- Outcomes often determine satisfaction and expectations need to be made clear at the start of the process.
- The customer survey also helped to highlight areas which needed to be reviewed.

Members expressed their thanks to the Complaints team for their care and support provided to customers when they raised issues against departments.

Resolved: That the report be noted and that Complaints process training be re-offered to all Councillors through the Members Training Programme.

36. Integrated Performance Report – Quarter 2, 2022/23

The Leader of the Council introduced the Integrated Performance Report for Quarter 2 2022/23 which summarised the Council's performance and financial position against the Strategic and Delivery Plans.

The report detailed the main challenges facing each of the four service areas, notably the cost-of-living crisis, the situation with the global economy and the impact this was having on Council Budgets; and the transformation of Children's services which had not achieved expected savings during the quarter. It was also reported that there was a forecast overspend of £10.908m (1.9%), prior to additional funding for inflationary pressures being taken into account.

The main issues discussed by members were:

- The number of children in care which was continuing to increase. It was reported that the portfolio of the Director had now been split in order to allow a more focused approach. Robust monitoring of the transformation programme was continuing and being reviewed.
- The number of Education, Health and Care Plans (EHCP) issued within (20 day target) had seen some improvement but the demand for Special Educational Need and Disability (SEND) support had continued to rise. It was reported that there was a Special Cabinet event to focus on this issue and revise targets and budgets. The result of this event would be fed into the MTFs programme which was reported to this Committee. It was suggested that a special meeting to look at the MTFs and the revised Transformation Programme could be arranged to enable detailed scrutiny.

- A member suggested that some parents felt that a EHCP was the only way to get funding for the school to support their child.
- A question was asked on the number of Child Protection Plans (CPP) which showed that one fifth were subject to a CPP more than once and why was this happening. The Leader didn't have the information at the meeting and would provide the Committee with it after the meeting.
- A discussion on the funding challenges for category 3 highway defects took place and the need to maintain gullies and drains to help prevent potholes through the programme of works.
- Recovery of historical debt was continuing, and systems had been revised to ensure that in future people were able to pay for services at time of delivery rather than debt occurring.

Resolved:

- a) That the Quarter 2 2022/23 Integrated Performance Report be noted.
- b) That the Committee be provided with information on why 1/5 of Children with a Child Protection Plans had received more than one plan.
- c) That a special meeting to look at the MTFs and the revised Transformation Programme be arranged.

37. Entrust - Review of changes

The Cabinet Member for Commercial Matters had sent his apologies due to illness. The Leader and the Assistant Director for Commercial and Assets presented the report.

The Committee was informed that the Entrust contract was approximately half way through and this had provided an opportunity to review of the services needed and how they were provided. The report contained a list of the proposed changes.

The Committee felt that the way the report listed the changes made it difficult to challenge and hold the executive to account. A monitoring report in 12 months was requested to ensure that that there were no budget implications or performance changes.

Resolved:

- a) That the update be noted.
- b) That the Cabinet member provide a monitoring report to the Committee in 12 months time.

38. Climate Change Annual Report and Draft Action Plan

The Cabinet Member for Environment, Infrastructure and Climate Change introduced the Climate Change Annual Report and Action Plan. The documents would be considered by the Cabinet in November 2022.

A short presentation was provided to the Committee.

The following comments were made by the Committee on the Annual Report:

1. The document and template used was clear, easy to read, positive and a through report of the current position and Councils aims.

2. The Council should use its power/ persuasion and networking capacity to circulate the document to other partners e.g.: Parish Councils; MP's; Voluntary sector; and local Business to encourage them to develop their own action plans.
3. Wider explanation of the term 'wider Counties' was need when discussing tonnes of waste.
4. The roadmap needed to be supported by delivery plans in order to effect change.

It was noted that working with District Councils was essential for areas such as electric charging points and usage of footpaths and cycleways to develop. Members felt that there would be more public changing over to electric vehicles when the facilities to charge vehicles was in place. It was acknowledged that some technology development/changes were required before change at a local level could occur.

The Committee currently had a working group which was looking at Climate Change. To ensure that duplication did not take place with the Climate Change Sustainability Board, the Committee was encouraged to concentrate on internally focused areas of possible development, such as District Heating Networks and suggest ways in which the Executive could continue to progress ideas.

Resolved:

- a) That the update be noted.
- b) That the Committee receive an update in 12 months time.
- c) That the comments made by the Committee, listed above, be reported to the Cabinet in November 2022.

39. Climate Change Working Group Update Report

The Committee considered the summary report of the member working group detailing the work undertaken to date.

It was acknowledged that the Sustainability Board had a wider remit than the Committee Working Group. It was felt that the Working Group should concentrate on the internal workings of the Council and challenges the Council faced. Issues concerning the wider partnership or external to the Council could be fed into the Sustainability Board.

Resolved:

- a) That the update report be noted.
- b) That the Working Group look at the internal challenges facing the Council, particularly those that would have an effect on budgets.
- c) That a member of the Working Group attends the Sustainability Board as an observer, to ensure there is no duplication.
- d) Public participation in the working groups evidence gathering would be considered when appropriate.

40. Work Programme

Resolved: That the Work Programme be noted.

Chairman

Corporate Overview and Scrutiny Committee - 12 December 2022

Empowering Our Communities – Developing our Strategy

Recommendations

I recommend that the Committee:

- a. Consider the attached draft Communities Position Statement, including the progress made over the past 18 months to encourage our communities to help themselves and each other.
- b. Provide comments and feedback on the draft Communities Position Statement, including the draft Communities Delivery Plan 2023
- c. Provide feedback and comments on the proposal to develop a long-term, ambitious Communities Strategy for Staffordshire.

Local Member Interest: N/A

Report of Cllr Victoria Wilson, Cabinet Member for Communities and Culture

Summary

What is the Overview and Scrutiny Committee being asked to do and why?

1. The Corporate Overview and Scrutiny Committee is being asked to provide feedback on:
 - a. The draft Communities Position Statement and the draft Communities Delivery Plan 2023.
 - b. The proposal to develop a long-term, ambitious Communities Strategy for Staffordshire
2. This feedback will then be used to further develop the Communities Position Statement, which will be taken to Cabinet on 15th February.

Report

Background

3. Our communities and residents are at the very heart of what makes Staffordshire a strong and thriving county. There is growing evidence both locally and nationally of the importance of empowering communities, and Staffordshire County Council has a strong record of working with residents and partners to develop financially sustainable, well-used community-based services.
4. The attached draft Communities Position Statement summarises what we have achieved over the past 18 months, as well as setting out our strategic objectives and delivery plan to take this work forward in 2023. This includes our governance approach and how we will make sure we are successfully delivering against the plan.
5. The document also sets out a proposal to engage with residents, local businesses, the VCSE sector, and our public sector partners to develop a long-term, ambitious Communities Strategy for Staffordshire.

Link to Strategic Plan

6. How we "*encourage our communities to help themselves and each other*" is a core part of our Strategic Plan and one of our four 'How We Work' statements. As a 'How We Work' statement, our work with communities is central to delivering all of our strategic plan priorities.

Community Impact

7. As part of the development of the Communities Delivery Plan 2023, an outline Community Impact Assessment (CIA) will be conducted prior to discussion at Cabinet in February 2023. A more in-depth CIA will then be produced ahead of the proposed development of a long-term Communities Strategy, informed by engagement activity.

List of Background Documents/Appendices:

- Appendix 1 – DRAFT Communities Position Statement
- Appendix 2 – DRAFT Communities Delivery Plan 2023

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Empowering Our Communities

DRAFT – Communities Position Statement 2023

Foreword

Our communities and residents are at the very heart of what makes Staffordshire a strong and thriving county.

We have seen what communities can achieve when they come together. The power of our community was critical to Staffordshire's response to Covid-19 – when people and VCSE groups across the county were doing their bit and doing extraordinary things to support each other and their local neighbourhoods. We have a proven track-record of working with our people and vibrant voluntary sector organisations to find innovative solutions to local issues. With people struggling with the rising cost of living and challenging times for public finances, there is a real need for creativity and collaboration.

Continuing to help our residents live in thriving and sustainable communities is a key priority in our Strategic Plan 2022 – 2026. This document reflects the importance of this work and the need to clearly articulate the actions we are taking to achieve this aim.

Supporting this document is a Communities Delivery Plan for 2023. This plan shows the range of activities taking place over the next 12 months with our partners to help empower our communities. This plan will make sure we have strong oversight of what we are delivering and the difference it is making.

It is important to recognise that everything we set out in this document will be delivered with, or by, our communities and partners, including the local VCSE sector. With this in mind, we are setting ourselves an ambitious target of co-designing an aspirational, long-term Communities Strategy for Staffordshire with our communities over the coming year.

Context

The national evidence base on the wide-reaching benefits of empowering communities is well established and growing. This evidence comes from a variety of sources, from the 2010 Marmot Review¹ through to research from Government² and think-tanks such as Onward³, Centre for Social Justice⁴ and New Local⁵.

Closer working with our communities can improve outcomes for residents in a range of ways, from helping individuals to improve their health and wellbeing, all the way through to enhancing participation in the democratic process. There is also evidence that empowering communities builds community and individual resilience and improves community cohesion.

In order to continue helping our residents and communities thrive and support each other, the public sector has to find a way to balance our challenging financial outlook with early help to prevent needs from escalating. We must work alongside residents, communities, and our vibrant VCSE sector to draw on all the existing strengths and assets in a community and embed new approaches to prevention and early help in public services.

A strong and sustainable VCSE sector is critical to achieving this. Local infrastructure organisation Support Staffordshire estimated in their 'State of the VCSE Sector 2021' report⁶ that the local VCSE sector has a turnover of more than £112m, employs almost 8,000 people, and engages over 50,000 volunteers worth another £90m. This includes a strong youth sector, with the Staffordshire Council of Voluntary Youth Services (SCVYS) reporting that 35,641 young people accessed VCSE provided positive activities in 2021/22⁷.

¹ The Marmot Review. (2010). *Fair Society, Healthy Lives: Strategic review of health inequalities in England post-2010*. <https://www.parliament.uk/globalassets/documents/fair-society-healthy-lives-full-report.pdf>

² HM Government (2022). *Rapid evidence review of community initiatives*. <https://www.gov.uk/government/publications/rapid-evidence-review-of-community-initiatives/rapid-evidence-review-of-community-initiatives>

³ Onward (2020). *The Policies of Belonging*. <https://www.ukonward.com/reports/policies-of-belonging/>

⁴ Centre for Social Justice (2021). *Pillars of Community: Why Communities matter and what matters to them*. <https://www.centreforsocialjustice.org.uk/library/pillars-of-community-why-communities-matter-and-what-matters-to-them>

⁵ New Local (2021). *Community Power: The Evidence*. <https://www.newlocal.org.uk/publications/community-power-the-evidence/>

⁶ Support Staffordshire (2021). *The State of the VCSE sector 2021*. https://www.supportstaffordshire.org.uk/sites/default/files/State%20of%20the%20Sector%20Report%202021_2.pdf

⁷ SCVYS (2022). *Children and Young People Voluntary Sector Census Report 2022*. <https://staffscvys.org.uk/wp-content/uploads/2022/10/SCVYS-Census-2022-Report-Final.pdf>

This shows the strength of the VCSE sector in Staffordshire and the fundamental part it has to play in supporting our communities to be healthy, resilient, and proud of the place they live.

Empowering communities has been a key priority for Staffordshire County Council for a number of years. What makes Staffordshire great, is its people and communities. We want to create the conditions for all of our communities to thrive and be places where people can contribute, help themselves and each other. Since 2015 we have achieved a huge amount by working in partnership. We continue to be ambitious, and we know we can do much more.

Working with our communities is central to our Strategic Plan 2022-26, and as such it is a "How we Work" statement. This reflects the importance of our communities and partners in delivering against all our priorities. For example, tackling climate change is a priority within our Strategic Plan, and we can only achieve this by working with our communities to tackle carbon emissions across the county.

2021/22 Review

This section summarises the key highlights and achievements of the work we have done with our communities, the local VCSE sector, and public sector partners in 2021/22.

Offer every Staffordshire child and young people the best start in life:

- 1,238 families were supported to improve their lives between April 2021 and March 2022 through the **Supporting Families Programme**, working alongside community groups across the County.
- Worked with partners and our VCSE sector to review and agree our new **Early Help Strategy 2022-27**, established eight **Virtual Family Hubs**, and agreed a **new Family Hub Model** with Cabinet to change the way we deliver services for families.
- Administered over £12 million in the last 12 months to assist people facing financial hardship through the **Household Support Fund** and other grants made available to the council.
- We **established Library Uniform Hubs**, working with partners and local community groups to gift free school uniforms, saving families in need £46,000 in 2021/22.
- A cost of living pilot scheme that has offered **slow cookers** to 1,400 families in Newcastle-under-Lyme. This scheme will be rolled out across the county in Spring 2023.

Encourage good health and wellbeing:

- Engaged with partners and conducted a citizen enquiry into causes of obesity as part of the **Better Health Staffordshire** programme.
- Supported just under 110,000 people to find help through **Supportive Communities**, our community-based public health programme that helps residents be healthier and more independent for longer. This has taken place through different routes, including our **Community Help Points** in libraries and community buildings across the county.
- 4,650 community groups have been registered on **Staffordshire Connects**, our online directory of community-based support. The Staffordshire Connects website averages approximately 27,000 unique hits per month.
- We have continued to deliver our **Community Managed Libraries** and our **Libraries Community Offer**
- Worked with a fantastic community response to support **Ukrainian Refugees**.
- We have worked with 193 **Community Champions** in Burton, Knutton, and Cross Heath to champion local health initiatives. As trusted community voices, the Champions also co-design and share information and guidance with specific groups.
- Undertaken **citizen inquiries** with 5 local communities, supporting the Community Champions to develop £50,000 worth of local projects addressing health inequalities.
- Distributed **£200,000 worth of grants to support VCSE groups** to recover post Covid-19 and address to rising costs for the VCSE sector.
- Worked with Support Staffordshire to deliver **Supportive Communities training sessions** to just under 1,000 participants.

Tackle climate change, enhance our environment:

- Schools, community groups, and parish councils secured £76,000 from the **Climate Change Action Fund 2021/22** for local initiatives.
- Engaged with schools across the county as part of **Air Aware Staffordshire**, seeing reductions of up to 17% air quality pollution outside schools and delivering targeted campaigns on the benefits of walking and cycling.

Cross Cutting:

- 156 community groups were awarded £114,000 of small grants through our **Member-Led Community Fund** in 2021/22 to deliver a huge range of local activities.
- The final year of our **VCSE Strategic Capacity Building Partnership** saw community groups supported to access £6.3m of additional funding. In addition, 206 individuals were supported to access local volunteering opportunities in their area, and 230 free training places were accessed by VCSE representatives.
- We have committed £1.5m investment over the next three years to continue supporting the voluntary sector by commissioning a new **VCSE Capacity Building Framework** contract.
- We have delivered three successful **#DoingOurBit** local communications campaigns focused on loneliness, mental health, and climate change, reaching thousands of Staffordshire residents.
- The **Donate-It ICT scheme** has received and recycled over 250 digital devices to share residents at risk of digital exclusion.

Empowering Staffordshire's Communities

The Council's Strategic Plan 2022-26 sets out our vision for Staffordshire to be an innovative, ambitious, and sustainable county where everyone has the opportunity to prosper, be healthy and happy. An important part of this vision is that everyone in Staffordshire lives in thriving and sustainable communities.

Empowering our communities is a key part of our Strategic Plan 2022-26. It is one of our 'How We Work Statements' – "**encourage our communities to help themselves and each other**" because it is central to delivering against all our Strategic Plan priorities, and a cross-organisation way of working.

The county council has a key role to play in helping our communities achieve their aspirations. This includes:

- **Creating the right conditions** to allow communities to support themselves and flourish,
- **Championing and connecting our communities** so that we always think about the strengths of our communities, listen to what they say, and promote the good work that is happening
- **Trusting communities to get more involved** and take more control over what matters to them, and

- **Targeted community-led prevention and early help** so that people stay healthy, well, and independent for longer. Working to make sure it is the right help, at the right time, in the right place.

To do this, we have identified three strategic objectives to focus our work over the next 12 months:

- Embed community-led prevention and early help
- Promote social action and build community capacity
- Support our organisation and others to have a communities mindset

Embed community-led prevention and early help

As outlined earlier in this document community-led prevention and early help is key to improving outcomes for the people of Staffordshire. Research tells us that when people need help or support, it is often most effective when it comes from their family, friends or from within their communities. Working with our partners to ensure that local, community-led and strengths-based support is available and accessible is a key objective. Accessibility includes ensuring that people have the information, and right help to help navigate to the right support.

In 2023 we will:

- Improve access to **early help for our families and children** by developing the Family Hub model.
- Deliver the **Supportive Communities programme** and embedding the approach as part of strengths-based practice in adult social care. This includes further developing our Community Help Points and building on our citizen enquiries and Community Champions work.
- Deliver round 3 of the **Climate Change Action Fund** and working with Members and partners to establish a new **Communities Highways Offer**.
- Work with volunteers and community groups to continue delivering our **Community Managed Libraries & Libraries Community Offer**.

Promote social action and build community capacity

We have an important place leadership role, working with VCSE partners, residents, and communities to promote social action, and empower people to help themselves and each other. As such we will continue to promote opportunities for residents to get involved and connect with each other.

We understand that residents and businesses are busy, so alongside volunteering opportunities we will also encourage our residents to do “one small thing” that cumulatively could make a big difference in their communities.

A thriving VCSE sector is key to empowering our communities and achieving our ambitions for Staffordshire. Since 2016, the County Council has a Strategic Capacity Building Framework in place with local infrastructure organisations to help build capacity and sustainability. This relationship has been vital in not only supporting the sustainability of the VCSE sector but has also played a key role in helping us deliver priority programmes including Early Help for Children and Families, Supportive Communities, and Staffordshire’s Young People’s Offer. In 2022 we recommissioned the framework to continue to provide vital support to the sector.

In 2023 we will:

- Deliver our newly commissioned **VCSE Capacity Building Framework** contract. This includes helping the VCSE sector to be sustainable post Covid-19 and working with community groups on Supportive Communities, Early Help, and our statutory youth offer.
- Review and expand our **‘#DoingOurBit’** communication campaign to continue to inspire and empower people to help themselves and each other.
- Continue with our successful **Members Fund**, providing vital funding to community projects across Staffordshire.

Support our organisation and others to have a communities mindset

We recognise there is more to be done to embed an empowering communities culture across the county council. We must challenge how we do things and review our policies and procedures. We need to continue to support our workforce to understand the power of our communities, build on the strengths of our communities, and how we can help communities to help themselves. We also recognise that we must continue to challenge ourselves to engage and work in partnership with our residents, communities, and other public sector partners.

In 2023 we will:

- Deliver an **internal communications plan** to promote the importance and progress of our communities work across the organisation.

- Challenge the organisation's **approach to commissioning** to ensure that community engagement and a communities mindset are at the heart of our thinking.
- Review our internal **policies and procedures**, to ensure that where possible we have the right mechanisms in place to support a communities approach.
- Explore opportunities for greater **partnership working on all things communities so that** joint approaches on this agenda through the Staffordshire Leaders Board, Staffordshire Health and Wellbeing Board and the Integrated Care System can be maximised.

Developing a Long-Term Strategy

We have very purposely described this document as a Position Statement as it sets out the progress we've made to date and what we plan to do in the immediate future.

However, over the next 12 months we want to go even further and work with our residents, communities, businesses, and partners to develop **a long-term, aspirational Communities Strategy**.

Engaging with our communities on what they want, what is important to them, and how our work is having an impact locally will be essential. With this in mind, we will start an open and honest conversation with our communities and partners on what more we can do to help, where we should focus, and how we can work better together to support the people of Staffordshire to prosper, be healthy and happy.

We would welcome the opportunity to develop a Communities Strategy in partnership with other public sector organisations who are also committed to this agenda.

Delivery and Governance

Empowering our communities is everyone's responsibility. It involves all areas of the Council, from members to front-line workers, as well as working closely with our partners. As such, our approach to delivery will co-ordinate this activity in an effective and collaborative way.

The Communities Delivery Plan for 2023 is attached and contains further detail on how we will achieve the objectives set out in this document. The Communities Delivery Plan is overseen by the Cabinet Member for Communities and Culture and the Director for Economy, Infrastructure and Skills. The Communities Delivery Plan is a corporate plan, as such all portfolio holders and directorates contribute to its delivery.

A Communities Leadership Group brings together senior officers from across the county council with our VCSE infrastructure partners, to co-ordinate, collaborate and monitor progress against the Communities Delivery Plan.

Cabinet and Corporate Overview and Scrutiny Committee will be provided with an annual report that summaries progress against the Delivery Plan for oversight and scrutiny.

Measuring Success

Performance data and information is vital in understanding the impact our work. At a strategic level, by delivering the objectives set out in this Position Statement we aim to:

- Increase feelings of pride in our communities
- Increase the number of people who feel they can access support and help from within their communities
- Increase the amount of community support available in Staffordshire

In the next 12 months we will be exploring how we can establish metrics, methodologies, and baselines for the above. This will allow us to monitor strategic progress, as well as progress against the Delivery Plan.

We will regularly monitor progress and impact against each of our three objectives. Key measures of success have been defined for each deliverable included in the Communities Delivery Plan. Reporting of progress, performance highlights, and improvement areas will be shared on a quarterly basis with the Communities Leadership Group and aligned with the Council's Integrated Performance Management process. High-level, key performance measures for each objective are summarised below:

Objective: Embed community-led prevention and early help

- Number of successful family outcomes delivered as part of our Supporting Families Programme
- Number of positive activities available for young people and levels of participation in our youth offer
- Number of people who have accessed resources, either through the Council's digital offer or at community help points, to promote independent living and community support
- Number of schemes and level of funding through the Climate Action Fund
- Number of people accessing Staffordshire's Libraries Community Offer, either digitally or in person

Objective: Promote social action and build community capacity

- Number of Community Champions
- Number of schemes and level of funding provided to support community initiatives through the Members Community Fund
- Amount of external funding secured by VCSE organisations following support from the VCSE Capacity Building Framework
- Number of VCSE organisations provided with one-to-one development support through the VCSE Capacity Building Framework
- Number of individuals supported to access local volunteering opportunities

Objective: Support our organisation and others to have a communities mindset

- Staff engaging with communities related content delivered through our internal communications activities
- Progress on policy review areas in relation to our volunteering, social value, and community engagement approaches.

Data and information on our performance will also be used to feed into the future development our longer-term Communities Strategy, helping us to understand what more we can do to empower our communities.

Resources

Empowering Communities is a cross-organisation way of working. Our vision is that every part of the county council, and Staffordshire's public sector challenges themselves to think differently about how we work and engage with communities. Included within the Communities Delivery Plan are details on the costs of delivery, where available and possible to quantify. The estimated total cost of the Communities Delivery Plan is circa £4m.

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Communities Delivery Plan 2023

Strategic Objective	Deliverable (We will...)	Key activities	Measures of Success	Milestones	Cabinet Lead	Officer Lead	Estimated Costs
Embed community-led prevention and early help - Health and Care	Enhance and expand Community Help Points (CHP)	Continue awareness raising activity to signpost people to support available Increase the number and quality of Community Help Points	Targeted promotion Number and source of referrals	Increased number of Community Help Points by September 2023	Cllr Paul Northcott	Claire McIver	Community Help Points - £8,000
	Refresh Staffordshire Connects online directory	Consultation with key stakeholders to secure buy in Agree principles for refresh of existing pages and identify owners, including an approach to make them 'easy to read'. Refresh of web pages, to include new navigation Development and begin implementation of new branding aligned with DoingourBit	Staffordshire Connects unique hits to H&C landing page Staffordshire Connects unique hits to H&C prevention pages	Completion by April 2023	Cllr Paul Northcott	Claire McIver Natasha Moody Kerry Dove	Staffordshire Connects and refresh - £55,800 Communications and branding - £42,000
	Further develop and expand Community Champions programme	Further develop Community Champions initiative by expanding in Newcastle and Tamworth Deliver Citizen Inquiries in the identified districts and utilise findings to align Community Champions support for local projects Deliver agreed projects, informed by Citizen Inquiry findings	Number of Community Champions Number, level of funding and outcomes of initiatives undertaken	Citizen Inquiry completed by December 2022 Community Champion projects identified and delivery commenced from March 2023	Cllr Paul Northcott	Claire McIver	Community Champions Programme - £125,000
	Undertake a Community Inquiry in an initial 5 districts to understand aspirations for and barriers to long term health and wellbeing	Deliver and evaluate the Newcastle and Tamworth Citizen Inquiry Collate insights and learning to understand the needs and wants of communities Through Support Staffordshire co-produce with Community Champions support for local projects to reduce health inequalities	Completed Newcastle and Tamworth Citizen Inquiry Projects aligned to priorities identified in Citizen Inquiry	Newcastle and Tamworth Citizen Inquiries completed by Dec 2022 Community Champion projects identified by March 2023	Cllr Paul Northcott	Claire McIver	
	Promote Supportive Communities internally in order to influence culture change with staff	Scope and agree future Supportive Communities training sessions with Support Staffordshire, as part of the new VCSE capacity building framework contract. Develop and deliver relevant internal messages, aligned to the implementation of the Supportive Communities Communications Plan	Campaigns completed Number of website visits to Staffordshire Connected and webpages (bespoke dependent on campaign) Number completed Supportive Communities training Satisfaction levels	Ongoing, with dates aligned to the Communications Plan	Cllr Paul Northcott	Claire McIver	Supportive Communities training - £10,000
	Embed community offer into the Adult Social Care pathway and strengths based working (including pilot work in Staffordshire Moorlands)	Research voluntary sector provision of non-regulated tasks Develop and deliver the Staffordshire Moorlands pilot, ensuring staff continue to record how they utilise Community and Voluntary Sector assets Continue to facilitate wider networking of VCSE and Social Care staff	Number of ASC clients provided with IAG on voluntary sector assets Number of ASC clients utilising voluntary sector assets Number of Networking events Number and type of participation	Completion - July 2023	Cllr Paul Northcott	Claire McIver Jo Cowcher	

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Strategic Objective	Deliverable (We will...)	Key activities	Measures of Success	Milestones	Cabinet Lead	Officer Lead	Estimated Costs
	Better Health Staffordshire working with partners to reduce obesity	<p>Develop well-informed and structured partnerships, including the third sector, in each district or borough focussing on reducing obesity.</p> <p>Continue to commission a citizen's inquiry exercise in each of the pathfinder areas.</p> <p>Utilise citizen inquiry findings to both understand the views of communities and the role they can play in decision making.</p>	<p>Established and effective partnerships in each district or borough.</p> <p>Development of an action plan, based on best practice, reflecting local need in each area.</p> <p>Each partnership will subsequently develop their own outcome based measures.</p>	<p>Leadership of 3 pathfinder areas transition to local leadership - end of December 2022</p> <p>Remaining 5 partnerships established with action plans - December 2023</p>	Cllr Paul Northcott	Claire McIver Natasha Moody	
Embed community-led prevention and early help - Children and Families	Work in partnership to improve our 'local offer'	Review of Staffordshire Connects	<p>10% increase in the number of people accessing the Local Offer</p> <p>Improved search functionality</p> <p>Improved feedback on the local offer</p>	Review - March 2023	Cllr Mark Sutton	Natasha Moody	
	Improve children and families health and wellbeing, working with partners to tackle key priorities including mental health, obesity and infant mortality	<p>Whole System Approach to Obesity Plan being implemented</p> <p>Infant Mortality steering group established to develop and deliver a partnership plan to reduce infant mortality</p> <p>Refresh of the MH LTP and delivery of the partnership plan</p>	<p>Reduce the % of C&YP (reception year & Year 6) that are overweight or obese</p> <p>Reduce the infant mortality rate (rate per 1,000 live births)</p>	Ongoing	Cllr Mark Sutton Cllr Paul Northcott	Natasha Moody	
	Improve access to early help by developing the Family Hub model	<p>Consultation with partners to take place January 2023.</p> <p>Commence work on referral pathway with internal and external partners.</p> <p>Co-work streamlining Corporate Website.</p>	<p>Family Hub Model endorsed by Cabinet August 2022</p> <p>% of people who participate in the consultation on the Family Hub Model</p> <p>% access to Family Hubs by April 2023</p>	Cabinet discussion - December 2022 (TBC)	Cllr Mark Sutton	Natasha Moody	
	Deliver Supporting Families (aka BRFC) programme to maintain earned autonomy status	<p>Roll out the new phase 3 criteria and outcome measures</p> <p>Build programme standards into core documents, such as the Early Help Assessment</p> <p>Increase the number of partners directly contributing to the performance outcomes</p> <p>Create updated information sharing agreement with Health partners to better understand a families needs and whether outcomes have been achieved</p> <p>Commence information sharing arrangements with Housing partners to better understand a families needs and whether outcomes have been achieved</p>	<p>Number of Families achieving successful outcomes having accessed Early Help</p> <p>% of families achieving outcomes as a proportion of the annual target set by DLUCH</p>	Ongoing	Cllr Mark Sutton	Natasha Moody	BRFC Programme (external funding) - £2,000,000
	Review Early Years Offer to enable a comprehensive Best Start pathway to be put in place	<p>Partnership workshops</p> <p>Draft pathway developed</p> <p>Interactive pathway developed, published and evaluated</p>	<p>Best Start pathway mapped</p> <p>Proposed delivery model and plan endorsed by cabinet</p>	Cabinet endorsement - December 2022	Cllr Mark Sutton	Natasha Moody	

