



Public Document Pack
**FINANCE AND RESOURCES
OVERVIEW AND SCRUTINY
AGENDA**

Scrutiny making a positive difference: Member led and independent, Overview & Scrutiny Committees promote service improvements, influence policy development & hold Executive to account for the benefit of the Community of Dacorum.

TUESDAY 7 MARCH 2023 AT 7.30 PM

COUNCIL CHAMBER, THE FORUM

The Councillors listed below are requested to attend the above meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Membership

Councillor Chapman	Councillor Sinha
Councillor Guest	Councillor Townsend
Councillor Tindall	Councillor Claughton (Vice-Chairman)
Councillor Adeleke	Councillor Symington
Councillor Arslan	Councillor Douris (Chairman)
Councillor So Mahmood	Councillor Freedman
Councillor Su Mahmood	

For further information, please contact Corporate and Democratic Support on 01442 228209 or email member.support@dacorum.gov.uk

AGENDA

1. MINUTES (Pages 4 - 19)

To confirm the minutes from the previous meeting

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence

3. DECLARATIONS OF INTEREST

To receive any declarations of interest

A member with a disclosable pecuniary interest or a personal interest in a matter who attends a meeting of the authority at which the matter is considered -

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent

and, if the interest is a disclosable pecuniary interest, or a personal interest which is also prejudicial

- (ii) may not participate in any discussion or vote on the matter (and must withdraw to the public seating area) unless they have been granted a dispensation.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Members' Register of Interests, or is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal and prejudicial interests are defined in Part 2 of the Code of Conduct For Members

[If a member is in any doubt as to whether they have an interest which should be declared they should seek the advice of the Monitoring Officer before the start of the meeting]

4. PUBLIC PARTICIPATION

An opportunity for members of the public to make statements or ask questions in accordance with the rules as to public participation

5. CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL-IN

6. ACTION POINTS FROM THE PREVIOUS MEETING (Pages 20 - 21)

7. QUARTER 3 CORPORATE & COMMERCIAL PERFORMANCE REPORTS (Pages 22 - 56)

8. QUARTER 3 PEOPLE & TRANSFORMATION PERFORMANCE REPORT (Pages 57 - 62)

9. EMPLOYEE CODE OF CONDUCT (Pages 63 - 99)

10. WORK PROGRAMME (Pages 100 - 104)

11. EXCLUSION OF THE PUBLIC

That, under s.100A (4) of the Local Government Act 1972 Schedule 12A Part 1 as amended by the Local Government (Access to Information) (Variation) Order 2006 the public be excluded during the items in Part 2 of the Agenda for this meeting, because it is likely, in view of the nature of the business to be transacted, that, if members of the public were present during those items, there would be disclosure to them of exempt information relating to the financial and business affairs of the Council and third party companies/organisations and Information disclosed in this report is subject to legal professional privilege.

Local Government Act 1972, Schedule 12A, Part 1, paragraph 3, 5

- 12. COMMERCIAL PROGRAMME UPDATE (Pages 105 - 141)**
- 13. ELECTRIC VEHICLE CHARGE POINT UPDATE (Pages 142 - 149)**
- 14. GARAGES BUSINESS PLAN – PERFORMANCE UPDATE (Pages 150 - 172)**

Agenda Item 1

MINUTES

FINANCE & RESOURCES OVERVIEW AND SCRUTINY COMMITTEE

1 FEBRUARY 2023

Present:

Cllr Chapman	Cllr Townsend
Cllr Claughton	Cllr Suqlain Mahmood
Cllr Douris (Chairman)	Cllr Guest
Cllr Freedman	Cllr Symington
Cllr Tindall	

Officers:

Claire Hamilton (Chief Executive)
Catherine Silva Donayre (Strategic Director, Corporate and Commercial)
Nigel Howcutt (Chief Finance Officer)
Ben Hosier (Head of Commercial Development)
David Barrett (Assistant Director, Strategic Housing and Delivery)
Matt Rawdon (Assistant Director, People)
Hannah Peacock (PMO Team Leader)
Trudi Angel (Corporate and Democratic Support Officer)

Also in attendance:

Cllr Andrew Williams (Leader of the Council and Portfolio Holder for Commercial Strategy and Delivery)
Cllr Graeme Elliot (Portfolio Holder for Corporate Services)

Following a joint meeting of the OSC's where a presentation on the budget proposals for 2023/2024 was given, the Finance & Resources OSC meeting began at 8.50 pm.

1. MINUTES

The minutes of the Finance and Resources OSC meeting held on 6 December 2022 were approved as an accurate record and signed by the Chairman.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Adeleke.

3. DECLARATIONS OF INTEREST

Councillor Douris declared an interest as the company he owns rents two commercial garages from DBC.

4. PUBLIC PARTICIPATION

There was no public participation.

5. CONSIDERATION OF ANY MATTER REFERRED TO THE COMMITTEE IN RELATION TO CALL-IN

None.

6. ACTION POINTS FROM THE PREVIOUS MEETING

None.

7. DRAFT BUDGET PROPOSALS 2023-24

This item was presented collectively in the joint Budget OSC meeting by Nigel Howcutt, Chief Finance Officer. Following his presentation, he welcomed questions from the committees.

Councillor Guest referred to page 18 of the report regarding the repayment of £10m, noting that they are no longer paying interest of around £200k per year. Councillor Guest noted that they would be looking to repay further debt, where appropriate, and that the slides suggest a heavy financial penalty for the early repayment of public works loans. She asked if the Council would be saving money by repaying loans.

N Howcutt advises that there are typically penalties in repaying PWLB loans early, though on this occasion, the government wanted to reduce debt levels and offered to reduce the principal capital owed from £10m to £9.6m and not charge the interest that would be paid over the life of the loan. N Howcutt noted that this was a one-off opportunity, noting that it would not typically be cost effective to make an early repayment. When a repayment is made, the total cost of making the repayment is calculated against the cost of continuing with the loan. The process was approved by the Finance and Resources Portfolio Holder and Leader of the Council to ensure it was financially beneficial.

Councillor Mahmood commented on increasing business rates and asked if there was any action they could take to help local businesses.

N Howcutt advised that they are following government protocol in terms of what they charge, however they have an active Economic Recovery Team and Board, which many businesses sit on, and that they look at the support that businesses require. N Howcutt noted that businesses and smaller units have done well from business rates compared to larger industrial units and the filming sectors.

Councillor Symington commented on the PWLB and asked what the Council is missing out on investing in by repaying £10m of debt. N Howcutt advised that they have around

£100m in cash balances and that they can consider any investments that will at least bring in the cost of financing them. N Howcutt stated that they currently have enough internal cash to invest. When the loan was repaid, it was ensured that the full medium-term capital programme and investment strategy were full funded.

Councillor Symington referred to page 20 in the report, noting the employee costs and that in December, they anticipated growth of £5.1m in December, which has reduced to £2.7m. Councillor Symington queried what has changed in the wage bill since December.

N Howcutt confirmed that they will not need to make a contribution to the pensions fund as a result of the pension's triennial review.

Councillor Chapman commented on page 18 of the report, item 13, regarding the ongoing staffing resource to support work on damp and mould issues and council housing stock. Councillor Chapman asked if they will check all housing with this additional money or if they would only use this to respond to complaints.

N Howcutt advised that this follows on from the assessment of housing needs and that a full report was taken to housing and community overview and scrutiny committee to outline this project. The allocated funding is required to continue this work in 2023-24 and suggested that Mark Pinnell, Assistant Director of Property, be asked to provide a further overview of the work that will be undertaken.

Councillor Chapman asked if all members could receive an update on progress regarding housing. N Beresford confirmed that she would liaise with M Pinnell and arrange for an update to be shared with all councillors.

Councillor Elliot thanked N Howcutt and the team for the presentation and noted the robustness of the Council's budget.

N Howcutt highlighted the hard work done by the whole team and agreed that they have a robust yet challenging budget.

The Chairman thanked the Finance team for all their hard work.

Outcome

The Committee reviewed and scrutinised the draft budget proposals for 2023/24 and provided feedback to be considered by Cabinet.

Action

N Beresford to liaise with M Pinnell for update on housing with regards to actions on damp and mould issues to be circulated to all council members.

8. QUARTER 3 BUDGET MONITORING REPORT

F Jump presented the report. She advised there was a pressure of around £0.8m, driven entirely by inflationary costs around fuel and the pay award, and a request will be taken to Cabinet to fund these particular pressures via the use of reserves. For housing, a deficit of £1.4m is forecast, driven almost entirely by inflationary measures around repairs and maintenance costs, as well as utilities, and the use of HRA (Housing Revenue Account) reserves and reducing the revenue contribution to the capital programme will be proposed to support these costs. For the capital programme, slippage of around £2m on the general fund is forecast and a further £10.6m on the HRA. Part of the slippage on HRA is driven by the planning moratorium and other issues around timing of particular schemes.

Councillor Tindall noted page 26 of the report and the explanation of £4m to the HRA being due to the increased repairs and maintenance work being undertaken and the increasing costs to deliver these services. He asked if the increased repairs and maintenance costs were unexpected or if they are part of the planned service.

F Jump advised that the increases were being driven by increasing costs.

Councillor Tindall clarified that it is therefore an increase in costs rather than an increase in repairs and maintenance taking place.

F Jump took the comments on board and said she would amend that.

Councillor Townsend asked how much the capital slippage is of a percentage of the overall expected capital spend.

F Jump confirmed that these percentages would be circulated after the meeting.

N Howcutt added that the HRA slippage is almost entirely driven by the planning moratorium and that the slippage is a considerable percentage of the overall plan.

Councillor Guest commented on the planning moratorium and asked if there is a forecasted figure of how much would be brought in as a result of backlogged applications now that a mitigation strategy has been agreed.

A Robinson confirmed a report was taken to SPAE in November, to set out the total costs of the mitigation strategy. The contribution that Dacorum is expected to pay towards its own SANG (suitable alternative natural greenspaces) sites, Chipperfield and Bunkers Park is £16m, and the Dacorum contribution to improving Ashridge is around

£18m. Much of this money is expected to be phased over the next 2-3 years and there are currently around 2,500 units in the backlog at present.

Councillor Hollinghurst noted the possibility of capital expenditure with regards to generating income and asked if officers would agree that expenditure for projects such as the installation of solar panels would help generate income or mitigate expense and could therefore be considered over the coming years.

N Howcutt advised that there is an evolving commercial programme, including the Light Industrial Programme that looks to get revenue return and part of this will focus on asset maximisation through the use of existing assets as well as any further assets that can be purchased. N Howcutt agreed that capital investments bring a revenue return and confirmed that this is an area of focus.

Outcome

The Committee approved the following recommendations:

1. To note the financial outturn position for the General Fund and Housing Revenue account as forecast at Quarter 3.
2. The revenue outturn forecast is a deficit of £0.836m for the General Fund to be funded from one off reserve requests to cover pay and fuel inflationary pressures.
3. The HRA has a deficit of £4.113m for the Housing Revenue Account. It is proposed that these additional inflationary costs will be funded through a reduction in revenue contributions to capital and from reserves.
4. The Council's capital programme is forecast on budget, with additional slippage of £2.009m on General Fund schemes and slippage of £10.621m for the HRA.

Actions

F Jump to circulate capital slippage percentage compared to overall capital spend.

9. UPDATE ON NEW PERFORMANCE MANAGEMENT FRAMEWORK AND PROPOSED REVISIONS TO KEY PERFORMANCE INDICATORS (KPIS)

H Peacock presented the report, noting that developing a strong performance management culture is one of the key transformation foundations along with the development of a project management office and implementation of the Digital, People and Communication strategies. The paper outlines the key elements of the new performance management framework and steps that will be taken to implement it with the intention that this will deliver enhanced reporting, accountability and opportunity for detailed scrutiny of council performance. The paper also brings proposed changes to the KPIs to adapt to changes in council focus and priorities. Key drivers for changes to KPIs are technical refinements, removing duplicated KPIs, and amalgamating duplicate KPIs to ensure succinct and meaningful reporting.

Councillor Symington asked if the KPIs have been peer reviewed or compared with other councils.

H Peacock advised that the performance functionality within the transformation service benchmarked KPIs against other local authorities and that this was brought into the directorate managing session that formed the shape of the overall service plan. Other authorities with similar demographics were benchmarked as well as other organisations, such as the LGA (Local Government Association).

Councillor Symington asked how the KPIs compare to other authorities.

N Howcutt advised that DBC had more KPIs than the average council and that it was felt that the new suite of KPIs was warranted, and whilst the amount is significant, it is justified if they provide members with the level of transparency they require. N Howcutt confirmed that the KPIs will be monitored and that feedback will be taken from scrutiny groups.

