



## NOTICE OF MEETING

### Council

**Wednesday 28 November 2018, 7.30 pm**

**Council Chamber - Time Square, Market Street, Bracknell, RG12 1JD**

### To: The Council

Councillor Finch (Mayor), Councillor Mrs McKenzie (Deputy Mayor),  
Councillors Allen, Mrs Angell, Angell, Ashman, Dr Barnard, Bettison OBE, D Birch,  
Mrs Birch, G Birch, Brossard, Brunel-Walker, Dudley, Finnie, Ms Gaw, Mrs Hamilton,  
Harrison, Mrs Hayes MBE, Ms Hayes, Heydon, Dr Hill, Mrs Ingham, Kennedy, Leake,  
McCracken, Mrs McCracken, Mrs McKenzie-Boyle, McLean, Mrs Mattick, Ms Merry, Peacey,  
Phillips, Porter, Skinner, Mrs Temperton, Thompson, Tullett, Turrell, Virgo, Wade and  
Worrall

TIMOTHY WHEADON  
Chief Executive

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Published: 20 November 2018



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Sound recording, photographing, filming and use of social media at meetings which are held in public are permitted. Those wishing to record proceedings at a meeting are however advised to contact the Democratic Services Officer named as the contact for further information on the front of this agenda as early as possible before the start of the meeting so that any special arrangements can be made.

## **AGENDA**

Page No

### **The meeting will be opened with prayers by the Mayor's Chaplain**

1. **Apologies for Absence**

2. **Minutes of Previous Meeting**

To approve as a correct record the minutes of the meeting of the Council held on 12 September 2018.

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3. **Declarations of Interest**

Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.

Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.

Any Member with an affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.

4. **Mayor's Announcements**

5. **Executive Report**

To receive the Leader's report on the work of the Executive since the Council meeting held on 12 September 2018.

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Council is asked to resolve a recommendation in respect of:

- **The new Children & Young People's Plan 2018-2021, attached at Annex A of the Executive report.**

6. **Governance: Bracknell Forest Council and the Voluntary Sector**

To review the Council's future role in the governance of voluntary

41 - 46

sector organisations that may or may not be in receipt of revenue grant aid from the authority.

**7. Review of Constitution**

To approve amendments to the Constitution, including amending the scheme of delegation as set out in the Council's Constitution to reflect the new Council Structure.

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**8. Pay Policy Statement**

To agree the Pay Policy Statement for 2019/20.

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**9. Establishment of Appointment Committees**

To establish Appointment Committees to interview and appoint to the following posts:

127 - 130

- Assistant Director: Children's Social Care Operations
- Assistant Director: Adult Social Care Operations
- Assistant Director: Early Help and Communities

**10. Committee Timetable 2019/20**

To approve the proposed Schedule of Meetings 2019/20.

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**11. Questions Submitted Under Council Procedure Rule 10**

By Councillor Mrs Temperton to Councillor Barnard, Executive Member for Children, Young People and Learning

*The Zone is a purpose built Youth Centre based on Great Hollands, serving the needs of the young people of South Bracknell.*

*What is happening to the Zone and what are the plans for its use as a result of the transformation programme?*

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**COUNCIL  
12 SEPTEMBER 2018  
7.30 - 9.00 PM**

**Present:**

The Mayor (Councillor Alvin Finch), Councillors Mrs McKenzie (Deputy Mayor), Allen, Angell, Dr Barnard, Bettison OBE, D Birch, Mrs Birch, G Birch, Brossard, Brunel-Walker, Dudley, Finnie, Ms Gaw, Mrs Hamilton, Harrison, Mrs Hayes MBE, Heydon, Dr Hill, Mrs Ingham, Kennedy, Leake, McCracken, Mrs McCracken, Mrs McKenzie-Boyle, McLean, Mrs Mattick, Ms Merry, Peacey, Phillips, Porter, Mrs Temperton, Turrell and Worrall

**Apologies for absence were received from:**

Councillors Mrs Angell, Ashman, Ms Hayes, Skinner, Thompson, Tullett, Virgo and Wade

**17. Minutes of Previous Meeting**

**RESOLVED** that the minutes of the Council meeting held on 11 July 2018 be approved and signed by the Mayor as a correct record.

**18. Declarations of Interest**

There were no declarations of interest.

**19. Chief Constable's Presentation**

Deputy Police and Crime Commissioner, Matt Barber gave a presentation on the Police and Crime Commissioner's (PCC) responsibilities and explained that in addition the PCC had a role in setting the local precept. It was expected that there would be a 7% increase on the current low base which was expected to equate to £1 per month for a Band D property. He explained that the Thames Valley policing area had a challenging mix of urban area and diverse sparsely populated rural area.

He highlighted the following activities:

- the PCC's office had created the Victims First Hub which provided a single point of contact for victims, witnesses and family members of victims to access emotional support. Victims First Hub was successful and looking to further improve the referrals for scheme.
- grant funding of £94k was awarded to eight organisations to deliver cyber-crime prevention activities, in particular to young people and the elderly
- the Force has undertaken a range of multi- agency problem solving initiatives to both disrupt and prevent organised crime across the Thames Valley, including exploitation and county lines
- HMICFRS PEEL 'Effectiveness' inspection had graded Thames Valley Police as "Good" for the way it deals with crime
- £2.7m funding from government of which £136K is for Bracknell Forest area.
- recorded crime has increased but was still lower than elsewhere and less than ten years ago
- there was a staggered correlation between spending decreasing and crime increasing

- 8.8% rise in burglary (6% rise nationally) and work was being done locally to reduce
- the force were working hard to increase use of stop and search powers and the trend was increasing.

In particular he looked at the highlights in activity during the first quarter:

- Victims Contract to follow up on crime but it had been difficult to get people to sign up to this but a fantastic scheme as it set their expectations and take up was up to 78% in April
- A new post has been funded to focus on coordinating taxi and licensing premises which prevents people moving around the policing area
- Work was ongoing with partners on rehabilitation work
- a multi-agency database was being developed which would enable better information sharing, risk assessment and data analysis
- 101 calls continued to be an issue as they could be responded to slowly but work was ongoing to improve alternative online recording to channel shift residents from call centre but not replace either 101 or 999.

Chief Constable, Francis Habgood, gave a presentation on significant policing issues across the borough. In particular he highlighted that:

- the force had seen an increased demand on services due to mental health issues.
- there had been some significant public events which had placed additional demands on the service as they carefully balanced potential threat with engagement with public.
- they had been struggling with resourcing as other forces were recruiting Thames Valley's trained staff.
- PCSOs were being recruited as police officers which whilst a fantastic outcome did leave the force short of PCSOs.
- It continued to be a challenge to recruit and retain staff in this geographic area due to factors such as cost of living.
- the recent response times for 999 calls were an average 12 seconds and 101 calls had increased from an average 2 minutes to 7 minutes response time.
- his key message was that Bracknell Forest continued to be a safe place to live and work, increase in violence not connected to opening of Lexicon instead related to more stringent recording and reporting. Violence figures now included incidents at care home, playground incidents and prisons.
- an increase in vehicle crime was a result of vans being broken into and therefore work was ongoing to encourage owners to mark their tools as an act of prevention.
- the increase in sexual offenses figures related to increased reporting rather than a volume of victims as it included historical offences.
- there had been a small increase in burglary and the figures included break-ins to garages. This equated to one break-in per day across the whole area.
- decrease in crime had been seen in arson and criminal damage (down by 12%), bike thefts (decreased by 21%) and shoplifting (decreased by 16%). There was a note of caution as not all retailers were reporting shoplifting.
- TVP had been graded as 'Inadequate' in relation to crime data integrity but that this was not regarding the integrity or ethics of how crime was recorded but that four key issues were evidenced such as failure to record crime on basis of initial call and use of 'non-crime' occurrence types.
- a problem solving group involving the Police, Community Safety Partnership, Health and Education teams had undertaken a partnership approach to tackle community issues on Mount Pleasant estate.

- work was ongoing to tackle County Lines Drugs by setting up joint risk assessment matrix to improve understanding of vulnerabilities and undertaking joint interventions.
- there had been success to reduce demand using schemes such as Stronghold which tackled serious and organised crime.
- the Hidden Crime campaign had tackled a series of hidden crimes that are happening in the heart of communities that often went undetected or unreported and local councillors had a role in highlighting them.

In response to a question regarding whether the police took the theft of tools seriously and an online petition to make it a specific offence the Chief Constable clarified that it could not be made a specific offence as it was covered by theft. He reiterated that preventative work was being undertaken with both van owners and local hotels to raise awareness of this issue and promote tool marking. He recognised that it had a serious impact on someone's livelihood when it occurred.

In response to a question regarding drug dealing which was reported at a public meeting as occurring every night for four years the Chief Constable agreed to follow up with Councillor Angell after the meeting regarding progress of prevention activities in that particular area. He explained that the operation at Mount Pleasant was a positive example of joint working to take action against crime but he appreciated it took time and it was not always possible to keep neighbourhoods briefed on detection activity.

In response to a question regarding the use of Malicious Communications Act the Chief Constable advised that whilst sending improper messages and sexting was an issue the police were clear that they did not want to criminalise young people who had made mistakes. He agreed to provide further information outside of the meeting but stated that in the previous year of 100 reported incidents 64 acts had been prosecuted or resulted in a caution.

In response to a question regarding residents frustration with the response time to 101 calls the Chief Constable explained that although it had been particularly bad during July the average response time was two minutes except in extreme cases. This was a priority for the force and they were looking at adjusting staffing but this was a budget challenge so were continuing to promote online options as well. There was a key issue about educating the public as to whether it was a policing issue at all and building community resilience. However he concluded that satisfaction figures with the 101 service remained high at 90%.

In response to a question about whether resources would be available to enforce a proposed reduction in speed limit on the A3095 leading up to the new Broadmoor hospital development the Chief Constable explained the actions which would be taken initially. He considered that the road should be designed / engineered so that enforcement was not required, if concern was raised than work would be undertaken to check whether speeding was perception rather than reality so volunteers would be deployed to undertake speed checks and then if required this would be escalated to use a speed van or speed enforcement team to prevent an accident hotspot.

The Chief Constable was asked a question regarding how Thames Valley Police's demand issues relating to mental health compared with other areas such as Aldershot with its Crisis Café. In response he stated that 40% of calls related to mental health and that these figures could be circulated. The mental health triage team had a significant impact on effectively dealing with situations and mental health practitioners were available at the call centre. There had been a positive reduction in the use of mental health powers.

When asked why there was not a special unit to respond to the demand in policing when there were special occasions in Windsor the Chief Constable confirmed that such a team was being considered. For significant events such as the Royal Wedding all teams would be required to pull together but it agreed that it may be possible to reduce the impact of regular events such as the guard change.

In response to a query regarding an incident on the M4 when a 101 call was not answered within 12 minutes the Chief Constable reiterated that 101 calls should only be for non-emergency but the incident described should have been called through to 999 instead.

When challenged as to whether neighbourhood policing was still a priority for Thames Valley Police the Chief Constable explained that it was at the centre of ongoing work to support communities to be more resilient and an operational change made in the previous year had protected the neighbourhood teams. At the first level he considered that there should still be a presence locally and secondly that the teams would have a role in local problem solving. There were 400 PCSOs across Thames Valley and the figure only dropped when funding was reduced.

The Chief Constable was asked to respond to recent reports that the College of Police did not think it was worthwhile investigating crimes below a certain value. He replied that Thames Valley Police did not set a value threshold for investigating instead concentrated on the potential to solve a crime. He confirmed that some crimes were closed quickly if there were no lines of enquiry to investigate but they would support victims to understand this action.

The Mayor thanked the Chief Constable and the Deputy Police and Crime Commissioner for their attendance and informative presentations.

## 20. **Mayor's Announcements**

### National Energy Awards

Councillors Mrs Hayes MBE, Executive Member for Environment and Councillor D Birch, Executive Member for Adult Social Care, Health and Housing joined together to congratulate Hazel Hill, Sustainable Energy Officer. Hazel had been nominated by Warfield Park for vulnerable customer support campaigner for the National Energy Awards in recognition of the work to install mains gas onto the site. The project was due to finish in February 2019 and was estimated to give an average saving on fuel costs of £400 per household per year, and in addition some residents may qualify for Warm Homes Discount giving them another £140 per year.

### Glass recycling trucks

Cllr Mrs Hayes, Executive Member for Environment was pleased to report the successful launch of two new glass recycling vehicles which would be used to collect bottles and jars from bottle banks located throughout Reading, Berkshire, Bracknell Forest, and Wokingham Borough. The Council's recycling partnership RE3 had run a competition to name the trucks and they were now known as Jar Jar Clinks and Kate Binslet.

### Mayoral Update

The Mayor encouraged Members to keep up to date with his activities through the Mayoral Facebook and Twitter pages. He highlighted the celebrations which had occurred to mark the one year anniversary of the opening of the Lexicon.

The Mayor advised Members that his Civic Service had been arranged for Sunday 21 October at the Holy Trinity Church with refreshments afterwards at the Green's Steakhouse.

He announced to Members that his first Charity event was being arranged for Sunday 28 October and was a Curry buffet and entertainment at Koi-I-Nor, a local restaurant at £18 per person.

## 21. **Executive Report**

The Leader of the Council, Councillor Bettison OBE, presented his report on the work of the Executive since that reported at the Council meeting on 11 July 2018. The Executive had met once on 17 July 2018.

The Leader highlighted the following matters that had been considered:

- The Capital Programme 2017/18 had seen outturn expenditure of £103.8m with £36.1m carry forward. The Revenue Budget 2017/18 had Outturn expenditure at £ 87.8m with an “underspend” of £0.54m. This was the 20th successive year of spending within budget.
- The disposal of Easthampstead Park Conference Centre as a going concern had been confirmed.
- Service Plans for 2018/19 were agreed which substantially completes the delivery of 4 year Council Plan which was agreed in 2015. The Corporate Performance Overview Report (Q4 2018) reported that 88.1% key actions were complete or on schedule and 84% of performance targets had been met or were within 10%.
- Downshire Homes Ltd (DHL) delivered its first progress report to the Executive and its activities were reducing Council costs by £0.56m. DHL had more flexibility in its letting policy which gave more scope for cost avoidance.
- The review of polling districts and polling places had been considered and there were very limited changes proposed. These were only where polling stations were no longer available or problematic, or housing developments required new solutions.
- Biodiversity Action Plan 2018 – 2023 had been agreed.
- Town Centre Youth Centre feasibility had been commissioned for Braccan Walk.
- Additional consultation on Cain Road sites for the Local Plan had been agreed for September.

The report contained recommendations that the Council was asked to resolve in respect of the following matters:

- Revenue Expenditure Outturn 2017/18
- Polling Districts and Polling Places Review

In relation to the update on Easthampstead Park Conference Centre Councillor Mrs Temperton asked whether the new contract with Bidder C offered the same conditions as before e.g. requirement to refurbish, restrictions to prevent the site being sold on as well as use of the grounds for local people. Councillor Bettison replied that he considered that the new contract was even more favourable and would be a great thing for residents in the area as they will be able to enjoy the facilities in a way that they have not been able to before. Councillor Heydon, Executive member for Transformation and Finance added that the site would be open to the public in the future.

On the proposition of Councillor Heydon, Executive Member for Transformation and Finance, seconded by Councillor Allen it was

**RESOLVED** that:

- i) the virements relating to the 2017/18 budget over £0.100m be approved as detailed in Annexe E, within the attached Appendix A to the agenda report; and
- ii) the Treasury Management performance in 2017/18 be noted as set out in Annexe B, within the attached Appendix A to the agenda report.

Councillor Turrell, Executive Member for Transport and Planning advised the meeting that the Polling Districts and Polling Places Review recommendation in the report relating to arrangements in the College Town ward should read College Town Primary School not Junior School.

On the proposition of Councillor Turrell, Executive Member for Transport and Planning, seconded by Councillor D Birch it was

**RESOLVED** that:

- i) no changes be made to the existing polling arrangements for the following wards:

<b>Ward</b>	<b>Polling Districts</b>
Ascot	WX; WY
Central Sandhurst	SP
Crown Wood	BF; WW
Crowthorne	CN
Great Hollands North	BH; BQ
Great Hollands South	BJ
Hanworth	BD; BK
Harmans Water	BL; BLP; WV
Little Sandhurst and Wellington	CS; SQ
Old Bracknell	BM; BN
Owlsmoor	SJ
Priestwood and Garth	BG; BP
Winkfield and Cranbourne	WN; WP; WS; WZ

- ii) the following changes be made to the Binfield with Warfield Ward:

- a) Separate the southern area of the existing 'BA' polling district into a new polling district to be called 'BI'. Shown in Annexe A of the Director of Resources report– Fig 1.
  - b) Separate the Amen Corner development from the 'BA' polling district and creating a new polling district to be called 'BAC'. Shown in Annexe A Director of Resources report – Fig 1.
  - c) Designate Newbold College as the polling station for the 'BI' new polling district.
  - d) Designate Farley Wood Community Centre be designated as the polling station for polling district 'BAC' with the electors for that polling district using the main hall at the Community Centre.
  - e) That Binfield Memorial Hall remains the polling station for the revised 'BA' polling district.
  - f) That Farley Wood Community centre remains the polling station for the unchanged 'BB' polling district with the electors concerned continuing to vote in the "Meeting Room" at the Community Centre
  - g) That no changes be made to either polling districts 'BB' or 'WM', retaining existing polling arrangements.
- iii) the following change be made to the Bullbrook Ward:
- a) That one additional polling station be created at Bullbrook Community Centre to increase capacity at this polling place and reduce pressure on the two existing polling stations.
- iv) the following change be made to the College Town Ward:
- a) Designate the main sports hall at Sandhurst Secondary School as the default polling station for electors in polling district 'SO'. Should a scheduled exam clash with a polling day the existing arrangements at College Town Primary School would be reinstated.
- v) the following changes be made to the Warfield Harvest Ride Ward:
- a) Create a new polling district named 'WE' by splitting the existing 'WG' polling district into two areas. Fig. 2 in Annexe A of the Director of Resources report shows this.
  - b) Designate Westmoreland Pavilion as the polling station for the proposed 'WE' polling district.
  - c) That voters in the revised 'WG' polling district continue to vote at Whitegrove Community Centre, (incorrectly labelled as Warfield

Community Centre in the original Director of Resources' report) which would be a single polling station.

- d) That voters in the unchanged 'WQ' polling district continue to vote at Whitegrove Community Centre, (incorrectly labelled as Warfield Community Centre in the original Director of Resources' report).
- vi) the following change be made to the Wildridings and Central Ward:
  - a) Designate the former Magistrates Court as the polling station for 'BT' electors for the 2019 elections.
  - b) That subject to a re-evaluation by the Steering Group after planned renovation work, for all subsequent polls, Bracknell Central Library be designated as the polling station.

**22. Question Submitted Under Council Procedure Rule 10**

Councillor Mrs Temperton asked Councillor Dr Barnard, Executive Member for Children, Young People and Learning the following published question:

*I am delighted that at last there are real proposals to create a Town Centre Youth Facility. Eight years ago, over 400 young people responding to a consultation about Youth Provision in Bracknell Forest, requested such a facility and this has been reaffirmed by the July 2017 consultation.*

*The proposals include a café/social space, small meeting rooms and list the targeted work to be delivered from the building with our most vulnerable young people. This work is currently the focus of the Bracknell Forest Youth Service.*

*As no new money is to be provided for the revenue running costs but all will come from the Youth Service budget, what effect will this have on the essential services now provided in our schools and communities?*

In response Councillor Dr Barnard stated that a detailed paper on the feasibility study had been circulated and was responding to the views of young people. There was no plan to reduce spend therefore the Council was using the assets that it had. He stated that until the study had been conducted and the options available had been assessed it would not be possible to calculate the revenue running costs. The intention was far from reducing provision but to enhance what was currently available. The Council had been contacted by potential partners to get involved in the new provision and therefore it was intended to provide an enhanced and refreshed provision.

He added that once the feasibility study had been conducted it would be made available to young people for their comments before it was possible to consider what should be provided. He asked that it be noted that the current trend was for lower take up for youth services in the parish areas in comparison to the town centre.

As her supplementary question Councillor Mrs Temperton asked whether vital youth services within schools would continue as the work to raise children's aspirations and prevent harm was so valid.

Councillor Dr Barnard agreed and stated that maintaining youth provision in schools would continue as well as putting officers out into the community and training further people to support pupils in schools. He reiterated that the Council does not have a fit for purpose facility where sensitive work could be carried out but that potential parties were coming forward and he was very optimistic about what could be achieved. He concluded that meeting the emotional wellbeing and needs of the borough's pupils was a priority and that recent exam success reflected the activities by school, teachers and pupils.

**MAYOR**

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To: **COUNCIL**  
**28 November 2018**

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## **EXECUTIVE REPORT TO COUNCIL** **The Leader**

### **1 PURPOSE OF REPORT**

- 1.1 Since the Council meeting on 12 September 2018, the Executive met on the 25 September 2018, 16 October 2018 and 13 November 2018. This report summarises decisions taken by reference to the relevant portfolio within which they fall.
- 1.2 Updated Forward Plans are published every Friday and can be viewed online at [www.bracknell-forest.gov.uk](http://www.bracknell-forest.gov.uk). Full details on the decisions taken by individual portfolio holders can also be accessed online through the Council's website.

### **2 RECOMMENDATION**

- 2.1 **Council is asked to consider the recommendation set out at paragraph 5.7.1.**

### **3 REASONS FOR RECOMMENDATIONS**

- 3.1 The reasons for recommendations are set out in the supporting information and in the reports considered by the Executive.

### **4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Alternative options are discussed in the relevant individual reports considered by the Executive.

### **5 SUPPORTING INFORMATION**

#### **Transformation and Finance**

#### **5.1 Business Rates Pilot Bid 2019/20**

- 5.1.1 The Executive endorsed the submission of a bid for Business Rates Pilot status in 2019/20 from the six Berkshire Unitary Council's. This bid follows on from the successful bid for 2018/19, through which Berkshire was set to secure at least £40m of additional funding.
- 5.1.2 The latest bid has been developed by the Berkshire local authorities and the Berkshire Fire Authority to be a pilot area for testing the 75% business rates retention system in 2019/20. On the original bid, £25m is being spent on major infrastructure works, co-ordinated by the Thames Valley Berkshire LEP. The remainder is being retained by the individual local authorities, proportionate to the level at which their business rates income exceeds the Government set baseline.

- 5.1.3 During 2018 the Government has committed to introduce a revised funding arrangement for local authorities in 2020/21, based on councils retaining 75% of business rates growth in their local areas compared to their assessed baseline. Work to develop the detailed arrangements for the new funding system nationally is expected to continue over the next 12 months.
- 5.1.4 To help inform the design of the new system, the Government has designated a number of areas as “pilots” for the last few years. Pilot areas such as Berkshire have benefited from more flexibility around the use of funding and are able to retain up to 100% of business rates growth, compared to the standard level of 50%. However, each set of pilot projects are assessed independent of previous performance and needs to be re-bid for.

## **5.2 Sale of Unit A – Waterside Park**

- 5.2.1 The Executive agreed to dispose of the freehold of Unit A Waterside Park.
- 5.2.2 Waterside Park, comprising of three business units, was purchased in 2016. The lease for Unit A terminated at the end of February 2018.
- 5.2.3 Since that time there have been discussions with the tenant on the dilapidations claim for the premises and a specialist dilapidations surveyor is acting on the Councils behalf. However, the Unit also requires significant landlord refurbishment including a new roof.
- 5.2.4 Haslams have been acting on behalf of the Council and advised that there was a reasonable market for the sale of offices and office sites. The property has therefore been actively marketed and offers have been received. The Executive agreed to proceed with a sale to the highest bidder.

## **5.3 Arrangements for a Bracknell Forest Lottery**

- 5.3.1 The Executive confirmed its support for establishing a local lottery, to be named the Bracknell Forest Lottery as set out in the previous report to the Executive in January 2018. They also agreed to support the conclusions and recommendations of the Working Group that had been looking at the detailed implementation in relation to the terms and conditions for the involvement of local voluntary organisations in the Lottery, restricting involvement to charities active in the Bracknell Forest area.
- 5.3.2 The Working Group also advised that Gatherwell should be appointed as the external lottery manager. However, the Council will still need to play a lead role in establishing the lottery (i.e. nominated officers for the Gambling Commission license, funding set up costs, approving the participation of good causes).
- 5.3.3 It is very important that the funds should be viewed as additional to, rather than potentially replacing, the Council’s core support to voluntary groups, particularly CAB, Involve and Shopmobility.

## **Council Strategy & Community Cohesion**

### **5.4 Council Plan Overview Report**

- 5.4.1 The Executive noted the performance of the Council over the first quarter of the 2018/19 financial year (April - June 2018). At the end of the quarter 108 actions (78.8%) were on target to complete within the timescales set; whilst only 7 actions

(4.8%) were at risk of falling behind schedule or had actually fallen behind schedule. 6 actions (4.4%) had been completed. Progress against key performance indicators across the Council was also positive, with 63.5% green – i.e. on, above or within 5% of target.

