

Public Document Pack



MEETING:	Cabinet
DATE:	Wednesday, 29 May 2019
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

AGENDA

1. Declaration of pecuniary and non-pecuniary interests
2. Leader - Call-in of Cabinet decisions

Minutes

3. Minutes of the previous meeting held on 15th May, 2019 (Cab.29.5.2019/3)
(Pages 3 - 8)

Items for Noting

4. Decisions of Cabinet Spokespersons (Cab.29.5.2019/4) (Pages 9 - 10)
5. Action Taken Under Paragraph B6 of the Responsibility for Executive Functions - Officer Delegations Contained in the Council Constitution (Cab.29.5.2019/5)
(Pages 11 - 12)

Petitions

6. Petitions received under Standing Order 44 (Cab.29.5.2019/6)

Items for Decision/Recommendation to Council

Cabinet Spokesperson without Portfolio

7. Member Development Charter Plus Award (Cab.29.5.2019/7) (Pages 13 - 30)

Core Services Spokesperson

8. Code of Conduct for Employees (Cab.29.5.2019/8) (Pages 31 - 72)

Adults and Communities Spokesperson

9. Proposal to Remove Public Library Fines and Reservation Charges
(Cab.29.5.2019/9) (Pages 73 - 84)

Children's Spokesperson

10. Outcomes from the National Takeover Challenge 2019 (Cab.29.5.2019/10)
(Pages 85 - 90)

To: Chair and Members of Cabinet:-

Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Gardiner, Howard, Lamb and Platts

Cabinet Support Members:

Councillors Charlesworth, Franklin, Frost, Saunders, Sumner and Tattersall

Chair of Overview and Scrutiny Committee
Chair of Audit Committee

Diana Terris, Chief Executive
Rachel Dickinson, Executive Director People
Matt Gladstone, Executive Director Place
Wendy Lowder, Executive Director Communities
Julia Burrows, Director Public Health
Andrew Frosdick, Executive Director Core Services
Michael Potter, Service Director Business Improvement and Communications
Neil Copley, Service Director Finance (Section 151 Officer)
Katie Rogers, Head of Communications and Marketing
Anna Marshall, Scrutiny Officer
Martin McCarthy, Service Director Governance, Members and Business Support

Corporate Communications and Marketing

Please contact Martin McCarthy on email governance@barnsley.gov.uk

Monday, 20 May 2019



MEETING:	Cabinet
DATE:	Wednesday, 15 May 2019
TIME:	10.00 am
VENUE:	Reception Room, Barnsley Town Hall

MINUTES

Present Councillors Houghton CBE (Chair), Andrews BEM, Bruff, Cheetham, Frost, Gardiner, Howard and Platts

Members in Attendance: Councillors Saunders and Tattersall

271. Declaration of pecuniary and non-pecuniary interests

Councillor Gardiner declared a non-pecuniary interest in Minute Number 283 due to being a NPS Board Member.

272. Leader - Call-in of Cabinet decisions

The Leader reported that no decisions from the previous meeting held on 17th April, 2019 had been called in.

273. Minutes of the previous meeting held on 17th April, 2019 (Cab.15.5.2019/3)

The minutes of the meeting held on 17th April, 2019 were taken as read and signed by the Chair as a correct record.

Building Schools for the Future Re-Financing Proposal and Change in Law (Cab.17.4.2019/14) Minute Number 268 - Proposed Addendum:

The Executive Director - Core Services noted that the report stated that written confirmation from the Education Funding Agency (EFA) had not yet been received regarding the refinancing proposal. However, he informed the meeting that the EFA did not typically provide written confirmation of such agreements and therefore it was not intended to await such confirmation before implementing the proposals set out in the report.

274. Decisions of Cabinet Spokespersons (Cab.15.5.2019/4)

The Record of Decisions taken by Cabinet Spokespersons under delegated powers during the week ending 26th April, 2019 were noted.

275. Petitions received under Standing Order 44 (Cab.15.5.2019/5)

It was reported that no petitions had been received under Standing Order 44.

Core Services Spokesperson

276. Quarterly Analysis of Selective Voluntary Early Retirement and Voluntary Severance October 2018 - March 2019 (Cab.15.5.2019/6)

RESOLVED that the Selective Voluntary Early Retirement and Voluntary Severances which have taken place in the period October 2018 to March 2019, as detailed in the report now submitted, be noted.

277. Strategic Risk Register - Full Review - March 2019 (Cab.15.5.2019/7)

RESOLVED:-

- (i) that the current strategic risks articulated within the Strategic Risk Register reflects the current position of the Council;
- (ii) that the content of the Strategic Risk Register be noted and support continue to be given to the Corporate Risk Management process and the embedding of a Risk Management culture within the organisation; and
- (iii) that the intention to carry out a review of the Council's Strategic Risk Register following the 2019 Peer Review findings be noted.

People (Achieving Potential) Spokesperson

278. Unauthorised Pupil Absence and Leave of Absence From Schools (Cab.15.5.2019/8)

RESOLVED that the proposed changes contained within the revised Code of Conduct for issuing penalty notices for unauthorised absence and leave of absence, as detailed in the report now submitted, be approved and implemented from the start of the academic year in September 2019.

Place Spokesperson

279. Adoption of New and Updated Supplementary Planning Documents (SPDs) and Planning Advice Notes (PANs) (Cab.15.5.2019/9)

RECOMMENDATION TO FULL COUNCIL ON 23RD MAY, 2019 that the adoption of the Supplementary Planning Documents (SPDs) and Planning Advice Notices (PAN), as set out in the appendices to the report, be approved.

280. Planned Maintenance Programme 2019-20 (Cab.15.5.2019/10)

RESOLVED:-

- (i) that the list of schemes identified as priorities for each Service be agreed and that NPS Barnsley Ltd, in conjunction with the Service Director Regeneration and Property, be authorised to place orders for the work;
- (ii) that the Service Director Regeneration and Property be authorised, in consultation with the relevant Service and the Cabinet Spokesperson for Place Directorate, to vary the programme within the overall financial approval;
- (iii) that, in accordance with Contract Standing Order 10.1(h), Contract Standing Order 3.2(b) be invoked to allow single tenders to be received from the NPS Construction, subject to these being checked for value for money against

previously tendered works, such an exception being justified on the grounds set out in Section 4 of the report; and

- (iv) that, in the event that the planned maintenance budget for 2019-20 not be fully expended, the value of any committed works be rolled forward in addition to next year's planned maintenance allocations.

281. Housing Infrastructure Funding (HIF) Marginal Fund (Cab.15.5.2019/11)

RESOLVED:-

- (i) that the outcome of the bid submission to the Housing Infrastructure Funding (HIF) Marginal Fund and the offer of a revised grant allocation following an independent Due Diligence appraisal over summer 2018, as detailed in the report, be noted; and
- (ii) that BMBC Legal (working in partnership with our appointed Framework Solicitors Walker Morris) be authorised to:-
- Enter into contract with Homes England to accept the funding and all associated terms and conditions.
 - Enter into a flow down funding agreement with Keepmoat Limited which replicates the terms and conditions of the Homes England contract.
 - Enter into a Development Licence with Keepmoat Limited to enable the completion of the Phase 3 infrastructure works.
 - Enter into a Variation to the Development Agreement with Keepmoat Limited relating to the delivery of Phase 3.

282. Housing Revenue Account (HRA) - Capital Works 2019/20 Programme (Cab.15.5.2019/12)

RESOLVED that the Housing Revenue Account (HRA) Capital Works Programme for 2019/20, as detailed in the report now submitted, be approved.

283. NPS Barnsley Ltd Business Plan and Barnsley Norse Business Plan 2019-20 (Cab.15.5.2019/13)

RESOLVED:-

- (i) that the NPS Business Plan for 2019-20, as set out in Appendix A to the report, be approved; and
- (ii) that the Barnsley Norse Business Plan for 2019-20, as detailed in Appendix B to the report, be approved.

284. Proposed Waiting Restrictions at Stainborough Road and Keresforth Road, Dodworth - Consideration of Objections (Cab.15.5.2019/14)

RESOLVED:-

- (i) that the objection received to the Traffic Regulation Order (TRO) to introduce waiting restrictions on parts of Stainborough Road and Keresforth Road, Dodworth be overruled for the reasons set out in the report and the objectors be informed accordingly; and
- (ii) that the Head of Highways and Engineering and the Executive Director Core Services and Solicitor to the Council be authorised to make and implement the Traffic Regulation Order as originally published.

285. Proposed Waiting and Loading Restrictions at Park Road, Barnsley - Consideration of Objections (Cab.15.5.2019/15)

RESOLVED:-

- (i) that the objection received to the Traffic Regulation Order (TRO) to introduce waiting and loading restrictions on parts of Park Road, Tower Street, Castle Street, St John's Road, Park Grove, Locke Avenue and Blenheim Road, Barnsley be overruled for the reasons set out in the report and the objectors be informed accordingly; and
- (ii) that the Head of Highways and Engineering and the Executive Director Core Services and Solicitor to the Council be authorised to make and implement the Traffic Regulation Order as originally published.

286. Proposed Waiting Restrictions at Bloemfontein Street and Barnsley Road, Cudworth - Consideration of Objections (Cab.15.5.2019/16)

RESOLVED:-

- (i) that the objection received to the Traffic Regulation Order (TRO) to introduce waiting restrictions on parts of Bloemfontein Street and Barnsley Road, Cudworth be overruled for the reasons set out in the report and the objectors be informed accordingly; and
- (ii) that the Head of Highways and Engineering and the Executive Director Core Services and Solicitor to the Council be authorised to make and implement the Traffic Regulation Order as originally published.

287. Proposed Waiting Restrictions at Jackson Street and Co-operative Street Junctions with Barnsley Road, Cudworth - Consideration of Objections (Cab.15.5.2019/17)

RESOLVED:-

- (i) that the objection received to the Traffic Regulation Order (TRO) to introduce waiting restrictions on the junctions of Jackson Street and Co-operative Street with Barnsley Road, Cudworth be overruled for the reasons set out in the report and the objectors be informed accordingly; and

- (ii) that the Head of Highways and Engineering and the Executive Director Core Services and Solicitor to the Council be authorised to make and implement the Traffic Regulation Order as originally published.

288. URBACT: TechRevolution (Cab.15.5.2019/18)

RESOLVED:-

- (i) that approval be given for the Executive Director Place to authorise the contracts with the URBACT Secretariat on behalf of the Council;
- (ii) that approval be given for the Executive Director Core Services and Service Director Finance to amend revenue budgets in accordance with the financial implications and Appendix A of the report;
- (iii) that approval be given for the Executive Director Place in consultation with the Executive Director Core Services to contract with the programme partners: Pardubice, Czechia; Vilanova I la Geltru, Spain; Schiedam, Netherlands; Piraeus, Greece; Bacau, Romania; Nyíregyháza, Hungary; and
- (iv) that approval be given for the Council to act as Accountable Body for the TechRevolution programme.

289. Exclusion of Public and Press

RESOLVED that the public and press be excluded from the meeting during consideration of the following items, because of the likely disclosure of exempt information as described by the specific paragraphs of Part I of Schedule 12A of the Local Government Act 1972 as amended, as follows:-

<u>Item Number</u>	<u>Type of Information Likely to be Disclosed</u>
290	Paragraph 3
291	Paragraph 3
292	Paragraph 5

Place Spokesperson

290. Community Asset Transfer - Penistone Leisure Centre (Cab.15.5.2019/20)

RESOLVED:-

- (i) that approval be given to granting a 30 year lease to Sporting Penistone Charitable Incorporated Organisation (ICO) on terms and conditions to be agreed;
- (ii) that the Corporate Asset Manager be authorised to finalise Heads of Terms for the proposed 30 year lease; and
- (iii) that the Executive Director Core Services be authorised to complete the lease to Sporting Penistone CIO. The grant of lease will be in accordance with Local Government Act 1972, but at less than best consideration based on the

delivery of local social economic and environmental wellbeing powers as introduced by the Local Government Act 2000 and the General Disposal Consent (England) 2003.

291. Community Asset Transfer - Land at Dearne Welfare Park, Bolton-upon-Dearne (Cab.15.5.2019/21)

RECOMMENDATION TO FULL COUNCIL ON 23RD MAY, 2019:-

- (i) that, subject to terms being agreed and statutory procedures under the Charities Act 2011 being complied with, the Council in its capacity of Trustee of the Miners Recreation or Pleasure Ground at Goldthorpe approves the grant of a 25 year lease of an area of Dearne Welfare Park to Dearne and District Junior Football Club (D&DJFC);
- (ii) that the Corporate Asset Manager be authorised to finalise Heads of Terms for the proposed 25 year lease, in accordance with charity legislation, and make any necessary amendments to the property's title documents that may be required in order for the proposed tenants to secure finance for the new pavilion project; and
- (iii) that the Executive Director Core Services be authorised to complete the lease to Dearne and District Junior Football Club (D&DJFC).

Core Services Spokesperson

292. Local Government Act 2000 Section 101 - Indemnities (Cab.15.5.2019/22)

RESOLVED:-

- (i) that endorsement be given to the general principle as set out in the report that indemnities be granted to officers or members in circumstances where an individual officer or elected member be made the subject of legal proceedings in respect of matters arising within the reasonable scope of their employment or elected office; and
- (ii) that the consideration of the granting of individual indemnities, upon being satisfied that the relevant officer or member was acting in good faith, be delegated to the Cabinet Spokesperson for Core Services in consultation with the Council's Head of Paid Service, Monitoring Officer and Section 151 Officer.

.....
Chair

BARNSELY METROPOLITAN BOROUGH COUNCIL

CABINET SPOKESPERSONS' DECISIONS

Schedule of Decisions taken for week ending 10th May, 2019

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>
1. Leader	Appointment of the Cabinet for 2019/20	<p>(i) that the Cabinet Portfolios be confirmed for the 2019/20 municipal year with effect from Annual Council on 17th May, 2019;</p> <p>(ii) that the following members be appointed to the Cabinet for the 2019/20 municipal year with effect from Annual Council on 17th May, 2019, with responsibility for the portfolios indicated:-</p> <ul style="list-style-type: none">• Deputy Leader – Councillor Jim Andrews• Cabinet Spokesperson without Portfolio – Councillor Sharon Howard• Cabinet Spokesperson for Core Services – Councillor Alan Gardiner• Cabinet Spokesperson for Adults and Communities – Councillor Jenny Platts• Cabinet Spokesperson for Children’s Services – Councillor Margaret Bruff• Cabinet Spokesperson for Place (Environment and Transportation) – Councillor Chris Lamb• Cabinet Spokesperson for Place (Regeneration and Culture) – Councillor Tim Cheetham

<u>Cabinet Spokesperson</u>	<u>Item</u>	<u>Decisions</u>
1. Leader	Appointment of the Cabinet for 2019/20 (continued)	<p>(iii) that the following members be appointed as Cabinet Support Members for the 2019/20 municipal year for the portfolio as indicated:-</p> <ul style="list-style-type: none"> • Cabinet Support Member without Portfolio – Councillor Gail Charlesworth • Cabinet Support Member for Core Services – Councillor Robin Franklin • Cabinet Support Member for Adults and Communities – Councillor Nicola Sumner • Cabinet Support Member for Children’s Services – Councillor Caroline Saunders • Cabinet Support Member for Place (Environment and Transportation) – Councillor Sarah Tattersall • Cabinet Support Member for Place (Regeneration and Culture) – Councillor Robert Frost. <p>(iv) that Councillor Kevin Williams be appointed Member Community Cohesion Champion for the 2019/20 municipal year.</p>
2. Leader	Appointment of the Area Council Chairs for 2019/20	<p>that the following Members be appointed as Chairs of the Area Councils as indicated for the 2019/20 municipal year with effect from Annual Council on 17th May, 2019:-</p> <ul style="list-style-type: none"> • Central - Councillor Wayne Johnson • Dearne - Councillor May Noble • North - Councillor Dave Leech • North East - Councillor Joe Hayward • Penistone - Councillor Robert Barnard • South - Councillor Daniel Griffin.

