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To: Chair & Members of the Council

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Tuesday, 3 September 2019

Dear Councillor

COUNCIL

You are hereby summoned to attend a meeting of the Council of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Wednesday, 11th September, 2019 at 10:00 hours.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised from page 2 onwards.

Yours faithfully



Joint Head of Corporate Governance & Monitoring Officer



We speak your language
Polish **Mówimy Twoim językiem**
Slovak **Rozprávame Vaším jazykom**
Chinese **我们会说你的语言**

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COUNCIL AGENDA

Wednesday, 11th September, 2019 at 10:00 hours in the Council Chamber, The Arc, Clowne

| Item No. | <u>PART 1 – OPEN ITEMS</u> | Page No.(s) |
|----------|--|-------------|
| 1. | Apologies For Absence | |
| 2. | Declarations of Interest | |
| | Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of: a) any business on the agenda b) any urgent additional items to be considered c) any matters arising out of those items and if appropriate, withdraw from the meeting at the relevant time. | |
| 3. | Chair's Announcements | |
| | To receive any announcements that the Chair of the Council may desire to lay before the meeting. | |
| 4. | Minutes | 5 - 20 |
| | To approve the Minutes of the Council meeting held on Wednesday 17 th July 2019 | |
| 5. | Questions from the Public | |
| | In accordance with Council Procedure Rule 8, to allow members of the public to ask questions about the Council's activities for a period of up to fifteen minutes. A question may only be asked if notice of seven clear working days has been given. | |
| 6. | Questions from Members | |
| | In accordance with Council Procedure Rule 9, to allow Members to ask questions about Council activities. A question may only be asked if notice of seven clear working days has been given. <u>a) Question submitted by Councillor Allan Bailey to Councillor Steve Fritchley, Leader of the Council:</u> <i>Is Bolsover District Council having any discussions with Derbyshire County Council or any other organisations to improve the bus connectivity between Clowne and Calow Hospital?</i> | |

b) Question submitted by Councillor James Watson to Councillor Steve Fritchley, Leader of the Council:

Since the start of this municipal year have any persons who are neither a member nor official of Bolsover District Council applied to attend functions or conferences where any attendance fees are to be paid or partly paid by Bolsover District Council or expenses reimbursed by Bolsover District Council?

c) Question submitted by Councillor Ross Walker to Councillor Steve Fritchley, Leader of the Council:

Over the course of the last 4 municipal years, how many buffets and meals were provided to members and their guests each municipal year?

7. Motions

In accordance with Council Procedure Rule 10, to consider motions on notice from Members.

a) Motion submitted by Councillor James Watson

That Bolsover District Council is concerned about poor air quality and its detrimental effect on the wellbeing of its young residents and their life opportunities.

Bolsover District Council resolves:

- (i) To help mitigate the risks of pollutants affecting young people's future well-being, for all schools within Bolsover District to be encouraged to monitor air quality by Bolsover District Council offering a quarterly service to monitor Nitrogen Dioxide and Particulate Matter (PM) 2.5 levels in each classroom, free of charge.
- (ii) within the next 6 months, to notify every school in Bolsover District of this service.
- (iii) to report to Council on an annual basis, commencing from the date the first school takes up this service:
 - a) the number of schools taking up this service;
 - b) the number of Nitrogen Dioxide readings taken over a one hour period above 200 micro grams per cubic metre;
 - c) the number of PM 2.5 readings in excess of 12 micro grams per cubic metre over a 24 hour period;
 - d) as long as the school grants permission, the schools where readings are in excess of the Nitrogen Dioxide and PM 2.5 levels stated above.

- (iv) to find out the cost of supplying air purifiers to schools and report these findings to the next Council meeting.

8. Reports on urgency decisions taken by the Executive

To receive a report from the Executive with details of any Key Decisions taken under special urgency provisions or Key Decisions which were exempt from Call In.

9. Recommended Items

21 - 92

To receive any items recommended for Council consideration from meetings of the Executive or Committees.

Draft Organisational Policies

(including Capability; Probation; Disclosure and Barring Service; Learning and Development and Smoke Free & Vaping)

Recommendation from Union/Employee Consultation Committee – Minute No 0104. 2019/20 – Minute Extract attached to the Report.

10. Regulation of Sex Establishments

93 - 98

To consider the attached report of the Chair of General Licensing Committee.

11. Member Development Annual Report 2018/19

99 - 111

To consider the attached report of the Chair of Member Development Working Group.

12. Review of the Member Development Strategy

112 - 135

To consider the attached report of the Chair of Member Development Working Group.

13. Chairman's Closing Remarks

MEMBERS ARE ASKED TO REMAIN AT THE CONCLUSION OF COUNCIL FOR A MEETING OF THE COUNCIL AS TRUSTEES OF CRESWELL SWIMMING BATHS.

AT THE CONCLUSION OF BOTH MEETINGS

Presentation from the Release Charity

Paul Stears – Release Charity, to give a presentation on the work of the charity following receipt of funds through the Armed Forces Covenant.

COUNCIL

Minutes of a meeting of Council held in the Council Chamber, The Arc, Clowne on Wednesday 17th July 2019 at 10.00 hours.

PRESENT:-

Members:-

Councillor Tom Munro in the Chair

Councillors Derek Adams, Adam Bailey, Rose Bowler, Jane Bryson, Dexter Bullock, Anne Clarke, Nick Clarke, Jim Clifton, Patricia Clough, Paul Cooper, Pat Cooper, David Dixon, Maxine Dixon, Mary Dooley, David Downes, Steve Fritchley, Ray Heffer, Natalie Hoy, Andrew Joesbury, Chris Kane, Tom Kirkham, Duncan McGregor, Clive Moesby, Tom Munro, Evonne Parkin, Graham Parkin, Sandra Peake, Peter Roberts, Liz Smyth, Janet Tait, Rita Turner, Deborah Watson, James Watson and Jen Wilson.

Officers:-

Dan Swaine (Joint Chief Executive Officer), Lee Hickin (Joint Strategic Director - People), Karen Hanson (Joint Strategic Director - Place), Theresa Fletcher (Chief Accountant and Section 151 Officer), Victoria Dawson (Team Manager Solicitor – Contentious and Deputy Monitoring Officer) and Jim Fieldsend (Team Manager Solicitor – Non-Contentious) and Nicola Calver (Governance Manager).

0147. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Tracey Cannon, Dan Salt and Ross Walker.

0148. DECLARATIONS OF INTEREST

There were no interests declared at this meeting.

0149. CHAIR'S ANNOUNCEMENTS

The Chair requested that Members complete the paperwork that they had been issued to indicate their wish to receive committee papers electronically or at an alternative address.

The Chair announced that he had recently attended a number of local events to represent the Council, including the Buxton Military Tattoo, Crich Memorial Pilgrimage and a tea party hosted by Derbyshire County Council's Chairman.

0150. MINUTES – 22nd MAY 2019

It was noted that at Minute No 006, the recorded vote incorrectly listed 'Councillor P.A Cooper' as voting in favour of the motion, when she was in fact absent from the

COUNCIL

meeting. The Minute should have instead stated that 'Councillor C.P Cooper' had voted in favour of the motion.

Moved by Councillor Tom Munro seconded by Councillor Rita Turner

RESOLVED that subject to the amendment as noted above, the minutes of the meeting of Annual Council held on 22nd May 2019 be approved as a true and correct record.

0151. QUESTIONS FROM THE PUBLIC

In accordance with Council Procedure Rule 8, members of the Public were able to ask questions to an Executive Member about the Council's activities for a period of up to 15 minutes.

No questions were submitted to this meeting of Council under Rule 8 of the Council Procedure Rules.

0152. QUESTIONS FROM MEMBERS

In accordance with Council Procedure Rule 9, Members of Council were able to ask questions about the Council's activities to either the Chair of the Council, Chairman of a specific Committee or a relevant Portfolio Holder.

No questions were submitted to this meeting of Council under Rule 9 of the Council Procedure Rules.

0153. MOTIONS

In accordance with Council Procedure Rule 10, Councillors were able to submit Motions on Notice for consideration at meetings of Council.

a) The following motion was submitted for consideration by Councillor Natalie Hoy:

'Council notes:

That the impacts of climate breakdown are already causing serious damage around the world.

That the 'Special Report on Global Warming of 1.5°C', published by the Intergovernmental Panel on Climate Change in October 2018, (a) describes the enormous harm that a 2°C average rise in global temperatures is likely to cause compared with a 1.5°C rise, and (b) confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector.

That all governments (national, regional and local) have a duty to act, and local governments, that recognise this should not wait for their national governments to change their policies;

COUNCIL

That strong policies to cut emissions also have associated health, wellbeing and economic benefits;

- the content of Committee on Climate Change's report into the necessary increase in tree plantation required to achieve net zero carbon emissions by 2050;*
- and that, recognising this, a growing number of UK local authorities have already passed 'Climate Emergency' motions.*

Council therefore resolves to:

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

COUNCIL

Council and other partner organisations and develop a strategy in line with a target of net zero emissions by 2030. It will also recommend ways to maximise local benefits of these actions in other sectors such as employment, health, agriculture, transport and the economy.

- *Enforce private sector to operate to the same standards as the public sector, when renting properties to tenants. I.e energy efficiency, insulated, renewable energy. Any non-compliant private sector landlords, to be dealt with, with enforcement of works to be carried out within a specified timescale or work to be undertaken by the Council and the landlords be billed accordingly.*
- *Report on the level of investment in the fossil fuel industry that our pensions plan and other investments have, and review the Council's investment strategy to give due consideration to climate change impacts in the investment portfolio;*
- *Ensure that all reports in preparation for the 2020/21 budget cycle and investment strategy will take into account the actions the council will take to address this emergency;*
- *Call on the UK Government to provide the powers, resources and help with funding to make this possible, and ask local MPs to do likewise;*
- *Consider other actions that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, (to liaise with Central Government to expedite research and production of electric and hydrogen powered vehicles and for Government to enter into discussions with the Motor Industry concerning production of suitably powered clean vehicles to replace current combustion powered vehicles, i.e. HGV's and 4 x4's etc. Small electric vehicles alone are not the answer to transportation issues.) increasing the efficiency of buildings, in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice.*
- *Enforce through the Licensing Committee that all licensed Taxis throughout the District to be Electric Powered vehicles by no later than 2030.*
- *All planning applications to be subject to conditions; i.e. all new builds domestic or commercial to include solar roof panels or tiles as part of the build process. All new house builds to have electric car charging points as standard. Any commercial development to also have electric car charging points for at least 50% of the car parking spaces within the development.*
- *Any trees felled during a building/ development programme to be replaced by the builder / developers by at least x 2 within the curtilage of the development.*
- *Conservation of rainwater on all Council buildings and sites throughout the District.*
- *Works to reduce/remove/find an environmentally sound alternative to reduce single use plastic throughout the district.*

COUNCIL

- *Review all its single use plastic packaging and replace with a biodegradable or reusable alternatives.*
- *Remove all single-use cutlery/plates etc at council run premises and replace with proper cutlery and crockery and offer a biodegradable cutlery and crockery if necessary.*
- *Remove the use of polymer tea/coffee cups and plastic lids.*
- *Provide and sell refillable beverage containers cups/bottles for tea, coffee and water*
- *Introduce clearly signed, and easily accessible, self-service refill water stations at the Arc and in other council owned/sponsored locations around the District*
- *Work with local businesses around the District to provide water refill location points within their premises*
- *Enforce the maximum permissible penalties against those responsible for fly-tipping, littering and dog fouling.*
- *Place, where possible, plastic netting catchers, on rivers, waterways etc.*
- *Replace seasonal planting in maintained public space areas with evergreen planting, including wildflower/pollenating/seasonal and perennial flowering plants.*
- *Introduce more wildflower planting along verges and in areas where suitable. Introduce a marking system, to prevent these areas being accidentally mowed.*
- *Implement an extensive tree planting programme on all council owned land across the District and encourage landowners, estates, private companies, to initiate tree planting programmes. (Grants are available from the Forestry Commission. The Countryside Stewardship Woodland Grant is a Defra scheme delivered by the Forestry Commission. BDC would benefit financially from any tree planting programme.)*
- *Bolsover District Council will constantly review their Carbon Reduction Plan and where appropriate will review their impact on the environment and when new issues that impact its operation are identified they will address these issues and incorporate a response into the Carbon Reduction Plan.) and report back to council every six months with actions to address this emergency.'*

Councillor Nick Clarke duly seconded the motion, highlighting concerns about the impact of climate change and the urgent need for the Council to take actions to combat climate change as set out in the motion. He also called upon the Government to give local authorities more powers to address climate change. He recognised that the Council was already engaged in a lot the actions covered in the motion as part of the Carbon Reduction Plan. A number of other aspects of the motion were outside the Council's direct control.

COUNCIL

In accordance with Council Procedure Rule 12.6 (a) (i), Councillor Nick Clarke moved an amendment to refer the motion to the Council's Carbon Reduction Sub-Group for consideration which would then report back to Council in due course.

The amendment was duly seconded by Councillor David Downes.

It was confirmed that the Carbon Reduction Sub-Group would have cross-party (or political group) membership.

Councillor Natalie Hoy, who moved the original motion, consented to the amendment to the motion which therefore became the substantive motion.

RESOLVED that the motion be referred to the Council's Carbon Reduction Sub-Group.

b) The following motion was submitted for consideration by Councillor James Watson:

'(i) For each and every municipal year from 2020/21 to 2022/23 (inclusive) for at least one third of Ordinary Council meetings and at least one third of Standing Committee meetings are scheduled so not to commence before 6:30pm on the day the meeting is due to be held and;

(ii) If a meeting is scheduled not to commence before 6:30pm during the municipal years 2020/21 to 2022/23 (inclusive) but is subsequently cancelled, this meeting shall not count towards the amounts stated in paragraph (i) above.'