N Howcutt reminded members that removed KPIs are either picked up elsewhere or have been replaced with more appropriate KPIs.

Outcome

The new KPI's for the Finance and Resources OSC were noted.

10. MARKET FORCES SUPPLEMENTS POLICY AND PROCEDURE

M Rawdon presented the report, noting that during autumn 2022 a project was undertaken to explore recruitment difficulties and high areas of agency spend. A key finding identified some recruitment retention issues across parts of the Council and that some roles across the Council would benefit from a market forces payment to overcome some of these issues. The project also highlighted the need for the Council to revise its existing market forces policy as there needs to be a stronger focus on governance and the application of market forces payments.

M Rawdon noted the revised policy under appendix 1, advising that they would be following steps to ensure a robust business as (1) why the market forces payment is required, (2) the correct market forces payment, (3) actions already taken to ensure recruitment and retention issues are not there in the first place, and (4) a revised approval route via HR (Human Resources) and the leadership team. Other key amendments look at how to change, reduce or terminate the market forces payments and the required timeline for each payment to be reviewed. The revised policy will provide the Council a more robust procedure to apply market forces payments in a more consistent manner.

Councillor Townsend asked if the market forces payment is a one-off payment or is an increment to the salary on offer.

M Rawdon advised that the payment is a supplement paid annually until it is removed or changed.

Councillor Townsend noted that new employees would therefore accept the risk of that salary being removed after 2 years.

M Rawdon agreed and confirmed that all documentation stipulates that it is a supplement for a period of time that will be reviewed.

Councillor Townsend asked if there is an internal estimate on how much it will cost the Council to pay these supplements.

M Rawdon confirmed that an assessment was undertaken and they have budgeted £200k for next year to cover the cost.

Councillor Mahmood asked what market is assessed for the supplements and whether most staff are lost to London.

M Rawdon stated that analysis would principally be across Hertfordshire, though it is suggested that they look wider given that people can work more flexibly.

Councillor Mahmood asked how holistic the whole process is and if they are looking at other areas to help with retention.

M Rawdon noted that market forces payments are a relatively short-term fix and that the business case does request for managers to look for other methods to ensure that these payments don't need to continue. M Rawdon added that they are also looking how to keep people motivated and engaged, as well as looking at how they recognise and reward staff. M Rawdon noted that the latest turnover report is 6%, which is particularly low, and that they typically run at around 10-15%.

The Chairman noted the flexibility and to adapt to short-term market trends.

M Rawdon agreed, noting that the new policy is clearer on this and is written in a way to ensure there is ongoing review.

Councillor Symington suggested that the market forces payment was currently only applicable for Waste services and asked what other areas they expect to target. Councillor Symington commented that there may be an ongoing shortage for some roles and that a supplement may not resolve these issues.

M Rawdon commented that the areas originally identified were professional areas, principally planning, surveying, environmental health officers and legal, and stated that market forces should help attract some talent, though they also need to consider overall recruitment and ensuring that they are communicating the full benefits package on offer.

Councillor Tindall asked what approach had been given to the various organisations covering the whole of Hertfordshire, such as the University, Colleges and various business sectors, to encourage training and recruitment of such skills shortages given that the issues in recruiting these roles appear to be long-term. He queried if districts have lobbied educational bodies to look at additional training, as has taken place with care workers.

M Rawdon explained that a recruitment meeting has been set up across Hertfordshire and that he would bring up working with local colleges to see what support there was.

Councillor Tindall asked if they liaise with neighbouring authorities to ensure that higher supplements aren't being offered elsewhere.

M Rawdon noted that they don't currently pay market forces though most other authorities do and that this will therefore bring them up to the same level. M Rawdon noted that there is a risk that others will continue to increase their supplements too.

Councillor Tindall referred to item 3.4 in the report and the mention of pensions, noting that this was unusual in market supplements. Councillor Tindall stated that if they pay a supplement for someone aged 30 and that person doesn't retire until 55-60, this supplement won't count towards their pension calculation.

M Rawdon advised that the approach was consistent across other policies. He said he would investigate the matter and advise members of the decision.

C Hamilton commented that if they are looking at long-term market forces then they should be reevaluating jobs and building this into baseline budgets. Market forces are therefore a short-term measure to react to the market and pressures on recruitment.

Councillor Tindall recommended that they check the pension's contribution and remove this if it is optional.

The Chairman confirmed that a written response would be provided to members.

Councillor Tindall referred to item 3.5 in the report and asked that any payments be reviewed annually.

M Rawdon noted that the process would take around 3 months and would therefore an annual review would use up significant officer time.

Councillor Tindall suggested that this could be reviewed quickly by monitoring the market on the particular function.

C Hamilton noted that they also need to attract people into these roles and that people are unlikely to commit to a role for a one-year market supplement. A 2-year review also allows DBC to fully assess the role and baseline it if necessary.

Councillor Tindall requested that an annual report on market forces be presented to the Committee.

The Chairman stated that if they maintain the 2-year review, any specific reviews could be brought to the Committee. He agreed that the policy should be reviewed after the first year to assess if any re-adjustment is required.

The Chairman commented on the item on pages 57 and 58 regarding not-protected characteristics and other factors, and requested that care leavers be included in this to represent young people who have been in local authority care. No objections were raised on this matter.

Outcome

The committee considered the report and provided their feedback on the Market Forces Supplements Policy and Procedure to Cabinet.

Actions

M Rawdon to check pension contribution comment under item 3.4 in report.

M Rawdon to add 'care leavers' to list of non-protected characteristics on pages 57-58 of the report.

11. WORK PROGRAMME

Councillor Symington proposed to bring forward a paper on CIL (Community Infrastructure Levy) payments.

Councillor Williams advised that the Strategic Planning and Environment Overview and Scrutiny Committee had a report on this matter on the agenda for this evening. The report would be due to go to Cabinet next.

The work programme was noted.

12. COMMERCIAL STRATEGY UPDATE

Full details can be found in the Part 2 Minutes.

The meeting ended at 10.05 pm.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

Agenda Item 6

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Finance and Resources OSC Action Points - February

Date of meeting	Action point	Responsible officer	Date action completed	Response
01/02/23	<u>Item 10 Market Forces Supplements Policy and Procedure</u> The Chairman commented on the item on pages 57 and 58 regarding not-protected characteristics and other factors, and requested that care leavers be included in this to represent young people who have been in local authority care.	Matt Rawdon	03/02/23	MR requested amendment 03/02/23. Care leavers added to template 09/02/23. Action complete.
01/02/23	<u>Item 10 Market Forces Supplements Policy and Procedure</u> Councillor Tindall recommended that they check the pension's contribution and remove this if it is optional.	Matt Rawdon	03/02/23	Thank you for raising the question at OSC regarding whether the market forces payment should be pensionable as stated in the revised policy. I have subsequently checked with our payroll team and they have confirmed that this allowance must be pensionable, so unfortunately, there is no flexibility for the Council to amend this part of the policy.
01/02/23	<u>Item 7 Budget 23-24</u> N Beresford to liaise with M Pinnell for update on housing with regards to actions on damp and	Natasha Beresford / Mark Pinnell	06/02/23	Report titled <i>Our Approach to Damp & Mould</i> was circulated to all members for information.

	mould issues to be circulated to all council members.			
01/02/23	<u>Item 8 Q3 Budget Monitoring</u> F Jump to circulate capital slippage percentage compared to overall capital spend.	Fiona Jump	23/02/23	GF- slippage is 24% of current capital budget. HRA- slippage is 21 % of current capital budget.

Agenda Item 7



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Finance and Resources Overview and Scrutiny Committee

Report for:	Finance and Resources Overview and Scrutiny Committee
Title of report:	Quarter 3 Performance Report – Corporate and Commercial Directorate
Date:	7 March 2023
Report on behalf of:	Councillor Andrew Williams, Portfolio Holder for Commercial Strategy and Delivery; Councillor Graeme Elliott, Portfolio Holder for Corporate Services
Part:	I
If Part II, reason:	N/A
Appendices:	Appendix A – Commercial Development Commissioning and Tendering activities Appendix B – KPI report Appendix C – Finance & Resources Operational Risk Register
Background papers:	None
Glossary of acronyms and any other abbreviations used in this report:	

Report Authors / Responsible Officers

Catherine Silva Donayre – Strategic Director, Corporate & Commercial

Ben Hosier – Head of Commercial Development

Nigel Howcutt – Chief Finance Officer

Mark Brookes – Assistant Director of Legal & Democratic Services



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Corporate Priorities	A clean, safe and enjoyable environment Building strong and vibrant communities Ensuring economic growth and prosperity Providing good quality affordable homes, in particular for those most in need
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	Ensuring efficient, effective and modern service delivery Climate and ecological emergency
Wards affected	All
Purpose of the report:	To provide Members with the performance report for quarter three 2022-23, in relation to Corporate and Commercial Directorate
Recommendation (s) to the decision maker (s):	That Members note the performance of the service as set out in the report.
Period for post policy/project review:	Quarterly

1 Introduction

This paper will provide an update on service performance over Q2 2022/2023 for the Corporate & Commercial Directorate, including Legal & Democratic Services, Finance & Resources, and Commercial Development. It will also highlight key service achievements over this same period.

2 Commercial Development

This section of the report provides an update on the performance during Q3 2022-23 of Commercial Development Services.

2.1 Procurement Activity

The Procurement team are currently supporting the delivery of a number of commissioning and tendering activities in compliance with the Council's Commissioning & Procurement Standing Orders. Tables of these activities can be found at Appendix 1.

2.2 Procurement Compliance

Following a Procurement Assurance internal audit report, the recommendation was to update the Finance & Resources Overview & Scrutiny Committee with any non-compliance procurement activities.

Number of times the Procurement Standing Orders have been set aside during Q3

Contract	Justification	Responsible Officer
Additional interim project and analyst services and roles	To seek approval for essential spend in line with the Council's Housing Transformation and Improvement Plan and in particular, additional interim project and analyst services and roles	Housing Transformation and Improvement Programme
Supply of four temporary agency staff to carry out 'covid vaccine tracing' function	<p>To set aside the Council's Commissioning and Procurement Standing Orders, and to enable a direct award contract for the supply of four temporary agency staff to carry out 'covid vaccine tracing' function</p> <p>Temps were employed through Oyster temping agency as Track and Tracers in the Environmental Health Team. When this scheme ended in Jan 2023, two temps came to the Community Partnerships Team and became Vaccine Tracers.</p> <p>A bid was made to get HCC Covid funding (Contain Outbreak Management Fund) for continuing works in 22/23 as part of essential ongoing posts for Covid</p>	Community Partnerships
The replacement of the rear wall section of the food and garden waste bulking bay within the Cupid Green Waste Transfer Station	<p>1) Replacement of the rear wall section of the food and garden waste bulking bay within the Cupid Green Waste Transfer Station with a stronger and more robust metal fabrication</p> <p>2) An exemption to comply with the Council's commissioning & procurement standing orders and award a contract directly without the need to carry out a competitive tendering process.</p> <p>The Waste Transfer Station (WTS) with the Cupid Green Depot receives a wide range of waste streams collected for recycling. The rear wall section of bulking bay that receives both food and garden waste is currently made from a durable and strong fabric type material. As a result of age, and general wear and tear, the material has become torn. This results in the waste not being properly contained, which is in breach of the site waste management permit, issued by the Environment Agency. In addition to legislative breach, this is poor practice and encourages scavenging by rodents and other wildlife. To address this issue and rectify the problem Council officers have made contact with the retained contractor for metal fabrication, Mr Gates. A quotation has been received for the work of £131k. The replacement of the existing damaged fabric type walling with a stronger and more durable metal one would provide a longer lasting and more robust solution to the repair.</p> <p>This is being progressed in the winter months when the garden waste service is not operating.</p>	Head of Environmental Services

Non-Compliant expenditure during Q3

There is work currently underway as part of the Housing Transformation & Improvement Programme (HTIP) to review and address non-compliance in Housing contracts. That programme reports separately to the Housing Overview & Scrutiny Committee, however information on any non-compliant spend will be added to the table below from Q1 2023-24.