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Strategic Objective	Deliverable (We will...)	Key activities	Measures of Success	Milestones	Cabinet Lead	Officer Lead	Estimated Costs
	Deliver community and early help elements of SEND Strategy Delivery Plan, included Accelerated Progress Plan	Continue to deliver, develop, and promote the SEND local offer through local SEND and Inclusion hubs and Staffordshire Connects digital resources, providing advice and signposting to local support. Work with families, schools and VCSE sector to strengthen Staffordshire's approach to co-production.	Parents, carers and families have input into shaping Staffordshire's co-production approach.	Continue to review and develop work of SEND and Inclusion Hubs - Ongoing Launch of co-production approach – April 2023	Cllr Jonathan Price	Tim Moss	
Embed community-led prevention and early help - Economy, Infrastructure & Skills	Offer funding through the Climate Action Fund	Establish, manage and operate a successful Community Climate Action Fund in order to assist local communities to build resilience and reduce Staffordshire's contributions to climate change.	Number and value of applications received Number of examples of successfully delivered projects	Close of applications - 23 December Award funding - end of February 2023 Funding of 2023/24 scheme to be determined	Cllr Simon Tagg	Clive Thomson	
	Work with businesses, other Councils and communities in Staffordshire to produce a joined-up approach to tackling climate change that reaches beyond just the actions of the Authority	Seek out opportunities to work with partners and the local community to encourage the climate change agenda, and support any local improvements. Deliver a range of Making Staffordshire Sustainable campaigns to raise awareness. Give people the skills they need to drive the climate change agenda forward. Encourage and support the transition of the Green Economy within Staffordshire.	Level of engagement in the Plan Number and reach of campaigns delivered Attendance at events and pledges made Number of unique website visits and social media metrics.	Ongoing, aligned with specific milestones in the joint climate change communications plan	Cllr Simon Tagg	Clive Thomson	
	Ensure sufficient resources are available to support local businesses in identifying opportunities and understanding carbon impacts.	Identify the resources required to progress the climate change agenda across the council. Liaise with Staffordshire businesses to identify opportunities to share expertise between organisations, including the Staffordshire Business Environment Network. Climate Change team to provide expertise and support to local businesses to develop ideas and deliver innovation.	Number of businesses who have engaged with SCCs Carbon Tracker SBEN to roll out carbon calculator for businesses	Ongoing	Cllr Simon Tagg	Anthony Hodge	
	Establish, scope and understand new Community Highways Offer (dependant on additional funding) working with Members / three-tier partners to identify and deliver local community priorities	Establish scope of the Community Highways offer in terms of available resources and the resolution of liabilities, legal and procurement issues. Establish delivery mechanisms for Member identified priorities, community funded works and self-help initiatives. Work with Members, communities, local councils and the SPCA to refine and promote the offer.	Established initiatives in place Proactive engagement taking place Local community priorities being delivered	Progression of the Highways Transformation Programme	Cllr David Williams	James Bailey	

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Strategic Objective	Deliverable (We will...)	Key activities	Measures of Success	Milestones	Cabinet Lead	Officer Lead	Estimated Costs
	Renegotiate 5 further Community Managed Library (CML) contracts and leases (Great Wyrley, Knutton, Loggerheads, Wilnecote and Brereton) and secure suitable location at Great Wyrley	Continued engagement with potential partner to manage and deliver Loggerheads Library Re-contract with existing partner to manage and deliver Great Wyrley Library for another 5 years Engage with partners for Knutton, Wilnecote and Brereton Libraries	5 contracts and leases renegotiated to promote a thriving and sustainable library offer within Loggerheads, Great Wyrley, Knutton, Loggerheads, Wilnecote and Brereton communities. Suitable location for Great Wyrley Library agreed with partners should the opportunity arise.	Remaining contracts renegotiated by: Brereton Library – 3 April 2023 Knutton and Wilnecote Libraries - contracts signed March 2023 Great Wyrley Library – contract issued January 2023 Loggerheads Library - confirmation of agreement expected January 2023	Cllr Victoria Wilson	Catherine Mann	Community Managed Libraries - £656,795 (includes Community Support Officers) Property related costs - £175,988
Embed community-led prevention and early help - Corporate	Work with residents, communities, businesses and partners to develop a long-term, aspirational Communities Strategy.	Work with partners to seek support for the development of a Staffordshire Communities Strategy, including engagement with the Staffordshire Leaders Board and ICB. Design and deliver a range of engagement activities to inform the development of a Communities Strategy, in collaboration with local communities and partners. Begin development of a Communities Strategy that sets out the longer term vision and priorities for Communities.	Partners agree to the development of a Staffordshire Communities Strategy and have the opportunity to input on the process. Range of engagement sessions with residents, partners, and VCSE organisations take place in each district. The number and reach of residents and partners engaged on the strategy. A Communities Strategy and associated delivery plans are produced and agreed with Cabinet.	Agreement with partners – April 2023 Engagement completed – Summer 2023 Draft Strategy developed and shared with key stakeholders for input – Autumn 2023 Strategy agreed by Cabinet and goes live – Winter 2023.	Cllr Alan White	Kerry Dove	
	Encourage and inspire Parish and Town Councils to take an even greater leadership role in addressing strategic issues locally.	Ensure Parish Council receive tailored messaging in all relevant communications and DoingourBit campaigns during 2022 and 2023. Work with interested Parish Councils across Staffordshire to develop local Parish plans and tools to support community led prevention and early intervention at a hyperlocal level. Explore ways to support additional capacity development within wider Parish and Town Councils network, and align this work with Districts and Borough Councils.	Survey of Parish Councils through SPCA member bulletin and activity. Plans developed and toolkit produced, with materials for Members to take this forward Plan developed that aligns SCC work on Parishes with support offered by District and Boroughs	DoingourBit campaigns ongoing during 2023 Plan complete - December Toolkit and Member materials produced for briefings - January 2023 District and Borough Plan developed and agreed - February 2023	Cllr Victoria Wilson	Kerry Dove Claire McIver	SPCA Grant - £9,000

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Strategic Objective	Deliverable (We will...)	Key activities	Measures of Success	Milestones	Cabinet Lead	Officer Lead	Estimated Costs
<p style="text-align: center; transform: rotate(-90deg);">Page 25</p>	<p>Link with Digital Inclusion Working Group, Digital Programme Board and Digital Infrastructure Steering Group to support community elements of Digital Inclusion Action Plan</p>	<p>Key elements of action plan include:</p> <ul style="list-style-type: none"> -Accelerate delivery of gigabit capable technologies, using new and existing schemes, that maximise the benefits for local businesses and residents to enable the growth of our digital economy. -Promote digital access, including signposting to digital resources and support, the Good Neighbour Schemes, sharing relevant information and guidance on the Gigafast website and social media sites and delivery of the Donate It scheme to those most in need. - Increase digital adoption, such as the Volunteer IT buddy scheme to support residents to get online, promotion of community digital skills courses and assistive technology campaigns. -Enable rural and digitally isolated communities where market intervention has failed. -Raise awareness and understanding of connectivity to tackle digital inclusion and the digital skills gap. 	<p>Increase take up and awareness of Donate IT scheme to meet local need (detailed within Digital Inclusion Action Plan)</p> <p>Take-up of Superfast services at contract closure exceeds 75%</p> <p>61% premises with Gigabit capability (Current baseline is 55.15%)</p> <p>Work with 40 communities to develop community-based fibre projects accessing the Project Gigabit voucher and Staffordshire "top-up" funding.</p>	<p>Ongoing and reviewed quarterly</p> <p>Ongoing, in line with Government targets for Project Gigabit</p>	<p>Cllr Ian Parry</p>	<p>Kerry Dove</p>	<p>Donate It Scheme - £500</p>
	<p>Improve support for Staffordshire's Armed Forces community against a set of priority areas, by working with partners through a reconvened Armed Forces Partnership Group</p>	<p>Gain a better understanding of the Armed Forces community and their needs through a range of data and information, to help match providers of services to areas of need.</p> <p>Identify key national and local organisations supporting the Armed Forces community to help inform our IAG approach.</p> <p>Review and improve information and signposting for our Armed Forces community, through measures such as improved webpage content and greater links with Staffordshire Connects and Staffordshire Help points.</p>	<p>Analysis and reporting of Armed Forces data has improved our understanding of this community</p> <p>Armed Forces community accessing information and support they need</p>	<p>Review of existing national and local support for AF – December 2022</p> <p>Improved understanding of AF through analysis of data and information – January 2023</p> <p>Improved IAG offer for AF – April 2023</p>	<p>Cllr Alan White</p>	<p>Cristian Marcucci</p>	

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Strategic Objective	Deliverable (We will...)	Key activities	Measures of Success	Milestones	Cabinet Lead	Officer Lead	Estimated Costs
Promote social action and build community capacity	Deliver priorities for year 1 for Lot A (VCSE Capacity Building and Supportive Communities)	<p>Key activities outlined in the VCSE Lot A delivery plan. A summary of these include:</p> <ul style="list-style-type: none"> - Capacity Building and Sustainability, including VCSE sector development and funding support. - Volunteering, including volunteer brokerage, promotion and support - Engagement, including hosting VCSE networking forums and supporting the Community Champions programme. - Information, Advice & Guidance (IAG), including connecting the VCSE to training and supporting SCC IAG work - Representing VCSE at key strategic forums - Communications, including working with SCC on DoingourBit and Supportive Communities campaigns 	<p>Deliverables and metrics set out in Lot A delivery plan are delivered successfully.</p> <p>Specific details on deliverables and metrics can be found within the Lot A delivery plan.</p>	<p>Contract Review - 16th January 2023, 17th April 2023 and 7th July 2023</p> <p>Year 1 end - 31st July 2023</p> <p>Timescales for delivery of individual activities can be found in the Lot A delivery plan.</p>	Cllr Victoria Wilson	Kerry Dove	VCSE Capacity Building Contract call offs - £568,200
	Deliver priorities for year 1 of Lot B (Supporting Young People - including children, young people & families voice and representation)	<p>Key activities outlined in the VCSE Lot B delivery plan. A summary of these include:</p> <ul style="list-style-type: none"> - Staffordshire Young People's Offer, ensuring sufficient positive activities and targeted earliest help support. - Youth Participation, facilitating Staffordshire's membership of UK Youth Parliament, Make your Mark and Bremen Friendship programme. - Specialist CYPF Capacity Building and provision of specialist support for VCSE organisations working with young people. - Earliest Help and Place Based Approach, working with the Council and partners to raise awareness of earliest help and support the VCSE sector. 	<p>Deliverables and metrics set out in Lot B delivery plan are delivered successfully.</p> <p>Specific details on deliverables and metrics can be found within the Lot B delivery plan.</p>	<p>Contract Review - 24th January 2023, 25th April 2023 and 25th July 2023</p> <p>Year 1 end - 31st July 2023</p>	Cllr Victoria Wilson	Kerry Dove	
	Manage our grant programmes with Lot C partners as required	<p>Work with commissioners to manage grants through the Framework where appropriate. This includes:</p> <ul style="list-style-type: none"> - Working with procurement to undertake mini competition process as part of the framework. - Commissioners to work with the successful provider to manage each grant scheme. - Align management of grant schemes with performance management of the VCSE Capacity Building Framework. 	<p>Grant programmes are commissioned and successfully managed through VCSE Capacity Building Framework as required.</p> <p>Sufficient oversight and alignment of all call-offs against the VCSE Capacity Building Framework.</p>	<p>Deliver any grant call offs as required - ongoing</p>	Cllr Victoria Wilson	Kerry Dove	

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Strategic Objective	Deliverable (We will...)	Key activities	Measures of Success	Milestones	Cabinet Lead	Officer Lead	Estimated Costs
Develop and deliver a communications plan for the next phase of DoingourBit, aligned to corporate Communications priorities		<p>Communications plan developed and agreed with SLT and Cabinet.</p> <p>Promote DoingourBit messaging as required in relevant campaigns throughout the year.</p> <p>Undertake 4 specific DoingourBit campaigns to promote the new website and refresh the messaging on DoingourBit and key themes, including health and wellbeing, climate change and 'lending a hand'.</p>	<p>Recommendations and plan for next phase of DoingourBit are developed and agreed by SLT and Cabinet.</p> <p>DoingourBit communications plan and associated campaigns are delivered.</p>	<p>DoingourBit specific campaigns:</p> <p>January 2023 - refresh of messaging and website re-launch</p> <p>April 2023 - Clean, Green and Safe - TBC</p> <p>July 2023 - Lending a Hand - TBC</p> <p>October 2023 - Health and Wellbeing - TBC</p> <p>DoingourBit messaging in relevant campaigns throughout the year.</p>	Cllr Victoria Wilson	Cristian Marcucci	
	Update the DoingourBit website (DoingOurBit.info) to support these campaigns and provide a portal of information to support social action	<p>Review DoingOurBit.info website</p> <p>Update DoingOurBit.info website based on findings of review</p> <p>Prepare for launch and inform stakeholders</p> <p>Launch website and promote with communications campaign</p>	<p>DoingOurBit.info website review conducted</p> <p>DoingOurBit.info website refreshed so that information is updated and easier to navigate</p> <p>Successful communications campaign promoting updated website and refreshed messaging.</p>	<p>Website update - December 2022</p> <p>Prepare for launch and inform stakeholders - January 2022</p> <p>Launch website and promote with campaign - January 2023</p>	Cllr Victoria Wilson	Helena Hornby	
	Explore opportunity to align messaging with VCSE partners / campaigns	<p>Discuss DoingourBit with VCSE Capacity Building Framework partners to identify collaboration opportunities.</p> <p>Build any additional DoingourBit activity into Y1 VCSE Delivery Plans as required.</p> <p>Work with VCSE Capacity Building Framework partners to promote ongoing DoingourBit campaign messaging throughout the year.</p>	<p>VCSE Capacity Building Partners and SCC identify opportunities for further collaboration on DoingourBit.</p> <p>DoingourBit messaging successfully promoted to the VCSE sector for sharing with communities.</p>	<p>Discussion with VCSE Capacity Building Partners - January 2023</p>	Cllr Victoria Wilson	Kerry Dove	
	Deliver the 2022/23 Members Community Fund, distributing grants to local community organisations	<p>Process all applications received ahead of funding use deadline.</p> <p>Take annual report on fund to County Council, including examples of impact within communities.</p>	<p>Amount of funding spent.</p> <p>Number of unique organisations supported.</p> <p>Match funding secured and total value.</p> <p>Funded projects contribution to the aims of the fund.</p> <p>Full Council receive report on Members Fund 2022/23.</p>	<p>Deadline for full use of money - 21st February 2023</p> <p>Report received / discussed by Full Council - July 2023</p>	Cllr Victoria Wilson	Kate Loader	
	Design 2023/24 Members Community Fund	<p>Identify and agree focus for the 2023/24 fund with key stakeholders.</p> <p>Begin promotion of 2023/24 fund and stakeholder engagement (e.g. Members).</p> <p>Review governance and approval systems for fund, making further improvements as required.</p> <p>Launch and ongoing promotion of 2023/24 Members Fund.</p>	<p>Focus of 2023/24 fund agreed and approved by key Cabinet Leads.</p> <p>Governance and approval systems reviewed and agreed with MADS and Key Cabinet Leads.</p> <p>Fund successfully launched and promoted.</p>	<p>Focus for 2023/24 fund agreed - February 2023</p> <p>Promotion of 2023/24 fund begins - March 2023</p> <p>Governance and approval systems agreed - April 2023</p> <p>Launch fund - April 2023</p>	Cllr Victoria Wilson	Kate Loader	Members Community Fund - £156,000

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Strategic Objective	Deliverable (We will...)	Key activities	Measures of Success	Milestones	Cabinet Lead	Officer Lead	Estimated Costs
Support the organisation to think and act 'communities first'	Develop a social value strategy that provides a more flexible and effective approach to working with community organisations and monitoring / measuring social value	Restart conversations on social value with colleagues in Procurement and Commissioning. Draft a proposal for taking forward our approach to social value. Discuss proposal with the Communities Leadership Group. Discuss and agree proposal with Strategy with SLT and Cabinet. Implement new approach, including delivery of recommendations.	Social value proposal and draft strategy developed and discussed with CLG, SLT and Cabinet. New approach / recommendations implemented.	Draft proposal completed - Spring 2023 Draft proposal discussed at CLG - Summer 2023 Discussions with SLT and Cabinet - Autumn 2023	Clr Victoria Wilson	Ian Turner	
	Develop a Volunteering Policy to clarify offer for SCC volunteers and ensure guidance is in place for staff in managing volunteers	Volunteering principles developed and tested with volunteers in Libraries, Children's Centres and young people. Volunteering guidance reviewed and developed following input from SCC volunteering leads, HR and Health and Safety (Volunteering Task and Finish Group). Discuss draft volunteering principles and guidance with CLG. Discuss draft volunteering principles and guidance with SLT and Cabinet. Volunteering principles and go guidance live and are available for staff / volunteers to access online.	Volunteering principles and guidance successfully tested and developed with key staff, VCSE partners and volunteers SCC signs up to a set of principles for how we work with volunteers and ensure we have an effective volunteering offer. Guidance on volunteering and how to best support volunteers is available and accessible for all staff and volunteers.	Draft principles and guidance document shared with CLG - December 2022 Trade unions consulted - early 2023 Draft principles and guidance document shared with SLT and Cabinet - Spring 2023 Principles and guidance document goes live - Spring 2023	Clr Victoria Wilson	Catherine Mann	
	Review community engagement guidance, using learning and working alongside the Community Champions programme	Review national and local examples of community engagement good practice and approaches, including the work of Community Champions Develop draft toolkit, guidance and supporting materials informed by learning and engagement of key stakeholders Test and shape first draft with key stakeholders Refine and secure sign off through appropriate governance channels Launch and embed the guidance and toolkit across the organisation	Principles and guidance successfully tested and developed with key staff and relevant partners Guidance on delivering effective engagement and how to access support is available and accessible for all staff.	Review of guidance goes live by March 2023 Access to guidance and toolkit Officer feedback on use - September 2023	Clr Victoria Wilson	Kerry Dove	
	Work with representatives from key Corporate Support functions (Property, Legal, Procurement etc) to explore barriers to Community working in more detail and establish a way forward.	Engage with stakeholders (including SCC commissioners and VCSE partners) to get feedback on current processes. Establish working group with Corporate colleagues to discuss feedback and potential opportunities. Develop plan and discuss with CLG.	Corporate working group established. Opportunities to reduce barriers to community working identified. Action plan developed and discussed with CLG.	Working group convened - Spring 2023 Scoping paper at CLG - Summer 2023	Clr Victoria Wilson	Kerry Dove Catherine Mann	

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Strategic Objective	Deliverable (We will...)	Key activities	Measures of Success	Milestones	Cabinet Lead	Officer Lead	Estimated Costs
	Develop a year-long internal communications plan to raise awareness of the communities agenda	<p>Strategy and Communications to develop 12 month plan.</p> <p>Draft plan to be discussed with CLG.</p> <p>Deliver 12 month plan, including one type of communities related communications activity each months, such as:</p> <ul style="list-style-type: none"> - Communities related news updates - Case studies on effective community working - Promotion of community related events (e.g. volunteers week) <p>Ensure there is a Communities focused agenda on the Business Brief at least twice a year</p>	<p>Internal communications plan developed and agreed.</p> <p>Internal communications plan delivered.</p> <p>Increase in staff interaction with communities related content on StaffsSpace.</p> <p>Number of visits to StaffsSpace Communities page.</p> <p>Communities related items appear at Business Brief.</p> <p>Awareness raised with staff of Communities related work and tools.</p>	<p>Plan developed - December 2022</p> <p>Plan implemented by July 2023</p> <p>Business Brief (Delivery Plan progress update) - January 2023</p> <p>Business Brief (Delivery Plan progress update) - July 2023</p>	Cllr Victoria Wilson	Kerry Dove Cristian Marcucci	

Corporate Overview and Scrutiny Committee – 12 December 2022

Equality, Diversity and Inclusion – Progress Update

Recommendations

I recommend that the Committee:

- a. Note the progress of the Council's work to further strengthen its approach to equality, diversity and inclusion, including delivery of the action plan.
- b. Note the Council's Gender Pay Gap report and Workforce profile as reported in April 2022.
- c. Provide comments and feedback on the emerging priorities for 2023/24 as part of the Council's continued commitment to promote equality, diversity and inclusion.

Local Member Interest: N/A

Report of Cllr Alan White, Leader of the Council

Summary

What is the Overview and Scrutiny Committee being asked to do and why?

1. The Corporate Overview and Scrutiny Committee are being asked to:
 - a. Consider progress undertaken in the last 12 months to deliver against the Council's equality, diversity and inclusion principles, objectives and action plan.
 - b. Note the Council's Gender Pay Gap report and Workforce profile as reported in April 2022.
 - c. Comment and feedback on the emerging priorities for 2023/24.
2. This feedback will be used to inform future work to further strengthen the Council's delivery of equalities, diversity and inclusion, which will be taken to Cabinet for discussion in February 2023.

Report

Background

3. Everyone having the opportunity to prosper, be healthy and happy, is at the core of the County Council's vision. The Council's ongoing work to deliver against its agreed equality, diversity and inclusion principles and objectives continues to further strengthen the Council's approach to promoting equality, diversity and inclusion both within both the organisation and across Staffordshire.
4. The Equality Act 2010 requires public bodies to show that they are advancing the equalities agenda under the Public Sector Equality Duty (PSED). Specific requirements on Councils include publishing at least one Equality Objective every four years, as well as key information through the annual Gender Pay Gap report and Workforce Profile on 1st April each year, to demonstrate how they will eliminate discrimination and advance equality.
5. A great deal of work was undertaken during 2021 to review the Council's approach to delivering against the Public Sector Equality Duty. It was recognised that equality considerations are embedded across the organisation with a strong corporate focus on responding to, and addressing the Gender Pay Gap, together with improving collection and analysis of the workforce profile data. Key information through the Gender Pay Gap report and Workforce Profile is published annually on 1st April. A range of other activities and initiatives were also identified as having a significant impact on tackling inequalities both within the County Council and wider communities across Staffordshire.
6. It was however acknowledged that more could be done to strengthen the Council's approach. Therefore, in December 2021 Cabinet agreed to adopt a new set of Equality, Diversity and Inclusion (EDI) principles and objectives, along with an associated delivery plan.

Principles and Objectives 2021-2023

Principles:

- a. Staffordshire is a place where there is equality of opportunity for all, regardless of circumstances.
- b. Staffordshire County Council is an inclusive and diverse employer, where our people feel they have the opportunity to succeed and progress.
- c. Staffordshire County Council develops and delivers services that are inclusive and accessible to all.

Objectives:

- a. Review and strengthen our recruitment and retention processes and practices.
 - b. Review and strengthen our diversity and inclusion training offer to employees.
 - c. Strengthen our approach to engaging and collaborating with our workforce and communities on diversity and inclusion issues.
 - d. Raise awareness of and celebrate diversity.
7. Following Cabinet's adoption of these, it was agreed that Audit also undertake an advisory review of the Equality, Diversity and Inclusion Action Plan. The key findings from the audit report included: ensuring there is an appropriate action plan, informed by data, for equalities, diversity and inclusion; that governance structures are in place for reporting progress against the plan and that risks are identified and reviewed; methods for measuring the effectiveness of the plan are identified; and communicating expectations to staff for equality, diversity and inclusion.
8. In response to this, the action plan was further refined to reflect the recommendations made by the audit review. The agreed action plan can be viewed at Appendix 1.

Year 1 Review 2022/2023

9. During the last twelve months we have continued to engage and collaborate with stakeholders, including staff, Elected Members, Trade Unions in delivering against the principles, objectives and action plan. This section summaries our in-year key highlights and achievements across the organisation.
- a. A new **Gender Pay Gap and Workforce Profile** report was published on 1st April 2022, detailing our data and the steps we are taking to develop a more diverse and inclusive workforce, and in turn, improving our gender pay gap. The latest report can be viewed at Appendix 2 and will be refreshed on 1st April 2023.
 - b. A new **Translation and Interpretation** contract was launched in November 2022, based on a one-stop shop delivery model, that enables officers to access telephone, video, face-to-face interpretation and written translation services. The service enables our communities to receive information in different languages or suitable formats ensuring we are accessible to all.

- c. The Council's **Community Impact Assessment** (CIA) policy was reviewed and strengthened in early 2022. The refreshed policy sets out a clear, consistent approach to how we assess the impact of potential service changes, commissioning and/or decision making on our most vulnerable residents. This included strengthening the consideration of impacts on the protected characteristic groups, as defined by the Equality Act 2010, to ensure consideration of how inequalities could arise between the different groups is taken into account. This is fully embedded in the Council's governance arrangements and promoted through internal communications channels.
- d. Launched an **inclusive and representative employer brand** in 2021, which is now supporting the development of the Council's employee value proposition. Recent recruitment campaigns are promoting the Council as an attractive and inclusive employer with the aim of reaching more diverse candidates.
- e. Implemented a **new applicant tracking system**, WeRecruit, in October 2022. This is providing opportunities to increase accessibility and improve the candidate experience, as well as promoting the Council as an inclusive employer. The system also captures key equality information about prospective and new employees, including declarations for criminal convictions and care leavers.
- f. Implemented an **Anti-Harassment and Bullying Policy** in September 2022, promoting a zero-tolerance approach to bullying and discrimination in the workplace. As this is fully embedded across the organisation, work will take place to assess its impact.
- g. A range of **communications activities**, promoting key dates and events, has taken place throughout the year to celebrate equality, diversity and inclusion. Activities aligned to this include signposting colleagues to further information and opportunities to get involved. A review is due to take place in early 2023, in consultation with employee groups and the wider workforce.
- h. A new **equality, diversity and inclusion mandatory e-learning module** for our staff has been commissioned, alongside an e-product to support hiring managers to deliver inclusive and accessible recruitment. These will launch in early 2023 and deliver an improved learner experience, supported with the latest information and guidance for all staff. During the past 12 months 795 members of staff have completed the current e-learning and following the launch of the new product, future training numbers will be monitored and communications targeted as appropriate.

- i. Guidance to **support employee groups** to form is being developed drawing on best practice and the experience of the established Black Workers Forum, together with wider consultees from across the Council.
- j. **Supported job seekers facing barriers to employment** to secure work experience placements enabling progression into paid work through the Council's Open Door Staffordshire employability programme. Since its launch in 2010, 1,500 candidates with significant challenges to employment have been supported to ensure a successful placement. Strong relationships have also been built with businesses and communities across Staffordshire, such as prison establishments, Staffordshire Police and the Department for Work and Pensions to enable a diverse range of candidates to be supported.

Looking Ahead to 2023/24

10. Reflecting on work undertaken during 2022/23, there is opportunity to build on existing work to date, in order to further strengthen the Council's approach to the delivery of equality, diversity and inclusion.
11. Set out below are a number of proposed areas of focus for 2023/24:
 - a. Continue to meet the Public Sector Equalities Duty by further improving current reporting on the Council's Gender Pay Gap and Workforce Profile, enabling the targeted recruitment and improvement of employment policies that will enhance the diversity of its workforce and reduce the gender pay gap.
 - b. Equalities, Diversity and Inclusion will continue to be a prominent thread throughout the new internal People Strategy 2023-27 and will be an integral consideration to the design and delivery of people and culture related activities. During the roll-out of the new strategy in 2023, People Services will encourage everyone to play a role in its delivery, promoting inclusion across the organisation.
 - c. Further development of recruitment and employment policies, demonstrating a strong organisational commitment to Equality, Diversity and Inclusion, will provide the Council with a significant competitive advantage in an increasingly challenging talent market.
 - d. Embed the new equality, diversity and inclusion mandatory e-learning module across the organisation, including a campaign to increase completion of the mandatory training following its launch.