In presenting the motion, Councillor James Watson pointed out the new make up of the Council membership following the May 2019 election, with 20 new Members elected to the Council. He estimated that around 15 of those Members were in employment, either full or part time. He had put forward the motion in order to provide greater flexibility for Members to attend meetings, fitting around their other commitments. It was also suggested that this would enable more members of the public to attend.

The motion was duly seconded by Councillor Allan Bailey.

Councillor Duncan McGregor stated that he believed there was no public demand for a move to evening meetings. He also considered that the proposal would increase costs to the Council, particularly in relation to staff. A change in working practices would be required, which could lead to changes in terms and conditions. Additional staff resources would be required to facilitate evening meetings and there could be an impact on the availability of officers to the public during the day. He therefore could not support the motion at this time.

Councillor Duncan McGregor moved an amendment to the motion to propose that the matter be reviewed and reported back to Council in preparation ahead of the 2023 District Council election. The amendment was duly seconded by Councillor Steve Fritchley.

COUNCIL

Councillor Jim Clifton commented that he believed the proposal would lead to additional journeys by Members leading to greater carbon emissions, contrary to the concerns about climate change discussed by the Council under the previous motion.

In exercising his right of reply, Councillor James Watson doubted that the proposal would lead to additional staffing costs as the majority of council staff have flexible working conditions and that they would take time off during the day if they were required to attend an evening meeting. He informed Council that many other district councils have evening meetings and they can suit officers as well. In respect of parish councils, Councillor James Watson believed there were sufficient days available to avoid clashes with any parish council meetings. He also considered there to be no impact on carbon emissions as there would be no difference whether Members travelled to the Council at 10am or 7pm, evening meetings did not mean there would be any additional journeys.

Councillor James Watson did not support the amendment to review the proposal in time for 2023 as it did not address the issues faced by the present Council membership.

The Chair requested the Chief Executive Officer read out the proposed amendment to the motion. [The additional or altered words are shown underlined below]

That Council consider in advance of the next electoral cycle commencing in 2023, whether:

(i) for each and every municipal year from 2023/24 to 2026/27 (inclusive) for at least one third of Ordinary Council meetings and at least one third of Standing Committee meetings should be scheduled so not to commence before 6:30pm on the day the meeting is due to be held and;

(ii) If a meeting is scheduled not to commence before 6:30pm during the municipal years 2023/24 to 2026/27 (inclusive) but is subsequently cancelled, this meeting should not count towards the amounts stated in paragraph (i) above.'

On being put to the vote, the amendment was carried.

The substantive motion as amended was then put to the vote.

RESOLVED that Council consider in advance of the next electoral cycle commencing in 2023, whether:

(i) for each and every municipal year from 2023/24 to 2026/27 (inclusive) for at least one third of Ordinary Council meetings and at least one third of Standing Committee meetings should be scheduled so not to commence before 6:30pm on the day the meeting is due to be held and;

(ii) If a meeting is scheduled not to commence before 6:30pm during the municipal years 2023/24 to 2026/27 (inclusive) but is subsequently cancelled, this meeting should not count towards the amounts stated in paragraph (i) above.'

COUNCIL

c) The following motion was submitted for consideration by Councillor David Dixon:

Council notes that:

- *the basic allowance paid to elected members by this authority is among the highest in the country for an English non-metropolitan District Council of its size and nearly double what is paid in neighbouring North East Derbyshire.*
- *the last Independent Remuneration Panel commissioned to review the basic allowance reported to Council in October 2014 and its recommendations were mostly ignored by the ruling administration.*
- *In 2016/17 (the most recent data published on the Bolsover District Council website), the total bill for the basic allowances paid to elected members was £368,388.04. For North East Derbyshire, it was £270,646.88, despite having 16 more Councillors on the authority.*
- *The total cost of members' allowances, including basic, special responsibility and others, for 2016/17 was £456,493.10.*

Council believes that:

- *at a time of significant financial pressure for local authorities across the country, it is unacceptable for elected members to be costing the authority nearly half a million pounds per year in allowances - money which could be better spent on services for the residents of this district.*

Council resolves to:

- *convene an urgent Independent Remuneration Panel to comprehensively review the rates of allowances paid to members and make recommendations for new rates which are fairer to the taxpayers of this district.*
- *in the interim, immediately re-set the basic rate to that which is paid at North East Derbyshire District Council (£5223), which is a reasonable average for an English non-metropolitan District Council.*

The motion was duly seconded by Councillor Maxine Dixon.

Councillor Steve Fritchley, Leader of the Council, informed Council that he had responded to the Independent Remuneration Panel's recommendations in 2014. He stated that no national standards or protocols dictated how allowances must be set and that it was open to local authorities to determine the rates they pay Members. At Bolsover District Council, Special Responsibility Allowances were less than the rates at comparable district councils. The Leader referred to the total Members' Allowances payments in 2014/15 for Ashfield District Council (£378k) and Mansfield District Council (£449k) and the average rate paid to each Member for the same year at each of these councils, as £11,484.64 and £12,000 respectively, compared to the average rate of £11,715 at Bolsover District Council.

The Leader outlined that the Council's position in respect of Members' Allowances was to recognise the contribution of all Members and reflect this in the basic allowance, rather than having higher Special Responsibility Allowances for a limited number of Members.

The Leader moved an amendment to the motion, removing from the first bullet point of the third paragraph the words "*convene an urgent*", replacing them with

COUNCIL

“undertakes”, and removing the words “*which are fairer to the taxpayers of this district*” at the end of the same sentence and replacing them with “*in advance of the next local elections in 2023*”. The final bullet point was also to be removed.

This was to have the effect of carrying out the review of Members Allowances in time for the next electoral cycle, from May 2023 and to remove the proposal to immediately reset the basic allowance, which was not permitted in law without a recommendation from the Independent Remuneration Panel.

The amendment was duly seconded by Councillor Duncan McGregor, who stated that he considered the Conservative Government’s austerity measures had a far greater effect on services for the residents of this district than the relatively small level of potential savings from reducing Members Allowances.

The Leader clarified that the review would be carried out in preparation for May 2023, in time to implement any recommendations or changes for the next electoral cycle.

Councillor James Watson expressed his disappointment that the review would be postponed for this length of time and that there was no reason for action not to be taken now.

Councillor Jim Clifton stated that he had not received any complaints relating to the levels of Members Allowances and that the basic allowance reflected the value of Members. He considered that the recently elected Members had only limited experience of the work of Members and once they had more experience, they may take a different view.

Councillor Deborah Watson considered that it was appropriate to review Members Allowances in time for the next electoral cycle as the current Members would have considered the current rates when determining whether to stand for election.

In exercising his right of reply on the amendment, Councillor David Dixon stated that he had evidence of complaints about the level of Members Allowances and that the Council has power to affect the services to local people by cutting this level of expenditure from the budget.

On being out to the vote, the amendment was carried. Debate on the substantive motion as amended continued.

It was commented by some Members that they considered serving as a councillor to be an honour and a privilege and that they did not do so the basis that they would receive an additional income. However it was also commented that the opportunity should not be limited only to the wealthy and to those who can afford it without financial support; some Members would not be able to serve without the provision of the allowance.

The substantive motion, as amended, was then put to the vote.

RESOLVED that Council notes the motion as amended, and resolves to undertake an Independent Remuneration Panel to comprehensively review the rates of allowances paid to Members and make recommendations for new rates in advance of the next local elections in 2023.

COUNCIL

0154. REPORTS ON URGENCY ITEMS TAKEN BY THE EXECUTIVE

When appropriate, meetings of Council were to receive a report from the Executive detailing any Key Decisions taken under special urgency provisions or Key Decisions exempt from Call-in.

There were no urgency decisions to report to this meeting of Council.

0155. RECOMMENDED ITEMS

There were no items recommended for consideration at this meeting of Council.

0156. LEADER TO ANNOUNCE CHANGES TO THE EXECUTIVE AND PORTFOLIOS

Councillor Steve Fritchley, Leader of the Council announced the following additional appointments to Executive subsequent to Annual Council: Councillor Nick Clarke, Councillor Liz Smyth and Councillor Deborah Watson.

The Leader also announced that the Executive Members' Portfolios were as follows:

- Leader of the Council, Councillor Steve Fritchley - Policy, Strategy, Resources And Media
- Deputy Leader, Councillor Duncan McGregor - Corporate Governance
- Councillor Sandra Peake - Housing & Community Safety
- Councillor Mary Dooley - Partnerships and Transformation
- Councillor Clive Moesby - Finance & Resources
- Councillor Nick Clarke - Environmental Impact
- Councillor Deborah Watson - Street scene & Environmental Health
- Councillor Liz Smyth - Economic Development

0157. REVISED COMMITTEE APPOINTMENTS AND APPOINTMENTS TO OUTSIDE BODIES

The Chief Executive Officer invited each Group Leader or representative to move the required amendments to the Committee appointments as indicated in the table at Appendix 1 to the report.

Councillor Steve Fritchley moved the recommendations of the report and moved that that Councillor Anne Clarke be appointed to Healthy, Safe, Clean and Green Communities Scrutiny Committee to replace Councillor Nick Clarke who had been appointed to the Executive. This was duly seconded by Councillor David Downes.

COUNCIL

It was moved by Councillor Deborah Watson that Councillor Peter Roberts be appointed to Growth Scrutiny Committee, to replace herself, that Councillor Andrew Joesbury be appointed to Customer Services and Transformation Scrutiny Committee and removed from Healthy, Safe, Clean and Green Communities Scrutiny Committee, that Councillor Dexter Bullock be appointed to Healthy, Safe, Clean and Green Communities Scrutiny Committee and removed from Customer Services and Transformation Scrutiny Committee. It was also moved that Councillor Jim Clifton be appointed to Audit Committee to replace Councillor Liz Smyth and that Councillor Ray Heffer be appointed to Joint ICT Committee (previously vacant) and Councillor Peter Roberts be appointed to New Bolsover Joint Committee (previously vacant).

These proposals were duly seconded by Councillor Liz Smyth.

Councillor Graham Parkin moved the appointments of Councillor James Watson to Planning Committee and Councillor Evonne Parkin to the Safety Committee. This was duly seconded by Councillor Allan Bailey.

These motions were put to the vote en bloc.

RESOLVED that Council

- i) agree to a mid-year revision to the appointments to Committees and Advisory Groups as detailed in Appendix A to these minutes.
- ii) grant delegated authority to the Joint Chief Executive Officer to appoint or amend appointments to the Joint Employment and Appeals Committee.
- iv) approve the amendments to the appointments to Outside Bodies as attached to the report.

0158. OVERVIEW AND SCRUTINY ANNUAL REPORT 2018/19

Council considered a report presented by Councillor Rose Bowler on behalf of the Scrutiny Chairs from the Municipal Year 2018/19 which provided an update on the work of the Scrutiny Committees over the previous year.

The report summarised the wide range of issues addressed through the Committees during the last municipal year and also looked back at the impact of previous recommendations.

Moved by Councillor Rose Bowler and seconded by Councillor Jen Wilson

RESOLVED that the report be noted.

0159. ANNUAL STANDARDS REPORT

Councillor Clive Moesby, Vice-Chair of the Standards Committee presented the Annual Report on behalf of the Independent Member Mrs Ruth Jaffray, co-opted Chair of Standards Committee. The Annual Report reviewed the work that had been undertaken by the Standards Committee during the 2018/19 Municipal Year

COUNCIL

Council was informed of the role of the two Independent Persons, who assist in the process of investigating complaints and provide an impartial view to the Monitoring Officer. The Council's two Independent Persons were Mr Stephen Wainwright and Mr Ian Kirk.

During the 2018/19 Municipal Year, 11 Parish and 2 District complaints were received by the Monitoring Officer, all of which were closed with no further action.

Another function of the Standards Committee was to review the Council's Constitution. A number of areas were considered by the Constitution Working Group during the year and with the support of the Standards Committee, recommended changes were approved at Annual Council in May 2019.

Amongst other areas of review outlined in the report, the Standards Committee had submitted a consultation response to the Parliamentary Committee on Standards in Public Life's review of local government ethical standards.

The Customer Service and Transformation Scrutiny Committee had undertaken a review during 2018/19 of how the Standards Committee operated. The recommendations arising from this review formed part of the Standards Committee Work Programme for 2019/20.

Moved by Councillor Clive Moesby and seconded by Councillor David Downes
RESOLVED that the Annual Report by the Standards Committee be received and noted.

0160. PAY POLICY STATEMENT 2019/20

Council considered a report of Councillor Duncan McGregor, Portfolio Holder for Corporate Governance which sought approval for publication of the draft Pay Policy Statement as set out in Appendix 1 to the report.

The Pay Policy Statement for the Council had been reviewed as part of an annual process and updated for 2019/20.

Moved by Councillor Duncan McGregor and seconded Councillor Steve Fritchley
RESOLVED that Council approve for publication the draft Pay Policy Statement 2019/20 attached to the report.

0160a. CHAIR'S CLOSING REMARKS

The Chair reminded Members to consider that in Council and Committee meetings they are in the public eye and that how Members present themselves should reflect that.

The meeting closed at 1115 hours.