## **5.5 Local Government and Social Care Ombudsman Annual Review Letter 2018**

- 5.5.1 The Executive received and noted the Local Government and Social Care Ombudsman Annual Review letter 2018.
- 5.5.2 21 complaints were received by the LGO against the Council in 2017/18, 23 were received in 2016/17 and 26 in 2015/16. Of the 21 complaints against the Council (some of which related to complaints from 2016/17) only four were subject to a detailed investigation and only two were upheld against the Council. The upheld figure was lower than any other Council in Berkshire and half of the national average for all councils.

## **Culture, Resources and Public Protection**

### **5.6 The Blue Mountain Programme (Phase 2) - Delivery Strategy for the Community Hub at Blue Mountain**

- 5.6.1 The Executive agreed to progress work to provide a co-located community centre and health care hub at Blue Mountain in partnership with Binfield Parish Council, the East Berkshire Clinical Commissioning Group and Binfield Surgery subject to adequate funding from NHS England for the health care element. They also agreed to enter into discussions with Binfield Parish Council on the appropriate joint funding of the enhanced community centre element of the facility. To allow progress to be made the Executive agreed to release funding of £200k from existing S106 income to fund the next stages of the project to maximise chances of a successful outcome.
- 5.6.2 The Blue Mountain programme is a priority for the Council. It consists of Binfield Learning Village all-through school for 1851 pupils (operated as King's Academy Binfield) and a community centre alongside 400 new homes at the Blue Mountain site. In the first phase, the Council has delivered the new school which opened in September 2018. The next phase requires the Council to deliver the community hub.
- 5.6.3 The Council's established policy is to transfer the ownership and management of new community hubs to the Parish and Town Councils. The approach to the proposed community centre at Blue Mountain follows this established policy and Binfield Parish Council (BPC) has expressed an interest to operate the centre. If a standalone community centre was provided, the Council would seek to provide BPC with the freehold of the building or a long term lease at a peppercorn rent.
- 5.6.4 There is, however, enthusiasm to develop something of greater community value to the Binfield area by including a relocated Binfield Surgery and health facilities into the design. A bid has been made by the CCG to NH England for funding of the health elements of the project whilst the Council will provide funding for the basic community centre element of the project. The preferred design would, however, see an enhanced community facility. The Executive agreed to enter into discussions with BPC to seek agreement on a funding package to support the enhanced community centre building that the Parish Council wished to see as part of the project.

## **Children, Young People and Learning**

### **5.7 Children & Young People's Plan 2018-2021**

**5.7.1 The Executive recommended that full Council approve and adopt the new Children & Young People's Plan, 2018-2021 attached at Annex A of this report.**

5.7.2 The Children & Young People's Plan (CYPP) has been developed by local partners through the Children & Young People's Board. It sets out partners' ambition to work together to improve outcomes for local children and families. The Council has a duty to promote cooperation between local partners and the plan articulates the way that partners will support this duty.

5.7.3 Five priority areas are outlined in the report. These are;

- ensure all children are safe and protected
- reduce the impact of poverty on children
- encourage and promote resilience in children, families and their communities
- ensure every child has access to quality education local to them
- celebrate our children's success and their contributions

The plan also contains measures that will show if there is a positive impact on the lives of local children and families.

5.7.4 The plan identifies the wider range of local strategic documents that provide the direction for the work that partners undertake. These set out the context within which the CYPP sits and the role that it and the Children's Partnership Board has in coordinating efforts. The final section of the Plan examines the way that partners will work together to deliver their intentions and track the progress they are making.

## **Adult Services, Health & Housing**

### **5.8 Bracknell Forest and Windsor & Maidenhead Safeguarding Adults Board Annual Report 2017/18**

5.8.1 The Executive noted the Bracknell Forest and Windsor & Maidenhead Safeguarding Adults Board Annual Report.

5.8.2 The Care Act 2014 states that each local authority's Safeguarding Adults Partnership Board (SAPB) must publish an annual report detailing what it has done during the year to achieve its main objectives, what each member organisation has done to implement the strategy as well as detailing the findings of any Safeguarding Adults Reviews (previously known as Serious Case Reviews) and subsequent action.

5.8.3 During 2017/18 the Bracknell Forest and the Windsor and Maidenhead Safeguarding Adult Boards merged to create a new single Bracknell Forest and Windsor & Maidenhead SAB. The new Board arrangements commenced on 1 July 2017. The report details the breadth of activity undertaken by the Board and identifies the achievements against the Board's strategic business plan for the year.

## **Environment**

### **5.9 Award of Refuse Collection Contract Extension**

- 5.9.1 The Executive agreed to extend the current refuse collection contract with SUEZ for a further 8 years from 1 April 2019 based on a detailed option appraisal. It also agreed that once the Government Strategy for Waste was produced, officers should undertake a review of options to introduce further changes to the collection offer within the framework of the contract in order to support the Government Strategy.
- 5.9.2 The current refuse collection contract includes the collection of the Borough's household waste; waste from some BFC schools, some Council-owned premises and a small number of external organisations such as Parish and Town Councils. The Contract commenced on 1 August 2011 and runs until 31 March 2019. The Terms of the Contract which was procured under the full OJEU process allow for an extension for a further 8 years.
- 5.9.3 As part of the review of the arrangements the extended contract will focus on domestic collections. In considering whether or not to extend the contract the Executive was satisfied that the proposal still represents value for money and soft market testing showing that the services costs remain competitive whilst the service quality is good.

## **6 NOTIFICATION OF CHANGES MADE BY THE LEADER**

- 6.1 The Terms of Reference for the School Improvement Accountability Board have been revised to incorporate the Council's new Code of Conduct; establish an annual review of these Terms of Reference and include monitoring the effectiveness of governor services as a new responsibility of this Board

## **7 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

- 7.1 The Borough Solicitor's comments have been addressed in the reports to the Executive.

### Borough Treasurer

- 7.2 The Borough Treasurer's comments have been addressed in the reports to the Executive.

### Equalities Impact Assessment

- 7.3 Equalities issues, where appropriate, have been addressed in the reports to the Executive.

### Strategic Risk Management Issues

- 7.4 Any strategic risks have been identified in the reports to the Executive.

### Background Papers

Executive Agenda – 25 September 2018, 16 October 2018 and 13 November 2018.

Contact for further information

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# **Bracknell Forest Children & Young People's Partnership Plan**

**2018 - 2021**

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# **Part One: Working together in Bracknell Forest**

# Our Ambition

Our ambition is that all children in Bracknell Forest have the opportunity to realise their potential. We want to ensure that no child is held back by disadvantage, inequality or neglect.

We will work together as partners, combining our skills, expertise and resources in partnership to support children, young people and families. All partners within Children & Young People's Partnership Board will commit to the delivery of this strategy and work tirelessly to reduce the gap between those who are doing well and those who are doing less well.

In working together we will:

- Place children and families at the heart of our thinking, making decisions in their interests rather than those of the organisations we work within
- Use shared intelligence and information to target our efforts and our resources to where they are needed most
- Engage children and families in decisions, ensuring that their voices are heard and listened to
- Continually develop and transform services that children, young people and families need so that we have the services that meet local needs and that people are able to access them
- We will be open and transparent about the decisions and mistakes that we make as we strive to get things right

One child who is not able to achieve their potential is one too many. By working together it is our intention that all partners do their very best so that no child is left behind.

# Our Priorities

This section describes the five priority outcomes that partners in Bracknell Forest have identified as the most important things we will work together to improve for children and families. These outcomes are broad and reflect things that we want for all children, the strategy includes specific indicators that will measure the impact that we are having:

Outcome 1: We will strive to ensure that all children are safe & protected

Working with the Local Safeguarding Children's Board and focusing on the risk of harm caused by parental neglect caused by mental health, substance misuse and domestic violence along with child sex abuse and exploitation

Outcome 2: We will work with partners to reduce the impact of poverty on our children

Poverty and poor childhood outcomes are closely linked. We will seek to tackle negative health and educational impacts on children growing up in areas of deprivation in the Borough

Outcome 3: We will encourage and promote wellbeing and resilience in children, families & their communities

Emotional resilience and wellbeing are recognised as challenges affecting a large section of families in the Borough. Developing our approach to recognising issues and promoting resilience will be a challenge for all services that work with families

Outcome 4: We will ensure that every child has access to quality education, helping them to move into adulthood

We will work together to ensure that all children receive a high quality of education and support to move into adulthood. We will ensure that children from all backgrounds and those who have had negative life experiences have the support they need

Outcome 5: We will celebrate our children's success and their contributions – listening & learning

We will ensure that children and families are involved in shaping the way that we work together. We will identify and encourage opportunities, in all settings, to celebrate the contributions of young people.

# How we will work together to improve outcomes

*“Partnership working in Bracknell Forest is a strength, at both the strategic and the operational level.” Ofsted 2017*

This Children & Young People’s Partnership Plan seeks to guide and align all local partners in the way that we collaborate to improve outcomes for children, young people and families. This document sets out the key priorities and ambitions that we will work together to deliver. The Children & Young People’s Partnership Board is the owner of this plan, and the primary body that oversees its implementation. The partners have committed that they focus on the following key principles in working together:

1. We will share information and priorities – working together to ensure that we consider the holistic needs of children and families
2. We will focus on what is most important – prioritising the outcomes, actions and agendas that matter most and have the biggest impact locally
3. We will work together to solve problems in a joined up way – ensuring that we tackle issues proactively and rigorously

## Where does this fit locally?

The Children & Young People’s Partnership Board works alongside, and in alignment with, a range of local strategic groups. The diagram shows the key groups that work together to support local children, young people and families



# Local strategies and partners

The partners to this plan have a range of existing strategic documents that provide the direction for the work that they do and their efforts to improve outcomes for all children, young people and families. These strategies often cover a wider area than Bracknell Forest, or a wider scope of support to children and families. They set the strategic context within which this plan fits. This plan, and the work of the Children & Young People's Partnership Board play an important role in understanding and coordinating the interaction of these plans to ensure they meet the needs of local families.

**LSCB Safeguarding Business Plan** - provides a framework to co-ordinate the work of partner agencies in fulfilling safeguarding responsibilities and ensure they do everything possible to safeguard children and young people

**Berkshire Healthcare Foundation Trust Quality Strategy** – brings together all of the elements of work needed for community health services to achieve their quality goals and objectives over the next few years

**Bracknell Forest Looked After Children Commissioning Plan** – outlines plans to meet the current and future needs of children in care and to support them to achieve good outcomes and positive futures

**Bracknell Forest Council, Children, Young People & Learning Service Plan** - sets out the council's strategic priorities and the work that will take place to improve outcomes for children each year

**Seamless Health, Joint Health & Wellbeing Strategy** - guides and directs health and social care service commissioners in the provision of the joined up health services that local people need when they become ill or need support

# Local strategies and partners

**Thames Valley Police Delivery Plan** - sets out priorities and how the force will deliver them. It outlines key changes that they will make over the next year to ensure that they continue to meet the policing needs in the future

**SEND Improvement Strategy** – describes how partners will work together with children and young people with Special Educational Needs and Disabilities and their families to achieve the best possible outcomes

**Frimley Health and Care System Sustainability and Transformation Plan** - sets out how social care and health services delivered by councils and health authorities will become a more integrated system fit for the future

**Bracknell Forest Council Plan** – Sets out the framework that underpins the work of the council as it transforms in order to achieve tough financial targets whilst continuing to deliver effective services

**Bracknell Forest Youth Justice Partnership Plan** - provides details of the governance arrangements for the Statutory Youth Offending Service and sets out the priority areas for delivery of local youth justice services within the available resources.

**East Berks Local Transformation Plan for CYP Mental Health & Wellbeing** – established the way that local partners will collaborate with children, young people and their families to design and provide the best possible services

# **Part Two: Our outcomes in detail**

# Outcome 1: We will strive to ensure all children are safe and protected

## **What we mean when we say this is our priority:**

All children have a right to feel safe and protected. By ensuring that all children feel safe we aim to provide an environment for them to flourish and thrive. The Board will work alongside the Safeguarding Board to ensure that partners work together to ensure all children are safe in the Borough.

We face key challenges in Bracknell Forest including an increase in drug related gang violence and increased awareness of sexual exploitation. Children also face additional challenges relating to online safety from bullying and exploitation.

## **What is happening in Bracknell Forest already:**

- The Local Safeguarding Children's Board hold partners to account, ensuring joint work through sub-groups such as Complex Sexual Exploitation
- The Family Safeguarding Model is the council's social care operating model bringing professionals together to keep children safe and families together
- Health visitors, school nursing and children's centres work together to ensure information is shared and children receive help when they need it
- A service to support children who go missing or at risk from abuse is backed up by multi-agency group that shares information and protects children at risk
- The multi-agency Youth Offending Service works to reduce negative outcomes for young people who have offended

## **How we will measure the impact that we are having:**

- We expect that fewer children require a child protection plan
- We will see fewer episodes of children going missing
- There will be fewer repeat referrals to children's social care
- Increased prosecution of perpetrators of Child Sexual Abuse
- Increased rates of immunisation
- Reduction in the number of Domestic Abuse Notifications
- We will see fewer young people entering the Youth Justice System

# Outcome 2: We will work with partners to reduce the impact of poverty on our children

## **What we mean when we say this is our priority:**

Poverty can be a barrier to children realising their potential. Our aim is that no child is held back by aspects of poverty. This means that we will work together to prevent children from suffering disadvantage, unequal access to services, or reduced outcomes as a result of growing up in a household with a low income.

We will seek to ensure that we work together in a consistent way, considering the situation of the family, and avoiding a fragmented response.

## **What is happening in Bracknell Forest already:**

- Our new Whole Council Early Help Service brings together a range of services including housing and family support that focus on the whole family and their circumstances
- Our Troubled Families approach provided support to turn families around, ensuring they can access funds available to them and support them into employment
- The redevelopment of Bracknell Town Centre and the regeneration of the town is bringing increase economic prosperity to the Borough. Partners are working together to ensure that opportunities are available to the local population

## **How we will measure the impact that we are having:**

- We expect to see improved GCSE results for young people living in poverty
- We will narrow the development gap at Key Stages 1 & 2 between disadvantaged and other children
- We will see a reduction in the number of families evicted due to arrears
- We will see a reduction in the numbers of children from poor backgrounds who are not in Education, Employment or Training

# Outcome 3: We will encourage and promote wellbeing and resilience in children, families & their communities

## **What we mean when we say this is our priority:**

Wellbeing and resilience are key to enabling children and young people to achieve their full potential. Our aim is that all children and young people have the support, resources and self-esteem they need to thrive in the face of life's challenges.

By focusing on this outcome we are committing to work together to promote awareness and effective responses within all agencies. We will develop shared values and priorities across all of the services that support young people, and will work together creatively to develop a consistent system wide approach.

## **What is happening in Bracknell Forest already:**

- All schools have signed up to a mental health charter that was designed by our Youth Council
- All secondary schools host Substance Misuse sessions that provide specific information and advice to young people
- Kooth provide free on-line counselling and support for children and young people through mobile phones, tablets and desktop computers
- Child and Adolescent Mental Health Service provides specialist mental health support services for children and young people in the borough
- The Community Mental Health Team provides support to 16 and 17 year olds who are not long in full-time education

## **How we will measure the impact that we are having:**

- We reduce the incidence of school absence as a result of emotional wellbeing problems
- We will reduce the incidence of substance misuse amongst young people
- We will see a reduction in the number of referrals for specialist mental health services (Tiers 3 & 4)

# Outcome 4: We will ensure that every child has access to quality education, helping them to move into adulthood

## **What we mean when we say this is our priority:**

We will ensure that all children in the Borough have the opportunity to attend high quality schools that have strong leadership. We understand that progress is needed to ensure that schools are all of a high quality, that they have high aspirations for all children and that children are not left behind.

Our focus will be on all children, meaning that we will focus on inequality and inclusion. This will include ensuring that we have the right support available for each child, enabling them to gain qualifications and skills for life. This will include support at key transition stages to help young people at all stages of education.

## **What is happening in Bracknell Forest already:**

- The Borough has a new Learning & Achievement strategy that sets out the way that partners will work together to raise standards
- The council's Standards and Effectiveness Team supports schools to raise standards and increase quality
- Forest Learning Alliance works together to support high quality provision in local schools through collaboration, professional development and support
- Elevate Me provides help, advice and employment support to 16-24 year olds in Bracknell Forest
- Berkshire Sensory Consortium is a specialist education support service for hearing, vision and multi-sensory impairment

## **How we will measure the impact that we are having:**

- We will see increasing numbers of local schools and pre-school settings with good or outstanding Ofsted inspection results
- We will see a reduction in the number of young people who are not in Education, Employment or Training
- We will see improved attainment for young people at risk of being left behind including those with Free School Meals, who have Special Educational Needs & Disabilities and children in care

# Outcome 5: We will celebrate our children's success and their contributions – listening & learning

## **What we mean when we say this is our priority:**

We believe that the voices of children and young people need to be heard, and that we must listen to them when deciding on services for them. By working together we will do more to ensure that this is at the heart not just of our values but of our actions. We will seek feedback from children and young people in evaluating the impact of services and in designing new ways of working.

As well as listening to the views of young people, we will focus on providing opportunities to share successes and celebrating the achievements of young people in the Borough.

## **What is happening in Bracknell Forest already:**

- Bracknell Forest Youth Council gives young people a chance to shape priorities and campaign on the issues most important to them. Each year they hold a Take Over day – allowing young people to take decisions with senior local staff members
- Say It Loud, Say It Proud, our children in care council, gives young people the chance to hold senior leaders to account as well as designing and providing training to help adults to understand their experiences
- BOOM – Because Our Opinions Matter – is a group for children with disabilities that enables young people to feedback about the services they receive

## **How we will measure the impact that we are having:**

- We will see an increase in the proportion of roles within partner agencies that have young people on interview panels
- We will be able to provide evidence of the impact that the views of young people have had on key decisions and policies in the borough
- We will see an increase in the range and number of events held to celebrate the successes and achievements of young people

# **Part Three: Delivering for children & families in Bracknell Forest**

# How we will track outcomes

We will monitor the impact of this plan, and the collaborative work of partners, through ongoing monitoring and reporting of progress against the measures outlined for each of the outcomes above.

April 2018 the performance regarding these measures:

Outcome	Measure	April 2018
Outcome 1 - We will strive to ensure all children are safe and protected		
Outcome 2 - We will work with partners to reduce the impact of poverty on our children		
Outcome 3 - We will encourage and promote resilience in children, families and their communities		
Outcome 4 - We will ensure every child has access to quality education, local to them, helping them to move into adulthood		
Outcome 5 - We will celebrate our children's success and their contributions – listening and learning		

A dashboard containing latest performance for each of these measures will be discussed in each meeting. This dashboard will include benchmarking information to compare performance against other areas.

The board will ask for further analysis and narrative description of the causes and underlying performance. They will ask for representatives of partner organisations to provide a report for consideration, and to consider options for further collaborative work to improve outcomes.

# Annual Priorities – Thematic Reviews

Each year the partnership will agree a key priority to focus upon. This priority will be the focus of a detailed Thematic Review, that will be discussed at each meeting of the Board. The theme will be decided upon by all partners and will represent the area that is considered both a critical priority and one that requires concerted and coordinated activity from multiple partners to tackle.

The aim of the thematic reviews will be:

Develop understanding intelligence around local challenges, trends and progress

Review and analyse local activity, partnership working and its impact

Provide detailed insight into a range of performance measures that relate to the priority area

Consider the views of children, young people and practitioners on potential improvements

Each thematic review will lead to a range of recommendations that the Board will consider. This will in turn lead to the development of an action plan which will be monitored in subsequent meetings. All partners are committed to actively engage in this process and will commit time and resources necessary to delivering agreed priority activities.

## Listening & sharing successes

Our aim is that this plan will make a difference to every child in Bracknell Forest. Alongside analysis of the impact we are having, all partner are committed to asking children, young people and families for their view, opinions and suggestions for how to improve the way that we work.

Each year the Partnership Board will compile a report that summaries progress in meeting outcomes, celebrates success and shares feedback about suggestions from the people of Bracknell Forest.

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## **School Improvement Accountability Board Terms of Reference**

### **1. Purpose**

The purpose of the School Improvement Accountability Board is to give elected members the opportunity to regularly review and scrutinise the performance of education in Bracknell Forest and the impact of the work to support the progression and achievement of our children and young people.

The School Improvement Accountability Board is the key mechanism by which elected members of the local authority hold senior officers to account in terms of improving school standards. Meetings will be held in private due to the sensitive information provided.

The Board reports to the Executive. Membership of the Board will include representation from the Children, Young People and Education Overview and Scrutiny Panel in order to support them in matters relating to early years settings, schools, post-16 providers and education policy.

### **2. Local context**

To make the step change that is required to improve standards and accelerate the progress of our pupils' will require a collaborative approach that acknowledges the changing educational landscape and the limited resources of the local authority for school improvement. The local authority will continue to deliver its statutory duties in relation to school improvement and act as a strategic commissioner and champion for parents, children and young people, and in particular those who are vulnerable to poor outcomes including disadvantaged pupils, white British boys and children with an Education, Health & Care Plan.

### **3. Principles**

- Schools have the responsibility for their own improvement.
- The local authority's role is to monitor, challenge and intervene where there are identified risks to children receiving inadequate quality of education. In the case of local authority maintained schools this will be a direct intervention. In the case of Academies this will be through the Academy Trust or, if necessary through the Regional Schools Commissioner.
- Support to schools to improve may be commissioned / brokered from a range of providers, one of which may be the local authority.

### **4. Remit**

- 1) To support the improvement journey of all schools in Bracknell Forest and as a key aim, deliver good or outstanding places for every child in Bracknell Forest.
- 2) To evaluate the impact of the actions in the Learning Improvement Strategy Framework (LISF) specifically in terms of improved outcomes for disadvantaged pupils; white, British boys; children with an Education, Health & Care Plan and to monitor the effectiveness of governor services.
- 3) To review the priorities in the LISF and ensure plans are amended in the light of evidence of impact.
- 4) To advise officers to make the necessary amendments to strategy to ensure improvement is timely and measurable.
- 5) To consider and review high level strategic performance information together with other relevant information, about standards and quality of leadership in Bracknell Forest schools and to hold local authority officers to account with regard to rapid identification and intervention in schools of concern.

- 6) To review high level strategic evidence together with other relevant information about the impact of school improvement activity to ensure that council resources are deployed to best effect
- 7) To review the work of the School Improvement Team and to consider recommendations put forward to the Panel from the School Improvement Team
- 8) To receive information regarding concerns about Academies and free schools in Bracknell Forest and to hold officers to account for taking these issues up and following them through with the Regional Schools Commissioner who is accountable for Academy and free school's performance.
- 9) To communicate with the wider council about the collective performance of the Bracknell Forest School system and to provide a public report for Overview & Scrutiny to consider once a term which reports on actions endorsed by the Panel and details the progress made by schools as a result of the work undertaken by the School Improvement Team and the Panel. Reports will be shared with Policy review Group's and the Executive.
- 10) To invite Head Teachers / Chairs of Governors / Trusts to the meeting as required.
- 11) Where appropriate, Board Members observe visits to schools made by the School Improvement team, as well as observe work being undertaken by SMB's.
- 12) The Terms of Reference is to be reviewed annually.

### **5. Reports to the Board**

- A **LISF** report will be prepared for each meeting.
- An action record of each meeting will be taken setting out the actions the Board expects to see as an outcome of the meeting.

### **6. Membership**

The membership of the School Improvement Accountability Board is as follows:

- Executive Member for Children, Young People and Education
- Representative of the Children, Young People and Learning Overview & Scrutiny Panel (CYPL)
- Elected members as agreed by the Leader at the beginning of the municipal year
- The Board shall be supported by the Assistant Director, Education & Learning
- School Improvement Partners will attend meetings as requested

### **7. Chairing, frequency and administration**

- Members will elect the Chair of the School Improvement Accountability Board at the first meeting of each municipal year.
- Meetings will take place every six weeks with the proviso additional meetings will be convened as necessary.
- Meetings will be closed to the public as this allows any sensitive information relating to schools or children's centres to remain confidential. Members should note any information tabled at meetings is likely to be highly confidential and will usually need to be returned to officers at the end of the meeting.
- The Council's Democratic Services will co-ordinate and administer the meetings and take minutes.

### **8. Declarations of interest**

In accordance with the Constitution, members have a disclosable, affected or conflict of interest if they are governors/parents/grandparents of any school being considered by the Board or have significant material connection with any school under consideration and should withdraw from the meeting.