BARNSELY METROPOLITAN BOROUGH COUNCIL

**REPORT OF THE EXECUTIVE DIRECTOR
CORE SERVICES AND EXECUTIVE DIRECTOR - PLACE**

**Action Taken under Paragraph B6 of the Responsibility for Executive Functions –
Officer Delegations Contained in the Council Constitution**

1. Purpose of Report

To inform Cabinet of action taken as a matter of urgency under Paragraph B6 of the Responsibility for Executive Functions – Officer Delegations contained in the Council Constitution.

2. Recommendations

That the action taken under Paragraph B6 of the Responsibility for Executive Functions – Officer Delegations, as contained within the Appendix attached to the report, be noted.

3. Background

Individual actions taken following consultation with the appropriate Cabinet Spokesperson are detailed by Cabinet Portfolio in the Appendix to this report. In accordance with Paragraph B6 of the Responsibility for Executive Functions – Officer Delegations contained in the Council Constitution these actions are reported into the next available Cabinet meeting.

4. Implications

There are no local area, crime and disorder, financial, employee or human rights implications arising directly from this report.

5. Background Papers

Decision notices of action taken under Paragraph B6 of the Responsibility for Executive Functions – Officer Delegations contained in the Council Constitution available for inspection in the Council Governance Unit, subject to the notice not containing personal information as defined by the Data Protection Act 1998 or exempt information as described in Schedule 12A of the Local Government Act 1972.

Officer Contact: Martin McCarthy
Date: 16th May 2019

Email: governance@barnsley.gov.uk

**Action Taken under Paragraph B6 of the Responsibility for Executive Functions –
Officer Delegations Contained in the Council Constitution**

**Date of
Decision**

1. Proposed Acquisition of Westgate Plaza One

29th May 2019

It is recommended that the Council approve:

- **That the Council acquires the freehold interest in Westgate Plaza One**
- **That the Executive Director of Core Services be authorised to complete all necessary practical arrangements to secure the surrender the existing long term lease on those terms agreed.**

BARNSLEY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

**REPORT OF THE
EXECUTIVE DIRECTOR CORE SERVICES
TO CABINET**

Barnsley Council Awarded the Member Development Charter Plus Status

1. PURPOSE OF REPORT

- 1.1 To advise that the council has achieved the Member Development Charter Plus Award in recognition of its work to support and develop its elected members. The award was given following an external assessment by the North East Charter on behalf of the Local Government Association (LGA).

2. RECOMMENDATIONS

- 2.1 To acknowledge and recognise the council's achievement of the Local Government Association Member Development Charter Plus Award.
- 2.2 To commit to addressing the identified areas of improvement outlined in the North East Charter's assessment report (see Appendix 1) in preparation for its reassessment against the Charter Plus standard in 2022.

3. INTRODUCTION

- 3.1 Barnsley Council originally achieved the Member Development Charter Award in 2007 which resulted in the foundation of its member development programme. The council was successfully reassessed against the Charter Award in 2010 and again in 2014.
- 3.2 In 2014, the Member Development Working Party agreed that the council should work towards achievement of the higher level Charter Plus standard to recognise the significant changes and improvements it had made in relation to member development.
- 3.3 The assessment against the Charter Plus standard took place on 30 January 2019. The purpose of the assessment visit was to determine whether the council had continued to meet the standard of the Charter Award and also the higher standard of Charter Plus.
- 3.4 The external verification team who conducted the on site assessment consisted of Councillor Malcolm Brain, Gateshead Councillor and LGA Member Peer and Jill Rouse, Associate of the North East Regional Employers' Organisation.

- 3.5 The assessment for Charter Plus involved evidence examined from three main sources:
1. A portfolio of evidence provided by the council
 2. A review of the council's Member's intranet site
 3. Information gathered from interviews with members and officers
- 3.6 The evidence presented in the portfolio was drawn from a wide range of sources and provided a comprehensive overview of the council's member development activities as well as its direction of travel since its last re-assessment in 2014. This evidence was assessed against the three sets of good practice guidelines of the Charter Plus. Members and officers were asked a variety of questions dependent upon their role.
- 3.7 To achieve the higher level Charter Plus award, the council had to provide further information and evidence including a number of impact stories and case studies to determine the how member learning and development has impacted on members' effectiveness, both within the council and in their community leadership role within their wards.
- 3.8 Those interviewed during the assessment visit were:

3.9 **Elected Members:**

Cllr Sir Stephen Houghton	Cllr Robert Barnard
Cllr Sharon Howard	Cllr Ken Richardson
Cllr Alice Cave	Cllr Daniel Griffin
Cllr Richard Riggs	Cllr Jenny Platts
Cllr Phil Lofts	Cllr Margaret Bruff
Cllr Hannah Kitching	Cllr Joe Hayward
Cllr Kevin Williams	Cllr Mick Stowe
Cllr Sarah Tattersall	Cllr May Noble
Cllr Nicola Sumner	Cllr Dave Leech

Officers:

- Diana Terris (Chief Executive)
- Andrew Frosdick (Executive Director-Core Services Directorate)
- Michael Potter (Service Director-Business Improvement and Communications)
- Phil Hollingsworth (Service Director-Stronger, Healthier Communities)
- Kate Faulkes (Head of Service-Stronger Communities)
- Amanda Glew (Head of Service-Organisation and Workforce Improvement)
- Kay Welbourne (Organisation and Workforce Improvement Manager)
- Lesley Glanville (Organisation and Workforce Improvement Strategy Officer)

4. KEY FINDINGS

- 4.1 The team of external verifiers acknowledged the strong committed political and organisational support for member development, which had increased substantially since the council had its last re-assessment in 2014. It was noted that there was now a genuine culture of member development that was led from the top by the Leader and had the buy in from all members and officers.
- 4.2 In addition, it was recognised that member development has been pivotal in providing members with the skills to deliver the corporate and strategic priorities of future council with member development enabling members to effectively deliver within their roles and support the performance improvement of the council.
- 4.3 The verifiers were pleased to see that recommendations made following the last assessment in 2014 had been implemented e.g. joint officer/member development opportunities, investment in IT skills as well as members demonstrating a more outcome-focused approach in their work.
- 4.4 The verifiers also felt that the current level of support for member development was excellent but this needed to be maintained if the council wanted to achieve its future ambitions.
- 4.5 The verifiers were encouraged by the council sharing good practice with other authorities in order for it to improve its own practices around member development.

4.6 Strengths

The assessors identified the following key strengths:

- There is continued senior political and management commitment to member development, which was complimented by the highly valued officer support through the Organisation and Workforce Improvement Team.
- The Member Development Strategy and Organisational Improvement Strategy are closely linked to the overall Future Council Strategy and the member development programme compliments and supports the key strategic priorities of the organisation to ensure all members have the appropriate skills and knowledge.
- The Member Development Working Party continues to have a high profile that is both strategic in focus and exercises a high level of influence to ensure that the member development programme is responsive to individual needs and demonstrates clear links to strategic priorities which has encouraged a culture of continuous improvement and learning.
- The instigation of Area Councils has had a profound impact on how members work in their communities. This has included members learning new skills in order to effectively deliver in their new roles. Both political and managerial leaders have played an active role in identifying and developing the necessary skills, which in turn have ensured the success of Area Councils because development and support had been done effectively.

4.7 Areas for improvement

The following were identified by the verifiers as areas that the council should work on over the next three years. They will act as a focus for the direction of travel to take forward member development and will compliment other initiatives and approaches led by the council.

- Maintain the level of support and budget for member development
- Continue to have a robust member development working party
- Keep working on the cultural shift in being more community-faced
- Further work on Health and Social Care knowledge and skills as well as joint-working
- Develop skills for members to enable them to become even bolder in their decision-making
- Encourage younger members to step up to leadership roles
- To work on the mentoring and coaching offer, particularly for new members
- The Member Development Working Party should continue to draw together examples of best practice in member development across the council and other councils who have charter plus status. Identified good practice should be utilised to support improvement to the member development offer across the council.
- The council should continue to support the strategic approach to leadership development both for cabinet members and for all councillors through attendance on the council's member leadership programme.
- Leadership development should continue to support cabinet succession planning with a more formal induction programme for newly appointed cabinet support members
- Whilst the verifiers acknowledged that the officer and members' leadership programmes needed to be different in several key ways, they also suggested that the council should consider joint elements for officers and members on future programmes.
- Consideration was also given by the verifiers that work should continue on how member P&DRs are done which may include members having a 'buddy' to help them identify their learning and development needs.
- Finally, the verifiers wanted all members to be encouraged to actively use the newly designed Members' Intranet and for the council to offer the appropriate support to make this happen.

4.8 Work to address these areas of improvement will be undertaken through the delivery of the Organisation Improvement Strategy. The work will be undertaken through the Member Development Working Party and progress monitored and reported to the Organisation Improvement Board.

5.0 IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 5.1 The Member Development Charter Plus is a good practice framework which ensures that our elected members are developed and supported effectively to fulfil their roles. This has a positive and beneficial impact on how services are delivered to local people and how members support their communities through their role as community leaders.

6. FINANCIAL IMPLICATIONS

- 6.1 The cost of the Member Development Charter Plus assessment was £1500. This was funded from the Member Development budget.

7. EMPLOYEE IMPLICATIONS

- 7.1 To continue to provide the appropriate level of officer support to ensure member development is fully supported.

8. LEGAL IMPLICATIONS

- 8.1 None

9. GLOSSARY

MDWP – Member Development Working Party
LGA – Local Government Association

10. LIST OF APPENDICES

- 10.1 Appendix 1: Member Development Charter Plus Verification Report

11. BACKGROUND PAPERS

- 11.1 If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

Report author: Lesley Glanville

This page is intentionally left blank



**NORTH EAST REGIONAL EMPLOYERS'
ORGANISATION
and
LOCAL GOVERNMENT ASSOCIATION**



**THE NORTH EAST CHARTER
for
*ELECTED MEMBER DEVELOPMENT***

**CHARTER PLUS ASSESSMENT
REPORT**

Authority Name:
Barnsley Metropolitan Borough Council

Date of Visit:
30 January 2019

**THE NORTH EAST CHARTER
FOR MEMBER DEVELOPMENT**

VERIFICATION VISIT

Contents

Verification Visit	Page 3
Evidence Presented to Support Submission	Page 5
Continuous Improvement	Page 10
Recommendation from the Verification Team	Page 12

Barnsley Metropolitan Borough Council

North East Charter Plus

Onsite Visit

Assessment visits to authorities are undertaken by an Elected Member and an Officer. On this occasion Councillor Malcolm Brain, Gateshead MBC Councillor and LGA Member Peer, and Jill Rouse, Associate, North East Regional Employers' Organisation, conducted the onsite visit.

The purpose of the visit was to verify the information submitted by the Authority in their portfolio presented for assessment for the Charter Plus for Member Development, which is the extended standard following Member Charter.

Interviews were conducted with Elected Members and Officers from the local authority. Whilst the content of the individual interviews is confidential the information gathered has been used to support the submission made by the local authority.

For the purposes of gaining Charter Plus, information, "storyboards" or "case studies" were also requested. This was because we needed to ascertain whether Member learning and development is having an impact on Members' effectiveness, both within the council, and in their community leadership role in their wards.

Interviews:

10.00 am - 10.30 am	Andrew Frosdick , Exec Director, CORE Services
10.45 am - 11.15 am	Cllr Sir Steve Houghton , Leader
11.30am – 12.15 pm	Member Development Officers (Michael Potter, Amanda Glew, Kay Welbourne and Lesley Glanville)
12.15 pm – 12.45pm	Cllr Platts and Cllr Bruff , Cabinet Members
13.00pm – 14.00pm	Review of intranet evidence
14.00 pm – 14.45 pm	Area Councils Chairs and Officers (Cllr Mick Stowe, Cllr Richard Riggs, Cllr Joe Hayward, Cllr Robert Barnard, Cllr Dave Leech, Phil Hollingsworth and Kate Faulkes)
14.15 pm – 15.00 pm	Dianna Terris , Chief Executive (via telephone)
15.00 pm – 16.00 pm	Chair & Members of the Member Development Working Party (Cllr Sharon Howard (Chair), Cllr Robert Barnard, Cllr Phil Lofts, Cllr Ken Richardson, Cllr Richard Riggs, Cllr Hannah Kitching, Cllr Sarah Tattersall and Cllr Kevin Williams)
16.15 pm – 16.30 pm	Cllr Nicola Sumner , New Member
17.00 pm	Close

The verifiers would like to thank all those above who gave their time so generously.

Special thanks to Lesley Glanville, Organisation and Workforce Improvement Strategy Officer, for arranging meetings and for putting together the authority's portfolio of evidence.

Evidence Presented to Support Submission

The evidence examined has been drawn from three main sources. Firstly, from the portfolio provided by the Council, and secondly from a review of Intranet information for Councillors, and then through the information gathered at the interviews. The evidence has been organised against the three sets of good practice guidelines of the Charter Plus, and Members and officers were asked a variety of questions depending upon their role.

1. THERE IS A CLEAR COMMITMENT TO COUNCILLOR DEVELOPMENT AND SUPPORT

Evidence from Portfolio and Intranet

The CEO and Leader have shown commitment to Member development by signing up for Charter and now Charter Plus and through supporting the Member Development Working Party (MDWP).

There is a Member Development Policy which has been in place since 2005 and was reviewed in 2018. The policy is supported by a Members' Intranet-based Handbook and Role Descriptions.

The Member Development Strategy and Organisational Improvement Strategy are closely linked to the overall Future Council Strategy and all corporate planning processes. All are reviewed annually.