- e. Engage and collaborate with a range of staff groups to inform the development of a new workforce led communications approach and set of activities for 2023, promoting key dates and events that celebrate diversity.
- f. Continued work to ensure apprenticeships provide nationally recognised work-based qualifications to people from diverse and under-represented backgrounds.
- g. Further strengthen our training offer to the Council's workforce, including development of a reciprocal mentorship scheme that enable colleagues from different backgrounds and levels to share and learn together. In addition, a range of learning resources will be developed that enable individual colleagues and groups to develop their leadership understanding and practice.

Delivery and Governance

- 12. An officer Diversity and Inclusion Steering Group has been established within Corporate Services, which brings together lead senior officers, to co-ordinate, collaborate and monitor progress against the equality, diversity and inclusion action plan
- 13. The Equality, Diversity and Inclusion Action Plan is overseen by the Leader of the Council and the Deputy Chief Executive and Director for Corporate Services.
- 14. This area of work also features as a key deliverable within the Council's Corporate Delivery Plan, with progress routinely reported on a quarterly basis through the Integrated Performance Management process. In addition, Cabinet and Corporate Overview and Scrutiny Committee is provided with an annual monitoring report that evidences progress against the action plan and wider equalities work for further oversight and scrutiny.

Link to Strategic Plan

- 15. The Council's commitment to promote equality, diversity and inclusion is a core part of our Strategic Plan and one of the four 'How We Work' statements. Therefore, ongoing work to deliver diversity and inclusion, and ensure diversity of our workforce, is key to the delivery of all strategic priorities.

Community Impact

16. The Council's Community Impact Assessment policy ensures the impact of our most vulnerable groups, including consideration of protected characteristics, is taken into account as part of strategy development and in its decision making processes. Good practice guidance and e-training, ensuring we are meeting equalities duties, is available to all staff on the Staffordshire County Council's Learning Hub.

List of Background Documents/Appendices:

Appendix 1 – Equalities, Diversity and Inclusion Action Plan 2022/2023
Appendix 2 – Gender Pay Gap and Workforce Profile Report March 2022

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Appendix 1 - Equalities, Diversity and Inclusion (EDI) Delivery Plan (2022/2023)

People Strategy: Keeping and Attracting Talented People			
Objective: Review and strengthen our recruitment and retention processes and practices			
EDI Objectives 2022/23	Key Actions	By when	Measures of Success
<p>1.1 Measure and assess the impact of our new employer brand to ensure it represents the Council as an inclusive employer, that values diversity and provides equality of opportunity for all</p>	<ul style="list-style-type: none"> • Roll out the Employer Brand proposition • Embed employer brand through a range of communications activity that promotes the county council as a diverse employer • EDI Steering Group representative on the Applicant Tracking System project stakeholder group • Monitor diversity of workforce via the annual workforce profile report 	<p>Launch of Applicant Tracking System November</p> <p>Embed employer brand, including communications activity from November</p> <p>Annual workforce profile published - April 2023</p>	<p>Launched the employer brand and Applicant Tracking System by November</p> <p>Successfully delivered communications</p> <p>Recruited a more diverse range of candidates, evidenced by annual workforce profile trends</p>
<p>1.2 Maximise the use of diverse channels to advertise and promote our employment opportunities, to ensure they reach a wide variety of audiences, including those from under-represented and minority groups</p>	<ul style="list-style-type: none"> • Review of wider diverse employment promotion opportunities • Pilot and embed any new recruitment channels in our recruitment process • Monitor diversity of workforce via the annual workforce profile report 	<p>March 2023</p>	<p>New promotion opportunities identified and embedded in the Council's recruitment approaches</p>
<p>1.3 Ensure our recruitment processes and procedures provide an equitable, inclusive, and accessible experience for all candidates</p>	<ul style="list-style-type: none"> • Develop clear processes and procedures, as part of the Applicant Tracking System project, with diversity and inclusion built in at every stage of candidate journey • Ensure a robust and consistent process is in place to capture new hires onboarding experiences 	<p>Develop clear processes and procedures – March 2023</p> <p>Process to capture new hires onboarding experiences designed and implemented – March 2023</p>	<p>At least 80% of candidates considered the recruitment process to be Good or Excellent</p> <p>At least 80% of new hires 'Agree' that they have had a positive onboarding experience by end of 2023/24</p>
<p>1.4 Embed a zero-tolerance approach to bullying and discrimination and provide a policy framework to enable inclusive practice</p>	<ul style="list-style-type: none"> • Refresh the Anti-Harassment and Bullying Policy, as part of the Big 5 Policies project 	<p>Refreshed policy approved – October</p>	<p>Policy launched and timely communications delivered</p>

	<ul style="list-style-type: none"> • Launch and promote new policy across the organisation, through a range of internal communication activities • Develop clear approach to measure its impact, including identifying any relevant benchmarks 	<p>Launch and communicate policy – October</p> <p>Approach and impact measures developed – March 2023</p>	Bullying and discrimination incidences and issues reduced
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People Strategy: Promoting a Positive Working Environment
Objective: Strengthen our approach to engaging and collaborating with our workforce and communities on diversity, including raising awareness of and celebrating diversity

EDI Objectives 2022/23	Key Actions	By when	Measures of Success
<p>2.1 Deliver a range of communications and staff engagement activities that highlight and celebrate our diversity and signpost important dates and events</p>	<ul style="list-style-type: none"> • Deliver a range of communications during 2022/23 that celebrate equality, diversity and inclusion • Review EDI communications to understand effectiveness • Engage key workforce groups to shape the development of future activities that promote key dates and events and encourage self-led activities by the workforce • Dependent on engagement findings, consider the potential delivery of an EDI campaign 	<p>Communications-ongoing</p> <p>Review complete - September</p> <p>Engagement with workforce – February 2023</p> <p>Possible campaign in 2023, dependent on engagement findings</p>	<p>Effective delivery of key communications, aligned with key dates</p> <p>Engagement completed</p> <p>Future communications informed by key workforce</p>
<p>2.2 Develop high quality EDI intranet pages to highlight our work and achievements in this area and provide colleagues with repository of stories, information, contacts, and toolkits to enable self-directed learning</p>	<ul style="list-style-type: none"> • Refresh of current EDI web pages to strengthen and update content • Continue to evolve EDI intranet pages utilising best practice and engaging with key workforce groups to create a jointly developed suite of up to date and relevant EDI pages • Monitor and evaluate impact of new EDI intranet pages 	<p>Review and revise - September</p> <p>Best practice research undertaken - January 2023</p> <p>Engagement with key workforce groups – March 2023</p> <p>Launch evolved EDI web pages – April 2023</p>	<p>Increase in number accessing EDI intranet pages</p> <p>Positive feedback on impact of supporting guidance and materials</p>

<p>2.3 Develop a blueprint and toolkit to enable colleagues to set up and manage staff forum groups in a consistent way</p>	<ul style="list-style-type: none"> • Review of good practice to inform toolkit development • Produce first draft toolkit, for feedback from Steering Group and consultees • Launch and communicate final toolkit on EDI StaffSpace • Ongoing provision of corporate advice and support in the establishment of new staff forums, as required 	<p>First draft - February 2023</p> <p>Launch toolkit – April 2023</p> <p>Ongoing</p>	<p>Emergence of two or more new staff groups by March 2023</p> <p>Staff forum groups are active and positively contributing to the Council's plans</p>
<p>2.5 Develop toolkits and guidance to support colleagues across the organisation to engage with communities and residents across Staffordshire to help shape our services to meet diverse needs</p>	<ul style="list-style-type: none"> • Review national and local examples of community engagement good practice and approaches that promote inclusivity • Develop draft toolkit, guidance and supporting materials informed by learning and engagement of key stakeholders • Test and shape first draft with key stakeholders • Refine and secure sign off through appropriate governance channels • Review and monitor its impact, ensuring it remains up to date and relevant 	<p>Review good practice and approaches – November</p> <p>First draft toolkit – January 2023</p> <p>Launch toolkit – March 2023</p>	<p>Toolkit and guidance informed by good practice and stakeholder input</p> <p>Toolkit and guidance developed in line with agreed milestones</p> <p>Case study examples that demonstrate how the engagement toolkit and guidance has improved the quality and reach of local engagement activities</p>
<p>2.6 Improve the completion of protected characteristic data by staff, to better understand the profile of our workforce</p>	<ul style="list-style-type: none"> • Produce plan of activity to improve completion of data • Promotion of data input pages on MyHR – new tile and banner on landing page • Targeted emails to leaders reinforcing the importance of employee self completion • Explore opportunity to gather and migrate this data at application stage, via the Applicant Tracking System project 	<p>Plan - August</p> <p>MyHR promotion – September</p> <p>Leadership comms – September</p> <p>Review Applicant Tracking System opportunities – December</p>	<p>Increase in staff protected characteristic data is held within MyHR</p> <p>Reduced number of opt outs</p>

	<ul style="list-style-type: none"> • Explore option to opt-out of declaring sensitive information 		
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People Strategy: Developing Skills for Now and the Future
Objective: Review and strengthen our diversity and inclusion training offer to employees

EDI Objectives 2022/23	Key Actions	By when	Measures of Success
3.1 Provide meaningful work experience opportunities to people from diverse / under-represented groups	<ul style="list-style-type: none"> • Ensure demographics of Open-Door candidates is captured and monitored • Early Careers programme opportunities are expanded to reach diverse and under-represented groups (e.g. Enterprise Adviser volunteers, Jobs and Careers newsletters and internet) • Ensure Open Door and wider Employment Brokerage scheme pathways are accessible and inclusive for both applicants and successful candidates (e.g. Open Door website, relationship with external organisations etc) 	Ongoing, aligned with existing programme timescales	Aligned with existing programme measures
3.2 Use apprenticeships to provide nationally recognised work-based qualifications to people from diverse / under-represented backgrounds	<ul style="list-style-type: none"> • Develop an Apprenticeship Strategy, ensuring nationally recognised work-based qualifications are available to people from diverse and under-represented backgrounds • Support the implementation of the Strategy by working with the Stakeholder Consultation Group to provide clear guidance on EDI related goals and measures (e.g. capturing details of the characteristics and diversity profile of applicants) 	Diversity and Inclusion Steering Group response to draft Strategy - early 2023 Apprenticeship Strategy approved – end of March 2023 Launch and communicate approach both internally and externally – April 2023 onwards	Increase in number of diverse and under-represented groups participating in nationally recognised work-based qualifications
3.3 Publish an ED&I development offer that includes a range of products	<ul style="list-style-type: none"> • Develop the specification for a new EDI mandatory training module and a module 	Invitation to tender posted – October	New product commissioned and fully implemented

<p>to suit different learning styles, audiences and situations</p>	<p>for hiring managers on providing accessible and inclusive recruitment</p> <ul style="list-style-type: none"> Continue to develop internal and external resources, to support self-directed and team led learning Build in a feedback channel to understand the impact of the development offer Respond to and complete the EDI Training Audit action Commission a new product(s) to support recruiters, and review impact following launch 	<p>Provider identified and contracted - November</p> <p>Products launched -March 2023</p> <p>Campaign to complete mandatory module for all staff and recruitment module for hiring managers - April and September 2023</p>	<p>Number of mandatory EDI learning module completions</p> <p>Positive feedback on impact of supporting guidance and materials e.g. on candidate experience of the recruitment process</p>
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People Strategy: Developing Leaders for Now and the Future
 Objective: Review and strengthen our diversity and inclusion training offer to employees

Page 43 EDI Objectives 2022/23	Key Actions	By when	Measures of Success
<p>4.1 Provide a reciprocal mentorship scheme to enable colleagues from different backgrounds, grades, and levels of experience to share, learn and grow together</p>	<ul style="list-style-type: none"> Explore linkages with the System Wide EDI Forum mentoring programme, to ensure the Council can put forward candidates for the initial programme Promote the scheme internally 	<p>Ongoing</p>	<p>Introduction of new scheme</p> <p>Participation of staff</p>
<p>4.2 Ensure the Council has a profile in system level / regional EDI forums and networks to ensure we are linked into the latest thinking and approaches</p>	<ul style="list-style-type: none"> Council's Steering Group and possible Black Workers Forum representation on system level EDI forums Develop and ensure a regular communication mechanism is in place between the Diversity and Inclusion Steering Group and system level EDI forums 	<p>Regular communications with existing forums established from September</p>	<p>Outputs and learning informing future EDI goals and approach for 2023-24 onwards</p>

Respond to Audit Actions

EDI Objectives 2022/23	Key Actions	By when	Measures of Success
EDI item added to organisation risk register	<ul style="list-style-type: none"> Share draft with Steering Group for consideration Ensure final suggested risk wording, shaped by steering group, is passed back for entry into the new risk system 	In progress – expected completion February 2023	EDI risks included in the Risk Register Regular monitoring of the EDI risks
Review and expand the EDI plan to provide more detail and ensure objectives are SMART, meaningful and include interdependencies (and also develop measures / KPIs)	<ul style="list-style-type: none"> Agree format of EDI plan Identify leads, interdependencies, inputs, outcomes and success measures for each action Monitor progress and written progress update report to Cabinet in Dec 	EDI Plan - completed in September Annual update report – in progress; report to Corporate Overview and Scrutiny on 12 December	EDI Delivery Plan developed and approved by the Diversity and Inclusion Steering Group Regular monitoring of the EDI Delivery Plan Consider key issues and future development opportunities
Undertake light touch assessment against EFLG	<ul style="list-style-type: none"> Assess EDI action plan against LGA EFLG Review Action Plan 	In progress – expected completion February 2023	To follow ‘Review and expansion of EDI Action Plan’
Develop and agree Terms of Reference for EDI steering group	<ul style="list-style-type: none"> Seek comment from SG members Sign-off Terms of Reference 	Completed in May 2022	Terms of reference developed and adopted by the Diversity and Inclusion Steering Group
Reference the Council’s values and behaviours in Code of Conduct	<ul style="list-style-type: none"> Steering Group to consider options as part of the development of the 2023/24 plan. 	In progress – consideration for 2023/24 plan	
Ensure CIAs consider intersectional protected characteristics	<ul style="list-style-type: none"> Review of existing CIA guidance and supporting materials to understand any gaps Refine and publish tweaked CIA guidance and supporting materials 	Completed in May	CIA guidance updated to incorporate this in April
Develop measures and KPIs for the objectives in the EDI action plan	<ul style="list-style-type: none"> Conversations with delivery leads identify key measures of success Alignment of key measures with any existing plans 	Completed in September	Success measures developed and monitored by the Diversity and Inclusion Steering Group

Appendix 2 - Equality Duty & Gender Pay Gap Report

March 2022



Equality Duty

Introduction

Staffordshire County Council is a diverse county, and recognises the importance of equality and inclusion in improving public services for everyone. The Council has a legal duty under the Equality Act 2010 to advance equality of opportunity, eliminate unlawful discrimination and promote good relations between people. As part of this Act, the public sector equality duty requires the Council to show how it is meeting its responsibilities as an employer, including a requirement to publish information on its workforce, broken down by protected characteristics, which are:

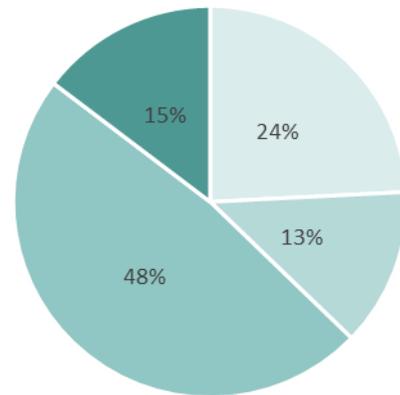
- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race;
- religion or belief;
- sex; and
- sexual orientation.

This report forms part of the Council's response to that duty, and provides workforce data which will help us to understand the effectiveness of our own employment policies and processes in promoting equality.

All figures for the 2021-2022 financial year are taken as at 01/01/2022.

Overview

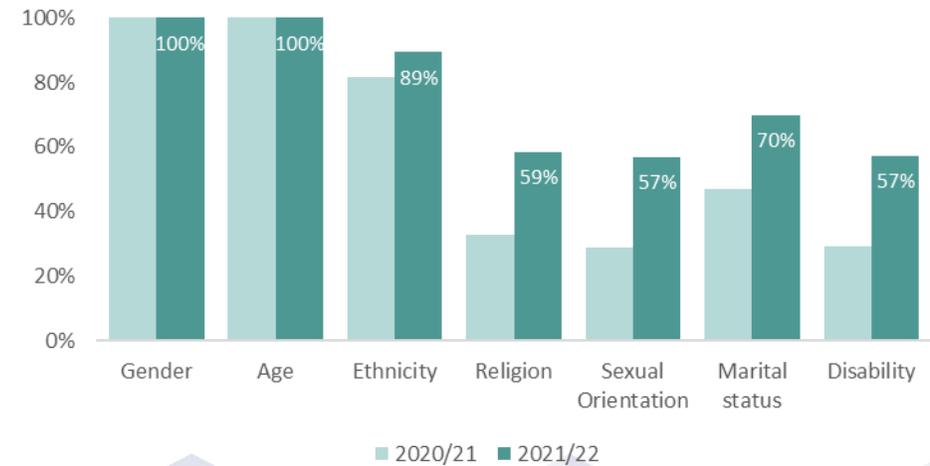
- As at the 1st January 2022, SCC employed people in 3891 contracts across 4 directorates, *Economy, Infrastructure and Skills* being the smallest (accounting for 13% of the headcount), and *Families and Communities* being the largest (48% of the headcount).



- Corporate Services
- Economy Infrastructure and Skills
- Families and Communities
- Health and Care

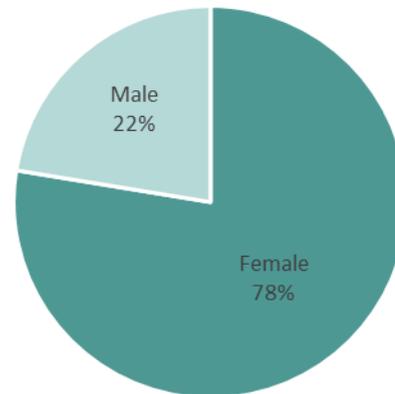
- Significant progress has been made over the last year in improving the completeness of our equalities data, particularly for Religion, Sexual Orientation and Disability.

Completion rates by characteristic



Protected characteristics – Age and Sex

- Staffordshire County Council has a predominantly female workforce; as at January 2022, 78% of the workforce was female.
- The distribution of workers by age group has been consistent year-on-year, but does vary between genders; there are higher proportions of females in the 30-59 age groups, whereas the male workforce has higher proportions of staff in the 60+ age range

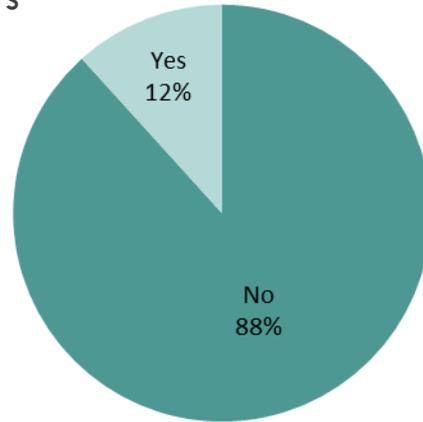


- The County Council's age profile has remained stable since 2009, and currently 27% of staff are aged 39 or under, 26% are aged 40-49, 33% are aged 50-59, and the remaining 14% are aged 60 or over
- The average age of the workforce is 47.2 years, with the male workforce consistently averaging 2-3 years older than the female workforce

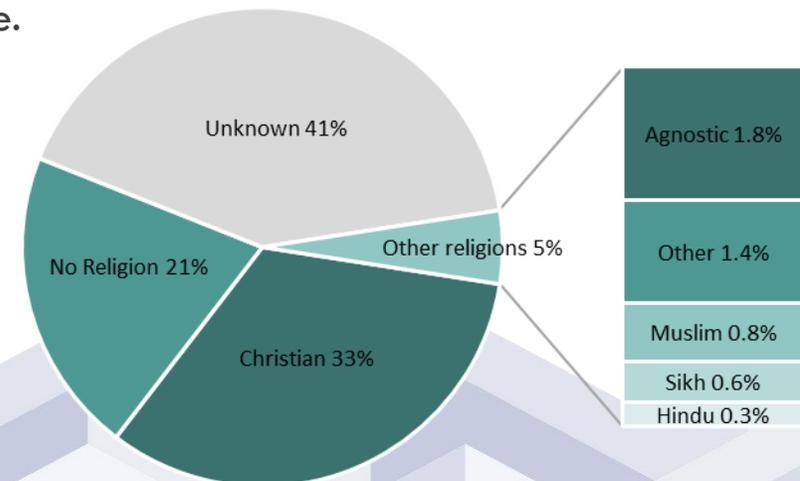


Protected characteristics – Disability and Religion

- Disability information is now held for 57% of staff – 2230 people. This represents a 97% increase on the figures reported in previous years
- 261 people indicated that they have a disability, equivalent to 12% of the ‘known’ workforce and 7% of the workforce as a whole



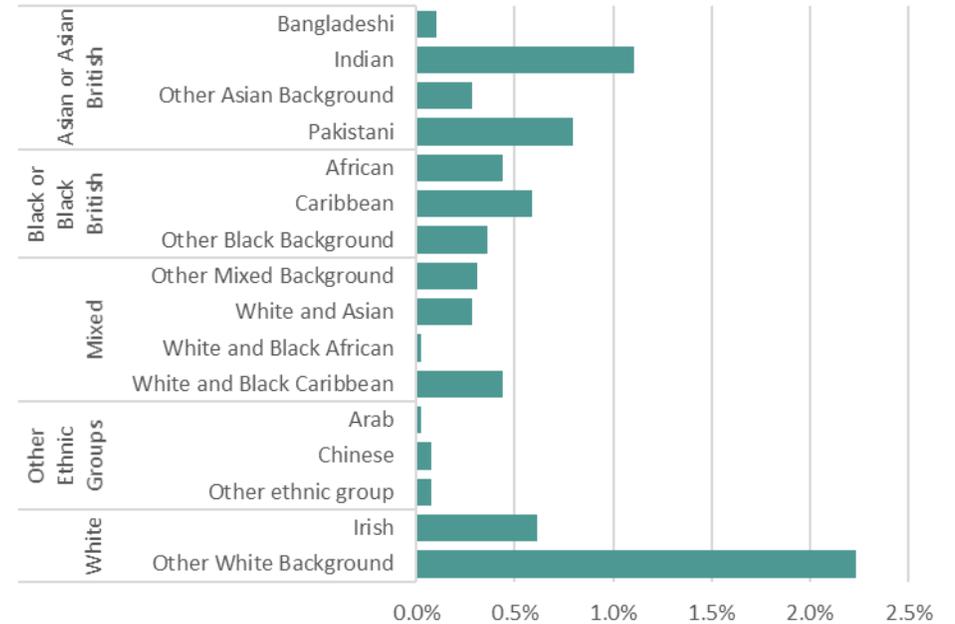
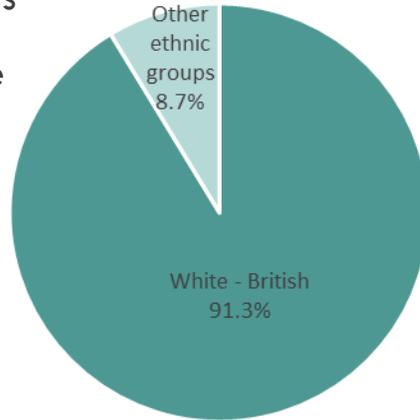
- Information on religion or belief is now held for 59% of staff – 2230 people - which represents a 78% increase on the figures reported in previous years
- Christianity is the most commonly cited religion, accounting for 56% of the ‘known’ workforce and 33% of the workforce as a whole.
- Staff citing ‘no religion’ account for a further 35% of the ‘known’ workforce and 21% of the workforce as a whole.



Protected characteristics – Ethnicity

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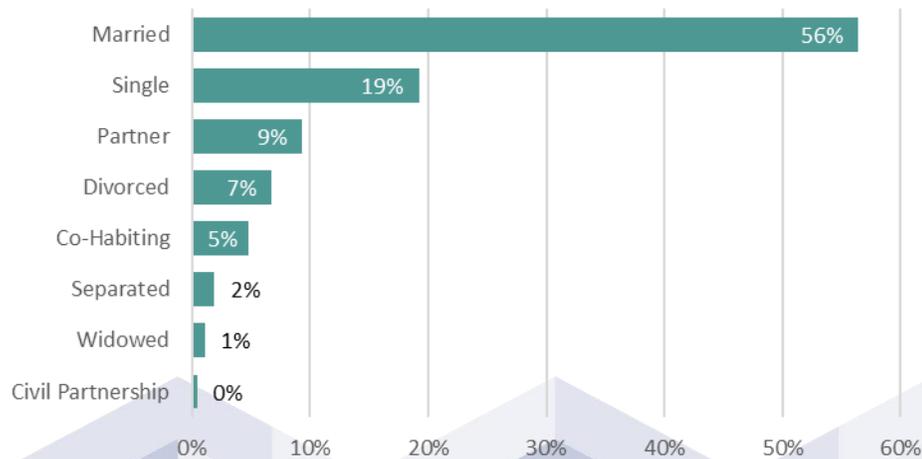
- Ethnicity information is now held for 89% of staff – 3478 people. This represents a 9% increase on the figures reported in previous years
- 8.7% of the known workforce are from ethnic backgrounds other than White – British, which is an increase on previous years (previously 7.2%)



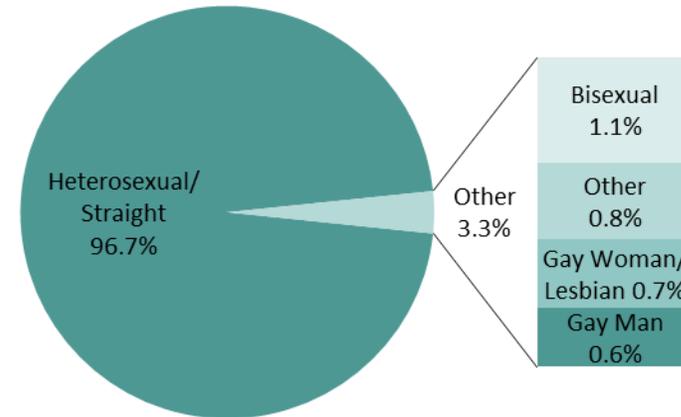
- Previous analysis against data from the 2011 Census has shown that our workforce is broadly representative of the wider Staffordshire population, and this will be refreshed once the 2021 data is published

Protected characteristics – Marital Status & Sexual Orientation

- Information on marriage and civil partnerships is now held for 70% of staff – 2720 people. This represents a 49% increase on the figures reported in previous years
- The current figures remain broadly in line with those from previous years, although the proportion of staff recorded as *Married* has fallen slightly, while those for *Single* and *Co-Habiting* have both increased



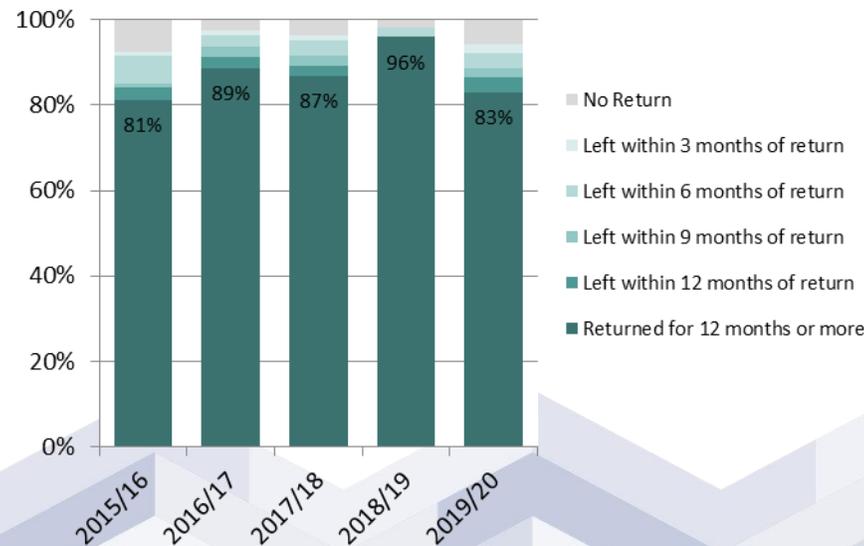
- Information on sexual orientation is now held for 57% of staff – 2215 people - which represents a 98% increase on the figures reported in previous years



- The current figures are in line with those from previous years, but are lower than we might expect to see based on estimates for the UK population as a whole

Protected characteristics – Pregnancy & Gender Reassignment

- The proportion of staff returning from maternity leave for 12 months or more averages 87% across the last five years.
- This proportion fell last year, but any issues underlying this are currently unclear and will require further investigation



- The Council does not currently hold sufficient data on gender re-assignment to be able to publish meaningful figures at this time.
- There is also no reliable national estimate at the current time regarding the number of people identified as transgender, although a 2009 Home Office-funded study estimated the number to be between 200,000 and 500,000, which would suggest 10 to 25 transgender employees in an organisation the size of SCC.