Contract	Annual Value	Reason	Responsible Officer	Mitigation
Fixed Telecommunications	£65,000	Contract expired	Vacant Post	New tender submissions being evaluated – contract award likely in next few weeks
Supply of Sacks for Environmental Services	£40,000	Contract expired	Trevor Pugh	Recommissioning of new supply commenced in June 2022
Temporary Agency Staff	£2,000,000	Contract(s) expired	Matt Rawdon	Corporate project - commissioning process signed off by Commercial Board in July 22. Awaiting to direct award to Crown Commercial Services framework suppliers.
Car Salary Sacrifice Scheme	£48,000	Contract expired	Matt Rawdon	Commissioning report presented to Commercial Board in October. A further competition using ESPO framework is to be carried out
Verge Hardening Programme	£350,000	Contract expired	Trevor Pugh	There is a need to obtain authority to extend the current agreement
Supply of Bins & Caddies	£40,000	No contract in place	Trevor Pugh	Recommissioning has commenced
Haulage of Waste from Cupid Green	£45,000	No contract in place	Trevor Pugh	Recommissioning has commenced
Supply & Fitting of Tyres to Commercial Fleet	£75,000	No contract in place	Trevor Pugh	Recommissioning has commenced
Supply of Grounds Maintenance Equipment	£110,000	No contract in place	Trevor Pugh	Recommissioning has commenced

2.3 Parking Services

During the pandemic and the ensuing recovery period, the demand for on and off street parking spaces significantly reduced. Data from Q3 in 2022 shows the number of sessions is 7% higher when compared to Q3 in 2019. Customer parking behaviours appear to have changed as a result of Covid, with off-street parking now 15% higher than it was in 2019/20, whereas on-street parking remains 32% lower.

Parking Sessions

2022/23	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
On street	12,432	13,141	12,805	12,979	12,003	12,540	12,411	11,302	11,430			
Off Street	93,041	98,072	93,253	98,490	93,716	95,135	100,624	98,745	104,455			
Total	105,473	111,213	106,058	111,469	105,719	107,675	113,035	110,047	115,885			

2019/20	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
On street	16,817	17,681	17,184	18,060	16,154	16,261	17,774	17,423	16,756	16,385	16,044	12,371
Off Street	97,975	105,540	102,656	105,040	102,356	103,193	88,121	86,099	89,501	82,241	79,237	69,231
Total	114,792	123,221	119,840	123,100	118,510	119,454	105,895	103,522	106,257	98,626	95,281	81,602

Difference	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
On street	-4,385	-4,540	-4,379	-5,081	-4,151	-3,721	-5,363	-6,121	-5,326			
%	-26%	-26%	-25%	-39%	-35%	-30%	-30%	-35%	-32%			
Off Street	-4,394	-7,468	-9,403	-6,550	-8,640	-8,058	12,503	12,646	14,954			
%	-4%	-7%	-9%	-6%	-9%	-8%	14%	15%	17%			
Total	-9,319	-12,008	-13,782	-11,631	-12,791	-11,940	7,140	6,525	9,628			
%	-8%	-10%	-12%	-9%	-11%	-11%	7%	6%	9%			

The total number of parking sessions during Q3 in 2022/23 against Q3 in 2019/20 (Pre-Covid) is running at a 7% increase, however, the overall total for the year is still over 48,000 sessions below the same 9-month period from 2019/20, which is a contributor to the lower income levels being generated for the Service.

The total number of PCN's issued during Q3 has increased from Q2, but still had over 200 fewer PCNs issued than in Q3 in 2019/20. The number of PCN's issued in on street locations has increased during Q3 in 2022/23 (34%) and is now above Q3 levels from 2019/20, whereas the number of PCN's issued in off street locations for Q3 2022/23 remains significantly lower than Q3 in 2019/20 (37%).

PCN's Issued

2022/23	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
On street	427	432	406	290	289	426	391	660	751			
Off Street	347	268	302	281	165	203	260	281	219			
Total	774	700	708	571	454	629	651	941	970			

2019/20	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
On street	576	660	632	683	792	624	581	523	357	483	487	377
Off Street	437	686	659	658	592	599	633	340	334	375	326	211
Total	1,013	1,346	1,291	1,341	1,384	1,223	1,214	863	691	858	813	588

Difference	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
On street	-149	-228	-226	-393	-503	-198	-190	137	394			
%	-26%	-35%	-36%	-58%	-64%	-32%	-33%	26%	110%			
Off Street	-90	-418	-357	-377	-427	-396	-373	-59	-115			
%	-21%	-61%	-54%	-57%	-72%	-66%	-59%	-17%	-34%			
Total	-239	-646	-583	-770	-930	-594	-563	78	279			
%	-24%	-48%	-45%	-57%	-67%	-49%	-46%	9%	40%			

The total number of PCN's issued during Q3 in 2022/23 against Q3 in 2019/20 (Pre-Covid) is now running at a 1% increase, however, the overall total for the year is still almost 4,000 PCNs below the same 9-month period from 2019/20, which is a contributor to the lower income levels being generated for the Service.

Traffic Regulation Orders (TROs) during Quarter 3

- **Marlowes (North)** – Proposal to introduce Pay to Park bays, No waiting restrictions, No waiting/no loading restrictions, and Disabled badge holder only bays.

The installation went well last year. Murrills completed the signing, lining and machine installation and the Pay and Park machines were recommissioned by an engineer. The Advertising & Implementation stage was completed and the scheme was set to go live on Friday 4 November 2022. However, the Hertfordshire Council Council's (HCC) TRO team indicated that the TRO required a minor correction as is related to old (2007) legislation now revoked by 2022 legislation in May 2022 (even though the old legislation was correct at the time of the public consultation). The TRO error affects the 'pay & park' bays only. The Council have suspended these bays and have covered the payment machines and signage. The error requires an amendment order requiring a statutory consultation to resolve. Parking Services submitted a Portfolio Holder Decision to introduce the amendment order, and Parking Services instructed the Council's consultants (ADL) to undertake the process to correct the error, including the statutory consultation. Stakeholders affected by the proposals were consulted over a three-week period from Wednesday 11 January 2023 to Wednesday 1 February 2023 and an advertisement was placed in the Public Notices section of the Hemel Hempstead Gazette. Parking Services are waiting for the consultation report from ADL. Further information about the consultation can be found on the Council's website page [Waiting restrictions \(dacorum.gov.uk\)](#) along with the Statement of Reasons, the Notice of Proposal and the draft TRO. If all goes well, Parking Services will request that the scheme progress to the Advertising & Implementation stage, requiring a 'Notice of Making' to be advertised in the local paper, online and with site notices. This process will be a minimum of 21 days before the scheme goes live, and the Council can charge customers to pay to park and enforce the parking restrictions.

- **Waterhouse Street** - Proposal to reduce the taxi rank from the end of the southernmost bus stop to the pedestrian crossing. To be replaced with disabled badge holder only bays, restricted to a three hour maximum stay with no return within three hours and also 'pay to park' bays.

The consultation has concluded and ADL have provided their consultation report, which is available to view on the '[Councils results of completed consultations' web page](#).

Following review by the Portfolio Holder for Corporate & Contracted Services, the following revisions to the proposal have been agreed:

1. Instead of proposing 'pay to park' bays on the western side of the road after the pedestrian crossing, the Council propose to keep the existing taxi rank, although only five standard vehicles in length*. Please see the revised proposal in the map below.
** A standard vehicle length would be equal to the length of a family car such as a Ford Focus.*
2. 8 disabled badge holder only bays on the western side of Waterhouse Street are proposed, instead of 7 disabled badge holder only bays restricted from Monday to Sunday from 8am to 8pm to a maximum of 3 hours parking with no return within 2 hours.

HCC and local councillors have agreed to the proposed changes and the Council has received the draft TRO, schedule, statement of reasons, and plan from ADL. Parking Services instructed ADL to undertake the statutory consultation. Stakeholders affected by the proposals were consulted over a three-week period from Wednesday 11 January 2023 to Wednesday 1 February 2023 and an advertisement was placed

in the Public Notices section of the Hemel Hempstead Gazette. Parking Services are waiting for the consultation report from ADL. Further information about the consultation can be found on the Council's website page '[Waiting restrictions \(dacorum.gov.uk\)](#)', along with the Statement of Reasons, the Notice of Proposal, the draft TRO and proposed parking restrictions amendment plan.

- **The Denes, Hemel Hempstead** – Following correspondence from Cllr Maddern, in relation to vehicles parking at the neighbourhood shopping centre all day, the Parking Service has a proposal to limit the existing parking bays outside the shopping areas to two hours, with no return within two hours Monday to Sunday 8:00am - 7:00pm.

ADL have undertaken a site visit and assessment and have engineered a scheme design that is agreeable to the local stakeholders in the area, including no waiting at any time on the junctions of Pinecroft/The Denes, Barnacles Road/Georgewood Road, Barnacles Road/The Denes.

ADL undertook an informal resident/business consultation between July & August 2022 and the consultation report is available to view on the [Results of completed consultation \(dacorum.gov.uk\)](#) web page. The consultation report has also been shared with Cllr Maddern and Cllr Williams who have given their consent for the scheme to pursue. Hertfordshire County Council have approved the TRO and Parking services have instructed ADL to start the statutory consultation

- **Anchor Lane, Hemel Hempstead** - Further to Cllr Allen and Herts Police's correspondence with Parking Services about safety concerns (parking close to the mini-roundabout junction and to prevent vehicles driving along the pavements), Parking Services propose to introduce 'No Waiting at Any Time' (Double Yellow Line) restrictions at the junction with Heath Lane, up to the end of the current No Waiting 'Mon-Fri 8.30am-4.30pm' (Single Yellow Line). There are currently three restrictions in a small area on Anchor Lane. Parking Services are proposing to make the area less confusing to motorists, and to help to prevent parents parking (and driving) along the pavements at school drop off and pick up times. Also at the junction of Beechfield Road and Anchor Lane, the proposal is to introduce additional no waiting at any time restrictions in order to prevent parking close to or on the mini roundabout.

ADL have undertaken a site visit and assessment on Friday 22 April 2022 and have engineered a scheme design that is agreeable to the local stakeholders in the area. Parking Services are proposing to introduce no waiting at any time (double yellow) lines on Beechfield Road, including protection for the Anchor Lane/ Beechfield Road junction. Correspondence has taken place between Councillors and Parking Services to extend these double yellow lines from the Beechfield Road/ Anchor Lane junction to outside number 38 Beechfield Road, as currently residents are parking their vehicles on the grass verge, which we are proposing to stop as this grass verge is being ruined which incurs cost to the Council to rectify.

Parking Services received the consent from ward councillors to pursue the scheme and ADL have completed the informal resident's consultation. The consultation has concluded and ADL has provided their consultation report, which is available to view on the '[Councils results of completed consultations' web page.](#)

The report was shared with County and ward councillors for comments as to whether the Council pursues a formal statutory consultation. We have received their feedback to extend yellow lines and move the advisory disabled bay from the pavement on Beechfield Road to prevent pavement parking in this area. Parking Services is

working on the revised plan with ADL to incorporate these changes before then proceeding with the statutory consultation.

- **Elm Grove, Berkhamsted ('F' Zone)** - Proposal to introduce a residents only Controlled Parking Zone in order to formalise current parking habits to avoid obstruction currently caused by inappropriate parking by commuters visiting the town centre.

ADL undertook a site visit and assessment on Friday 22 April 2022 to engineer a scheme design that is agreeable to the local stakeholders in the area. Proposed for restricted time to be Mon-Sun 8am-8pm with the zone named 'F'. The proposed 'F' zone would have the same restricted hours as our existing 'C' zone. Therefore, the Parking Service propose 700 hours of visitor sessions for residents with a maximum of 3 permits per household.

The call in period expired and the Parking Service informally consulted residents and business on a proposal to alter the existing parking arrangements at Elm Grove, Berkhamsted, consisting of the introduction of:

- 1) A permit parking area (Controlled Parking Zone F) - permitting only permit holders to park in that area.
- 2) Additional no-waiting-at-any-time (double yellow line) restrictions - to prevent parking on both sides of Elm Grove.

The proposals

The proposals are in response to concerns being raised about non-resident vehicles (consisting of shoppers and commuters) parking on Elm Grove, meaning residents are unable to park near to their properties.

These measures are also being proposed for the following reasons:

- To prevent double parking on Elm Grove
- To enable residents to park close to their homes by preventing commuters/shoppers parking on the road (whom would not be eligible for a permit)
- To prevent parking at the junction of Elm Grove and A4251 High Street
- To generally improve the safety and navigability of Elm Grove for road users

ADL has undertaken an informal resident/business consultation and the consultation report is available to view on the Council's website [Results of completed consultation \(dacorum.gov.uk\)](https://www.dacorum.gov.uk/Results-of-completed-consultation). The consultation report has also been shared with councillors who have given their consent for the scheme to pursue. HCC have approved the TRO and Parking services have instructed ADL to start the statutory consultation.