The MDWP was formed in 2005 and is very well-established and well thought of. This is an all-party group with an advisory function – making recommendations to Cabinet about Members' Learning and Development (L&D). The group has a ring-fenced Member learning and development budget to meet priority needs. Evidence of this budget and spending review were provided.

Barnsley has a dedicated Member Development Officer who is now part of the Organisation and Workforce Improvement Team. The whole team offers support to Members. Members are totally aware of who they are and what they do.

As well as demonstrating commitment to the development of Barnsley MBC Members, the authority also evidences commitment to sharing learning opportunities more widely, for example, with Ward Alliance Members and Scrutiny Co-optees. A Ward Alliance Event was held in 2017 and some of the Barnsley MBC "Talkabouts" have included Ward Alliance Members. Town and Parish Councillors have also been invited to a number of events.

They also encourage citizen participation and promote local democracy through an annual Town Hall Open day where Members and Officers talk to the public and potential Councillors. There is a Barnsley Youth Council and the authority's Internet site has information about all of the above.

Evidence from Interviews and Storyboards

The Executive Director described how the Senior Management Team demonstrates its commitment and supports Member Learning and Development (L&D) in a very practical way, by being available to support Members, not just at Induction and on internally run L&D Programmes, but by making themselves available to Members to answer questions and brief on a one-to-one basis, if necessary, and at "Talkabouts".

Senior Management Team discusses Member Development quite frequently and see it as part of the Leadership offer. There is a new Leadership Programme for officers, which has been adapted for Members and is about to be rolled out. 42 out of 63 Members have signed up to at least part of this programme.

The CEO said that all big decision-making and strategy events include Members. There is a clearly established culture of joint working between Members and Officers.

The Leader talked about the impact the instigation of Area Councils has had on Members. It has changed how Members work in their communities and people have had to learn a raft of new skills to be effective in their new roles, for example, commissioning and procurement skills. Both Political and Managerial leaders have played an active role in identifying and developing the necessary skills. He felt that the Area Councils were, on the whole, working very well because L&D and support had been done effectively.

The Members interviewed described how they have access to development opportunities in a variety of ways. They can attend sessions or read materials on the Intranet site. There are also some video tutorials. They can always ask for a briefing from a senior officer too. There are no sessions run in the evenings now. However, only one Member mentioned this as a potential problem as someone who works during the day. However, she felt the other learning methods mostly met her needs.

2. THE COUNCIL HAS A STRATEGIC APPROACH TO COUNCILLOR DEVELOPMENT

Evidence from Portfolio and Intranet

The Member Development Working Party (MDWP) advises on Member development strategy and is tasked with evaluating learning and development as well as planning to meet identified need. The strategy identifies clearly how learning and development needs are to be met. It also links directly to Corporate Priorities and was included in the “Future Council Strategy”. There is a strong Officer input to this too.

Member Role Descriptors are well-established and are used to identify development needs both where Members are new to the Council and when they change roles. The descriptors can be found in the Members’ section of the Council’s Intranet.

All Members are offered the opportunity to complete a Personal Development Review (PDR) every year. Their first is offered as part of the Induction process. Most Members have a current PDR. PDRs are used to determine the learning needs of individuals and opportunities for group learning.

Regular Policy Updates are provided, which update Members on legislation and key policies and Barnsley has a series of “Talkabouts” to discuss key topics. Copies of the presentations are uploaded to the Intranet for those Members who are unable to attend.

All Members are given the opportunity to access appropriate LGA Leadership Academy programmes; as well as being given individual support according to their needs. The case study presented for one Councillor demonstrates very clearly how his learning needs were identified regarding his Scrutiny role and suitable development opportunities were provided.

Increasingly, learning and development takes place in partnership with other appropriate bodies, for example, Town and Parish Councils; NHS colleagues on Health and Well-Being Boards; and Volunteer Groups.

Evidence from Interviews and Storyboards

The MDO explained how the MDWP is delegated to agree the annual programme of Member briefings and events. Their recommendations then go to Cabinet and Senior Management Team for approval. Ultimately, the Council agrees Learning and Development priorities.

The MDWP had provided a Storyboard outlining their history and development over the fourteen years they have existed. This was a great insight into their changing role, and how much impact they currently have.

Members reported that they can have a one-to-one briefing on any development opportunity they miss.

One Councillor's Storyboard followed his learning and development journey from Induction through to a number of development opportunities over the last four years, including the Local Government Association's Leadership Academy. This has given him the confidence to become a learning Member Champion, to be a Member of the MDWP, and to take on the role of Area Council Chair.

Another described how taking on a Scrutiny Chair role was handled. Using the role descriptors to identify needs; taking into account previous experience; and offering appropriate L&D. A number of senior managers were involved in the learning process. The whole Committee was also offered specific training when a need arose relating to partner organisations and the MDO and Scrutiny Officer has identified a need for one-to-one development for particular roles.

3. LEARNING DEVELOPMENT IS EFFECTIVE IN BUILDING CAPACITY

Evidence from Portfolio and Intranet

An evaluation Strategy is in place. Feedback is taken via the MDWP and from Members after any development opportunity. The latest annual evaluation report also used a 360 degree tool to gather feedback on impact from a number of sources, i.e. partner organisations.

The Induction Programme is reviewed every time it is used and changes made according to identified needs, for example, when it starts. The MDO now goes to the Count to begin induction the minute a Councillor is elected. There is also a Mentoring system, though this was a little patchy in its effectiveness.

Knowledge is shared through “Talkabouts”, which are open to all Members (up to fifty attend) and also to Partner organisations. These are Member-led, but well supported by Officers.

Evidence from Interviews and Storyboards

Every Member and officer interviewed mentioned the “Talkabouts”. These have obviously been a great success in involving Members and officers together in key discussions and decision-making.

There has been other beneficial joint training with officers too, such as the Licensing Training outlined in one of the Storyboards.

Area Councils have been evaluated using a Social Return on Investment model. A Storyboard shows how this worked in practice. The Storyboard explains what need was identified, what L&D was undertaken and what the outcome was for that Area Council. It led to a change in how Area Council and Ward Alliance funding is spent.

Induction has improved over the last few years. The Members were pleased to say that Induction begins at the Count. They felt valued by being given information and support right from the very moment they were elected.

Almost everyone also mentioned IT training and how much it has improved in the last few years. Barnsley is moving towards being paperless and has invested a large amount of money and L&D effort to make use of IT effectively and to make efficiencies. The majority of Members use tablets; access the Intranet; and use their mobiles.

Continuous Improvement

Background:

Although the purpose of the visit was to assess the submission for the Charter Plus, it was also an ideal opportunity to discuss what improvements the Authority would hope to make within the next two or three years. Each interviewee was asked for their ideas. The following were suggested:

Views from Interviewees:

- Maintain the level of support and budget for Member L&D
- Continue to have a robust Member Development Working Party
- Keep working on the cultural shift in being more community-facing
- Further work is needed on Health & Social Care knowledge and skills and joint-working
- Develop skills to become even bolder in decision-making
- Encourage younger Councillors to step up to leadership roles
- To work on the Mentoring and Coaching offer, particularly for new Members

Views from Verifiers:

We were very pleased to see that recommendations made by the Verifiers last time had been acted on, e.g. Joint Officer/Member development opportunities; investment in IT skills to use it more effectively; and demonstrating a more outcome-focused approach.

Barnsley MBC certainly does have ambitions, both for the organisation and for its Elected Members. In order for these to be realised, the Verifiers felt that the current level of support for L&D is excellent and needs to be maintained, if at all possible in the current climate.

Barnsley MBC should continue sharing best practice. It's good to see that 15 other councils have visited to find out how they have been so successful with their Area Councils and the L&D underpinning that.

Verifiers' Suggestions

Whilst the Verifiers acknowledge that the Officer and Members' Leadership Programmes need to be different in several key ways, we would hope that you consider joint elements on future programmes.

PDRs - for MDWP and MDO to continue work on how it's done and by whom; for example, having a buddy to talk through the L&D needs section.

And, to encourage everyone to use the excellent Intranet facility.

Recommendation from the Verification Team

Having reviewed all the evidence, it is the Assessors' view that Barnsley Metropolitan Borough Council has met the standards set down in the North East Charter Plus for Member Development and has a genuine culture of learning and development amongst its elected Members that is showing real outcomes. Congratulations!

Signed:



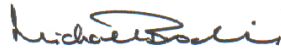
Councillor Malcolm Brain, Gateshead Council and LGA Member Peer

Signed:



Jill Rouse, Associate, North East Regional Employers' Organisation

Signed:



Michael Brodie, Director and Quality Monitoring Officer, North East Regional Employers' Organisation

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

REPORT OF THE EXECUTIVE DIRECTOR CORE SERVICES

Code of Conduct for Employees

1. Purpose of Report

- 1.1 The purpose of this report is to seek approval to implement revisions to the existing Code of Conduct for Employees.

2. Recommendations

- 2.1 It is recommended that Cabinet approve the revised Code of Conduct for Employees.**

3. Introduction

- 3.1 The Code of Conduct for Employees sets out the standards of conduct expected and applies to all employees and supports the Council's Values and Behaviours.
- 3.2 The aim of the Code is to assist employees to perform effectively by ensuring the rules and standards of the council are clearly communicated.
- 3.3. The various sections of the code summarise the key policies and procedures in respect of behaviour and the way employees are required to work.
- 3.4. The Code has been in place for a number of years and there have been minor alterations in line with linked policy changes. However, an Internal Audit Report in respect of the register of interests highlighted the need to undertake a full review of the Code.

4. Consideration of Alternative Approaches

- 4.1 Do not make amendments to the Code
- 4.1.1 The alternative approach would be to continue working under the existing Code of Conduct. This is not recommended as it does not incorporate recommendations from the Internal Audit Review and is out of date in terms of other revised policies i.e. Social Media Policy.

5. Proposal and Justification

- 5.1 It is proposed that the revised Code of Conduct for Employees (Appendix A) is approved.

- 5.2. The revised Code incorporates recommendations of an Internal Audit Report in respect of the registration of interests which included the maintenance of registers to be the responsibility of Service Directors, nominated recording officers to hold records, a review of the value of gifts and induction of new employees.
- 5.3. The value of modest gifts has increased from £10.00 to £25.00 in line with changes to the Member Code of Conduct.
- 5.4. The Code now includes a section setting out both employee and manager responsibilities.
- 5.5. It is now explicit that conduct outside of the working environment is included.
- 5.6. Employees are no longer a required to list any benefits refused.
- 5.7. The Code has been updated following recent changes to the Social Media Policy and has links to all relevant Human Resources Policies.
- 5.8. Additional notes for managers has now been removed and replaced with a flow chart.
- 5.9. Clarity regarding modest offers of hospitality/meals and refreshments and attendance at conferences and seminars.

6. **Implications for local people / service users**

- 6.1 No implications identified

7. **Financial Implications**

- 7.1 There are no direct financial implications arising from this report.

8. **Employee Implications**

- 8.1 The recommended revised Code provides the framework to ensure that employees are aware of the standard of conduct and behaviour expected of them both inside and outside of the work environment.

9. **Legal Implications**

- 9.1 Legal services have been consulted on the changes.

10. **Customer and Digital Implications**

- 10.1 There are no direct implications arising from this report.

11. **Communications Implications**

- 11.1 The Code will be displayed on the HR Intranet and the changes will be detailed in an article in Straight Talk.
- 11.2 For employees who do not have access to e-mail / intranet facilities, managers will be responsible for communicating this information to their teams.

11.3 Human Resources Business Partners and Advisors will be available to provide advice to employees / managers / head teachers / members.

11.4 The existing POD course will be updated.

12. **Consultations**

12.1 The trade unions have been consulted and are in agreement to the proposed changes.

12.2 An employee stakeholder group have been consulted and provided their input into the final draft.

12.3 Legal, Internal Audit and Finance colleagues have also been consulted and had their input into the proposed changes.

12.4 The Senior Management Team has been consulted and support the recommendations contained within this report.

13. **Promoting Equality, Diversity and Social Inclusion**

13.1 This Code applies equally to all employees.

14. **Risk Management Issues**

14.1 None arising from this report.

15. **Health, Safety and Emergency Resilience Issues**

15.1 None arising from this report.

16. **List of Appendices**

Appendix A – Code of Conduct for Employees

17. **Background Papers**

17.1 All background and working papers are available for inspection in Human Resources.

Officer Contact: Alison Brown

Tel: 773674

Date: 25 April 2019

This page is intentionally left blank

CODE OF CONDUCT FOR EMPLOYEES

	<u>Contents</u>	
Section 1.0	Purpose of the Policy	Page 2
Section 2.0	Employee Responsibilities	Page 2
Section 3.0	Managers Responsibilities	Page 3
Section 4 .0	Conflicts of Interest Public Duty and Private Interest Pecuniary Interest	Page 3
Section 5.0	Declarations – Employee Interests and Benefits Declaration of Financial and other Interests Declaration of an offer of Benefits	Page 4
Section 6.0	Financial Propriety Corruption /Insider Dealing Theft/Fraud/Whistleblowing Separation of roles during Tendering Offer of benefit(s) Conferences and Seminars Sponsorship (giving and receiving)	Page 6
Section 7.0	Relationships Councillors Between employees Dignity at Work The local community and service users Case working Contractors External Clients	Page 9
Section 8.0	Political Neutrality	Page 11
Section 9.0	Appointment & Other Employment Matters	Page 12
Section 10.0	Outside Commitments Working Time Regulations Copyright, Design & Patents	Page 12
Section 11.0	Equality & Diversity	Page 12
Section 12.0	Income Tax and National Insurance Contributions	Page 13

CODE OF CONDUCT FOR EMPLOYEES

1.0 PURPOSE OF THE POLICY

- 1.1 This Code applies to all employees of the Council and sets out the standards of conduct expected.
- 1.2 The Council has developed core values which are:
- We're a Team – we all work towards the same goal – to make Barnsley a better place for the people who live, work and visit here.
 - We're Honest – we always say what we mean. Most of all we're reliable, fair and true.
 - We'll be Excellent – we work really hard to provide the best quality and value for money for the people of Barnsley. Only our best is good enough.
 - We're Proud – we're dedicated to making Barnsley a better place. We take pride in our work.
- 1.3 A set of defined behaviours for employees have been developed in line with the Council's core vision and values and can be accessed at **OUR VALUES AND BEHAVIOURS**
- 1.4 This code has been written for the effective operation of council business and the wellbeing of its employees. All employees are required to act in accordance with the code – failure to do so may result in disciplinary action, which could include dismissal.
- 1.5 The aim of the Code is to support and protect employees by ensuring that the standards are clearly understood and communicated.
- 1.6 The various sections of this Code summarise the key policies and procedures in respect of behaviour and the way employees are required to conduct themselves **both** in and outside of the work environment.
- 1.7 The Council reserves its right to commence action against any employee whose conduct outside of work conflicts with their public duties i.e. where conduct could undermine the council's reputation or public confidence.