Gender Pay Gap

Snapshot Date 31 March 2021

Introduction

Staffordshire County Council, as a public sector employer of more than 250 employees, is required to report on its gender pay gap in line with 'The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017' for workers in scope.

The gender pay gap differs from equal pay. Equal pay deals with the pay differences between men and women undertaking the same or similar jobs considered equal value. It is unlawful to pay people differently who perform the same (or similar) duties because they are male or female. The gender pay gap is a measure of the difference between men and women's average earnings; it allows organisations to be transparent about gender pay differences and to take action to address them.

As stipulated in the legislation we are required to publish the following gender pay data:

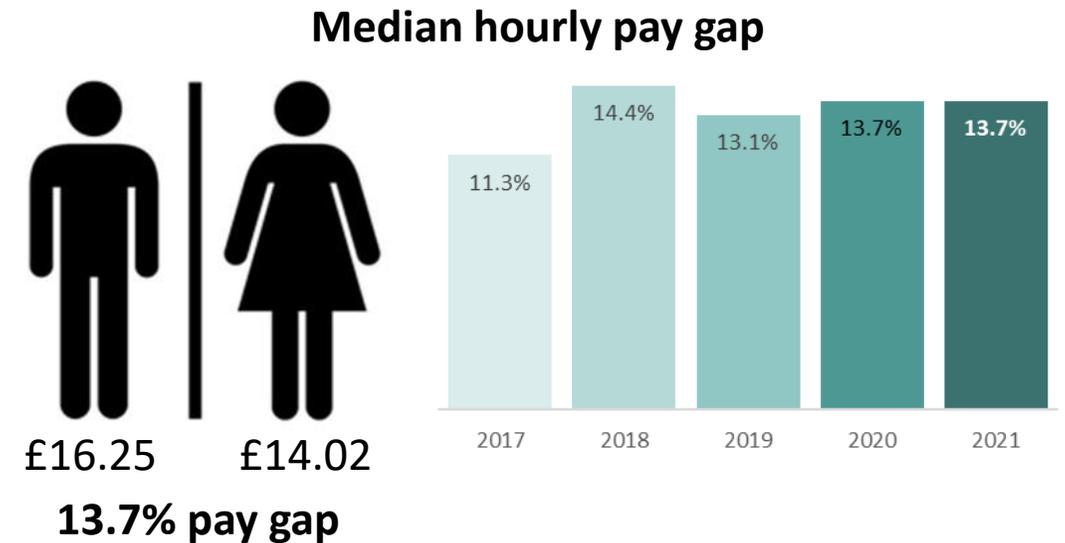
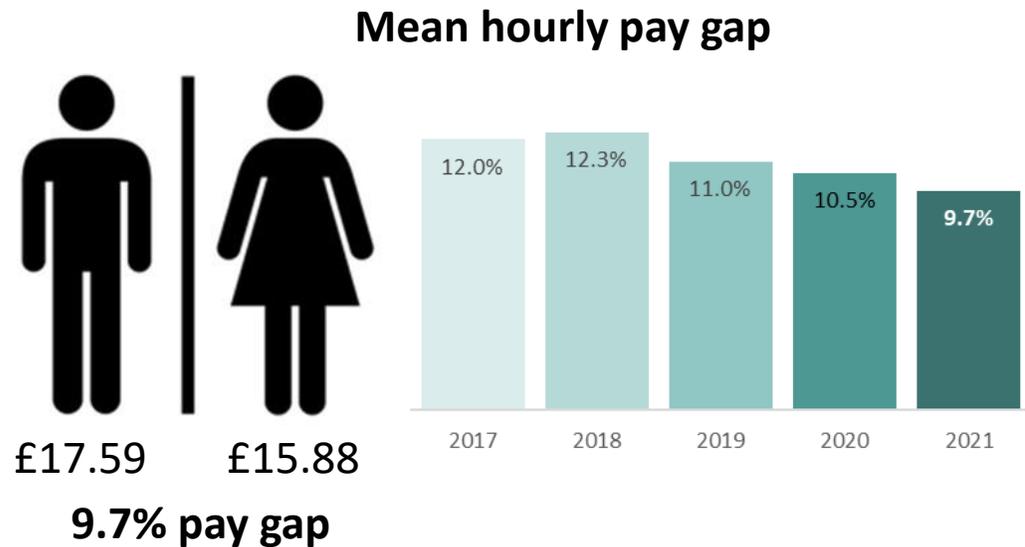
- ✓ Gender pay gap (mean and median values)
- ✓ Gender bonus gap (mean and median values)
- ✓ Proportion of men and women receiving bonuses
- ✓ Proportion of men and women in each quartile of the organisation's pay structure.

The deadline for this years Gender Pay Gap Report publication is 30th March 2022, and salary data will be based on the snapshot date of 31st March 2021. Bonus data will include all bonus payments made in the 12 months up to and including the snapshot date of 31st March 2021. Full pay employees and casual workers in post at the snapshot date are included in the figures.

Gender Pay Gap – Average Hourly Rates

- Our mean gender pay gap has continued to reduce and now stands at 9.7 %, while the median gender pay gap remains consistent at 13.7%. Both measures remain significantly lower than national and public sector benchmarks*

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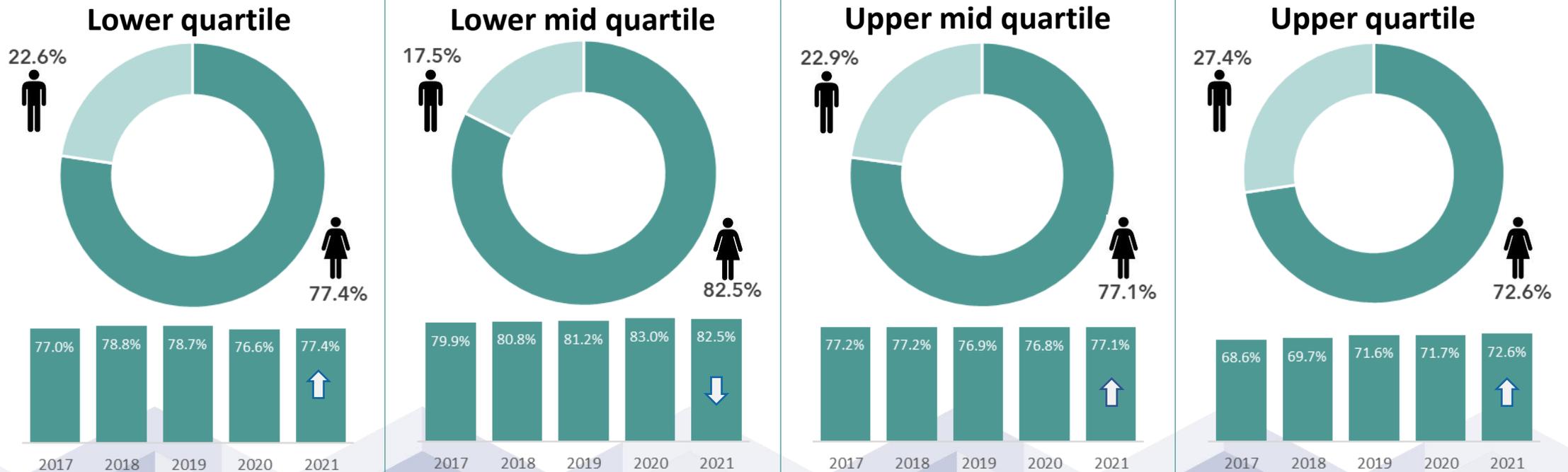
- Our bonus pay gap remains at 100%, with just one person receiving a bonus in the form of performance related pay

*Figures from ONS (ASHE 2021) Overall 14.9% mean/15.4% median, Public sector 14.8% mean/18% median, Private sector 17.8% mean/19.6% median

Gender pay gap – workforce quartiles

- 77.4% of our workforce are female, but their distribution throughout the pay quartiles does vary. The number of female staff in the lower mid quartile is disproportionately high, whereas the number in the upper quartile is disproportionately low but continues to increase year-on-year and is a key driver in reducing our pay gap.

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Understanding Our Pay Gap

Since the first gender pay gap publication in March 2018, we have undertaken significant analysis to understand the reasons for our pay gap and have identified the following:

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- Our pay gap fluctuates during the year and is susceptible to change.
- The make-up of our workforce, including the types of jobs that we have, impacts on reducing our pay gap.
- There is a greater proportion of women than men in part time lower paid jobs.
- We have very few part time employees within managerial roles and within the upper pay quartile.
- There are gender imbalances across the organisation by job category.
- There are historical societal factors which we can not control, and which may take some years to see change.



Senior managers and political leaders within the Council are committed to taking steps to achieve greater equality, diversity & inclusion and in turn, reduce our gender pay gap. Actions include:

- ✓ Embedding our People Strategy to support a more diverse workforce and to create a positive working environment which embodies our values and ensures we provide an inclusive and accessible working environment.
- ✓ Improving our workforce data collection and creating a diversity workforce profile to; identify trends, drive improvements and monitor our progress.
- ✓ Developing and implementing our Equality, Diversity and Inclusion strategy and action plan.
- ✓ Facilitating the set up of employee forums to enable colleagues from different backgrounds to share their experiences of working at SCC and to help us make positive improvements to our working environment.
- ✓ Continuing to develop our Smart Working and Digital agenda, to increase the opportunities for employees to work flexibly where possible, increase the choice of working environment and help balance busy work and home lives.
- ✓ Making pay and reward processes more transparent using our job evaluation framework.
- ✓ Reviewing all of our People Policies with the principle that they will be inclusive, supportive and consider employee wellbeing.
- ✓ Reviewing our recruitment practices and technology to ensure they are truly inclusive which will ensure we attract and retain diverse talent and become an employer of choice.
- ✓ Participating in ongoing local initiatives such as Women in Leadership, Menopause at Work and the New Parent Mentoring Scheme.
- ✓ Ensuring that managers have the skills to lead, inspire and develop their teams ensuring everyone has the opportunity to grow through our management and leadership development programme.
- ✓ Developing our apprenticeship strategy and considering how we can increase underrepresented groups within particular jobs.

Local Members Interest
N/A

Name Corporate Overview and Scrutiny Committee - Monday 12 December 2022

Governance of outside bodies/partnerships review - update

Recommendation(s)

In relation to Limited Companies and Local Authority Trading Companies (LATCos) I recommend that the Committee:

1. Commissions the Monitoring Officer to undertake a governance review for the purpose of recommending new governance standards for the operation of LATCos and Limited Companies to consider:
 - (i) proposals for the introduction of a company start-up checklist,
 - (ii) any conflict that may exist in relation to SCC Members and Officers holding Directorships in Local Authority Trading Companies (LATCos),
 - (iii) the operation of indemnities to support Directorships.
2. Commissions the County Solicitor to develop one centralised list of companies.

In relation to Outside Bodies I recommend that the Committee:

3. Supports the proposal that a report is brought back to the COSC with recommendations about which outside bodies should be withdrawn from member representation.

Report of John Tradewell, Director for Corporate Services

Summary

What is the Overview and Scrutiny Committee being asked to do and why?

The Committee is being asked to review the findings and the analysis of this review of LATCos, Companies and Elected Member representation on outside bodies.

Report

Background

- 1 The following report is divided into two parts. Part one will consider the work undertaken in relation to LATCOs and Companies. The second part of the report will focus on Elected Member representation on outside bodies.

Part One – LATCOs and Companies

- 2 In November 2021 the BDO published the report 'Governance and Control Areas for Consideration when Establishing Local Authority Companies'. This was circulated to members of the Corporate Governance Working Group (CGWG) by the Head of Audit and Financial Services and that group have been considering the implications and recommendations from that report.
- 3 A 'light touch' audit report has been commenced by the Chief Internal Auditor regarding LATCOs and this audit is underway and is likely to conclude in January 2023.
- 4 Methodology and actions undertaken:
 - a) A review of LATCOs was prioritised in response to the 'Governance and Control Areas for Consideration when Establishing Local Authority Companies' report set out Appendix 1 and the 'Local Partnerships, Local Authority Company Review Guidance' set out Appendix 2.
 - b) A checklist was developed using the guidance and the checklist was then applied against responses received from the LATCo and Limited Companies. The use of a checklist when setting up future companies will assure good governance within companies. Contact has been made with the LATCo and each Limited Company to request their Articles of Association, Terms of Reference and recent minutes to assist and support with this work. The checklist can be found at Appendix 3.
 - c) When compiling the responses received from the companies and the LATCo a table was created to hold the information (See Appendix 4). The purpose of the table and analysis from the checklist has been to highlight the risks as cited within the BDO report and with reference to the spotting of any governance issues.

Analysis of Checklist Findings

An analysis of the findings and responses has been undertaken, with reference to the BDO reports and LA Company Review Guidance.

The findings of the review found that out of the 7 companies reviewed:

1 Limited Company was unable to find its articles of association and could only rely on a copy from Companies House.

6 out of **7** companies did not provide or did not have a shareholder agreement.

3 companies (including the LATCO reviewed) had Members and Cabinet Members as directors of the company.

Additional consideration must be given to the conflict position of any Member who takes on an unpaid directorship on behalf of SCC. The reason being that this creates a registrable interest which must be registered in accordance with our Code of Conduct.

When a matter arises at a meeting which directly relates to the financial interest or wellbeing of the member's registrable interest they may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise they must not take part in any discussion or vote on the matter and must not remain in the room unless granted a dispensation.

Indemnities for Members and officers acting as Directors must be reviewed and considered.

2 companies are sitting dormant, paying for annual filing fees and need to be wound up.

1 company provided information of an SCC officer acting as company secretary, however they are not officially listed on Companies House in such capacity.

Part Two - Elected Member Representation on Outside Bodies.

Background

This analysis of Elected Member representation on outside bodies has been undertaken as part of the research being carried out into LATCos and Companies by the Corporate Governance Working Group and as part of the request by the Corporate Overview and Scrutiny Committee.

Elected Members of Staffordshire County Council can be appointed to sit on and liaise with outside bodies. These, in the main, tend to be charitable and / or community organisations who support the Council's work – usually through the priorities of the Corporate Plan. Appointments are made by the Leader of the Council at the beginning of Municipal Year.

There are 156 Outside Bodies which are attended by Elected Members from Staffordshire County Council. The full list of Outside Bodies and representatives can be found at Appendix 5.

In September 2022, all Elected Members who serve on an Outside Body were requested to complete a feedback report. The survey was sent to all elected members who sit on an Outside Body. Members were sent the survey 3 times between 27th September 2022 and 14th October 2022. A total of 88 responses were received by 26 elected members. A copy of the survey can be found at Appendix 6.

Analysis of Survey Results

14 Outside bodies have been attended by the Elected Member once in the last 12 months.

41 outside bodies have been attended more than once in the last 12 months including the 14 that have only been attended once in the last 12 months.

36 Outside Bodies that have not been attended by the elected member at all in the last 12 months for various reasons. **5** participants did not respond to this question.

There were **51** Bodies where no report had been received.

In terms of non-attendance, where the percentage of meetings attended is below 70%, the main reasons cited in the reports are illness; conflicting with other engagements; and holidays.

- No invite received/Unaware of meetings - **15**
- Clashes in the diary - **3**
- Forum Folded/Project Cancelled – **3**
- Meeting not called – **11**

- COVID - **2**
- Annual Leave - **2**

There were also **6** Outside Bodies where Members have reported that they have not been invited to attend meetings.

There are **3** bodies that have been highlighted as having ceased to operate.

8 Members claim expenses for their outside bodies. 50% of Elected Members have not declared or registered this as an interest. Reasons vary with 1 elected member being unsure whether they were supposed to declare this information, 1 member advised it is an LGA appointment not SCC and 1 advising if they do have to travel far and wide for meetings, they do claim travel expenses.

Link to Strategic Plan

Ensuring good governance within LATCOs and companies will support LATCOs and companies to deliver on the key priorities set out within the strategic plan, which will depend on the nature of the work being undertaken by the particular LATCO or Company, namely to

1. Support Staffordshire's economy to grow, generating more and better-paid jobs.
2. Tackle climate change, enhance our environment, and make Staffordshire more sustainable.
3. Encourage good health and wellbeing, resilience and independence.
4. Fix more roads, and improve transport and digital connections.
5. Offer every Staffordshire child and young person the best start in life, and the chance to achieve their potential.

Recommendation

It was extremely difficult for the officers involved in the production of this report to find information that should have been readily available to the Local Authority. The recommendation is that the County Solicitor collates a centralised list of companies, outside bodies and LATCOs, including details of responsible and statutory officers and duties and the obligations of Staffordshire County Council. This list should be developed and maintained using the guidance available and information collated as part of this report.

There are at least 36 outside bodies listed which have not had the benefit of Member attendance for at least one year. The continuance of the association of SCC with these bodies requires further review and consideration. The disclosure of interests and expenditure claims must also

be reviewed and training and guidance provided to Members where required.

The governance of the LATCo and Limited Companies requires further scrutiny. Consideration of the conflict position created by Members holding Directorships and the registrable interest that this creates must be considered further. These recommendations should be put to Audit and Standards Committee for review and should reference and consider the findings of the Audit that is underway.

Link to Other Overview and Scrutiny Activity

Audit and Standards Committee

Community Impact

Refer to CIA guidance on the [Learning Hub](#)

List of Background Documents/Appendices:

Appendix 1 – Governance and Control Areas for Consideration when Establishing Local Authority Companies

Appendix 2 – Local Partnerships, Local Authority Company Review Guidance

Appendix 3 – Company Checklist

Appendix 4 – Table of Companies & LATCO

Appendix 5 – List of Outside Bodies

Appendix 6 – Outside Body Member Survey

Contact Details

County Solicitor: Kate Loader

Report Author: Kate Loader
Job Title: County Solicitor

Telephone No.: 01785 854987

E-Mail Address: kate.loader@staffordshire.gov.uk

Name of Body	Theme	County Council Representatives
West Midlands Employers Management Board	West Midlands Employers	Abi Brown (Stoke-on-Trent City Council)
Lichfield	Local Strategic Partnerships	Alan White
Midlands Partnership NHS Foundation Trust - Membership	Healthcare NHS Trust	Ann Edgeller
East Staffordshire	Safer Neighbourhood Forums	Bernard Peters
Staffordshire Joint Police, Fire and Crime Panel	Other Bodies	Bernard Peters
University Hospitals of Derby and Burton NHS Foundation Trust	Other Executive Bodies	Bernard Peters
Campions Wood Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Bernard Williams
Hollybush Garden Centre Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Bernard Williams
Redhurst/Essington Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Bernard Williams
Saredon Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Bernard Williams
Staffordshire Joint Police, Fire and Crime Panel	Other Bodies	Bob Spencer (as substitute)
Wolverhampton Business Airport	Other Bodies	Bob Spencer (as substitute)
William Salt Library Trust	Other Bodies	Carolyn Trowbridge
Beaudesert Trust	Other Executive Bodies	Chairman of the County Council
CCN Council	County Councils Network Committees	Charlotte Atkins
County Council Picture Fund Trustees	Other Executive Bodies	Charlotte Atkins
General Assembly	Local Government Association	Charlotte Atkins
Local Councillors Forum	Local Government Association	Charlotte Atkins
Staffordshire University Board of Governors	Other Bodies	Chief Executive
Stoke-on-Trent and North Staffordshire Theatre Trust Ltd	Other Executive Bodies	Comissioner for Culture, Communities and Rural Environment (as observer)
Beyne School Foundation	Other Bodies	Conor Wileman

Hints Quarry Committee		David Smith
Shire Oak Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	David Smith
Stafford Collegiate Governance Forum	Safer Neighbourhood Forums	David Smith (as substitute)
Cocksparrow Lane Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	David Williams
South Staffordshire Rural Transport Partnership	Transport Partnership	David Williams
Transport for the North	Other Executive Bodies	David Williams
PATROL (Parking And Traffic Regulations Outside London Joint Committee) Adjudication Joint Committee.	Safer Neighbourhood Forums	David Williams (as substitute)
West Midlands Rail Executive	Other Executive Bodies	David Williams (as substitute)
Campaign to Protect Rural England	Other Executive Bodies	Director for Families & Communities or nominee
Country Landowners' Association (Staffordshire Branch Committee)	Other Executive Bodies	Director for Families & Communities or nominee
Staffordshire Playing Fields Association	Other Executive Bodies	Director for Families & Communities or nominee
Alstonefield Education Trust		Gill Heath
Warslow Education Trust		Gill Heath
Cauldon Cement Works Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Gill Heath
Peak District National Park Authority	Other Executive Bodies	Gill Heath
Rudyard Lake Trust	Other Bodies	Gill Heath
Three Nooks Farm Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Gill Heath
Stoke-on-Trent and North Staffordshire Theatre Trust Ltd	Other Executive Bodies	Head of Libraries
Hurst Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Formerly Ian Lawson – No new appointment confirmed.
Moorlands Partnership	Other Bodies	Formerly Ian Lawson – No new appointment confirmed

Three Nooks Farm Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Formerly Ian Lawson – No new appointment confirmed
Stoke-on-Trent and North Staffordshire Theatre Trust Ltd	Other Executive Bodies	Ian Parry
CCN Council	County Councils Network Committees	Ian Parry
County Council Picture Fund Trustees	Other Executive Bodies	Ian Parry
General Assembly	Local Government Association	Ian Parry
Stoke-on-Trent and North Staffordshire Theatre Trust Ltd	Other Executive Bodies	Ian Parry
Knutton Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	James Salisbury
Newcastle Family Improvement Board	Family Improvement Boards	James Salisbury
Newcastle-under-Lyme District	Safer Neighbourhood Forums	James Salisbury
Family Improvement Board or Safer Neighbourhood Forums		Janet Eagland
Lichfield District	Safer Neighbourhood Forums	Janet Eagland
Lichfield City Council Development Programme	Safer Neighbourhood Forums	Janet Eagland
Lichfield Family Improvement Board	Family Improvement Boards	Janet Eagland
Staffordshire Playing Fields Association	Other Executive Bodies	Janet Eagland
Staffordshire & Stoke-on-Trent Joint Archives Committee	Other Executive Bodies	Janet Eagland (as substitute observer)
Lichfield City Development	Local Strategic Partnerships	Janet Eagland (as substitute)
LGIU Members' Assembly	Other Bodies	Jason Jones
Tamworth Family Improvement Board	Family Improvement Boards	Jeremy Oates
Tamworth	Safer Neighbourhood Forums	Jeremy Oates
Tamworth Strategic Partnership	Local Strategic Partnerships	Jeremy Oates (as substitute)
Stafford	Safer Neighbourhood Forums	Jeremy Pert
Stafford Borough Strategic Board	Local Strategic Partnerships	Jeremy Pert (as substitute)
Kingsilver Refinery Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	John Francis
Stafford Family Improvement Board	Family Improvement Boards	John Francis
Staffordshire BIC	Other Bodies	John Francis

(Sir) Graham Balfour High School – Joint Use Sports Facilities Management Liaison Group	Other Executive Bodies	Jonathan Price
Kinver Exhibition Foundation	Other Bodies	Jonathan Price
Meece Landfill Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Jonathan Price
Stafford Borough Strategic Board	Local Strategic Partnerships	Jonathan Price
Staffordshire & Stoke-on-Trent Joint Archives Committee	Other Executive Bodies	Jonathan Price (as substitute)
Barton Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Julia Jessel
Newbold Gravel Pit Liaison Group	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Julia Jessel
Yoxall Town Lands Charity	Other Bodies	Julia Jessel
Cannock Chase AONB Joint Committee	Other Bodies	Julia Jessel (as substitute)
Campions Quarry Cheslyn Hay		Kath Perry
County Council Picture Fund Trustees	Other Executive Bodies	Kath Perry
Hollybush Garden Centre Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Kath Perry
Redhurst/Essington Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Kath Perry
South Staffordshire Family Improvement Board	Family Improvement Boards	Kath Perry
Bemersley Civic Amenities Site Management Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Keith Flunder
Staffordshire Moorlands Family Improvement Board	Family Improvement Boards	Keith Flunder
CCN Council	County Councils Network Committees	Leader of the Council
CCN Executive Committee	County Councils Network Committees	Leader of the Council
ESIF Sub Committee	Other Executive Bodies	Leader of the Council
General Assembly	Local Government Association	Leader of the Council
Midlands Connects Strategic Board	Other Executive Bodies	Leader of the Council
Midlands Engine Strategic Board	Other Executive Bodies	Leader of the Council
Stoke on Trent and Staffordshire LEP	Other Executive Bodies	Leader of the Council

West Midlands Reserve Forces and Cadets Association	Other Bodies	Leader of the Council
Birmingham Airport Consultative Committee and its working groups (if applicable)	Other Executive Bodies	Mark Deaville
Croxden Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Mark Deaville
Entrust Board	Other Executive Bodies	Mark Deaville
Freehay and District Liaison Committee, Cheadle	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Mark Deaville
PATROL (Parking And Traffic Regulations Outside London Joint Committee) Adjudication Joint Committee.	Safer Neighbourhood Forums	Mark Deaville
River Trent Regional Flood and Coastal Committee	Environment Agency	Mark Deaville
Sport Across Staffordshire & Stoke-on-Trent	Other Executive Bodies	Mark Deaville
Joint Waste Board	Staffs LGA	Mark Deaville (as substitute)
Staffordshire & Stoke-on-Trent Joint Archives Committee	Other Executive Bodies	Mark Deaville (as substitute)
General Assembly	Local Government Association	Mark Sutton
South Staffordshire Strategic Partnership	Local Strategic Partnerships	Mark Sutton
University of Aston (Convocation)	Other Bodies	Mark Sutton
Meece Landfill Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Mark Winnington
Campaign to Protect Rural England	Other Executive Bodies	Mark Winnington
Staffordshire Planning Forum	Staffs LGA	Mark Winnington (as substitute)
Victoria History of the Counties of England	Staffs LGA	Mike Davies
Seisdon Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Mike Davies
Staffordshire & Stoke-on-Trent Joint Archives Committee	Other Executive Bodies	Mike Davies (as observer)
Rugeley Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Mike Sutherland
The Chase Community Partnership	Local Strategic Partnerships	Mike Sutherland
Entrust Board	Other Executive Bodies	Mike Sutherland

Cheddleton Cautionary Lands Charity	Other Executive Bodies	Mike Worthington
Acton Composting Site Local Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Paul Northcott
Poplars Landfill Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Paul Snape
Stafford Collegiate Governance Forum	Safer Neighbourhood Forums	Paul Snape as Chairman of Charities and Trusts Committee
Cannock Chase District	Safer Neighbourhood Forums	Phil Hewitt
Cannock Family Improvement Board	Family Improvement Boards	Phil Hewitt
Adoptions Panel	Other Executive Bodies	Phil Hewitt
The Chase Community Partnership	Local Strategic Partnerships	Phil Hewitt (as substitute)
Cannock Advice Centre, Management Committee	Other Executive Bodies	Phil Hewitt (under review)
Uttoxeter Quarry, Local Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Phil Hudson
East Staffordshire Family Improvement Board	Family Improvement Boards	Philip Atkins
Great Gate Education Trust	Other Executive Bodies	Philip Atkins
LGA Resources Board	Other Executive Bodies	Philip Atkins
Local Councillors Forum	Local Government Association	Philip Atkins
National Growth Board	Other Executive Bodies	Philip Atkins
SPARCE/Rural Services Network	Rural Services Network	Philip Atkins
Uttoxeter Quarry, Local Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Philip Atkins
CCN Council	County Councils Network Committees	Philip White
ESIF Sub Committee	Other Executive Bodies	Philip White
Kidsgrove Town Board	Other Executive Bodies	Philip White
Newcastle Town Board	Other Executive Bodies	Philip White
Staffordshire Planning Forum	Staffs LGA	Philip White
Tamworth Strategic Partnership	Local Strategic Partnerships	Philip White
West Midlands Rail Executive	Other Executive Bodies	Philip White

Rugeley Old Chancel Preservation Trust	Safer Neighbourhood Forums	Philippa Haden
Rawlett Trust	Other Bodies	Richard Ford
Wilnecote Quarry/Landfill Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Richard Ford
Captains Barn Farm, Werrington	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Ross Ward
Staffordshire Moorlands CSP	Community Safety Partnership	Ross Ward
Staffordshire Moorlands District	Safer Neighbourhood Forums	Ross Ward
Poplars Landfill Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Samantha Thompson
Campaign to Protect Rural England	Other Executive Bodies	Simon Tagg
Joint Waste Board	Staffs LGA	Simon Tagg
River Trent Regional Flood and Coastal Committee	Environment Agency	Simon Tagg
Walley's Quarry Local Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Simon Tagg
Transport for the North	Other Executive Bodies	Simon Tagg (as substitute)
Knutton Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Stephen Sweeney
Campaign to Protect Rural England	Other Executive Bodies	Victoria Wilson
Cannock Chase AONB Joint Committee	Other Bodies	Victoria Wilson
County Council Picture Fund Trustees	Other Executive Bodies	Victoria Wilson
Design and Historic Environment Champion	Community Led Pilot Partnerships	Victoria Wilson
Enville Educational Charity	Other Executive Bodies	Victoria Wilson
Kinver Exhibition Foundation	Other Bodies	Victoria Wilson
Meece Landfill Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Victoria Wilson
South Staffordshire CSP	Community Safety Partnership	Victoria Wilson
South Staffordshire District	Safer Neighbourhood Forums	Victoria Wilson
South Staffs and Cambridge Water Customer Panel	Other Executive Bodies	Victoria Wilson
Staffordshire & Stoke-on-Trent Joint Archives Committee	Other Executive Bodies	Victoria Wilson

Wolverhampton Business Airport	Other Bodies	Victoria Wilson
Newcastle Strategic Partnership	Local Strategic Partnerships	Victoria Wilson (as substitute)
South Staffordshire Rural Transport Partnership	Transport Partnership	Victoria Wilson (as substitute)



LOCAL PARTNERSHIPS



LOCAL AUTHORITY COMPANY REVIEW GUIDANCE

A toolkit for undertaking strategic and governance reviews
of wholly or partly owned council commercial entities



1 FOREWORD



Max Caller
Strategic Adviser
and Lead Inspector
for HM Government

Why is this guidance needed?