APPOINTMENT OF COMMITTEES AND ADVISORY GROUPS

COMMITTEES

| COMMITTEE: | LABOUR GROUP(18) | INDEPENDENT GROUP (8) | COMMUNITY INDEPENDENTS (8) | CONSERVATIVE GROUP (2) | LIBERAL DEMOCRAT MEMBER (1) |
|---|--|--|---|-----------------------------------|-----------------------------------|
| | Cllrs S.Fritchley (L), D.McGregor (DL), R.Bowler, M.Dooley, D.Downes, A.Clarke, N.Clarke, T.Clough, Pat Cooper, Paul Cooper, C.Kane, T.Kirkham, C.Moesby, T.Munro, S.Peake, J.Tait, R.Turner, J.Wilson | Cllrs D.Watson (L), J. Clifton, D.Adams, D.Bullock, R.Heffer, A.Joesbury, P.Roberts, L.Smyth | Cllrs R Walker (L), T. Cannon, A.Bailey, D.Salt, J.Watson, E Parkin, G Parkin, J Bryson | Cllrs D.Dixon and M. Dixon | Cllr N.Hoy |
| Growth Scrutiny Committee (11) | (5) Cllrs Tricia Clough, Christopher Kane, Tom Kirkham, Tom Munro, Jen Wilson | (3) Cllrs Jim Clifton, Derek Adams, TO BE REPLACED BY PETER ROBERTS | (2) Cllrs James Watson and Graham Parkin | (1) Cllr David Dixon | (0) |
| Customer Services and Transformation Scrutiny Committee (10) | (5) Cllrs Rose Bowler, Anne Clarke, Tricia Clough, Paul Cooper, Rita Turner | (2) Cllrs ANDREW JOESBURY , Ray Heffer | (2) Cllrs Allan Bailey and Jane Bryson | (1) Cllr David Dixon | (0) |
| Healthy, Safe Clean and Green Scrutiny Committee (11) | (5) Cllrs ANNE CLARKE , Pat Cooper, David Downes, Tom Munro, Janet Tait | (2) Cllrs DEXTER BULLOCK , Peter Roberts | (3) Cllrs Dan Salt, Ross Walker and Evonne Parkin | (0) | (1) Cllr Natalie Hoy |
| Budget Scrutiny Committee (29) | (12) All Non- Executive Members | (6) All Non- Executive Members | (8) All Non- Executive Members | (2) All Non- Executive Members | (1) All Non- Executive Members |
| Audit Committee (6 plus co-opted Members) Independent Representative to be appointed | (3) Cllrs Christopher Kane, Tom Munro, Tom Kirkham | (1) Cllr JIM CLIFTON | (1) Cllr Dan Salt | (1) Cllr David Dixon | (0) |
| Employee Appeals Committee (3) Deputies (3) | (2) Cllrs Nick Clarke and Janet Tait (2) Cllrs Sandra Peake and Rita Turner | (1) Cllr Liz Smyth (0) | (0) (1) Cllr Tracey Cannon | (0) (0) | (0) (0) |

| | | | | | |
|---|---|--|---|--------------------------|-------------------------|
| General Licensing / Licensing and Gambling Acts Committee Sub-Committees of these Parent Committees will be appointed at the first meeting (15 and 15) | (7) Cllrs Rose Bowler, Pat Cooper, Paul Cooper, Mary Dooley, Steve Fritchley, Sandra Peake, Janet Tait | (3) Cllrs Ray Heffer, Andrew Joesbury, Peter Roberts | (3) Cllrs Tracey Cannon, Ross Walker and Jane Bryson | (1) Cllr Maxine Dixon | (1) Cllr Natalie Hoy |
| Planning Committee (18) | (9) Cllrs Anne Clarke, Nick Clarke, Paul Cooper, Steve Fritchley, Christopher Kane, Duncan McGregor, Tom Munro, Janet Tait, Jen Wilson | (4) Cllrs Liz Smyth, Deborah Watson, Jim Clifton, Derek Adams | (4) Cllrs Dan Salt, Allan Bailey, Graham Parkin, JAMES WATSON | (0) | (1) Cllr Natalie Hoy |
| High Hedges Committee (6) | (3) Cllrs Anne Clarke, Christopher Kane, Tom Munro | (1) Cllr Dexter Bullock | (1) Cllr James Watson | (1) Cllr Maxine Dixon | (0) |
| Safety Committee (Safety Visits Panel to be determined by Safety Committee) (5) | (2) Cllrs Nick Clarke and Tricia Clough | (1) Cllr Andrew Joesbury | (1) EVONNE PARKIN | (1) Cllr David Dixon | (0) |
| Standards Committee (6) | (3) Cllrs Tricia Clough, David Downes, Clive Moesby | (2) Cllr Deborah Watson, Cllr Andrew Joesbury | (1) Cllr James Watson | (0) | (0) |
| Union Employee Consultation Committee (6 plus union reps) | (3) Cllr Mary Dooley, Tom Kirkham, Rita Turner | (1) Cllr Derek Adams | (2) Cllr Ross Walker and Graham Parkin | (0) | (0) |

JOINT COMMITTEES

| COMMITTEE: | LABOUR GROUP | INDEPENDENT GROUP | COMMUNITY INDEPENDENTS | CONSERVATIVE GROUP | LIBERAL DEMOCRAT MEMBER |
|---|--|--|--|-----------------------------|-------------------------|
| ICT Shared Services Committee (3 from BDC plus CBC and NEDDC) | (1) Cllr Steve Fritchley | (1) Cllr RAY HEFFER | (1) Cllr Dan Salt | (0) | (0) |
| Joint Employment and Appeals Committee (4) | (3) Cllrs Mary Dooley, Steve Fritchley, Duncan McGregor | * Leader of Minority Group | | (0) | (0) |
| Shared Services Scrutiny Committee (also known as Joint Scrutiny Panel) (3) | (1) Cllr Jen Wilson | (1) Cllr Ray Heffer | (1) Cllr Tracey Cannon | (0) | (0) |
| Strategic Alliance Joint Committee (9 from BDC and 9 from NEDDC) | (5) Cllrs Mary Dooley, Steve Fritchley, Duncan McGregor, Clive Moesby, Jen Wilson | (2) Cllrs Liz Smyth, Deborah Watson | (2) Cllr James Watson and Graham Parkin | (0) | (0) |
| New Bolsover Joint Committee (10) | (5) Cllrs Rose Bowler, Anne Clarke, Christopher Kane, Tom Munro, Sandra Peake | (2) Cllr Derek Adams, PETE ROBERTS | (2) Cllr Allan Bailey, Cllr Graham Parkin | (1) Cllr David Dixon | (0) |

ADVISORY GROUPS

| GROUP: | LABOUR GROUP | INDEPENDENT GROUP | COMMUNITY INDEPENDENTS | CONSERVATIVE GROUP | LIBERAL DEMOCRAT MEMBER |
|--|---|---------------------------------------|--|-------------------------|-------------------------|
| Local Plan Steering Group (8) | (4) Cllrs Nick Clarke, Christopher Kane, Tom Munro, Janet Tait | (2) Cllrs Jim Clifton, Derek Adams | (2) Cllrs Allan Bailey, Graham Parkin | (0) | (0) |
| Pleasley Park and Vale Conservation Area Working Group (5) | (3) Cllrs Christopher Kane, Tom Kirkham, Tom Munro | (1) Cllr Liz Smyth | (1) Cllr Allan Bailey | (0) | (0) |
| Member Development Working Group (7) | (3) Cllrs David Downes, Tom Munro, Sandra Peake | (1) Cllr Deborah Watson | (1) Cllr Tracey Cannon | (1) Cllr David Dixon | (1) Cllr Natalie Hoy |
| Tenant Participation review and Development Group (5) | (3) Cllrs Rose Bowler, Sandra Peake, Jen Wilson | (1) Cllr Peter Roberts | (1) Cllr Dan Salt | (0) | (0) |

Bolsover District Council

Council

11th September 2019

Draft Organisational Policies

(including Capability; Probation; Disclosure and Barring Service; Learning and Development and Smoke Free & Vaping)

Report of the Portfolio Holder – Corporate Governance

This report is public

Purpose of the Report

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

1 Report Details

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

1.2 The purpose of the policies is to:

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

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

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

Smoke Free and Vaping Policy

- 1.5 Concerns have arisen in relation to the smoking arrangements at key premises at the Council, including
- Suitability of existing smoking areas
 - Increase in litter (largely cigarette butts)
 - Impact on professional appearance and Council reputation
 - Lack of clear signage and communication
 - Conflict between enforcement work undertaken by the Environmental Health Team and the perception of smoking/litter present at Council premises
- 1.6 The recommended approach has taken into account the users of the building (public, tenants, staff) as each site is different and should be treated on its merits, the expectations of different stakeholders, the reputation of the Council and the degree of concerns/issues being experienced.
- 1.7 The proposed approach, supported by SAMT and UECC is:
- Circulate the refreshed Smokefree Policy with covering communication in to Staff and Managers.
 - To remind and inform Tenants of the Council's smoking arrangements at Council properties.
 - Re-designate the smoking area at Arc to front of site to the far side of the entrance gates and place an appropriate refuse bin at the smoking area (to be emptied by Streetscene) and appropriate signage.
 - Other sites such as Leisure Centres, Depots and Business Centres have experienced no issues therefore no further action is required.
 - Signage and provision of appropriate litter bins will cost approx. £1000

2 Conclusions and Reasons for Recommendation

- 2.1 Approval of the attached policies will provide clear direction for managers when undertaking people management processes, delivering high performing services and supporting employees and other stakeholders in the workplace.
- 2.2 Agreement to the policies fulfils both legal and best practice guidance for employers.

3 Consultation and Equality Impact

- 3.1 There are no equality implications arising from the implementation of these policies. The policies support corporate equality and diversity aims.
- 3.2 The policies are being submitted to Council for consultation purposes.

4 Alternative Options and Reasons for Rejection

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

5 Implications

5.1 Finance and Risk Implications

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

5.2 Legal Implications including Data Protection

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

5.3 Human Resources Implications

5.3.1 The HR implications are contained within the policies.

6 Recommendations

6.1 That Council support the following policies:

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

7 Decision Information

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

8 Document Information

| Appendix No | Title |
|--|---|
| 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. | Minute Extract – UECC - 27 th June 2019 Capability Policy Capability Policy – Appendix One Capability Policy – Appendix Two Capability Policy – Appendix Three Probation Policy Probation Policy – Appendix One Probation Policy – Appendix Two Disclosure and Barring Service Policy Learning and Development Policy Smoke Free – Appendix One Smoke Free – Appendix Two |
| Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) | |
| | |
| Report Author | Contact Number |
| Human Resources & Organisational Development Manager – Sara Gordon | 01246 217677 |

UNION/EMPLOYEE CONSULTATION COMMITTEE (UECC)

Minute Extract from of a meeting of the Union/Employee Consultation Committee of the Bolsover District Council held in the Council Chamber, the Arc, Clowne, on Thursday 27th June 2019 at 1100 hours.

0104. DRAFT ORGANISATIONAL POLICIES

Committee considered a report which provided information on five recently revised Council policies being:- Capability, Probation, Disclosure and Barring Service, Learning and Development and Smoke Free.

The five policies had been revised with a view to make their processes simpler and clearer for managers and employees and to fit the corporate context and supportive work environment both council's had in place and also to ensure adherence to legislation and best practice.

Human Resources had worked with managers from both councils and the unions to regularly review working practices to ensure the organisation's policies were fit for purpose and continued the ethos of being a supportive employer.

The policies had been previously considered and approved by Strategic Alliance Management Team (SAMT) in April 2019 and subject to informal consultation with the unions in May 2019.

Capability Policy

The Capability Policy was a new policy which had been previously linked into the Disciplinary Policy.

The Capability Policy had been designed to ensure employees were given the support, encouragement, development and guidance they needed to achieve the levels of performance required and expected in their job role. The policy provided a framework for managing underperformance in a fair and consistent manner for all employees, when an employees' work performance fell below that expected for the role.

A Unison representative queried if the indicative timescales set out in the policy may be too short to be able to identify if they were working and the process itself seemed to appear to be fairly rigid in terms of how someone progressed before potentially facing dismissal. Also, the policy appeared unclear that if someone had mostly achieved the targets they had been set, there was no discretion built in for managers to extend periods and add in more time.

The Human Resources and OD Manager replied that she would not want to extend timescales because at the point where a manager felt they needed to put the formal process in place with an employee who was not achieving targets and underperforming, the manager would have had no option but to do so, as they would have already carried out a lot of previous support work and tried to resolve problems with the employee informally.

A Member queried who set work targets and if they were realistic for employees to achieve. The Human Resources and OD Manager replied that targets were set by the employee's manager following discussion with the employee in line with the job role and in consultation with Human Resources to ensure they were realistic.

The Strategic Director – Place suggested that under 4.2 Capability Process, the following sentence could be added;

Whilst it is recognised that each case must be considered on its own merits, the following table is indicative of the timeline.

The Unison representative felt that this sentence in the policy would alleviate Unison's concerns on this point.

In addition to the above amendment, the Chair requested that the effectiveness of the Capability Policy be monitored and a review carried out following a suitable period subsequent to implementation of the policy. Members supported this approach and the Human Resources and OD Manager agreed to this being carried out.

Probation Policy

The Probation Policy was designed to ensure that new employees were given the support, encouragement, development and guidance they needed to achieve the levels of performance and behaviour required in their job role. The policy ensured a fair and consistent process was followed for all employees.

The Probation Policy applied to new employees and apprentices joining Bolsover District Council and North East Derbyshire District Council and any employee who transferred employment between the two councils.

The duration of the probation period was 6 months with the possibility of an extension for a further 2 months but only in very exceptional circumstances.

The Human Resources and OD Manager requested that further wording be added under the heading 'Responsibilities', as per the bold text below;

Manager – responsible for implementing, managing, monitoring and assessing the new employee in accordance with this policy ***and ensuring that inductions and probation meetings take place.***

HR – responsible for supporting the manager and employee ***including monitoring that induction and probation meetings take place.*** Providing advice on the implementation of this policy in practice.

In addition to the above amendments, the Chair requested that the effectiveness of the Probation Policy be monitored and a review carried out following a suitable period subsequent to implementation of the policy. Members supported this approach and the Human Resources and OD Manager agreed to this being carried out.

Disclosure and Barring Service Policy

The Disclosure and Barring Service Policy applied to all employees in both paid and volunteer positions and as an organisation using the Disclosure and Barring Service (DBS), the Council fully complied with the DBS Code of Practice.