**Revised** September 2018

TO: COUNCIL  
28 NOVEMBER 2018

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**GOVERNANCE: BRACKNELL FOREST COUNCIL AND THE VOLUNTARY SECTOR  
(Executive Director: Delivery - Borough Solicitor)**

**1. Purpose of the Report**

- 1.1 To review the Council's future role in the governance of voluntary sector organisations that may or may not be in receipt of revenue grant aid from the authority.
- 1.2 This report seeks Council approval for the recommendations below which was agreed by the Governance & Audit Committee at its meeting on 31 October 2018. The recommendations are set out below at 2.2 to 2.4.

**2. Recommendations**

- 2.1 **That the Council continues to support the voluntary sector and recognises the important role Members play in its continued success;**
- 2.2 **That with immediate effect the Council no longer agrees nominations to any voluntary sector organisation where that role is as a Trustee, Director or member of the management board/committee;**
- 2.3 **The Council may continue to nominate Members to voluntary sector organisations as representatives in a non management capacity with no role in the governance of the organisation. Such roles will be limited to Members being nominated to act as conduits for communication between the Council and the organisation or as observers at its meetings;**
- 2.4 **Where a Member is nominated as a representative pursuant to 2.3 above, they may not subsequently accept a role on the organisation's board as a Trustee/Director or in any other management capacity such a Treasurer;**

**NB: The term "*Voluntary Sector Organisations*" for the purposes of this report expressly excludes Council owned companies, all maintained, VA and VC schools, academies and local authority consortiums. For the avoidance of doubt representation by Members on school governing bodies is therefore not affected by this report's recommendations.**

**3. Reasons for recommendations**

- 3.1 Best governance practice highlights that a local authority should not have undue influence in any voluntary sector organisation it is involved with, and it is therefore appropriate that Members review its relationships now to inform how it positions its involvement in the future.
- 3.2 The Council places Members in a difficult position when they are nominated to external organisations as Trustees, Directors or members of a management committee as their duty to the external organisation has the potential to bring them into conflict with the Council. This may be particularly onerous when the organisation concerned is in receipt of financial support from the Council.

3.3 The recommendations in this report are predicated on a desire not to place Members at potential risk of legal liability to which their status on a decision making Board of an organisation could give rise. Whilst they do not prohibit Members from acting in a personal capacity they should nonetheless exercise care when doing so in situations of potential conflict with their Council obligations.

#### **4. Alternative Options Considered**

4.1 Given the potential conflicts of interest, it was felt appropriate to undertake a review and consider alternatives to the current arrangements.

#### **5. Supporting Information**

5.1 One of the key drivers behind the Council concluding that there should be no nomination rights to the Board of South Hill Park was the potential for a conflict of interest of Council members acting in their role as trustees and acting in the role of an elected member. While the law is very clear that Board members, as trustees, must place the interests of the Trust above all others there was real concern that it was difficult to avoid the perception of conflict from normal members of the public hence the decision to cut any formal ties between BFC elected members and the Board and the current position to a large extent achieves this.

5.2 However, the review of the governance at South Hill Park and the position adopted by the Council also brought into sharp focus the Council's governance arrangements with five other voluntary sector organisations also in receipt of significant amounts of revenue grant aid from the Council. These are Citizen's Advice Bureau, Involve, Shopmobility, Keep Mobile and Age Concern. The level of grant and the constitutional arrangements for these organisations in so far as they related to the Council are described in the following paragraphs.

5.3 Citizen's Advice Bureau:  
2017/18 core grant of £167,250. One Council representative who is not a trustee - Cllr Sarah Peacey is the current Council representative. CAB currently has trustee vacancies, including the Chair. They require a minimum of three trustees and can have a maximum of twelve.

5.4 Involve:  
2017/18 core grant of £106,900. Their constitution states that they must have a minimum of three trustees, there is no maximum number. There is one Council representative at Involve currently, Cllr Dale Birch.

5.5 Shopmobility:  
2017/18 core grant of £29,500. Shopmobility is set up as a Company Limited by Guarantee. Their rules state that they can have no more than six Directors. Currently they have five Directors none of which are BFC Councillors (Cllrs Jan Angell and Isabel Mattick recently resigned from their roles as director and observer respectively)

5.6 Keep Mobile:  
The Council provides a grant of £85,000 per year to Keep Mobile to support the provision of dial-a-ride trips and group transport for Bracknell Forest residents. There are no Bracknell Forest councillors on the board of six Trustees which govern Keep Mobile, but there is a councillor on the nine-strong Management Committee - Cllr Dr Barnard.

- 5.7 Age Concern:  
£32k grant for running a day centre. There are currently no councillors acting as trustees following Cllr Thompson's resignation on 21 August 2018. Requires three to twelve trustees, currently five.

### **Trustee/Director**

- 5.8 The Council nominates representatives to over 70 organisations but a very small proportion of these are nominations to the role of Trustee/Director. These include: Keep Mobile (as detailed above); Berkshire Maestros which used to be in receipt of grant aid but the financing arrangements are now changed; and Age Concern (as above)
- 5.9 While it is difficult to speculate, where a Member is nominated on to a board of an organisation as a Trustee/Director this is likely to be because the Council at the time wanted to have some form of formal authority on the board or perhaps the organisation itself wanted formal representation in the belief that the elected member could sway some advantage in its dealings with the Council. Whatever the historic reasons behind the decision to nominate Trustees/Directors, the legal link between the Council and a voluntary sector organisation is unusual and would benefit from review.
- 5.10 The decision to not nominate elected members on to the Board at South Hill Park was in large part a concern about the perception of a conflict of interest and consequently members of the public could reasonably arrive at the same conclusion with the organisations where the Council has representatives who are Trustees/Directors. It is difficult to see what advantage there is to the Council in nominating to the position of a trustee/Director since the individual must act in the interests of the board anyway Their primary responsibility will be to the organisation itself, to advance its interests, as opposed to acting as a representative of the Council. In all likelihood, a "member Trustee/Director" is likely to be a disadvantage to the organisation since the member will not easily be able to give advice and guidance to the board in terms of Council interests and intent. A critical question therefore is whether the Council should nominate any Member on to the board of a voluntary organisation in the role of Trustee/Director, whether or not they are in receipt of financial support. The view of the Corporate Management Team, having carefully considered the issues, is that it should not.
- 5.11 In reaching this conclusion the Corporate Management Team had particular regard to the protection of Members from liabilities that could arise under either Charity Law (as Trustees) or Company Law (as Directors) when acting in such capacity.

### **Management roles on unincorporated associations**

- 5.12 In addition to Members being nominated to Charities/Companies as Trustees/Directors it is also possible for nominations to be made to the management committees of unincorporated associations. In such instances the external organisation has no separate legal entity and any liabilities will fall upon the members personally (ie. if the organisation is sued, the members personal assets are at risk- they cannot stand behind the veil of a corporate entity to give them some protection). Recommendation 2.2 therefore extends the proposed prohibition of nominations beyond that of Trustees and Directors to include such roles.

### **Other forms of representation**

- 5.13 CMT consider the issue of public perception of undue influence by Members acting in the role of a representative on a voluntary sector organisation is not as problematic from a conflict perspective as the more formal roles referenced above .

### **Local lottery**

- 5.14 The Executive is due in November 2018 to consider the introduction of a local lottery proceeds of which are intended to be distributed to the voluntary sector within the borough. So in the future it is entirely possible that virtually every local voluntary organisation could be eligible for one-off grant aid and in these circumstances it will be vital that any award is transparent and seen to be fair. Grant aid always involves choices for the Council and it may be difficult to avoid a negative public perception of bias if grant aid is awarded to a voluntary sector organisation where a councillor is in a senior position on the committee and a refusal was issued to another organisation with no such representation. The allocation procedure will therefore be carefully structured to ensure that awards cannot be challenged on the basis of bias.

### **Conclusion**

- 5.15 There is little doubt that the active involvement of elected members in our community is high and welcomed. However, it is important to protect members in these roles and also create the opportunity where elected members can advocate effectively for the voluntary sector organisation they are supporting without that giving rise to the perception of a conflict of interest to a member of the general public. It is considered that these objectives can be best met by modifying the type of relationships members may have with the voluntary sector they wish to serve.

## **6. Borough Solicitor's Comments**

- 6.1 The Borough Solicitor is the joint author of this report.

## **7. Borough Treasurer's Comments**

- 7.1 The Borough Treasurer has advised of the plans to introduce a local lottery to fund the voluntary sector and that this would make it even more important that Members were not seen to be able to influence future decisions.

## **8. Feedback from General Manager, INVOLVE**

- 8.1 Whilst members are not appointed to boards of voluntary bodies, members can still choose to join a board/ organisation in a 'management/trustee' capacity. In this circumstance members join in their own personal capacity and not as a borough councillor.
- 8.2 Members getting involved with an organisation need to be clear as to why they are joining and what skills, knowledge or expertise are they bringing to benefit the chosen organisation(s). Joining a Board is a positive thing to do to support an organisation to perform at its best, a 'good' Trustee Board/management committee should have a range of people, skills and experiences within it.

- 8.3 When joining a Trustee Board/ management committee, members should be declaring their role as a BFC councillor and making it clear they are not representing BFC. Either appointed observers or Trustees/ members of a managing committees should be overseeing and supporting the organisation. There are legal frameworks that organisations have to comply with including; charitable law, financial regulations, H&S, safeguarding, employment laws and others, and the governing body is there to ensure this is all in place and being done properly.
- 8.4 Involve Community Services provides advice and guidance to charities, community groups and trustees to run effectively and at their best, this is provided via one to one support, signposting to useful resources and tools and targeted training in specific areas such as 'Trustees Roles & Responsibilities'. Members involved within organisations or looking to become involved with charities and community groups are advised to contact Involve.

## **9. Equalities Impact Assessment**

- 9.1 Not applicable

## **10. Strategic Risk Management Issues**

- 10.1 To be addressed as part of the discussion.

## **11. Consultation**

- 11.1 The proposals set out in this report were consulted upon with the voluntary sector via the Involve newsletter in September. Three responses were received (COATES, Keep Mobile and Berkshire Youth) none of which were opposed to the proposals. Clarification was provided in the case of Keep Mobile and Berkshire Youth confirming that nothing in the proposals would prohibit Members from serving with Voluntary Organisations in their private capacity.
- 11.2 The report has been considered by the Governance & Audit Committee and the Committee's recommendations are set out in section 2 of the report.

## **12. Contacts for further information**

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Sanjay Prashar - Borough Solicitor - 01344 355607

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To Council  
28 November 2018

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## REVIEW OF CONSTITUTION (Executive Director: Delivery – Borough Solicitor)

### 1. Purpose Of Report

- 1.1 The report recommends changes to the Constitution for approval by Council. It is taking forward the record of the Governance and Audit Committee agreed at its meeting held on 31 October 2018, to amend the Constitution. Particularly the scheme of delegation as set out in the Council's Constitution, so as to reflect the new Council Structure following the Transformation Programme which reduced the number of directorates and reflects the new senior management structure within the Council

### 2. Recommendations

- 2.1 That the changes to Part 1/Section 8.1 (Officer roles and Statutory Officer Functions) set out in the Appendix A to this report as recommended by Governance and Audit Committee be adopted
- 2.2 That the changes to Part 2/Section 4 (Employment Committee Terms of Reference) set out in Appendix B to this report as recommended by Governance and Audit Committee be adopted
- 2.3 That the changes to Part 2/Section 6 (Powers exercisable by Officers) set out in Appendix C to this report as recommended by Governance and Audit Committee be adopted
- 2.4 That the Borough Solicitor be authorised to make such other consequential changes as are necessary to ensure that the constitution properly reflects the reshaped senior management structure.

### 3. Reasons For Recommendations

- 3.1 Part 7 of the Constitution requires the Monitoring Officer to monitor and review the operation of the Constitution to ensure that its aims and principles are given full effect. Any changes considered necessary are subject to approval by Council.

### 4. Alternative Options Considered

- 4.1 None. Section 37 of the Local Government Act requires the Council to keep its Constitution under review.

### 5. Supporting Information

- 5.1 The amendments to the constitution set out in the appendices reflect the following changes to the Council's senior management structure;
- Deletion of post of Director of Resources
  - Deletion of post of Director of Environment, Culture & Communities
  - Deletion of post of Chief Officer: Environment & Public Protection
  - Deletion of post of Head of Performance & Resources (ECC)

- Deletion of post of Chief Officer: Planning, Transport & Countryside
- Creation of post of Director: Place, Planning & Regeneration
- Creation of post of Assistant Director: Contract Services
- Creation of post of Executive Director: Delivery
- Deletion of post of Director of Children, Young People & Learning
- Deletion of post of Director of Adult Social Care, Health & Housing
- Creation of post of Executive Director: People
- Deletion of post of Chief Officer: HR
- Creation of post of Director: Organisational Development, HR & Transformation
- Re designation of Borough Treasurer post to Director: Finance

5.2 A consequence of the revised senior management structure is that the current officer scheme of delegation is no longer fit for purpose reflecting as it does the existence of deleted posts. The amendments to the officer scheme of delegation (Appendix C) involve;

- An amalgamation of functions previously split between the Director of Children, Young People & Learning and the Director of Adult Social Care & Housing within those of the newly created post of Executive Director-People
- A redistribution of functions previously held by the Director of Resources and the Director of ECC between the Executive Director-Delivery and the Director of Place, Planning & Regeneration.

5.3 The Employment Committee terms of reference are also amended (Appendix B) to reflect current arrangements.

## **6. Borough Solicitor's Comments**

6.1 The Borough Solicitor is the author of this report. Since the meeting of the Governance and Audit Committee, a typographic error was noted to have omitted the Emergency Duty Service from the delegations to the Executive Director: Delivery. It has been added alongside Forest Care.

## **7. Borough Treasurer's Comments**

7.1 There are no financial implications arising from this report.

## **8. Equalities Impact Assessment**

8.1 Not applicable.

## **9. Principal Groups Consulted**

9.1 Corporate Management Team

9.2 Governance and Audit Committee

## **10. Supporting documentation**

Appendix A Part 1 Section 8.1 Officers Roles and Statutory Officer Functions  
 Appendix B Part 2 Section 4 Employment Committee and Management Delegation  
 Appendix C (clean) Clean Review of Constitution  
 Appendix C (tracked) Change Review of Constitution

**11. Contact for further information**

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Appendix A

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**8. OFFICERS' ROLES AND STATUTORY OFFICER FUNCTIONS**

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**8.1 Management Structure**

The Council's Corporate Management Team comprises the following posts:-

Post	Functions and areas of responsibility
Chief Executive (and Head of Paid Service)	<ul style="list-style-type: none"> <li>Overall corporate management and operational responsibility (including overall management responsibility for all Officers).</li> <li>Provision of professional advice to all parties in the decision-making process.</li> <li>Representing the Council on partnerships and external bodies (as required by statute or the Council).</li> </ul>
<u>Executive Director of Resources Delivery</u>	<ul style="list-style-type: none"> <li><del>Finance</del>, Democratic and Registration Services, Legal, IT Services, <del>Human Resources</del>, Property Services, Customer Services, Community Engagement and Equalities <del>and Contract Services</del></li> </ul>
<u>Director of Environment, Culture and Communities, Place, Planning &amp; Regeneration</u>	<ul style="list-style-type: none"> <li>Protecting well-being of local residents and those working in or visiting the Borough, by enhancing or protecting the environment.</li> <li>Development of the planned and built environment.</li> <li><del>Provision and development of leisure facilities, including sports, libraries, youth and community service and countryside Parks &amp; Countryside services.</del></li> <li><del>Provision of social housing, the Council's functions as a local housing authority and housing benefits.</del></li> <li><del>Library Service.</del></li> </ul>
<u>Executive Director of Children, Young People and Learning People</u>	<ul style="list-style-type: none"> <li>Strategic development and resourcing of the Education Service.</li> <li>Advice and support to schools.</li> <li>Statutory <u>and non statutory</u> children's social services functions.</li> <li><del>Commissioning, purchase and provision of personal adult social services.</del></li> </ul>

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	<ul style="list-style-type: none"> <li>• <u>Statutory and non statutory adult social care functions</u></li> <li>•</li> </ul>
<del>Director of Adult Social Care,</del>	<ul style="list-style-type: none"> <li>• <del>Statutory adult social services functions.</del></li> </ul>

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<u>Health and Housing</u>	<ul style="list-style-type: none"> <li><u>Commissioning, purchase and provision of personal adult social services.</u></li> </ul>
<u>Director-Organisational Development, Transformation and Human Resources</u>	<ul style="list-style-type: none"> <li><u>Management of functions relating to employment and development of Council's staffing resources</u></li> </ul>
<u>Director-Finance</u>	<ul style="list-style-type: none"> <li><u>Administration of the Financial affairs of the Council</u></li> </ul>

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The officers listed above plus the Borough Treasurer will comprise the Council's Corporate Management Team.

### 8.2 Head of Paid Service, Monitoring Officer and Borough Treasurer.

By law the Council is required to designate officers to the positions of Head of Paid Service, Monitoring Officer and Chief Financial Officer. Those designations are as follows:-

Post	Designation
Chief Executive	Head of Paid Service
Borough Solicitor	Monitoring Officer
<del>Borough Treasurer</del> <u>Director-Finance</u>	Chief Finance Officer

The Head of Paid Service may not be the Monitoring Officer but may hold the post of ~~Borough Treasurer~~ Chief Finance Officer if he/she is a qualified accountant. The Monitoring Officer cannot be the ~~Borough Treasurer~~ Chief Finance Officer or Head of Paid Service.

### 8.3 Functions of the Head of Paid Service

The Head of Paid Service will report to Council on the manner in which the discharge of the Council's Functions is co-ordinated, the number and grade of Officers required for the discharge of functions and the organisation of Officers.

### 8.4 Functions of the Monitoring Officer

#### (a) Maintaining the Constitution

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is available for consultation by Members, Staff and the Public.

#### (b) Ensuring Lawfulness and Fairness of Decision Making

After consulting with the Head of Paid Service and the ~~Borough Treasurer~~ Chief Finance Officer, the Monitoring Officer will report to the Council (or, in relation to an Executive Function, to the Executive) if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will

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have the effect of stopping the proposal or decision being implemented until the report has been considered.

**(c) Conducting Investigations**

The Monitoring Officer will conduct investigations into matters which the Standards Framework refers to him and make reports or recommendations in respect of these to the Standards Framework.

**(d) Proper Officer for Access to Information**

The Monitoring Officer will ensure that Executive Decisions, together with the reasons for those decisions and relevant Officer reports and background papers are made publicly available as soon as possible.

**(e) Advising Whether Executive Decisions are Within the Budget and Policy Framework**

The Monitoring Officer will advise whether decisions of the Executive are in accordance with the Budget and Policy Framework.

**(f) Providing Advice**

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors.

**8.5 Functions of the ~~Borough Treasurer~~ Chief Finance Officer**

The ~~Borough Treasurer~~ Chief Finance Officer is the officer responsible for the proper administration of the Council's financial affairs under Section 151 of the Local Government Act 1972. The functions which the ~~Borough Treasurer~~ Chief Finance Officer has responsibility for comprise:

**(a) Ensuring Lawfulness and Financial Prudence of Decision-Making**

After consulting with the Head of Paid Service and the Monitoring Officer, the ~~Borough Treasurer~~ Chief Finance Officer will report to the Council (or to the Executive in relation to an Executive Function) and the Council's External Auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency, or if the Council is about to enter an item of account unlawfully.

**(b) Administration of Financial Affairs**

The ~~Borough Treasurer~~ Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.

**(c) Contributing to Corporate Management**

The ~~Borough Treasurer~~ Chief Finance Officer will contribute to the corporate management of the Council, in particular as a member of Corporate Management Team, through the provision of professional financial advice.

**(d) Giving Financial Information**

The ~~Borough Treasurer~~ Chief Finance Officer will provide financial information to the Media, Members of the Public and the Community.

**(e) Treasury Management**

The ~~Borough Treasurer~~ Chief Finance Officer shall ensure that Council funds are managed in accordance with the Council's Treasury Management Strategy.

**(f) Internal Audit and Risk Management**

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The ~~Borough Treasurer~~ Chief Finance Officer has responsibility for Internal Audit and Risk Management.

**8.6 Duty to Provide Sufficient Resources to the Monitoring Officer and Borough Treasurer**

The Council shall provide the Monitoring Officer and the ~~Borough Treasurer~~ Chief Finance Officer with such Officers, accommodation and other resources as are, in their opinion, sufficient to allow their duties to be performed.

**8.7 Conduct**

Officers must comply with the Officers' Code of Conduct and the Protocol on Officer and Member Relations, as set out in Part 4 of this Constitution.

**8.8 Employment**

The recruitment, selection and dismissal of Officers will comply with the Officer Employment Rules, as set out in Part 4 of this Constitution.

**Part 2-Section 4**

<p>Employment Committee</p>	<p>To consider appeals against dismissal by employees of the Council.          Excepting human resource policies, to determine all <del>matters relating to the employment or dismissal of staff which do not fall to be dealt with by officers under the Scheme of Delegation.</del>  <b>Redundancy dismissals relating to senior officers (ie Deputy Chief Officers or above)</b>          To formulate all human resource policies, including the matters set out below, and to make appropriate recommendations to the Council.          (i) Scheme of Remuneration of Employees          (ii) Performance Appraisal Policy of Staff</p>	<ol style="list-style-type: none"> <li>1. Staffing matters generally are dealt with by officers under the Scheme of Delegation.</li> <li>2. A sub-committee will be appointed with power to vary human resource policies for school-based staff following consultation through the approved consultation processes</li> </ol>
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**Part 2-Section 6**

(a) Management Delegations

Subject to the exclusions summarised at (c) below, the limitations set out in (d) below and full compliance with the procedure rules, regulations and policies and procedures referred to in 3 below, each Director/**Executive Director** is authorised to exercise the Council's powers (including those relating to Executive responsibilities) in relation to the day-to-day management of the Department for which he or she is responsible, including authority to:-

- (i) appoint, manage and dismiss staff, save in respect of appointments and dismissals of senior Officer (**ie Deputy Chief Officer or above**) posts reserved for Member appointments **and subject to prior consultation with the Chair of the Employment Committee in cases of 5 or more redundancy dismissals;**
- (ii) .....

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## APPENDIX C (clean) – Constitution Report

### A. CHIEF EXECUTIVE AND DIRECTORS - GENERAL POWERS

The Chief Executive and, for the purposes of those powers and duties which they are respectively authorised to discharge, Executive Directors and Directors, are authorised to take the following actions and measures:-

1. all actions and measures which are authorised by the Council's Contract Procedure Rules and Finance Procedure Rules.
2. authorising the Borough Solicitor to institute proceedings to recover monies due to the Council and/or to recover land owned by the Council.
3. authorising Officers to exercise powers to enter land, to exercise powers of inspection, seizure and to detain goods.
4. respond to requests under Data Protection and Freedom of Information legislation
5. make ex gratia payments to staff under Section 265 of the Public Health Act 1875 in respect of claims relating to damage or injury resulting from the actions of service users or in carrying out the Council's functions.
6. submit or authorise the submission of planning applications to the Council.

### B. CHIEF EXECUTIVE

The Chief Executive is authorised to:-

1. take such measures as are appropriate in his or her capacity as the Head of the Paid Service.
2. take such steps as are properly required to ensure the effective implementation of the decisions of the Council, its Committees and Sub-Committees and the Executive.
3. act as Returning Officer.
4. witness and receive Declarations of Acceptance of Office and receive Declarations of Resignation of Office under Section 84 of the Local Government Act 1972.

In his/her absence the functions of the Chief Executive set out at paragraphs 1, 2 and 4 above will be vested in the Deputy Chief Executive. References to the Chief Executive in other parts of the Council's Constitution should in his/her absence be read and construed as referring to the Deputy Chief Executive.

The Chief Executive is designated as the Council's Electoral Registration Officer (the Head of Democratic and Registration Services is designated as the Deputy Electoral Registration Officer)

5. The Chief Executive (or Deputy Chief Executive in the Chief Executive's absence) may cancel a meeting of the Council, its Committees, the Executive or its Committees where the agenda has already been issued if it is considered expedient to do so. The Chief Executive (or Deputy Chief Executive) shall not exercise such

power without prior consultation with the Mayor, the Leader or the Committee Chairman (as appropriate). Any outstanding business will be held over to the next scheduled meeting on a date to be arranged.

6. Has responsibility for Community Engagement and Equalities
7. Has responsibility for the provision of grants to voluntary organisations

## **C. EXECUTIVE DIRECTOR OF DELIVERY**

### **Operational and Corporate Management**

The Director of Delivery is authorised to:-

- 1 secure and make arrangements for the provision of the following services to the Council:-
  - (a) Legal
  - (b) Information and Communications Technology
  - (c) Democratic and Registration Services, including administrative support to the Council, Scrutiny Bodies and Regulatory Committees, the Executive, appeals and review processes; the management, repair and maintenance of the Council's Civic Offices, the provision of catering services for the Civic Offices and the provision of a courier service for the delivery of Council documents
  - (d) Property Services, including Facilities Management
  - (e) Customer Services, including Revenue Services
  - (f) Contract services (save for those that are otherwise expressly delegated to other Directors)
  - (g) Services relating to Leisure, Arts & Culture including Library functions under the Public Libraries and Museums Act 1964
  - (h) Services related to the disposal of the dead, cemeteries and crematoria
  - (i) Forestcare
  - (j) Bracknell Market
- 2 Secure the provision of the following Public Protection Partnership functions
  - (a) Management of caravan sites, including allocation of pitches and removal of caravans
  - (b) Functions under the Building Act 1984, and all other legislation relating to dangerous buildings and structures, protection of buildings, ruinous and dilapidated buildings and neglected sites and building control save for functions under the Town and Country Planning Acts.