Being a director of a local authority controlled company requires officers and elected members appointed to those roles to operate in a completely different legal and philosophical framework to that they are used to inside their local authority.

It can lead to real conflicts between the duty owed to the company and the interests of your council. It can also lead to conflicts of interest on a personal level which makes holding some roles in a local authority unviable whilst continuing as a director. It is necessary to make different assumptions about how things operate and what issues you need to have demonstrated you took into account, and what had no influence.

When I first took over as the chair of a company, jointly owned by two London boroughs, I was surprised by the amount of time we spent considering cash flow, with profitability being a second order issue. I had never had such a conversation inside my authority because cash flow is never an issue.

Too often, this is not understood until problems arise, resulting in reputational and financial damage and in some cases, external intervention directly impacting on your authority.

In some of the examples I have seen, it is not very clear why a company structure was chosen for the activity in the first instance as the council involved was not prepared to allow its company to exercise any of the freedoms that the structure would allow. In other examples, there were no controls at all.

In the right circumstances, using a company structure can facilitate change or outcomes that would be very difficult to deliver in a timely way under the constraints of a council's constitution, but it needs to be clear why that is.

In the report of the rapid review of Nottingham City Council, which I led in 2020, it was recommended that guidance was commissioned to aid local authorities in this area. Following the approach set out in this guidance and toolkit will help us all avoid the obvious traps.

In this guidance document



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from Max Caller



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2 INTRODUCTION

2.1 Background

Many councils have established wholly or partly-owned companies, covering a diverse range of offerings. These include selling services to other public bodies, providing leisure or cultural facilities or establishing vehicles to manage or invest in revenue generating assets such as affordable housing or commercial property.

Some of these companies have been successful, generating a healthy return on investment and delivering recognised benefits and positive outcomes. Others have generated negative headlines for the wrong reasons.

Whether successful or not, many councils have seen the need to review their companies. In some cases, councils seek assurance that the governance structures and processes for managing risk are sufficiently robust. Other local authorities want assurance that the entities are meeting councils' expectations, delivering real benefits, and providing value for money.

This desire to review entities has recently escalated in part due to the COVID-19 pandemic which has revealed areas where councils are exposed to significant risk.

We have also witnessed several well-publicised issues with company governance at a number of councils, with the Government making direct interventions, rapid reviews and best value inspections, some of which are highlighted as case studies in Section 7.



...a tool to help councils ensure that they strike an appropriate balance between allowing a company the freedom to manage its activities and ensuring that it is accountable for its actions.

2.2 Purpose

As this guidance is primarily aimed at reviews of *existing* council owned companies, the first sections focus on the effectiveness and appropriateness of governance arrangements that are critical so that the companies may be held to account and to protect the interests of taxpayers.

Sections 3 and 4 of this guidance provide a best practice checklist of issues to consider while conducting governance reviews. Section 3 focuses on councils' governance arrangements for overseeing wholly or partly owned entities and holding them to account.

Section 4 focuses on the establishment of effective governance arrangements for the entities themselves.

Section 5 has been included for context, and sets out the questions and challenges that we believe are relevant to the decision-making processes for establishing wholly or partly owned entities; why is establishing a company the right approach and would an alternative delivery model be more appropriate? It provides guidance as well as questions and issues to address as part of the process to plan and approve the establishment of a commercial entity.

This guidance can be used as a tool to help councils ensure that they strike an appropriate balance between allowing a company the freedom to manage its activities and ensuring that it is accountable for its actions.

A summary of evidence and an accompanying action sheet is provided in Section 8.



3 COUNCIL GOVERNANCE ARRANGEMENTS

3.1 Introduction

This section provides a best practice checklist of issues to be considered when reviewing of wholly or partly owned entities, focusing on councils' governance arrangements for overseeing the entities and holding them to account.

3.2 Governance aims

Good corporate governance requires councils to carry out their functions in a way that demonstrates accountability, transparency, effectiveness, value, integrity, and inclusivity.

The Governance arrangements for council owned entities should seek to ensure that:

- ▶ the entity should have sufficient freedoms to achieve its objectives
- ▶ the council should have sufficient control to ensure that its investment is protected, appropriate returns on investment can be obtained and that the activities of the entity are aligned with the values and strategic objectives of the council
- ▶ the entity continues to be relevant and required (in its existing form) and if not, appropriate steps are taken (for example, amending constitutional documents or changing form or terminating the vehicle)

Any so-called "Teckal"¹ companies should remain compliant with relevant exemption requirements under EU procurement law.

¹ The case of *Teckal Srl v Comune di Viano and Azienda Gas-Acqua Consorziale (AGAC) di Reggio Emilia (Case C-107/98) [1999] ECR I-8121* established how a contracting authority could procure direct from an external company in which it has control similar to that it exerts over its own departments. Subject to meeting certain criteria (Reg12 of the Public Contracts Regulations 2015), procurement would be outside rules regulating public contracts.



The audit report on Nottingham City Council's arrangements relating to its company, Robin Hood Energy, stresses the need to ensure that **"sufficient checks and balances are in place and in particular that risks are appropriately recognised and managed, that there is an effective scrutiny function and that challenge of political priorities by both members and officers is seen as a positive"** and provides an important message that all councils establishing commercial entities should be cognisant of the risk of what is referred to as **"institutional blindness"** whereby effective governance arrangements are overshadowed by a council's determination that the company should be a success.

Generally, although not in all cases, it would be expected that an entity which is a trading company will have more autonomy than a Teckal company. Also, the amount of autonomy will depend on the size and scale of the business, the board make up, the size of any debt owed to the council or wider dependency on public sector loans or grants.



EVIDENCE

- C1 There should be evidence that the council and senior management recognise the importance of establishing appropriate and proportionate governance arrangements for the oversight of entities
- C2 There should be evidence of a culture of challenge and clarity relating to the purpose, efficiency, effectiveness, specific objectives, and freedoms of the entity

3.3 The council's shareholder role

The council must have a designated "shareholder" to represent its ownership of the entity. The process for appointing a shareholder needs to be set out in the council's constitution which should also detail how the shareholder reports on the exercise of delegated powers.



The shareholder may also have responsibility for liaison between the council and the entity and for access to information, although this role may also be vested in a distinct “contract officer” role.

The council may require that certain decisions of the shareholder (within the council’s typical levels of materiality and thresholds in its schemes of delegation) require ratification by the Section 151 Officer and/or Monitoring Officer.

Councils may decide to delegate the shareholder function to a shareholder committee or board of the council or to the executive rather than to a designated individual.

The role of the shareholder should be to provide:

- ▶ oversight of any decisions that can only be made by the shareholder, rather than left to the entity (known as “reserved matters”). These may cover areas such as approval of annual business plan, key appointments, setting up subsidiaries, borrowing money, giving guarantees or winding up
- ▶ a mechanism to review the implementation and development of the council’s commercial approach through the entities it influences and owns
- ▶ the necessary oversight from a shareholder’s perspective that the parameters, policies and boundaries that the council has established are being adhered to
- ▶ an articulation of what success looks like in terms of achieving social outcomes and/or a return on investment
- ▶ effective and systematic engagement between the Chair/CEO and shareholder role to assure effective performance against strategy and governance
- ▶ a mechanism to communicate the shareholder’s views to the entity
- ▶ a means to evaluate the effectiveness of the company board and the delivery of the company performance against strategic objectives and the business plan
- ▶ a regular review of whether the entity provides the most effective vehicle to deliver the outcomes it requires and whether there are viable alternative models which might offer a more effective means of delivering its priorities
- ▶ a holistic review of risk to the council offered by all active entities

Shareholders or their designated representatives may attend company board meetings as observers, but they should not be there as board members.

An up-to-date shareholder's agreement should describe the powers of the board of the entity and how and when the shareholder might influence those powers. This can help demonstrate the required level of council control over any Teckal companies. For trading and investment companies, it can lay out how the entity is independent from the council to ensure it is not treated as a public sector entity.

If the council is the sole shareholder, a formal shareholder's agreement may not necessarily be required. However, it is good practice to document such an agreement to ensure that there is no doubt about the powers of a company board to take decisions without the approval of the shareholder. It is also important to prevent unwarranted interference by council officers or members in the entity's affairs.



EVIDENCE

- C3 There should be a clearly designated council shareholder role or function which is both understood and recognised by the council and the entity (and documented in terms of reference)
- C4 There should be clarity regarding the role of shareholder, with reserved matters clearly documented and updated as required, reflecting any changes made as the entity has developed, in a shareholder's agreement, or as set out in the company's governing articles of association
- C5 There should be evidence that the individual undertaking the shareholder role is provided with suitable training and support commensurate with the role
- C6 There should be evidence of formal periodic shareholder/ Chair/CEO meetings with effective supporting papers to inform subsequent company board meetings

3.4 Council oversight, scrutiny, and governance framework

The council should have a clear, systematic framework which underpins arrangements for overseeing, interfacing, and engaging with entities to ensure its interests are safeguarded.

The framework should be underpinned by clear governance principles, such as keeping the role of shareholder separate from that of the board and applying arrangements in a similar legal model, by using standard articles of association or shareholder's agreements so that the overall approach is standardised.

The council should regularly undertake an objective assessment of how successfully each entity supports its policies and strategies.

The council should regularly review risks relating to its entities and establish whether they are effectively managed and scrutinised. Different types of entities will be exposed to different risks. For example, development/asset-based companies will be constrained by any changes to council borrowing powers, whereas service-based companies will potentially be impacted by Teckal constraints around growth.

The council's approach to governance should be determined by whether it wholly or partly owns several distinct entities or whether it funnels its interests through a holding company. A group structure may provide a single point of focus for managing the council's commercial activity and an effective use of resources.

For councils with a cabinet system, the council should establish a company management committee which should be a sub-committee of cabinet to look at the totality of a council's holdings and the decisions of that body should be subject to scrutiny.

The council may also want its overview and scrutiny committee (or equivalent) to provide overview, pre-decision scrutiny and call-in of decisions regarding the council's shareholding interest in its entities.

The council may wish to programme formal oversight and scrutiny reviews which focus on whether the financial and social objectives of the entity are being delivered.

One of the roles of the council's audit committee should be to pay specific attention to how the integration of the various external auditors across all its entities is achieved.

The council should ensure, for the sake of openness and transparency, that reviews of entities by committee or executive can be viewed by the public where feasible.



EVIDENCE

- C7 There should be documented evidence of transparent member and officer scrutiny, oversight, and approval of business plans
- C8 There should be evidence of a clear set of KPIs that fall out of the business planning process
- C9 There should be evidence that senior company staff are performance managed against KPIs
- C10 There should be evidence of ongoing assessment of value-for-money and quality offered by the entity through an adequately resourced monitoring function
- C11 There should be ongoing assessment of risks relating to the entity, supported by processes to ensure that risks are managed as part of the council's overall risk management approach, with appropriate escalation and reporting
- C12 There should be evidence of a consistent approach across the council when it comes to engaging with its entities
- C13 The council should have clear and unfettered access to audited accounts for its entities

3.5 Business case for the entity

The council should have a clear understanding of what it wanted to achieve by establishing an entity and be able to articulate clearly what success looks like in terms of achieving social outcomes and/or a return on investment.

Form should follow function; the model adopted should derive from its intended purpose, not the other way round.

The decision-making process should have been informed by the development of a detailed business case, ideally using the HM Treasury five-case model, based on the Government's green book².

The business case should have been produced prior to the establishment of the entity and have set out the rationale, enabling stakeholders to review and challenge the establishment of the entity.

² **The Green Book** is issued by HM Treasury on how to appraise policies, programmes and projects. It also provides guidance on the design and use of monitoring and evaluation before, during and after implementation.

The business case should cover:

- ▶ a clear strategic case which identifies direct and indirect benefits
- ▶ a rigorous appraisal of the options available for delivering the service or desired outcomes
- ▶ the objectives of the entity
- ▶ the expected financial results of the company, together with any other relevant outcomes that the business is expected to achieve
- ▶ the investment and resources required to deliver the objectives of the entity
- ▶ any risks involved
- ▶ other important legal, commercial and financial considerations for setting up a company including company law issues; the cost of bidding for contracts; tax liability (corporation tax and VAT); procurement law and state aid/subsidy rules and employment law (TUPE and pensions)

Market conditions and changes will affect commercial activity and therefore assumptions underpinning the activities of an entity may need to be revised over time.

Once set up, councils should continually re-assess the business case and challenge the ongoing existence and relevance of their entities and review the extent to which their objectives remain relevant over their lifetimes.

EVIDENCE



C14 It should be possible to review the business case which assessed the risk involved in establishing the entity and recommended its establishment, taking account of other potential delivery models

C15 Objectives of the entity should be clearly defined and documented, and regularly reviewed to ensure that its operation continues to support council policy and strategy, including periodically reviewing the business case to ensure it is still valid

3.6 Agreements with the entity

The council should have commercial agreements which set out any assistance provided to the entity and the terms for that assistance, such as a loan or a parent guarantee.

The terms of any support provided to the entity in the form of goods, services or staff should be captured in appropriate legal agreements.

Where there is a service contract between a council and an entity, contract management arrangements should be established and may include a joint liaison committee to review issues (relating to performance, disputes, or changes in the relationship, for example).

Additional agreements should be established as required, including data protection and information sharing protocols.

EVIDENCE



- C16 Agreements should be documented between the council and the entity for any support or services provided by either party to the other party
- C17 All agreements should be clear, up-to-date, and regularly monitored and reviewed, with any changes to agreements documented so that a clear audit trail exists

3.7 Avoiding and managing conflicts of interest

Local authority members and officers should be aware of potential conflicts of interest when carrying out their roles for their authorities, or when acting as directors of trading companies.

Council officers and members also have fiduciary duties to the council. Situations can inevitably arise where the same person will be a decision maker or advisor both for the council and one of its entities. Examples of this include matters of reporting, contractual discussions, investment requests or resourcing agreements.



When acting as director of the entity, a council officer or member is obliged to act in the best interests of the entity. As the [Institute of Directors' Corporate Governance Guidance and Principles](#) states **"an important principle of company law is that directors have a duty to promote the success of the company as a whole. They are specifically prohibited from directing the activities of the company in favour of themselves or particular shareholders and/or stakeholders"**.

If there is a risk of a conflict of interest, the officer or member should not act for both the council and the entity unless they agree that they are both seeking the same common objective.

Conflicts of interest can arise in a wide variety of ways. The council should use its internal and external audit functions to regularly review the governance arrangements relating all of its entities to ensure that potential conflicts do not arise.

Examples of areas where conflicts can arise include:

- ▶ individuals acting as representative for both the entity and the council. For example, given that it is likely that certain decisions of the shareholder will require ratification by the Section 151 officer, it is not considered good practice for a Section 151 officer to hold a position with a council owned entity
- ▶ holding a council role which involves potential oversight and scrutiny of the entity, while also holding a position with the entity. For example, an entity board member who also holds a position on the council's audit committee would clearly be conflicted
- ▶ holding a position as a company board member while having private financial or non-financial interests which may conflict or may be perceived to conflict with the role. For example a company board member, or member of the family, having an interest in a supplier or competitor to the company
- ▶ board members receiving benefit (such as gifts and hospitality) from third parties (such as potential suppliers to the company)
- ▶ the exploitation by a board member of any asset, information or opportunity related to the entity

Officers and members who hold roles with the entity must declare any interest they have in a proposed transaction in advance of the transaction being entered into. The declaration of an interest in an existing transaction must be declared as soon as reasonably practicable.

The council should have a formal policy to deal with conflicts.

All potential conflicts of interest should be referred to the council's Monitoring Officer for a decision about whether a conflict exists.

In the event of a conflict of interest, the Monitoring Officer should operate an "ethical wall" policy, whereby an information barrier is erected to prevent communication that could lead to the disclosure of information which is confidential to one organisation or the other.

Officers and members should report back to the council on their involvement in outside entities to which they have been nominated by the council.

This should involve making themselves available for council scrutiny committees and other council governance forums which oversee the entity (although they should not be obliged to disclose commercially confidential information about the entity).

EVIDENCE



- C18 There should be evidence that a culture exists whereby actual or potential conflicts of interests are identified, declared, and acted upon, including evidence of appropriate training across the organisation
- C19 The council should have clear and up-to-date policies and processes to consistently manage actual conflicts or potential conflicts of interest, including a clear process for investigations and procedures for appropriate disciplinary actions in the event of breaches
- C20 The roles, responsibilities and reporting lines of officers and members who are involved in council oversight of the entities, the provision of services between the entities or the running of the entities should be clearly defined and documented

3.8 Council appointments to the board

The council should carefully consider nominations to the board, taking account of:

- ▶ the benefits of appointing independent directors to the entity
- ▶ the need to avoid council members and officers also being appointed to senior positions in the company, if such an eventuality is likely to lead to a conflict of interest

Potential appointees to the board should complete declaration of interest forms.

Appointments to the board should relate to the relevant post or office of the council, not to a specific individual. It follows that, if a council appointed director ceases to be an employee or office holder of the council, then they should automatically no longer be able to hold board membership.

The process for the appointment and renewal of directors should be set out in the articles of association, which should state those appointments which are wholly reserved to the council. For those appointments which are not reserved to the council, the company may establish a remuneration committee to make appointments and remuneration decisions and recommendations to the council.

Appointments should be based on a review of the skills, qualifications, diversity, and other attributes required for the role.

Where a board member is eligible for renewal and reappointment, this should be subject to considering their performance to date and skills, and the needs of the board.

EVIDENCE



- C21 There should be evidence that appointments to the board are subject to a documented formal, rigorous, and transparent procedure based on merit and published objective criteria which also promote diversity



4 ENTITY GOVERNANCE ARRANGEMENTS

4.1 Introduction

This section provides a best practice checklist of issues to be considered when reviewing a wholly or partly owned entity, focusing on governance arrangements for the entity itself.

4.2 Articles of association

The entity should have articles of association, documenting its constitution and addressing purpose, conduct of meetings and appointment of directors³.

For the purposes of applying the relevant exemption under procurement law, the articles for a Teckal company should be consistent with the need to demonstrate that:

- ▶ the council exercises over the company a control, similar to that which it exercises over its own departments
- ▶ more than 80% of the activities of the company are carried out in the performance of tasks entrusted to it by the controlling council or by other legal persons controlled by that council
- ▶ there is no direct private capital participation in the company⁴

EVIDENCE



E1 The entity's articles of association should be clear, up-to-date, and reflective of how the entity is run

³ See under "Starting a company" at www.gov.uk/government/organisations/companies-house for model articles

⁴ Regulation 12(1), Public Contracts Regulations 2015 www.legislation.gov.uk/uksi/2015/102/contents/made

4.3 Business planning

The entity should have an annual business plan which sets out its objectives and how the objectives are to be resourced and achieved. Key areas of focus should include:

- ▶ a description of the core offering and articulation of potential future services and/or innovations
- ▶ strategy and implementation; a description of the value proposition, underpinned by effective marketing, communications, and branding strategies
- ▶ financial break-even analysis, projected surplus or deficit, cash flow, balance sheet and reliance on trading income
- ▶ operations and management; an analysis of the entity's capacity and capabilities to fulfil its purpose, in terms of commercial skills, workforce planning, board development, support services, managing the supply chain and clients
- ▶ market analysis and a description of market trends and competitors

Requirements to meet the legal criteria in relation to any Teckal companies should also be reflected in the business plan.

EVIDENCE



- E2 There should be evidence of an up-to-date business plan that is reflective of the current circumstances and environment in which the entity operates

4.4 Role and behaviours of the board

The board should operate openly and transparently. According to the Cadbury Report⁵ **“the basic procedural requirements are that the board should meet regularly, with due notice of the issues to be discussed supported by the necessary paperwork, and should record its conclusions”**.

Meetings on at least a quarterly basis would be considered good practice.

⁵ The Financial Aspects of Corporate Governance – “The Cadbury Report”



The Cadbury Report states that **“the responsibilities of the board include setting the company’s strategic aims, providing the leadership to put them into effect, supervising the management of the business and reporting to shareholders on their stewardship”**.

The Higgs Review⁶ suggests that the role of the board includes:

- ▶ promoting the success of the company by directing and supervising the company’s affairs
- ▶ providing entrepreneurial leadership within prudent and effective controls where risk is assessed and managed
- ▶ setting strategic aims and ensuring sufficient resources (financial and human) are available to meet objectives
- ▶ reviewing management performance
- ▶ setting corporate values and standards
- ▶ ensuring obligations to shareholders and others are met

The board should have processes to ensure that the entity continues to be financially viable, supported by the role of internal audit and its external auditor.

Larger entities or holding companies should have:

- ▶ an audit committee to provide independent scrutiny, challenge, and assurance
- ▶ a remuneration committee, which will manage appointments and remuneration decisions (where an appointment is not reserved to the council)

The board should ensure processes are in place to confirm how financial issues are to be dealt with including business planning, budget control, financial systems and financial monitoring and reporting.

The Cadbury Report recommends that boards should **“recognise the importance of the finance function by making it the designated responsibility of a director, who should be a signatory to the accounts on behalf of the board and should have access to the audit committee”**.

⁶ Review of the Role and Effectiveness of Non-Executive Directors – “The Higgs Review”

The board should undertake in-depth consideration of company matters that are deemed significant including new projects, existing projects, approvals and endorsement of advice.

The board should ensure that workforce policies and practices are consistent with the company's values and support its long-term sustainable success. The workforce should be able to raise any matters of concern.

There should be a record of the essential functions and other matters which are reserved for board decision and cannot be delegated.



EVIDENCE

- E3 There should be evidence that the board meets regularly to consider, review and record discussions and conclusions
- E4 There should be evidence of delivery of strategies and plans, including scrutinising key operational and finance performance information
- E5 There should be evidence of the desired culture and behaviours
- E6 The company structures should be regularly scrutinised in order to ensure they remain fit for purpose
- E7 There should be evidence that the board has clear policies and procedures for its members to ensure that actual or potential conflicts of interests are identified, declared, and acted upon

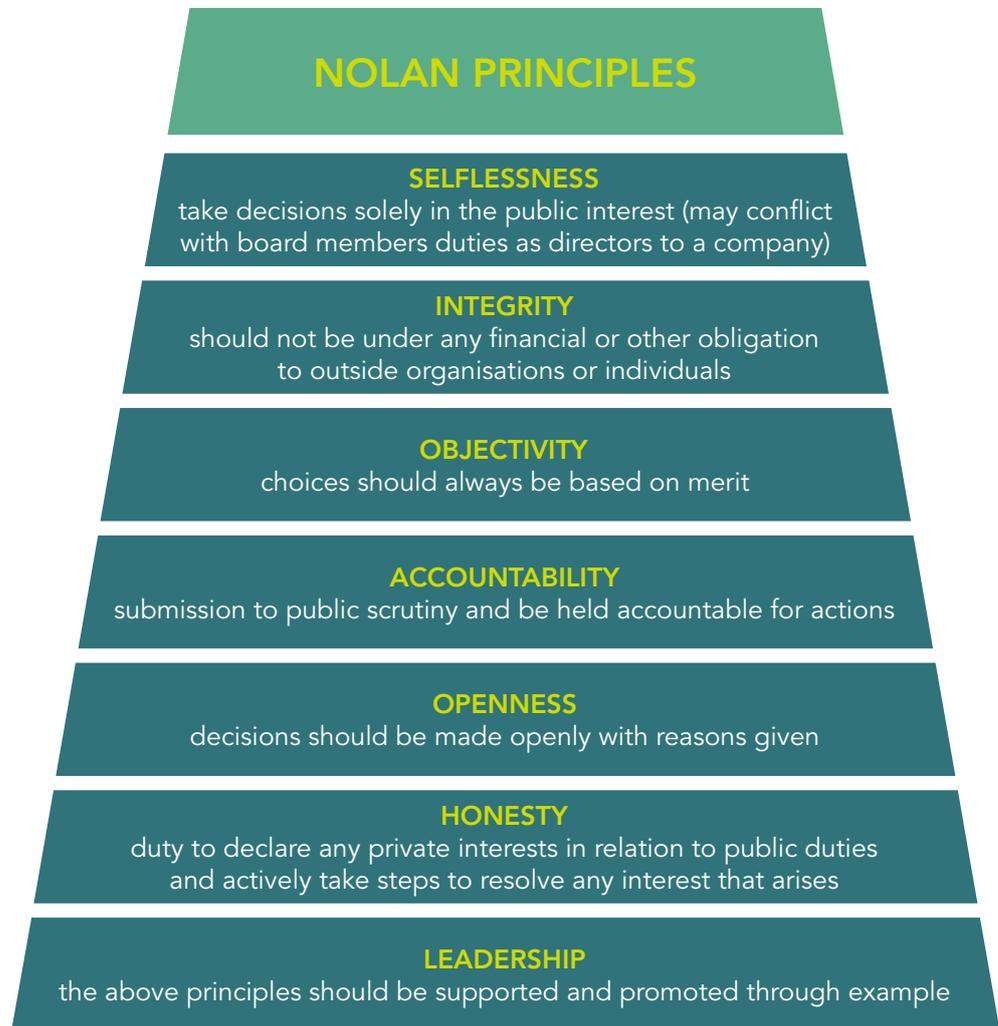
4.5 Role and behaviours of company directors

The Companies Act 2006⁷ (sections 171-177) states that directors must:

- ▶ act within their powers
- ▶ promote the success of the company
- ▶ exercise independent judgement
- ▶ exercise reasonable care skill and diligence
- ▶ avoid conflicts of interest
- ▶ not accept benefits from third parties
- ▶ declare an interest in proposed transactions or arrangements with the company

⁷ The Companies Act 2006
[www.legislation.gov.uk/
ukpga/2006/46/contents](http://www.legislation.gov.uk/ukpga/2006/46/contents)

Directors of wholly or partly owned council entities must also act in accordance with the seven Nolan Principles⁸:



EVIDENCE



- E8 There should be evidence that directors have sufficient skills and experience to run the entity
- E9 There should be evidence that directors' behaviours are aligned with the requirements of the Companies Act 2006 and the Nolan Principles as well as Cabinet Office's Code of Conduct for Board Members of Public Bodies⁹
- E10 The scope of directors' authorities should be documented and clear to all parties

⁸ The Seven Principles of Public Life – "Nolan Principles"

⁹ Code of Conduct for Board Members of Public Bodies published by the Cabinet Office in 2011 as updated/replaced in June 2019

4.6 Company board composition

Achieving the right board composition should facilitate good governance and minimise the scope for conflicts of interest.