- **Old Fishery Lane, Hemel Hempstead** - Proposal to introduce no waiting at any time restrictions (double yellow lines) on Old Fishery Lane. Currently vehicles are parking at the end of the road, on the turning head and outside homes. The Council & HCC have received complaints from residents that they cannot use their drives. There was also a canal boat fire in Oct 2021 and the fire brigade struggled to get as close to the fire as they wanted.

Therefore, Parking Services has offered to introduce the restrictions, if HCC provide the funding to do so. HCC have agreed and invoice sent.

Parking Services has raised an Executive Decision Record Sheet (EDRS).

The call in period expired in October 2022 and Parking Services informally consulted residents and business on a proposal to alter the existing parking arrangements to introduce the proposed restrictions.

- Introducing 'No Waiting at Any Time' (Double Yellow Line) restrictions along both sides of the carriageway south of the canal bridge and into the turning head.

The introduction of No Waiting at Any Time (Double Yellow Line) restrictions on Old Fishery Lane aims to; prevent inappropriate parking close to the canal bridge, prevent private accesses and the turning head being obstructed, ensure the safe, convenient, and expeditious movement of traffic and generally improve road safety and amenity in the vicinity.

- ADL has undertaken an informal resident/business consultation and the consultation report is available to view on the [Results of completed consultation \(dacorum.gov.uk\)](http://dacorum.gov.uk) web page. The consultation report has also been shared with councillors who have given their consent for the scheme to pursue. Hertfordshire County Council have approved the TRO and Parking services are now ready for the statutory consultation. We have instructed ADL to start statutory consultation. From feedback, ADL and Parking Services have recommended that the entire road be restricted not just the lower half past the bridge. Cllr Fiona Guest has instructed the scheme from her HCC locality budget.

2.4 Leisure Contract

Attendance figures for leisure centres at Berkhamsted and Hemel Hempstead and the athletics track at Jarman's Park are shown below. The overall attendance figures pre-pandemic were 20,000 per week on average.

Weekly Attendance Data

Dacorum Leisure Contract 2022

Week Commencing	Gym		Group Ex		Swimming		Outdoor		
Week Commencing	Hemel	Berkhamsted	Hemel	Berkhamsted	Hemel	Berkhamsted	Berkhamsted 3G	Track	Total
2021/22 Q1 Weekly Average	1,887	1,399	1,271	381	2,464	1,221	852	517	9,992
2021/22 Q2 Weekly Average	1,414	881	1,934	571	4,283	1,374	836	471	11,764
2021/22 Q3 Weekly Average	1,192	773	1,704	538	3,370	1,136	717	274	9,704
2021/22 Q4 Weekly Average	1,401	926	2,131	687	3,923	1,420	831	433	11,752
2022/23 Q1 Weekly Average	1,309	1,048	2,024	650	4,580	1,466	795	980	12,852
2022/23 Q2 Weekly Average	2,836 ¹	1,072	1,799	611	5,021	1,488	809	612	14,248
2022/23 Q3 Weekly Average ²	2,128 ³	1,058	1,906	674	3,139	1,184	688	288	11,069
Direction of Travel last Qtr									
Average Attendance	1,555	1,022	1,824	587	3,826	1,327	790	511	11,626

¹ Increase in attendance at gym in Hemel is mainly due to the installation of entry scanning facility

² Quarter included the Christmas week where attendance significantly reduces

³ Hemel gym closed for 2 weeks for refurbishment

Financial support from the Council to EA ceased from 2022/23 and an agreement on the management fee for 2022/23 was negotiated. The management fee is approximately 50% of the contractual management fee for 2022/23, but it is recognised that the leisure industry is still recovering from the pandemic and attendance has not yet returned to pre-pandemic levels. Negotiations between the Council and EA are currently taking place regarding the management fee for 2023/24.

2.5 Garage Service

The information below shows the number of terminations and commencements that were completed within Q1.

	01/04/2022	11/04/2022	18/04/2022	25/04/2022	02/05/2022	09/05/2022	16/05/2022	23/05/2022	30/05/2022	06/06/2022	13/06/2022	20/06/2022	27/02/2020	Total
	Wk 1	wk2	Wk 3	Wk 4	Wk 5	WK6	Wk 7	Wk 8	Wk 9	Wk 10	Wk 11	Wk 12	Wk 13	
Terminations	13	10	10	6	5	11	18	9	10	7	8	8	10	125
Commencements	42	25	15	10	5	20	9	9	10	9	8	7	13	182
														0
Weekly difference	29	15	5	4	0	9	-9	0	0	2	0	-1	3	57
Occupied Garages	5222	5237	5242	5246	5246	5255	5246	5246	5246	5248	5248	5247	5250	
Void Garages	1916	1901	1896	1892	1892	1883	1892	1892	1892	1890	1890	1891	1888	

The information below shows the number of terminations and commencements that were completed within Q2.

	04/07/2022	11/07/2022	18/07/2022	25/07/2022	01/08/2022	08/08/2022	15/08/2022	22/08/2022	29/08/2022	05/09/2022	12/09/2022	19/09/2022	26/09/2022	Total
	Wk 14	Wk 15	Wk 16	Wk 17	Wk 18	Wk 19	Wk 20	Wk 21	wk22	Wk 23	Wk 24	Wk 25	WK26	
Terminations	7	6	6	6	12	10	11	6	10	8	10	8	9	109
Commencements	12	12	6	5	4	12	8	13	8	10	16	6	16	128
Weekly difference	5	6	0	-1	-8	2	-3	7	-2	2	6	-2	7	19
Occupied Garages	5255	5261	5261	5260	5252	5254	5251	5258	5256	5258	5264	5262	5269	
Void Garages	1883	1877	1877	1878	1886	1884	1887	1880	1882	1880	1874	1876	1869	

The information below shows the number of terminations and commencements that have been completed within Q3.

	03/10/2022	10/10/2022	17/10/2022	24/10/2022	31/10/2022	07/11/2022	14/11/2022	21/11/2022	28/11/2022	05/12/2022	12/12/2022	19/12/2022	26/12/2022	Total
	Wk 27	Wk 28	Wk 29	Wk 30	Wk 31	Wk 32	Wk 33	Wk 34	Wk 35	Wk 36	Wk 37	Wk 38	Wk 39	
Terminations	7	4	1	6	15	6	9	3	10	8	9	8	1	87
Commencements	19	9	11	15	4	1	9	10	7	15	3	4	2	109
Weekly difference	12	5	10	9	-11	-5	0	7	-3	7	-6	-4	1	22
Occupied Garages	5281	5286	5296	5305	5294	5289	5289	5296	5293	5300	5294	5290	5291	
Void Garages	1857	1852	1842	1833	1844	1849	1849	1842	1845	1838	1844	1848	1847	

2.6 Commercial Programme

Members of the Committee have been updated during the course of 2022-23 on the Commercial Programme that commenced during 2022. An initial phase of 12 Business Cases were agreed to take forward, which have been reported separately to the Finance & Resource Overview & Scrutiny Committee.

3 Legal and Democratic Services Q3 Performance Report

3.1 The Legal Team

The Legal team frequently represent the Council in the courts and tribunals, leading on injunctions, prosecutions and defending employment tribunal cases and judicial review proceedings. In the last quarter the Legal team presented the following cases in court:-

Matter	Client/type	Case Detail
Fly-tipping prosecution	DBC -V- Woodbridge	10 months imprisonment suspended for 12 months pending attendance at rehabilitation days. Contribution to legal costs of £900
Taxi-licensing	DBC-v- Shah	- Taxi driver revocation for misconduct – Appeal was dismissed.
Employment	Harvey –v-DBC	Claim for miscalculation of wages – settlement agreed as sum was small.

There were also 15 cases successfully prosecuted through the Single Justice Procedure which is an on-line procedure used for prosecuting minor offences. The offences prosecuted included offences such as littering and breaches of the Council's town centre public protection order.

The Legal Service has been reviewing options for future service delivery and assessing options for a shared service with neighbouring Hertfordshire authorities. The review forms part of the Council's Commercial Strategy and will be reported to members for review and decision once the relevant options appraisal is complete.

3.2 Corporate and Democratic Support

During Quarter 3, Corporate and Democratic Support carried out the following:-

- Delivered 1 Full Council meetings, which were live streamed via YouTube
- Supported 21 committees (including agendas & minutes)
- Supported 1 corporate meetings
- Processed 4 Portfolio Holder Decisions
- Processed 4 Officer Decisions
- 2 Member Development sessions were delivered as follows;
 - 27th October – Domestic Abuse Policy (12 attendees)
 - 1st December – H&S Briefing (10 attendees)

3.3 Mayoralty

During Q3, a number of fundraising initiatives over the festive period saw a total of £1,460.03 raised for the Mayor's chosen charity for 2022/23 – Dacorum Community Trust, broken down as follows;

- Give a Gift at Christmas campaign raised £912.00 (the charity will receive additional funds through Gift Aid). The Give a Gift campaign was also supported by the Hemel Yarn Bombers as part of their Christmas topper displays, we are awaiting confirmation of the
- Staff Christmas Raffle raised £305.11
- Christmas sweet stall at The Forum raised £242.92

The Mayor attended 18 engagements, both within Borough supporting local community & business events and at events hosted by Mayors & Chairs across Hertfordshire. The Deputy Mayor attended 12 engagements on behalf of the Mayor.

3.4 Digital Print & Post Room

During Qtr 3 the team;

- Processed and franked a total of 69,281 outgoing mail items, at a total cost of £38,445.58 (includes HVCCG & CAB which is recharged)
- Processed and banked 590 cheques with a total income of £151,039.72
- Received and banked 9 emergency cash transactions with a total value of £2,256.45
- Supported the BID ballot by facilitating daily collections of ballot papers from businesses within the Town Centre

3.5 Electoral Services

3.5.1 Electoral Register

During Quarter 3, the following changes were made to the Electoral Register:-

Changes reported for October & November. There are no statistics available for December as the new register was published:

Additions 3338

Deletions 4786

Changes 324

Movers 1342

3.5.2 Staff Training

Throughout Q3, a variety of individual and team training and networking took place, including:

- Attending the AEA Public Engagement Webinar (leading up to an election)
- Attending the ERO Portal training (DLUHC run)
- Attending the Herts Network meeting to discuss local issues relating to the elections
- Attending two Eastern Branch Meetings regarding the upcoming elections in May 2023 and received updates from the Electoral Commission, DLUHC and the Association of Electoral Administrators (AEA)

- All canvassers received the canvasser training, provided by the Elections Team Leader

3.5.3 Staffing

- The new Electoral Services Officer started on the 12th of December and is settling in to the team very well and undertaking all essential training.

3.5.4 Annual Canvass 2022

The annual canvass was completed on the 1st of December when the revised electoral register was published. The final response rate to canvass was 94% which is a great achievement from the team.

- In total, 66,995 properties were canvassed.
 - 49,662 were assigned to Route 1
 - 17,316 were assigned to Route 2
 - 9296 Route 2 reminders were issued via post
 - 7092 Route 2 properties received a canvasser personal visit
 - 94.2% overall response
 - All recipients on the distribution list were provided with the register as required.

3.5.5 Elections 2023

Further preparations have been made for the forthcoming elections in May 2023. A variety of training sessions have been drafted including ones for polling station staff, CLT and Count Assistants.

Training was provided to Poll Clerks who would like to step up to being a Presiding Officer. This was very well received and staff felt comfortable with the information provided.

Secondary legislation for Voter ID and Accessibility were published in November. Therefore lots of preparations have been underway within the team in order to best implement the changes required.

The Elections Project Board meets on a fortnightly basis to plan all the workstreams required to deliver a successful election including:-

- Polling Stations; bookings, staffing, equipment and training
- Postal Votes; printing, software/ICT, staffing and equipment required

Following the notification that the Boys Brigade HQ would be unavailable for the elections in 2023, consultation was carried out on alternative venues and a site visit to The Boxmoor Trust Centre took place. Full Council approved the new polling station for the LE polling district and The Boxmoor Trust Centre has now been appointed and all affected electors have been notified of the change.

Access has been set up to the online portal to enable the team to process any applications for a Voter Authority Certificate (VAC) and the team have had their training and first sight of the service.

3.5.6 Hemel Hempstead BID ballot

The Elections team successfully completed the Hemel Hempstead BID ballot on the 24th of November and the count was conducted on the 25th.

The proposal for a Business Improvement District for Hemel Hempstead was successful. The project plan was followed and all aspects were completed with efficiency and precision.

3.5.7 Kings Langley Neighbourhood Planning Referendum

The Elections team successfully carried out the Kings Langley Neighbourhood Plan Referendum, held on the 17th of November 2022, which received a 20.14% turnout. The team delivered a smooth and professional election for all electors in the Kings Langley Ward.