2.0 EMPLOYEE RESPONSIBILITIES

- 2.1 Employees are expected to:
- Consider the Code carefully and comply with it fully as it forms part of your terms and conditions of employment
 - If you don't understand something in the Code you should ask your manager to explain it to you
 - Promote and maintain public confidence and trust
 - Avoid a situation arising where you appear to be acting in conflict with the best interests of the Council
 - Avoid personal opinions which may be damaging, defamatory or derogatory about

the Council, other employees or Councillors

- Employees who carry out legitimate roles for example as Trades Union representatives, community action group representatives; tenant committee members etc. which involve such staff taking part in public meetings, making statements to the press and on social media or acting on behalf of their particular group, should make it absolutely clear, in what capacity they are speaking/making statements or comments etc.

3.0 **MANAGER RESPONSIBILITIES**

3.1. Managers are responsible for the application of this policy in their service area. They should:

- Set a positive personal model of behaviour
- Ensure standards in the Code are established within their services and communicated
- New employees should be made aware of the Code as part of the of **CORPORATE INDUCTION PROCEDURES**
- Provide clarification, where required, to improve employee understanding
- Take appropriate action at the earliest opportunity to manage non-compliance with the standards set out in this code

4.0 **CONFLICTS OF INTEREST**

4.1 **Public Duty and Private Interest**

4.1.2 Employees should not put themselves in a position where there is a conflict of interest between their private life and public duties.

4.1.3 Employees should raise suggestions or concerns about service delivery with their manager. Suggestions outside their own service area can be raised with relevant management, or with their trade union.

4.1.4 Any questions or statements employees wish to submit as a resident to public council meetings must be drafted and sent in their own time. They must be clear that they are doing this as a resident and not as a council employee and ensure the communication contains a remark that the content of the email is their own personal opinion/issue and is not connected in any way to their employment with the Council. If using Council work email they should also remove their signature from the email. All employees must comply with the **SOCIAL MEDIA POLICY & INFORMATION SECURITY AND COMPUTER USAGE POLICY**. They must not lobby a councillor inappropriately on personal employment matters. If employees are unsure about the process they are advised to speak to their manager. This does not restrict their right to raise concerns regarding possible malpractice under the **WHISTLEBLOWING POLICY**, or any Safeguarding concerns via the Local Authority Designated Officer (LADO)

4.1.5 Employees must disclose information which is relevant to their capability, capacity and suitability to carry out the duties and responsibilities for which they are employed. Employees must immediately inform their manager in any form of written communication/email if, during their employment with the council, they are subject to any of the following which it would be reasonable to understand may impact upon their role, professional standing or the reputation of the public:

- Advised that they are under investigation for a criminal act
- Arrested in connection with a criminal act
- Notified that criminal charges are being considered against them
- In receipt of a summons to appear before a Court of Law for an alleged offence
- Found guilty of any offence
- Given a police caution

4.1.6 Employees who are required to drive as part of their duties must also declare any penalties received in connection with motoring offences or medical conditions which impact on the validity of their Licence. **DRIVING AT WORK POLICY**

4.1.7. If employees are involved with granting permissions or benefits, for example, planning permissions, they must not take part in considering any application made by them, relative, partner, friend or neighbour.

Pecuniary Interest

4.2.

4.2.1 In accordance with Section 117 of the Local Government Act 1972 an employee must give notice to the Council of any pecuniary interest they have in any contract whether it has been or is proposed to be entered into by the Council. Such a declaration should be made to their Service Director who must also inform the Executive Director/Chief Executive using the **DECLARATION FORM – EMPLOYEE INTERESTS**

4.2.2 Such a declaration must be made as soon as an employee becomes aware of the possibility of any such conflict arising or indeed that maybe perceived/construed as arising.

4.2.3 Section 117 requires that “an officer shall not, under colour of his office or employment accepts any fee or reward what so ever other than his/her proper remuneration.” An officer who contravenes the provisions of Section 117 are liable on summary conviction a fine not exceeding £2,500.

5. DECLARATION OF EMPLOYEE INTERESTS AND BENEFITS

5.1 Employees are required to register all and any interests (financial and non-financial, directly or indirectly) which could be in conflict with those of the Council. Such a declaration must be made as soon as possible using the **DECLARATION FORM - EMPLOYEE INTERESTS** and submitted to their respective Service Director.

Examples of potential conflict of interest(s) include (not exhaustive):

- Being involved in any capacity with an organisation receiving grant aid or other support from the Council
- Having a close personal relationship with any Councillor or employee of the Council (detailed further at section 7)
- Holding a financial interest in a contract that has been, or is about to be, entered into by the Council
- Being a Governor of an educational establishment
- Holding shares in a company/organisation that does business with the Council.

- 5.2 Service Directors will need to apply discretion with regards to any action necessary to manage any potential conflict of interest and give consideration to implementing suitable compensating controls/safeguards in order to protect the Council's position and that of the employee.

Examples of potential safeguarding controls include (not exhaustive):

- identifying another employee to carry out a tender process should they have an interest in contract/the organisation making the bid
- identify another employee to deal with a contractor (or proposed contractor) who supplies/proposes to supply a product(s) to the Council where a personal/professional relationship exists
- arrange for an alternative manager to undertake line management/supervisory responsibilities where a relationship exists between a manager and subordinate
- sharing information relating to the employees interest to the relevant Service Director/Head of Service/Manager to ensure that appropriate safeguarding measures can be implemented to protect the interests of the employee and to provide assurance that they will not take part in any decision making or have processed any changes to financial/non-financial information for which they have a reported interest.

Declaration of an offer of Benefits

5.2

- 5.2.1 Employees are not permitted to accept any offer of benefit (other than normal pay/remuneration) with the exception of gifts of a very modest kind (As detailed at 6.6.3) from any organisation/individual with whom the Council may directly/indirectly, be in actual/potential, contractual/business relationship(s). **Any such offers accepted must be declared using the **DECLARATION FORM - NOTICE OF OFFER OF BENEFIT(S)**.**

- 5.2.2 It is important that ALL offers of benefit(s) accepted are noted by using the **DECLARATION FORM - NOTIFICATION OF AN OFFER OF BENEFIT(S)** in order to avoid any suspicion of improper (actual/perceived) conduct or impropriety.

- 5.2.3 Service Directors will be responsible for the maintenance and security of all employee declaration forms within their respective Business Units- ensuring all forms are securely retained, can be accounted for and are kept in line with the Council's retention protocols.

- 5.2.4 Service Directors will also undertake an appropriate governance review (at least annually or where any changes are made to the original declaration) of all employee declarations to ensure any identified safeguarding/compensating controls are still adequate/appropriate/need revising or are no longer required. Where any revised controls are required, these should be thoroughly discussed with the employee and noted in the Register accordingly.

- 5.2.5 Executive Directors/Chief Executive will be responsible for ensuring that a register is kept for their Service Directors/Executive Directors and any recorded in respect of themselves.

6. **FINANCIAL PROPRIETY**

6.1. Employees must ensure that their use of Council resources is done so in a responsible and lawful way at all time, never using their authority, position or insider knowledge of the Council or is business for improper, financial personal gain or for that of others.

6.2. Employees must report any suspicion or concern they have regarding actual or potential, fraudulent or corrupt activities for example; irregularities concerning cash, use of funds, stores or other Council property.

6.3. **Corruption/Insider Dealing**

6.3.1 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.

6.3.2 For example where an employee in their course of their employment becomes aware of information which is either confidential or not in the public arena, such information should not be passed on to any third party who does not have a legitimate right of access to that information.

6.3.3 It is a serious criminal offence for employees to corruptly receive or give any gift, bribe, loan, fee, reward or advantage for doing/not doing or showing favour to any persons as a result of their official capacity – Prevention of Corruption Act 1916 and the Bribery Act 2010. Further information can be found at the document **INSIDER DEALING**.

6.4 **Theft/Fraud/Whistleblowing**

6.4.1 The misuse, theft or fraud of Council resources or funds/property including funds/property belonging to Service Users is taken very seriously by the Council and is considered a serious disciplinary offence which may result in dismissal as well as a criminal conviction.

6.4.1 Where an employee has suspicions that a Council employee(s) or other individual(s) are involved in fraudulent or corrupt activities or theft, then they must in the first instance report those suspicions to their line manager.

6.4.3 If an employee feels unable to do this, then they can raise their concern(s) under the Council's **WHISTLEBLOWING POLICY** or the Council's Anti-Fraud Team so the Council can take prompt action. The policy makes it clear that employees who raise legitimate concerns can do so without fear of reprisals. Any disclosure or allegation made maliciously or for personal gain will not be protected and disciplinary action may be taken accordingly.

6.4.4 As per the Council's Financial Regulations, all matters of potential and actual irregularity are required to be reported to Internal Audit. Such matters include all concerns regarding suspected irregularities involving cash, stores, equipment, information or other resources or property of the Council, any suspected impropriety in the functions of the Council or any suspected malpractice in the completion, use or retention of records.

6.5. **Separation of Roles During Tendering**

- 6.5.1 Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. All such employees must ensure that their actions are in accordance with the Standing Orders with respect to contracts.
- 6.5.2 Those employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 6.5.3 Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.
- 6.5.4 Employees who have access to confidential information regarding tenders or costs for either internal or external contractors must not disclose that information to any unauthorised party or organisation.
- 6.5.5 Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

6.6 **Offer of Benefit(s)**

- 6.6.1 As a general rule any offer of benefit(s) with the exception of those described at 6.6.3 which are of a very modest kind, must be politely but firmly refused. Public confidence and that of the Council would be seriously damaged if the least suspicion were to arise of actual or perceived impropriety by an employee of the Council.
- 6.6.2 Accordingly, employees must not accept gifts, entertainment, hospitality or any benefit either for themselves or others to avoid any suspicion of actual/perceived improper conduct. Should gifts be received through the post, they must be returned immediately to the donor with a suitably worded covering letter.

Examples of benefit(s) (not exhaustive) which must not be accepted:

- offers of cash, vouchers, credit/debit/store cards
- Offers of Corporate/VIP hospitality, entertainment, travel (including travel tickets, car hire, taxi/VIP transport), accommodation, holidays, use of facilities (e.g. gyms, equipment etc.)
- offers of presents/gifts e.g. concert/festival tickets, food, drink, hampers, jewellery, watches, accessories, clothing

- 6.6.3 Refusing such offers will mitigate against any suggestion of improper conduct, corruption or bribery.

Examples of benefit(s) (not exhaustive) which are considered of a “modest kind” include:

- **Modest gifts;** only where a gift is of a modest kind and is for example under £25:00 retail value may it be accepted. Examples include; calendar, diary, pen or other inexpensive item of office equipment and which can be regarded as in the nature of advertising matter can be accepted. Such gifts must bear the name or insignia of the organisation concerned. Chocolates/biscuits/cakes/flowers/plants given as a general thank you for example at Christmas time/end of term.
- **Modest offers of hospitality/meals/refreshments;** only where appropriate in the conduct of normal/necessary part of business in hand and which are immediately and directly connected with and wholly incidental to Council business may it be accepted. For example working lunches with sandwiches, desserts, tea, coffee, soft drinks. In

exceptional circumstances, other offers of hospitality maybe approved by the Executive Director/Chief Executive if this is considered to facilitate the Council's interest.

However, wherever possible the employee should pay for him/herself, or if practical, should be paid for by the Council.

- **Modest offers of travel;** only where practically un-avoidable and wholly incidental to the business in hand may any offer(s) of travel be accepted, for example, a lift for a short distance to a site where the employee concerned has no other means of transport.

- 6.6.4 Visits to inspect land, buildings, machinery, goods or services where the Council bear the expense and the Executive Director (Chief Executive as appropriate) has given prior approval are acceptable.
- 6.6.5 Meals and refreshments as are connected with a public or semi- public occasion, such as an opening ceremony associated with new premises in which the Council have an interest such as owners or partners in the scheme and where the employee attends in an official capacity as a representative of the Council is acceptable where the employee has obtained prior authorisation by the appropriate Executive Director (Chief Executive as appropriate).
- 6.6.6 In respect of **Evening** Social Functions/Invitations by External Companies/Evening BMBC Organised Business Events – Employees may partake of alcohol at social functions or as an invited guest of external companies e.g. award functions, network events, business dinners, conferences, etc. However, at such occasions employees are expected to show responsible behaviour, consider the mode of transport after the event and limit the level of alcohol consumption. Employees also have a responsibility to make themselves familiar and comply with the Councils **DRUGS AND ALCOHOL POLICY**.
- 6.7 **Conferences and Seminars**
- 6.7.1 If the Council pays the fee for a conference, seminar and the like, then there is no requirement to make a declaration for hospitality. Examples include courses, seminars, events, award events or if the Council hosted an event that others attend. However, where no fee is paid and the event includes some form of refreshment/meals, overnight stay or offer of other event/function/benefit then approval must be received in the usual manner. It is important that consideration is given as to the possible perception should an officer receive hospitality, however modest, when engaged on Council business, and particularly in a context of working with a contractor.
- In circumstances, where a role is clearly defined and involves multiple occasions, a single declaration could be sufficient with monitoring by the relevant Service Director or Executive Director.
- 6.8 **Sponsorship (giving and receiving)**
- 6.8.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a local government activity, whether by invitation, tender, negotiation or voluntary, the basic conventions concerning acceptance of gifts or hospitality apply.
- 6.8.2 Particular care must be taken when dealing with contractors or potential contractors, where the Council wishes to sponsor an event or service neither an employee or any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to the Executive Director (Chief Executive as appropriate) of any such interest.

- 6.8.3 Similarly where the Council through sponsorship, grant aid, financial or other means, give support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.
- 6.8.4 Employees will need to apply a degree of judgement where any offer of benefit(s) is made to them and give careful consideration in determining the significance of any such offer e.g. the financial value of any offer; the imminence of any relevant contractual matter/arrangements; any legal/public enquiries or any Council decisions (pending or otherwise). Each employee will be personally responsible for any decision to accept such offers and for any possible criticism that may follow.