The updates to the Disclosure and Barring Service Policy were based on the changes that the DBS had given in relation to what constituted regulated activities and the changes in DBS practices. Other changes were in relation to the list of job posts in the back of the document to ensure that these were up to date. The Authority was now part of the DBS Update Service which enabled the Council to check electronically on an employee's DBS status. Employees had to sign up to the Update Service and also inform the Authority if there were any changes to their DBS status.

An employees' DBS status needed to be up to date as it was transferable. For example, an employee in Leisure may have multiple jobs and work for other organisations.

The Human Resources and OD Manager noted that it had been raised by a Member in the UECC pre meeting whether or not Councillors should be subject to DBS checks. The Human Resources and OD Manager agreed to investigate to see if it was appropriate to Councillors' roles and also to explore if other authorities carried this out.

Learning and Development Policy

The Learning and Development Policy applied to all employees of the Council regardless of whether they were full time, part time, fixed term or casual employees. It also paid due regard to the principles of the Equality Act 2010, covering age, disability, gender, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The policy excluded agency workers, volunteers and Elected Members who were covered under separate policies.

The policy had been refreshed and updated to formalise the principles and practices already in place but changing the forms and templates and including the People Strategy Framework, which had not previously been included, also clarifying learner agreement and repayment of fees scheme.

A Unison representative requested that reference be included in the policy with regard to specialised support being in place for individuals taking part in training that had dyslexia or similar learning needs. The Human Resources and OD Manager replied that for external training, an external training provider would be responsible for ensuring that relevant support was in place. However, for internal training, a sentence could be included in the policy that subject to assessment, reasonable adjustments could be put in place for any individual with those types of conditions.

Smoke Free Policy

Issues had arisen at both councils in relation to existing smoking arrangements, including suitability of existing smoking areas, increase in litter (largely cigarette butts) and lack of clear signage and communication.

Discussions had taken place with relevant officers and recommendations had been drawn up for a proposed approach moving forward. These recommendations were included in appendix 1, attached to the report.

The policy had also been refreshed and terminology added, for example, 'vaping', as this had not previously been included and also clarification of the smoking areas.

It was noted that a new area had been designated in the grounds at the Arc for smokers and vapers, which was far away from all the Council buildings, tenants in the Arc grounds and residential houses on High Street.

Committee welcomed the new designated smoking area.

It was suggested that the title of the Smoke Free Policy be amended to '**Smoke and Vape Free Policy**'.

Moved by Kevin Shillitto and seconded by Councillor Mary Dooley

RESOLVED that the Union/Employee Consultation Committee support the five policies as presented, subject to the inclusion of the following amendments;

1. Capability Policy

at paragraph 4.2 under Capability Process, the following sentence be added;

Whilst it is recognised that each case must be considered on its own merits, the following table is indicative of the timeline.

In addition to the above amendment, support for the Capability Policy be subject to a review of its effectiveness following a suitable period subsequent to implementation of the policy.

2. Probation Policy

under the heading 'Responsibilities', the following wording be added (bold text);

Manager – responsible for implementing, managing, monitoring and assessing the new employee in accordance with this policy ***and ensuring that inductions and probation meetings take place.***

HR – responsible for supporting the manager and employee ***including monitoring that induction and probation meetings take place.*** Providing advice on the implementation of this policy in practice.

In addition to the above amendments, support for the Probation Policy be subject to a review of its effectiveness following a suitable period subsequent to implementation.

3. Disclosure and Barring Policy

the Human Resources and OD Manager to investigate whether or not it was appropriate to Councillors' roles to be subject to DBS checks and also to investigate if other authorities carried this out,

4. Learning and Development Policy

In relation to internal training, the policy to include a reference that subject to assessment, reasonable adjustments could be put in place for any person with dyslexia or similar conditions,

5. Smoke Free Policy

The Smoke Free Policy title be amended to '**Smoke and Vape Free Policy**'.
(Human Resources and OD Manager)



Capability Policy

July 2019

We speak your language

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

Hablamos su idioma

Slovak

Rozprávame Vaším jazykom

Chinese

我们会说你的语言

**If you require this publication
in large print**

or another format please call

Bolsover District Council on

01246 242424 or

North East Derbyshire District

Council on 01246 231111

CONTROL SHEET FOR CAPABILITY POLICY

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

CAPABILITY POLICY

1. Introduction

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

2. Scope

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

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

3. Principles

3.1 Purpose of the Capability Policy

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

4. Statement

4.1 Responsibilities

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

4.2 Capability Process

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- Sickness Absence Management
- Disciplinary Process
- Grievance Process

NB The above is not an exhaustive list

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

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

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

4.12 Issuing a Capability Warning

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

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

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

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

The employee will be informed that a meeting will be convened with the Head of Service/Director to review the position and consider whether the employee's contract of employment should be terminated. Advice should be sought from HR by the manager at the earliest opportunity in these cases.

4.15 Meeting Convened with Head of Service or Director

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

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

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

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

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

The possible outcomes of the meeting will be:

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

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

5. Appendices (if applicable)

Appendix One - Employee Support Plan

Appendix Two - Corporate Work Tracker

Appendix Three – Competency Framework

Employee Name:

Manager:

Date:

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

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

| | |
|---|---|
| DATE COMMENCED: ### 2019 LAST UPDATED: | Employee Name / Team: ##### Manager: ##### |
| Task/Objectives | Actions / Progress |
| 1. | |
| 2. | |
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| Team and (if line manager) 1:1's Update <ul style="list-style-type: none">• Team 1:1 meetings update (if line manager)• Timesheets submitted• Working hours update• Annual leave update• Customer Service update | |
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| Evaluation of Learning, Development or Training Undertaken | |
| Learning, Development or Training Identified | |
| Other Areas of Discussion | |
| Overall Performance Update (to be completed by manager) | |



Probation Policy

July 2019

We speak your language

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

Hablamos su idioma

Slovak

Rozprávame Vaším jazykom

Chinese

我们会说你的语言

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01246 242424 or

North East Derbyshire District

Council on **01246 231111**

CONTROL SHEET FOR PROBATION POLICY

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

PROBATION POLICY

1. Introduction

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

2. Scope

2.1 The Probation Policy applies to:

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

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

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

3. Principles

3.1 Purpose of the Probation Policy

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

4. Statement

4.1 Responsibilities

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

4.2 Probation Process

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

The objective of the interview meetings are as follows:

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

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

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

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

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

- Induction
- Sickness Absence Management
- Disciplinary Process

NB The above is not an exhaustive list

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

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

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

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

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

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

4.9 Issuing a Probation Warning

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

4.10 Meeting Convened with Head of Service or Director

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

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

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

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

The possible outcomes of the meeting will be:

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

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

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

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

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

5. Appendices (if applicable)

Appendix One - Employee Support Plan

Appendix Two - Corporate Work Tracker

Employee Name:

Manager:

Date:

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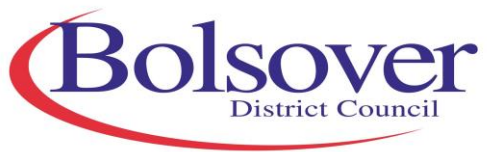
Workstream Performance Tracker

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

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| | |
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Disclosure and Barring Service Policy

July 2019

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French

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Spanish

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CONTROL SHEET FOR DBS Policy

| Policy Details | Comments / Confirmation (To be updated as the document progresses) |
|---|---|
| Policy title | Disclosure and Barring Service |
| Current status – i.e. first draft, version 2 or final version | Final Version |
| Policy author (post title only) | HR Link Officer (Organisational Development) |
| Location of policy (whilst in development) | HR |
| Relevant Cabinet Member (if applicable) | |
| Equality Impact Assessment approval date | |
| Partnership involvement (if applicable) | |
| Final policy approval route i.e. Cabinet/ Council | SAMT UECC Council |
| Date policy approved | |
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DBS Policy

1. Introduction

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

2. Scope

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

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

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

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

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

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

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

3. DBS Checks

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

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

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

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

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

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

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

4 Roles and Responsibilities

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

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

5. Cost of Disclosure

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

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

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

6. Requesting a Disclosure

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

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

7. Update Service

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

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

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

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

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

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

8. Use of Disclosure Information

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

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

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

9. Security, Confidentiality, Storage and Retention

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

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

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

10. Disputes

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

11. Employees with Adverse Disclosures

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

Policy Statement on the Recruitment of Ex-Offenders

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

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

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

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

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

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

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

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

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

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

POSTS REQUIRING A BASIC DBS CHECK THROUGH DISCLOSURE & BARRING SERVICE ENGLAND & WALES

| BDC | |
|---|--|
| Contact Centre Manager | |
| Customer Adviser | |
| Customer Services Apprentice | |
| Customer Services Manager | |
| | |
| Administration Assistant – Elections | |
| Democratic Services Assistant (Elections) | |
| Electoral Services Manager | |
| Elections Officer | |
| | |
| Housing Needs Officer | |
| Money Advice Worker | |
| Rent Collector | |
| Tenancy Management Officer | |
| | |
| Catering/Refreshment Assistant - Leisure | |
| Cleaner – Leisure Centre | |
| Receptionist/Front of House - Leisure | |
| | |
| | |
| Benefits Manager | |
| Benefits Officer | |
| Benefits Overpayments Officer | |
| Benefits Supervising Officer | |
| Benefits Visiting Officer | |
| Billing and Recovery Assistant | |
| Billing and Recovery Manager | |
| Billing Officer | |
| Billing/Recovery Supervisor | |
| Clerical Support Officer – Revenues | |
| Recovery Officer | |
| Recovery Officer Sundry Debts | |
| Revenues Support Officer | |
| Revenues Visiting Officer | |
| Senior Benefits Officer | |
| Senior Benefits/Technical Officer | |
| Senior Billing Officer | |
| Senior Court Officer | |
| Senior Recovery Officer | |
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REGULATED ACTIVITY RELATING TO CHILDREN**General exceptions:**

Regulated activity relating to children does not include:

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

Regulated activity relating to children is:

1. Teaching, training or instruction of children:

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

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

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

3. Advice or guidance:

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

4. **Moderating a public electronic interactive communication service** which is likely to be used wholly or mainly by children
 - a. Carried out by the same person frequently (once a week or more) **or** on 4 or more days in a 30-day period; and
 - b. NOT activity by a person who does not have access to the content of the matter or contact with users.

5. **Driving a vehicle** being used only for conveying children and their carers/supervisors
 - a. Carried out by the same person frequently (once a week or more) **or** on 4 or more days in a 30-day period; and
 - b. Done under an agreement, either with the driver or with a person with whom the driver works, for gain or not.

6. **Relevant personal care**
 - a. Either:
 - i. Physical help with eating or drinking necessary due to illness or disability;
 - ii. Physical help with toileting, washing, bathing or dressing necessary due to age, illness or disability;
 - iii. Prompting, with supervision, in relation to i or ii where the child is otherwise unable to decide; or
 - iv. Any form of training, instruction, advice or guidance given to the child in relation to i or ii.
 - b. NOT activity relating to a child, aged 16 or over, in the course of his employment, not by a person for whom arrangements exist principally for that purpose; and
 - c. NOT activity merely incidental to activity with adults.

7. **Health care** provided for children
 - a. By, or under the direction or supervision of, a health care professional;
 - b. NOT activity relating to a child, aged 16 or over, in the course of his employment, not by a person for whom arrangements exist principally for that purpose; and
 - c. NOT activity merely incidental to activity with adults.

8. **Childminding**
 - a. On domestic premises, for reward; and
 - b. With a requirement to register, or voluntary registration, under Childcare Act 2006.

9. **Fostering** a child
 - a. NOT care arranged by family members, not for reward; and
 - b. NOT LA fostering a child with a barred person who is, or lives with, a relative of the child.

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

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

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

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

Regulated activity relating to adults does not include:

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

Regulated activity relating to adults is:

1 Health care provided for adults:

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

2 Relevant personal care:

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

3 Relevant social work:

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

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

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

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

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

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

6 Conveying:

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

7 Certain inspection functions

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

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

NAME OF CANDIDATE/EMPLOYEE: _____

CHECKLIST FOR EMPLOYEES WITH ADVERSE DISCLOSURES

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

General

- How serious is the offence and its relevance to the safety of other employees, customers, clients or property

- How long is it since the offence occurred?

- Was the offence a one-off, or part of a history of offending?

- Has the individual's circumstances changed since the offence was committed, making re-offending less likely?

- Has the offence been decriminalised by Parliament?

- In which country was the offence committed? (Some activities are offences in Scotland and not in England and Wales and vice versa?)

Post Specific

- Does the post involve contact in any way with vulnerable groups?

- What is the post-holder's level of supervision?

- Does the post involve responsibility for finance or valuable items?

- Does the post holder come into direct contact with the public in general?

- Will the nature of the job present the opportunity in the workplace for the post holder to re-offend?

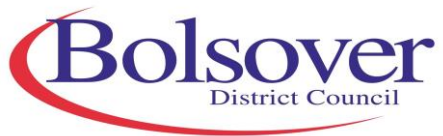
- If the post-holder did re-offend would this have a detrimental effect on the reputation of the Council?

Date of interview to discuss criminal record history:

Interview conducted by:

Record of discussion (key points)

Decision (including rationale)



Learning and Development Policy

July 2019

We speak your language

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

Hablamos su idioma

Slovak

Rozprávame Vaším jazykom

Chinese

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01246 242424 or

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Council on **01246 231111**

CONTROL SHEET FOR [Learning and Development Policy]

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

LEARNING AND DEVELOPMENT POLICY

1. Introduction

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

2. Scope

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

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

3. Principles

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

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

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

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

This policy is supported by the Appraisal Scheme.