- (c) That excepting the power to designate whether an area should be (a) subject to additional licensing (Section 56), and (b) subject to selective licensing (Section 80), to exercise all the powers and perform all of the duties of the Council under Parts 1,2,3,4 and 7 of the Housing Act 2004
- (d) Functions relating to licensing (including as responsible authority), registration and permits.
- (e) General duties under the Regulatory Enforcement and Sanctions Act 2008
- (f) Functions relating to weights and measures, fair trading, trade descriptions, consumer safety and trading standards
- (g) Enforcement and inspection functions, and related powers, under legislation relating to Health and Safety at work.
- (h) Functions relating to public health protection (excluding any functions which are the responsibility of the Director of Public Health or otherwise fall to be discharged by the Council under legislation relating to the National Health Service) including food safety and quality (including certificates in respect of the export and import of food products) pest control and notifiable diseases.
- (i) Functions relating to water quality, contaminated land, smoke control, pollution control, statutory nuisances, clean air and air quality.
- (j) Functions relating to the recycling, the collection, disposal, management and regulation of waste.
- (k) Functions relating to the processing and licensing of scrap metal merchants.
- (l) Functions relating to street maintenance and grounds maintenance.
- (m) Functions relating to weighbridges.
- (n) Functions relating to Emergency Planning
- (o) Functions relating to dogs and animal welfare
- (p) Functions under the Berkshire Act 1986
- (q) Under Antisocial Behaviour legislation relating to:-
  - Antisocial Behaviour Orders where the securing of such Orders is considered appropriate in connection with any other functions delegated to the Director of Environment and Leisure.
  - Fixed Penalty Notices for graffiti and fly-posting.
  - The sale of aerosol paints to children.
- (r) Functions relating to the Coroner's Service.
- (s) Functions relating to Explosives.

- (t) Functions relating to public conveniences, septic tanks, cesspools and private sewers.
  - (u) Functions relating to dealing with objections to the granting of bookmakers permits and betting office licences
  - (v) Functions under Part 1 of the Health Act 2006 and under the Smoke Free (Premises and Enforcement) Regulations 2006.
- 3 Make arrangements for Mayoral transport and other Member support.
  - 4 Maintain a Register of Members' Interests and Members' Allowances.
  5. Make arrangements for collection of Council Tax and Non Domestic Rates

## 6. Exceptions and Limitations

- 6.1 Functions which the Licensing Act 2003 requires, or guidance issued by the Secretary of State there under advises, should be carried out by the Council, a Committee or Sub-Committee. Including the approval of model conditions<sup>2.6</sup>
- 6.2 the setting of stall rentals or the letting of contracts for the operation of Bracknell market.
- 6.3 the approval of the Emergency Plan.
- 6.4 the designation of litter control areas.
- 6.5 the designation of smoke control areas.
- 6.6 the approval of policies as to waste receptacles.

## **D EXECUTIVE DIRECTOR OF PEOPLE**

1. Subject to the exceptions, limitations and reservations set out below the Executive Director of People is authorised to exercise all the powers and perform all the duties of the Council in respect of the following functions:-

### 1.1 **Children and Young People**

Those functions:-

- (a) which the Council is required to appoint a Director of Children's Services for under Section 18 of the Children Act 2004 but including those functions which are referred to in Section 18(3)(a) to (d) of the said Section 18 and any functions which may be prescribed pursuant to Section 18(3)(e).

### 1.2 **Youth Service**

The Council's functions in respect of the provision of a youth service.

### 1.3 **Complaints**

The taking of action (including the making of compensatory awards) on the recommendation of a Complaints Review Panel established in respect of any function for which the Director is responsible under paragraph 1.1 above.

### 1.4 **Adult Social Care**

Those functions which are “social services functions” within the meaning of the Local Authority Social Services Act 1970 other than those functions which are delegated to the Director of People including arranging for the removal to suitable premises of persons in need of care and attention under Section 47 of the National Assistance Act 1948

### 1.5 **Health Services**

Functions under legislation relating to Health services save insofar as they are delegated to any other Director.

### 1.6 **Complaints**

The taking of action (including the making of compensatory awards on the recommendation of a Complaints Review Panel established in respect of any function for which the Director is responsible under paragraph 1.1 above.

### 1.7 **Housing**

- (a) As local housing authority and under legislation relating to housing.
- (b) Relating to Housing Benefits.
- (c) The negotiation and conclusion of nomination agreements with registered social landlords or similar organisations under which the Council secures the maximum nomination rights allowed by law and any relevant consents.
- (d) Under Parts VI, IX, X and XI of the Housing Act 1985.

### 1.8 **Miscellaneous**

- (a) Varying and waiving charges to service users or their parents
- (b) Discretion to pay an applicant’s legal expenses in applying for and obtaining Orders under Section 8 of the Children Act 1989 and Adoption Orders in respect of a child in care.
- (c) Discretion to make payments to holders of Residence and Adoption Orders for children previously in care where agreed prior to the Order being applied for and (in exceptional circumstances) subsequent to an Order.

- (d) Giving consent for the marriage of a young person in care under Section 3 of the Marriage Act 1949.
- (e) Determining applications of children and young persons in care who wish to join Her Majesty's Forces.
- (f) To act as a receiver in all matters in respect of persons under 18.
- (g) To nominate potential governors in consultation with the Executive Member for Children, Young People & Learning and relevant local members, plus former members of the Education Governor Nominations Committee.
- (h) Administering the Disabled Persons Badge Parking Scheme.
- (i) To act as a receiver in all matters in respect of persons aged 18 or over.

## **2 Exceptions and Limitations**

2.1 In respect of all of the functions referred to above:-

- (a) The approval of all statutory plans.
- (b) The formulation and approval of all policies (other than those concerning day to day management of the People Directorate including those relating to:-
  - (i) Home to School Transport
  - (ii) Denominational School Transport
  - (iii) School Admissions
  - (iv) School Meals
  - (v) Student Awards
  - (vi) Special Educational Needs
- (c) Approving bids for expenditure qualifying for Government grants.

2.2 In paragraph 1.1 above:-

- (a) Significant variations to the Scheme of Local Management of Schools and Special Education and the suspension or withdrawal of delegated budgets to schools.
- (b) Reorganisations deriving from reviews of primary, secondary and special education and the publication of statutory notices in connection therewith and the consequent necessary recommendations to the School Organisation Committee.

- (c) Arrangements for Member-level liaison and consultation of school governing bodies, head teachers and staff associations and other bodies involved in the provision of education.
- (d) Authorising the constitution of the Secure Accommodation Review Panel.
- (e) Approving day care reviews under Section 19 of the Children Act 1989.
- (f) Hearing Stage 3 complaints under Section 26 of the Children Act 1989.
- (g) Approving further delegations of the Education Service budget to schools.
- (h) The introduction of a Direct Payment Scheme.
- (i) The formulation and approval of all policies (other than those concerning day to day management of the Adult Social Care, Health and Housing Department).
- (j) Approving bids for expenditure qualifying for Government grants.

2. 3 In respect of Paragraph 1. 7 above-

- (a) setting of rent levels.
- (b) section 17, Housing Act 1985 (acquisition of land for housing purposes).
- (c) section 19, Housing Act 1985 (appropriation of land).
- (d) section 23, Housing Act 1985 (Making of byelaws).
- (e) consideration of periodical review of housing needs.
- (f) section 27A, Housing Act 1985 (management agreements).
- (g) disposal of land other than council houses under the “Right to Buy” legislation, freehold reversions, small land sales and licences to occupy or access council land.
- (h) section 102, Housing Act 1985 (variation of terms of secure tenancies).
- (i) determination of arrangements for consultation with tenants, pursuant to section 105, Housing Act 1985.
- (j) determination of Housing Allocation Scheme.
- (k) warrants for possession of dwellings may only be sought after consultation with a designated member of the Executive.

## **F. DIRECTOR OF PLACE, PLANNING & REGENERATION**

1 Subject to the exceptions and limitations set out in Paragraph 2 below, the Director of Place, Planning & Regeneration is authorised to exercise the functions of the Council:-

1.1 Relating to trees and hedgerows.

1.2 As Highways Authority, Street Authority, Traffic Authority, Local Traffic Authority and all other legislation relating to highways, transportation (including car and lorry parks), street management, street works and/or management and rights of way save for functions otherwise reserved to the Executive Director Delivery

1.3 Under the Building Act 1984, and all other legislation relating to dangerous buildings and structures, protection of buildings, ruinous and dilapidated buildings and neglected sites and building control save for functions under the Town and Country Planning Acts.

1.4 Relating to recreation and open spaces

1.5 To appoint independent surveyors in the event of a Party Wall dispute.

1.6 Relating to flooding and drainage (including Land Drainage and functions under the Flood and Water Management Act 2010) save for functions otherwise reserved to the Executive Director Delivery

### **2. Exceptions and Limitations**

(a) applications (including applications to vary planning obligations but not including applications for Certificate of Lawful Use) which any single Member of the Council expressly requests should be determined by the Planning Committee, provided that the request is supported, in writing, by a valid planning reason. This exception does not apply to determination of Prior Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification).

(b) applications (including applications to vary planning obligations but not including applications for Certificate of Lawful Use) attracting more than five valid planning objections from different households or other organisations before a delegated decision is made, may not be allowed by the Director Place Planning and Regeneration. This exception does not apply to determination of Prior Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification.)

(c) applications (including applications to vary planning obligations but not including applications for Certificate of Lawful Use) attracting between three and five valid planning objections from different households or other organisations before a delegated decision is made, may only be allowed by the Director Place Planning and Regeneration if he considers it appropriate to do so following reference to the Chairman of the Planning Committee and Ward Councillors. This exception does not apply to determination of Prior

Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification.)

- (d) Determination of whether an application under 2 (a) or (b) above from a member of Council staff whose role involves working directly with the Planning division should be referred to the Planning Committee. (Refer to Protocol for Members dealing with Planning matters for consideration of Applications from any Council Chief Officer)
- (e) vary or release agreements made pursuant to Section 52 of the Town & Country Planning Act 1971 (whether made pursuant to other legislation or not) which either any single Member requests should not be determined by the Chief Officer or objections arise from more than three households and/or organisations
- (f) applications which, if approved, would be contrary to the Development Plan.
- (g) applications for schemes which the Director Place Planning and Regeneration is responsible for promoting.
- (h) authority to authorise the Borough Solicitor to issue/withdraw/waive or relax Enforcement Notices, Stop Notices and Listed Building Enforcement Notices shall only be given following consultation with the Chairman of the Planning Committee.
- (i) the final approval of Local Development Documents and in respect of Development Plan Document approval for submission for examination in public.
- (j) the designation of Conservation Areas.
- (k) the revocation of planning permission.
- (l) the approval of a Supplementary Planning Document for public inspection.
- (m) decisions to modify a planning permission under Section 97 of the 1990 Act are not delegated, and
- (n) non-material amendments to a planning permission or approved plans should not be approved other than pursuant to an application under Section 96A of the 1990 Act.
- (o) confirmation of decisions to remove or restrict Permitted Development rights.
- (p) Confirmation of Tree Preservation Orders where five or more valid objections from different households have been received.
- (q) authorisation for the Borough Solicitor to enter into Agreements under Section 72 or 278 of the Highways Act 1980 can only be given where works to the highway and/or widening of the highway are required as part of a scheme for which planning consent has been obtained or which has been approved by, or on behalf of, the Executive.
- (r) construction of road humps and approval to traffic calming works.

- (s) street naming and renaming, numbering and renumbering should be carried out in accordance with the procedure agreed by the Planning and Transportation Committee on 1 October 1998.
- (t) applications for consent to hold social events on a highway may only be determined following consultation with the relevant Executive Member, Ward Councillors, the Police and the relevant Town or Parish Council.
- (u) Traffic management schemes and minor road improvements may only be authorised up to a maximum of £50,000 per scheme and if Ward Councillors have raised no objection, provided that any such works may be authorised where they are required urgently in the interests of road safety.
- (v) authority to enter into Public Path Creation Agreements is limited to where there is no Capital payment by the Council.
- (w) authority to instruct the Borough Solicitor to make Traffic Orders in respect of approved schemes is limited to where no objection has been received.
- (x) the making of a Gating Order
- (y) the designation of streets under street trading legislation (the Director may take steps preliminary to the designation).

**G. DIRECTOR: FINANCE**

- 1 The Director: Finance is authorised to:-
  - 1.1 Take all appropriate steps and measures to discharge the functions for the administration of the financial affairs of the Council, under Section 151 of the Local Government Act 1972.
  - 1.2 Arrange insurance on behalf of the Council.
  - 1.3 Authorise the Borough Solicitor to institute legal proceedings to recover monies due to the Council.
  - 1.4 Invest surplus monies in accordance with the Council's approved investment policies.
  - 1.5 Raise loans as required.
  - 1.6 In consultation with the Executive Director: People and the Borough Solicitor act in the administration of:-
    - (a) an estate of a deceased person where a child or young person for whom the Council has parental responsibility has an interest in the estate, or
    - (b) a child or young person who has died whilst in the care of the Council.
  - 1.7 Jointly with the Borough Solicitor, accept and manage money or other gifts from third parties for, and on behalf of, children or young persons.
  - 1.8 Write-off irrecoverable debts.

- 1.9 To discharge his or her functions and exercise his or her powers under Contract Standing Orders and Financial Regulations.
- 1.10 Jointly with the Assistant Director: Housing, subject to consultation with the Assistant Director: Property, to determine requests to waive repayment of discounts on “Right to Buy” disposals of Council housing (Section 185 of the Housing Act 2004).
- 1.11 The approval of grants for the renewal or improvement of housing

**H. BOROUGH SOLICITOR**

- 1 The Borough Solicitor is authorised to:-
  - 1. Make such orders, issue such notices and execute such agreements and instruments as are necessary to give effect to any decision or authorisation of the Council, its Committees, Sub-Committees, the Executive or of an Officer acting within the scope of his or her authorised powers.
  - 2. On behalf of the Council, to defend, institute, participate in, appeal from, settle or abandon any legal proceedings whether administrative, civil or criminal in any court arbitration or tribunal where such action is necessary to give effect to decisions of the Council or in any case where the Borough Solicitor considers that such action is necessary to protect the Council’s interests.
  - 3. Pursuant to Section 223 of the Local Government Act 1972 and other relevant legislation and Practice Directions, authorise persons other than solicitors or barristers to represent the Council in legal proceedings.
  - 4. Determine whether inspection of a document in the possession of the Council should not be allowed on the grounds that it is, or in the event of legal proceedings would be, protected by privilege arising from the relationship of solicitor and client.
  - 5. Certify or authenticate any matter requiring certification or authentication on behalf of the Council.
  - 6. Determine applications for formal registration or certification made in pursuance of any legislation conferring such a function upon the Council in any cases where a Director is not authorised to take such action.
  - 7. In consultation with the Executive Director People and Director: Finance act in the administration of:
    - (a) an estate of a deceased person where a child or young person for whom the Council has parental responsibility has an interest in the estate, or
    - (b) a child or young person who has died whilst in the care of the Council.
  - 8. Jointly with the Director: Finance accept and manage money or other gifts from third parties for, and on behalf of, children or young persons in care.
  - 9. Exercise the Council’s powers to be a Trust Corporation.

- 10 Exercise the Council's powers and duties in relation to commons and town and village greens.
11. Act as the Monitoring Officer.
- 12 To discharge his or her functions and exercise his or her powers under Contract Standing Orders and Financial Regulations.
- 13 To discharge the Council's functions under the Data Protection and Freedom of Information legislation.
14. To determine nominations for Assets of Community Value

### I. ASSISTANT DIRECTOR: PROPERTY

1	To authorise the acquisition of a freehold purchase in accordance with the Council approved release of funding, pursuant to that objective. <b>(Except for all commercial investment based property acquisitions which are delegated to the Executive Committee)</b>	<u>Up to £400,000</u>  Assistant Director: Property		<u>£400,001-£1m</u>  Executive Director: Delivery and Executive Member with advice from Assistant Director: Property	<u>Over £1M</u>  Executive Member with advice from Assistant Director: Property and Executive Director: Delivery
2	To authorise the disposal of a freehold or long leasehold (a lease of more than 21 years at commencement) subject to: i) the property being declared surplus by the Directorate responsible for the asset and ii) Asset Management Group having no alternative use to recommend	<u>Up to £200,000</u>  Assistant Director: Property	<u>£200,001-£400,000</u>  Executive Member with advice from Assistant Director: Property and Executive Director: Delivery	<u>£400,001- £1m</u>  Reserved to Executive	<u>Over £1M</u>  Reserved to Executive
3	To authorise the grant of leases, agreements for leases or tenancy agreements, or options for any term at a rent or a licence fee <b>up to</b> £100k per annum.	Assistant Director: Property following agreement with the Executive Director Delivery			
4	To authorise the grant of leases, agreements for leases or tenancy	Assistant Director: Property following agreement with the Executive Director of Resources and Executive Member			

	agreements, or options for any term at a rent or a licence fee <b>above</b> £100k per annum.	
<b>5</b>	To negotiate and complete consents, rent reviews and lease renewals (whatever the term) and give and receive statutory notices under all Landlord and Tenant legislation.	<b>Assistant Director: Property</b>  <b>Assistant Director: Property where terms are provided for in statute or within the provisions of the Lease. Otherwise following agreement with the Executive Director Delivery and Executive Member</b>
<b>6</b>	To grant a wayleave or easement to statutory undertakers at the best terms reasonably available.	<b>Assistant Director: Property following agreement with the Executive Director Delivery</b>
<b>7</b>	To grant or take a grant of any Licence or Tenancy At Will: (a) up to £100,000 p.a.  (b) over £100,000 p.a.	<b>Assistant Director: Property</b>  <b>Assistant Director: Property following agreement with the Executive Director Delivery</b>

In addition to the above, the Assistant Director: Property has delegation to;

- a) Agree all payments in connection with the acquisition of land under Compulsory Purchase Powers, including home loss and disturbance payments.
- b) Authorise the service of Notices under Landlord and Tenant legislation and other Agreements in respect of land.
- c) To negotiate and enter into any necessary arrangements for the surrender of leasehold interests to or by the Council on the best terms available.
- d) To take any action under the terms of a transfer of land to or by the Council, lease or licence, relating to the use, ownership or the occupation of land.
- e) To maintain the Council's terrier land records and other related property information.

## **L HEAD OF DEMOCRATIC & REGISTRATION SERVICES**

1. The Head of Democratic & Registration Services is authorised to discharge the Council's functions in connection with civil registration services and electoral registration.

## **M CHIEF OFFICER: HUMAN RESOURCES**

1. The Chief Officer: Human Resources is authorised to sign Settlement Agreements to settle Employment disputes including those pursuant to Employment Tribunal proceedings.

**N DIRECTOR OF PUBLIC HEALTH**

1. The Director of Public Health has delegated authority for those matters which they are required to be responsible for under the National Health Service Act 2006 (as amended by the Health and Social Care Act 2012) including:
  - a) the duty imposed upon the Council to “take such steps as it considers appropriate for improving the health of the people in its area”
  - b) any public health functions of the Secretary of State which he requires local authorities to discharge on his/her behalf
  - c) dental health functions of the Council
  - d) the duty to co-operate with the prison service to secure and maintain the health of prisoners
  - e) the Council’s duties set out in Schedule 1 of the National Health Act 2006, which include medical inspection of pupils, the weighing and measuring of children and sexual health services
  - f) arrangements for assessing the risks posed by violent and sexual offenders.

**APPENDIX C (Tracked) TABLE 4**

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**A. CHIEF EXECUTIVE AND DIRECTORS - GENERAL POWERS**

The Chief Executive and, for the purposes of those powers and duties which they are respectively authorised to discharge, Executive Directors and Directors, are authorised to take the following actions and measures:-

1. all actions and measures which are authorised by the Council's Contract Procedure Rules and Finance Procedure Rules.
2. authorising the Borough Solicitor to institute proceedings to recover monies due to the Council and/or to recover land owned by the Council.
3. authorising Officers to exercise powers to enter land, to exercise powers of inspection, seizure and to detain goods.
4. respond to requests under Data Protection and Freedom of Information legislation
5. make ex gratia payments to staff under Section 265 of the Public Health Act 1875 in respect of claims relating to damage or injury resulting from the actions of service users or in carrying out the Council's functions.
6. submit or authorise the submission of planning applications to the Council.

**B. CHIEF EXECUTIVE**

The Chief Executive is authorised to:-

1. take such measures as are appropriate in his or her capacity as the Head of the Paid Service.
2. take such steps as are properly required to ensure the effective implementation of the decisions of the Council, its Committees and Sub-Committees and the Executive.
3. act as Returning Officer.
4. witness and receive Declarations of Acceptance of Office and receive Declarations of Resignation of Office under Section 84 of the Local Government Act 1972.

In his/her absence the functions of the Chief Executive set out at paragraphs 1, 2 and 4 above will be vested in the Deputy Chief Executive. References to the Chief Executive in other parts of the Council's Constitution should in his/her absence be read and construed as referring to the Deputy Chief Executive.

The Chief Executive is designated as the Council's Electoral Registration Officer (the Head of Democratic and Registration Services is designated as the Deputy Electoral Registration Officer)

5. The Chief Executive (or Deputy Chief Executive in the Chief Executive's absence) may cancel a meeting of the Council, its Committees, the Executive or its Committees where the agenda has already been issued if it is considered expedient

to do so. The Chief Executive (or Deputy Chief Executive) shall not exercise such power without prior consultation with the Mayor, the Leader or the Committee Chairman (as appropriate). Any outstanding business will be held over to the next scheduled meeting on a date to be arranged.

6. Has responsibility for Community Engagement and Equalities

7. Has responsibility for the provision of grants to voluntary organisations [CHECK]

Assistant Chief Executive

~~6.8. The Assistant Chief Executive is authorised to submit planning applications on behalf of the Council.~~

**C. DIRECTOR OF RESOURCES EXECUTIVE DIRECTOR OF DELIVERY**

**Operational and Corporate Management**

The Director of Resources-Delivery is authorised to:-

1 secure and make arrangements for the provision of the following services to the Council:-

~~(a) Finance, including Procurement, Transport, Audit and Risk Management~~

~~(ba) Legal~~

~~(c) Human Resources, including organisation development and Health and Safety~~

~~(db) Information and Communications Technology~~

~~(ec) Democratic and Registration Services, including administrative support to the Council, Scrutiny Bodies and Regulatory Committees, the Executive, appeals and review processes; the management, repair and maintenance of the Council's Civic Offices, the provision of catering services for the Civic Offices and the provision of a courier service for the delivery of Council documents~~

~~(fd) Property Services, including Facilities Management~~

~~(ge) Customer Services, including Revenue Services~~

(f) Contract services (except for those expressly delegated to other Directors)

(g) Services relating to Leisure, Arts & Culture including Library functions under the Public Libraries and Museums Act 1964 [CHECK]

(h) Services related to the disposal of the dead, cemeteries and crematoria

(h) Community Engagement and Equalities

(i) Forestcare and Emergency Duty Service

(j) Bracknell Market

2 Secure the provision of the following Public Protection Partnership functions

- (a) Management of caravan sites, including allocation of pitches and removal of caravans
- (b) Functions under the Building Act 1984, and all other legislation relating to dangerous buildings and structures, protection of buildings, ruinous and dilapidated buildings and neglected sites and building control save for functions under the Town and Country Planning Acts.
- (c) That excepting the power to designate whether an area should be (a) subject to additional licensing (Section 56), and (b) subject to selective licensing (Section 80), to exercise all the powers and perform all of the duties of the Council under Parts 1,2,3,4 and 7 of the Housing Act 2004
- (d) Functions relating to licensing (including as responsible authority), registration and permits.
- (e) General duties under the Regulatory Enforcement and Sanctions Act 2008
- (f) Functions relating to weights and measures, fair trading, trade descriptions, consumer safety and trading standards
- (g) Enforcement and inspection functions, and related powers, under legislation relating to Health and Safety at work.
- (h) Functions relating to public health protection (excluding any functions which are the responsibility of the Director of Public Health or otherwise fall to be discharged by the Council under legislation relating to the National Health Service) including food safety and quality (including certificates in respect of the export and import of food products) pest control and notifiable diseases.
- (i) Functions relating to water quality, contaminated land, smoke control, pollution control, statutory nuisances, clean air and air quality.
- (j) Functions relating to the recycling, the collection, disposal, management and regulation of waste.
- (k) Functions relating to the processing and licensing of scrap metal merchants.
- (l) Functions relating to street maintenance and grounds maintenance.
- (m) Functions relating to weighbridges.
- (n) Functions relating to Emergency Planning
- (o) Functions relating to dogs and animal welfare
- (p) Functions under the Berkshire Act 1986
- (q) Under Antisocial Behaviour legislation relating to:-

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- Antisocial Behaviour Orders where the securing of such Orders is considered appropriate in connection with any other functions delegated to the Director of Environment and Leisure.
- Fixed Penalty Notices for graffiti and fly-posting.
- The sale of aerosol paints to children.