3.5.8 Electoral Commission

The Returning Officer and Team Leader for Elections met with the Electoral Commission as part of their annual engagement. This was a very successful meeting and the commission were very pleased with all of the work DBC are doing, the preparations in place for the 2023 elections and the progress being made.

3.6 Key Performance Indicators

- 3.6.1 The service has agreed three KPIs which have recently been approved by Cabinet and will include: Percentage of Data Protection requests met within 31 days, Percentage of Freedom of Information requests met within 20 days and percentage of Audit recommendations completed within agreed timescales.
- 3.6.2 The Q3 performance data for FOI responses was 85.22%, which is lower than the 90% target and will continue to be monitored into Q4. Data protection requests was 96% (target 100%) with only one target missed out of 25 requests, which was due to a particularly complex request. The audit KPI is a new KPI and reporting will not start until Q1 of 2023/24.

4 Finance & Resources Q3 Performance & Operational Risk Report

4.1 Introduction:

Operational Risk and Performance reports are presented to Overview and Scrutiny Committees on a quarterly basis. They provide Members with an opportunity to scrutinise performance against a range of key indicators.

4.2 Quarter 3 Performance and Operational Risk report:

- A. This report outlines the 2022/23 Quarter 3 (October – December) performance of the Finance and Revenues and Benefits services. Members will find enclosed appendices, Appendix A Finance Qtr 3 Performance report and Appendix B Revenues and Benefits Qtr 3 Performance report.

The Performance appendices attached detail the current performance against a range of agreed Key Performance Indicators. These report detail that there is only 1 red KPI where performance requires improvement;

The red KPI is FIN02A and relates to the time taken for debtors to pay.

- **FIN02a Time taken for debtors to pay** – This has been adversely impacted by several government Covid policies that has either limited or prevented the standard debt collection processes.
 - The Council has more historic debt resulting from the pandemic where either businesses have chosen to repay debt through payment plans which take longer to pay back, or have not been paying their debt as previously expected.
 - The service expected debt recovery actions to be back to normal in 21/22 but government policy has meant debt recovery processes only returned to what the industry would call “normal” in November 2022. Improvement has been made throughout 22/23 with year on year performance improving by over 15%, and almost 4% quarter on quarter.
- B. The Qtr 3 Finance & Resources operational risk register is attached in Appendix C. At present there is one red rated operational risk in relation to the council tax and business rates collection. The collection rates are expected to finish behind the targeted levels in 22/23 but both rates are an improvement on last year, but not yet achieving pre covid performance levels.
- Although the in-year collection rate is under performing from a budget/cash perspective the in year collection of previous year's arrears is exceeding expectations and hence there is no reported budget pressure in 22/23. The poorer performance in quarter 3 collections combined with the current economic outlook, would suggest the collection rate performance in 23/24 will be very challenging and hence will be under close scrutiny.
- C. Included in Appendix C are the mitigation strategies, risk targets and update performance commentary. There are several Qtr on Qtr changes to highlight;

- Delays to capital programme – The likelihood has increased from 3 to 4 as current capital reporting shows the financial pressure is very likely to be crystallised. The consequence have reduced from 3 to 2 though as the consequences of delays such as loss of funding or loss of income are either mitigated or unlikely to materialise in the medium term. In total the overall risk score has reduced by 1.
- Failure to Optimise Income generated by commercial assets has reduced its overall score by 3 as the likelihood has reduced to 2 given the quarter 3 commercial assets financial report presents overachievement of income.
- General Fund Revenue Budget Variance. The overall risk score has reduced from 9 to 6 as the likelihood of a variance has reduced, as a result of mitigating actions taken by the council to support financial pressures created by increased inflation.

5 Financial and value for money implications:

Poor performance or increased risk would indicate areas of concern and potential lack of best value, and these services and processes are reviewed

as part of the ongoing corporate financial monitoring framework and reflected in the budget monitoring reports presented to Scrutiny and Cabinet.

6 Legal Implications

N/A

7 Risk implications:

The process of reviewing and reporting performance and operational risks is part of the wider risk management processes undertaken by the council, to ensure risk management and mitigation is undertaken where required and follows the strategic risk strategy outlined by the council.

8 Equalities, Community Impact and Human Rights:

No Community or equalities assessment has been undertaken specifically as part of this report. The services and the service delivery processes are assessed periodically to ensure these services reflect the Council's policies on service delivery.

9 Sustainability implications (including climate change, health and wellbeing, community safety)

N/A

10 Council infrastructure (including Health and Safety, HR/OD, assets and other resources)

N/A

11 Conclusions:

Performance and risk is outlined in the appendices and summarised in the report, and the committee are asked to note the report.

Appendix A – Commercial Development Commissioning and Tendering activities

Table 1 Q3 - Commissioning Activities

Project	Status	Service	Duration	Total Value
Nurse-led Absence Management (WBC Framework)	Further analysis required of a nurse-led approach needs versus the cost savings that could be achieved by an in-house absence management system.	People and Transformation	4 years	£100,000
Car Salary Sacrifice Scheme	Commissioning report presented to Commercial Board in October. A further competition using ESPO framework is to be carried out	People & Transformation	4 years	£192,000
Housing Benefit Resilience Service	Commissioning stage approved An Open tender process will be carried out	Revenues Benefits & Fraud	4 Years	£540,000
Supply, Installation and Maintenance of the Multi-Functional Printers	Commissioning report to request to extend present contract by 18 months to allow a digital & transformation review of new ways of working to inform future requirements of MFDs (and wider digital needs).	Corporate and Commercial Services	5 years	£150,000
Mobile Phone Communications	Commissioning process commenced.	Corporate and Commercial Services	5 years	£150,000
Parking Enforcement Contract Compliance & Business Process	Commissioning in progress but linked to Smart Parking project	Commercial Development	10 years (5 years + 5 years)	£3,970,000
Banking Services	Commissioning stage completed Further competition via framework -NEPO update is that framework will not be available until Autumn 2023	Financial Services	5 years	£130,000

Cleaning Services at Maylands Business Centre & Kylna Court	Commissioning in early stages of progress	Place, Communities and Enterprise	3 years	£90,000
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Project	Status	Service	Duration	Total Value
Parking Enforcement Integrated Systems & Software	Commissioning in progress but linked to Smart Parking project	Commercial Development	10 years (5 years + 5 years)	£1,920,000
Tree Maintenance Service Lot 1	Commissioning in early stages of progress	Environmental Services	5 years	£575,000
Tree Maintenance Service Lot 2	Commissioning in early stages of progress	Environmental Services	5 years	£200,000
Community Alarm Monitoring Contract	Commissioning in progress	Housing Management	5 Years	£366,678
Community Alarm Equipment Upgrade	Commissioning in progress This will be carried out by Housing Property Services (and not Housing Management as previously)	Housing Property Services	5 years	£890,000
All voluntary sector contracts	Commissioning in early stages of progress.	Place Communities & Enterprise	5 Years	TBA
Facilities Management Service	Commissioning in progress	Property Services	5 Years (plus 2 x 1 year extensions)	£2,436,000
Furniture for sheltered accommodation	Commissioning in early stages of progress	Housing Management	5 years	£400,000
Laundry Equipment for Sheltered Accommodation	Option to extend present contract by two years. Report to Commercial Board in progress	Housing Management	5 years	£120,000
Public Planning Notices	Commissioning in progress	Development Management	28 months	£128,000
Occupational Health Services	Commissioning in early stages of progress	People	5 years	£175,000

CRM system	New requirement following outcome of Transformation Programme. Commissioning process has commenced.	Transformation	TBA	TBA
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Project	Status	Service	Duration	Total Value
Upgrade of the Council's Fleet Management System	Commissioning process has commenced.	Environmental Services	5 years	£46,000
Housing Support Software/Homeless Link	Commissioning process has commenced.	Housing Management	5 years	£63,500
Civica Abritas case management system	To be Reviewed as part of the Digital Transformation	Housing Management	TBC	TBC
Supply of Laptops and Mobile Tablets as part of the Desktop Refresh Programme	Commissioning process to be commenced.	Digital	5 years	£67,000
Supply of Sacks for Environmental Services	Commissioning in progress	Environmental Services	4 years	£160,000
Supply of Bins, Caddies and Associated Products	Commissioning in progress	Environmental Services	4 years	£120,000
Haulage of Waste from Cupid Green	Commissioning in progress	Environmental Services	4 years	£180,000
Supply and fitting of tyres to Commercial Vehicles	Commissioning in progress	Environmental Services	5 years	£300,000
Supply of Grounds Maintenance Equipment and Ride on Mowers for Clean, Safe & Green	Commissioning in progress	Environmental Services	4 years	£440,000
Debt Recovery & Enforcement Services	Commissioning in early stages of progress	Revenues & Commercial	3 years + OTE 2 years	Income generating
Asbestos Surveys for Housing Properties	Commissioning in progress	Housing Property Services	4 years	£520,000
Electrical Works	On hold while EY audit is carried out	Housing Property Services	TBC	TBC

Fire Risk Assessments	On hold while EY audit is carried out	Housing Property Services	5 years	£250,000
Disabled Facility Grants	On hold while EY audit is carried out	Housing Property Services	4 years	£14,820,000

Table 2 Q3 - Tendering Activities

Title of Tender	Service Area	Contract Duration	Estimate Value £	Tender Start Date	Contract Start Date
Telecommunications Services	Digital	3 years (plus 2 year extension)	£325,000	Jun 2022	TBC
Temporary Agency Staff – Approval to use CCS framework	People	Up to 15.1.24	Up to £2,000,000	TBC	TBC
Supply of Liquid Fuels AWARDED	Environmental Services	2 years (plus 2 year extension)	£1,000,000	Sep 2022	Oct 2022
Election Management System Licence Agreement AWARDED	Legal & Democratic Services	3 years	£45,000	Feb 2022	Sep 2023
Supply, Installation & maintenance of Stair lifts and Ceiling Joists	Housing Property Services	5 years	£1,000,000	Jan 2022	TBC
St Margarets (Main Contractor)	Development	97 weeks	£11,370,519	Feb 2022	TBC
Garages Stock Condition Survey	Commercial Development	10 weeks	£122,684	Aug 2022	Nov 22
Paradise Depot	Development	36 months	£15,600,000	Feb 2021	TBC

Commercial Development - Quarterly Performance Scorecard

Measure Code ↑	Measure	Date	Actual	Target	DoT	Performance Trend
FIN12	Garages Income ytd budget against ytd actual	Dec 2022	£2,440,551	£2,450,400	✓	
FIN13	Car Parking Income ytd budget against ytd actual	Dec 2022	£1,652,536	£2,034,960	✓	
<p>Income from parking is approx. £430k down on budget by period 10 (Jan 23). This equates to 19% Parking habits since the pandemic have not returned to pre-covid levels which indicate a change in parking behaviour.</p>						

Financial Services - Quarterly Performance Scorecard

Measure Code ↑	Measure	Date	Actual	Target	DoT	Performance Trend
FIN01 (Q)	Percentage of creditor trade invoices paid within 30 days (Q)	Dec 2022	99.38%	96.00%	✖	<div style="width: 99.38%; background-color: #2e7131; height: 10px;"></div>
FIN03 (Q)	General Fund Budget Variance against forecast (Q)	Dec 2022	266,000.00	0.00	?	
<p>This KPI reports the total forecast variance to budget for the Council's General Fund services, across income and expenditure.</p> <p>The position shown is that forecast at the end of November 2022, the latest approved position.</p> <p>A pressure of £266k is forecast against General Fund as at the end of November 2022.</p> <p>There are pressures against waste services and car parking income.</p>						
FIN04 (Q)	Housing Revenue Account Budget Variance against forecast (Q)	Dec 2022	3,782,000.00	0.00	?	
<p>This KPI reports the total forecast variance to budget for the Council's HRA services, across income and expenditure.</p> <p>The position shown is that forecast at the end of November 2022, the latest approved position.</p> <p>A pressure of £3.782m is forecast against HRA as at the end of November 2022.</p> <p>This is driven by expected repairs and maintenance expenditure. There are also pressures against utilities costs and additional costs from General Fund relating to resources supporting the HRA.</p>						
FIN06 (Q)	Capital variance against forecast (Q)	Dec 2022	0.00	0.00	?	
<p>This KPI shows the slippage against the Council's HRA and General Fund capital programme.</p> <p>The position shown is that forecast as at 30 September 2022, the latest approved position.</p> <p>There is slippage against the capital programme of £20.7m, largely due to delays in starting housing development projects. This delay has been caused by planning approval restrictions in place prior to the implementation of the mitigation strategy relating to Chiltern Beechwoods Special Area of Conservation.</p> <p>Further information can be found in the Q2 Financial Performance report to November Cabinet.</p>						