The optimal size of a board should be between five and 10 directors, although this will be dependent on the circumstances of each entity.

Boards of wholly or partly owned council entities are often a mix of council officers, members, and independent directors. Board skills and expertise can be improved through the effective use of independent directors with both public sector and market specific experience. The UK Corporate Governance Code¹⁰ advises that at least half the board (excluding the chair) should be independent non-executives.

Appointments to the board should be subject to a formal, rigorous, and transparent selection procedure based on merit and published objective criteria.

Board composition and individual director performance should be reviewed periodically to evaluate board composition, the effectiveness of individual contribution, and how effectively board members work together to achieve the objectives of the entity.

EVIDENCE



- E11 There should be evidence that the board has a diverse membership with the collective skills and attributes needed to lead the entity effectively
- E12 There should be evidence that board membership is reviewed regularly for composition and fitness for purpose

4.7 The board and risk management

The board should have ultimate responsibility for risk management within the entity and ensure that appropriate risk management arrangements are in place.

The board should regularly review risks and how they are being managed, and potentially delegate the detailed scrutiny and evaluation of risk to a committee.

¹⁰ The UK Corporate Governance Code, Financial Reporting Council, July 2018
www.frc.org.uk/getattachment/88bd8c45-50ea-4841-95b0-d2f4f48069a2/2018-UK-Corporate-Governance-Code-FINAL.pdf

The board should be aware of its appetite for risk and determine the risk profile for the entity. The board's approach to risk should be proportionate and appropriate to its model. For example, an entity which has borrowed money from the council and needs the council's support for working capital and revenue will have a different risk profile to a trading company which relies exclusively on external revenue.

EVIDENCE



E13 There should be evidence that the board understands the organisation's risk profile and the effectiveness of key controls and regularly reviews risks and risk appetite

¹¹ The Insolvency Act 1986 www.legislation.gov.uk/ukpga/1986/45/contents

¹² The Bribery Act 2010 www.legislation.gov.uk/ukpga/2010/23/contents

¹³ The Modern Slavery Act 2015 www.legislation.gov.uk/ukpga/2015/30/contents/enacted

¹⁴ Data Protection Act 2018 www.legislation.gov.uk/ukpga/2018/12/contents/enacted

¹⁵ Health and Safety at Work etc. Act 1974 www.legislation.gov.uk/ukpga/1974/12/contents/enacted

4.8 Board members' skills and development

Training should cover legal roles and responsibilities, company directors' roles and companies generally. The training should include responsibilities under the Companies Act 2006, Insolvency Act 1986¹¹, Bribery Act 2010¹², Modern Slavery Act 2015¹³, Data Protection Act 2018¹⁴ and Health and Safety at Work etc. Act 1974¹⁵.

The entity should seek a board which includes a range of skills and backgrounds including commercial, financial, business development, technical, legal and HR experience. Those skills may either be provided by council nominees or by engaging non-executive directors.



The Cadbury Report states that **“given the varying backgrounds, qualifications and experience of directors, it is highly desirable that they should all undertake some form of internal or external training; this is particularly important for directors, whether executive or non-executive, with no previous board experience. Newly-appointed board members are also entitled to expect a proper process of induction into the company's affairs. It is then up to individual directors to keep abreast of their legislative and broader responsibilities”**.

There should be an annual evaluation of board, committee, chair, and director performance. UK Corporate Governance Code suggests that the chair should consider having this evaluation externally facilitated.

EVIDENCE



- E14 There should be documented evidence that the board regularly undertakes a skills audit to ensure that it has an appropriate balance of skills and experience
- E15 There should be evidence of ongoing professional training provided to ensure that all board members are up-to-date in their understanding and supported in their roles

4.9 Role of executive directors and non-executive directors

It is important to distinguish the between the roles of executive director, non-executive director and independent non-executive director. Legally, they all share the same individual and collective duties and responsibilities. However, they should all bring a distinct focus to their roles.

The role of executive directors will vary greatly from entity to entity. Essentially, they are focused on running the entity's business activities and implementing the board's plans and policies. They may be expected to be board members, although this is not essential.

Non-executive directors have a wider role, providing independent and constructive challenge.

Council appointees to boards will generally be expected to fulfil the role of a non-executive director. However, council officers who are appointed to undertake a dedicated role within an entity may be appointed in an executive capacity, such as to undertake the role of a finance director.



The Cadbury Report states that “**non-executive directors have two particularly important contributions to make to the governance process as a consequence of their independence from executive responsibility... The first is in reviewing the performance of the board and of the executive. The second is in taking the lead where potential conflicts of interest arise**”.

Independent non-executive directors are external appointees who do not hold a role as officers or members within the council. Entities should consider the use of independent non-executive directors to improve the quality of board representation. These appointments should be external to the council and provide detailed experience and insight into the company’s particular area of activity as well as providing independent and constructive challenge.

According to Higgs¹⁶, the role of a non-executive is to:

- ▶ challenge, and contribute to the development of the company’s strategy
- ▶ scrutinise performance of management in meeting agreed goals and monitor reporting of performance
- ▶ satisfy themselves on the accuracy of financial information and that financial controls and risk management are robust and defensible
- ▶ determine executive directors’ remuneration and prime role in appointing/removing senior management

Higgs describes a number of desirable personal attributes and behaviours of non-executive directors:

**HIGGS’
DESIRABLE
PERSONAL
ATTRIBUTES AND
BEHAVIOURS OF
NON-EXECUTIVE
DIRECTORS**

Sound judgement
and an enquiring
mind

Knowledge
of the business,
its operating
environment,
and issues
it faces

Integrity,
probity, and
high ethical
standards

Objectivity as
the basis for
questioning
and challenging
accepted
thinking of
executives

Strong
interpersonal
skills

¹⁶ Review of the role and effectiveness of non-executive directors, Department of Trade and Industry, January 2003 [web.archive.org/web/20080910081648/http://www.berr.gov.uk/files/file23012.pdf](http://www.berr.gov.uk/files/file23012.pdf)



EVIDENCE

- E16 There is evidence that the role of executive directors is clearly defined and documented
- E17 Non-executive directors are in place to bring an independent judgement to bear on issues of subject matter expertise, strategy, performance, resources including key appointments, and standards of conduct
- E18 There is documented evidence that the board values the role of non-executive directors, and their views are influential in the board's decisions

4.10 The role of the board chair

The Cadbury Report describes how the chair's role in securing good corporate governance is crucial. Chairs are primarily responsible for the workings of the board, for its balance of membership subject to board and shareholders' approval, for ensuring that all relevant issues are on the agenda, and for ensuring that all directors, executive and non-executive alike, are enabled and encouraged to play their full part in its activities.

Chairs should be able to stand sufficiently back from the day-to-day running of the business to ensure that their boards are in full control of the company's affairs and alert their obligations to their shareholders.

In addition, the chair should have the following leadership responsibilities:

- ▶ formulating the board's strategy
- ▶ promoting the efficient and effective use of staff and other resources
- ▶ delivering high standards in terms of integrity and propriety



The Cadbury Report states that the chair's role **"should in principle be separate from that of the chief executive. If the two roles are combined in one person, it represents a considerable concentration of power... therefore, there should be a clearly accepted division of responsibilities at the head of a company, which will ensure a balance of power and authority, such that no one individual has unfettered powers of decision"**.



EVIDENCE

E19 There is evidence that the chair provides clear board leadership, supporting the directors and chief executive and taking account of the shareholders views

4.11 Financial management

The business plan and business planning process are critical parts of the governance culture and environment. They are the basis for monitoring financial performance and should also feed into the medium-term financial planning of the council in situations where it expects to receive dividends, loan repayments, capital receipts or provide financial support in terms of working capital or longer-term finance.

Board reports should feature clear articulation of the current financial position of the company in terms of its trading position (income and expenditure), liquidity (cash flow) and solvency (balance sheet).

The company should have an independent financial status from the council. This should include separate bank accounts and designated signatories.

The financial transactions of the company should be recorded on the company's own, separate ledger system and the council should be able to demonstrate how the results of the company are consolidated into its own group accounts.

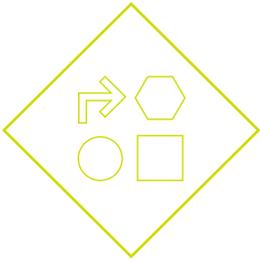
The company should have a set of documented financial policies and procedures which describe areas such as borrowing and overdraft limits and levels which are reserved for council approval. These reserved matters should also be documented in the company's articles of association.

It should operate a system of internal controls that are consistent with these policies and procedures. The company's internal controls should be the subject of periodic testing by internal auditors, whether they be the council's own internal audit function or separately appointed by the company.



EVIDENCE

- E20 There should be a fully documented and approved business plan that is consistent with and no more than 12 months older than the previous business plan. The changes within the updated business plan should accord with the trajectories that are apparent from monthly financial and non-financial performance reports
- E21 The financial transactions and values attributable to the company within the council's medium term financial plan should agree with the projections in the business plan
- E22 Board reports should include clear presentation of the monthly income and expenditure position of the company as well as a cash flow statement and balance sheet
- E23 There should be evidence of an annual audit letter from the council's external auditors, confirming the degree of confidence they hold in respect of consolidation or treatment of financial instruments entered by the company
- E24 Documented financial policies and procedures should be available
- E25 There should be evidence of an effective annual internal audit programme



5 ALTERNATIVE DELIVERY MODELS

5.1 Introduction

The **Localism Act 2011** gave local authorities new and broader general powers of competence to trade and since that time there has been a surge in the creation of new companies. These range from wholly owned and partly owned companies, joint ventures with either the public or private sector, and social enterprises.

The main benefits of an alternative delivery approach are perceived to be:



Establishing an alternative delivery approach such as a wholly or partly owned entity is a significant strategic decision that should be given consideration with an appropriate level of analysis and attention.

This section of guidance aligns with HM Government's Sourcing Playbook **Delivery Model Assessments** process. It covers the approach councils should adopt and suggests questions they should address when thinking about setting up a new Local Authority Trading Company (LATCo).

5.2 Framing the challenge

The initial challenge is to determine whether the council's service and the outcomes it delivers can be best delivered by alternative means.

If there is insufficient oversight and assurance placed on this fundamental analysis, particularly where a commercial initiative is progressed at speed, this will create significant operational, commercial, and reputational risks.

From the outset, it is important to clarify the objectives, timescales, and drivers of change.

A dedicated core team of suitably skilled individuals should be appointed that will input into the process. This may include finance, commercial, programme and operations and technical experts.

The approach to governance needs to be established, as well as a clear understanding of the decision-making process.

Identifying the final approvers of the recommendations to establish (or not) LATCos is critically important.

A good understanding of all the key stakeholders who will be involved in and/or affected by the outcomes needs to be developed, ensuring that all relevant parties can be engaged in the assessment process.

There should also be suitable administrative and project management support available to keep things on track.

5.3 Defining the service, delivery model options and data inputs

It is important to identify the service components to be delivered and the outcomes sought and the options for how they might be delivered. It is essential to develop a clear definition of these before starting the delivery model assessment to enable an effective comparison of alternative delivery models.

Once a long list of options has been developed, potential delivery models should be short-listed based on critical success factors, practical limitations, and discussions with senior stakeholders.

The final list of potential delivery models should be signed off at member and senior officer level before evaluation.

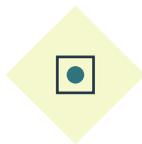
5.4 Potential options for consideration

In this section, we outline the main options for delivery models that local authorities may choose to consider:



A description of potential options is provided below, including an overview of the benefits and risks of adopting each model. It should be noted that this list is not exhaustive, and the specific options considered by each council will differ depending on its priorities and local circumstances.

The most important thing is that councils should not jump to a specific model without a comprehensive consideration of the potentially viable options for delivering the outcomes required. For example, in addition to the option of establishing a company or participating in a joint venture, councils may consider other options including in-house delivery, outsourcing, and sharing services with another public body.



In-house delivery

Description	This option involves services/functions being delivered in-house
Benefits	<p>The council retains full control of service delivery and of any efficiencies achieved</p> <p>Existing skills and knowledge of service are retained</p> <p>Familiarity of relationships, experience, and expertise</p>
Risks and issues for consideration	<p>Ability to invest in, resource and upskill the service/function may be constrained</p> <p>No benefits of scale or sharing of resources/expertise</p> <p>All risk and responsibility retained by the council</p>



Council owned company (for example, company limited by shares or company limited by guarantee)¹⁷

Description	This option involves the council establishing a company The company limited by shares model is designed for profit distribution to the participating organisations A company limited by guarantee is not designed for profit distribution
Benefits	Limited liability for shareholders Ringfences risks and liabilities, but council still retains reputational risk Freedom from direct management or standing orders of the council. A company has the capability to employ its own staff. Employees can be given greater incentive to succeed through new employment opportunities and financial reward, thereby promoting cultural change and developing a commercial mind-set Under this model, commercially delivered incidental services can be provided to the private sector (under Section 95 of the Local Government Act 2003) Commercial focus on business plan and goals Flexibility for the company to buy/sell/hold assets
Risks and issues for consideration	Can be administratively time consuming both in terms of set up and ongoing running This model requires compliance with the requirements of the Companies Acts and the administration of setting up and operating a separate entity There are additional regulatory requirements to comply with e.g., company audit and annual returns. Income may be liable to corporation tax VAT structures will be changed Potential loss of control to directors whose primary duty is to the company, not the council Risk exposure will vary depending on whether services are provided solely to the council or more widely to external organisations On paper, the “limited by shares/guarantees” structure limits councils’ liabilities. However, there is a question as to the extent to which a council would realistically allow a company to fail without meeting their liabilities. Consideration would be needed with regard to what interventions the council would make should the company make significant losses Potential for reputational damage to the shareholders in the event of non-performance

¹⁷ There are a range of legal structures that can be considered under this broad commercial entity option which may include Community Interest Companies (intended for social enterprises that wish to use assets and profits for public benefits, with mandatory asset lock and controls on dividends to reassure potential participants, donors, or investors) and Industrial & Provident Societies for Community Benefit (organisations with social objects to run a trade or business for the benefit of the community).



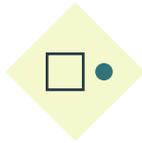
Joint service delivery or public sector consortium (shared services)

Description	Two or more councils or other public bodies join to effect service delivery and deliver better outcomes
Benefits	<ul style="list-style-type: none"> Potential economies of scale Scope for seamless service delivery Sharing of skills and improved resilience
Risks and issues for consideration	<ul style="list-style-type: none"> Potential impact of future changes in political control Problem of co-ordinating objectives and requirements of each local or public body Problem of assimilating procedures and IT systems of each public body Available capital will not necessarily be increased Long period of complex negotiation may be needed



Joint venture with the private sector

Description	Council enters into a joint venture with a private sector partner to facilitate the provision or delivery of services, investment and/or development This can include the creation of a separate legal entity
Benefits	<ul style="list-style-type: none"> May introduce capital resources which would not otherwise be available to the council Improved access to skills, resources, and systems of the partner (commercial acumen, technology) Potential wider opportunities for employees Risks in service delivery identified and allocated – enables some risk transfer Council influence can be preserved through controls on company decision-making
Risks and issues for consideration	<ul style="list-style-type: none"> Potentially significant time and costs involved in establishing the vehicle Additional regulatory requirements (company audit, annual returns) and potential tax implications Challenges in matching diverse organisational cultures in one entity Need for council vigilance in relation to commercial risks and cost structures



Outsourcing

Description	The council contracts with a private sector provider to provide certain services This generally involves a total transfer of the service provision to the service provider
Benefits	The competitive nature of the procurement should ensure the most economic price Scope for investment in the service from the partner A mature market exists
Risks and issues for consideration	Potential concerns over loss of direct control of service and risk of becoming “locked in” with a single provider TUPE ¹⁸ issues may prevent savings and lock in terms and conditions that would otherwise change over time Potential loss of key people from the council Additional costs of client-side arrangements Intense public scrutiny and reputational damage if the service provider performs poorly

5.5 Establishing strategic and operational evaluation criteria

There are many potential issues to consider in the selection of a delivery model.

Evaluation criteria will be specific to the service or function under consideration, but the following areas give some examples of the potential issues that might help to determine the most appropriate strategic approach for delivery.

Individual criteria should be given weightings reflecting the importance of that criterion to the council and the nature of the specific service.

The criteria should be signed off at member and senior officer level board before the evaluation of the delivery options begins.

¹⁸ Transfer of Undertakings (Protection of Employment) regulations (TUPE) www.gov.uk/transfers-takeovers

Description	Issues to consider
Strategy and policy	How well does the delivery model align with corporate strategies and policies?
Transition and mobilisation	How easy will it be to transfer existing services into the new model?
People and assets	What capabilities and skillsets are needed and what is the existing capacity (internal or in the external market)?
Service delivery	How will the delivery model help to deliver ongoing quality, innovation and continuous improvement?
Risk and impact profile	Have the risks that may impact the delivery of services or on the council's finances been identified?

5.6 Assessing the cost and benefits of the options under consideration

A financial model should be used to help evaluate different delivery model options. For example, a council may wish to compare the expected cost and benefits of establishing and running a wholly or partly owned entity with the cost and benefits of other delivery models under consideration.

An appraisal of the company model against the in-house delivery model will typically focus on a comparison of the expected whole life cost of procuring a service from an outside supplier, including the cost of additional market factors such as risk and profit, against the whole life cost to deliver a service using internal resources and expertise.

5.7 Conducting the evaluation and aligning the analysis

A cross-functional team should evaluate each criterion against the agreed weightings.

Learning should be derived from objective evidence, past projects, and colleagues across the public and private sector (this may include engaging with the market) to test and sense-check findings.

There are several critical success factors in completing a successful assessment:

- ▶ appropriate governance and sponsorship with appropriately qualified individuals
- ▶ senior leadership should be clear about why the evaluation is taking place, provide sponsorship, clear governance, and allocate suitably experienced and skilled individuals
- ▶ good availability of input data
- ▶ data should be available to input into the model design and evaluation
- ▶ informed strategic and operational criteria
- ▶ independent facilitation should take place to bring together stakeholders, clarify objectives and drive credible outcomes
- ▶ realistic timelines
- ▶ enough time should be allocated to run a comprehensive process

5.8 Key questions at the evaluation stage

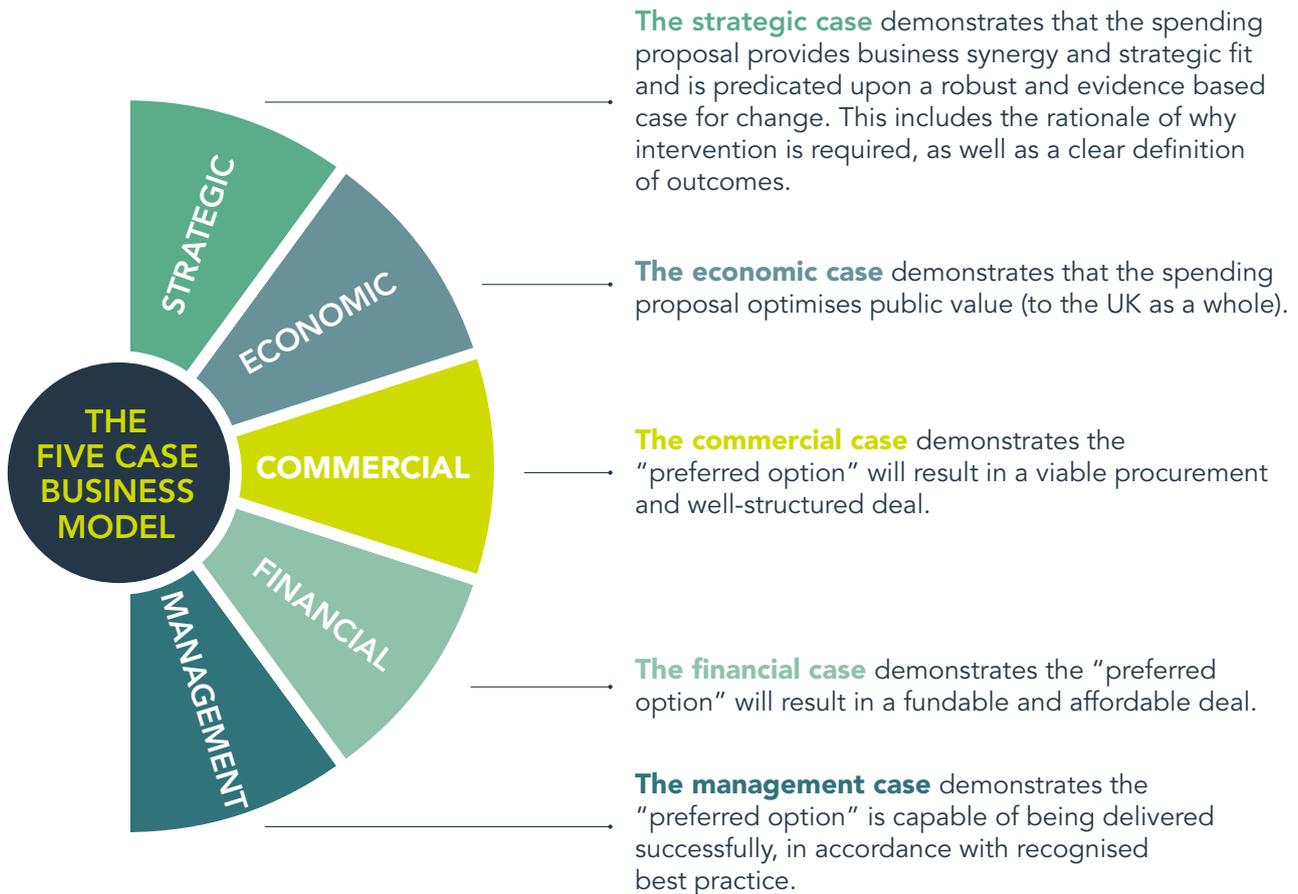
Specific questions should be asked when evaluating the viability and benefits of establishing a new commercial entity.

Criteria	Issues to consider
Strategy and policy	<p>How will the delivery model ensure delivery of strategic objectives, such as social value?</p> <p>What will be the internal council impact on officers and elected members (including training and recruitment implications), service and departmental structures, staffing requirements, and financial budgets?</p>
Legal and financial	<p>What is the optimum legal authority for activities which the new activity will pursue?</p> <p>What is the most appropriate and beneficial legal form and structure for a new entity (taking account of the objectives of the council)?</p> <p>What external legal and financial obligations which will be placed upon the entity and to what extent will these impact upon the objectives of the council and the relationship between the council and the new entity?</p>

Criteria	Issues to consider
Governance and risk	<p>Who will control the entity and what does that mean for governance, leadership, and the legal status of the entity?</p> <p>What is the optimum form of and limits to the relationship between the entity and council officers and elected members?</p> <p>How will performance be managed and monitored?</p> <p>What are the commercial and operational risks that relate to the establishment of the new entity?</p> <p>Who is best placed to manage these risks and how might they be mitigated?</p>
People and assets	<p>Is there a clear understanding of TUPE considerations or asset transfer/ownership considerations?</p> <p>Has the council ensured it has sought legal and commercial advice on any issues and considered potential pension liabilities?</p>
Commercial	<p>Has sufficient data on market demand both locally and wider afield been gathered and investigated?</p> <p>Has sufficient financial, operational, past performance and governance data on potential competitors been gathered and interrogated?</p> <p>Has the impact of the new entity been considered on existing local infrastructure and particularly on public, private and third sector organisations that are currently operating in the market sector that the entity will enter?</p> <p>Does the impact that has been considered include financial and relationship issues?</p> <p>Does the entity intend to trade and if so, will this be with other local authorities? Or to a wider market?</p>
Stakeholders	<p>Is there evidence of support by relevant members and senior officers in relation to the establishment of the new entity?</p>
Skills and capability	<p>Have suitably qualified subject matter experts been engaged to provide appropriate input into the evaluation?</p> <p>Has suitable and appropriate specialist financial and taxation advice been sought from independent consultants?</p>

5.9 Developing a business case

Before setting up a company a council must prepare a business case. This should follow the HM Treasury Green Book approach to public sector investment, adopting the five-case model, as set out in the Guide to Developing the Project Business Case, Better business cases: for better outcomes¹⁹.



5.10 Key activities at business case stage

Specific activities should be undertaken when developing the business case for the establishment of a new commercial entity. They include activities to develop and communicate the business case.

¹⁹ Guide to Developing the Project Business Case, Better business cases: for better outcomes assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/749086/Project_Business_Case_2018.pdf

Criteria	Issues to consider
Strategy and policy	<p>What are the compelling reasons for establishing the entity and what should be achieved?</p> <p>Which options have been considered and what are the reasons for selecting a commercial entity as the way forward?</p> <p>Which form and type of entity has been chosen as the preferred option and what are the reasons for that choice?</p> <p>What are the desired outcomes and objectives and how do these fit with and contribute to the overall strategy of the council? This should include consideration of any dependencies with other projects, programmes or initiatives</p> <p>Why it is the right time to establish the new entity?</p>
Legal and financial	<p>What are the legal considerations relating to the establishment of the entity?</p> <p>What levels of control and freedom are required for the organisation?</p> <p>What set-up costs will be incurred by both the entity and the council?</p> <p>Has the high-level viability of the new entity been assessed?</p> <p>Are there any affordability issues given other commitments?</p> <p>Where appropriate, how will the new entity enable the maximisation of possible commercial and grant funded income streams? And, also the minimisation of VAT and other taxation impacts?</p> <p>What financial, legal, taxation and operational advice has been obtained from external consultants and other sources?</p>
Governance and risk	<p>What are the key risks and how they will be managed?</p>
People and assets	<p>Has advice been sought on staffing issues, including TUPE arrangements, union negotiations and pension transfers?</p>
Commercial	<p>Has the competitive landscape been assessed, as well as the positioning of the new entity within that landscape?</p> <p>What will be the impact on the local and wider operating environment and market?</p>
Stakeholders	<p>What is the appetite for change, including stakeholder engagement and the level of support provided?</p>
Skills and capability	<p>What are the capabilities of existing staff to oversee and manage the new entity and what will be the future training and recruitment requirements?</p>

5.11 Recommendations and approvals

From the outset councils should be clear about the assurance and approval process at each stage.

A board or cabinet decision should be made at each stage to progress, or to stop the process, if a viable option cannot be moved forward.

5.12 Key activities prior to approval

Specific activities should be undertaken prior to the council approving the establishment of a new commercial entity.

Criteria	Activities to be undertaken
Legal and financial	<p>Ensure all legal, financial, taxation, operational and governance duties, responsibilities and obligations of the chosen legal form of entity are understood and communicated to all officers and members and all potential executives and non-executives of the new entity</p> <p>Ensure that the proposed arrangements comply with procurement and state aid legislation</p> <p>Ensure that all external legal, financial, taxation and operational advice has been understood and acted upon</p> <p>Confirm the financial, legal, and reputational impacts if the entity fails</p>
Governance and risk	<p>Identify possible exit or alternative strategies if the new entity is unsuccessful or there is a change in strategy within the council</p> <p>Identify and clarify the council officer and/or member involvement on the entity board</p>
Commercial	<p>Ensure understanding of updated realistic demand projections based upon third party sector expertise</p> <p>Ensure that monitoring information requirements and arrangements are clearly identified in both the council and the new entity</p>

5.13 Implementation

Once the final delivery model recommendation has been signed-off through appropriate governance forums there should be a clear plan in place for implementation.

5.14 Key transition activities

Specific transition activities should be undertaken prior to the formal establishment of the new entity.