4. Statement

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

5. Learning and Development

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

Essential

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

Desirable

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

5.1 Learning and Development Opportunities

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

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

5.2 Learning and Development Responsibilities

5.2.1 Corporate

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

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

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

5.2.2 Managers

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

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

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

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

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

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

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

5.2.3 Employees

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

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

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

5.2.4 Human Resources

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

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

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

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

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

5.3 Identification

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

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

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

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

5.4 Short Courses

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

5.5 Post Entry Training

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

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

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

5.6 Learner Agreement and Repayment of Fees

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

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


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

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

6 Evaluation

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

7 People Strategy Framework

| Corporate Aim and Priority for People Strategy | People Strategy Action Plan Aims | Employee Life Cycle |
|--|---|--|
| <p>Transforming Our Organisation</p> <p>Provide our customers with excellent service</p> | 1.Improve employee engagement |  |
| | 2.Provide a healthy and safe work environment | |
| | 3.Build workforce capability | |
| | 4.Promote a high performance culture | |
| | 5.Support organisational transformation | |
| | 6.Transform HR and Payroll Service delivery | |
| <p style="text-align: center;">Learning and Development Action Plan Aims</p> <ol style="list-style-type: none"> 1. Support the Council in achieving the Corporate Plan 2. Effectively manage the Council’s learning and development budget 3. Respond to existing employee Learning and Development needs utilising the apprenticeship levy where appropriate 4. Support the development of employees to enable career progression both internally and externally 5. Procure Learning and Development as required for Management and Leadership development, and manage this ongoing relationship 6. Provide learning and development support and advice to employees and managers | | |

8 Conclusion

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

9. Responsibility for Implementation

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

10. Appendices (if applicable)

Appendix A – Learning and Development Request Form

Appendix B – Post Entry Training Scheme

Appendix C – Employee Learning, Development and Training Evaluation

Learning and Development Request Form

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



| | | | |
|-------------------------------------|--------------------------|------------------------|--------------------------|
| Legislation requirement | <input type="checkbox"/> | Corporate requirement | <input type="checkbox"/> |
| Continuing professional development | <input type="checkbox"/> | Other – Please explain | <input type="checkbox"/> |

| | |
|--|-----------------------------|
| PART D – to be completed if Qualification Based Training is requested | PART E - DECLARATION |
|--|-----------------------------|

| <p>Please give details of support requested per item:</p> <table border="1"> <thead> <tr> <th style="text-decoration: underline;">Item</th> <th style="text-decoration: underline;">Amount (£)</th> </tr> </thead> <tbody> <tr> <td>Registration Fees</td> <td></td> </tr> <tr> <td>Course Fees</td> <td></td> </tr> <tr> <td>Exam Fees</td> <td></td> </tr> <tr> <td>Books</td> <td></td> </tr> <tr> <td>Other (please specify) _____</td> <td></td> </tr> <tr> <td>TOTAL</td> <td style="text-align: right;">£</td> </tr> </tbody> </table> | Item | Amount (£) | Registration Fees | | Course Fees | | Exam Fees | | Books | | Other (please specify) _____ | | TOTAL | £ | <p>In submitting this application, I accept that should financial assistance be provided, I agree to comply with the conditions of approval as stated in my contract of employment, the Learning and Development Policy and other relevant Council Guidelines.</p> <p>Signature of Applicant: Date:</p> |
|---|------------|------------|-------------------|--|-------------|--|-----------|--|-------|--|------------------------------|--|--------------|----------|---|
| Item | Amount (£) | | | | | | | | | | | | | | |
| Registration Fees | | | | | | | | | | | | | | | |
| Course Fees | | | | | | | | | | | | | | | |
| Exam Fees | | | | | | | | | | | | | | | |
| Books | | | | | | | | | | | | | | | |
| Other (please specify) _____ | | | | | | | | | | | | | | | |
| TOTAL | £ | | | | | | | | | | | | | | |

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

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

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

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

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

| | |
|--|--------------------------|
| Unlocking Our Growth Potential | <input type="checkbox"/> |
| Providing our Customers with Excellent Services | <input type="checkbox"/> |
| Supporting our Communities to be Healthier, Safer, Cleaner and Greener | <input type="checkbox"/> |
| Transforming our Organisation | <input type="checkbox"/> |

| |
|-----------------|
| APPROVAL |
|-----------------|

| | |
|--|------------|
| Approved by Line Manager/Service Manager | |
| Print Name: | Signature: |
| Date: | |
| Approved by Human Resources (OD) | |
| Name: | Date: |

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

| | |
|---------------------|-------|
| Input onto CHRIS 21 | Date: |
| Signed: | |

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

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

Appendix B

POST ENTRY TRAINING SCHEME (Including qualification training)

1 Responsibility of Employee

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

2 Fees and Expenses

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

3 Repayment of Fees

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

- If you decide not to carry on with the course without good reason (to be determined by Joint Head of Service – Corporate Governance, and HR and OD Manager, you will be liable to 100% repayment of all the course fees and expenses.

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

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

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

4 Study Leave

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

Appendix C



Employee Learning, Development & Training Record/Evaluation

Please complete the form below using Adobe Acrobat reader.
Print off **two** copies and send one to your manager and one to Human Resources.

Section One: Record

Employee Name/s:

Job Title:

Name of Learning/
Development/Training Event
Undertaken:

Internally or Externally

Internal External

Date/s Undertaken:

Section Two: Evaluation

1. Were your learning objectives achieved?

Fully Partially Not at all

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

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

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

5. Is there anything that can be improved?

6. Any other comments?

Thank you for taking the time to complete this form

| | | |
|---------|-----------------|-------|
| HR Use: | Input on CHRIS: | Date: |
|---------|-----------------|-------|



Smoke Free & Vaping Policy

July 2019

We speak your language

Polish

Mówimy Twoim językiem

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Council on **01246 231111**

CONTROL SHEET FOR PROBATION POLICY

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

SMOKEFREE & VAPING POLICY

1. Introduction

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

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

2. Aims of the Policy

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

This Policy Statement has been prepared and seeks to

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

3. Policy Statement

It is the policy of the Council that

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

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

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

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

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

4. Implementation

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

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

The policy shall be included on the Extranet.

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

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

5. Non-Compliance

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

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

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

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

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

6. Policy Review

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

Covering Communication

Dear All

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

As a reminder to everyone smoking is not permitted:

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

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

The smoking areas are:

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

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

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

Please note smokers are expected to dispose of cigarette waste sensibly in an appropriate receptacle and not leave litter on the ground. In line with the Council's Smoking Policy and the law any individual seen dropping litter can be liable to an immediate fixed penalty notice and fine.

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

Any visitor seen smoking, vaping or using electronic cigarettes at any premises will be advised of the policy and asked to extinguish/put away their cigarette/electronic cigarette. Employees are responsible for making visitors to Council premises aware of the

requirement to comply with the policy and that non-compliance will be a breach of the Health Act 2006 and therefore a criminal offence.

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

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

Bolsover District Council

Council

11th September 2019

Regulation of Sex Establishments in the Bolsover District

Part II And Schedule 3 Of The Local Government (Miscellaneous Provisions) Act 1982 and Section 27 of The Policing And Crime Act 2009 within the Bolsover District

Report of the Chair of the General Licensing Committee

This report is public

Purpose of the Report

- To set out the required stages of the legal process to adopt Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ('the 1982 Act') and section 27 of the Policing and Crime Act 2009 ("the 2009 Act"), in order that the Licensing Authority is able to regulate sex establishments in the Bolsover District.
- To recommend that the Council resolves to adopt Schedule 3 of the 1982 Act and s.27 of the 2009 Act, to publish statutory notices to that effect and to adopt a Sex Establishment Policy following a public consultation process.

1 Report Details

- 1.1 Licensing of sex cinemas, sex shops and sexual entertainment venues is governed by section 2 and Schedule 3 of the Act 1982, as amended by the 2009 Act.
- 1.2 All Councils which wish to have the power to licence such establishments are required to adopt section 2 of the 1982 Act and section 27 of the 2009 Act. Bolsover District Council is unable to evidence the formal adoption of the 1982 Act.
- 1.3 It is proposed that, in line with many other District Councils, Bolsover District Council formally adopts the legislation and thereafter a draft sex establishment policy will be put before the Licensing Committee and a period of public consultation would follow.
- 1.4 It is accepted that at the current time there are no known sex establishments within the District, however the Council would be unable to regulate under The Acts unless it adopted the relevant legislation. The formal adoption of the legislation and a policy would mean the Council had powers immediately at its disposal to adequately and fairly address the issue should the need arise.

1.5 The 2009 Act amended the 1982 Act to give greater rights to local people to oppose an application for a sex establishment licence. In addition a local authority can refuse a licence because there is already an appropriate number of sex establishments in an area and/or that a sex establishment would 'conflict' with the character of the area or other premises nearby e.g. schools, places of worship etc. A policy would be able to set out these numbers, and provide further clarity to applicants and local residents alike.

1.6 The procedure for formal adoption of the provisions is set out in full in section 2 of Part II the 1982 Act. The Act can be viewed online at <http://www.legislation.gov.uk/ukpga/1982/30/contents> and a copy can be made available on request to the Legal Services team.

1.7 There are two stages which must be followed:

(1) The Council must pass a resolution under section 2 of the Local Government (Miscellaneous Provisions) Act 1982 to adopt Schedule 3 of the Act and specify the day the provisions are to come into effect.

Appropriate wording for the Adoption Resolution is set out in Appendix 1.

(2) After Resolution but prior to it **coming into force** the Council is required to publish, for two consecutive weeks, in a local newspaper circulating in our area, a notice that it has passed a resolution, the first publication not being later than 28 days before the date specified in the resolution for the coming into force of the Council's powers.

Appropriate wording for the notice is set out in Appendix 2.

2 Conclusions and Reasons for Recommendation

2.1 Whilst at this time there may be no premises within the district to which this legislation applies, the adoption of the 1982 and 2009 Acts as amended means the Council could regulate sex establishments. This power is consistent with the Council's general aims to strengthen community cohesion and civic pride within the District whilst seeking to lower crime, fear of crime and anti-social behaviour.

3 Consultation and Equality Impact

3.1 Consultation issues are outlined in this report. In accordance with best practice guidance and in the interests of transparency, public consultation should be undertaken on a draft policy following the Resolution being passed.

4 Alternative Options and Reasons for Rejection

4.1 If the relevant legislation is not adopted, the Council will continue to have no licencing regime in relation to sex establishments, no controls of the same and in the event of complaints or incidents relating to them. There is a risk that the Council's reputation for protecting the interests of its residents could be called into question, given that the majority of authorities probably have adopted the relevant legislation.

5 Implications

5.1 Finance and Risk Implications

5.1.1 The cost implication relating to the publication of statutory notices can be met from the existing licensing budget.

5.2 Legal Implications including Data Protection

5.2.1 Having a formal resolution to adopt the Act, and evidence of the notice is essential to ensure that we have complied with the requirements for Adoption of the Act and to enable enforcement action.

5.3 Human Resources Implications

5.3.1 None.

6 Recommendations

6.1 That Council approves the intention to pass a resolution to adopt, the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, 'Control of Sex Establishments' and section 27 of the Policing and Crime Act 2009 in relation to the whole district as set out in Appendix 1.

6.2 That the Council publish notice of the adoption of the 1982 and 2009 Acta in accordance with the legal requirements.

6.3 That the General Licensing Sub Committee be given responsibility to determine applications for Sex Establishments (including sexual entertainment venues, sex shops and sex cinemas) under the Local Government (Miscellaneous Provisions) Act 1982 (as amended).

6.4 That a draft policy on sex establishments shall be prepared for consultation within the district to clarify the Council's policy on:

- i. "relevant locality" and "appropriate number";
- ii. conditions under which sex establishments must operate; and
- iii. an appropriate fee for applications.

6.5 That the draft Sex Establishment Policy be submitted to a future Licensing Committee for Members' approval for a full 6 week consultation period.

7 Decision Information

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

8 Document Information

| Appendix No | Title |
|---|---|
| 1. | Appropriate wording for the Adoption Resolution is set out in Appendix 1. |
| 3. | Appropriate wording for the public notice is set out in Appendix 2. |
| <p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p> | |
| Home Office Sexual Entertainment Venues Guidance for England and Wales 2010 | |
| Report Author | Contact Number |
| Debs Cartwright, Solicitor (Contentious Team) | 01246 2422428 |

ADOPTION RESOLUTION

RESOLVED

- (1) The provisions of Part II and Schedule 3 of the Local Government (Miscellaneous Provisions) Act and section 27 of the Policing and Crime Act 2009 are to apply to the whole area of the Council on and after the appointed day;
- (2) The appointed day for the purposes of this resolution shall be the _____ of _____ 2019 (being not before 28 days after publication of the first notice that this Council has passed this resolution in a local newspaper circulating in this Council's area);
- (3) [All powers, duties and provisions in the Council Constitution relating to Part II of the Local Government (Miscellaneous Provisions) Act 1982 shall apply on and after the appointed day.]

Bolsover District Council

Part II and Schedule 3 Local Government (Miscellaneous Provisions) Act 1982 (“the 1982 Act”) and section 27 of the Policing and Crime Act 2009 (“the 2009 Act”)

NOTICE IS HEREBY GIVEN in accordance with section 2 of the Local Government Act 1982 that on day of 2019, at a meeting of Bolsover District Council (“the Council”) passed a resolution that the provisions of Part II and Schedule 3 of the 1982 Act and section 27 of the 2009 Act shall be adopted and shall apply within the district of Bolsover District Council, with effect from the day of 2019, the general effect of Schedule 3 of the 1982 Act and section 27 of the 2009 Act being to enable the Council to licence and regulate sex establishments, including sex shops, sex cinemas and sexual entertainment venues within its district.