7.0 **RELATIONSHIPS**

7.1 **Councillors**

- 7.1.2 Employees are responsible to the Council through its senior managers. For some Officers, their role is to give advice to Councillors and senior managers and all are there to carry out the Council's work. Mutual respect between employees and Councillors is essential to good local government. Insert link [to MEMBERS CODE OF CONDUCT](#)
- 7.1.3 Officers serve the whole Council. They should therefore avoid undue close, personal familiarity with individual Councillors and it is important that all employees carefully consider how any relationships they have with Councillors may be perceived by others.
- 7.1.4 There will, however, be situations where such relationships arise between employees and Councillors for example through marriage, direct family connection(s) or a close and long standing friendship.
- 7.1.5 Such relationships must always be disclosed when relevant to Council business/activities. Where such a personal relationship does exist, the employee should avoid any professional contact with the Councillor concerned on any matter where the personal relationship may be perceived by others to affect the conduct or judgement of the Officer or Councillor concerned.
- 7.1.6 This avoidance should be clear to other colleagues and the public. Furthermore, Officers must not discuss, within the context of a personal relationship, any information of a private or personal and confidential nature which they become aware of in the course of their Council duties.
- 7.1.7 Such an approach will avoid any personal relationships between employees and individual Councillors damaging the appropriate professional relationship, embarrassing other employees and Councillors, or giving the wrong impression to third parties.
- 7.1.8 Exceptionally, the existence of such a relationship may impact fundamentally on the ability of an employee or Councillor to do their job effectively. In such exceptional cases, further consideration would need to be given as to the appropriate course of action to handle the situation. This would necessarily depend upon the particular circumstances and appropriate guidance would be provided at the time by senior management.

7.2. **Between Employees**

- 7.2.1 Where a personal relationship exists between employees, this should be declared to the appropriate manager where it could reasonably be considered that there may be a conflict of interest, trust or breach of confidentiality.
- 7.2.2 Additionally, where a personal relationship exists between employees who are in a line management or supervisory relationship at work, then they must not be involved in recruitment and selection, improving performance, pay and grading, disciplinary, grievance or any other management activity involving the other employee.
- 7.2.3 In these circumstances there may be need to consider alternative employment or change of duties, role, base etc. Any instances will be considered on a case by case basis by the relevant Executive Director (Chief Executive as appropriate) in liaison with the relevant Service Director.
- 7.3 **Dignity at Work**
- 7.3.1 The Council is committed to creating and maintaining a positive working environment where all employees are treated with dignity and respect and are free from any form of harassment, bullying or victimisation.
- 7.3.2 Employees must treat colleagues with courtesy and respect and adhere to the **DIGNITY AT WORK POLICY** failure to do so may result in disciplinary action, including dismissal. Harassment, bullying and victimisation includes any treatment, which a person or persons as a group knew, or ought to have reasonably known, would have been intimidating or humiliating to another person(s).
- 7.4 **The Local Community and Service Users**
- 7.4.1 Employees should be aware of their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community and as defined by the policies of the Council. If an employee enters into a personal relationship with a service user, they must inform their line manager as soon as possible to ensure professional standards are maintained.
- 7.5 **Case Working**
- 7.5.1 Where an individual employee knows or has any kind of relationship with a client or a member of their family, it would be appropriate for that employee to consider, along with their line manager whether there is any potential conflict of interest which may affect the working of the case. This is of particular concern in cases relating to children, young people, families, adult services. This consideration should be documented along with the decision for the individual staff member to retain or to pass on the case and the reasons for the decision arrived at.
- 7.6 **Contractors**
- 7.6.1 Employees must disclose all relationships of a business or private nature with external contractors (including potential contractors) as soon as practicably possible where it could reasonably be considered that there may be a conflict of interest.
- 7.6.2 Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example friends, partners or relatives in the tendering process.
- 7.6.3 Additionally, employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship(s) where it could reasonably be considered that there may be a conflict of interest.

7.7. **External Clients**

- 7.7.1 Employees must disclose relationships/interests with external clients in order to ensure appropriate action is taken in order to manage potential conflicts where it could reasonably be considered that there may be a conflict of interest.
-

8.0 **DISCLOSURE OF INFORMATION**

- 8.1 The Council believes that an open government is best and the law requires that certain types of information must be available to Councillors, auditors, government departments, service users and the public. The Council itself may decide to be open about other types of information it may publish or make available however, there are certain categories of information that must not be disclosed.

8.2 **Data Protection**

- 8.2.1 Employees must be aware of which information they are authorised to release and to whom and that which is not, should they be unsure then they should seek guidance from the appropriate line manager/Information Governance. Rules around data protection must be adhered to at all times, and employees must not disclose personal information about other employees, members of the public, Councillors or third parties without authorisation and should adhere to the principles of the General Data Protection Act when carrying out their duties.

8.3 **Freedom of Information**

- 8.3.1 The Freedom of Information Act 2000 gives a general right of access to all types of recorded information held by public authorities, including the Council. It sets out exemptions from that right and places a number of obligations on the Council. For further information, please see **FREEDOM OF INFORMATION POLICY**.

8.4 **Contact with the press/media**

- 8.4.1 All media enquiries should be directed to the corporate communications and marketing team who will manage the response. Only those employees who are specifically nominated and authorised by the relevant Executive Director/Chief Executive, are permitted to give reports or speak to the press (including trade press) and media on matters relating to either employment with the Council, Council business or the decisions of the Council.
-

9.0 **POLITICAL NEUTRALITY**

- 9.1 As employees serve the Council as a whole, it follows they must serve all Councillors and not just those of the controlling group and must ensure that the individual rights of all Councillors are respected.
- 9.2 Employees should not usually be called upon to advise any political group of the Council either in regard to the work of the group or of the Council. Neither should employees be required to attend political group meetings except in the exceptional circumstances the Executive Director/Chief Executive may give advice.
- 9.3 All other employees must receive clearance from the Executive Director should they be requested to attend a political group meeting. For further detailed guidance please refer to the **POLITICALLY RESTRICTED POSTS POLICY**.

- 9.4 Where employees are required to advise political groups, they must do so in ways which do not compromise their political neutrality. Employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with or influence their work.

10.0 **APPOINTMENT AND OTHER EMPLOYMENT MATTERS**

- 10.1 Employees involved in recruitment and selection must ensure any appointments are made on the basis of merit, in accordance with the **RECRUITMENT & SELECTION POLICY**.
- 10.2 An appointment which is based on anything other than the candidate's ability to undertake the duties of the post may render the Council open to a claim under equalities legislation.
- 10.3 In order to avoid any possible accusation of bias, employees must not be involved in an appointment where they are related to an applicant, or have any personal relationship outside of work with him/her.
- 10.4 Similarly, employees must not be involved in decisions relating to discipline promotion or pay adjustments for any other employee who is a relative, partner or with whom they have a close personal relationship.

10.0 **OUTSIDE COMMITMENTS**

- 10.1 All employees have contractual obligations to the Council and should not take outside employment which conflicts with the Council's interest(s). Employees are required to declare dual/multiple employment in accordance with the **WORKING TIME REGULATIONS POLICY**.
- 10.2 The Council cannot allow a breach of the Regulations and therefore, failure to declare will be seen as a breach of the Code and may result in disciplinary action which could include dismissal. No work (paid/unpaid) other than that for the Council should be taken in the workplace. This includes the use of workplace facilities.
- 10.3 Employees should be aware that all literary, dramatic, musical or artistic work e.g. documents, computer programs, photographs, drawings, recordings or graphic work (not exhaustive) which is produced by the employee in the course of their employment with the Council is the copyright of the Council in accordance with S11 (2) of the Copyright Design and Patents Act 1988.
- 10.4 Accordingly, employees must not do anything which in any way would constitute an infringement of the Council's copyright in any literary, dramatic musical or artistic work. Employees must ensure that they do not do anything which would constitute an infringement of the copyright of any third party whilst in the course of their employment with the Council.

11.0 **EQUALITY AND DIVERSITY**

- 11.1 This policy has been impact assessed by Human Resources, if on reading this policy you feel there are any equality and diversity issues, please contact your Directorate Human Resources Business Partner who will if necessary ensure the policy is reviewed.

12.0 **INCOME TAX AND NATIONAL INSURANCE CONTRIBUTIONS**

12.1 None arising as a result of this policy.

Document Control

Implementation Date	
Author	Business Advisory Service –AKB
Revised/Updated	25 April 2019
Brief Reason for Change	Full following Audit Report
Version Control	Final Draft following stakeholder meeting and SMT on 23.04.2019

© Barnsley Metropolitan Borough Council.

The right of Barnsley Metropolitan Borough Council to be identified as Author of this Work has been asserted by it in accordance with the Copyright, Designs and Patents Act 1988. No part of this publication may be reproduced in any material form, including photocopying or storing it in any electronic medium without the written permission of the copyright owner except in accordance with the provisions of the Copyright, Designs and Patents Act 1988. Applications for the copyright owner’s permission to reproduce any part of this publication must be addressed to the Service Director of Human Resource, Barnsley Metropolitan Borough Council, Human Resources, PO Box 634, Barnsley, S70 9GG.

This page is intentionally left blank



Code of Conduct **INSIDER DEALING**

1. Insider Dealing was first made a criminal offence by the Companies Act 1980. The reason for this was to protect public confidence in the market and to prevent those with inside knowledge cheating others in their dealing with them. The previous legislation was criticised for being complex, now, Insider Dealing is covered by Part V of the Criminal Justice Act 1993.
2. There are 3 types of Insider Dealing:
 - * Actual dealing
 - * Encouraging others to deal
 - * Disclosing inside information
3. There are 2 types of Insider:
 - * Primary insider who has the information because of their status
 - * A person who provides information for others to deal with
4. For information to be classified as inside information, **all** the following criteria must be satisfied:
 - * The information must relate to a particular security or issuer of securities and not to securities generally
 - * The information must be specific or precise
 - * The information must not have been made public
 - * If the information is to be made public, the information would significantly affect the price
5. Defences against accusations of dealing or encouraging others to deal are:
 - * No advantage was gained “no profit/no loss”
 - * The information has been widely disclosed enough
 - * The individual would have acted in the same way even if they did not have the information
6. Defences against accusations of disclosing are:
 - * The discloser did not expect anyone to deal
 - * The discloser did not expect the deal to result in profit
7. The internal policing of inside information is currently not built into any fraud strategies. There are no existing strategies that lend themselves to incorporate arrangements for identifying inside information. However, should such occurrences be disclosed to the Council, perhaps via the [Whistleblowing Policy](#), a full and thorough investigation would take place, perhaps resulting in disciplinary or criminal action.

This page is intentionally left blank



Code of Conduct
DECLARATION OF OFFER(S)
OF BENEFIT(S)

Employees are required to complete this form to provide details of any offer of benefit(s) (other than normal pay/remuneration) as a result of their employment with the Council. Where occasion permits, (eg Christmas/end of school term) consideration may be given to the completion of one declaration form to cover 'multiple gifts' eg to a key person(s) at a Family Centre Site or School.

Employee(s) receiving the offer:

Date offer made:

Details of offer(s)
 Including value/
 single item/
 multiple items:

Offer(s) made by:

Company/Body/ Organisation
 providing the Offer
 of Benefit(s)
 (If different from above)

(Tick appropriate box)

Executive's)

Rejected the offer(s) of benefit(s) **OR**

Seek the Service/Executive Director's (or Chief
 approval to accept the offer(s) of benefit(s) **OR**

Initially accepted the offer(s) of benefit(s) due to
 particular perishable nature (eg flowers) and now
 seeking Service/Executive Director (or Chief
 Executive's) approval retrospectively. ***This should
 be the exception and not the default option.***

If you are seeking approval to accept the offer(s) of benefit(s), please state below, your justification for doing so:

Completed by:

Date:

To be completed by the Service/Executive Director (or Chief Executive as appropriate):

I have considered your declaration of offer(s) of benefit as detailed overleaf and hereby:

NOTE/APPROVE/DO NOT APPROVE* your application to accept the offer made to you.

Signed:

Date:

* Delete as appropriate

Checklist – for use by Directorate Nominated Recording Officer:

	Action	Initial & Date
1	Acknowledge initial receipt of declaration form with employee(s)	
2	Enter details onto the Register of Employee Interests/Offer(s) of Benefit(s)	
3	Forward this declaration form to the Service/Executive Director for consideration	
4	Confirm the Service/Executive Director's decision with the employee(s)	
5	Finalise the entry in Register of Employee Interests/Offer(s) of Benefit(s)	
6	Arrange to file this declaration form and all related correspondence in line with Retention Schedule.	

This page is intentionally left blank



Code of Conduct
DECLARATION OF OFFER(S)
OF BENEFIT(S)

Employees are required to complete this form to provide details of any offer of benefit(s) (other than normal pay/remuneration) as a result of their employment with the Council. Where occasion permits, (eg Christmas/end of school term) consideration may be given to the completion of one declaration form to cover 'multiple gifts' eg to a key person(s) at a Family Centre Site or School.

Employee(s) receiving the offer: **A N Officer**

Date offer made: **2018/31/05**

Details of offer(s)
 Including value/
 single item/
 multiple items:

1 large box of chocolates – value £25.00

Offer(s) made by: **A N Other (Head Teacher – The School)**

Company/Body/ Organisation
 providing the Offer
 of Benefit(s)
 (If different from above)

The School, School Street, Any Town, HA77 3PY

(Tick appropriate box)

Executive's)

Rejected the offer(s) of benefit(s) **OR**

Seek the Service/ Executive Director's (or Chief approval to accept the offer(s) of benefit(s) **OR**

Initially accepted the offer(s) of benefit(s) due to particular perishable nature (eg flowers) and now seeking Service/Executive Director (or Chief Executive's) approval retrospectively. ***This should be the exception and not the default option.***

If you are seeking approval to accept the offer(s) of benefit(s), please state below, your justification for doing so:

The above gift is made to say an extra 'thank you' to acknowledge the help/support given relating to a particularly difficult/challenging Managing Change process. The gift is of a modest nature, is made to the whole team and has a retail value of £25.00.

Completed by: **A N Officer**

Date: **2018/31/05**

To be completed by the Service/Executive Director (or Chief Executive as appropriate):

I have considered your declaration of offer(s) of benefit as detailed overleaf and hereby:

NOTE/APPROVE/DO NOT APPROVE* your application to accept the offer made to you.

Signed:

Date:

* Delete as appropriate

Checklist – for use by Nominated Recording Officer:

	Action	Initial & Date
1	Acknowledge initial receipt of declaration form with employee(s)	
2	Enter details onto the Register of Employee Interests/Offer(s) of Benefit(s)	
3	Forward this declaration form to the Service/Executive Director for consideration	
4	Confirm the Executive Director's decision with the employee(s)	
5	Finalise the entry in Register of Employee Interests/Offer(s) of Benefit(s)	
6	Arrange to file this declaration form and all related correspondence in line with Retention Schedule	

This page is intentionally left blank



Code of Conduct

DECLARATION OF EMPLOYEES' INTERESTS

As a general principle, employees should err on the side of caution and declare interests where it could reasonably be considered that they may be a conflict of interest with those of the Council. Where interests are declared, compensating/safeguarding controls need to be put in place to ensure that employees are not involved in any transactions/decisions relating that particular party/property/contract/interest etc. This does not negate the need to disclose interests as required by section 112. Further information on the types of 'interests' that need to be registered are contained within the following pages of this form/Code of Conduct.