Criteria	Activities to be undertaken
Strategy and policy	Ensure that arrangements are in place for both leading the new entity and leading the transition to put it in place
Legal and financial	<p>Confirm that the choice of entity delivery vehicle chosen maximises the possibility of commercial and grant funding income streams and minimises the impact of VAT and other taxation and is based on clear analysis of external legal, financial, taxation and operational advice</p> <p>Test the adequacy of the entity's opening financial projections including that the opening cash flow arrangements are adequate</p> <p>Confirm any contract arrangements, including arrangements for annual review, initial contract length and projected longer term budget impacts on both the council and the entity</p> <p>Ensure that adequate financial controls are in place</p> <p>Ensure that the formation and start-up of the entity has been notified to all relevant statutory and regulatory bodies</p> <p>Confirm that any ongoing services or assets that might be provided by the council are underpinned by agreements between the parties and can legally be provided, including consideration of the leases and/or licences relating to all assets and buildings to be used by the entity</p> <p>Ensure that the entity's systems and processes, including financial and payroll processes, are fit for purpose</p> <p>Ensure that the council have adequate insurance cover for the new entity's liabilities and assets</p> <p>Ensure that the entity's Articles of Association and other governing documents are fit for purpose and allow the organisation to fulfil its obligations and meet its objectives</p>

Criteria	Activities to be undertaken
Governance and risk	<p>Confirm that the business case still makes sense in terms of funding, affordability and expected benefits</p> <p>Ensure that the plan through to completion of transition is appropriately detailed and realistic, including risk management arrangements</p> <p>Identify and document service and financial risks</p> <p>Develop the performance measures and tools to be used</p> <p>Confirm the limits of council officer and member involvement in the day to day operational and strategic management of the entity</p> <p>Ensure that potential conflicts of interest have been addressed for council members or officers who will also holding positions with the new entity</p> <p>Confirm that the necessary and appropriate assurance bodies such as auditors, have been appointed or are in the process being appointed</p>
People and assets	<p>Ensure that all TUPE and pension transfer arrangements have been finalised</p> <p>Develop the processes for appointing entity non-executives, executives and any external appointments and commencing any recruitment processes</p>
Commercial	<p>Review the business model and commercial model and whether these appear to be viable given the overall environment within which the new organisation will be operating</p> <p>Develop a detailed, credible business plan which is subject to challenge and review</p>
Stakeholders	<p>Confirm that stakeholder support remains strong</p> <p>Develop and implement a public relations strategy</p>
Skills and capability	<p>Confirm that the right capacity and capability is in place to both transition to and then run the new organisation</p> <p>Develop requirements for training and support of officers and members and for prospective entity non-executives, executives and staff on new arrangements and relationships</p> <p>Identify areas of expertise and personnel to appoint to entity board</p>

5.15 Review

Once the entity is operational, it should be subject to effective oversight and regular review. Sections 3 and 4 cover the governance arrangements which need to be in place, within both the council and entity, to enable that oversight and review.



6 STANDARD DOCUMENTS REQUIRED FOR A REVIEW

When carrying out a review, documentation should be made available as evidence, to provide assurance that the governance structures and processes for managing risk are sufficiently robust and the entities are meeting councils' expectations.

As a minimum, these documents should include:

12 months of minutes (to cover the full business planning cycle) for all entity boards, any shareholder group(s), and engagements between shareholder groups and entity board members

Key executive and scrutiny reports

The entity's business plan and other key documents which document performance to date

Key governance documentation such as:

- articles of association
- shareholder's agreement
- members' agreement
- any financial agreements (covering any support or services provided by either party to the other)



Governance and structure charts and any descriptions of key roles and responsibilities for:

- the entity
- council oversight of the entity

The original business case which resulted in the creation of the entity and any updates

Terms of reference for:

- the shareholder role
- the board
- the entity's audited accounts

The risk logs for:

- the entity
- the council

The policies and processes to manage conflicts of interest for the council and the entity

Board member training plans



7 KEY REFERENCE DOCUMENTS

Code of Conduct for Board Members of Public Bodies published by the Cabinet Office in 2011 as updated/replaced in June 2019

This code sets out the personal and professional standards expected from non-executive board members of UK public bodies and forms part of their terms of appointment. The 2019 code includes new provisions making clear that bullying, harassment, or other discriminatory behaviour will not be tolerated. It also introduces a new requirement for the board member to notify the sponsor department of any bankruptcy, current police investigation, unspent criminal conviction, or disqualification as a company director. The new code also reminds office holders of their role in promoting diversity and inclusivity within their organisation, including at board level.

The Seven Principles of Public Life – “Nolan Principles”

The Seven Principles of Public Life outlines the ethical standards those working in the public sector are expected to adhere to. They were first set out by Lord Nolan in 1995 in the first report of the Committee on Standards in Public Life and are included in a range of Codes of Conduct across public life.

The Financial Aspects of Corporate Governance – “The Cadbury Report”

This report was published in December 1992. The committee, chaired by Sir Adrian Cadbury, had a remit to review those aspects of corporate governance relating to financial reporting and accountability and to make recommendations to raise standards in corporate governance.

The 2018 UK Corporate Governance Code

This code builds on the Cadbury Report, revising and expanding the guidance to take account of the increasing demands on the UK's corporate governance framework.

Review of the Role and Effectiveness of Non-Executive Directors – “The Higgs Review”

This report was authored by Derek Higgs and was published in January 2003. It was commissioned by the Secretary of State for Trade and Industry.

Corporate Governance Guidance and Principles for Unlisted Companies in the UK

This document was published in November 2010 by the Institute of Directors and European Confederation of Directors' Associations.

UK Government Investments Framework Document April 2018, Updated July 2020

A framework document drawn up by HM Treasury in consultation with UK Government Investments Limited, a private limited Government-owned company.

Nottingham City Council – Report in the Public Interest concerning the Council's governance arrangements for Robin Hood Energy Ltd – Grant Thornton

This report was issued in the Public Interest under section 24 and Schedule 7 of the **Local Audit and Accountability Act 2014**. It addresses failings in the Council's governance for Robin Hood Energy (RHE), which was established in 2015 as a wholly owned not-for-profit subsidiary of the Council.



Public Interest Report – Governance issues in relation to remuneration of Council officers for work as Directors of City of York Trading Ltd February 2016 – Mazars

This report related to payments made in March 2015 by City of York Trading Ltd (a trading company specialising in the provision of temporary staff and wholly owned by the Council) to two of the company's executive directors who were also officers of the Council. It provides lessons to be learnt and to ensure the future good governance of a Council's relationships with its trading companies.

The Green Book guidance – HM Treasury, 2018

This document provides guidance for public bodies on how to appraise policies, programmes and projects. It also provides guidance on the design and use of monitoring and evaluation before, during and after implementation. It contains the 'Five Case Model' – the required framework for considering the use of public resources to be used proportionately assess costs and risks.

The Sourcing Playbook – Cabinet Office, May 2021

This document provides guidance on choosing the best model for delivering public services.



8 SUMMARY OF EVIDENCE

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
Governance aims					
C1	There should be evidence that the council and senior management recognise the importance of establishing appropriate and proportionate governance arrangements for the oversight of entities	<ul style="list-style-type: none"> ▶ The council has sufficient control to ensure that its investment is protected, appropriate returns on investment can be obtained and that the activities of the entity are aligned with the values and strategic objectives of the council ▶ “Teckal” companies demonstrate compliance with relevant exemption requirements under EU procurement law 			
C2	There should be evidence of a culture of challenge and clarity relating to the purpose, efficiency, effectiveness, specific objectives, and freedoms of the entity	<ul style="list-style-type: none"> ▶ There is a culture of challenge ▶ There is a clarity of purpose ▶ The entity has clear objectives ▶ The entity has sufficient freedoms to achieve its objectives 			

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
The council's shareholder role					
C3	There should be a clearly designated council shareholder role or function which is both understood and recognised by the council and the entity (and documented in terms of reference)	<ul style="list-style-type: none"> ▶ The council has a designated "shareholder" role to represent its ownership of the entity ▶ The shareholder provides oversight of any decisions taken by the entity ▶ The shareholder provides a regular review of whether the entity provides the most effective vehicle to deliver the outcomes it requires and whether there are suitable alternatives ▶ The process for appointing a shareholder is set out in terms of reference 			
C4	There should be clarity regarding the role of shareholder, with reserved matters clearly documented and updated as required, reflecting any changes made as the entity has developed, in a shareholder's agreement (or as set out in the company's governing articles of association)	<ul style="list-style-type: none"> ▶ The council has sufficient control to ensure that its investment is protected, appropriate returns on investment can be obtained and that the activities of the entity are aligned with the values and strategic objectives of the council ▶ "Teckal" companies demonstrate compliance with relevant exemption requirements under EU procurement law 			

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
C5	There should be evidence that the individual undertaking the shareholder role is provided with suitable training and support commensurate with the role	<ul style="list-style-type: none"> ▶ There is a culture of challenge ▶ There is a clarity of purpose ▶ The entity has clear objectives ▶ The entity has sufficient freedoms to achieve its objectives 			
C6	There should be evidence of formal periodic shareholder/Chair/CEO meetings with effective supporting papers to inform subsequent company board meetings	<ul style="list-style-type: none"> ▶ The shareholder has a mechanism to communicate its views to the entity ▶ Periodic and effective shareholder/Chair/CEO meetings are documented 			
Council oversight, scrutiny, and governance framework					
C7	There should be documented evidence of transparent member and officer scrutiny, oversight, and approval of business plans	<ul style="list-style-type: none"> ▶ There is a clearly defined governance framework underpinned by clear governance principles ▶ The role of the shareholder is separate from the board ▶ The business plan is current and updated at least annually ▶ The business plan is challenged and monitored by the board 			

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
C8	There should be evidence of a clear set of KPIs that fall out of the business planning process	<ul style="list-style-type: none"> ▶ The council regularly undertakes an objective assessment of how successfully each entity supports its policies and strategies ▶ KPIs are relevant to “SMARTER” goals ▶ KPIs are reported and monitored within the context of the governance framework 			
C9	There should be evidence that senior company staff are performance managed against KPIs	<ul style="list-style-type: none"> ▶ Board, committee, chair, and director performance is evaluated annually, including against agreed KPIs 			
C10	There should be evidence of ongoing assessment of value-for-money and quality offered by the entity through an adequately resourced monitoring function	<ul style="list-style-type: none"> ▶ Regular reviews take account of value-for-money and performance quality 			
C11	There should be ongoing assessment of risks relating to the entity, supported by processes to ensure that risks are managed as part of the council’s overall risk management approach, with appropriate escalation and reporting	<ul style="list-style-type: none"> ▶ The council regularly reviews risks relating to its entities and establishes whether they are effectively managed and scrutinised ▶ The council’s overview and scrutiny committee (or equivalent) provides overview, pre-decision scrutiny and call-in decisions in relation to the entity 			



Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
C12 There should be evidence of a consistent approach across the council when it comes to engaging with its entities	<ul style="list-style-type: none"> ▶ All council entities are managed in a consistent way with appropriate support, guidance and controls 				
C13 The council should have clear and unfettered access to audited accounts for its entities	<ul style="list-style-type: none"> ▶ The council’s audit committee pays specific attention to accounts and audit reports ▶ The council’s internal auditors are able to gain clear and transparent access to financial information and oversight of internal controls 				
Business case for the entity					
C14 A business case which assessed the risk involved in establishing the entity and recommended its establishment, taking account of other potential delivery models, should be available to review	<ul style="list-style-type: none"> ▶ There is a clear and comprehensive business case that recommended the creation of the entity ▶ The business case took account of alternative delivery methods, with the case for the entity’s creation having clear benefits over other methods 				
C15 Objectives of the entity should be clearly defined and documented, and regularly reviewed to ensure that its operation continues to support council policy and strategy, including periodically reviewing the business case to ensure it is still valid	<ul style="list-style-type: none"> ▶ The objectives of the entity are clearly articulated, defined and documented ▶ The objectives are regularly reviewed ▶ The objectives continue to reflect council policy and strategy ▶ The business case and objectives are regularly reviewed to ensure they are still valid 				

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
Agreements with the entity					
C16	Agreements should be documented between the council and the entity for any support or services provided by either party to the other party	<ul style="list-style-type: none"> ▶ The council and entity have clear and documented agreements for any services or support provided by either party to the other party ▶ There is a clear process for escalation if the support or services agreements are not performed to either party's satisfaction 			
C17	All agreements should be clear, up-to-date, and regularly monitored and reviewed, with any changes to agreements documented so that a clear audit trail exists	<ul style="list-style-type: none"> ▶ Agreements for support or services between the parties are up-to-date and regularly monitored and reviewed ▶ Changes to agreements are documented with a clear audit trail 			
Avoiding and managing conflicts of interest					
C18	There should be evidence that a culture exists whereby actual or potential conflicts of interests are identified, declared, and acted upon, including evidence of appropriate training across the organisation	<ul style="list-style-type: none"> ▶ All parties have been trained and demonstrate a commitment to avoiding and monitoring actual or potential conflicts 			

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
C19 The council should have clear and up-to-date policies and processes to consistently manage actual conflicts or potential conflicts of interest, including a clear process for investigations and procedures for appropriate disciplinary actions in the event of breaches	<ul style="list-style-type: none"> ▶ There is a clear conflict of interest policy which is managed actively ▶ There is a clear process for investigating and dealing with breaches of the conflicts of interest policy ▶ Internal and external auditors review the management of conflicts of interest and escalate any concerns to the Monitoring Officer 				
C20 The roles, responsibilities and reporting lines of officers and members who are involved in council oversight of the entities, the provision of services between the entities or the running of the entities should be clearly defined and documented	<ul style="list-style-type: none"> ▶ Officers and members make themselves available to scrutiny and other council governance forums 				

Council appointments to the board

C21 There should be evidence that appointments to the board are subject to a documented formal, rigorous, and transparent procedure based on merit and published objective criteria which also promote diversity	<ul style="list-style-type: none"> ▶ Board members have completed declaration of interest forms ▶ Appointments to the board are relevant to the post or office of the council ▶ Council appointed directors cease to be members if they leave their qualifying roles ▶ The process for the appointment and renewal of directors is set out in the articles of association 				
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Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
	<ul style="list-style-type: none"> ▶ If there is a remuneration committee, relevant matters are referred appropriately ▶ Appointments are based on a review of the skills, qualifications, diversity, and other attributes required for the role ▶ Where a board member is eligible for renewal and reappointment, this is subject to considering their performance to date and skills, and the needs of the board 				
Articles of association					
E1	The entity's articles of association should be clear, up-to-date, and reflective of how the entity is run	<ul style="list-style-type: none"> ▶ The entity has articles of association, documenting its constitution ▶ The articles address the entity's purpose, conduct of meetings, and role and appointment of directors ▶ If the entity is a Teckal company, the articles demonstrate that the council exercises control 			
Business planning					
E2	There should be evidence of an up-to-date business plan that is reflective of the current circumstances and environment in which the entity operates	<ul style="list-style-type: none"> ▶ There is an up-to-date business plan, setting out the organisation's objectives and how these will be resourced and achieved ▶ Requirements to meet the legal criteria in relation to any Teckal companies are reflected in the business plan 			

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
Role and behaviours of the board					
E3	There should be evidence that the board meets regularly to consider, review and record discussions and conclusions	<ul style="list-style-type: none"> ▶ The board meets regularly, and all decisions are recorded and documented ▶ Decisions are taken at the appropriate place, including deferral and recommendations of decisions on matters that are reserved for the shareholder 			
E4	There should be evidence of delivery of strategies and plans, including scrutinising key operational and finance performance information	<ul style="list-style-type: none"> ▶ The board has delegated detailed scrutiny to committees or directors with appropriate skills, including financial management ▶ The board challenges performance and key financial and operational reporting 			
E5	There should be evidence of the desired culture and behaviours	<ul style="list-style-type: none"> ▶ The board promotes the success of the company ▶ The board provides entrepreneurial leadership ▶ Prudent and effective controls are demonstrated where risk is assessed and managed ▶ The board sets strategic aims and ensures sufficient resources (financial and human) are available to meet objectives ▶ The board reviews management performance, including that of the CEO/MD and leadership team ▶ The board sets corporate values and standards ▶ The board ensures obligations to shareholders and others are met 			

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
E6	The company structures should be regularly scrutinised in order to ensure they remain fit for purpose	<ul style="list-style-type: none"> ▶ The company structures are regularly reviewed ▶ Financial and performance benchmarking exercises are carried 			
E7	There should be evidence that the board has clear policies and procedures for its members to ensure that actual or potential conflicts of interests are identified, declared, and acted upon	<ul style="list-style-type: none"> ▶ The board regularly monitors conflicts of interest, including with suppliers and users 			
Role and behaviours of company directors					
E8	There should be evidence that directors have sufficient skills and experience to run the entity	<ul style="list-style-type: none"> ▶ Directors' skills align well to the organisation's purpose and objectives ▶ Directors are trained so that they are competent in undertaking their roles and responsibilities 			
E9	There should be evidence that directors' behaviours are aligned with the requirements of the Companies Act 2006 and the Nolan Principles as well as Cabinet Office's Code of Conduct for Board Members of Public Bodies	<ul style="list-style-type: none"> ▶ Directors: <ul style="list-style-type: none"> ■ act within their powers ■ promote the success of the company ■ exercise independent judgement ■ exercise reasonable care skill and diligence ■ avoid conflicts of interest ■ do not accept benefits from third parties ■ declare an interest in proposed transactions or arrangements with the company 			

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
	<ul style="list-style-type: none"> ▶ Directors act in accordance with the seven Nolan Principles: <ul style="list-style-type: none"> ■ selflessness ■ integrity ■ objectivity ■ accountability ■ openness ■ honesty ■ leadership 				
E10	The scope of directors' authorities should be documented and clear to all parties	<ul style="list-style-type: none"> ▶ Directors' authorities are demonstrated in a scheme of delegation ▶ The scheme of delegation includes reference to matters that are reserved for board decision and cannot be delegated 			
Company board composition					
E11	There should be evidence that the board has a diverse membership with the collective skills and attributes needed to lead the entity effectively	<ul style="list-style-type: none"> ▶ There are between five and ten directors on the board ▶ At least half of the directors are independent non-executives ▶ Appointments to the board are subject to a formal, rigorous, and transparent selection procedure based on merit and published objective criteria 			

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
E12	There should be evidence that board membership is reviewed regularly for composition and fitness for purpose	<ul style="list-style-type: none"> ▶ Board composition and individual director performance is reviewed periodically to evaluate board composition, the effectiveness of individual contribution, and how effectively board members work together to achieve the objectives of the entity 			
The board and risk management					
E13	There should be evidence that the board understands the organisation's risk profile and the effectiveness of key controls and regularly reviews risks and risk appetite	<ul style="list-style-type: none"> ▶ The board demonstrates ultimate responsibility for risk management within the entity and ensures that appropriate risk management arrangements that are in place ▶ The board regularly reviews risks and how they are being managed ▶ The board is aware of its appetite for risk and determines the risk profile for the entity ▶ The board's approach to risk is proportionate and appropriate to its model 			
Board members' skills and development					
E14	There should be documented evidence that the board regularly undertakes a skills audit to ensure that it has an appropriate balance of skills and experience	<ul style="list-style-type: none"> ▶ The board regularly undertakes skills audits ▶ The entity has a board which includes a range of skills and backgrounds including commercial, financial, business development, technical, legal and HR experience 			

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
E15	There should be evidence of ongoing professional training provided to ensure that all board members are up-to-date in their understanding and supported in their roles	<ul style="list-style-type: none"> ▶ Regular training and updates cover legal roles and responsibilities, company directors' roles and companies generally ▶ Directors' training includes responsibilities under the Companies Act 2006, Insolvency Act 1986, Bribery Act 2010, Modern Slavery Act 2015, Data Protection Act 2018 and Health and Safety at Work etc. Act 1974 			

The role of executive directors and non-executive directors

E16	There is evidence that the role of executive directors is clearly defined and documented	<ul style="list-style-type: none"> ▶ Executive directors' roles are clearly defined and documented ▶ Directors' roles are focused on running the entity's business activities and implementing the board's plans and policies 			
E17	Non-executive directors are in place to bring an independent judgement to bear on issues of subject matter expertise, strategy, performance, resources including key appointments, and standards of conduct	<ul style="list-style-type: none"> ▶ Non-executive directors: <ul style="list-style-type: none"> ■ challenge, and contribute to the development of the company's strategy ■ scrutinise performance of management in meeting agreed goals and monitor reporting of performance ■ satisfy themselves on the accuracy of financial information and that financial controls and risk management are robust and defensible ■ determine executive directors' remuneration and prime role in appointing/removing senior management 			

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
E18	There is documented evidence that the board values the role of non-executive directors, and their views are influential in the board's decisions	<ul style="list-style-type: none"> ▶ The board values its non-executive directors, so that they are able to demonstrate: <ul style="list-style-type: none"> ■ sound judgement and an enquiring mind ■ knowledge of the business, its operating environment, and issues it faces ■ integrity, probity, and high ethical standards ■ objectivity as the basis for questioning and challenging accepted thinking of executives ■ strong interpersonal skills 			

The role of the board chair

E19	There is evidence that the chair provides clear board leadership, supporting the directors and chief executive and taking account of the shareholders views	<ul style="list-style-type: none"> ▶ The chair is primarily responsible for: <ul style="list-style-type: none"> ■ the workings of the board ■ its balance of membership subject to board and shareholders' approval ■ ensuring that all relevant issues are on the agenda ■ ensuring that all directors, executive and non-executive alike, are enabled and encouraged to play their full part in its activities ▶ The chair is able to stand sufficiently back from the day-to-day running of the business to ensure their board is in full control of the company's affairs ▶ The chair is responsible for: <ul style="list-style-type: none"> ■ formulating the board's strategy ■ promoting the efficient and effective use of staff and other resources ■ delivering high standards in terms of integrity and propriety 			
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Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
Financial management					
E20	There should be a fully documented and approved business plan that is consistent with and no more than 12 months older than the previous business plan. The changes within the updated business plan should accord with the trajectories that are apparent from monthly financial and non-financial performance reports	<ul style="list-style-type: none"> ▶ The business plan and business planning process are critical parts of the governance culture and environment 			
E21	The financial transactions and values attributable to the company within the council's medium term financial plan should agree with the projections in the business plan	<ul style="list-style-type: none"> ▶ The business plan provides the basis for monitoring financial performance and feeds into the medium-term financial planning of the council in situations where it expects to receive dividends, loan repayments, capital receipts or provide financial support in terms of working capital or longer-term finance 			
E22	Board reports should include clear presentation of the monthly income and expenditure position of the company as well as a cash flow statement and balance sheet	<ul style="list-style-type: none"> ▶ Board reports feature clear articulation of the current financial position of the company in terms of its trading position (income and expenditure), liquidity (cash flow) and solvency (balance sheet) 			

Evidence	What should you be able to find?	What evidence have you found?	RAG rating	Actions recommended	Responsible person/body
E23	There should be evidence of an annual audit letter from the council's external auditors, confirming the degree of confidence they hold in respect of consolidation or treatment of financial instruments entered by the company	<ul style="list-style-type: none"> ▶ The council's external auditor has provided an annual audit letter annually ▶ The annual audit letter confirms the degree of confidence they hold in respect of consolidation or treatment of financial instruments entered by the company 			
E24	Documented financial policies and procedures should be available	<ul style="list-style-type: none"> ▶ The company has an independent financial status from the council, including separate bank accounts and designated signatories ▶ The financial transactions of the company are recorded on the company's own, separate ledger system and the council is able to demonstrate how the results of the company are consolidated into its own group accounts ▶ The company has a set of documented financial policies and procedures which describe areas such as borrowing and overdraft limits and levels which are reserved for council approval 			
E25	There should be evidence of an effective annual internal audit programme	<ul style="list-style-type: none"> ▶ The company operates a system of internal controls that are consistent with financial policies and procedures ▶ The company's internal controls are subject to periodic testing by internal auditors 			



GET IN TOUCH



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COMPANY CHECKLIST

The checklist below pulls together best practice and good guidance from the BDO (ref) Local Authority Company Guidance (ref) and should be used by SCC to scrutinise and consider our involvement with both COMPANY and other companies. Any review of this checklist against a company must be proportionate with reference to the size and scope of the company and can only be undertaken in consideration and in line with the Constitution of Staffordshire County Council and Scheme of Delegation. This list is intended to promote consideration and conversation about good governance.

- Does SCC hold copies of statutory documentation for the company, where required to do so, in an accessible and easily identifiable place. Recommendation – central storage for all documentation that is statutorily required by CH.
- Does the company have a shareholder group/ group of senior council members to monitor the performance of the company and make strategic decisions?
- Does it include a shareholder agreement to clarify decisions reserved for the shareholder group?
- Does the shareholder group comprise of adequate skillsets for the company?
- What is the political make-up? What number of shareholders are cabinet members, and do we have cross-party representation?
- Do we have sub/advisory committees set up to scrutinise the actions of the shareholders in this company?
- Does the SLT hold operational performance meetings to monitor the services provided by the company? (If so, how often?)
- Financial oversight –
 - a) Does the 151 Officer meet with the company's finance director monthly to discuss the financial position?
 - b) Does the council have direct access to the company finance system?
 - c) Are the company budgets reviewed annually by the Section 151 Officer and approved by the shareholder?

- What is the management and executive governance structure within the company? (Member-led, Fully Independent, Hybrid (directors) or Hybrid (non-directors))

(New companies can benefit from the Hybrid Model (Directors) as there is a good balance between the autonomy of the company to develop business whilst the local authority can maintain a level of influence on the Board. This ensures that as the company is developing, the Council are able to shape it in accordance with its intended purpose. From a finance perspective, BDO found companies governance to be more effective where the Council's Section 151 Officer attends the Board meetings as an observer/adviser whilst managing the risks around conflicts)

- Is there an SLA with this company?
- Does the company have a Terms of Reference document? And is it reviewed annually to ensure it remains relevant and appropriate?
- Does the Company have a business plan? And is it scrutinised and approved by the Shareholder to ensure that the company remains strategically and operationally aligned with the local authority?
- Audit Committees: What role does the Audit Committee have in the company?
 - a) Does the Audit Committee receive sufficient levels of financial information about the company to provide adequate oversight of financial reporting of the company?
 - b) Is there consistency of risk management frameworks/reporting mechanisms between the local authority and the company? Are there resources that can be provided to the company to support mature risk management processes?
 - c) Is the local authority able to utilise its internal audit function to support the company which will provide greater inter-connection and value for money for both parties?
 - d) What are the arrangements in the company around whistleblowing and complaints and are these arrangements fit-for-purpose and would be escalated to the Shareholder Group and Council where appropriate?

- Company strategy – what is the company’s objective? (Deliver direct services under the Teckal Exemption or profit growth and payment of dividends to the LA)
- Are there any loan agreements between the LA and the company?