Sarah Sternberg

Head of Corporate Governance and Monitoring Officer

Bolsover District Council

Council

11th September 2019

Member Development Annual Report 2018/19

Report of the Chair of Member Development Working Group

This report is public

Purpose of the Report

- The purpose of the Member Development Annual Report is to enable Council to consider the Member Development work that was undertaken during the municipal year 2018/19.

1 Report Details

- 1.1 The Annual Report of the Member Development Working Group is attached at **Appendix 1**.
- 1.2 The report sets out the member development activities that took place during the year 2018/19, opportunities that were made available to Members and information on the evaluation of member development activities that took place.

2 Conclusions and Reasons for Recommendation

- 2.1 To enable Council to consider the Annual Report on Member Development during 2018/19.

3 Consultation and Equality Impact

- 3.1 Consultation is carried out with Members during the Training Needs Survey and on an ad hoc basis as necessary in relation to the organisation of one off events. The Strategic Alliance Management Team and other officers are also consulted on the Member Development Strategy and Member Development Programme.

4 Alternative Options and Reasons for Rejection

- 4.1 Council could determine to no longer receive a Member Development Annual Report however this option is not recommended as the Annual Report publicises to all Members the activities that have been undertaken and provides an opportunity for them to consider any future issues that may arise that they would like to see included in future programmes.

5 Implications

5.1 Finance and Risk Implications

5.1.1 There are no finance or risk implications arising from this report.

5.2 Legal Implications including Data Protection

5.2.1 There are no legal implications arising from this report.

5.3 Human Resources Implications

5.3.1 There are no human resources implications arising from this report.

6 Recommendations

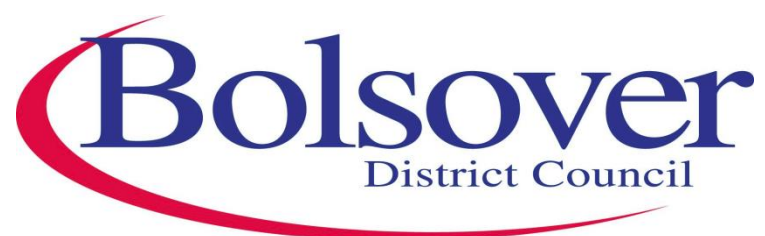
6.1 That Council note the Member Development Annual Report 2018/19 and the Member Development Programme for 2019/20.

7 Decision Information

| | |
|--|---------------|
| Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i> | No |
| Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In) | No |
| Has the relevant Portfolio Holder been informed | Yes |
| District Wards Affected | None Directly |
| Links to Corporate Plan priorities or Policy Framework | All |

8 **Document Information**

| Appendix No | Title |
|--|----------------------------------|
| 1 | Member Development Annual Report |
| Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) | |
| | |
| Report Author | Contact Number |
| Senior Governance Officer | 01246 242529 |



**Member Development
Annual Report 2018/19**

1. Introduction

The purpose of this annual report is to report on member development work undertaken in the municipal year 2018/19.

Member development activities are designed to support the learning and development of Members so that they have the appropriate knowledge, skills and confidence to carry out their various roles and represent the public they were elected to serve.

The Annual Report covers the following subjects:

- Member Development Working Group
- Member Development Sessions
- Committee Specific Training and Other Training and Development Events
- Other Member Development Opportunities
- Members' ICT Training
- Member Development Budget 2018/19
- Member Induction Programme Development

2. Member Development Working Group

The Council has a cross-party working group to oversee, monitor and make recommendations on member development. The Group is committed to supporting the development of councillors and to enable them to engage effectively in the modernisation of local government and to deliver the Council's statutory functions and corporate objectives, and to represent the people of Bolsover District.

The Working Group was chaired by Cllr Hilary Gilmour and its membership in 2018/19 was as follows:

Councillor R Bowler
Councillor S Fritchley
Councillor R Heffer
Councillor S Peake
Councillor J Wilson
Councillor D Watson

3. Member Learning, Development and Information Sessions

The purpose of the Member Learning, Development and Information Sessions is to provide a framework to support the achievement of members' objectives.

The sessions offer an opportunity for Members and officers to discuss the latest developments in local government in terms of policy, legislation and initiatives from Government and to undertake development work in an informal environment which supports learning.

The following sessions were held during the year:

| Date of Session | Topics | Attendance |
|-------------------------------------|---|-------------------|
| 31st May 2018 | GDPR Information Session | 22 |
| | Transgender Awareness | |
| 1st August 2018 | Environmental Health Overview | 16 |
| 4th October 2018 | Emergency Planning | 15 |
| 11th October 2018 | Social Return on Investment and the Housing Association Community Trust (including Building Resilience) | 18 |
| | Overview of the Derbyshire Observatory | |
| 7th November 2018 | Future Proofing | |
| 5th December 2018 | Safeguarding | 9 |
| | Compliments, Comments and Complaints | |
| | Customer Service Standards | |

4. Committee Specific Training and Other Training and Development Events

Other training sessions or events that have taken place during the year include:

Committee Briefings

Scrutiny Development Sessions - 25/27/29th June 2018 -22 Members attended all or part of the Sessions.

Licensing Committee – Safeguarding – 28th June 2018 – 14 Members attended

Planning - 4th July 2018 – 16 Members attended

Licensing – 17th October 2018 – 13 Members attended

Chairing Skills

12th June 2018 – 14 Members attended

This session was delivered by an external facilitator. The cost was shared with North East Derbyshire District Council as two sessions were provided on the same day.

5. Members' ICT Training

The Members IT and Training Officer provides regular support and training to members as part of the induction process when issuing iPads and on-going through servicing on a regular basis and one-to-one support on any issued Members encounter.

Formal training on iPad Apps such as Pages, Numbers, Keynote, iAnnotate & Extranet is available and sessions can be scheduled when there is a demand for any particular topic or feature of the iPads.

During 2018/19, the Members IT and Training Officer spent the majority of his time offering one-to-one ICT and iPad support to members rather than formal training. A new initiative was also developed to produce short videos which demonstrate various iPad features and tools within apps for Members to access at any time. The videos are available to view from the NEDDC YouTube channel and the Members Extranet Portal.

So far the following videos have been developed:

- How To Access The iPad User Guide From The Extranet
- How To Email Photos From Your iPad.
- How To Access The Out Of Office Assistant From Your iPad.
- How To Customise Your iPad Keyboard.
- How to remove numbers from your iPad's QWERTY keyboard

Members are encouraged to request any specific topics they wish to see covered by videos that can be added to the suite available to all Members.

6. Member Development Budget 2018/19

The Member Development Budget for 2018/19 was set at £5000. The total budget spend was £4795.38 with £204.62 of the remaining budget unspent. Details of expenditure from the 2018/19 budget were reported to the Working Group on a regular basis.

7. Member Development Evaluation

The Working Group receives reports on a regular basis detailing statistical evaluation, together with Members' comments, on training and development events.

8. Member Induction Programme Development

During 2018/19, the Working Group developed the Induction Programme for Councillors following the elections in May 2019. This included a pack of essential information and a series of sessions over the first few weeks following the elections.

9. Member Induction Programme Development

Due to being the final year of Member's term of office, a training needs survey/learning and development questionnaire was not carried out. Member Development Working Group identified and discussed priority training needs and developed a programme for Member Development for 2019/20 following on from the Induction Programme.

A copy of the programme is attached at Appendix A for Members information. This is a live document and dates and topics are subject to change.

Bolsover District Council – Member Development Programme 2019-2020

In the Programme below, the sessions that have been completed have been shaded in grey.

| Date | Topic | Presenters | Links to corporate plan priorities | Comments on delivery of sessions |
|------------------------|---|--|---|----------------------------------|
| 7 – 16 May 2019 | Induction Programme | Various | All | Delivered |
| June/July – TBC | Chairing Skills | External TBC | | Still to be scheduled |
| 29 May 2019 * | Planning Committee Briefing <i>(before 1st meeting)</i> <i>*A separate programme for Planning Committee training is being scheduled for updates throughout the year.</i> | Richard Purcell (PAS session in October) | Unlocking our Growth Potential | Delivered |
| 28 May 2019 | Audit Committee Briefing <i>(before 1st meeting)</i> | Theresa Fletcher, Jenny Williams, Governance | Demonstrating good governance | Delivered |
| 13 June 2019 | Licensing Committee Briefing <i>(before 1st meeting)</i> | Kevin Rowland/ Kevin Shilitto | Supporting Our Communities to be Healthier, Cleaner and Greener | Delivered |

| Date | Topic | Presenters | Links to corporate plan priorities | Comments on delivery of sessions |
|---|---|---|---|--|
| 25 July 2019 | Taxi Licensing and Premises Licensing Training | James Button, Solicitor | Supporting Our Communities to be Healthier, Cleaner and Greener | |
| 1 July 2019 | Standards Committee Briefing | Sarah Sternberg, Vicky Dawson | Demonstrating good governance | Incorporated into agenda rather than separate briefing |
| June/July 2019 | Scrutiny Committee Training | <i>External Facilitator</i> | All | Incorporated in to Scrutiny Conference on 3 rd June 2019 |
| Member Development 10 June 2019 – 2.00pm | Safeguarding | Sarah Bingham, Janice Balthrop, Ann Bedford | Supporting Our Communities to be Healthier, Cleaner and Greener | Delivered Catch up session scheduled on 30 September 2019 |
| | Data Protection/Freedom of Information | Kath Drury, Wayne Gorman | Providing our Customers with Excellent Service | Cancelled as covered at Induction session however a further briefing on Data Protection is on 9 October 2019. |
| | Equalities | Kellie Bradford | Providing our Customers with Excellent Service and Promoting Equality and Diversity | Delivered Catch up session scheduled on 30 September 2019 |
| | Accessing information online | Donna Cairns | | Added to session in light of DP/FOI cancellation and to assist Members finding online resources e.g. Constitution and other corporate policies |

| Date | Topic | Presenters | Links to corporate plan priorities | Comments on delivery of sessions |
|--|------------------------------------|---|--|--|
| 23 July 2019 and 2 September 2019 Both at 10am | iPad Training | Martin Derbyshire | Transforming Our Organisation | |
| Member Development 8 July 2019 – 2.00pm 17th September 2019 10am | Housing Service | Karen Hanson | Providing good quality housing where people choose to live | Rescheduled to 17 th September 2019 |
| | Homelessness Service | Di Bonsar | Providing our Customers with Excellent Service | Rescheduled to 17 th September 2019 |
| | Universal Credit/Benefits Briefing | Di Parker <i>and Tom Evans</i> | Providing our Customers with Excellent Service | Rescheduled to 17 th September 2019 |
| 2 October 2019 10am | Carbon Literacy Training | Dr Rina Jones, Nottinghamshire and Derbyshire Local Authorities' Energy Partnership | Transforming Our Organisation | |
| Member Development 9 October 2019 – 10.00 am | Casework | <i>External facilitator/ Member Lead</i> | Providing our Customers with Excellent Service | Rescheduled to a standalone session to cover more in-depth |
| | Meeting Procedures/Constitution | <i>Sarah Sternberg/ Nicci Calver/Vicky Dawson</i> | Demonstrating good governance | |
| | Data Protection | Kath Drury, Wayne Gorman | Providing our Customers with Excellent Service | Deferred from June |

| Date | Topic | Presenters | Links to corporate plan priorities | Comments on delivery of sessions |
|---|---|--------------------------------|---|---|
| 15 October 2019 9.30am | Planning Training | Planning Advisory Service | Unlocking our Growth Potential | |
| 17 October 2019 2pm | Casework | Ann Bedford and Donna Cairns | Providing our Customers with Excellent Service | Rescheduled from 9 Oct to a standalone session to cover more in-depth |
| Member Development 19 November 5 November 2019 10.00 am | Transformation Programme and Medium Term Financial Plan | Lee Hickin and Head of Finance | Transforming Our Organisation | |
| | Lone Worker | Bronwen McCarther-Williams | Providing our Customers with Excellent Service | Required for all Members under the revised Code of Conduct |
| Member Development 14 January 2020 - 2.00pm | Street Scene Service | Steve Brunt | Supporting Our Communities to be Healthier, Cleaner and Greener | |
| | Licensing Service Update | Kevin Rowland | Supporting Our Communities to be Healthier, Cleaner and Greener | |
| | Customer Service and Complaints Handling | Ann Bedford | Providing our Customers with Excellent Service | |

111

| Date | Topic | Presenters | Links to corporate plan priorities | Comments on delivery of sessions |
|--|-----------------------------|-----------------------------|------------------------------------|--|
| Member Development 23 March 2020 10.00 am | Risk Management | Lee Hickin, Head of Finance | Demonstrating good governance | |
| | Performance Monitoring | Kath Drury, Amar Bashir | All | |
| | | | | |
| | | | | |
| TBC | <i>Ad-Hoc Briefings</i> | | | |
| | | | | |
| TBC | <i>Public Speaking</i> | <i>External facilitator</i> | | |
| | | | | |
| TBC | <i>Media Skills</i> | <i>External facilitator</i> | | |
| | | | | |
| TBC | <i>Community Leadership</i> | <i>External facilitator</i> | | |
| | | | | |
| TBC | <i>Financial Scrutiny</i> | <i>External facilitator</i> | | Required for all Members under the revised Code of Conduct |
| | | | | |

Bolsover District Council

Council

11th September 2019

Member Development Strategy Review 2019-2023

Report of the Chair of Member Development Working Group

Purpose of the Report

- To recommend the adoption of the revised Member Development Strategy for 2019-2023

1 Report Details

- 1.1 Bolsover District Council recognises the importance of Member Development and has achieved LGA Member Development Charter status in previous years. The Council's commitment has been evidenced through previous Member Development Strategies, delivery of Member Development Programmes and achieving the level required for Charter status, although accreditation was not applied for. It is important that the delivery of Member Development must not come across as a 'necessary evil' but rather be perceived by all as 'mission critical' to Members' roles.
- 1.2 The previous strategy, approved in 2014, was two separate documents, A Member Development Strategy and a Member Development Evaluation Strategy. These have now been combined into one document. The previous Strategy also attached copies of training request forms and evaluation forms, however these have been removed to enable greater flexibility to adapt and develop these forms to ensure they remain fit-for-purpose.
- 1.3 The revised strategy is proposed to run from 2019 up to the end of the four year term of office, in 2023.
- 1.4 In carrying out the review, the Governance Team have looked at bringing the previous version up-to-date, comparing the delivery and support of Member Development across other local authorities, regionally and nationally, and also carried out a self-assessment against the LGA Member Charter Criteria to identify ways in which the delivery of Member Development at the Council could be improved.
- 1.5 Although the Council is not seeking accreditation, the LGA Member Development Charter standard is used as recognised best practice. Four areas for improvement were identified and they have been incorporated into the revised Strategy or the accompanying Action Plan:
 - **Leadership Development support** – encouraging new Portfolio Holders and Chairs/Vice-Chairs to access Leadership training opportunities, either

formal programmes such as LGA courses or local policy/strategy based sessions relevant to their portfolio.