(r) Functions relating to the Coroner's Service.

(s) Functions relating to Explosives.

(t) Functions relating to public conveniences, septic tanks, cesspools and private sewers.

(u) Functions relating to dealing with objections to the granting of bookmakers permits and betting office licences

(v) Functions under Part 1 of the Health Act 2006 and under the Smoke Free (Premises and Enforcement) Regulations 2006.

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23 make arrangements for Mayoral transport and other Member support.

34 maintain a Register of Members' Interests and Members' Allowances.

### **Housing**

4 ~~The Director of Resources is authorised to exercise the powers of the Council under Schedule 16 of the Housing Act 1985 (Local Authority Mortgage Interest Rates).~~

5. Make arrangements for collection of Council Tax and Non Domestic Rates

### **Council Tax and National Non-Domestic Rate Collection**

5 ~~The Director of Resources is authorised to exercise the Council's powers and duties (including action to recover arrears) relating to Community Charge, Council Tax and Non-Domestic Rates excepting the determination of discretionary rate relief under Sections 47 and 48 Local Government Finance Act 1988.~~

5. Exceptions and Limitations

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5.1 Functions which the Licensing Act 2003 requires, or guidance issued by the Secretary of State there under advises, should be carried out by the Council, a Committee or Sub-Committee. Including the approval of model conditions<sup>2.6</sup>

5.2 the setting of stall rentals or the letting of contracts for the operation of Bracknell market.

- [5.3 the approval of the Emergency Plan.](#)
- [5.4 the designation of litter control areas.](#)
- [5.5 the designation of smoke control areas.](#)
- [5.6 the approval of policies as to waste receptacles.](#)

**D DIRECTOR OF CHILDREN, YOUNG PEOPLE AND LEARNING EXECUTIVE  
DIRECTOR OF PEOPLE**

1. Subject to the exceptions, limitations and reservations set out below the ~~Director of Children, Young People and Learning~~ [Executive Director of People](#) is authorised to exercise all the powers and perform all the duties of the Council in respect of the following functions:-

1.1 **Children and Young People**

Those functions:-

- (a) which the Council is required to appoint a Director of Children's Services for under Section 18 of the Children Act 2004 but including those functions which are referred to in Section 18(3)(a) to (d) of the said Section 18 and any functions which may be prescribed pursuant to Section 18(3)(e).

1.2 **Youth Service**

The Council's functions in respect of the provision of a youth service.

1.3 **Complaints**

The taking of action (including the making of compensatory awards) on the recommendation of a Complaints Review Panel established in respect of any function for which the Director is responsible under paragraph 1.1 above.

1.4 **Adult Social Care**

[Those functions which are "social services functions" within the meaning of the Local Authority Social Services Act 1970 other than those functions which are delegated to the Director of People including arranging for the removal to suitable premises of persons in need of care and attention under Section 47 of the National Assistance Act 1948](#)

1.5 **Health Services**

[Functions under legislation relating to Health services save insofar as they are delegated to any other Director.](#)

1.6 **Complaints**

The taking of action (including the making of compensatory awards on the recommendation of a Complaints Review Panel established in respect of any function for which the Director is responsible under paragraph 1.1 above.

### **1.7 Housing**

- (a) As local housing authority and under legislation relating to housing.
- (b) Relating to Housing Benefits.
- (c) The negotiation and conclusion of nomination agreements with registered social landlords or similar organisations under which the Council secures the maximum nomination rights allowed by law and any relevant consents.
- (d) Under Parts VI, IX, X and XI of the Housing Act 1985.

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### **1.48 Miscellaneous**

- (a) Varying and waiving charges to service users or their parents
- (b) Discretion to pay an applicant's legal expenses in applying for and obtaining Orders under Section 8 of the Children Act 1989 and Adoption Orders in respect of a child in care.
- (c) Discretion to make payments to holders of Residence and Adoption Orders for children previously in care where agreed prior to the Order being applied for and (in exceptional circumstances) subsequent to an Order.
- (d) Giving consent for the marriage of a young person in care under Section 3 of the Marriage Act 1949.
- (e) Determining applications of children and young persons in care who wish to join Her Majesty's Forces.
- (f) To act as a receiver in all matters in respect of persons under 18.
- (g) To nominate potential governors in consultation with the Executive Member for Children, Young People & Learning and relevant local members, plus former members of the Education Governor Nominations Committee.
- (h) Administering the Disabled Persons Badge Parking Scheme.
- (i) To act as a receiver in all matters in respect of persons aged 18 or over.

## **2 Exceptions and Limitations**

Last updated: December 2017 – Part 2: Section 6 Table 1

2.1 In respect of all of the functions referred to above:-

- (a) The approval of all statutory plans.
- (b) The formulation and approval of all policies (other than those concerning day to day management of the ~~Children, Young People & Learning Department~~ [People Directorate](#) including those relating to:-
  - (i) Home to School Transport
  - (ii) Denominational School Transport
  - (iii) School Admissions
  - (iv) School Meals
  - (v) Student Awards
  - (vi) Special Educational Needs
- (c) Approving bids for expenditure qualifying for Government grants.

2.2 In paragraph 1.1 above:-

- (a) Significant variations to the Scheme of Local Management of Schools and Special Education and the suspension or withdrawal of delegated budgets to schools.
- (b) Reorganisations deriving from reviews of primary, secondary and special education and the publication of statutory notices in connection therewith and the consequent necessary recommendations to the School Organisation Committee.
- (c) Arrangements for Member-level liaison and consultation of school governing bodies, head teachers and staff associations and other bodies involved in the provision of education.
- (d) Authorising the constitution of the Secure Accommodation Review Panel.
- (e) Approving day care reviews under Section 19 of the Children Act 1989.
- (f) Hearing Stage 3 complaints under Section 26 of the Children Act 1989.
- (g) Approving further delegations of the Education Service budget to schools.
- (h) The introduction of a Direct Payment Scheme.

~~E. DIRECTOR OF ADULT SOCIAL CARE, HEALTH AND HOUSING~~

Last updated: December 2017 – Part 2: Section 6 Table 1

~~1. Subject to the exceptions, limitations and reservations set out below the Director of Adult Social Care, Health and Housing is authorised to exercise all the powers and perform all the duties of the Council in respect of the following functions:-~~

~~1.1 **Adult Social Care**~~

~~Those functions which are “social services functions” within the meaning of the Local Authority Social Services Act 1970 other than those functions which are delegated to the Director of Children, Young People and Learning.~~

~~1.2 **Health Services**~~

~~Functions under legislation relating to Health services save insofar as they are delegated to any other Director.~~

~~1.3 **Complaints**~~

~~The taking of action (including the making of compensatory awards on the recommendation of a Complaints Review Panel established in respect of any function for which the Director is responsible under paragraph 1.1 above.~~

~~1.4 **Housing**~~

~~(a) As local housing authority and under legislation relating to housing.~~

~~(b) Relating to Housing Benefits.~~

~~(c) The negotiation and conclusion of nomination agreements with registered social landlords or similar organisations under which the Council secures the maximum nomination rights allowed by law and any relevant consents.~~

~~(d) Under Parts VI, IX, X and XI of the Housing Act 1985.~~

~~(e) The approval of grants for the renewal or improvement of housing.~~

~~1.5 **Miscellaneous**~~

~~(a) Administering the Disabled Persons Badge Parking Scheme.~~

~~(b) To act as a receiver in all matters in respect of persons aged 18 or over.~~

~~2. **Exceptions and Limitations**~~

~~2.1 In respect of all of the functions referred to above:-~~

~~(a) The approval of all statutory plans.~~

~~(b) The formulation and approval of all policies (other than those concerning day to day management of the Adult Social Care, Health and Housing Department).~~

(ej) Approving bids for expenditure qualifying for Government grants.

~~2.2.3~~ In respect of Paragraph 1.4: ~~7 above-~~

- (a) setting of rent levels.
- (b) section 17, Housing Act 1985 (acquisition of land for housing purposes).
- (c) section 19, Housing Act 1985 (appropriation of land).
- (d) section 23, Housing Act 1985 (Making of byelaws).
- (e) consideration of periodical review of housing needs.
- (f) section 27A, Housing Act 1985 (management agreements).
- (g) disposal of land other than council houses under the "Right to Buy" legislation, freehold reversions, small land sales and licences to occupy or access council land.
- (h) section 102, Housing Act 1985 (variation of terms of secure tenancies).
- (i) determination of arrangements for consultation with tenants, pursuant to section 105, Housing Act 1985.
- (j) determination of Housing Allocation Scheme.
- (k) warrants for possession of dwellings may only be sought after consultation with a designated member of the Executive.

**F. ~~DIRECTOR OF ENVIRONMENT, CULTURE AND COMMUNITIES PLACE,~~  
~~PLANNING & REGENERATION~~**

1 Subject to the exceptions and limitations set out in Paragraph 2 below, the Director of ~~Environment and Leisure- Place, Planning & Regeneration~~ is authorised to exercise the functions of the Council:-

1.1 Relating to trees and hedgerows.

1.2 As Highways Authority, Street Authority, Traffic Authority, Local Traffic Authority and all other legislation relating to highways, transportation (including car and lorry parks), street management, street works and/or management and rights of way save for functions ~~under the Town and Country Planning Acts otherwise reserved to the Executive Director Delivery~~

1.3 ~~Management of caravan sites, including allocation of pitches and removal of caravans.~~

~~1.4 Relating to Forest Care.~~

1.5 Under the Building Act 1984, and all other legislation relating to dangerous buildings and structures, protection of buildings, ruinous and dilapidated buildings and

Last updated: December 2017 – Part 2: Section 6 Table 1

neglected sites and building control save for functions under the Town and Country Planning Acts.

- 1.6 ~~That excepting the power to designate whether an area should be (a) subject to additional licensing (Section 56), and (b) subject to selective licensing (Section 80), to exercise all the powers and perform all of the duties of the Council under Parts 1,2,3,4 and 7 of the Housing Act 2004.~~
- 1.7 ~~Relating to licensing (including as responsible authority), registration and permits.~~
- 1.8 ~~Relating to the general duties under the Regulatory Enforcement and Sanctions Act 2008~~
- 1.9 ~~Relating to weights and measures, fair trading, trade descriptions, consumer safety and trading standards~~
- 1.10 ~~Enforcement and inspection functions, and related powers, under legislation relating to Health and Safety at work.~~
- 1.11 ~~Relating to public health protection (excluding any functions which are the responsibility of the Director of Public Health or otherwise fall to be discharged by the Council under legislation relating to the National Health Service) including food safety and quality (including certificates in respect of the export and import of food products) pest control and notifiable diseases.~~
- 1.12 ~~Relating to water quality, contaminated land, smoke control, pollution control, statutory nuisances, clean air and air quality.~~
- 1.13 ~~Relating to the recycling, the collection, disposal, management and regulation of waste.~~
- 1.14 ~~Relating to the processing and licensing of scrap metal merchants.~~
- 1.15 ~~Relating to street maintenance and grounds maintenance.~~
- 1.16 ~~Relating to weighbridges.~~
- 1.17 ~~Relating to Bracknell Market.~~
- 1.18 ~~Relating to Emergency Planning.~~
- 1.19 ~~1.3~~ ~~Relating to litter.~~
- 1.20 ~~Relating to arrangements for the disposal of the dead, cemeteries and crematoria.~~
- 1.21 ~~Relating to dogs and animal welfare.~~
- 1.22 ~~Under the Berkshire Act 1986.~~
- 1.23 ~~1.4~~ ~~Relating to recreation, leisure and, open spaces, arts and cultural activities.~~
- 1.24 ~~Relating to grants.~~
- 1.25 ~~Under Antisocial Behaviour legislation relating to:-~~

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- ~~Antisocial Behaviour Orders where the securing of such Orders is considered appropriate in connection with any other functions delegated to the Director of Environment and Leisure.~~
- ~~Fixed Penalty Notices for graffiti and fly posting.~~
- ~~The sale of aerosol paints to children.~~

~~1.26 Relating to the Coroner's Service.~~

~~1.27 Relating to Explosives.~~

~~1.28 1.5 To appoint independent surveyors in the event of a Party Wall dispute.~~

~~1.29 1.6 Relating to flooding and drainage (including Land Drainage and functions under the Flood and Water Management Act 2010) [ALSO DELIVERY?] save for functions otherwise reserved to the Executive Director Delivery~~

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~~1.30 Relating to public conveniences, septic tanks, cesspools and private sewers.~~

~~1.31 1.7 Relating to the removal, and disposal of, abandoned vehicles and untaxed vehicles. [CHECK]~~

~~1.32 Objecting to the granting of Bookmakers' Permits and lodging objections to Betting Office Licences.~~

~~1.33 Arranging for the removal to suitable premises of persons in need of care and attention under Section 47 of the National Assistance Act 1948.~~

~~1.34 1.8 Relating to archives and museums. [CHECK]~~

~~1.35 Under Part 1 of the Health Act 2006 and under the Smoke Free (Premises and Enforcement) Regulations 2006.~~

~~1.36 Library Services~~

~~(a) The Council's functions under the Public Libraries and Museums Act 1964.~~

~~(b) In respect of libraries and museums:-~~

- ~~(i) select and purchase books and audio visual material;~~
- ~~(ii) select and purchase newspapers and periodicals for public use within agreed policies;~~
- ~~(iii) determine the cost of replacement of library items and authorise the issue of legal proceedings for the recovery of the value of items not returned;~~
- ~~(iv) determine the method of disposal of withdrawn library items including sale charges;~~
- ~~(v) control the number of books reserved and the number of books on loan; and~~

(vi) ~~set the fixed fees and charges for all loan services.~~

2. **Exceptions and Limitations**

- (a) applications (including applications to vary planning obligations but not including applications for Certificate of Lawful Use) which any single Member of the Council expressly requests should be determined by the Planning Committee, provided that the request is supported, in writing, by a valid planning reason. This exception does not apply to determination of Prior Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification).
- (b) applications (including applications to vary planning obligations but not including applications for Certificate of Lawful Use) attracting more than five valid planning objections from different households or other organisations before a delegated decision is made, may not be allowed by the ~~Chief Officer: Planning, Transport and Countryside~~ Director Place Planning and Regeneration. This exception does not apply to determination of Prior Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification.)
- (c) applications (including applications to vary planning obligations but not including applications for Certificate of Lawful Use) attracting between three and five valid planning objections from different households or other organisations before a delegated decision is made, may only be allowed by the ~~Chief Officer: Planning, Transport and Countryside~~ Director Place Planning and Regeneration if he considers it appropriate to do so following reference to the Chairman of the Planning Committee and Ward Councillors. This exception does not apply to determination of Prior Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification.)
- (d) Determination of whether an application under 2 (a) or (b) above from a member of Council staff whose role involves working directly with the Planning division should be referred to the Planning Committee. (Refer to Protocol for Members dealing with Planning matters for consideration of Applications from any Council Chief Officer)
- (e) vary or release agreements made pursuant to Section 52 of the Town & Country Planning Act 1971 (whether made pursuant to other legislation or not) which either any single Member requests should not be determined by the Chief Officer or objections arise from more than three households and/or organisations
- (f) applications which, if approved, would be contrary to the Development Plan.
- (g) applications for schemes which the ~~Chief Officer – Planning, Transport and Countryside~~ Director Place Planning and Regeneration is responsible for promoting.

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- (h) authority to authorise the Borough Solicitor to issue/withdraw/waive or relax Enforcement Notices, Stop Notices and Listed Building Enforcement Notices shall only be given following consultation with the Chairman of the Planning Committee.
- (i) the final approval of Local Development Documents and in respect of Development Plan Document approval for submission for examination in public.
- (j) the designation of Conservation Areas.
- (k) the revocation of planning permission.
- (l) the approval of a Supplementary Planning Document for public inspection.
- (m) decisions to modify a planning permission under Section 97 of the 1990 Act are not delegated, and
- (n) non-material amendments to a planning permission or approved plans should not be approved other than pursuant to an application under Section 96A of the 1990 Act.
- (o) confirmation of decisions to remove or restrict Permitted Development rights.

2.1 (p) Confirmation of Tree Preservation Orders where any five or more valid objections has from different households have been received.

2.2 Paragraph 1.2:-

- (aq) authorisation for the Borough Solicitor to enter into Agreements under Section 72 or 278 of the Highways Act 1980 can only be given where works to the highway and/or widening of the highway are required as part of a scheme for which planning consent has been obtained or which has been approved by, or on behalf of, the Executive.
- (br) construction of road humps and approval to traffic calming works.
- (es) street naming and renaming, numbering and renumbering should be carried out in accordance with the procedure agreed by the Planning and Transportation Committee on 1 October 1998.
- (dt) applications for consent to hold social events on a highway may only be determined following consultation with the relevant Executive Member, Ward Councillors, the Police and the relevant Town or Parish Council.
- (eu) Traffic management schemes and minor road improvements may only be authorised up to a maximum of £50,000 per scheme and if Ward Councillors have raised no objection, provided that any such works may be authorised where they are required urgently in the interests of road safety.
- (fy) authority to enter into Public Path Creation Agreements is limited to where there is no Capital payment by the Council.

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(gw) authority to instruct the Borough Solicitor to make Traffic Orders in respect of approved schemes is limited to where no objection has been received.

(hx) the making of a Gating Order

2.3 ~~Paragraph 1.07:-~~

(a)(y) the designation of streets under street trading legislation (the Director may take steps preliminary to the designation).

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(b) ~~the functions which the Licensing Act 2003 requires, or guidance issued by the Secretary of State there under advises, should be carried out by the Council, a Committee or Sub-Committee.~~

(c) ~~the approval of model conditions.~~

2.4 ~~Paragraph 1.12 the designation of smoke control areas.~~

2.5 ~~Paragraph 1.13 the approval of policies as to waste receptacles.~~

2.6 ~~Paragraph 1.16 the setting of stall rentals or the letting of contracts for the operation of the market.~~

2.7 ~~Paragraph 1.17 the approval of the Emergency Plan.~~

2.8 ~~Paragraph 1.18 the designation of litter control areas.~~

2.9 ~~Paragraph 1.20 the approval of the Local Flood Risk Management Strategy.~~

**G. BOROUGH TREASURER DIRECTOR: FINANCE**

1 The ~~Borough Treasurer~~Director: Finance is authorised to:-

1.1 Take all appropriate steps and measures to discharge the functions ~~of the Borough Treasurer as having responsibility~~ for the administration of the financial affairs of the Council, under Section 151 of the Local Government Act 1972.

1.22 Arrange insurance on behalf of the Council.

1.33 Authorise the Borough Solicitor to institute legal proceedings to recover monies due to the Council.

1.44 Invest surplus monies in accordance with the Council's approved investment policies.

1.55 Raise loans as required.

1.66 In consultation with the ~~Executive~~ Director: ~~People of Children, Young People and Learning~~ and the Borough Solicitor act in the administration of:-

(a) an estate of a deceased person where a child or young person for whom the Council has parental responsibility has an interest in the estate, or

(b) a child or young person who has died whilst in the care of the Council.

1.77 Jointly with the Borough Solicitor, accept and manage money or other gifts from third parties for, and on behalf of, children or young persons.

1.88 Write-off irrecoverable debts.

1.99 To discharge his or her functions and exercise his or her powers under Contract Standing Orders and Financial Regulations.

1.4010 Jointly with the ~~Chief Officer~~ [Assistant Director](#): Housing, subject to consultation with the ~~Chief Officer~~ [Assistant Director](#): Property, to determine requests to waive repayment of discounts on "Right to Buy" disposals of Council housing (Section 185 of the Housing Act 2004).

[1.11 To approve grants for the renewal or improvement of housing](#)

## H. BOROUGH SOLICITOR

1 The Borough Solicitor is authorised to:-

1. Make such orders, issue such notices and execute such agreements and instruments as are necessary to give effect to any decision or authorisation of the Council, its Committees, Sub-Committees, the Executive or of an Officer acting within the scope of his or her authorised powers.

2. On behalf of the Council, to defend, institute, participate in, appeal from, settle or abandon any legal proceedings whether administrative, civil or criminal in any court arbitration or tribunal where such action is necessary to give effect to decisions of the Council or in any case where the Borough Solicitor considers that such action is necessary to protect the Council's interests.

3. Pursuant to Section 223 of the Local Government Act 1972 and other relevant legislation and Practice Directions, authorise persons other than solicitors or barristers to represent the Council in legal proceedings.

4. Determine whether inspection of a document in the possession of the Council should not be allowed on the grounds that it is, or in the event of legal proceedings would be, protected by privilege arising from the relationship of solicitor and client.

5. Certify or authenticate any matter requiring certification or authentication on behalf of the Council.

6. Determine applications for formal registration or certification made in pursuance of any legislation conferring such a function upon the Council in any cases where a Director is not authorised to take such action.

7. In consultation with the [Executive Director](#) [People of Children, Young People and Learning](#) and ~~the Borough Treasurer~~ [Director: Finance](#) act in the administration of:

(a) an estate of a deceased person where a child or young person for whom the Council has parental responsibility has an interest in the estate, or

(b) a child or young person who has died whilst in the care of the Council.

8. Jointly with the ~~Borough Treasurer~~ [Director: Finance](#), accept and manage money or other gifts from third parties for, and on behalf of, children or young persons in care.
9. Exercise the Council's powers to be a Trust Corporation.
10. Exercise the Council's powers and duties in relation to commons and town and village greens.
11. Act as the Monitoring Officer.
12. To discharge his or her functions and exercise his or her powers under Contract Standing Orders and Financial Regulations.
13. To discharge the Council's functions under the Data Protection and Freedom of Information legislation.

[14. To determine nominations for Assets of Community Value](#)

**I. [CHIEF OFFICER ASSISTANT DIRECTOR: PROPERTY](#)**

<b>1</b>	To authorise the acquisition of a freehold purchase in accordance with the Council approved release of funding, pursuant to that objective. <b>(Except for all commercial investment based property acquisitions which are delegated to the Executive Committee)</b>	<b>Up to £400,000</b> <a href="#">Chief Officer Assistant Director: Property</a>		<b>£400,001-£1m</b> <a href="#">Executive Director: Resources Delivery</a> and Executive Member with advice from <a href="#">Chief Officer Assistant Director: Property</a>	<b>Over £1M</b> Executive Member with advice from <a href="#">Chief Officer Assistant Director: Property and Executive Director: Resources Delivery</a>
<b>2</b>	To authorise the disposal of a freehold or long leasehold (a lease of more than 21 years at commencement) subject to: i) the property being declared surplus by the Directorate responsible for	<b>Up to £200,000</b> <a href="#">Chief Officer Assistant Director: Property</a>	<b>£200,001-£400,000</b> Executive Member with advice from <a href="#">Chief Officer Assistant Director: Property and</a>	<b>£400,001- £1m</b> Reserved to Executive	<b>Over £1M</b> Reserved to Executive

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	the asset and ii) Asset Management Group having no alternative use to recommend		<a href="#">Executive Director: Resources Delivery</a>		
3	To authorise the grant of leases, agreements for leases or tenancy agreements, or options for any term at a rent or a licence fee <b>up to</b> £100k per annum.	<a href="#">Chief Officer Assistant Director: Property following agreement with the Executive Director of Resources Delivery</a>			
4	To authorise the grant of leases, agreements for leases or tenancy agreements, or options for any term at a rent or a licence fee <b>above</b> £100k per annum.	<a href="#">Chief Officer Assistant Director: Property following agreement with the Executive Director of Resources and Executive Member</a>			
5	To negotiate and complete consents, rent reviews and lease renewals (whatever the term) and give and receive statutory notices under all Landlord and Tenant legislation.	<a href="#">Chief Officer Assistant Director: Property</a> <a href="#">Chief Officer Assistant Director: Property where terms are provided for in statute or within the provisions of the Lease. Otherwise following agreement with the Executive Director of Resources Delivery and Executive Member</a>			
6	To grant a wayleave or easement to statutory undertakers at the best terms reasonably available.	<a href="#">Chief Officer Assistant Director: Property following agreement with the Executive Director of Resources Delivery</a>			
7	To grant or take a grant of any Licence or Tenancy At Will: (a) up to £100,000 p.a. (b) over £100,000 p.a.	<a href="#">Chief Officer Assistant Director: Property</a> <a href="#">Chief Officer Assistant Director: Property following agreement with the Executive Director of Resources Delivery</a>			

In addition to the above, the [Chief Officer Assistant Director: Property](#) has delegation to:

- a) Agree all payments in connection with the acquisition of land under Compulsory Purchase Powers, including home loss and disturbance payments.
- b) Authorise the service of Notices under Landlord and Tenant legislation and other Agreements in respect of land.
- c) To negotiate and enter into any necessary arrangements for the surrender of leasehold interests to or by the Council on the best terms available.
- d) To take any action under the terms of a transfer of land to or by the Council, lease or licence, relating to the use, ownership or the occupation of land.