Company	Articles of Association & other Companies House statutory paperwork LIST ONLY FOR INFORMATION – DOCUMENTS NOT PROVIDED AS PART OF REPORT TO CORPORATE OVERVIEW AND SCRUTINY.	Minutes of last AGM LIST ONLY FOR INFORMATION – DOCUMENTS NOT PROVIDED AS PART OF REPORT TO CORPORATE OVERVIEW AND SCRUTINY.	Details of audit arrangements (internal or external or SCC? Audit Function)	Confirmation of their governance arrangements & involvement of SCC officers/members
Instaffs Page 147	Instaffs Articles of Association	N/A		John Tradwell – Company Secretary SCC Cllr Parry – Director SCC Cllr Winnington – Director Numerous directors which have resigned/retired from their councillor posts across authorities which makes it difficult to contact them.
Vernon Park	VERNON PARK\Cert of Incorporation & AoA.pdf – Copy from Companies House			Director – Tim Kidd (Colliers) Secretary – Paula

	No AoA in archives.			Dalton (SCC)
S-O-T & Staffs Local Enterprise Partnership	LEPS\Financial Statement March 2022 LEPS\LEP Report - LEPS\Articles of Association.	LEPS\2022.02.08 AGM - StokeStaffsLEP	The company is externally audited. In addition to the external audit, SCC as accountable body also commission annual internal audits to ensure SCC and the SSLEP are complying with the grant conditions (for the grant the SSLEP receives), together with ensuring compliance to a local and national framework that LEP's have to follow. In addition, BEIS also check the operations of the SSLEP through an Annual Performance Review. As part of the LEP National Assurance Framework, the	John Tradewell is the SCC nominated officer acting on behalf of SCC (as a member of the Company) Alan White (Leader of the Council) acts as the SCC Director of the Company, and Philip White is his alternate Various SCC staff support the company, in the SCC role as accountable body – the key ones being Simon Ablewhite, John Broad and Chris McCann. SCC is one of up to 18 members of the company, and its liability is limited to £1. SCC also acts as the accountable body for the company, and Simon Ablewhite

			SSLEP is also required to have an annual scrutiny by the democratically elected authorities in the LEP area.	personally acts as Company Secretary and S151 officer to the company. (Although not officially on CH)
Make Some Noise Page 149	<p>MAKE SOME NOISE\Make Some Noise Articles of Association _v2019-new logo</p> <p>MAKE SOME NOISE\Make Some Noise Memorandum of Association_v2019-new logo</p>	MAKE SOME NOISE\Minutes_AGM_6 October 2021 - signed	<ul style="list-style-type: none"> Charity Commission: Basis of preparation: accounts must be prepared on the accruals basis in accordance with the 2008 Regulations and the SORP. The commission provides a pack for accrual accounting by non-company charities, which is available on GOV.UK. These provide a template to produce accounts in the required form. External scrutiny: 	<p>Tim Sharp – Secretary</p> <ul style="list-style-type: none"> No involvement or support from SCC officers or members

accounts must be subject to outside scrutiny but trustees may choose either independent examination or audit by a registered auditor, unless the charity's governing document stipulates one or the other. If an independent examination is chosen and gross income exceeds £250,000 then the independent examiner appointed must be a member of a body specified under the Charities Act. The charity must complete an annual return to the Charity

<p style="text-align: center;">Page 151</p>			<p>Commission.</p> <ul style="list-style-type: none"> • Companies House: After the end of its financial year, your private limited company must prepare a full ('statutory') annual accounts and a Company Tax Return. The annual return, trustees' annual report and accounts must be filed with the commission within 10 months of the end of the charity's financial year. 	
<p>Entrust</p>	<p>Articles of Association</p>	<p>"Entrust is a private limited company and does not need to hold an AGM"</p>	<p>Entrust is audited by KPMG LLP. The audit partner is Malcolm Footer.</p>	<p>John Henderson and Mike Sutherland are Directors of Entrust Support Services Limited.</p>

<p>LGPS Central</p> <p style="text-align: center;">Page 152</p>	<p>LGPS_Central_-_Shareholders_Agreement_-_Oct_2016</p> <p>LGPS_Central_-_Articles_of_Association_-_Oct_2016</p> <p>LGPS_Central_Pool_Inter-Authority_Agreement</p>	<p>LGPS\AGM Agenda 27092022</p> <p>LGPS\Proxy for AGM 27 September 2022</p> <p>LGPS\3. LGPSC AGM PRESENTATION SEPT 22</p>	<p>Agreement between 8 councils and LGPS. They each administer, maintain and invest their own respective funds within the LGPS in accordance with the Regulations and the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009.</p> <p>Cheshire West and Chester Borough Council</p> <p>Derbyshire County Council</p> <p>Leicestershire County Council</p> <p>Nottinghamshire County Council</p> <p>Shropshire Council</p> <p>Staffordshire County Council</p>
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				<p>Wolverhampton City Council</p> <p>Worcestershire County Council</p>
<p>Nexus Limited (LATCO)</p> <p>Page 153</p>	<p>NEXXUS\988689 - Revised Articles of Association as approved March 2020</p> <p>NEXXUS\Terms of Reference Report - Nexxus Financial Assurance review 202223</p> <p>NEXXUS\A3.1 NEXXUS Final Report v1.0</p> <p>NEXXUS\Nexxus Financial Regulations Review June 21</p> <p>NEXXUS\Work programme report Nexxus Financial review</p>			<p>LATCO – wholly owned by SCC.</p> <p>The Council can directly award contracts to Nexxus under the procurement exemption known as the teckal exemption as Nexxus meets the relevant criteria.</p> <p>There are also a number of service contracts between the Council and Nexxus.</p> <p>A report on Nexxus is taken every year to cabinet.</p>

Name of Body	Theme	County Council Representatives
West Midlands Employers Management Board	West Midlands Employers	Abi Brown (Stoke-on-Trent City Council)
Lichfield	Local Strategic Partnerships	Alan White
Midlands Partnership NHS Foundation Trust - Membership	Healthcare NHS Trust	Ann Edgeller
East Staffordshire	Safer Neighbourhood Forums	Bernard Peters
Staffordshire Joint Police, Fire and Crime Panel	Other Bodies	Bernard Peters
University Hospitals of Derby and Burton NHS Foundation Trust	Other Executive Bodies	Bernard Peters
Campions Wood Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Bernard Williams
Hollybush Garden Centre Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Bernard Williams
Redhurst/Essington Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Bernard Williams
Saredon Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Bernard Williams
Staffordshire Joint Police, Fire and Crime Panel	Other Bodies	Bob Spencer (as substitute)
Wolverhampton Business Airport	Other Bodies	Bob Spencer (as substitute)
William Salt Library Trust	Other Bodies	Carolyn Trowbridge
Beaudesert Trust	Other Executive Bodies	Chairman of the County Council
CCN Council	County Councils Network Committees	Charlotte Atkins
County Council Picture Fund Trustees	Other Executive Bodies	Charlotte Atkins
General Assembly	Local Government Association	Charlotte Atkins
Local Councillors Forum	Local Government Association	Charlotte Atkins
Staffordshire University Board of Governors	Other Bodies	Chief Executive
Stoke-on-Trent and North Staffordshire Theatre Trust Ltd	Other Executive Bodies	Comissioner for Culture, Communities and Rural Environment (as observer)
Beyne School Foundation	Other Bodies	Conor Wileman

Hints Quarry Committee		David Smith
Shire Oak Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	David Smith
Stafford Collegiate Governance Forum	Safer Neighbourhood Forums	David Smith (as substitute)
Cocksparrow Lane Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	David Williams
South Staffordshire Rural Transport Partnership	Transport Partnership	David Williams
Transport for the North	Other Executive Bodies	David Williams
PATROL (Parking And Traffic Regulations Outside London Joint Committee) Adjudication Joint Committee.	Safer Neighbourhood Forums	David Williams (as substitute)
West Midlands Rail Executive	Other Executive Bodies	David Williams (as substitute)
Campaign to Protect Rural England	Other Executive Bodies	Director for Families & Communities or nominee
Country Landowners' Association (Staffordshire Branch Committee)	Other Executive Bodies	Director for Families & Communities or nominee
Staffordshire Playing Fields Association	Other Executive Bodies	Director for Families & Communities or nominee
Alstonefield Education Trust		Gill Heath
Warslow Education Trust		Gill Heath
Cauldon Cement Works Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Gill Heath
Peak District National Park Authority	Other Executive Bodies	Gill Heath
Rudyard Lake Trust	Other Bodies	Gill Heath
Three Nooks Farm Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Gill Heath
Stoke-on-Trent and North Staffordshire Theatre Trust Ltd	Other Executive Bodies	Head of Libraries
Hurst Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Formerly Ian Lawson – No new appointment confirmed.
Moorlands Partnership	Other Bodies	Formerly Ian Lawson – No new appointment confirmed

Three Nooks Farm Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Formerly Ian Lawson – No new appointment confirmed
Stoke-on-Trent and North Staffordshire Theatre Trust Ltd	Other Executive Bodies	Ian Parry
CCN Council	County Councils Network Committees	Ian Parry
County Council Picture Fund Trustees	Other Executive Bodies	Ian Parry
General Assembly	Local Government Association	Ian Parry
Stoke-on-Trent and North Staffordshire Theatre Trust Ltd	Other Executive Bodies	Ian Parry
Knutton Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	James Salisbury
Newcastle Family Improvement Board	Family Improvement Boards	James Salisbury
Newcastle-under-Lyme District	Safer Neighbourhood Forums	James Salisbury
Family Improvement Board or Safer Neighbourhood Forums		Janet Eagland
Lichfield District	Safer Neighbourhood Forums	Janet Eagland
Lichfield City Council Development Programme	Safer Neighbourhood Forums	Janet Eagland
Lichfield Family Improvement Board	Family Improvement Boards	Janet Eagland
Staffordshire Playing Fields Association	Other Executive Bodies	Janet Eagland
Staffordshire & Stoke-on-Trent Joint Archives Committee	Other Executive Bodies	Janet Eagland (as substitute observer)
Lichfield City Development	Local Strategic Partnerships	Janet Eagland (as substitute)
LGIU Members' Assembly	Other Bodies	Jason Jones
Tamworth Family Improvement Board	Family Improvement Boards	Jeremy Oates
Tamworth	Safer Neighbourhood Forums	Jeremy Oates
Tamworth Strategic Partnership	Local Strategic Partnerships	Jeremy Oates (as substitute)
Stafford	Safer Neighbourhood Forums	Jeremy Pert
Stafford Borough Strategic Board	Local Strategic Partnerships	Jeremy Pert (as substitute)
Kingsilver Refinery Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	John Francis
Stafford Family Improvement Board	Family Improvement Boards	John Francis
Staffordshire BIC	Other Bodies	John Francis

(Sir) Graham Balfour High School – Joint Use Sports Facilities Management Liaison Group	Other Executive Bodies	Jonathan Price
Kinver Exhibition Foundation	Other Bodies	Jonathan Price
Meece Landfill Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Jonathan Price
Stafford Borough Strategic Board	Local Strategic Partnerships	Jonathan Price
Staffordshire & Stoke-on-Trent Joint Archives Committee	Other Executive Bodies	Jonathan Price (as substitute)
Barton Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Julia Jessel
Newbold Gravel Pit Liaison Group	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Julia Jessel
Yoxall Town Lands Charity	Other Bodies	Julia Jessel
Cannock Chase AONB Joint Committee	Other Bodies	Julia Jessel (as substitute)
Campions Quarry Cheslyn Hay		Kath Perry
County Council Picture Fund Trustees	Other Executive Bodies	Kath Perry
Hollybush Garden Centre Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Kath Perry
Redhurst/Essington Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Kath Perry
South Staffordshire Family Improvement Board	Family Improvement Boards	Kath Perry
Bemersley Civic Amenities Site Management Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Keith Flunder
Staffordshire Moorlands Family Improvement Board	Family Improvement Boards	Keith Flunder
CCN Council	County Councils Network Committees	Leader of the Council
CCN Executive Committee	County Councils Network Committees	Leader of the Council
ESIF Sub Committee	Other Executive Bodies	Leader of the Council
General Assembly	Local Government Association	Leader of the Council
Midlands Connects Strategic Board	Other Executive Bodies	Leader of the Council
Midlands Engine Strategic Board	Other Executive Bodies	Leader of the Council
Stoke on Trent and Staffordshire LEP	Other Executive Bodies	Leader of the Council

West Midlands Reserve Forces and Cadets Association	Other Bodies	Leader of the Council
Birmingham Airport Consultative Committee and its working groups (if applicable)	Other Executive Bodies	Mark Deaville
Croxden Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Mark Deaville
Entrust Board	Other Executive Bodies	Mark Deaville
Freehay and District Liaison Committee, Cheadle	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Mark Deaville
PATROL (Parking And Traffic Regulations Outside London Joint Committee) Adjudication Joint Committee.	Safer Neighbourhood Forums	Mark Deaville
River Trent Regional Flood and Coastal Committee	Environment Agency	Mark Deaville
Sport Across Staffordshire & Stoke-on-Trent	Other Executive Bodies	Mark Deaville
Joint Waste Board	Staffs LGA	Mark Deaville (as substitute)
Staffordshire & Stoke-on-Trent Joint Archives Committee	Other Executive Bodies	Mark Deaville (as substitute)
General Assembly	Local Government Association	Mark Sutton
South Staffordshire Strategic Partnership	Local Strategic Partnerships	Mark Sutton
University of Aston (Convocation)	Other Bodies	Mark Sutton
Meece Landfill Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Mark Winnington
Campaign to Protect Rural England	Other Executive Bodies	Mark Winnington
Staffordshire Planning Forum	Staffs LGA	Mark Winnington (as substitute)
Victoria History of the Counties of England	Staffs LGA	Mike Davies
Seisdon Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Mike Davies
Staffordshire & Stoke-on-Trent Joint Archives Committee	Other Executive Bodies	Mike Davies (as observer)
Rugeley Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Mike Sutherland
The Chase Community Partnership	Local Strategic Partnerships	Mike Sutherland
Entrust Board	Other Executive Bodies	Mike Sutherland

Cheddleton Cautionary Lands Charity	Other Executive Bodies	Mike Worthington
Acton Composting Site Local Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Paul Northcott
Poplars Landfill Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Paul Snape
Stafford Collegiate Governance Forum	Safer Neighbourhood Forums	Paul Snape as Chairman of Charities and Trusts Committee
Cannock Chase District	Safer Neighbourhood Forums	Phil Hewitt
Cannock Family Improvement Board	Family Improvement Boards	Phil Hewitt
Adoptions Panel	Other Executive Bodies	Phil Hewitt
The Chase Community Partnership	Local Strategic Partnerships	Phil Hewitt (as substitute)
Cannock Advice Centre, Management Committee	Other Executive Bodies	Phil Hewitt (under review)
Uttoxeter Quarry, Local Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Phil Hudson
East Staffordshire Family Improvement Board	Family Improvement Boards	Philip Atkins
Great Gate Education Trust	Other Executive Bodies	Philip Atkins
LGA Resources Board	Other Executive Bodies	Philip Atkins
Local Councillors Forum	Local Government Association	Philip Atkins
National Growth Board	Other Executive Bodies	Philip Atkins
SPARCE/Rural Services Network	Rural Services Network	Philip Atkins
Uttoxeter Quarry, Local Quarry Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Philip Atkins
CCN Council	County Councils Network Committees	Philip White
ESIF Sub Committee	Other Executive Bodies	Philip White
Kidsgrove Town Board	Other Executive Bodies	Philip White
Newcastle Town Board	Other Executive Bodies	Philip White
Staffordshire Planning Forum	Staffs LGA	Philip White
Tamworth Strategic Partnership	Local Strategic Partnerships	Philip White
West Midlands Rail Executive	Other Executive Bodies	Philip White

Rugeley Old Chancel Preservation Trust	Safer Neighbourhood Forums	Philippa Haden
Rawlett Trust	Other Bodies	Richard Ford
Wilnecote Quarry/Landfill Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Richard Ford
Captains Barn Farm, Werrington	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Ross Ward
Staffordshire Moorlands CSP	Community Safety Partnership	Ross Ward
Staffordshire Moorlands District	Safer Neighbourhood Forums	Ross Ward
Poplars Landfill Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Samantha Thompson
Campaign to Protect Rural England	Other Executive Bodies	Simon Tagg
Joint Waste Board	Staffs LGA	Simon Tagg
River Trent Regional Flood and Coastal Committee	Environment Agency	Simon Tagg
Walley's Quarry Local Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Simon Tagg
Transport for the North	Other Executive Bodies	Simon Tagg (as substitute)
Knutton Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Stephen Sweeney
Campaign to Protect Rural England	Other Executive Bodies	Victoria Wilson
Cannock Chase AONB Joint Committee	Other Bodies	Victoria Wilson
County Council Picture Fund Trustees	Other Executive Bodies	Victoria Wilson
Design and Historic Environment Champion	Community Led Pilot Partnerships	Victoria Wilson
Enville Educational Charity	Other Executive Bodies	Victoria Wilson
Kinver Exhibition Foundation	Other Bodies	Victoria Wilson
Meece Landfill Site Liaison Committee	Landfill, Opencast and Quarry Site Liaison Committees/ Groups	Victoria Wilson
South Staffordshire CSP	Community Safety Partnership	Victoria Wilson
South Staffordshire District	Safer Neighbourhood Forums	Victoria Wilson
South Staffs and Cambridge Water Customer Panel	Other Executive Bodies	Victoria Wilson
Staffordshire & Stoke-on-Trent Joint Archives Committee	Other Executive Bodies	Victoria Wilson

Wolverhampton Business Airport	Other Bodies	Victoria Wilson
Newcastle Strategic Partnership	Local Strategic Partnerships	Victoria Wilson (as substitute)
South Staffordshire Rural Transport Partnership	Transport Partnership	Victoria Wilson (as substitute)

Outside Bodies Survey 2022

1. Your Name

Enter your answer

2. Name of Outside Bodies

Enter your answer

3. Amount of meetings (for this outside body) that you have attended within the last 12 months?

Enter your answer

4. Dates that these meetings occurred

Enter your answer

5. Reason(s) for any non-attendance

Enter your answer

6. In what capacity do you sit on the outside body?

Observer

Substitute

Non-Executive Director

Other

7. Please report on the main subjects covered during the year - Key bullet points will be sufficient

Enter your answer

8. Please reference how the activities of this outside body link into the Council's Priorities (tick all that apply)

Support Staffordshire's economy to grow, generating more and better-paid jobs

Tackle climate change, enhance our environment, and make Staffordshire more sustainable.

Encourage good health and wellbeing, resilience and independence.

Fix more roads, and improve transport and digital connections.

Offer every Staffordshire child and young person the best start in life, and the chance to achieve their potential.

9. Please indicate any upcoming decisions of this outside body which would impact on Staffordshire County Council

Enter your answer

10. Is your attendance as an SCC elected member a part of the outside body's Constitution?.

Yes

No

Uncertain

11. Do you have any voting rights?

Yes

No

Uncertain

12. Are you paid or do you claim any expenses from this outside body?

Yes

No

13. If yes, have you declared a pecuniary or non-pecuniary interest on your register of interest?

Yes

No

14. Please add any other comments

Enter your answer

WORK PROGRAMME

Corporate Overview and Scrutiny Committee – 2022/2023

The Corporate Overview and Scrutiny Committee is the Council's principal overview and scrutiny committee. It is responsible for co-ordinating and approving the scrutiny work programmes, overseeing the work of the Overview and Scrutiny Committees and ensuring coherence of approach to cross cutting policy themes. The committee also has a key role in challenging progress around the Council's ambitions of running the business well.

The Committee also scrutinises those areas of the County Council's activity focused on corporate improvement. Its remit covers:

- Holding the Leader and Cabinet Member for Finance and Resources of the Council to account for achievement of the overall vision of a connected Staffordshire.
- The Council's overall performance and approach to managing performance and Strategic Corporate Planning
- The Council's Medium-Term Financial Strategy
- The Council's on-going programme of improvement and transformation.
- The Committee is responsible for scrutiny of achievement against the Council's strategic priorities.
- The Council as a commissioning organisation including how it uses customer insight to drive improvements in services.

We review our work programme regularly to ensure it remains relevant to the challenges facing local communities, the Council and its partners.

Councillor Colin Greatorex

Chairman of the Corporate Overview and Scrutiny Committee

If you would like to know more about our Work Programme or how to raise issues for potential inclusion on a Work Programme, then please contact Mandy Pattinson, Scrutiny and Support Officer (mandy.pattinson@staffordshire.gov.uk)

Work Programme 2022/2023

Date of Meeting	Item	Details (Background)	Action / Outcome
6 June 2022	Reserved for Call In - cancelled		
21 June 2022	Work Programme - Members: Alan White/Ian Parry Officers: John Tradewell/Rob Salmon	Development of the work programme for 2022/23	That the draft Work Programme for 2022/23 be agreed.
	Appointment of the Medium-Term Financial Strategy Working Group Officers: Mandy Pattinson		Councillors C Greatorex (Chairman), B Peters, C Atkins, J Pert, G Heath, S Thompson and J Oates.
Page 166	Climate Change Working Group Update Officer: Deb Breedon	To receive an update report	<ul style="list-style-type: none"> a) That the membership comprise: Councillors C Atkins, T Clements, J Pert, B Peters, D Smith and S Thompson. C Wileman to be invited to remain as a member. b) Chairman - Councillor S Thompson.
	Boundary Commission Review – update Chairman verbal report		<ul style="list-style-type: none"> a) That the Committee continue to receive updates at its future meetings. b) That the Committee view the Consultation plan at the earliest opportunity, specifically the ways of engaging with older people; those not happy with completing forms on line; BME communities; the rural communities; and how Parish councils could help to publicise the consultation.

Work Programme 2022/2023

Date of Meeting	Item	Details (Background)	Action / Outcome
4 July 2022	Reserved for Call In	Cancelled.	
2 August 2022	Integrated Performance Report – Quarter 1 Members: Alan White/Ian Parry Officers: John Tradewell/Rob Salmon	Quarterly report. To include information on the Household support fund.	<ol style="list-style-type: none"> 1. Information on the anticipated impact of the £3.046m reduction in Carriageway/other maintenance, be included in the next performance report. 2. It was requested that the Cabinet member for Health and Care look at the 'Workforce Strategy' and ensure that, where possible, it included Health Partners. 3. Information on the 'Maintained schools forecast spend' and the new developer contributions of £2.094m which remained unallocated, be included in the next performance report.
	Boundary Commission Review – update Officers: Chris Ebberley/Kerry Dove/Katie Marshall	Update	Noted the report.
8 August 2022	Reserved for Call In	Cancelled	
2 September 2022	Reserved for Call In	Cancelled	
13 September 2022	Overview and Scrutiny Work Programmes Overview and Scrutiny Chairman	To ensure communication between the committees and no duplication	<ol style="list-style-type: none"> a) Prosperous Overview and Scrutiny Committee take the lead on air quality and invite Health O&S members to attend. b) Highways transformation programme - the Contract side

Work Programme 2022/2023

Date of Meeting	Item	Details (Background)	Action / Outcome
			of the transformation should be considered by Corporate O&S and the Monitoring of performance would remain with Prosperous O&S Committee.
Page 168	Boundary Commission Review – update Officers: Chris Ebberley/Kerry Dove/Katie Marshall		a) That the progress on the County’s Electoral Review be noted. b) That the comments and suggestions from the Committee as listed in the minutes be referred to Cabinet for consideration.
	Governance review – update Cabinet Member: Alan White Officers: Kate Loader		The report was noted, and a further report was added to the work programme for December 2022.
7 October 2022	Reserved for Call In	Cancelled	
25 October 2022	1. Corporate Complaints Annual Report 2021/22. 2. LGSCO Annual Report Member: Alan White Officers: John Tradewell/Kate Bullivant	Annual reports	Resolved: That the report be noted and that Complaints process training be re-offered to all Councillors through the Members Training Programme.
	Climate Change Working Group Update Chairman: S Thompson Officer: Deb Breedon		

Work Programme 2022/2023

Date of Meeting	Item	Details (Background)	Action / Outcome
	<p>Climate Change Annual report and action plan Member: Simon Tagg Officers: Clive Thompson/James Cartwright</p>	<p>Pre decision scrutiny. Annual report</p>	<p>Resolved: a) That the update be noted. b) That the Committee receive an update in 12 months time. c) That the comments made by the Committee, listed above, be reported to the Cabinet in November 2022.</p>
Page 169	<p>Integrated Performance Report – Quarter 2 Members: Alan White/Ian Parry Officers: John Tradewell/Rob Salmon/Kerry Dove</p>	<p>Regular quarterly report</p>	<p>Resolved: a) That the Quarter 2 2022/23 Integrated Performance Report be noted. b) That the Committee be provided with information on why 1/5 of Children with a Child Protection Plans had received more than one plan. c) That a special meeting to look at the MTFS and the revised Children’s Transformation Programme be arranged.</p>
	<p>Entrust – Review of changes Member: Mark Deaville Officers: Ian Turner</p>	<p>Decision taken to change contract at June Cabinet – O&S to scrutinise changes and implications.</p>	<p>Resolved: a) That the update be noted. b) That the Cabinet member provide a monitoring report to the Committee in 12 months time.</p>
7 November 2022	Reserved for Call In	Cancelled	
2 December 2022	Reserved for Call In	Cancelled	

Work Programme 2022/2023

Date of Meeting	Item	Details (Background)	Action / Outcome
12 December 2022	Equality, Diversity and Inclusion - Principles, Objectives and Action Plan update (to include gender pay gap update) Member: Alan White Officers: S Getley/Kerry Dove	Requested by members	
Page 170	Governance review – update Cabinet Member: Alan White Officers: Kate Loader	Follow on report form 13 September 2022	
Page 170	Empowering our Communities Strategy Cabinet Member: Victoria Wilson Officers: K Dove/C Mann	Pre decision scrutiny	
10 January 2023	Reserved for Call In		
17 January 2023	Overview and Scrutiny Work Programmes Overview and Scrutiny Chairman	To ensure communication between the committees and no duplication	
	Scrutiny of the Local Enterprise Partnership (including governance arrangements).	Annual scrutiny. To include AGM update	
	MFTS 2022-2027 Working Group Report Chair of COSC - Cllr Greatorex Rob Salmon/Rachel Spain		

Work Programme 2022/2023

Date of Meeting	Item	Details (Background)	Action / Outcome
10 February 2023	Reserved for Call In		
27 February 2023	Quarterly Integrated Performance report (Quarter 3) Members: Alan White Officers: John Tradewell/Rob Salmon/Kerry Dove	Regular quarterly report	
Page 171	People strategy – update Members: Alan White/Ian Parry Officers: John Tradewell/Sarah Getley	Pre decision scrutiny – Cabinet in March	
	TBC Boundary Commission Review – update Officers: Chris Ebberley/Kerry Dove/Katie Marshall		
	TBC - Revised Children's Transformation Programme Members: Alan White/Ian Parry/ Mark Sutton Officers: Nisha Gupta	Budget implications – Requested at 25 October meeting	
6 March 2023	Reserved for Call In		
3 April 2023	Reserved for Call In		
11 April 2023	Civil contingencies Members: Alan White Officers: Tracy Thorley	Pre decision scrutiny	
8 May 2023	Reserved for Call In		

Items for Consideration or needing more detail– Work Programme 2022/2023		
Suggested Item	Details (Background)	Proposed Date of Meeting
Digital – in 2021/22 work programme	Audit committee considering audit review recommendations. In prosperous work programme. Social Care aspect of digital in Health O&S work programme	Discussion on appropriate time with Kerry Dove.
Civil Contingency's	Raised by the Leader at triangulation – Officer Tracey Thorley.	11 April 2023. Officer - Tracy Thorley
Leaders Board for Staffordshire	Raised by the Leader at triangulation – Officer Keith Luscombe/Chris Ebberley	Member involvement - TBC
BEST Transformation and the impact on the children's transformation	Raised at triangulation 08/11/22.	Discussion on appropriate time with Tracy Thorley. Very early stages of redesign – Will report to committee for pre decision scrutiny ASAP
Governance – review of partnerships	<ul style="list-style-type: none"> • AMEY – Prosperous committee looking at performance and contract – April 2022. • Nexxus – no changes proposed • Entrust – part of Gov review Currently a governance review working group (officers lead by internal audit). Possible – briefing paper with update on current position September. Date to be confirmed	Entrust (October 2022) Arms length companies – 13 September. Outside bodies to be reviewed by Governance working group – report to this committee 13/09/22 and 12/12/22.

Standing Items 2022/2023

Item	Details (Background)	Action / Outcome

Briefing Notes / Updates / Visits 2022/2023

Date	Item	Details (Background)	Action / Outcome
19 September - informal teams meeting	Data sharing	Members requested information on the way we share data with partners / good working practices etc. Officers: Natalie Morrissey/Kerry Dove	Work shop- teams. Presentation: <ul style="list-style-type: none"> • process • examples • improvements

Working Groups / Inquiry Days 2022/2023

Page 193 MTFS Working Group 2022/23	<ul style="list-style-type: none"> • Cllr C Greatorex (Chair) • Cllr B Peters • Cllr C Atkins • Cllr J Pert • Cllr G Heath • Cllr S Thompson • Cllr J Oates 	<ul style="list-style-type: none"> • Information – Training 1 August 2022 • On going due to report 17 January 2023 	
Climate Change Working Group	Membership (confirmed June 2022) <ul style="list-style-type: none"> • Cllr S Thompson • Cllr C Wileman • Cllr C Atkins • Cllr T Clements • Cllr J Pert • Cllr B Peters • Cllr D Smith 	17 November 7 January – scoping meeting Information gathering – Jan- March (dates tbc) Update to COSC June Information gathering – 28 September Update report – 25 October 2022	

Membership – County Councillors 2022-23	Calendar of Committee Meetings - 2022-2023
Colin Greatorex (Chairman) Samantha Thompson (Vice Chairman - Overview) Gill Heath (Vice Chairman - Scrutiny) Charlotte Atkins Tina Clements Mike Davies John Francis Jeremy Oates Jeremy Pert Bernard Peters Math Perry Bob Spencer Mike Worthington 13896174	6 June 2022 Reserved for Call In
	21 June 2022
	4 July 2022 Reserved for Call In
	2 August 2022
	8 August 2022 Reserved for Call In
	2 September 2022 Reserved for Call In
	13 September 2022
	7 October 2022 Reserved for Call In
	25 October 2022
	7 November 2022 Reserved for Call In
	2 December 2022 Reserved for Call In
	12 December 2022
	10 January 2023 Reserved for Call In
	17 January 2023
	10 February 2023 Reserved for Call In
	27 February 2023
	6 March 2023 Reserved for Call In
3 April 2023 Reserved for Call In	
11 April 2023	
8 May 2023 Reserved for Call In	