EMPLOYEE NAME	DIRECTORATE/BUSINESS UNIT	DATE	EMPLOYEE SAP NUMBER
A N Officer	xxxxx (Directorate) xxxxx (Business Unit)	2018/31/05	000000
DECLARATION OF INTEREST		DETAILS	
1. Governor of educational establishment	N/A		
2. Involvement with organisation receiving grant aid from the Council (including close relatives)	N/A		
3. Involvement in companies (state company and position) (including close relatives)			
4. Relationships to/with any other employee/Councillor and/or relationships/interest with external clients/contractors	In a close personal relationship with A N Contractor, The Emporium, Product Street, Any Town, SG99 0PQ who is on the current approved supplier list of xxxx (service/product) to the Council.		
5. Membership of secret societies as defined by LGE	N/A		
6. Beneficial interest in land or property	N/A		
7. Intent to bid for land or property owned by the Council	N/A		
8. Others (please specify)	N/A		
Applicable to employees employed in a position responsible for letting or supervising contracts or selecting suppliers or contractors, including those relating to investments: N/A			
Holding of shares or other securities, excluding banks and building societies, (state name of company/body, declaration of size or nature or holding is not necessary)	N/A		

Employee Signature: *A N Officer*

Date: *2018/31/05*

To be completed by Service Director	
Control:	Review/Notify/Authorisation:
<p>A N Officer (1) must not take part in any decision making or process any transaction(s) either of a financial or non-financial nature with A N Contractor.</p> <p>A N Officer (2) has been identified to manage all aspects of the contract with A N Contractor, this is to include all processes relating to the placing of orders, arranging payments, refunds etc.</p> <p>A N Officer (2) will also manage any future tender process should A N Contractor bid for future contracts with the Council.</p> <p>Should the nature of the relationship change or where any changes relating to the original declaration arise, A N Officer (1) must ensure they are declared accordingly.</p>	<p>Annual review in line with policy.</p> <hr/> <p>Details relating to this declaration and the identified safeguarding controls are to be shared with:</p> <p>A N Officer A N Officer (2) A N Manager</p> <hr/> <p>Service Director Signature:</p> <p>Date:</p>

Checklist – for use by Nominated Recording Officer:

	Action	Initial & Date
•	Acknowledge initial receipt of declaration form with employee (CC Service Director)	
•	Make appropriate entry in the Register of Employee Interests/Offer(s) of Benefit(s)	
•	Forward this declaration form to the Service Director for consideration and identification of any compensating/safeguarding controls/review timescales	
•	Finalise entry in the Register of Employee Interests/Offer(s) of Benefit(s) detailing any compensating/ safeguarding controls, review arrangements etc	
•	Inform employee (CC Service Director/appropriate manager as identified) of outcome/safeguarding controls/review arrangements etc	
•	Arrange to file this declaration form and all related correspondence in line with Retention Schedule	



Code of Conduct
DECLARATION OF EMPLOYEES' INTERESTS
ADDITIONAL NOTES FOR GUIDANCE

Please refer to the Council's Code of Conduct Policy which is aimed at making employees aware of the standards of behaviour/conduct which are expected of them by the Council. As a general principle employees should err on the side of caution and declare any conflict of interest where it could reasonably be considered that they may be a conflict of interest with those of the Council. The following additional information below may assist with the types of 'interests' that should be registered.

1. **Membership of Governing Bodies** including all schools maintained by the Council, all further education establishments and all grant maintained schools. Involvement could be either paid or unpaid.
2. **Involvement in Companies** including directorships and company secretary positions, or any other position where a person is actively involved in the running of a company's affairs, where the company has, or may have, a contractual relationship with the Council.
3. **Relationship to/with any other employee/Councillor of the Council, and/or relationships/interest with external clients/contractors.** (eg close friend/ relative, eg a spouse/partner, parent, sibling, son, daughter including 'in laws').
4. **Membership of a secret society.** These are defined by the Local Government Employers, ie it is recommended that this definition is used to determine whether a declaration should be made. The LGE use the following definition:
 'any lodge, chapter, society, trust or regular gathering or meeting, which:
 - a) is not open to members of the public who are not members of that lodge, chapter, society or trust;
 - b) includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and
 - c) includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

A lodge, chapter, society, trust, gathering or meeting as defined above, should not be regarded as a secret society if it forms part of the activity of generally recognised religion'.
5. **Beneficial interest in land or property.** This excludes the employee's own dwelling and only relates to land and property within the Council's boundary.
6. **The intention to bid for the purchase of land or property owned by the Council** should be made as soon as practicable. Section 117 of the Local Government Act also requires that the interest be declared to the Executive Director/Chief Executive who shall also inform the Service Director of Finance.
7. Please specify interest and nature of interest.
8. The holding of shares or other securities, in a company or other body with whom the Council contracts or is considering contracting, must be declared if the holding exceeds £25,000 or more than 1/100th of the nominal value of the issued share capital, whichever is less. The

size and nature of the holding need not be declared, simply the name of the company. This requirement does not extend to banks or building societies.

EXAMPLE



Code of Conduct

DECLARATION OF EMPLOYEES' INTERESTS

As a general principle, employees should err on the side of caution and declare interests where it could reasonably be considered that they may be a conflict of interest with those of the Council. Where interests are declared, compensating/safeguarding controls need to be put in place to ensure that employees are not involved in any transactions/decisions relating that particular party/property/contract/interest etc. This does not negate the need to disclose interests as required by section 112. Further information on the types of 'interests' that need to be registered are contained within the following pages of this form/Code of Conduct.

EMPLOYEE NAME	DIRECTORATE/BUSINESS UNIT	DATE	EMPLOYEE SAP NUMBER
A N Officer	xxxxx (Directorate) xxxxx (Business Unit)	2018/31/05	000000
DECLARATION OF INTEREST		DETAILS	
1. Governor of educational establishment		N/A	
2. Involvement with organisation receiving grant aid from the Council (including close relatives)		N/A	
3. Involvement in companies (state company and position) (including close relatives)			
4. Relationships to/with any other employee/Councillor and/or relationships/interest with external clients/contractors		In a close personal relationship with A N Contractor, The Emporium, Product Street, Any Town, SG99 0PQ who is on the current approved supplier list of xxxx (service/product) to the Council.	
5. Membership of secret societies as defined by LGE		N/A	
6. Beneficial interest in land or property		N/A	
7. Intent to bid for land or property owned by the Council		N/A	
8. Others (please specify)		N/A	
Applicable to employees employed in a position responsible for letting or supervising contracts or selecting suppliers or contractors, including those relating to investments: N/A			
Holding of shares or other securities, excluding banks and building societies, (state name of company/body, declaration of size or nature or holding is not necessary)		N/A	

Employee Signature: *A N Officer*

Date: *2018/31/05*

To be completed by Service Director	
Control:	Review/Notify/Authorisation:
<p>A N Officer (1) must not take part in any decision making or process any transaction(s) either of a financial or non-financial nature with A N Contractor.</p> <p>A N Officer (2) has been identified to manage all aspects of the contract with A N Contractor, this is to include all processes relating to the placing of orders, arranging payments, refunds etc.</p> <p>A N Officer (2) will also manage any future tender process should A N Contractor bid for future contracts with the Council.</p> <p>Should the nature of the relationship change or where any changes relating to the original declaration arise, A N Officer (1) must ensure they are declared accordingly.</p>	<p>Annual review in line with policy.</p> <hr/> <p>Details relating to this declaration and the identified safeguarding controls are to be shared with:</p> <p>A N Officer A N Officer (2) A N Manager</p> <hr/> <p>Service Director Signature:</p> <p>Date:</p>

Checklist – for use by Nominated Recording Officer:

	Action	Initial & Date
•	Acknowledge initial receipt of declaration form with employee (CC Service Director)	
•	Make appropriate entry in the Register of Employee Interests/Offer(s) of Benefit(s)	
•	Forward this declaration form to the Service Director for consideration and identification of any compensating/safeguarding controls/review timescales	
•	Finalise entry in the Register of Employee Interests/Offer(s) of Benefit(s) detailing any compensating/ safeguarding controls, review arrangements etc	
•	Inform employee (CC Service Director/appropriate manager as identified) of outcome/safeguarding controls/review arrangements etc	
•	Arrange to file this declaration form and all related correspondence in line with Retention Schedule	



Code of Conduct
DECLARATION OF EMPLOYEES' INTERESTS
ADDITIONAL NOTES FOR GUIDANCE

Please refer to the Council's Code of Conduct Policy which is aimed at making employees aware of the standards of behaviour/conduct which are expected of them by the Council. As a general principle employees should err on the side of caution and declare any conflict of interest where it could reasonably be considered that they may be a conflict of interest with those of the Council. The following additional information below may assist with the types of 'interests' that should be registered.

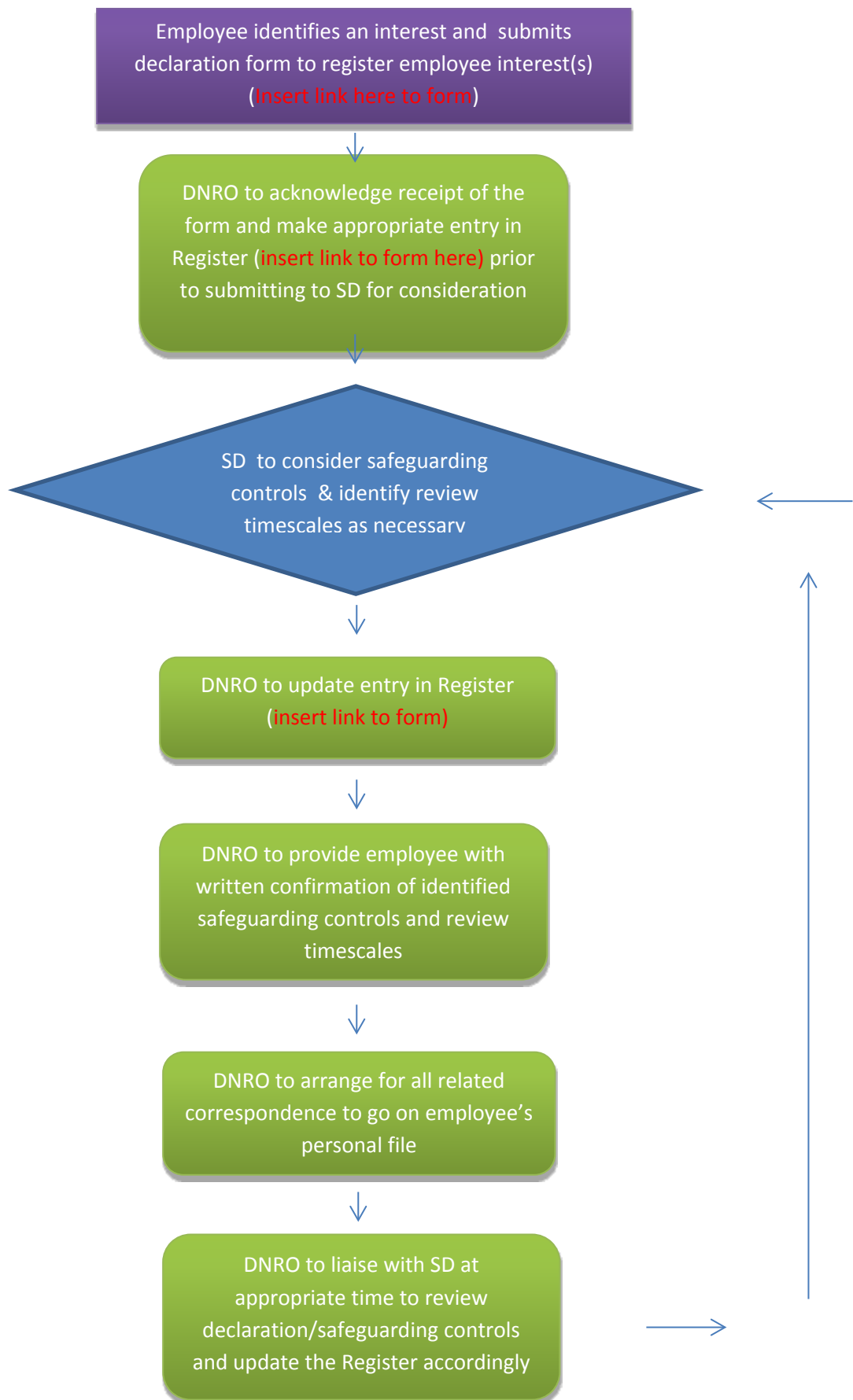
1. **Membership of Governing Bodies** including all schools maintained by the Council, all further education establishments and all grant maintained schools. Involvement could be either paid or unpaid.
2. **Involvement in Companies** including directorships and company secretary positions, or any other position where a person is actively involved in the running of a company's affairs, where the company has, or may have, a contractual relationship with the Council.
3. **Relationship to/with any other employee/Councillor of the Council, and/or relationships/interest with external clients/contractors.** (eg close friend/ relative, eg a spouse/partner, parent, sibling, son, daughter including 'in laws').
4. **Membership of a secret society.** These are defined by the Local Government Employers, ie it is recommended that this definition is used to determine whether a declaration should be made. The LGE use the following definition:
 'any lodge, chapter, society, trust or regular gathering or meeting, which:
 - a) is not open to members of the public who are not members of that lodge, chapter, society or trust;
 - b) includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and
 - c) includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

A lodge, chapter, society, trust, gathering or meeting as defined above, should not be regarded as a secret society if it forms part of the activity of generally recognised religion'.
5. **Beneficial interest in land or property.** This excludes the employee's own dwelling and only relates to land and property within the Council's boundary.
6. **The intention to bid for the purchase of land or property owned by the Council** should be made as soon as practicable. Section 117 of the Local Government Act also requires that the interest be declared to the Executive Director/Chief Executive who shall also inform the Service Director of Finance.
7. Please specify interest and nature of interest.
8. The holding of shares or other securities, in a company or other body with whom the Council contracts or is considering contracting, must be declared if the holding exceeds £25,000 or more than 1/100th of the nominal value of the issued share capital, whichever is less. The

size and nature of the holding need not be declared, simply the name of the company. This requirement does not extend to banks or building societies.