- **Better promotion of Learning and Development opportunities and resources to improve equality of access**
- **Explore opportunities for sharing learning between councillors**, through a discussion board or narrative reports/case studies
- **Improving the Learning and Development programme**, by improving delivery of Member training internally and looking at additional delivery methods.

1.6 The other main changes proposed to the Strategy are the implementation of the mandatory training provisions in the Members Code of Conduct as agreed at Council in May 2019.

1.7 Additions to the Strategy include reference to case law and LGA guidance supporting the expectation of Members receiving training before sitting on regulatory committees (i.e. Licensing and Planning). The section on the LGA guidance is as follows:

The Local Government Association Councillor Handbook on Taxi and Private Hire Vehicles states the following in relation to training of councillors:

No councillor should be permitted to sit on a committee or sub-committee without having been formally trained. As a minimum, training should cover licensing procedures, natural justice, understanding the risks of child sexual exploitation, and disability equality, as well as any additional issues deemed locally appropriate.

1.8 The LGA guidance is supported by the Department of Transport in the consultation version of the Statutory Guidance for Licensing Authorities

1.9 Other minor changes are made to reflect how Member Development activities are delivered, including online training and videos. A revised draft of the Strategy with tracked changes is attached at **Appendix 1**.

1.10 Attached to the Strategy is an Action Plan which sets out how the objectives of the Strategy will be met. This is a mixture of activities that take place on a regular basis, such as training needs surveys and including Member Development sessions in the Meeting Schedule. Other actions are areas of development, such as creating and maintaining a Member Development Database. The Action Plan will be monitored by the Member Development Working Group and progress will be reported to Council in the Annual Member Development Report.

2 Conclusions and Reasons for Recommendation

2.1 It is considered good practice to adopt a Member Development Strategy and keep it up-to-date as this supports the delivery of Member Development activities within a clear and structured approach. Whilst the Council is not formally seeking accreditation for the Member Development Charter, a 'self-assessment' was undertaken by the Governance Team as a tool for ensuring best practice is implemented in so far as is possible.

3 Consultation and Equality Impact

3.1 Member Development Working Group considered the revised Strategy on 12th July 2019 and recommended to Council that it be approved.

3.2 Members are consulted on the Member Role Profiles and the Strategy sets out the arrangements for Training Needs Surveys to be used in the production of Member Development Programmes.

3.2 An Equalities Impact Assessment has been carried out, concluding that no negative equality impacts arise from the Strategy. Member Development is considered to be a crucial element in providing a fair playing field for councillors from all backgrounds to participate in the Council's business and to develop in their roles.

4 Alternative Options and Reasons for Rejection

4.1 The Council could decide not to hold a Member Development Strategy or to keep it under review, however this is not recommended due to the importance of Member Development.

5 Implications

5.1 Finance and Risk Implications

5.1.1 Members being adequately trained and equipped to carry out their roles is important to mitigate risks of challenge to decisions.

5.2 Legal Implications including Data Protection

5.2.1 Members are offered training on a range of subjects, through the Induction process and the delivery of Member Development Programmes to provide a grounding in the legal principles relating to the duties and responsibilities of Councillors. This includes Data Protection. Member training records are kept in compliance with data protection principles, with the majority of information being anonymised. Where records are publically available, this is in line with transparency requirements i.e. records of attendance at meetings.

5.3 Human Resources Implications

5.3.1 There are no human resources implications arising from this report.

6 Recommendations

6.1 That Council approve the Member Development Strategy Review 2019-2023

7 Decision Information

| | |
|--|-------------------------------|
| <p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p> | No |
| <p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p> | No |
| <p>Has the relevant Portfolio Holder been informed</p> | Yes. |
| <p>District Wards Affected</p> | None directly |
| <p>Links to Corporate Plan priorities or Policy Framework</p> | Demonstrating Good Governance |

8 Document Information

| Appendix No | Title |
|---|---|
| 1 | Revised Member Development Strategy 2019-2023 |
| <p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p> | |
| | |
| Report Author | Contact Number |
| Donna Cairns, Senior Governance Officer | 01246 242529 |

Member Development Strategy

2019 - 2023



We speak your language

Polish

Mówimy Twoim językiem

Slovak

Rozprávame Vaším jazykom

Chinese

我们会说你的语言

If you require this publication in
large print or another format
please call us on **01246 242424**

CONTROL SHEET FOR MEMBER DEVELOPMENT STRATEGY

| Strategy Details | Comments / Confirmation (To be updated as the document progresses) |
|---|---|
| Strategy title | Member Development Strategy |
| Current status – i.e. first draft, version 2 or final version | Final Version for Approval |
| Strategy author (post title only) | Senior Governance Officer |
| Location of strategy (whilst in development) | S Drive>Governance and Monitoring |
| Relevant Cabinet Member (if applicable) | Sandra Peake, Portfolio Holder – Housing and Community Safety |
| Risk Assessment completed (if applicable) | N/A |
| Equality Impact Assessment approval date | 31 st July 2019 |
| Partnership involvement (if applicable) | |
| Final strategy approval route i.e. Executive/ Council | Council |
| Date strategy approved | |
| Date strategy forwarded to Performance & Communications (to include on Extranet and Internet if applicable to the public) | |

1. Introduction

Bolsover District Council is committed to continuous improvement, innovation and best value in the services it provides and to serving the local community and providing them with the best possible services. To do this, elected Members need to have the necessary skills and knowledge to carry out their role in delivering this ambition.

The Council has made an on-going commitment to a Member Development Programme and in May 2019, the requirement for Members to undertake training in key areas was added to Members Code of Conduct.

The Council recognises that all Members have existing knowledge, skills and experiences that assist them in carrying out their role as Councillors. Member Development seeks to support Members in expanding and updating their knowledge and skills, as well as learning new skills and sharing their knowledge and experiences with other Members.

Member Development helps to create a level playing field for all Members of the Council to participate and engage in the work of the Council.

It is recognised in guidance produced by the Local Government Association and cited by judges in case law that Members are expected to undertake training or to avail themselves of opportunities to receive information on policies and legal frameworks prior to carrying out certain roles, for example sitting on regulatory committees such as Licensing Committees and Planning Committee.

It is therefore an expectation of this Council that Members will complete all training designated as mandatory within this Strategy and within the Constitution prior to carrying out their roles on Committees.

The Member Development Strategy sets out the Council's objectives for Member Development and how these objectives will be achieved. It establishes a framework for how councillors' learning and development needs will be identified and how a programme will be designed to meet these needs.

The Strategy also provides a consistent approach to evaluation to ensure that learning and development activities are effective in building capacity.

2. The Council's Vision and Aims

The Council's vision is to enhance and improve the wealth profile, well-being and quality of life for communities of Bolsover District

The Council has set the following aims within the Corporate Plan 2015-2019:

- Unlocking our Growth Potential
- Providing our Customers with Excellent Service
- Supporting our Communities to be Healthier, Safer, Cleaner and Greener
- Transforming our Organisation

In order to succeed in delivering its corporate vision and aims, Members must be equipped with the skills and knowledge they need to fulfil their roles.

It is also recognised that the pace of change with local government and policy developments which affect the Council and the community adds increasing complexity for Members in fulfilling their roles.

3. Aims and Objectives of the Strategy

The aims of the Strategy are to ensure that:

- Members are well-equipped, confident and able to carry out their roles effectively
- To enable Members to fulfil their requirements within the Constitution and Code of Conduct
- Member development activities are planned and delivered within a consistent and structured framework
- Equality of opportunity is achieved.

This Strategy is designed to provide an overall framework for member development that reflects best practice and achieves the following objectives:

- Identifying Members priority learning and development needs
- Promoting Leadership Development
- Linking Member learning and development with the Council's corporate priorities
- Delivering learning and development in innovative ways to make the best use of resources available to the Council
- Enabling Members to support community initiatives and act as advocates as appropriate
- Ensuring equality of access to member development opportunities, meetings and resources
- Evaluating member development to ensure priority needs are being met, value for money is achieved and the performance of the Council is improved.

4. The Role of the Elected Member

The role of an elected Member is a rewarding form of public service where individuals can make a difference to the quality of other people's daily lives. However, being an effective Member requires hard work. Members have to balance the needs and interests of their residents, voters, political parties and the Council as well as their personal lives. It's therefore important to ensure that Members are able to carry out their roles effectively but also that the learning and development activities organised are an effective use of their time.

4.1 The Member's role includes:

- Representing the ward;
- Decision-making;
- Policy and strategy review and development;
- Overview and Scrutiny;
- Regulatory duties; and
- Community leadership and engagement.

Representing the ward

The primary role of a member is to represent their ward and the people who live in it. They also have a responsibility to communicate Council policy and decisions to people in the ward.

Decision-making

Members have a central part to play in making decisions that impact on their ward and across the whole area covered by the Council. They will be involved in decision-making through:

- Full Council;
- Regulatory committees such as planning or licensing;
- Local voluntary organisation management;
- Sitting on boards and as school governors;
- Membership of partnership boards; and
- Being employers of staff on appointments panels and disciplinary or grievance appeals.

Policy and strategy

Members influence and determine the development and review of the Council's policy and strategy. They contribute to this through their:

- Role in Overview and Scrutiny;
- Involvement in advisory groups and partnerships;
- Interaction with Executive Members;
- Role as a representative on local community groups;
- Role on area forums and committees;
- Case work; and
- Membership of a political group.

Overview and Scrutiny

Members have always been required to scrutinise the work of the Council and the overview and scrutiny function is a natural extension of representation. The process has recently become more clearly defined and distinct and the role of Members now includes:

- Providing a check on the activities of the Executive through call-in powers;
- Monitoring and reviewing policy formulation and implementation;
- Policy development;
- Quality review; and
- Scrutiny of external bodies and agencies.

Regulatory Duties

Local authorities are not just service providers: they also act as regulators. This involves members in roles on special committees appointed directly by the Council, such as standards, planning and licensing committees. In these roles, members are required to act independently and are not subject to the party group whip.

Community Leadership and Engagement

Community leadership is at the heart of modern local government and councils are taking on new responsibilities for working in partnership with other organisations, including the voluntary and community sector, to improve services and the quality of life of citizens.

4.2 Role Profiles

Role Profiles for different positions that are held by Members of the Council are agreed by Council as part of the Constitution and are available for Members to refer to on the Members' Portal. The Role Profiles are reviewed every four years.

5. Identifying Members' Development Needs and Priorities

The process for identifying Members' development needs and priorities will be Member-lead with officers bringing to Members' attention any training which is beneficial in carrying out their role.

Members are asked to complete a Training Needs Survey every two years, to identify what learning and development activities they have found to be effective and to assess what priorities they have for learning and development in the next two year period. Members are offered the opportunity to complete a personal development plan and discuss their development needs on a one-to-one basis with the Governance Team.

In identifying their priority learning and development needs, Members will be asked to consider outcomes they would like to achieve in relation to the requirements of the Council and achieving the Corporate Plan, personal aspirations and developing core skills, and the community and partnerships.

Learning and development priorities will also be assessed collectively in relation to the needs of specific committees and legislative and regulatory requirements.

The Council's Strategic Alliance Senior Management Team (SAMT) will be consulted on the process to identify any additional learning and development matters to be raised with Members.

6. Developing a Member Development Programme

Taking into account the identified priority development needs, the content of the development programme will seek to cover all of these needs through the most appropriate delivery methods within the areas of member development activities. Member development activities will comprise the following areas:

6.1 Pre-induction

The Council provides a brief guide called 'Being a Councillor' which provides information about the Council and addresses some issues relevant to those considering becoming a Councillor.

Members and officers will also be involved in initiatives promoting local democracy, to encourage participation from the community with the Council and to encourage people to consider becoming councillors, particularly from under-represented groups.

6.2 Induction

New Members are provided with a welcome pack containing practical information on how the Council works and a programme of introductory briefing sessions is arranged which provides an overview of the Council's services, the management structure and other essential information to enable new Members to commence their role.

A tour of the District is also organised to enable all Members to see a number of development/ regeneration sites within the District and a market-style event for Members to meet officers from services across the Council.

When Members join the Council as a result of a by-election, they will be given a copy of the information pack and a tailored course will be provided to cover the information from the full induction programme.

6.3 Two Year Development Programme

A two year programme will be designed, taking into account the priority learning and development needs of Members, following completion and analysis of the Training Needs Survey and in consultation with SAMT. The first year following induction will take account of the training needs of the returning Members as well as any new Members.

The second year of the programme will be reviewed following a further survey if required (following the election) to ensure that the programme is meeting the needs of all Members.