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- e) To maintain the Council's terrier land records and other related property information.

**J. CHIEF OFFICER: PLANNING, TRANSPORT AND COUNTRYSIDE**

1. ~~Subject to the exceptions and reservations set out in paragraph 2 below the Chief Officer: Planning, Transport and Countryside is authorised to exercise the functions of the Council as Local Planning Authority and contained in all other legislation relating to Town and Country Planning (including Listed Buildings and Conservation Areas) save for functions in respect of Tree Preservation Orders and hedgerows.~~
2. ~~Exceptions and Limitations~~
  - (a) ~~applications (including applications to vary planning obligations but not including applications for Certificate of Lawful Use) which any single Member of the Council expressly requests should be determined by the Planning Committee, provided that the request is supported, in writing, by a valid planning reason. This exception does not apply to determination of Prior Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification).~~
  - (b) ~~applications (including applications to vary planning obligations but not including applications for Certificate of Lawful Use) attracting more than five valid planning objections from different households or other organisations before a delegated decision is made, may not be allowed by the Chief Officer: Planning, Transport and Countryside. This exception does not apply to determination of Prior Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification.)~~
  - (c) ~~applications (including applications to vary planning obligations but not including applications for Certificate of Lawful Use) attracting between three and five valid planning objections from different households or other organisations before a delegated decision is made, may only be allowed by the Chief Officer: Planning, Transport and Countryside if he considers it appropriate to do so following reference to the Chairman of the Planning Committee and Ward Councillors. This exception does not apply to determination of Prior Approvals under paragraph A4 of Part 1 Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification.)~~
  - (d) ~~Determination of whether an application under 2 (a) or (b) above from a member of Council staff whose role involves working directly with the Planning division should be referred to the Planning Committee. (Refer to Protocol for Members dealing with Planning matters for consideration of Applications from any Council Chief Officer)~~
  - (e) ~~vary or release agreements made pursuant to Section 52 of the Town & Country Planning Act 1971 (whether made pursuant to other legislation or not) which either any single Member requests should not be determined by the Chief Officer or objections arise from more than three households and/or organisations—~~

- ~~(f) applications which, if approved, would be contrary to the Development Plan.~~
- ~~(g) applications for schemes which the Chief Officer – Planning, Transport and Countryside is responsible for promoting.~~
- ~~(h) authority to authorise the Borough Solicitor to issue/withdraw/waive or relax Enforcement Notices, Stop Notices and Listed Building Enforcement Notices shall only be given following consultation with the Chairman of the Planning Committee.~~
- ~~(i) the final approval of Local Development Documents and in respect of Development Plan Document approval for submission for examination in public.~~
- ~~(j) the designation of Conservation Areas.~~
- ~~(k) the revocation of planning permission.~~
- ~~(l) the approval of a Supplementary Planning Document for public inspection.~~
- ~~(m) decisions to modify a planning permission under Section 97 of the 1990 Act are not delegated, and~~
- ~~(n) non-material amendments to a planning permission or approved plans should not be approved other than pursuant to an application under Section 96A of the 1990 Act.~~
- ~~(o) confirmation of decisions to remove or restrict Permitted Development rights.~~

#### **~~K. CHIEF OFFICER: HOUSING~~**

- ~~1. The Chief Officer: Housing is authorised, jointly with the Borough Treasurer, subject to consultation with the Head of Property, to determine requests to waive repayment of discounts on “Right to Buy” disposals of Council housing (Section 185 of the Housing Act 2004).~~

#### **L HEAD OF DEMOCRATIC & REGISTRATION SERVICES**

1. The Head of Democratic & Registration Services is authorised to discharge the Council’s functions in connection with civil registration services and electoral registration.

#### **M CHIEF OFFICER: HUMAN RESOURCES Director of Transformation Operational Development and Human Resources.**

1. The Chief Officer: Human Resources is authorised to sign Compromise Settlement Agreements to settle Employment disputes including those pursuant to Employment Tribunal proceedings.

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**N DIRECTOR OF PUBLIC HEALTH**

1. The Director of Public Health has delegated authority for those matters which they are required to be responsible for under the National Health Service Act 2006 (as amended by the Health and Social Care Act 2012) including:
  - a) the duty imposed upon the Council to “take such steps as it considers appropriate for improving the health of the people in its area”
  - b) any public health functions of the Secretary of State which he requires local authorities to discharge on his/her behalf
  - c) dental health functions of the Council
  - d) the duty to co-operate with the prison service to secure and maintain the health of prisoners
  - e) the Council’s duties set out in Schedule 1 of the National Health Act 2006, which include medical inspection of pupils, the weighing and measuring of children and sexual health services
  - f) arrangements for assessing the risks posed by violent and sexual offenders.

TO: COUNCIL  
28 NOVEMBER 2018

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## ANNUAL UPDATE OF THE COUNCIL'S PAY POLICY STATEMENT (Director: OD, Transformation and HR)

### 1 PURPOSE OF REPORT

- 1.1 Since 2012, and in accordance with the 2011 Localism Act, the Council has been required to publish a Pay Policy Statement. The Statement is also aligned with the requirements of the Transparency Regulations.

### 2 RECOMMENDATIONS

**That the Council agree the Pay Policy Statement for 2019/20.**

### 3 REASONS FOR RECOMMENDATIONS

- 3.1 To comply with the Department of Communities and Local Government (DCLG) guidance and 2014 Transparency Code requirements.

### 4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None. It is a legal requirement to produce and publish the statement.

### 5 SUPPORTING INFORMATION

#### 5.1 Pay Policy Statement

This is a requirement under the Localism Act. The pay policy statement is attached.

### 6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

#### Borough Solicitor

- 6.1 The relevant legal issues are addressed within the report. The Council has the legal powers following the 1997 National Agreement to consult on these options, prior to making changes to the pay structures.

#### Borough Treasurer

- 6.2 There are no financial implications arising from this report.

### Equalities Impact Assessment

6.3 None

### Strategic Risk Management Issues

6.4 Failure to explicitly respond to guidance on the content of published information will run the risk of challenge from the DCLG.

## **7 CONSULTATION**

### Principal Groups Consulted

8.1 This was subject to discussion at the Local Joint Committee.

### Method of Consultation

8.2 By report.

### Representations Received

8.3 No comments received.

### Background Papers

None

### Contact for further information

Nicola Gibbons, Director, OD, Transformation and HR, 01344 352049

[nikki.gibbons@bracknell-forest.gov.uk](mailto:nikki.gibbons@bracknell-forest.gov.uk)

## **Bracknell Forest Council**

### **PAY POLICY STATEMENT FOR THE FINANCIAL YEAR 2019/20**

#### **INTRODUCTION**

##### **Source and scope of policy statement**

This Policy Statement has been produced in accordance with Sections 38 to 43 of the Localism Act 2011 (the Act), which, from 2012 onwards, require local authorities to publish an annual statement of their policy for the relevant financial year in relation to:

- The remuneration of their most senior employees (which the Act defines as the head of paid service (Chief Executive), the Monitoring Officer, the Assistant Directors (or Directors), and the Deputy Assistant Directors (i.e. managers who report directly to a Director));
- The remuneration of their lowest-paid employees; and
- The relationship between the remuneration of the most senior employees and that of other employees.

The policy is for the financial year 2019/20. Data on existing salaries, job roles and statistics contained within the statement are based as at 1 April 2018.

The Secretary of State has produced guidance on the Act's provisions relating to openness and accountability in local pay, which local authorities must have regard to in preparing and approving their annual pay policy statements and the Council's statement takes full account of this guidance to date as well as the provisions of the Act.

It also takes account of:

- Local Government Transparency Code 2014
- Guidance issued by the Joint National Council (JNC) for Local Authority Chief Executives on pay policy statements, published in November 2011
- Guidance under section 40 of Localism Act 2011, published by DCLG
- Employment and equalities legislation affecting local authority employers, where relevant.

To aid transparency, this policy also contains or refers to information which the Council is already required to publish under other legislation, i.e.

- Information on the actual level of remuneration paid to senior managers, as required by The Accounts and Audit (Amendment No. 2) (England) Regulations 2009
- Policies on the exercise of its discretions over payments upon termination of employment under the Local Government Pension Scheme, as required by Local Government Pension Scheme Regulations
- Policies on the exercise of its discretions over payments upon termination of employment under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as required by Regulation 7 of those regulations.

The Government's guidance on the Localism Act's pay provisions states that it is open to Councils to include in this Statement their policies on the remuneration of employees who are neither the most senior officers nor the lowest paid. Accordingly, this Policy Statement also gives details of:

- The policies applied to employees earning in excess of £50,000, as required by Local Government Transparency Code 2014
- Elements of remuneration which apply to all employees, regardless of their pay level, status or grading within the Council.

As such, this Statement draws together all the relevant existing policies and can therefore be seen as a comprehensive document covering all relevant aspects of pay and remuneration within the Council.

### **Status of policy statement**

In line with the requirements of the Localism Act, the Pay Policy Statement will need to be reviewed on an annual basis, with a new version approved before the start of each subsequent financial year, which will need to be complied with during that year.

The Pay Policy Statement can also be amended during the course of any financial year, but only by a resolution of the full Council. If it is amended during the year to which it relates, the revised version of the statement will be published as soon as reasonably possible after the amendment is approved by the Council.

### **Transparency and autonomy**

It is important to recognise that, whilst producing national legislation relating to their pay policies, the Government also explicitly recognises that each local authority remains an individual employer in its own right, and, as such, has the autonomy to make decisions on pay that are appropriate to local circumstances and deliver value for money for local taxpayers.

## **SECTION 1: REMUNERATION OF STATUTORY AND NON-STATUTORY DIRECTORS, CHIEF OFFICERS, MONITORING OFFICER AND OTHER SENIOR POSTS**

### **1.1 REMUNERATION COVERED IN THIS SECTION OF THE POLICY**

This section covers the Council's policies in relation to the remuneration of its senior employees, including:

- Its Chief Executive;
- Its Executive Directors and Directors who report to and are directly accountable to the Chief Executive – this includes both statutory and non-statutory Directors;
- Its Assistant Directors, who report to and are directly accountable to Directors;
- Its Section 151 Officer (the Director of Finance), who is also a Director and remunerated as such;
- Its Monitoring Officer (the Borough Solicitor, who is the officer responsible for ensuring the Council's compliance with the law in all its activities) is also an Assistant Director and is remunerated as such.

### **1.2 CONTEXT**

These senior employees are responsible for working with elected politicians to determine the overall strategic direction of the Council, to develop the scale, nature, efficiency and effectiveness of all the services provided by the Council, and to provide day-to-day leadership and management of those services.

In relation to other organisations in all sectors across the UK, the Council is a large, complex organisation providing a very diverse range of services. Many of those services are vital to the wellbeing of individuals and groups of residents in the local community and are delivered in very challenging circumstances, taking account of levels of need and the availability of resources to meet them.

The Council's senior employees are responsible for:

- 3095 employees (equivalent to 2380.55 full-time equivalent (FTE) employees). These numbers are as at 1 April 2018 and include schools
- Services to an estimated 119,447 residents within the local community
- Total Gross Expenditure of £265.5million, which was the Council's Total Gross Outturn Expenditure in 2017/18
- The following services to the local community:
  - Adult social services
  - Children and families social services
  - Countryside and open space management and maintenance
  - Education and schools
  - Elections and local democracy
  - Environmental and public health, including pest control
  - Environmental Services, including refuse collection, recycling, street cleaning and waste disposal
  - Housing

- Housing and Council tax benefits
  - Leisure and Arts provision
  - Libraries
  - Planning
  - Roads, transport, street lighting and car parking
  - Trading Standards and Licensing
  - Youth and Community Services
  - Public Health
  - Regeneration and economic development
  - Community Safety
- The following facilities:
    - 39 schools (including one Pupil Referral Unit)
    - one respite service (overnight and daytime)
    - 4 Children's Centres
    - 9 libraries
    - 7 leisure centres
    - Over 80 park sites totalling over 1,000 acres of land
    - 24 play areas, plus wheeled sports areas, tennis courts, soccer pitches, a baseball diamond and a sports pavilion
    - 14 community centres
    - One town centre office and the commercial centre
- The Council:
    - Is responsible for the education of around 17,000 children
    - Deals with around 1,200 planning applications per year
    - Manages and maintains around 456 kilometres of roads, 700+ kilometres of paths and cycleways, 13000+ street lights, 200+ bridges, underpasses and other structures
    - Manages and maintains cutting almost 2.5 million square metres of grass and manages and maintains approximately 625,000 square metres of woodland
    - Is responsible for around 150 looked-after children
    - Licences 254 premises and clubs and 313 taxis
    - Currently has over 1,580 open cases on adults and providing long term services to over 980 people

The Council has to compete with other employers in the area (and, in many cases, in the country) to recruit and retain managers who are capable of meeting the challenges of delivering this diverse range of services to the required standards. This has an important bearing on the levels of remuneration it offers which has been kept under review on a regular basis by the Employment Committee. At the same time, the Council is under an obligation to secure the best value for money for its residents and tax-payers in taking decisions on pay levels. In recent years the Employment Committee has sought to strike a fair balance between these competing pressures.

In a report on senior pay in the public sector commissioned by the government in 2011, Will Hutton concluded that "Chief Executive Officers of [private sector] companies with a turnover of between £101million and £300 million earn more than twice their public sector counterparts." He also observed that "The sharp increase in executive pay over the last decade, and the wider trend of growing income inequality, has been largely a private sector phenomenon".

### 1.3 RESPONSIBILITIES OF SENIOR ROLES

To give further contextual information for remuneration levels, the main accountabilities of the Chief Executive and Directors are set out below.

- **Chief Executive**

The Chief Executive is the Council's most senior employee who leads and takes responsibility for the work of the Council. It is a full time appointment and post holders are selected on merit, against objective criteria, following public advertisement.

The role of Chief Executive is complex with ultimate responsibility for managing expenditure of 265.5million of public funds, serving around 119,447 people in the Council's area.

As head of the paid service of the Council's employed staff, the Chief Executive is a non-political post. Whilst the elected councillors provide the policies, Council paid employees put them into practice. The Chief Executive is responsible to and accountable to, the Leader of the Council, the Executive and the whole Council in delivering their political and policy objectives.

The Chief Executive works closely with elected councillors to deliver:

**Leadership:** to ensure strong and visible leadership and direction, encouraging and enabling managers to motivate and inspire their teams;

**Strategic direction:** ensuring all staff understand and adhere to the strategic aims of the organisation and follow the direction set by elected councillors;

**Policy advice:** acting as the principal policy adviser to the elected councillors to lead the development of workable strategies which will deliver the political objectives set;

**Partnerships:** leading and developing strong partnerships across the local community to achieve improved outcomes and better public services for local people;

**Operational Management:** overseeing financial and performance management, risk management, people management and change management within the Council.

Staff under indirect management responsibility: 3094

- **Executive Director – People**

This post has a statutory role in relation to both adult and children's social care, and is responsible and accountable for assessing local needs and ensuring the availability and delivery of a full range of services, and ensure that children and young people achieve the best possible outcomes for their lives through education

The directorate provides advice and information about the range of services that may be available to support individuals or families. Practitioners will work with individuals and their carers to identify needs for care and support and/or housing and how those needs can be met. If people are not eligible, the department can give them information about other ways of accessing support

and organisations where they could go to get help. There is joint work with Children's Services to ensure support is in place when the young person reaches 18 years of age.

The focus of support is to enable people to maximise their ability and retain their independence, which will mean people can stay in their own homes for as long as possible. Support may be needed for a crisis or a longer period, and the directorate will generally commission this. Depending on assessed needs, a range of services could be provided in partnership with other organisations to meet the social care needs of adults and older people. Services include home support, day opportunities, the provision of equipment for daily living and residential and nursing care. The Directorate also has a responsibility to ensure that the needs of "informal" carers (usually family or friends) are identified, and appropriate support is offered to enable them to continue in their caring role, should this be what they wish.

The post is also responsible for ensuring the provision of Housing Advice and Homelessness Prevention as well as the provision of Housing and Council Tax Benefits.

Public Health functions, formerly part of the NHS, aim to improve the health and wellbeing of the population, tackle health inequalities and reduce premature mortality. One Public Health team covers the Bracknell area and another covers strategic Public Health work across Berkshire.

The Welfare and Housing Service aims to maximise customers' income and independence. The Welfare Service provides national and local welfare payments to households in the Borough and provides advice to households so that they can maximise their income including budgeting advice and employment opportunities. The Housing service provides advice to households so that they can resolve their housing need, provides advice and if necessary accommodation for homeless households and overall helps customers secure a home that meets their needs. The Forest care service provides an emergency and re-assurance service to its customers so that they can maintain their independence in their home and feel safe and secure in the knowledge that if an emergency occurs there is help to call upon.

The Directorate includes the Bracknell Forest Public Health Team. Public Health work aims to improve the health and wellbeing of the population, tackle health inequalities and reduce premature mortality. The team commissions a range of services including health visiting and school nurses, stop smoking support, weight management, health checks, sexual health, falls prevention, mental health and substance misuse treatment. The team also provides support and advice on health matters direct to the community via campaigns, events and social media, as well as providing support to other professional agencies on issues such as infectious disease control or patterns of health and healthcare outcomes within the local population. Collaboration is central to work of the Public Health team, particularly with colleagues in social care, the NHS and the voluntary sector. In addition to the Bracknell Forest Public Health team, the Directorate also hosts the Berkshire-wide 'Shared' Public Health team which provides strategic, contracting and data support to the six unitary authority Public Health teams across the county. This team is led by the Strategic Director of Public Health.

Its duties include specific support for the following:

**Children's Social Care**

- Child Protection / Safeguarding
- Looked After Children
- Specialist Support
- Youth Offending Service

**Adult Social Care**

- Adult Community Team (ACT)
- Connections Hub
- Emergency Duty Service (EDS)
- Learning Disabilities
- Mental Health
- Safeguarding

**Early Help and Communities**

- Housing
- Strategy, Resources and Early Help

**Education and Learning**

- School Advisory team
- School Sufficiency and Commissioning
- Community Learning
- Governor Services
- Targeted Services
- Education Centre and Education Library Service
- Education Psychology & SEN
- Education Capital & Property

**Commissioning**

- Drug and Alcohol Services (DAAT)
- Financial Assessments (Support Hub)
- Financial Assessments (Income)
- Joint Commissioning
- Performance Management & Governance

**Public Health**

- Business Intelligence
- Local Team
- Shared Team

Budget responsibility: £28.4 million per annum

Staff under direct or indirect line management responsibility: 685  
(excluding schools)

- ***Executive Director – Delivery***

The directorate is responsible for the strategic planning and operational delivery of services covering a wide range of functions and activities. It targets its services to meet the high standards residents, local businesses and visitors expect. Some of these services are delivered directly, others in partnership with the voluntary and charitable sectors and some through contracts with private companies. The directorate operates with 5 service divisions as follows:

- Customer Experience
  - Revenue Services
  - Digital Services
  - Libraries, Arts & Heritage
  - Cemetery and crematorium
  - Transport and Support
  - The Look Out Discovery Centre
- Legal services
- Democratic Services
  - Elections
  - Registrars
- ICT
- Contract Services
  - Environmental services
  - Highway Asset Management
  - Leisure Services
  - Operational Support

The Director of Corporate Services also acts as Statutory Overview & Scrutiny Officer

Budget responsibility: £17.3 million per annum

Staff under direct or indirect line management responsibility: 270.

- ***Director – Place, Planning and Regeneration***

This post is responsible and accountable for the effective planning and delivery of the regeneration, development and future infrastructure of the Borough, within the statutory policy guidelines and planning framework agreed by the Council. The directorate targets its services to meet the high standards residents, local businesses and visitors expect.

The directorate operates with 5 service divisions including:

- Town and country planning
- Building Control and land charges
- Transport Development
- Parks and countryside management
- Regeneration and economy

Budget responsibility: £7.6 million per annum

Staff under direct or indirect line management responsibility: 110.

- **Director – Finance**

This role fulfils the statutory obligations of the Chief Financial Officer, as set out in Section 151 of the Local Government Act 1972, Sections 112, 113 and 114 of the Local Government Finance Act 1988 and the Accounts and Audit Regulations 2015, in order to ensure that the financial affairs of the Authority are properly administered. This role is the prime adviser to the Council on financial matters including the development and monitoring of financial strategies, policies, programmes and procedures.

Areas of responsibility include:

- Accountancy
- Audit
- Finance & Business Services
- Procurement

Budget responsibility: £3.6 million per annum

Staff under direct or indirect line management responsibility: 50

- **Director – OD, Transformation and HR**

This post is responsible and accountable for the strategic implementation of Organisational Development, Human Resources, Communication and Engagement of Council services to support the Council Plan, Service Plans and associated budgets.

It will advise the Chief Executive and Members on the initiation, development, implementation and monitoring of policies and programmes relating to Transformation, Organisational Development, HR and Communications and Engagement services.

Budget responsibility: £1.3 million per annum

Staff under direct or indirect line management responsibility: 50

#### **1.4 OVERALL POLICY ON REMUNERATION FOR SENIOR ROLES**

The Council's overall approach to remuneration for its senior employees is based on:

Compliance with equal pay, discrimination and other relevant employment legislation, plus recognition of the demanding nature of the challenges which the Council faces, and the requirement to offer competitive remuneration in relation to the rest of the local government and public sectors, in order to secure the most talented managers. This means that, on the advice of the Employment Committee, the Council has always taken account of:

- pay levels in the local area, including neighbouring public sector employers
- the relative cost of living in the local area, particularly housing costs
- the responsibilities and accountabilities of particular posts which may be exceptionally demanding.

The Council seeks to maintain this overall approach by carefully monitoring pay data provided by the Joint National Councils (JNCs) for Chief Officers and Chief Executives, the Local Government Association/Employers, and other relevant pay surveys.

In terms of pay differentials, the Council recognises that the role of Chief Executive leads the organisation's workforce and has the greatest level of accountability, and so warrants the highest pay level in the organisation.

At Director level:

- The Council recognises that all its Executive Directors and Directors have a collective and corporate responsibility for contributing to and delivering the overall strategy of the organisation, however the size and scope of their responsibilities differ and therefore an appropriate grade from the senior salaries structure is determined through a job evaluation conducted by Korn Ferry.

At Assistant Director level:

- The Council recognises that certain roles are more demanding than others, and has identified those with a greater level of accountability through job evaluation, (which provides a careful analysis of job demands) and offers them higher remuneration than other Chief Officer posts. Evaluation is based upon the Hay system and evaluations are carried out independently by the Korn Ferry Group including the Director of Public Health.
- During 2018 the Chief Officer post titles will become Assistant Directors. References in this statement to Chief Officers should also be applied to any post that has been redesignated as an Assistant Director, this change of post title does not in itself represent a salary change.

Below Assistant Director level, the Council recognises that the demands on and accountabilities of different management roles vary considerably, and seeks to align pay levels with the relative importance and responsibilities of jobs, using a process of job evaluation, and including Market Premia where applicable to match certain posts with the market rate for similar jobs. There are, additionally, some posts which are on other national payscales such as the teaching payscales, NHS payscales or Soulbury conditions. Some of the posts below Assistant Director level are specifically listed later in this report as earning more than £50,000 pa because they either receive a Market Premia payment or are subject to other national payscales.

## **1.5 SPECIFIC REMUNERATION OFFERED TO SENIOR EMPLOYEES**

At Chief Executive, Executive Director, Director and Assistant Director level, the Council offers only an annual salary and access to the Local Government Pension Scheme. No other cash benefits or benefits in kind are offered - except any benefits purchased by the employee under the Council's Flexible Benefits scheme under which all employees may purchase benefits from a range offered to all staff. The only one of these benefits which gives an opportunity to increase income is the selling of annual leave, which is available to most employees but not to those at Chief Officer level and above (see section 4). The Council does not offer performance related payments or bonuses to its senior employees.

Geographical/location allowance (local weighting) is not payable to the Chief Executive, Executive Directors, Directors or Assistant Directors.

The Chief Executive, Executive Directors, Directors and Assistant Directors are not eligible to participate in the Council's flexible leave scheme whereby employees are able to "buy and sell" annual leave within certain parameters (See section 4, below).