EXAMPLE

Declaration of Employee Interest(s) Flow Chart



This page is intentionally left blank



Code of Conduct
**REGISTER OF DECLARATIONS OF
 EMPLOYEE INTERESTS/OFFER OF BENEFIT(S)**

Directorate		Service/ Business Unit	
--------------------	--	-----------------------------------	--

Register Entry Number	Declaration Form dated	Employee(s) making the declaration	Nature/details of the declaration being made by the employee(s) Conflict of Interest/Offer of Benefit(s)	Details relating to Interest/Offer(s) of Benefit(s) (Company/Body/Organisation/Individual)	Outcome/Any additional notes/Safeguarding Controls

This page is intentionally left blank



Code of Conduct
REGISTER OF DECLARATIONS OF
EMPLOYEE INTERESTS/OFFER OF BENEFIT(S)

Directorate	XXXX	Service/ Business Unit	XXXX XXXX
-------------	------	---------------------------	--------------

Register Entry Number	Declaration Form dated	Employee(s) making the declaration	Nature/details of the declaration being made by the employee(s) Conflict of Interest/Offer of Benefit(s)	Details relating to Interest/Offer(s) of Benefit(s) (Company/Body/Organisation/Individual)	Outcome/Any additional notes/Safeguarding Controls
001	2018/31/05	A N Officer BU xx	Offer of Benefit: 1 large box of Celebration chocolates – retail value £5.00.	A N Other (Head Teacher) The School, School Street, Any Town, HA77 3PY.	SD approved - 2018/06/01. Benefit to be made available to whole team to share.
002	2018/31/05	A N Officer BU xx	Conflict of Interest: Declaration of close personal relationship with A N Contractor who supplies xxxx (product/service) to the Council.	A N Contractor The Emporium, Product Street, Any Town, SG99 0PQ.	SD identified safeguarding controls: A N Officer must not take part in any decision making or process any transactions either of a financial or non-financial nature with A N Contractor. A N Officer (2) identified to manage all aspects of the contract and nay future tender process. A N Officer (1) to declare any changes either to the nature of the relationship/original declaration as appropriate. Formal Review/follow up schedule: Annual Review

This page is intentionally left blank

BARNSELEY METROPOLITAN BOROUGH COUNCIL

This matter is Key Decision within the Council's definition and has been included in the relevant Forward Plan

REPORT OF THE EXECUTIVE DIRECTOR OF COMMUNITIES TO CABINET ON WEDNESDAY 29TH MAY 2019

REMOVAL OF LIBRARY FINES AND RESERVATION CHARGES

1. PURPOSE OF REPORT

- 1.1 To consider proposed changes to library fees and charges in 2019-20 and abolish all fines and reservation charges for library customers from 1st July 2019 to remove barriers to accessing library services and encourage previous library customers to return and attract new customers. It is also proposed to waive all outstanding library fines and replacement charges for items not returned.

2. RECOMMENDATIONS

- 2.1 **To cease charging library fines for the late return of items with effect from 1st July 2019. Charges for lost or damaged items would be retained. Replacement charges for items borrowed after 1st July 2019 and not returned would also apply.**
- 2.2 **To approve the deletion of historic fines, replacement charges and reservation charges on customer records prior to 1st July 2019.**
- 2.3 **To cease charging to reserve items already in stock or on order for Barnsley's libraries. Request and inter-library loan charges for items not currently in stock would be retained.**
- 2.4 **A further report to be presented to Cabinet in 12 months to show the impact of the changes and review the decision.**

3. INTRODUCTION

- 3.1 Historically, public libraries have always fined for the late return of items which is seen as a deterrent to keeping an item beyond the loan period and provides a source of income. The council already makes an exception for children's material as it is recognised that fines are a barrier to parents encouraging their children to join the library or continue using it.
- 3.2 The recent Libraries Review noted that Barnsley's libraries have seen a 31% decline in book borrowing between 2012-13 and 2017-18. The Library Strategy

2019-2022 sets out the aspiration to create vibrant community and digital hubs that are relevant to people of all ages.

- 3.3 In Barnsley, fines are charged at a rate of 10p per book per day to a maximum of £5.20 per item. This figure has remained static for many years as an increase in the fine rate will undoubtedly have a further negative impact on the use of our libraries, which is counter to our aspirations laid out in the Libraries Strategy, particularly in relation to deprived areas and marginalised user groups who benefit most from access to library services.
- 3.4 Recently public libraries in the UK have been questioning the usefulness of library fines as they do not appear to act as a successful deterrent to keeping items beyond the loan period. Customers often keep the book as they can no longer afford the fine which means the Service and other customers lose access to that stock, with an additional cost to replace the item. There is also a perpetual cycle of losing existing customers as their membership is suspended when the amount owing exceeds £5.00.
- 3.5 This impacts their ability to use the public access computers and is a further barrier to the council's channel shift ambition. Customers without their own internet access are more likely to be from deprived communities. If they no longer use the library due to fines they are less likely to visit or change the way they access council services.
- 3.6 Similarly fines are a barrier to encouraging new customers to use the library, especially those on low incomes, older people and socially isolated who benefit not only from access to the books but also from using the library as a community hub, attending groups and activities and generally meeting people. Fines can therefore limit the potential of libraries to support communities, enrich lives and deliver the Library Strategy.

4. PROPOSAL AND JUSTIFICATION

- 4.1 It is proposed to remove all fines for the late return of items borrowed from Barnsley libraries. In the UK there is now a growing debate on the value of fines in modern libraries with several local authorities, e.g. Rutland, Trafford, Portsmouth, Halton, Kirklees and Blackpool taking the decision to remove them. Research from Australia and the USA has demonstrated no increase in the number of overdue items and in some cases more items are now returned on time. Evidence has also shown an increase in the number of families and groups subject to multiple deprivations using libraries.
- 4.2 In the last 3 years income from library fines has steadily declined, reducing from £14.2k in 2016/17 to an anticipated outturn of £11.5k for 2018/19. This is considered a small income stream to absorb compared to the potential benefit to existing and future customers using the Service. Further details are contained within Section 7 – Financial Implications.
- 4.3 The Library Management System has the capability to send email reminders to customers before items are due back at no cost to the Service. This would encourage customers to return their items on time and would be an improved service for customers. The current income target has discouraged the introduction

of this facility to date as it has the potential to reduce further the Service's ability to achieve the income target, but with the removal of fines it becomes a positive improvement.

- 4.4 Equally the Library Management System will alert library staff if someone has items they have not returned on time and prevent those customers from borrowing further items without staff intervention.
- 4.5 Libraries currently make reservation and requests/inter-library loan charges for customers wishing to reserve an item on loan to another customer or to obtain a copy from another library outside the Authority. Reservations on items in stock or on order in Barnsley Libraries are charged at 55p per item (30p for Over 60's and Barnsley Leisure Card concessions).
- 4.6 Currently if a customer visits the Central Library and asks for a book from stock in non-public areas a member of staff will retrieve the book for them at no charge. A customer in a community library requiring the same book will need to place a reservation and incur the reservation charge. Items are then delivered to individual libraries by the regular service used to circulate new and requested items.
- 4.7 With the opening of the Library@TheLightbox staff will no longer be able to retrieve books as this stock will no longer be on site. Therefore rather than introduce a charge for Lightbox customers in line with the community libraries, it is proposed to remove the reservation charge for everyone. The potential benefit in addition to an equitable service is the potential for an increase in reservations, book issues and increased use of the stock and therefore value for money.
- 4.8 In the last 3 years income from reservations and inter-library loan requests has been marginal with £3.1k being expected for the year 2018/19.
- 4.9 Charges for the loss or damage of books and for requesting items not currently in stock will remain at the current level (80p for not in stock; PLUS £2.40 from another UK Library/ £3.95 from British Lending Library).
- 4.10 From 1st July 2019 customers will no longer incur library fines, but they will still be liable for the replacement cost of any items they fail to return.
- 4.11 Removal of fines will also significantly reduce administration in the service and allow our workforce to concentrate on engaging with users of the service. An indication of the time saved equates to approximately 6 hours per week across the library network from reduced cash handling, banking and distribution of overdue letters. There is also a financial saving on reduced printing and postage.

5. CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 In relation to book reservation charges, there is an option to apply the reservation charge to all customers requiring a book from the stock. It is anticipated that this would result in a significantly higher level of complaints from customers who have previously used the Central Library compared to the loss of income and positive impact from removing the charge for everyone.

- 5.2 The removal of fines could be introduced for a trial period only and the impact monitored. This would entail additional work for staff to introduce new monitoring systems to evaluate when items are returned, produce reports and bring these back to Cabinet for a final decision or extension to the pilot. Research has already been undertaken in other Authorities and there is no reason to suppose that the patterns of behaviour and benefits identified would be any different in Barnsley.
- 5.3 However, it is recognised that the proposed changes should be monitored over the first 12 months and a further report presented to Cabinet to show the impact and provide an option to review the decision.
- 5.4 Library fines could remain at their existing level, but the opportunity to introduce a change with the potential to positively impact declining library usage would be lost.

6. IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 6.1 There are various benefits for customers:
- Removal of financial barriers to using libraries – future and historic
 - Improved access to library and council services in relation to literacy, digital, learning, health & wellbeing
 - No barriers to using public access computers to access services online
 - Reduced social isolation
 - Reduced fear from fines, stigma and embarrassment
 - Equity for all customers and types of books (there are no fines on e-books)
 - Conscientious customers who pay fines are no longer penalised
 - Improved choice of books as items are not kept overdue for long periods

7. FINANCIAL IMPLICATIONS

- 7.1 Consultations have taken place with representatives of the Service Director Finance (S151 Officer).
- 7.2 The Appendix A (attached to this report shows the detail of the financial implications of removing library fines and reservations charges.
- 7.3 The table below provides a summary of the Fines and Revenue Income achieved over the last three years by the Libraries.
- 7.4 Whilst removal of these charges is likely to result in a loss of income of around £15k per annum, this will be managed via budget realignment this being possible due to the cost efficiencies created through the recent reconfiguration of the library service therefore their removal is considered totally manageable from a financial perspective.
- 7.5 It is also worth noting that removal of fines and reservations will provide a small cost reduction in printing and postage costs and also a staff time saving of 6 hours per week in terms of the administration of fines (Paragraph 4.11 refers) enabling staff to be deployed effectively elsewhere.

7.6

Revenue Effects	<u>Actual</u> 2016/17	<u>Actual</u> 2017/18	<u>Actual</u> 2018/19	<u>Budget</u> 2019/20
	£	£	£	
Fines Income	14,220	13,504	11,420	11,500
Reservations Income	3,393	3,593	3,156	3,500
	17,613	17,097	14,576	15,000

8. EMPLOYEE IMPLICATIONS

8.1 There are no implications in relation to the number of staff employed in the Service. However, by reducing administration associated with cash handling and financial routines staff will be able to further assist customers in need of support, especially in terms of support to access digital services. Staff will no longer be forced to exclude users as a result of outstanding fines which will avoid resulting conflict and aid our aspiration to support vulnerable members of our communities.

9. LEGAL IMPLICATIONS

9.1 The recommendations in this report are consistent with the general statutory duty of the Council under section 7 of the Public Libraries and Museums Act 1964 to provide a comprehensive and efficient library service for all persons who wish to make use of it.

10. CUSTOMER AND DIGITAL IMPLICATIONS

10.1 There are potentially positive benefits in relation to reducing library telephone calls to the Contact centre. Currently a significant proportion of calls are in relation to renewing library books. Whilst the facility to renew items online has been available for several years, many customers still prefer to telephone, especially if they cannot visit the library and have concerns about incurring fines.

10.2 The fear of incurring fines will be removed so there will not be the urgency to telephone to renew items. Library staff will have more time to show people how to renew their items online and if the Library Management System issues a reminder email before the items are due then the customer will have more notice to plan when and how to renew or return their items.

10.3 The Library Management System will need adjustments making to the system parameters to ensure fines and reservation charges are no longer charged, but this is within the control of system users within Customer Services.

10.4 An additional piece of work will be needed to remove historic fines from library accounts and also delete and anonymise accounts that have been inactive in order to comply with GDPR. Again, this is within the control of Customer Services staff and processes exist within the Library Management System to enable these to be completed on bulk.

11. COMMUNICATIONS IMPLICATIONS

- 11.1 The proposal is a positive communications message which will require the Marketing and Communications team to work with the Service to issue targeted messages to make library users and non-users aware of the changes, update their perception of the public library service and encourage new membership. It will link to Imaginelt as part of Town Spirit and a key message will be to encourage customers to return items on time and support their town by ensuring items are available for the wider community to borrow and benefit from.
- 11.2 As part of the communications message customers benefitting from having historic fines and charges waived from their accounts will have the opportunity to make a voluntary donation to the Library Service to be used towards the purchase of new books or resources.
- 11.3 The timing of the change links to the opening of Library@TheLightbox and is a further opportunity to promote the services offered at the Lightbox and across the community libraries, promote the breadth of library stock, the ability to reserve or request any book and future developments to deliver the Library Strategy.
- 11.4 It is likely that if approved the proposal will be highlighted in the professional library press, by Libraries Connected and CILIP and across social media, raising the profile of the Service and developments within the town.

12. CONSULTATIONS

12.1 HR, Performance & Communications:

Alison Brown, Service Director – HR & Business Support

Katie Rogers, Head of Communications & Marketing

Equality & Diversity:

Jules Horsler, Equality & Inclusion Manager

Faith Ridgwick, Equality & Inclusion Officer

Finance, Assets & Information:

Mark Bell, Strategic Finance Manager

Legal & Governance:

Garry Kirk, Service Director - Legal

Employment and Skills:

Tom Smith, Head of Employment & Skills

Trade Unions:

April Pepper, Unison

Ann Gallagher, GMB

Others:

Diana Terris, Chief Executive

Andrew Frosdick, Executive Director – Core Services

Matt Gladstone, Executive Director - Place

Rachel Dickinson, Executive Director - People

Wendy Lowder, Executive Director, Communities

Phil Hollingsworth, Service Director – Stronger, Safer, Healthier Communities

Dave Robinson, Service Director – Customer Information & Digital Services

Graham Terry, Programme Lead, Provider Services

13. PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

- 13.1 The proposal is likely to have a positive impact on low income families, the socially isolated, disabled and least mobile and those without access to digital services.
- 13.2 An initial Equalities Impact Assessment has been completed (Appendix B) and whilst the proposal has a positive effect the Service will monitor the impact on and library usage of demographic groups during the initial 12 month period.
- 13.3 As part of the targeted communications message the Service will raise awareness with a diverse range of people and utilize specific social media pages for the various Equalities groups.
- 13.4 Customers requiring items of stock in alternative formats or languages can currently access these either from library stock or via the requests process. The Service regularly reviews its stock policy, collections and new demands so increased demands from different community groups can be met as part of business as usual procedures.

14. RISK MANAGEMENT ISSUES

- 14.1 The potential risk is from an increase in items not being returned alongside the loss of current income. However, evidence from other authorities in the UK and abroad suggests that there is no significant increase in items not being returned and evidence to suggest the opposite as customers are no longer concerned about incurring fines.
- 14.2 Procedures and alerts from the Library Management System will prevent customers from continuing to borrow items if they already have items overdue.
- 14.3 Further mitigation can be introduced by sending early email reminders to customers regarding when items are due to be returned.
- 14.4 The impact of the proposed changes will be monitored over the initial 12 month period.