The Member Development Programme includes:

- Member Development Sessions – half day opportunities for Members which provide opportunities for discussions on legislative or policy developments, service briefings, or other knowledge sharing opportunities. Presentations can be given by Members, Officers or external providers.
- Briefings and other development activities in response to local, regional or national developments
- External local or regional events
- Access to online learning

6.4 Mandatory Training

Certain training sessions are mandatory for all members. These sessions relate to key functions or responsibilities of the Council or individual councillors. It is important that all Members are aware of the legal and policy requirements and to identify the risks involved. The following sessions are therefore deemed mandatory:

- Planning Committee
- Licensing Committee and its Sub-Committees
- Joint Employment and Appeals Committee and its Sub-Committees
- Employee Appeals Committee
- Standards and its Sub-Committees

- Code of Conduct / Ethical Governance
- Equalities and Diversity
- Safeguarding
- Lone Worker
- Fraud Awareness
- Chairperson
- Audit Committee / Budget Scrutiny Committee

Arrangements will be made to provide 'catch-up' sessions or one-to-one training if Members cannot attend scheduled training.

6.5 Committee specific training

The induction process will include a series of events focussed on the specialisms of specific committees. These will take place before the first meeting of each committee to ensure Members will be prepared for the work they will be undertaking. These are mandatory for the councillors appointed to the Committee and all Councillors are encouraged to undertake the training, particularly those who may serve as substitutes on Planning Committee. These will include sessions on:

- Planning
- Licensing
- Audit and Corporate Governance
- Standards
- Scrutiny

Further sessions will take place throughout the year, with refresher sessions scheduled prior to the first meeting of the committees each municipal year.

In respect of determining Planning application, the courts expect Members to have substantial background knowledge which includes a knowledge of the statutory tests. The Supreme Court has stated that Members are also expected to take '*reasonable steps to acquaint themselves with the information [including relevant policies] that will enable them to give proper informed answers to the material questions*' (Tesco Stores Ltd v Dundee City Council [2012] UKSC 13; [2012] PTSR 983 at [17]-[23] per Lord Reed). Failure to do so may found a challenge to decision-making.

The Local Government Association Councillor Handbook on Taxi and Private Hire Vehicles states the following in relation to training of councillors:

No councillor should be permitted to sit on a committee or sub-committee without having been formally trained. As a minimum, training should cover licensing procedures, natural justice, understanding the risks of child sexual exploitation, and disability equality, as well as any additional issues deemed locally appropriate.

The LGA guidance is supported by the Department of Transport in the consultation version of the Statutory Guidance for Licensing Authorities.

6.6 Leadership Development

To assist Members who take up Cabinet positions or Chair/Vice-Chair positions, or those who are identified by political leadership as candidates for future leadership positions, learning and development opportunities focusing on Leadership skills will be available. This may include locally delivered sessions on personal skills needed for effective leadership as well as the opportunity to take part in nationally recognised programmes, such as the Local Government Association Leadership Academy.

Portfolio Holders will also be offered opportunities for expanding their knowledge in their specific service areas.

6.7 Member-specific Training Needs

Where a particular development need cannot be met within the usual programme, opportunities for external training, training with partner organisations or other activities such as online courses or workbooks will be looked into.

When attending training courses, Members must complete a training request form, to be authorised by the Leader or Deputy Leader, prior to booking. All bookings must be made by the Governance Team.

7. Delivering the Member Development Programme

Member learning and development activities are open for all Members to attend and it is intended that all such activities should be equally accessible and conform to the Council's equal opportunities policy and practice.

In recognition of the varying development needs and preferred learning styles, the member development programme will include a range of delivery methods including workshops, presentations, written resources, and e-learning.

7.1 Timing of in-house sessions

Meeting arrangements are flexible in order to provide sessions in the morning, afternoon or early evening to accommodate the needs of Members. Alternative meeting times are sometimes offered at other Councils when shared sessions are organised. Member Development Sessions include both mornings and afternoons and are included in the annual Timetable of Meetings in order to give as much notice to Members as possible. The scheduling of these meetings is reviewed each year.

When additional training or briefing sessions are organised, consideration will be given to the best time of day to schedule the meeting and Members will be consulted where appropriate.

7.2 Access to information and resources

All presentations and other materials from development activities and briefing sessions will be made available to all members, including those who could not attend. These will be available on the Members' Portal (iPad) and hard copies can be supplied on request.

The Members ICT and Training Officer has produced training and guidance videos for Members on the use of their iPads which are accessible online.

A Database will also be maintained and made available to Members with links to the handouts and materials from any training sessions that have been delivered and any online training. This will be sorted by date and by topic to assist Members finding the most up-to-date information on a particular subject.

Information about up-coming events is provided in writing and by email. Flyers may also be placed in the Members Rooms.

All Members are also subscribed to an electronic service providing daily emails with summaries of relevant news stories and policy briefings. This subscription is kept under review.

7.3 Working in partnership

The Council will work with North East Derbyshire District Council to share best practice and deliver training locally to members in the two authorities. The Council will also look to share training opportunities with its partners and other local councils such as parish and town councils, as appropriate.

The Council benefits from a subscription to a Programme of Regional Policy Briefing Events for Councillors facilitated by East Midlands Councils (EMC). This provides two places for Members to attend events that take place six times during the year. The subscription to the programme will be reviewed annually.

The Executive Portfolio Holder with responsibility for Member Development and officers are also invited to attend the EMC Councillor Development Network, to share information on best practice and opportunities available in the region.

7.4 External courses

Members' attendance on external training courses is supported where the course is relevant to the member's learning and development needs and is cost-effective. Details of courses and development opportunities are circulated to all Members to ensure they are available on an equal basis. Requests for external training will be determined by the Head of Corporate Governance and Monitoring Officer in consultation with the Executive Portfolio Holder with responsibility for Member Development.

Requests for training or development which have significant financial or policy implications are submitted to the Member Development Working Group, who will make recommendations to Executive if necessary.

7.5 Continuous improvement

The delivery of the Member Development Programme will be reviewed, as detailed under the following section on Evaluation, to ensure continuous improvement is achieved.

8. Evaluation of Member Development

All learning and development activities should be evaluated to provide information on effectiveness and value for money. Evaluation of learning and development activities will seek to assess the impact of the training in relation to achieving Members' priority training needs and the impact on the Council in achieving the aims of the Corporate Plan.

In appropriate circumstances, before a learning and development event, Members may be asked to complete a pre-course questionnaire to consider what they hope to gain from the session and what they hope will be achieved.

Following the conclusion of events, Members will be asked to complete a feedback form, which will be issued by the Governance Team.

The Governance Team will review the feedback forms for any immediate action that can be taken and will collate the information into an overall summary, including the number of participants. A report will then be prepared and submitted to the Member Development Working Group to enable the Group to consider the effectiveness of the event, the overall investment and value for money and how it has impacted on the performance of the Council.

Where appropriate, follow-up feedback forms, giving Members an opportunity to reflect on how they have put the learning into practice, may be issued to Members to complete a few months following a learning and development event. The follow-up form acts an opportunity for self-review and Members are encouraged to use it as an opportunity for reflection on their own performance. The feedback forms only need to be submitted if comments are made to assist in the planning of future sessions.

The amount of evaluation processes undertaken will be proportionate to the level of the training and the demands on Members' time.

When Members attend external training courses, they will also be asked to complete a feedback form in order to capture information about the effectiveness of the session and the standard of the provider. This information will be beneficial in the planning of future training courses and considering the value for money in paying for external training.

Members will be given opportunities to provide feedback on paper forms or electronically where possible to encourage a greater return of feedback forms.

An Annual Report on Member Development will be produced which will include information on the evaluation of events during the year.

9. Monitoring the delivery of the Strategy

The Strategy will be monitored by the Member Development Working Group.

The Member Development Working Group is chaired by the Executive Portfolio Holder with responsibility for Member Development and has cross party membership.

The Group oversees the whole of the Member Development Programme, evaluation and new developments.

Progress achieved on the Action Plan attached to this Strategy will be regularly reported to the Group.

10. Resources

Each year the Council will identify the budget required for member development, which will incorporate the costs of internal and external courses and other training/briefing materials.

The Member Development Working Group monitors the level of expenditure on the member development budget and receives monitoring reports bi-annually.

Member Development has dedicated support from the Governance Team, with the Senior Governance Officer as the lead officer. Other officers across the Council support Member Development activities by providing briefings and presentations and sharing information.

The Council also has a dedicated Members IT and Training Officer, who provides support and training for Members on their IT needs.

11. Action Plan

Set out below is an Action Plan for how the objectives of the Strategy will be implemented. Performance against the Action Plan will be monitored by Member Development Working Group.

STRATEGY ACTION PLAN

| Action | Lead Officer(s) | Target Date | Expected Outcome | Resources | Progress Update | Actual Outturn |
|---|---------------------------|-------------|---|---|-----------------|----------------|
| Objective: Identifying Members priority learning and development needs | | | | | | |
| Carry out Training Needs Surveys | Senior Governance Officer | Dec 2019 | Report identifying priority training needs for Members for 2019-2021 | Officer time | | |
| Consult SAMT to identify areas of training needs to bring to members attention | Senior Governance Officer | Dec 2019 | Report identifying priority training needs for Members for 2019-2021 | Officer time | | |
| Identify emerging topics for ad-hoc briefings for local, regional or national issues affecting the Council or the local community | Senior Governance Officer | On-going | Regular reports to Member Development Working Group and ad-hoc briefings organised | Officer time | | |
| Objective: Promoting Leadership Development | | | | | | |
| Identifying Leadership Development opportunities to offer to new or prospective Executive Members/Chairs and Vice-Chairs | Senior Governance Officer | On-going | Package of options available – general leadership skills and portfolio specific subject areas | Officer time and cost of external training (varies) | | |

| Action | Lead Officer(s) | Target Date | Expected Outcome | Resources | Progress Update | Actual Outturn |
|--|--------------------------------|-------------|---|--------------|-----------------|----------------|
| Objective: Linking Member learning and development with the Council's corporate priorities | | | | | | |
| Include sessions in the Member Development Programme related to the delivery of the Corporate Plan Priorities | Senior Governance Officer/SAMT | On-going | Member Development Programme for 2017-2019 | Officer time | | |
| Indicate the links to the Corporate Plan priorities on the agendas and invitations for member development sessions | Senior Governance Officer | On-going | Agendas/meeting invitations with links to Corporate Plan priorities | Officer time | | |
| Work with the Senior Management Team to ensure training is delivered around the new Corporate Plan for 2020 | Senior Governance Officer/SAMT | May 2020 | Delivery of training specific to new Corporate Plan | Officer time | | |

131

| Action | Lead Officer(s) | Target Date | Expected Outcome | Resources | Progress Update | Actual Outturn |
|---|--|--------------------|--|---|-----------------|----------------|
| Objective: Delivering learning and development in innovative ways to make the best use of resources available to the Council | | | | | | |
| Develop and Implement the Member Development Programmes for 2020-21, 2021-22, 2022-23 | Senior Governance Officer | Completed Annually | Member Development Programme of events delivered | Member Development Budget/ Officer time | | |
| Promote the use of the LGA E-learning modules | Senior Governance Officer | Periodically | Members using the e-learning modules | None | | |
| Explore other possible platforms for online training with HR | Senior Governance Officer and HR Manager | May 2020 | Additional online training available | Human resources and Member Development Budget/ Officer time | | |

132

| Action | Lead Officer(s) | Target Date | Expected Outcome | Resources | Progress Update | Actual Outturn |
|---|---------------------------|----------------|---|---|-----------------|----------------|
| Objective: Enabling Members to support community initiatives and act as advocates as appropriate | | | | | | |
| Prepare local democracy events in consultation with Member Development Working Group and SAMT | Senior Governance Officer | Annually | Events scheduled and delivered | Member Development Budget/ Officer time | | |
| Include effective ward councillor events in programme | Senior Governance Officer | May 2020 | Events scheduled and delivered | Officer time | | |
| Objective: Ensuring equality of access to member development opportunities, meetings and resources | | | | | | |
| Review timing of Member Development sessions | Senior Governance Officer | Annually (Jan) | Report to Member Development Working Group on the proposed calendar of meetings | Officer time | | |
| Include Member Development sessions in calendar of meetings | Governance Manager | Annually (Jan) | Published calendar of meetings | Officer time | | |
| Review meeting timetable to ensure it is fit for purpose | Governance Manager | Annually (Jan) | Published calendar of meetings | Officer time | | |

| | | | | | | |
|---|---------------------------|-----------------------|---|--------------|--|--|
| Monitor attendance at member development events at different times | Senior Governance Officer | Quarterly | Reports to Member Development Working Group | Officer time | | |
| Maintain the Database of Member Development information on the Members' iPad Portal and MOD.GOV | Senior Governance Officer | On-going | Easier to access information | Officer time | | |
| Produce a Member Development Newsletter with details of upcoming local events and highlight online training | Senior Governance Officer | Monthly from Jan 2020 | Production of the newsletter Greater awareness of learning and development opportunities and greater participation | Officer time | | |
| Place noticeboards in the Members Rooms to promote learning and development opportunities | Senior Governance Officer | Jan 2020 | Noticeboards in place and used by Members | Very limited | | |

| Action | Lead Officer(s) | Target Date | Expected Outcome | Resources | Progress Update | Actual Outturn |
|---|---|-------------|--|--|-----------------|----------------|
| Objective: Evaluating member development to ensure priority needs are being met, value for money is achieved and the performance of the Council is improved. | | | | | | |
| Issue evaluation forms and produce evaluation reports | Senior Governance Officer and Improvement Officer | On-going | Evaluation reports produced Improvements in delivery of programme achieved | Officer Time | | |
| Review opportunities for Member Development training within the region | Senior Governance Officer | On-going | Report to Member Development Working Group/ subscription cancelled or renewed | Member Development Budget/ Officer time | | |
| Produce Member Development Annual Report | Senior Governance Officer | Annually | Report to Member Development Working Group and Cabinet | Officer time | | |

135