Mobile phones/devices are provided to the Chief Executive/Executive Directors/Directors/Assistant Directors/other senior managers on the basis that they are necessary to undertake their duties effectively, and it is a condition of their contracts that they are on an emergency rota requiring them to be issued with a mobile phone/device. The Council funds the provision of the phone and business calls. Employees are required to pay for personal calls (see page 20). All employees working flexibly are issued with softphones; if a mobile phone is also required a business case must be made.

### **Annual salaries**

Annual salary levels for senior employees are fixed in accordance with the overall principles set out in section 1.4. At Chief Executive, Executive Director, Director and Assistant Director level and for other senior managers, they consist of a grade range which is determined locally by the Council. This grade range consists of a number of incremental salary points. Progression through to the top of the grade is dependent on annual performance ratings, until the top of the grade is reached.

### **Remuneration of senior employees on recruitment**

The Council's policy is that any newly appointed senior employee will normally commence employment at the lowest pay point in the pay range for their job, other than when taking account of the successful applicant's current salary and the market requirements. Any decision to appoint a senior employee on a higher pay point within the relevant pay range would be made by the Appointments Committee. In the case of one Director, an additional recruitment and retention payment was agreed by the Chief Executive and the Chair of Employment Committee as a result of market conditions and the need to recruit to this key position.

### **Pay progression**

Pay progression within a specific grade is normally by annual increment, payable from 1 April, until the employee reaches the top pay point of their grade. However for employees at Director grade and above progression is dependent on annual performance ratings.

- Pay progression is based on the period of time the employee has served in that grade, subject to performance as evidenced by annual performance ratings.
- Senior employees who are considered to have demonstrated exceptional performance may receive accelerated incremental progression within the grade at the discretion of the Chief Executive or relevant Director or, in the case of the Chief Executive, at the discretion of the Leader of the Council.

### **Pay awards**

The salaries of senior employees are reviewed annually in line with any pay award agreed in the Joint National Councils (JNCs) for Chief Executives/Chief Officers, the National Joint Council (NJC) for Local Government Services, NHS or Soulbury conditions, as appropriate for the contracts of the senior managers. Periodic reassessments will benchmark the grades against market rates for similar roles in the region.

## **Bonuses**

The Council does not pay bonuses to any of its employees.

## **Local Government Pension Scheme (LGPS)**

The Council offers all its senior employees' access to the Local Government Pension Scheme, in accordance with the statutory provisions of the scheme, on exactly the same basis as all of its employees. Any pension payments made to its senior employees on termination of employment either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of ill health are made within the statutory terms of the LGPS.

- The employer's contribution rate for senior employees who join the scheme is the same as for all other employees, as set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**"
- The discretions which the Council is able to apply under the scheme upon termination of employment are the same for senior employees as for all other employees who are LGPS members and are set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**".

## **Payments on Termination of Employment**

Other than payments made under the LGPS, the Council's payments to managers whose employment is terminated on grounds of redundancy or in the interests of the efficiency of the service will be in accordance with the policy the Council has adopted for all its employees in relation to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**".

Other than payments pursuant to the LGPS (including the exercise of the Council's discretions) or payments in accordance with the Council's policies under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the Council's policy is not to make any other termination payments to its senior employees. The only exception to this, which is very rarely used, is where it has received specific legal advice to the effect that a payment is appropriate to settle proceedings in an Employment Tribunal or court of law, or may be required to eliminate risk of claims against the Council. Any severance payment of £100,000 or more which falls outside the agreed policy parameters will be referred to full Council for approval.

## **Election fees**

Election fees are paid separately. Returning Officer fees for national elections are set by central government. Local election fees are paid in accordance with a scale of fees which is based on national election rates and agreed locally.

## 1.6 RE-ENGAGEMENT OF ASSISTANT DIRECTORS

### **Re-engagement of Chief Executives, Executive Directors, Directors and Assistant Directors who have left Bracknell Forest Council with a severance or termination payment**

#### ***Re-engagement as employees***

(1) Subject to any relevant provisions in employment and equalities legislation, the Council's policy is not to re-employ *in any capacity* any former Chief Executive, Executive Director, Director or Assistant Director who was in receipt of a severance or termination payment for any reason other than compulsory redundancy, for a period of three years from the date of termination of employment.

(2) Where a Chief Executive, Executive Director, Director or Assistant Director's employment has been terminated compulsorily on grounds of redundancy, they will not be re-employed *in the same or a similar post* for a period of three years following the date of termination of employment. If they are re-employed in another post within four weeks after the effective date of redundancy, they will lose their right to a redundancy payment, including any enhancements under the provisions of the LGPS or the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. Any re-employment will be subject to the Council following the strict application of the normal process of competitive selection for employment. (In addition, new legislation is expected which will introduce an obligation for someone earning over £80,000pa to repay some or all of their severance payment if they return to work anywhere in the public sector within 12 months. Once the regulations are finalised a separate report will be made to Employment Committee giving full details. It is not yet clear when the new regulations will take effect but it is anticipated they will be in force during 2018-19.

(3) Any former Chief Executive, Executive Director, Director or Assistant Director who is employed by the Council who has previously received a severance, termination or redundancy payment from this or any other Council or related body will not have previous service counted when determining any further entitlements to notice periods, sickness payments, annual leave or other benefits/entitlements based on continuous service.

#### ***Re-engagement under a contract for services***

The Council's policy is not to re-engage under a contract for services any former Chief Executive, Executive Director, Director or Assistant Director who left the Council for any reason and was in receipt of a redundancy, severance or termination payment, for a period of three years from the cessation of employment.

#### ***Policy variation***

This re-engagement policy may be varied only in exceptional circumstances and then subject to the agreement of the Employment Committee.

### **Employment of those in receipt of an LGPS pension**

#### ***General:***

Policy is set out in Section 4 **POLICIES COMMON TO ALL EMPLOYEES.**

**Flexible retirement:**

The LGPS regulations permit the Council to offer flexible retirement to employees (including Chief Executive, Executive Directors, Directors and Assistant Directors) aged 55 or over, so that they can reduce their hours of work, and receive a pension in respect of the proportion of full-time hours they are no longer required to work. This policy is set out in Section 4 **POLICIES COMMON TO ALL EMPLOYEES.**

**1.7 PUBLICATION OF DETAILS OF EMPLOYEE REMUNERATION**

In accordance with 39 (5) of the Localism Act, this policy will be published on the Council's website.

The Council is also required to publish information about the remuneration of senior officers under The Accounts and Audit (Amendment No. 2) (England) Regulations 2009, and the Local Government Transparency Code 2014.

For ease of reference, remuneration data for posts identified under these Regulations is set out below, individual annual salaries can be found on the Council's website.

The table below indicates the grades at 1 April 2018.

Chief Executive	£162,000 - £176,625
Executive Director - People	£135,000 - £157,000
Executive Director - Delivery	£113,000 - £131,000
Director of Finance	£96,000 - £109,000
Director: OD, Transformation & HR	£96,000 - £109,000
Director: Place, Planning and Regeneration	£96,000 - £109,000
Director of Public Health	£88,000 - £103,000
Asst Director: Adult Social Care	£88,000 - £103,000
Asst Director: Children's Social Care	£88,000 - £103,000
Asst Director: Early Help & Housing	£88,000 - £103,000
Asst Director: Education and Learning	£88,000 - £103,000
Asst Director: Commissioning	£88,000 - £103,000
Borough Solicitor	£88,000 - £103,000
Asst Director: Contract Services	£88,000 - £103,000
Asst Director: Property	£82,000 - £87,000
Asst Director: ICT	£82,000 - £87,000
Asst Director: Customer Experience	£76,000 - £82,000

Figures as at 1 April 2018 and are inclusive of local weighting/supplements and/or market premia where payable. Teaching staff not included.

**SECTION 2: REMUNERATION OF LOWEST PAID EMPLOYEES**

This section sets out the Council's policies in relation to the remuneration of its lowest-paid employees, as defined in this Pay Policy Statement.

## **2.1 ORGANISATIONAL CONTEXT**

The Council considers it is important that its policy with regard to the remuneration of its lowest paid employees is seen within the broader organisational context, in particular the range and diversity of services for which it is responsible, either directly or indirectly, the number of residents within the local community, the level of its financial responsibilities and the numbers of staff directly employed.

## **2.2 OVERALL REMUNERATION POLICY: LOWEST PAID EMPLOYEES**

### **Aims, Objectives and Key Principles**

The Council aims to develop, implement and maintain fair and equitable remuneration arrangements which enable it to recruit, retain, motivate and develop staff with the skills and capabilities necessary to ensure the continued provision of high quality services and which are cost effective and provide value for money.

The Council's remuneration policy complies with all equal pay, discrimination and other relevant employment legislation.

When setting pay levels for specific posts the Council takes account of both internal differentials, as measured by job evaluation, and external relativities, as measured against the relevant employment market. The Council aims to ensure its pay rates for specific posts are set at a level which enables it to recruit and retain staff with the appropriate knowledge, skills and capabilities necessary for the particular role.

## **2.3 DEFINITION OF LOWEST PAID EMPLOYEES**

The definition of the "lowest-paid employees" adopted by the Council for the purposes of this statement is as follows:

The lowest paid employees within the Council paid on the Council's lowest hourly pay rate.

The current annual full-time equivalent value of this pay level, based on a 37 hour standard working week and including local weighting, is £16,987.

## **2.4 REMUNERATION OF LOWEST PAID EMPLOYEES**

### **Pay structure**

The Council's lowest paid employees are on a grade range derived from the national pay spine, as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service. This grade range consists of a number of incremental salary points through which employees may progress until the top of the grade is reached.

### **Pay Progression**

Pay progression is normally by annual increment, payable from 1 April.

Pay progression is based on the period of time the employee has served in that grade, subject to satisfactory performance. Directors may accelerate incremental progression within the grade for employees who are considered to have demonstrated exceptional performance.

## **Annual Pay Review**

The basic pay of the Council's lowest paid employees is reviewed annually at a national level, with any cost-of-living, or other, increase normally applied on 1 April in each year.

Any increase will normally be applied in accordance with that agreed by the National Joint Council for Local Government Services.

## **Pension Provision**

The Council's lowest paid employees may participate in the Local Government Pension Scheme in accordance with the statutory terms of that scheme.

Contributions are made to this scheme in respect of each participating employee as set out in Section 4, **Policies Common to all Employees**.

Any increases in or enhancements to the pension entitlement of the Council's lowest paid employees would be made in accordance with the discretions available to it under the statutory provisions of the Local Government Pension Scheme, as exercised by the Council and set out in the relevant policy statement (see Section 4 of this Pay Policy Statement, **Policies Common to all Employees**).

## **Termination or Severance Payments**

Any termination or severance payments made by the Council to its lowest paid employees, either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of permanent ill-health, will be made in accordance with the statutory terms of the Local Government Pension Scheme, as applicable, and/or in accordance with the discretions available to it under that Scheme or under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as set out in the relevant policy statement (see Section 4 of this Pay Policy Statement, **Policies Common to all Employees**).

Other than payments pursuant to the LGPS (including the exercise of the Council's discretions) or payments in accordance with the Council's policies under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the Council's policy is not to make any other termination or severance payments to its lowest paid employees, other than where it has received specific legal advice to the effect that a payment may be necessary to eliminate risk of claims against the Council.

## **Other elements of remuneration**

The other elements of remuneration which it is the Council's policy to offer to its lowest paid employees (where applicable) are listed below and are as set out in section 4, "Policies common to all employees":

### ***Recruitment/retention payments***

### ***Reimbursement of removal/relocation costs/mortgage subsidy on appointment***

***Geographical/location allowance (local weighting)***

***Car allowances/mileage rates***

***Payment of professional subscriptions or membership fees***

***Subsistence or other expenses allowance***

***Provision of mobile telephones/personal devices***

***Honorarium/acting up/additional responsibility payments***

***Payment for reduced leave entitlement***

***Discounted loans***

In addition, the Council's lowest paid employees may have access to the following payments where their patterns of work make them appropriate:

***Working arrangements***

Employees on national conditions, who are required to work beyond the Council's normal full-time equivalent working week of 37 hours and/or work other non-standard working patterns, as listed below, will receive payment in accordance with the provisions of the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service for:

- Additional hours
- Saturday and Sunday working
- Night work
- Public and Extra Statutory holidays
- Sleeping-in duty

***Standby and/or call-out payments***

Employees who are required to be on standby at times which are outside their normal working week and/or who may be called-out to attend to an issue at the Council's premises or other location may receive an additional payment in accordance with the provisions of the relevant Council policy.

**2.5 OTHER TERMS AND CONDITIONS**

The other terms and conditions which apply to the Council's lowest paid employees are as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service, as amended and/or supplemented by any local agreements which may apply.

**2.6 REMUNERATION OF EMPLOYEES WHO ARE PAID MORE THAN THE LOWEST PAID EMPLOYEES BUT WHO ARE NOT ASSISTANT DIRECTORS**

The Council's policy and practice with regard to the remuneration of employees who are paid more than its lowest paid employees but who are not Assistant Directors is

the same as that which applies to its lowest paid employees, other than where any differences are indicated in this policy statement. Some specific groups of employees are paid on nationally determined Soulbury Conditions or Youth and Community Conditions.

## **2.7 EMPLOYEES WHO ARE PAID LESS THAN THE COUNCIL'S LOWEST PAID EMPLOYEES, AS DEFINED IN THIS PAY POLICY STATEMENT**

The following categories of employees *may* be paid less than the Council's lowest paid employees, as defined in this Pay Policy Statement:

- Apprentices
- Casual workers

The Council may apply a lower pay rate and/or different remuneration arrangements to these categories of employees, which reflects the particular nature and/or duration/frequency of their employment.

### SECTION 3: PAY RELATIONSHIPS

This section sets out the Council's overall approach to ensuring pay levels are fairly and appropriately dispersed across the organisation, including the current pay multiples which apply, and its policy toward maintaining acceptable pay multiples in the future.

The Council believes that the principle of fair pay is important to the provision of high quality and well-managed services and is committed to ensuring fairness and equity in its remuneration practices. The Council's pay policies, processes and procedures are designed to ensure that pay levels are appropriately aligned with and properly reflect the relative demands and responsibilities of each post and the knowledge, skills and capabilities necessary to ensure they are undertaken to the required standard, as well as taking account of relevant market considerations. This includes ensuring that there is an appropriate relationship between the pay levels of its senior officers, as defined in this Pay Policy Statement, and of all other employees.

The Council has adopted a number of policies and practices to ensure fairness in the overall pay relativities within the Authority. These include:

- Using an analytical job evaluation scheme to determine the grading of all posts below Assistant Director level
- Jobs at Assistant Director level and above are also subject to measurement using a separate job evaluation scheme
- Applying a clear and objective methodology for evaluating all new and changed jobs to ensure they are properly graded and that pay levels properly reflect their level of responsibility
- Establishing a defined procedure for employees who wish to request a review of their job grade or who wish to appeal against their grading outcome
- Providing for additional payments and allowances, with clearly defined eligibility criteria, to recognise and reward any working arrangements or requirements not reflected in basic pay levels
- Undertaking corporate monitoring of the application of pay progression arrangements to ensure these are applied and operated on a fair and consistent basis across the organisation
- Reviewing the roles and responsibilities of individual posts on a regular basis, for example, as part of the annual appraisal process, when a vacancy arises, as part of any organisational restructuring
- Undertaking an equal pay audit at intervals, investigating and addressing the outcomes, as appropriate

Under the provisions of the Code of Recommended Practice for Local Authorities on Data Transparency, issued by the Department for Communities and Local Government under Section 2 of the Local Government Planning and Land Act 1980, the Council is required to publish its "pay multiple", i.e. the ratio between the highest paid salary and median full time equivalent salary of the whole of the local authority's workforce. The current pay multiple, based on full time equivalent earnings in the financial year ending 31 March 2018 including base salary, overtime pay and any lump sum car allowances is 7. (Last year's multiple was 6.8).

The figures are not a direct comparison because of the number of hours actually worked; for example senior officers do not have a specific number of required work hours/week in their contract of employment and will often work more than the standard 37 hours used in non-senior contracts.

The median salary is the salary value at which 50% of the full time equivalent salaries which apply to the whole of the Council's workforce are below that salary value and 50% are above it. The lowest pay point in the overall salary range which has been used by the Council in calculating the median salary is that which applies to its lowest paid employees, as defined in section 2 of this Pay Policy Statement.

If the mean salary is used in the above calculations instead of the median, the pay multiple is 6.2. (Last year's multiple based on mean was 6.0).

The Council considers that the current pay multiple, as identified above, represents an appropriate, fair and equitable internal pay relationship between the highest salary and that which applies to the rest of the workforce and has adopted the following actions to ensure an acceptable level is maintained:

Periodic benchmarking against the market rate for the Chief Executive will continue to take place and changes such as job evaluation outcomes or outsourcing of functions may impact on the median payment levels; both of these may affect the pay multiple. However the multiple will be reviewed annually by means of this document to ensure it remains acceptable.

#### **SECTION 4: POLICIES COMMON TO ALL EMPLOYEES**

The following elements of remuneration are determined by corporate policies or arrangements which apply to all permanent employees of the Council (including its Chief Executive, Executive Directors, Directors and Chief Officers), regardless of their pay level, status or grading within the Council:

##### ***Contracts of Employment***

It is the Council's policy to engage all of its permanent employees on standard contracts of employment and to apply Pay As You Earn taxation arrangements to all remuneration under those contracts in accordance with HMRC rules.

##### ***Access to Local Government Pension Scheme***

The Council offers all its employees access to the Local Government Pension Scheme in accordance with the statutory provisions of the scheme (except where the Teachers' Pension Scheme applies). The employers' contribution rate for employees who join the scheme is currently 12.8% of salary for all employees. The employee contribution rate ranges from 5.5% to 12.5% dependent on salary. All employees, including casuals and those on very short term contracts, have a right to be in the scheme.

### ***Local Government Pension Scheme (LGPS) - discretions on termination of employment***

Any termination or severance payments made by the Council to all its employees, either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of permanent ill-health, will be made in accordance with the statutory terms of the Local Government Pension Scheme, as applicable, and/or in accordance with the discretions available to it under that Scheme.

The Council's policies on the exercise of these discretions under the LGPS are set out in the policies it has published under the requirements of the Local Government Pension Scheme Regulations. These are shown in Appendix A1.

### ***Payments on Termination of Employment***

Other than payments made under the LGPS, the Council's payments to any employee whose employment is terminated on grounds of redundancy or in the interests of the efficiency of the service will be in accordance with the policy the Council has adopted for all its employees in relation to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. This policy has been published in accordance with the requirements of Regulation 7 of these regulations and, in summary, is:

- Actual weekly pay is used in all redundancy calculations
- Those with immediate access to pension are paid in accordance with the statutory number of weeks' pay
- Those with no immediate access to pension are paid 1.75 times the statutory number of weeks' pay

New regulations are awaited on a proposed cap on severance payments which would limit any severance payment (including the capitalised cost of early pension release) to £95,000. The details, when known, will be the subject of a separate report to Employment Committee but so far, no implementation date has been announced.

### ***Employment of those in receipt of an LGPS pension***

Subject to the administering authority's policy, pension benefits built up under regulations in force prior to 1 April 2014 (i.e. final salary benefits) may be subject to abatement where an individual in receipt of such a pension is re-employed. However, the policy of the administering authority to the Berkshire Pension Fund is not to abate pensions in these circumstances.

The only occasion where a re-employed pensioner may suffer some abatement to their pension is where they have previously been awarded compensatory added years in accordance with regulations 16 or 19 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2000.

### ***Flexible retirement***

The LGPS regulations permit the Council to offer flexible retirement to employees aged 55 or over, so that they can reduce their hours of work, and draw a pension in respect of the proportion of full-time hours they are no longer required to work. The Council uses this discretion in the same way for all employees. The Council will consider requests for flexible retirement on a case by case basis. Approval will be sought through the Employment Committee for any flexible retirement where there is a cost to the Council, and all costs and business benefits will be made explicit before

any decision is taken on whether to grant flexible retirement. Where the flexible retirement is at no cost to the Council, it may be granted by a Director, taking into account the business benefits.

### ***Market Premia***

The job evaluation scheme does not recognise market pay rates when determining the grade for a job. If Directors identify market scarcity through difficulty with recruitment and/or a lack of success with advertising, they may discuss the need for a market premium with the Director: OD, Transformation and HR, who will, using pay surveys and research of the prevailing job market, suggest a level of supplement. The Employment Committee decide whether to authorise a market premia payment which is then periodically reviewed.

### ***Recruitment/retention payments***

Recruitment payments are a recruitment incentive which can be used for positions where there is a nation/regional/local shortage of qualified persons. They are used to induce an individual to take up employment within the Council and are in the form of a one-off lump sum. These are infrequently used and are repayable on a sliding scale if the individual leaves within 3 years of appointment.

Key staff retention payments may be given where it is important to retain the services of an employee to the end of a specific project. The period of tie in will not normally exceed three years and any lump sum payment will not be made if the employee leaves before the relevant date. Employees in some children's social work teams are currently in receipt of retention payments as part of a strategy to retain these key staff in a recruitment shortage area, whilst a wider review of children's social care is carried out.

### ***Geographical/location allowance (local weighting)***

The Council applies London and Fringe Area Allowances in accordance with the provisions of and rates agreed by the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service, or Soulbury or Youth and Community Conditions as appropriate. There are certain employees whose pay is determined locally who do not receive this type of allowance, and it is not payable to the Chief Executive, Directors or Assistant Directors.

### ***Reimbursement of removal/relocation costs on appointment***

The Relocation Scheme provides assistance to people moving house in order to take up an appointment with the Council. The scheme will not necessarily cover the full expenses of moving and is not intended to do so. The maximum amount payable under the relocation scheme is £8,000, plus mortgage subsidy where appropriate. The scheme does not apply to all advertised roles, only to those where there is less likelihood of recruiting suitable staff locally.

### ***Honorarium or ex gratia payments/acting up/additional responsibility allowances***

The Council pays honoraria or *ex gratia* payments to employees only in accordance with its corporate scheme for such payments, and all such payments are made only with the express approval of the relevant Director. Where employees are required to "act-up" into a higher-graded post or take on additional responsibilities beyond those of their substantive post for a temporary/time-limited period, they may receive an additional payment. Merit payments are similar to honoraria payments but are generally paid as a "one off" sum. They can be for a variety of reasons including examination success or for a particularly demanding or meritorious piece of work.

### ***Car provision – employees using their own cars on Council business***

The Council compensates:

- Employees who are required to use their own car on Council business paying an Essential Car User payment of £963pa plus mileage at below the HMRC rate; and
- Employees who are otherwise authorised to use their own car on Council business by paying a casual user mileage rate based on the HMRC rate.

### ***Payment of professional subscriptions or membership fees***

The Council will pay one professional subscription or membership fee on behalf of any employee where the subscription or membership is appropriate to the duties of the post.

### ***Subsistence or other expenses allowance***

The Council reimburses expenditure on meals and overnight accommodation and any other expenses necessarily incurred by employees on Council business, in line with the Council's Expenses policy.

### ***Car loans***

All employees have access to loans at a favourable rate of interest for the purchase of cars/bicycles or the purchase of season tickets for travel. The current car loan rate is 2.5%. There is no subsidy for these loans.

### ***Flexible benefits***

The Council offers a range of flexible benefits which enable employees to elect to buy certain benefits from their salary. The only part of the range which enables employees to increase their pay is a flexible leave scheme whereby employees are able to "buy and sell" annual leave within certain parameters. Under this scheme, employees may be able to receive a day's additional pay for each day of leave they "sell" to the Council and agree to work. Assistant Directors and above may not participate in this scheme, although they may elect to buy other flexible benefits in the range. The maximum number of days that can be sold is 5 (pro rata for those working less than 5 days per week.)

### ***Provision of mobile telephones and personal devices***

Chief Executive, Directors and Assistant Directors are issued with mobile phones to be more effective and are required to be on an emergency duty list, other staff are issued phones in accordance with their workstyle in order to be more effective. Usually this means that Free workers will be issued with a mobile phone. The council funds the phone and business calls.

All employees working flexibly are issued with a softphone and a business case needs to be made if a mobile phone/device is required in addition to this.

## **SECTION 5: CONTRACTORS AND OTHER ORGANISATIONS WORKING FOR THE COUNCIL**

There may be occasions where the Council procures, commissions or contracts-out one or more of the services for which it is responsible. This section sets out the Council's approach to and policies on the pay policies of contractors, partners and other organisations who may undertake work for, or on behalf of, the Council.

The terms and conditions of employment by contractors of their workers are non-commercial matters, so we are required to procure without reference to them (S17 (1) and (5) LGA 1988).

Where any of the Council's services are contracted-out or re-tendered or where a previously outsourced service returns to the Council, any matters relating to the remuneration of the transferred employees will be managed, as appropriate, in accordance with the relevant provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014.