Legal & Democratic Services - Quarterly Performance Scorecard

Measure Code ↑	Measure	Date	Actual	Target	DoT	Performance Trend
DPA01	Percentage of Data Protection Act requests met in 31 days	Dec 2022	96.00%	100.00%	✓	

Revenues and Benefits - Quarterly Performance Scorecard

Measure Code ↑	Measure	Date	Actual	Target	DoT	Performance Trend
RBF01 (N)	Total days taken to decide new benefit-related contact in period	Dec 2022	6,301		N/A	
RBF01 (Q)	Average days taken to respond to a benefit-related contact from a resident. (Q)	Dec 2022	14.63			
<p>The Benefits team has been impacted by a resource shortage caused by a number of staff on long-term sickness and the death of one team member.</p> <p>The Service has been able to secure some extra temporary resources, but linked to national pressures, this was not available until January. As such, we expect to see improvement in this measure during the final quarter of the year.</p>						
RBF04 (Q)	NNDR (Business Rates) in-year collection rate (Q)	Dec 2022	75.10	73.10		
RBF05 (Q)	Council Tax collection rate (Q)	Dec 2022	83.50	83.20		
<p>Although collection levels at the start of the year were showing improvement close to pre-pandemic levels, this has reduced over the last few months.</p> <p>Current indications are that we will end this year with a similar percentage collection level to last year (although this does still mean that the cash collected is about 5% more).</p>						
RBF06 (Q)	Average days taken to respond to a council tax related contact from a resident (Q)	Dec 2022	18.46			

Risk Register Summary Table

Risk Name	Risk Owner	31 Dec 2022		
		RM01 Risk Consequence	RM02 Risk Likelihood	Status
		Actual	Actual	Actual
Council Tax & Business Rates collections rates drop below budget	Nigel Howcutt	3	4	12.00
Delays and errors in the processing of Benefits claims	Nigel Howcutt	2	3	6.00
Delays to Capital programme	Nigel Howcutt	2	4	8.00
Failure to optimise income generated by commercial assets	Nigel Howcutt	3	2	6.00
Variances in General Fund revenue budget	Nigel Howcutt	3	2	6.00

Risk Register Details Table

Risk Name	Detail	31 Dec 2022
		Status
Council Tax & Business Rates collections rates drop below budget	Risk Owner	Nigel Howcutt
	Portfolio	Finance & Resources
	Risk Description	Council Tax & Business Rates collections rates drop below budget.
	Inherent Score	9 ▲
	Mitigated Score	12.00 ▲
	Target	6.00
	Comments	
	Controls & Assurances	<p>The following controls aim to identify as quickly as possible if the Council is falling behind on its collection rates target for the year. If a problem is identified, the Council is then able to invoke a range of options to minimise the ongoing negative impact on collection.</p> <p>Profiled monthly collection rates are monitored monthly - see KPIs RBF04 and RBF05. Reasons for variances are then investigated in order to address problems quickly as possible.</p> <p>Direct debit payment is recommended for all customers – a pre-filled instruction is sent to all non-DD payers with their annual bill or a first bill for a new taxpayer. The direct debit method reduce the risk of under-collection because it eliminates the risk of a payer forgetting to make a monthly payment.</p> <p>In quarter 4 of 2021/22 and quarter 1 of 2022/23 the service saw the largest growth in direct debit initiations. This improves the consistency and reliability with which residents pay their council tax.</p> <p>Following the cessation of the governments Covid protection policies the council has reinstated an active programme for taking formal recovery action against non payers and this is monitored monthly and overseen through quarterly performance reporting.</p> <p>During Quarter 3 in 2022/23 the collection rate performance has reduced compared to the first half of 22/23 and the likelihood of in year collection rate achieving the targeted levels is challenging, hence an increase in the overall risk score from 9 to 12 quarter on quarter.</p> <p>Collection rates are still improved on the previous 2 years but behind pre covid levels. The service is collecting greater levels of historic arrears from previous years, so the actual cash collected for council tax is in line with budgeted expectations.</p> <p>Anecdotally the current cost of living pressures are beginning to impact on residents and the service is signposting more residents to the various support mechanisms in place.</p>

	Detail	31 Dec 2022 Status
	Evidence Risk is being managed	<p>The processes for collection of council tax and business rates have been consistent over time and the budgeted collection rate levels have been achieved.</p> <p>The collection rates achieved are above national averages and specifically business rates collection was in the upper quartile of national performances.</p> <p>The service has been able to increase the volume of CT payers that are received through Direct Debits and has also developed 10 and 12 monthly payment processes in the last few years.</p>
	Consequences / Impacts	<p>Distribution of collection fund to other preceptors is based on the budgeted collection level, if collection falls short this could lead to a cashflow issue within the Council's finances. The fund distribution is balanced after the end of the financial year.</p> <p>Reputational risk if collection rate falls significantly – this could also impact on future years' council tax base leading to increased budget pressures.</p> <p>Financial risk in relation to business rate retention scheme if rates collection falls below government set baseline.</p>
	Risk Owner	Nigel Howcutt
Delays and errors in the processing of Benefits claims	Portfolio	Finance & Resources
	Risk Description	Delays and errors in the processing of Benefits claims
	Inherent Score	12 
	Mitigated Score	6.00 
	Target	6.00
	Comments	

	Detail	31 Dec 2022 Status
	Controls & Assurances	<p>The controls in place aim to mitigate this risk by closely monitoring performance to assist with effective decision-making around resource allocation. This is a heavily process driven service area and close monitoring also helps to identify bottle necks in the process which need to be improved to optimise performance. By subjecting the process to this regular in-depth scrutiny the Service is able to reduce the probability of the risk crystallising, hence the reduction between the Inherent Risk score (4) and the Residual Risk score (2) after the controls have been taken into account.</p> <p>Quality checking and individual performance management is in place. These mean that each officer has targets for their personal productivity and accuracy, and information from quality checks is fed back in order to sustain improvement.</p> <p>Average time taken for processing new claims and changes in circumstances forms part of monthly monitoring which is deemed good practice.</p> <p>Processes are in place to expedite cases where the customer is vulnerable or facing eviction. These processes start when a case is identified within benefits, or by customer services, homelessness, housing etc. The service work in partnership with other council services and external bodies to achieve good outcomes for the residents.</p> <p>Monthly meetings are held between senior officers within Finance & Resources to monitor detailed performance levels at each stage of the claims process, and quarterly performance meetings with the S151 are undertaken.</p> <p>This enables intermediary targets to be set for discrete elements of the process, which in turn enables the more effective monitoring which has resulted in significantly improved performance over the last 6 months.</p> <p>Quarter 3 performance has been very positive with December 2023 average days taken to respond to benefit queries down from circa 15 days in quarter 2 to 10 days.</p>
	Evidence Risk is being managed	<p>Prior to pandemic the KPI's for the housing benefit service in 2019/20 were all achieved with new performance records set along the way.</p> <p>The 20/21 and 21/22 financial years saw a surge in new cases and changes to existing claimants. The service have had to introduce new ways of working to deal with the new cases during covid. The performance on changes to existing housing benefit cases has remained strong with performance in the second half of 21/22 being the strongest achieved in over 18 months.</p> <p>The annual housing benefits audit and audit returns have all been approved by auditors and the processes have received substantial assurance.</p>
	Consequences / Impacts	<p>This risk links to the corporate objective Dacorum Delivers, focussing on an efficient and effective council.</p> <p>Customers could suffer personal hardship resulting from delays or errors in the processing of claims.</p> <p>Significant reputational risk associated with high-profile errors.</p> <p>Staff time spent on addressing unnecessary errors leads to duplication of effort and is an inefficient use of resources.</p> <p>Government subsidy for housing benefit expenditure is based on external audit certification of the claim made. There is financial risk if errors on cases are identified during their testing.</p> <p>Communications with claimants needs to be well written and jargon-free in order to reduce the risk of repeat queries which puts pressure on limited staff resources.</p>
	Risk Owner	Nigel Howcutt

	Detail	31 Dec 2022 Status
Delays to Capital programme	Portfolio	Finance & Resources
	Risk Description	Delays to Capital programme
	Inherent Score	8 
	Mitigated Score	8.00 
	Target	6.00
	Comments	
	Controls & Assurances	<p>The controls that have been implemented to mitigate this risk target the robustness of capital bids both at the time they are submitted and throughout the delivery phase of the projects.</p> <p>In particular, scrutiny is focused on those elements of the capital bid that experience indicates are the primary cause of delays to capital projects. These include</p> <ul style="list-style-type: none"> • How robust are the assumptions on the estimated duration of the procurement exercise? • How realistic is the estimated time taken for contractors to deliver the works? • How realistic are the assumptions on officer availability to manage the project on time? <p>The rationale behind this approach is that an increased culture of challenge will lead to more realistic programming of future capital projects, and therefore a reduced likelihood of slippage.</p> <p>The following controls are in place with a view to developing a culture of scrutiny and challenge for officers to improve the accuracy of future bids:</p> <ul style="list-style-type: none"> • Monthly meetings take place between accountants and budget holders to monitor progress against original timeframes and costs; • Strategic Leadership Team (SLT) receive a quarterly report on the progress of capital projects against anticipated timeframes; • Performance Group comprising Chief Officers and cabinet Members receive a monthly report on the progress of current projects; • Reports go to Cabinet and all Overview and Scrutiny Committees (OSC) every quarter. These reports have been redesigned to focus on the more immediate risk of in-year delivery, highlighting higher risk areas to invite closer scrutiny from Members. <p>The quarter 3 financial report in February outlined additional slippage on the capital programme for 22/23, With slippage of £2m on the general fund and £10.6m on the HRA for 22/23. The main reasons for this slippage is a combination of the planning moratorium preventing new planning approvals and supply chain of providers in delivering materials and goods such as the fleet replacement programme.</p> <p>The overall risk score has reduced quarter on quarter, even though the likelihood of delayed spending has increased the score for the impact of delays of the capital programme has reduced as finance have taken mitigating actions to reduce the impact of this delay.</p>

	Detail	31 Dec 2022 Status
	Evidence Risk is being managed	<p>The General Fund and New House Building capital programmes have been maintained throughout the pandemic and covid recovery period. The timeframes have extended as a result of covid, and the capital programme has been adjusted accordingly. There has been no significant financial pressures realised to date as a result of the capital programme being delayed.</p> <p>The recent increase in capital project costs has been maintained within existing contingency budgets, it is expected that future procurement of construction partners will exceed historic cost expectations.</p>
	Consequences / Impacts	<p>Many of the major projects within the Capital Programme are fundamental to delivery of the Council's corporate objectives. Therefore significant delays can impact on the achievement of the corporate plan.</p> <p>Financial decision-making is negatively affected if the timing of projects in the Capital Programme is wrong. This can result in lost investment income or increased interest costs as the Council moves closer to the point where it will need to borrow.</p> <p>The estimated delivery date is considered as part of the decision to allocate capital funds to one project over another. If estimated timings are not accurate, there is a risk that the allocation of funds is not being decided on appropriately.</p> <p>If inaccurate project management is tolerated, there is a risk that the culture of financial management across the Council will be negatively affected which will have consequences for wider financial decision-making.</p> <p>Not delivering major projects within the timeframe to which it has committed itself exposes the Council to reputational risk.</p>
Failure to optimise income generated by commercial assets	Risk Owner	Nigel Howcutt
	Portfolio	Finance & Resources
	Risk Description	Failure to optimise income generated by commercial assets
	Inherent Score	12 ▲
	Mitigated Score	6.00 ●
	Target	6.00
	Comments	