15. GLOSSARY

CILIP Chartered Institute of Library & Information Professionals

16. LIST OF APPENDICES

- Appendix A: Financial Implications
- Appendix B Initial Equalities Impact Assessment

Report author: Kathryn Green

This page is intentionally left blank

APPENDIX A
Report of the Executive Director of Communities

FINANCIAL IMPLICATIONS

Removal of Library Fines and Reservation Charges

i)	<u>Capital Expenditure</u>	2019/20	2020/21	2021/22	Total
		£	£	£	
		0	0	0	0

To be financed from:

0	0	0.000	0.000
---	---	-------	-------

ii)	<u>Revenue Effects</u>	2019/20	2020/21	2021/22	Later Years
		£	£	£	£
	Estimated Fines Income	-11,500	-11,500	-11,500	-11,500
	Estimated Reservations Income	-3,500	-3,500	-3,500	-3,500
		-15,000	-15,000	-15,000	-15,000


To be Financed from:

Realignment of Libraries Base Budget Allocation:	15,000	15,000	15,000	15,000
--	---------------	---------------	---------------	---------------

Total Cost/(Savings)	0	0	0	0
----------------------	----------	----------	----------	----------

Impact on Medium Term Financial Strategy

This report has no impact on the Authority's Medium Term Financial Strategy.



Agreed by:On behalf of the Director of Core Services

This page is intentionally left blank



Initial (*screening*) Equality Impact Assessment

Service Name:	Customer Services
Your Name:	Kathryn Green
Contact Details:	KathrynGreen@barnsley.gov.uk
Assessment Date:	2 nd April 2019
Date of EIA Review:	2 nd April 2020

This EIA will tell you about the following changes we are making (please provide some background/context):

To consider proposed changes to library fees and charges in 2019-20 to abolish all fines and reservation charges for library customers from 1st July 2019 to remove barriers to accessing library services and encourage previous library customers to return and attract new customers. It is also proposed to waive all outstanding library fines and replacement charges for items not returned.

Could this change have an impact on employees?

None

<input type="checkbox"/> Well-being	<input type="checkbox"/> Pay	<input type="checkbox"/> Terms and condition
<input type="checkbox"/> Opportunities for promotion	<input type="checkbox"/> Training and development	<input type="checkbox"/> Employment status
<input type="checkbox"/> Other, please state:		

Is there a possibility that there is a differential impact on some diverse groups of employees compared to others, for a reason related to their:

*** If you have checked any of these boxes then you should complete a Full EIA ***

<input type="checkbox"/> Disability	<input type="checkbox"/> Sex	<input type="checkbox"/> Age
<input type="checkbox"/> Ethnicity	<input type="checkbox"/> Religion or Belief	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> Marital status	<input type="checkbox"/> Pregnancy / maternity	
<input type="checkbox"/> Other, please state: Low income		

Could this change have an impact on customers / members of the public?

NB The impact would be a positive impact as library fines and reservation charges would have been removed.

<input checked="" type="checkbox"/> Take-up of the service	<input type="checkbox"/> Need for the service	<input type="checkbox"/> Entitlement to the service
<input checked="" type="checkbox"/> Cost of the service	<input type="checkbox"/> Waiting-time for the service	<input type="checkbox"/> How to contact the service
<input type="checkbox"/> Health and well-being	<input type="checkbox"/> Having a voice	
<input type="checkbox"/> Other, please state:		

Is there a possibility that there is a differential impact on some diverse groups of customers compared to others, for a reason related to their:

*** If you have checked any of these boxes then you should complete a Full EIA ***

<input checked="" type="checkbox"/> Disability	<input type="checkbox"/> Sex	<input checked="" type="checkbox"/> Age
<input type="checkbox"/> Ethnicity	<input type="checkbox"/> Religion or Belief	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> Marital status	<input type="checkbox"/> Pregnancy / maternity	
<input checked="" type="checkbox"/> Other, please state: Low income		

Could this change have an impact on how well people from different backgrounds . . .

*** If you have checked any of these boxes then you should complete a Full EIA ***

<input type="checkbox"/> Have an opportunity to get to know each other	<input type="checkbox"/> Work together in local community
<input type="checkbox"/> Use local services	<input type="checkbox"/> Have a voice / say about local area
<input type="checkbox"/> Other, please state:	

Please explain when and how the Full EIA will be undertaken:

(Please leave blank if the change does not require a Full EIA)

Lead officer:	
Timescale to complete Full EIA:	
E+I Team support:	
Relevant decision date:	
Approval process:	

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan

REPORT OF THE EXECUTIVE DIRECTOR (PEOPLE) TO CABINET

OUTCOMES FROM THE NATIONAL TAKEOVER CHALLENGE (2019)

1.0 PURPOSE OF REPORT

- 1.1 To inform Cabinet of an evaluation of the outcomes emerging from the Barnsley Takeover Day event which took place on 23rd November 2018. The project was a joint collaboration between Children's Social Care, the Targeted Youth Support Service from the People Directorate and the Employment and Skills team from the Place Directorate.

2.0 RECOMMENDATIONS

- 2.1 **That Cabinet notes the continued success of this annual event as an example of good working across partnerships which can continue to be built upon in future Takeover events and activities aimed at improving the range of outcomes for children and young people, including those in care and care leavers.**

3.0 INTRODUCTION

- 3.1 The national Takeover Day event gives children and young people across the country the opportunity to work with adults and get involved in organisational decision making, providing them with a work experience taster in a work place of their choice and is orchestrated by the Office of the Children's Commissioner for England. Takeover Day 2018 was another great success in Barnsley with over 23 young people taking part, taking on some of the most responsible adult roles within the Borough.

4. PROPOSAL AND JUSTIFICATION

- 4.1 Colleagues from the Employment and Skills service worked with business providers to identify placements that were personalised to young people and their interests and suitable adult mentors to support the young people. The day began and culminated at the Care Leavers Hub where a range of work place providers took part in the event including schools, childcare settings, Barnsley Hospital, South Yorkshire Police, Barnsley Football Club and Barnsley College. The Council itself hosted Takeover Day opportunities from across their Legal Services, the Mayors / Elected Members offices, Public Health, IT and Planning and Development. The Chief Executive supported a care leaver volunteer as part of Takeover Day activities.
- 4.2 The Takeover Challenge provided young people with a chance to have a say in decisions that are made and included a number of young people attending the joint Barnsley Safeguarding Board and Children's Trust event. In preparation for Takeover Day events, a smaller group of young people, including youth councillors and children in care had formed a working group with commissioning officers to give their perspective and feedback on the forthcoming Barnsley Children and Young People's Plan (2019-21) and how this could work alongside the priorities young people had identified as part of the regional 'Make Your Mark' Campaign, organised by the United Kingdom Youth Parliament and those aligned with the Children in Care Council.

- 4.3 The Executive Director (People) as the Local Authority's statutory Director of Children's Services, made a pledge as part of Takeover Day 2017, that the voice of young people should be represented at the annual Safeguarding Board / Children's Trust event. This pledge has paved the way for young people to work more closely with Commissioners to ensure that service users are more actively involved in the decision making cycle and that opportunities for their participation continue to grow and be nurtured at every level.
- 4.4 The matching of young people and providers gave local leaders and businesses a young and fresh perspective on some of the Borough's core functions such as the Police, Hospital and Council. Simultaneously, it presented young people with a taster of what a day in the life would look like in their chosen placement and helped them to challenge their understanding and perception of particular roles.
- 4.5 Altogether, 23 young people took part in a Takeover Placement opportunity on the day or subsequent days around Takeover week. Of those young people:-
- 7 were Children in Care
 - 3 were Care Experienced Young People
 - 5 were Youth Councillors
 - 1 was a Care Experienced Young Person/Volunteer
- 4.6 Additionally, 1 young person from the Youth Council took part in the Barnsley Safeguarding Board / Children's Trust event, alongside 3 other Youth Councillors who were participating in placements for Take Over Day and will continue to be part of a working group to develop the Children and Young People's Plan and commissioning priorities.
- 4.7 These individual placements were also supplemented by activities across each of the Borough's six 'I Know I Can' (IKIC) Centres that took place in the week of the Takeover event that were organised by the Targeted Youth Support Service and their locality based teams.
- 4.8 The feedback and evaluation from young people was extremely positive.
- **Young Person 1 – Childcare Services**
"10 out of 10"
 - **Young Person 2 – Day as a Surveyor**
"I spent the day with Berneslai Homes where I went into unoccupied houses and completed surveys. I learnt how to fill in an ECD and how to complete a survey. It also showed me how things work in a house. I enjoyed spending time with other people it just didn't last long enough."
 - **Young Person 3 – Shadowing – Chief Executive**
What a thought provoking, insightful, educational experience it has been shadowing Diana for Take Over Day. I've had an extraordinary experience. It was a very inspiring day.
- 4.9 Similarly, work placement providers were extremely supportive of the event and the young people that they mentored on the day.

- **Linda Mathison- Childcare Services Manager**

“ Had a fantastic day with (N). He was so polite and enthusiastic about everything. We got such a lot from him being here as he gave us a young person’s perspective and was very open about his situation and needs. “

- **Diana Terris – Chief Executive**

“Participating in Take Over Challenge day is a delight, and this year was no exception. I felt pride sharing the work of the Council, whilst getting to know a thoughtful, articulate and intelligent young woman who both supported and challenged me throughout the day. I can only hope her experience was as good as mine. Let’s do even more of it next year! “

- **Lindsey Robinson - Wigfield Farm – Activity Worker**

“(K) was pretty shy initially but got more and more confident and chatty as the day went on. He helped us with a school group touring the farm handing out animal feed and chatting to the children. After they had gone, we also gave him the opportunity to handle some reptiles which he seemed to really enjoy. When he was collected, we did chat about the fact he might consider doing animal care when older and I did tell him about the Teenage Animal Club that I run every 3rd Saturday morning. He seemed very interested. It was a nice opportunity for us to spend time with a young person and get their perspective on the farm.”

4.10 Each young person who successfully participated in Takeover Day was presented with a certificate to acknowledge their participation in the event at the Care Leavers Hub at the end of the day, supported by their workplace mentors. This brought the Takeover event to a positive closure before some of the young people went on further to celebrate other achievements later that evening as part of the Children in Care celebration event and awards.

4.11 Planning is to take place during the Summer in preparation for the next Takeover Challenge event, in November 2019.

5.0 CONSIDERATION OF ALTERNATIVE APPROACHES

5.1 In this instance, a consideration of alternatives has not been necessary since the purpose of the report has been to inform Cabinet of the evaluation of the 2018 National Takeover Challenge event and the value added through the opportunities which were offered to young people.

6.0 IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

6.1 There are no implications relating to the provision of high quality, local public services emerging through this report.

7.0 FINANCIAL IMPLICATIONS

7.1 There are no direct financial implications arising from the Council’s participation in the National Takeover event. Any associated costs (e.g. staff time) were contained within the existing budget for the Children’s Social Care and Safeguarding Service.

8.0 EMPLOYEE IMPLICATIONS

8.1 There are no direct employee implications arising through the Council’s ongoing involvement in the annual National Takeover Challenge.

9.0 LEGAL IMPLICATIONS

9.1 Equally, there are no legal implications arising through the Council's involvement in the annual National Takeover Challenge other than to ensure the necessary steps are taken to ensure young people who are engaged in the event are safeguarded from any potential harm.

10.0 CUSTOMER AND DIGITAL IMPLICATIONS

10.1 There are no implications for the current range of service access channels or for enabling digital transactions, emerging through the report.

11.0 COMMUNICATIONS IMPLICATIONS

11.1 The Council's successful involvement in National Takeover Challenge Day (2018) was the subject of widespread interest, particularly within social media and led to positive coverage within the Region's press.

12.0 CONSULTATIONS

12.1 As indicated earlier in this report, a number of the Council's services and partner organisations, notably Barnsley College, Barnsley Hospital, Barnsley Football Club and South Yorkshire Police were consulted on arrangements for National Takeover Day (2018) and took part as workplace providers.

13.0 THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

13.1 The Takeover Challenge links to the Barnsley Pledge to our Children and Young People in Care, particularly as follows:

- **We'll promote and support and respect your identity,**
All young people are able to be nominated and have their achievement recognised alongside their peers. Work placements are tailored to their individual needs and interest.
- **We'll ensure you receive a good outcome,**
The Takeover event celebrates positive outcomes and achievements for all our young people who participate. Parents, carers and workplace providers are encouraged to be involved in recognising their success.
- **We'll prepare you for the future,**
The Takeover event provides a 'taster' for the world of work as part of their preparation for adulthood and longer term independence.
- **We'll involve you in making it happen.**
Participation workers ensure the involvement of other groups in the event, such as the Care for Us Council, Youth Councils supplements the experience of children in care and care experienced young people.

13.2 Our 'Pledge' to children and young people in care helps raise their confidence and aspirations as part of supporting them achieve their potential and to build a better Barnsley.

14.0 PROMOTING EQUALITY, DIVERSITY AND SOCIAL INCLUSION

14.1 A prevailing principle in the Council's approach to the National Takeover Challenge has been a commitment to ensuring equality, diversity and inclusion in the range of participants benefiting from such engagement.

15.0 TACKLING THE IMPACT OF POVERTY

15.1 There are no implications for tackling child and family poverty, including the impact of child neglect upon life chances, emerging through consideration of this report.

16.0 TACKLING HEALTH INEQUALITIES

16.1 There are no implications for tackling health inequality and the promotion of public health, through considering this report.

17.0 REDUCTION OF CRIME AND DISORDER

17.1 Engaging young people within the National Takeover Challenge, through fostering their aspirations and helping them achieve their true potential, can make a crucial contribution towards diverting them from risky and harmful behavior that can not only impact upon their wellbeing but upon the sustainability of their communities.

18.0 RISK MANAGEMENT ISSUES

18.1 No unanticipated risks emerged through the Council's involvement in Takeover Day (2018). In accordance with its statutory obligations, the Service ensured that steps were taken to safeguard participants from any potential harm.

19.0 HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

19.1 There are no concerns for the safety of the public and workforce or for the resilience of the Borough arising through this report.

20.0 COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

20.1 The work of the Office of the Children's Commissioner is underpinned by the United Nations Convention on the Rights of the Child and, in particular, Article 12 which states that children have a right to have their views heard on decisions which affect their lives and for these views to be taken seriously.

21.0 CONSERVATION OF BIODIVERSITY

21.1 There are no implications for the local environment or for the conservation of biodiversity emerging through this report.

22.0 GLOSSARY

22.1 None, applicable.

23.0 LIST OF APPENDICES

23.1 There are no appendices to this report..

24.0 BACKGROUND PAPERS

24.1 If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

Report author: Jon Banwell (Head of Services For Children In Care)