Any payments to agency workers who may undertake work for the Council will be made in accordance with the terms and conditions of the contract between the Council and the relevant agency provider, having due regard to the relevant provisions of the Agency Workers Regulations 2010 and any other relevant employment legislation.

## **SECTION 6: DECISION MAKING ON PAY**

The Council recognises the importance of ensuring openness, transparency and high standards of corporate governance, with clear lines of accountability, in its pay decision-making processes and procedures. Any pay-related decisions must be capable of public scrutiny, be able to demonstrate proper and appropriate use of public funds and ensure value for money. The arrangements adopted by the Council are designed to reflect these requirements, as well as ensuring compliance with all relevant legislation and other statutory regulation.

The Council has agreed that the following roles and responsibilities with regard to decision-making in remuneration matters will apply within the Authority as follows:

**Full Council:** consideration and approval of the annual Pay Policy Statement, as required under the Localism Act 2011. Approval of both the senior salary pay structure, within which senior appointments are made, and the severance policy, within which severance payments are made. Approval of any salary or severance payment over £100,000 which is not consistent with these policies.

**Employment Committee:** responsible for decisions relating to changes to terms and conditions of employment other than those dictated by employment law/statute, including scrutiny of this statement.

The provisions of this Pay Policy Statement will apply to any determination made by the Council in the relevant financial year in relation to the remuneration or other terms and conditions of senior officers of the Authority and of its lowest paid employees, as defined in this statement, and other employees who are paid more than the lowest paid employees but who are not senior officers.

The Council will ensure that the provisions of this Pay Policy Statement are properly applied and fully complied with in making any such determination.

This Pay Policy Statement has been approved by full Council.

The full Council will approve the appointment or dismissal of the Chief Executive (Head of Paid Service) following the recommendation of such an appointment by a Committee or Sub-Committee of the Council, which will include at least one Member of the Executive. Council will resolve that the post is remunerated in accordance with the Senior Salary Pay Structure.

For Director posts, unless otherwise directed by the Council, a Committee or Sub-Committee of the Council, the Council will appoint. The Committee or Sub-Committee will include at least one Member of the Executive. Council will resolve that the post is remunerated in accordance with the Senior Salary Pay Structure.

For Assistant Director posts, the Chief Executive or his nominated representative, with the relevant Executive Member or members and the Leader of the Council, may determine whether any appointment to an Assistant Director post is to be made exclusively from the Council's existing officers. Where the Chief Executive or his or her nominated representative, determines that it is to be made from existing Officers, the appointment may be made by the Chief Executive or his/her representative. Where a recruitment process is undertaken involving external candidates, a Committee or Sub-Committee will be appointed to interview the shortlisted candidates and make the final appointment. That Committee or Sub Committee will include at least one member of the Executive.

The above arrangements ensure that the Council meets the requirement of the Localism Act that any proposal to offer a new appointment on terms and conditions which include a total remuneration package of £100,000 or more, including salary, bonuses, fees or allowances which would routinely be payable to the appointee and any benefits in kind to which the officer would be entitled as a result of their employment (but excluding employer's pension contributions), will be referred to the full Council for approval before any confirmed offer is made to a particular candidate, if they fall outside the scope of the agreed senior salary pay scales.

## **SECTION 7: AMENDMENTS TO THIS PAY POLICY STATEMENT**

This Pay Policy Statement relates to policy for the financial year 2019/20.

The Council may agree any amendments to this Pay Policy Statement during the financial year to which it relates in accordance with the decision-making arrangements set out in the introduction to this document.

## **SECTION 8: PUBLICATION OF AND ACCESS TO INFORMATION**

The Council will publish this Pay Policy Statement on its website as soon as is reasonably practicable after it has been approved by the Council. Any subsequent amendments to this Pay Policy Statement made during the financial year to which it relates will also be similarly published.

The information advised to be published by the Council in accordance with the requirements of the Local Government Transparency Code 2014 and in accordance with the requirements of the Accounts and Audit (Amendment No. 2) (England) Regulations 2009, as referred to in this Pay Policy Statement, is also available on its website.

The Council's policies in relation to the exercise of discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and under the Local Government Pension Scheme Regulations 2013, are set out in this policy statement.

For further information about this Pay Policy Statement, please contact the Council as follows:

Director: OD, Transformation and HR  
[nikki.gibbons@bracknell-forest.gov.uk](mailto:nikki.gibbons@bracknell-forest.gov.uk)  
Telephone: 01344 352049.

**EMPLOYER DISCRETIONS****PART A – Formulation of COMPULSORY policy in accordance with Regulation 60 of the****Local Government Pension Scheme Regulations 2013**

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**Regulation 16 – Additional Pension Contributions**

The Scheme employer may resolve to fund in whole or in part any arrangement entered into by an active scheme member to pay additional pension contributions by way of regular contributions in accordance with **Regulation 16(2)(e)**, or by way of a lump sum in accordance with **Regulation 16(4)(d)**.

The Scheme employer may enter into an APC contract with a Scheme member who is contributing to the MAIN section of the Scheme in order to purchase additional pension of not more than the additional pension limit (£6,500 from 1<sup>st</sup> April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

The amount of additional contribution to be paid is determined by reference to actuarial guidance issued by the Secretary of State.

Consideration needs to be given to the circumstances under which the Scheme employer may wish to use their discretion to fund in whole or in part an employee's Additional Pension Contributions.

**Scheme Employer's policy concerning the whole or part funding of an active member's additional pension contributions**

**The Employing Authority has resolved not to adopt this discretion**

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**Regulation 30(6) – Flexible Retirement**

An active member who has attained the age of 55 or over and who with the agreement of their employer reduces their working hours or grade of employment may, with the further consent of their employer, elect to receive immediate payment of all or part of the retirement pension to which they would be entitled in respect of that employment as if that member were no longer an employee in local government service on the date of the reduction in hours or grade (*adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State – separate policy required under Regulation 30(8)*).

As part of the policy making decision the Scheme employer must consider whether, in addition to the benefits the member may have accrued prior to 1 April 2008 (which the member must draw), to permit the member to choose to draw all, part or none of the pension benefits they built up after 31 March 2008 and before 1 April 2014 and all, part or none of the pension benefits they built up after 1 April 2014.

Due consideration must be given to the financial implications of allowing an employee to draw all or part of their pension benefits earlier than their normal retirement age.

**Scheme Employer's policy concerning flexible retirement**

**The Employing Authority will consider requests for flexible retirement on a case by case basis. Approval will be sought through the Employment Committee where all costs and benefits will be explicit; requests which carry no costs to the Employing Authority will be dealt with by officers and reported back to the Committee.**

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### **Regulation 30(8) – Waiving of Actuarial Reduction**

Where a Scheme employer's policy under regulation 30(6) (flexible retirement) is to consent to the immediate release of benefits in respect of an active member who is aged 55 or over, those benefits must be adjusted by an amount shown as appropriate in actuarial guidance issued by the Secretary of State (commonly referred to as actuarial reduction or early payment reduction).

A Scheme employer (or former employer as the case may be) may agree to waive in whole or in part and at their own cost, any actuarial reduction that may be required by the Scheme Regulations.

Due consideration must be given to the financial implications of agreeing to waive in whole or in part any actuarial reduction.

#### **Scheme Employer's policy concerning the waiving of actuarial reduction**

**The Employing Authority has resolved to examine such issues on a case by case basis.**

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### **Regulation 31 – Award of Additional Pension**

A Scheme employer may resolve to award

- (a) an active member, or
- (b) a member who was an active member but dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on grounds of business efficiency,

additional annual pension of, in total (including any additional pension purchased by the Scheme employer under Regulation 16), not more than the additional pension limit (£6,500 from 1<sup>st</sup> April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

Any additional pension awarded is payable from the same date as any pension payable under other provisions of the Scheme Regulations from the account to which the additional pension is attached.

In the case of a member falling within sub-paragraph (b) above, the resolution to award additional pension must be made within 6 months of the date that the member's employment ended.

#### **Scheme Employer's policy concerning the award of additional pension**

**The Employing Authority resolves to use the scheme for awarding additional pension in cases of redundancy, efficiency of the service and severance, only in exceptional circumstances.**

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## **Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014**

### **Schedule 2 – paragraphs 2 and 3**

Where a scheme member retires or leaves employment and elects to draw their benefits at or after the age of 55 and before the age of 60 those benefits will be actuarially reduced unless their Scheme employer agrees to meet the full or part cost of those reductions as a result of the member otherwise being protected under the 85 year rule as set out in previous Regulations.

So as to avoid the member suffering the full reduction to their benefits the Scheme employer can 'switch on' the 85 year rule protections thereby allowing the member to receive fully or partly unreduced benefits but subject to the Scheme employer paying a strain (capital) cost to the Pension Fund

#### **Scheme Employer's policy concerning the 'switching on of the 85 year rule**

**The Employing Authority resolves not to adopt this discretion.**

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## **PART B – Formulation of RECOMMENDED policy in accordance with the**

### **Local Government Pension Scheme Regulations 2013**

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#### **Regulation 9(1) & (3) – Contributions**

Where an active member changes employment or there is a material change which affects the member's pensionable pay during the course of a financial year, the Scheme employer may determine that a contribution rate from a different band (as set out in Regulation 9(2)) should be applied.

Where the Scheme employer makes such a determination it shall inform the member of the revised contribution rate and the date from which it is to be applied.

#### **Scheme Employer's policy concerning the re-determination of active members' contribution bandings at any date other than 1<sup>st</sup> April**

**The Employing Authority has resolved to make changes to employee contribution rates throughout the year from the effective date of any change in employment or material change to the rate of pensionable pay received.**

---

### **Regulation 17(1) – Additional Voluntary Contributions**

An active member may enter into arrangements to pay additional voluntary contributions (AVCs) or to contribute to a shared cost additional voluntary contribution arrangement (SCAVCs) in respect of an employment. The arrangement must be a scheme established between the appropriate administering authority and a body approved for the purposes of the Finance Act 2004, registered in accordance with that Act and administered in accordance with the Pensions Act 2004.

The Scheme employer needs to determine whether or not it will make contributions to such an arrangement on behalf of its active members.

#### **Scheme Employer’s policy concerning payment of Shared Cost Additional Voluntary Contributions**

**The Employing Authority has resolved not to adopt this discretion**

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### **Regulation 22 – Merging of Deferred Member Pension Accounts with Active Member Pension Accounts**

A deferred member’s pension account is automatically aggregated with their active member’s pension account unless the member elects within the first 12 months of the new active member’s pension account being opened to retain their deferred member’s pension account.

A Scheme employer can, at their discretion, extend the 12 month election period.

#### **Scheme Employer’s policy concerning merging of Deferred Member Pension Accounts with Active Member Pension Accounts**

**The Employing Authority has resolved not to extend the 12 month election period**

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### **Regulation 100(6) – Inward Transfers of Pension Rights**

A request from an active member to transfer former pension rights from a previous arrangement into the Local Government Pension Scheme as a result of their employment with a Scheme employer must be made in writing to the administering authority and the Scheme employer before the expiry of the period of 12 months beginning with the date on which the employee first became an active member in an employment (or such longer period as the Scheme employer and administering authority may allow).

#### **Scheme Employer’s policy concerning the extension of the 12 month transfer application period**

**The Employing Authority has resolved to examine such issues on a case by case basis**

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### **Regulation 21(5) – Assumed Pensionable Pay**

A Scheme employer needs to determine whether or not to include in the calculation of assumed pensionable pay, any ‘regular lump sum payment’ received by a Scheme member in the 12 months preceding the date that gave rise to the need for an assumed pensionable pay figure to be calculated.

#### **Scheme Employer’s policy concerning inclusion of ‘regular lump sum payments’ in assumed pensionable pay calculations**

**The Employing Authority has resolved that “Regular lump sum payments” will always be included in the calculation of assumed pensionable pay**

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### **Regulation 74 – Applications for Adjudication of Disagreements** *(see guidance note 9 in employer’s guide)*

Each Scheme employer must appoint a person (“the adjudicator”) to consider applications from any person whose rights or liabilities under the Scheme are affected by:

- (a) a decision under regulation 72 (first instance decisions); or
- (b) any other act or omission by a Scheme employer or administering authority,

and to make a decision on such applications.

Responsibility for determinations under this first stage of the Internal Disputes Resolution Procedure (IDRP) rests with “the adjudicator” as named below by the Scheme employer:

Name: Nikki Gibbons  
Job Title: Chief Officer: HR  
Full Address: Time Square, Market Street, Bracknell  
Post Code: RG12 1JD  
Tel No: 01344 352062

Adjudicator’s Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Or alternatively:

Name: Stuart McKellar  
Job Title: Borough Treasurer  
Full Address: Time Square, Market Street, Bracknell  
Post Code: RG12 1JD  
Tel No: 01344 355605

Adjudicator’s Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **APPENDIX B1 – EMPLOYER DISCRETIONS: INJURY ALLOWANCE**

### **Formulation of COMPULSORY policy in accordance with Regulation 14 of the**

### **Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011**

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#### **Regulation 3 - Reduction in remuneration**

Whilst an employee is receiving reduced pay as a direct result of an injury or disease contracted in the course of carrying out their employment, a relevant employer may consider paying the employee an allowance while the reduction in pay continues.

The relevant employer shall from time to time determine whether the employee should be entitled to continue to receive the allowance.

Any allowance payable must be paid directly by the relevant employer and, when added to the value of the reduced pay being received by the employee, must not be of a value that means the employee receives total pay in excess of the pay that they would normally expect to have received but for their injury or disease.

#### **Employer's policy concerning the award of an allowance due to reduction in remuneration**

**The Employing Authority has resolved to examine such issues on a case by case basis in line with its existing Standing Orders.**

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#### **Regulation 4 – Loss of employment through permanent incapacity**

Where an employee ceases employment due to permanent incapacity as a direct result of injury or disease contracted in the course of carrying out their employment, a relevant employer may consider paying the employee an allowance not exceeding 85 per cent of the employee's annual rate of remuneration at the point the employment ceased.

The relevant employer shall from time to time determine whether the employee should be entitled to continue to receive the allowance.

Any allowance payable must be paid directly by the relevant employer and, where the employee was receiving no pay or reduced pay at the time the employment ended because of absence, the employer must assess the remuneration on the basis of the pay the employee would have received but for being absent.

The relevant employer may suspend or discontinue the allowance if the (former) employee secures gainful employment (paid employment for not less than 30 hours in each week for a period of not less than 12 months).

#### **Employer's policy concerning the award of an allowance due to loss of employment**

**The Employing Authority resolves not to adopt this discretion.**

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**TO: COUNCIL  
28 NOVEMBER 2018**

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## **ESTABLISHMENT OF AN APPOINTMENT COMMITTEE (Chief Executive)**

### **1 PURPOSE OF DECISION**

- 1.1 Following the recent Council reorganisation and the resulting changes in senior leadership the Council appointed a Committee to appoint an Executive Director: Delivery at its meeting on 11 July 2018. Veredus Recruitment consultants were commissioned to support the Council in the recruitment exercise and the committee will meet on Thursday 13 December to interview selected candidates.
- 1.2 Throughout the late summer and autumn three other senior vacancies arose, all in the new People Directorate. These posts were included in the recruitment consultant brief so Veredus were also asked to assist in recruiting to these three Assistant Director posts – responsible for Children’s Social Care Operations, Adult Social Care Operations and Early Help and Communities. The roles have been temporarily filled through internal recruitment.
- 1.3 The Officer Employment Procedure Rules (Part 4, Section 12 of the Council’s Constitution) are relevant to such appointments and this report invites the Council to establish Appointment Committees for each of the posts.

### **2 RECOMMENDATIONS**

- 2.1 **That Committees of the Council of five members (4:1), including at least one Member of the Executive (plus up to five substitute members to cover all three committees) be appointed, with the following terms of reference:**

**To interview and appoint on behalf of the Council to the posts of:**

- i) **Assistant Director: Children’s Social Care Operations**
- ii) **Assistant Director: Adult Social Care Operations**
- iii) **Assistant Director: Early Help and Communities**

- 2.2 **That nominated Members are appointed in accordance with political group wishes.**
- 2.3 **That five substitute Members are appointed in accordance with political group wishes.**

### **3 REASONS FOR RECOMMENDATIONS**

- 3.1 To ensure that the appointment process is in accordance with the Council’s Constitution.

### **4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 Not applicable.

## **5 SUPPORTING INFORMATION**

### **Appointment Committee**

5.1 There are three positions within the People's Directorate that have been temporarily filled through interim internal recruitment arrangements but which need to be filled through permanent recruitment. These positions were all vacant as a result of turnover at this senior officer level within the department. They are:

- i) Assistant Director: Children's Social Care Operations
- ii) Assistant Director: Adult Social Care Operations
- iii) Assistant Director: Early Help and Communities

5.2 The Member Appointment Panels are proposed to be held over three days as follows:

Tuesday 4 December

- Assistant Director: Adult Social Care Operations (am)

Monday 10 December

- Assistant Director: Early Help and Communities (am)
- Assistant Director: Children's Social Care Operations (pm)

5.3 The Council's Officer Employment Procedure Rules, which form Part 4, Section 12 of the Constitution, deal with the arrangements for the appointment of officers at director and assistant director level. Those rules dictate that, if it is proposed that an appointment to a post at this level is not made exclusively from within the Council's existing staff, it must be advertised externally. Veredus were appointed to support the Council in this process and advertisements were placed in a range of national media in October.

5.4 It is proposed that each Committee should comprise five Members and in order to reflect the political balance on the Council four of these Members should be drawn from the Conservative Group and the fifth seat should be taken by the Labour councillor, Councillor Mrs Temperton. In addition the Officer Employment Procedure Rules require that where a committee is to be established for the purposes of making an appointment it should include at least one Member of the Executive.

Whilst it is a matter for political groups to make nominations, in this instance it would be appropriate for the Executive Member for Children and the Executive Member for Adults to sit on the Panels that relate to their area of responsibility. It is also appropriate for the Chairman of the Employment Committee to sit on the Committees. Nominations have been sought from the Conservative Group and will be tabled at the Council meeting.

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Treasurer

6.1 There are no financial implications arising from the establishment of the Appointment Committee.

### Borough Solicitor

- 6.2 The Appointment Committee process accords with the Council's constitution particularly section 12 part 4.

Equalities Impact Assessment

- 6.3 The recruitment process will be conducted in accordance with the Council's employment policies.

Strategic Risk Management

- 6.4 Not to recruit to the post would expose the Council to risk as the functions identified could not be carried out effectively.

**7 CONSULTATION**

Principal Groups Consulted

- 7.1 Corporate Management Team, Group Leaders regarding composition of the Committee.

Method of Consultation

- 7.2 Discussion and email.

Representations Received

- 7.3 Not applicable

Background Papers

None

Contact for further information

Timothy Wheadon, Chief Executive - 01344 355601  
[timothy.wheadon@bracknell-forest.gov.uk](mailto:timothy.wheadon@bracknell-forest.gov.uk)

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To: **Council**  
**28 November 2018**

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## **SCHEDULE OF MEETINGS 2019/20** **Executive Director: Delivery**

### **1 Purpose of the Report**

1.1 To seek approval to the proposed Schedule of Meetings 2019/20.

### **2 Recommendation**

2.1 **That the schedule of meetings 2019/20 as set out in the annex to this report be approved.**

### **3 Reasons for the Recommendation**

3.1 To enable arrangements for the next municipal year's meetings to be put in place and assist members plan their diaries for the year ahead.

### **4 Alternative Options Considered**

4.1 The timetable has been designed, as far as possible, to ensure that the schedule provides for meetings when decisions are required so that all matters are dealt with on a timely basis. Adjustments could be made to the timetable but adjusting one meeting date is likely to have an impact on a number of others given the inter-relationship between meetings and the limited number of dates available throughout the year.

### **5 Supporting Information**

5.1 The timetable has been drawn up having regard to the usual limitations:

- Avoiding meetings during the school holidays as far as possible.
- Leaving a gap of at least 8 days between meetings of the Executive and Council to allow time for the Executive report (and any recommendations) to be published either with the Council agenda or the next day.
- Avoiding 7.30 meetings on Fridays.
- Scheduling each committee's meetings on the same day of the week throughout the year, as far as possible.
- Avoiding a gap of more than 5 weeks between meetings of the Planning Committee.

5.2 If the schedule is agreed, it is hoped that members will only seek to change these dates in exceptional circumstances as to do so inevitably causes problems for some

people. With a significant number of twin-hatted members, concerns have been expressed about clashes with parish and town council meetings. By setting the dates for this Council's meetings now, the parish and town councils have the opportunity to plan around our meetings. It is therefore all the more important to avoid in-year changes unless absolutely necessary so that potential clashes can be avoided.

- 5.3 Council is accordingly invited to approve the schedule set out in the annex to this report.

## **6 Advice Received from Statutory and other Officers**

### Borough Solicitor

- 6.1 Not sought.

### Borough Treasurer

- 6.2 Not sought.

### Equalities Impact Assessment

- 6.3 Not applicable.

### Strategic Risk Management Issues

- 6.4 Not applicable.

## **7 Consultation**

### Principal Groups Consulted

- 7.1 Corporate Management Team (CMT).

### Method of Consultation

- 7.2 A report on the proposed schedule was presented to CMT.

### Representations Received

- 7.3 CMT has endorsed the schedule of meetings as submitted.

### Background Papers

None

### Contact for further information

Derek Morgan, Democratic Services: 01344 352044

[derek.morgan@bracknell-forest.gov.uk](mailto:derek.morgan@bracknell-forest.gov.uk)

### SCHEDULE OF MEETINGS – 2019-20

	Day	Start Time	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	JAN 2020	FEB	MAR	APR	MAY
COUNCIL	Wed	7.30	22(A)		17		11		27		15	26		22	20
Portfolio Review Groups (Closed)	-	6.30/8.00		3/4	1/2		2/3 30	1 21/22	25/26		6/7 20/21	17/18	30/31		11/12
Executive Briefing (closed)	Tue/ Wed	5.00		5 (Wed)	9		10	8 23 (Wed)		3	14 22 (Wed)	25		1 (Wed)	19
EXECUTIVE	Tue	5.00		18	23		24	22	12	17	28	11	10	28	
Bracknell Town Centre Regeneration Committee	Mon	5.30		17			9			9			9		
School Improvement Accountability Board	Thu	5.00			11		26		28		30		26		
Corporate Parenting Advisory Panel	Fri	11.00		21			20			13			20		
OVERVIEW & SCRUTINY COMMISSION	Thu	7.30		27			19		21		23			2	
Adult Social Care, Health & Housing Overview & Scrutiny Panel	Tue	7.30		4	16		5		5		9 (Thu)		10		
Environment, Culture and Communities Overview & Scrutiny Panel	Tue	7.30		18			10				14		3		
Children, Young People and Learning Overview & Scrutiny Panel	Wed	7.30		12			25				8		18		
Planning Committee	Thu	7.30	23	20	18	15	12	10	14	12	16	13	19	23	21
Licensing & Safety Committee	Thu	7.30		6				24				6			
Employment Committee	Wed	7.30			10			16		11		12			
Education Employment Sub Local Joint Committee	Wed	5.30			10			16		11		12			
	Wed	4.00			10			16		11		12			
Appeals Committee	Mon	9.00 am		3	8		16	7	4	2	13		16		
Governance & Audit Committee	Wed	7.30		26	24		18				29		25		
Health & Wellbeing Board	Thu	2.00		13			12			5		27			
Bracknell Forest Access Group	Wed	7.30		19				9					4		
Parish & Town Councils' Liaison Group	Wed	7.30			3					4		5			

<b>Executive (Tuesdays 5pm)</b>	<b>Finance Portfolio Review Group (Mondays)</b>	<b>Environment Portfolio Review Group (Mondays)</b>	<b>Community Portfolio Review Group (Tuesdays)</b>	<b>Care Portfolio Review Group (Tuesdays)</b>	<b>Executive Briefing (Tuesdays)</b>
18 June 2019	3 June 2019	3 June 2019	4 June 2019	4 June 2019	5 June 2019
23 July 2019	1 July 2019	1 July 2019	2 July 2019	2 July 2019	9 July 2019
24 September 2019	2 September 2019	2 September 2019	3 September 2019	3 September 2019	10 September 2019
22 October 2019	30 September 2019	30 September 2019	1 October 2019	1 October 2019	8 October 2019
12 November 2019	21 October 2019	21 October 2019	22 October 2019	22 October 2019	23 October 2019
17 December 2019	25 November 2019	25 November 2019	26 November 2019	26 November 2019	3 December 2019
28 January 2020	6 January 2020	6 January 2020	7 January 2020	7 January 2020	14 January 2020
11 February 2020	20 January 2020	20 January 2020	21 January 2020	21 January 2020	22 January 2020
10 March 2020	17 February 2020	17 February 2020	18 February 2020	18 February 2020	25 February 2020
28 April 2020	30 March 2020	30 March 2020	31 March 2020	31 March 2020	7 April 2020
2 June 2020	11 May 202	11 May 2020	12 May 2020	12 May 2020	19 May 2020