	Detail	31 Dec 2022 Status
	Controls & Assurances	<p>The following controls aim to mitigate the risk of under-performance of the Council's commercial assets by maintaining good communication links between relevant Council services, and by regularly monitoring performance against targets (see KPIs CP01 and CP02) to ensure that underperformance is identified and addressed as quickly as possible. The existence of these controls has led to the 'Inherent Probability' of this risk occurring reducing from a score of 4, which is shown in the Residual Probability (i.e. after controls implemented) being a 3.</p> <p>Estates officers responsible for negotiating rent reviews hold monthly meetings with the Debtors team to track current bad debtors. This increases their understanding of the economic pressures businesses are facing, and how it can impact on council income.</p> <p>There are currently InPhase performance targets to maintain the number of voids (empty properties) below 5%, and to keep the rent arrears below 10%. Failure to meet either of these targets would prompt further investigation.</p> <p>A plan for further debt recovery once the current government covid policies ends in October 2022 ae being developed.</p> <p>The quarter 3 financial performance of the commercial assets service is projecting to exceed the 22/23 budgeted income by circa £300k, reducing the likelihood of not achieving the commercial income, hence reducing the overall risk score.</p>
	Evidence Risk is being managed	<p>In 2019/20 the commercial property service achieved occupancy of 96.2% with rent arrears of only 7%. This performance is above the targeted KPI levels and well ahead of commercial expectations, and followed an equally strong 2018/19.</p> <p>In 20/21 the occupancy level remained strong at 95% with arrears increasing to 15% in 20/21, and up to 20% in 21/22 in response to the pandemic and in particular government covid restriction policies in relation to rent arrears and evictions. Arrears are still at circa 20%, significantly below the market average for the retail sector of circa 60% for this period.</p> <p>The service have increased the number of payment plans and alternative methods for debt collection in this period and this has meant debt levels have remained below sector averages.</p>
	Consequences / Impacts	<p>The council has a significant portfolio of commercially let properties, which provides one of the council's largest sources of income. Council officers must attempt to maximize income from these assets whilst avoiding the risk of vacant properties and increasing bad debts, which could arise if rents are set too high, and would jeopardise the council's achievement of its corporate objectives of Regeneration and Economic Development.</p> <p>The continuing recession and the difficulties it brings for local businesses increases the likelihood of this risk crystallising, and the current government covid policies reduce the services levers to deal with growth and debt recovery.</p>
Variances in General Fund revenue budget	Risk Owner	Nigel Howcutt
	Portfolio	Finance & Resources
	Risk Description	Variances in General Fund revenue budget
	Inherent Score	12 
	Mitigated Score	6.00 
	Target	6.00

	Detail	31 Dec 2022 Status
	Comments	
	Controls & Assurances	<p>The following controls aim to reduce the probability of there being a variance in the General Fund Revenue Budget by ensuring that there is strong challenge put to Budget Holders on the robustness of their assumptions, from a range of audiences.</p> <p>It is intended that these controls will increase the opportunity for flawed assumptions to be exposed as soon as possible, as well as incorporating a stronger culture of financial management across the Council leading to continuous improvement in the setting of accurate budgets.</p> <p>The annual budget-setting process consists of an ongoing scrutiny process in which senior officers from across the Council, together with the Financial Services team, challenge the following year's budget bids from Group Managers.</p> <p>This scrutiny process is augmented by the Budget Review Group (BRG), consisting of CEX, S151 officer and the Portfolio Holder group, which provides early Member-level challenge.</p> <p>There are two opportunities for OSCs to scrutinise the budget proposals and directly question the relevant officers before the budget report is finalised and considered by Cabinet and Council.</p> <p>Once approved, in-year budget performance is managed through monthly reporting to the SLT which underpin quarterly reports to Cabinet and OSCs.</p> <p>The Council's Financial Regulations provide a guide to all budget-holders and are subject to annual review.</p> <p>The quarter 3 performance is showing that following reserve draw downs to support the 22/23 pay award and additional fuel and utility inflation pressures the general fund is projecting to be deliver to budget.</p>
	Evidence Risk is being managed	<p>The Financial Performance for 2021/22 was in line with budgeted expectations, and the reserves support provided from the economic recovery reserve was in line with 2020 expectations.</p> <p>The first quarter of 2022/23 is showing an initial financial pressures of circa £800k that will need to be mitigated and managed accordingly.</p>
	Consequences / Impacts	<p>Accurate, well-controlled budgeting relates directly to the corporate Objective creating a modern and efficient council. Indirectly, through the financial decision-making process, this links to the achievement of all of the Council's corporate objectives.</p> <p>Inaccurate budgeting negatively affects the Council's ability to make evidence-based decisions. A significant underspend at year-end could indicate that funds have been needlessly diverted from a competing priority. A significant overspend at year-end could result in reserves being used to support lower priority objectives. Both of these could result in reputational damage for the Council.</p> <p>Failure to address the causes of inaccurate budgeting could negatively impact the Council's culture of financial management, which in turn increases the risk of poor financial decision-making.</p>



Finance and Resources Overview and Scrutiny Committee

Report for:	Finance and Resources Overview and Scrutiny Committee
Title of report:	Quarter 3 Performance Report – People Transformation Digital and ICT Communications
Date:	7 March 2023
Report on behalf of:	Councillor Graeme Elliot
Part:	I
If Part II, reason:	N/A
Appendices:	N/A
Background papers:	
Glossary of acronyms and any other abbreviations used in this report:	KPI – Key Performance Indicators

Report Author / Responsible Officer

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Corporate Priorities	A clean, safe and enjoyable environment Building strong and vibrant communities Ensuring economic growth and prosperity Ensuring efficient, effective and modern service delivery Climate and ecological emergency
Wards affected	All wards
Purpose of the report:	1. To provide the Q3 performance information for monitoring and information
Recommendation (s) to the decision maker (s):	1. That Members note the report and identify any areas where they require additional information
Period for post policy/project review:	N/A

1. Introduction

- 1.1. This paper will provide an update on service performance over Q3 2022/2023 for People, Transformation (including CSU and Climate and Ecological Emergency), Digital and ICT, Communications, and also highlight key achievements over this same period.

2. People

- 2.1. The total days sickness absence for quarter 3 is less than the previous quarter and less than quarter 3 last year.

2.2. Detailed analysis shows the main contributors to sickness absence were [musculoskeletal](#), [Cold/Flu](#) and [mental health](#). HR work with management to assess cases to understand the reasons for the absence so that a tailored approach can be devised. For cases of work-related sickness, mechanisms are in place to identify the ‘possible cause’, so that managers can find solutions to alleviate these pressures whilst still setting expectations of work delivery. Alternatively, for cases including home life stressors, there are many support processes in place such as: occupational health; counselling; sign posting to external support; and our new mental health first aider programme.

2.3. The sickness scrutiny group continues to meet monthly to assess all sickness absence and looks to identify trends and areas of concern. Any such cases will be escalated to a more formal route as per the policy. This group also monitors return work interview compliance, as well as carrying out spot checks on whether managers are in regular contact with their staff while off sick.

2.4. The sickness scrutiny group continues to assess all long-term sickness cases each month to ensure the Council is doing all it can to support staff back to work, by ensuring we have the latest medical information from our Occupational Health team, looking at what adjustments we can make to roles and where cases need to be escalated to a formal process in line with the policy. We work closely with managers to ensure regular contact is made with staff who are absent from work as this is a critical aspect to help staff back to the workplace.

- 2.5. HR also continue to send out a fortnightly wellness offer which includes courses, webinars, exercise classes and other support. These focus on a dedicated topic and also link into national themes around wellness. The Council continues to promote our mental health first aider programme, where we have a cohort of trained staff who can be the first port of call for our workforce should they need some assistance. We also offer free confidential helpline to staff where they can seek professional advice and counselling in certain cases. We also are continuing to run our staff engagement group which is focussing on health and wellbeing issues/solutions as well as how the return to the office is progressing.
- 2.6. HR has been undertaking further interventions which have been approved by the strategic leadership team to help reduce sickness absence, the key actions include: Implementing Mental Health First Aid awareness 'lite' course for managers where there is a high level of mental health issues in their teams, having a physio on site for front line staff (Pilot to commence at Cupid Green in March), working with H&S on musculoskeletal cases – to identify trends, appropriate PPE and training needs. We have also recently commissioned a clinical counselling service for front line staff who are dealing with traumatic/emotional caseloads, the pilot will be run in the homelessness team, and we will roll out to other teams if it is successful.
- 2.7. The staff turnover percentage is still below 15% which is considered a healthy staff turnover rate in the UK.

3. Transformation

- 3.1. We continue to work on implementing the Customer Strategy. During this quarter, the project team have worked with Revenue and Benefits, Strategic Housing, Environmental Protection, Legal and Democratic Services, Customer Services Unit and Development Management to identify opportunities to make the councils high-volume processes more effective, efficient and customer-focused. Analysis was undertaken with the service's to determine the benefits that will be released as a result of implementing these opportunities and have been documented within a benefit tracker. These opportunities have been prioritised and will be developed into a programme of work to be delivered in mid-2023.
- 3.2. The project team held 3 focus groups with residents of Dacorum Borough Council to develop a Customer Charter that included a set of customer commitments. An implementation plan will be developed in Q3 to set out how the customer commitments will be embedded into the organisation. Two software providers were also invited to Dacorum Borough Council to demonstrate to key stakeholders the capabilities of their digital platform, and we will now focus on developing a Business Case to procure an appropriate digital platform.
- 3.3. The new Complaints Policy was approved by Cabinet in November, and launched across the council on 01/12/22. The Complaints Team has been centralised, based in the Customer Services Unit, and a new Complaints Officer joined on 01/12/22. The team delivered 13 training sessions to case owners (Heads of Service and Team Leaders), as well as being on hand for one-to-one case support. The Complaints Policy has been recognised by Inside Government (Complaints Training Provider) as a excellent customer-friendly example for others to follow.
- 3.4. MP Enquiries has been moved to the Complaints Team to ensure corporate focus and to introduce more structure to the existing processes. An action plan has been enacted to reduce a small backlog of MP Enquiries from 2022, and to continue processing incoming enquiries. Process guidance has been written for the handling of complaints, MP Enquiries, and Ombudsman Enquiries. These will be available shortly on a dedicated Customer Services tab on the intranet, and communicated across the organisation.

- 3.5. The Transformation Service has collated a draft corporate in this quarter, which has highlighted some opportunities to streamline and amalgamate existing policies as well as introduce more rigour to the current policy-making process. The Policy Register will be reviewed with Heads of Service as part of the Service Planning process in the next quarter.
- 3.6. A review was undertaken of the Performance Management Framework and new approach developed which will prioritise understanding why performance is where it is, and what work is being undertaken to return performance to the defined standard or target. The new approach includes introducing a central resource which challenges and supports teams to work on these specific areas, Increasing functionality of (and access to) InPhase, our Performance Management System and enabling greater scrutiny and accountability at all levels. We will focus on agreeing the targets for both Key Performance Indicators and Service Performance indicators, taking an evidence led approach over the next quarter.
- 3.7. A new Head of Service, Shaj Choudhury joins in February, followed by a Transformation Programme and Project Manager in late February. The Transformation Programme and Project Manager will predominantly be delivering the implementation of the Customer Strategy. The service still holds two vacancies which have been hard to fill and are in conversation with HR to identify the best solution to address these vacancies.

4. Customer Services Unit (CSU)

- 4.1. Call handling times remain high, which has resulted in a further increase in average call waiting-time from 549.67 seconds to 685.67 seconds. This was primarily due to staff turnover of multi-skilled and experienced team members. To assist with the training of newer team members, we have created a dedicated Training Officer role, which is having a positive impact on the ability to deliver training in a structured and consistent manner and will, over time, assist with reducing wait times.
- 4.2. We expect average call waiting times to remain high next quarter due to surges in demand as a result of the Garden Waste Subscription service, Annual Housing Rent increase letters and Annual Council Tax bills going out during this quarter. We are working on putting mitigations in place including improved Integrated Voice recognition (IVR) scripts, encouraging self-service channels where appropriate and improved management oversight to manage long wait times to enable diverting of calls to other staff members and offering call back options.
- 4.3. The work on implementing the Customer Strategy will also support our efforts to reduce avoidable contact and failure demand, resulting in shorter wait times.

5. Climate and Ecological Emergency

The EV strategy was published in November and a draft implementation plan established, with delivery timescales dependant on confirmed funding status. It has very recently been confirmed that Dacorum has been awarded a total of £415,360 by the Office for Zero Emission Vehicles (OZEV), with support of the Energy Saving Trust. This covers 60 per cent of the project cost for providing 104 charging points across 18 car parks, with the remaining 40 per cent being provided by Connected Kerb and Osprey Charging Network. Once the new chargepoints are in place, Dacorum will have the highest number of chargepoints out of all districts/borough in Hertfordshire, and will also move into the top 20 per cent nationally. Officers will focus on phase 1 of the implementation of the plan in Quarter 4.

- 5.1. The Climate and Ecological Emergency (CEE) programme has also seen the successful delivery of Green Community Grants, whereby 10 local community groups were awarded a combined total of £20,040. These grants helped fund projects such as cavity wall insulation for a town hall, two thermal camera loan schemes and the greening of wall at a primary school.

5.2. A climate adaptation and resilience project, as part of the Hertfordshire Climate Change and Sustainability Partnership, has recently commenced and a more robust update will be provided next quarter as the project progresses.

6. Digital and ICT

- 6.1. IT Systems availability (100%) continued to be positive within the quarter demonstrating the fundamental reliability of the Council's technology infrastructure.
- 6.2. The primary performance indicator (ICT01 - Percentage of incidents resolved in less than 2 days) was red within the quarter at 84% against a target of 90%.
- 6.3. There is one vacancy on the Service Desk which has been difficult to recruit to. Our latest recruitment drive has resulted in a successful appointment with a new starter joining the team in the next 4 weeks. However, the team has recently had another leaver who has successfully applied for a role in Housing. This has and will continue to impact on our ability to resolve more incidents within our 2 day target.
- 6.4. The digital team has introduced a new process for considering all new digital initiatives; A forum 'to make timely technology decisions that take a balanced account of the needs of the overall business and individual services whilst encouraging experimentation and learning.' Services have submitted 11 requests through this pilot in the last 4 weeks.
- 6.5. Work to develop a business case for a new digital platform is progressing well. The aim is to provide services with new corporate functionality, embedding the principles of the digital strategy and enabling us all to become more efficient and productive.

7. Communications

7.1 Similarly to Q2, it has continued to be an extremely busy time within the Communications team. We have delivered an external communications programme supporting corporate projects and events across DBC services and partner organisations. This includes 408 social media posts on our corporate channels (Facebook, Twitter and LinkedIn), 16 news articles, 9 press releases and more than 160,000 emails via our digital publications portfolio.

Campaigns/projects summary includes:

- Garden Waste Subscription Service
- Cold weather affecting heating and hot water of council tenants
- Joint bid submitted for home energy-efficiency improvements
- Hemel Garden Communities vision survey
- Second Climate Action Network event
- Measures extended to protect key employment areas
- Mitigation Strategy agreed to protect Ashridge Commons and Woods
- Draft Employment and Skills Supplementary Planning Document consultation
- DBC teams again achieve gold standard in RSPCA awards
- Autumn Sustainable Clothes Swaps
- *Love Food, Hate Waste* Challenge
- Snowdogs in Hemel Hempstead for Christmas

7.2 We have also delivered an events programme including our Hemel Old Town Halloween Party, in partnership with Community Action Dacorum and Hemel Old Town Market, and the Christmas Lights switch-on event in Hemel Hempstead.

7.3 In terms of Internal Communications output, it has continued to be a very busy time for the team. We have delivered an internal communications programme, including the first ‘in-person’ (hybrid) Staff Update Session since 2020, with more than 300 colleagues attending (in-person and online); and the first informal Coffee Morning with SLT event. Also in Q3, we issued over 40 internal communications news items across internal channels, such as our intranet, covering general staff news, corporate information (projects and initiatives) and staff events.

7.4 We have delivered our programme of print and digital publications, including 12 issues of our weekly *Dacorum Life* digital newsletter (currently 12,630 subscribers).

7.5 Social media and website statistics: Our social media channels continue to grow organically at a healthy rate compared to similar local authorities. Once again, this quarter sees a further significant increase in LinkedIn connections, reflecting increased activity including effective promotion of job vacancies.

- Dacorum BC **Facebook** - October to December 2022:
 - o Connections – 12,222 (increase of 184 from Q2 2022/23)
 - o Link clicks – 4,942 (decrease of 599 from Q2 2022/23)
 - o Posts – 186 (increase of 8 from Q2 2022/23)
- Dacorum BC **Twitter** - October to December 2022:
 - o Connections – 8,880 (decrease of 14 from Q2 2022/23)
 - o Link clicks – 1,196 (increase of 409 from Q2 2022/23)
 - o Posts – 176 (increase of 7 from Q2 2022/23)
- Dacorum BC **LinkedIn** - October to December 2022:
 - o Connections – 4,609 (increase of 260 from Q2 2022/23)
 - o Link clicks – 390 (decrease of 19 from Q2 2022/23)
 - o Posts – 46 (decrease of 4 from Q2 2022/23)



Finance and Resources Overview and Scrutiny Committee

Report for:	Finance and Resources Overview and Scrutiny Committee
Title of report:	Employee Code of Conduct
Date:	7 th March 2023
Report on behalf of:	Councillor Graeme Elliot, Portfolio Holder for Corporate Services
Part:	I
If Part II, reason:	N/A
Appendices:	New Code of Conduct for Employees (Appendix 1) Existing Code of Conduct for Employees (Appendix 2)
Background papers:	None
Glossary of acronyms and any other abbreviations used in this report:	None

Report Author / Responsible Officer

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Corporate Priorities	A clean, safe and enjoyable environment Building strong and vibrant communities Ensuring economic growth and prosperity Providing good quality affordable homes, in particular for those most in need Ensuring efficient, effective and modern service delivery
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	Climate and ecological emergency
Wards affected	All
Purpose of the report:	To seek comments on a new Employee Code of Conduct
Recommendation (s) to the decision maker (s):	That Finance and Resources Scrutiny Committee recommend the Employee Code of Conduct to Cabinet and Council for adoption.
Period for post policy/project review:	Annual

1 Introduction/Background:

- 1.1 The Council has a Code of Conduct for Employees (the Code) which has been in place for a number of years and was last formally reviewed in 2014. The Code sets out the standards expected of employees whilst they are employed by the Council.
- 1.2 The main areas covered in the Code are:
 - Impartiality, Conflicts of Interest
 - Political Neutrality
 - Gifts and Hospitality
 - Employment & Recruitment
- 1.3 A review has been carried, which considered changes in legislation, guidance, other codes of conduct in place at nearby district councils, and a number of sections have been identified where the Code could benefit from review and development.

2. New Code of Conduct of Conduct

- 2.1 A new Code of Conduct is therefore proposed which builds on the key principles in the current code, but develops additional and more detailed sections regarding:
 - Disclosure of Information & Confidentiality
 - Bribery, Corruption and Fraud
 - Sponsorship
 - Employment & Recruitment
 - Equality issues
 - Information Security
 - Criminal offences
 - Whistleblowing
- 2.2 The new Code of Conduct is different in format and it has not been possible to show in a tracked changes version against the current code. Therefore both the new Code of Conduct and old are attached for consideration by Members.
- 2.4 There is one area of the new Code of Conduct which members should note in particular and this is a new requirement for officers to complete a Register of Interest Form on commencement of employment and to update within 28 days if any change of interest. This is similar in form to the Members Declaration of Interests and will cover interests such as land owned in the borough, any

outside employment undertaken, whether the employee has a beneficiary interest in securities in a company which has a place of business in the borough, membership or positions in outside bodies and relationships with other employees or councillors at the Council. The overriding purpose of this provision is to ensure the employee does not put themselves in a position where their private interests could conflict with those of the Council. The Interest Form is contained at appendix 3 of the new Code of Conduct.

An on-line version of the form will be developed to make submission and updating a simple process for employees.

3. Training

A new on-line training module is currently being developed with SkillGate which will ensure that all new and existing employees are trained on the new Code of Conduct once it is finally adopted by Council.

4 Options and alternatives considered

It is appropriate to review the Code as it has been in place since 2014. The Code has become outdated and therefore no other options other than reviewing the Code are appropriate.

5 Consultation

The Council's Strategic Leadership Team has been consulted and agreed to the recommended adoption of the new Code of Conduct.

The two employee unions, Unite and Unison have been consulted on the new Code of Conduct and provided no negative feedback or suggested amendments.

6 Financial and value for money implications:

There are no direct financial or value for money implications resulting from the new Code of Conduct but compliance with the code should ensure that officers maintain appropriate standards and levels of transparency and probity which will assist the council achieve value for money from all of its services.

7 Legal Implications

The new Code of Conduct will provide guidance and obligations on employees in various different areas of employment law and best practice and should help to ensure that employees avoid conflicts of interest and comply with relevant council policies, guidance and the law.

Failure to comply with the code may render the employee liable to disciplinary proceedings.

8 Risk implications:

Failure to have an appropriate code of conduct in place could mean that employees are unclear of their legal and statutory responsibilities, which could lead to inappropriate or unlawful conduct and risk of challenge to the Council's decisions and actions.

9 Equalities, Community Impact and Human Rights:

A Community Impact Assessment has been carried out which confirms that there are no negative impacts as a result of the new Code of Conduct. The code includes a specific section 6.2.2 which encourages community engagement and includes a new section 12 regarding Equality issues which makes it clear that discrimination in any form would be a breach of the code.

There are no Human Rights implications arising from this report.

10 Sustainability implications

There are no direct sustainability implications arising from this report.

11 Council infrastructure

There are no direct implications arising from this report.

12 Conclusions:

The new Code of Conduct provides an effective framework to guide appropriate conduct from Council employees. Members are requested to consider the Code of Conduct before reporting to Cabinet and Council for adoption.



Appendix 1

EMPLOYEE CODE OF CONDUCT

1.0 Introduction

- 1.1 It is desirable for the protection of the public and the protection of employees that guidance be given to local government employees as to the conduct expected of them. This Code provides guidance to assist councils and their employees in their day to-day work and sets out the minimum standards of behaviour expected.
- 1.2 The aim of the Code is to set guidelines for Council employees which will help maintain and improve standards and protect employees from criticism or misunderstanding.

2.0 Framework for the Code

- 2.1 The public is entitled to expect the highest standards of conduct from all employees who work for Dacorum Borough Council (the Council) and this Code has been developed in line with best practice, existing legislation and the following guidance.
- 2.2 The provisions of this Code apply to all staff employed by the Council in the performance of their duties on a day-to-day basis including any additional offices to which they may be appointed in their capacity as a district council employee.
- 2.3 National Agreement on Pay and Conditions of Service (the National Agreement)
 - 2.3.1 The basic principle is stated in Part 2 paragraph 2, Key National Provisions of the National Joint Council for Local Government Services, National Agreement on Pay and Conditions of Service (the National Agreement):
 - ***Official Conduct***
-Employees will maintain conduct of the highest standard such that public confidence in their integrity is sustained; and
-Local codes of practice will be developed to cover the official conduct and the obligations of employees and employers.
 - 2.3.2 Similar provisions are incorporated in the National Conditions of Service of Chief Officers.
- 2.4 Seven Principles of Public Life
 - 2.4.1 This Code builds on, and is in keeping with, the seven principles of public life articulated by the Nolan Committee on Standards in Public Life (established in October 1994) which emphasises that those in public life should:
 - ***Selflessness take decisions based solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their families, or their friends.***

- **Integrity** not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.
- **Objectivity** in carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- **Accountability** are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **Openness** be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- **Honesty** have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- **Leadership** promote and support these principles by leadership and example.

3.0 Standards of Behaviour, Impartiality and Conflicts of Interest

- 3.1 Council employees are expected to conduct themselves with integrity and honesty in carrying out their duties and must provide the highest possible standard of service to the public.
- 3.2 Where it is part of their duties to provide appropriate advice to councillors and fellow employees this must be done with impartiality at all times.
- 3.3 Employees will be expected, without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service (see paragraph 15.1. *Whistleblowing*).
- 3.4 Responsibility is placed on every member of staff for disclosing to an appropriate manager or officer of the Council every potential conflict of interest in which he/she may be involved.
- 3.5 In general employees' private interests must not be such as to have the potential for allegations of impropriety or partiality to be sustained thereby bringing the Council into disrepute. This includes standards of behaviour outside the working environment and in the use of social media in relation to elected members, fellow officers and the general public.

- 3.6 Employees should not misuse their official position or information acquired in their official duties to further their private interest or those of others.
- 3.7 Employees must report to the appropriate manager any impropriety or breach of the terms of this Code.
- 3.8 Employees should have regard to the Council's Corporate Priorities and Corporate Plan when undertaking their duties and should make their line manager aware of any circumstances where these aims and objectives might not be able to be followed.

4.0 Disclosure of Information

- 4.1 The law requires that certain types of information must be available to members, auditors, government departments, service users and the public. The Council itself may also decide to be open about other types of information.
- 4.2 The Council will therefore make clear to employees:
 - the types of information which must be made available, and to whom;
 - the types of information which the Council has voluntarily made open, and to whom;
 - the types of information which the Council does not wish to be disclosed without specific permission.
- 4.3 The law also requires that personal information held about individuals must be treated in accordance with Data Protection legislation. Employees must ensure that they process data lawfully in accordance with the data protection principles. The Freedom of Information Act 2000 also gives a right of access to information held by public authorities in accordance with the provisions of the authority's publication scheme.
- 4.4 Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way.
- 4.5 Any particular information received by an employee from a councillor which is personal to the councillor and does not belong to the Council should not be divulged by the employee without the prior approval of that councillor, except where such disclosure is required or sanctioned by law.

5.0 Political Neutrality

- 5.1 Employees serve the Council as a whole. They must serve all councillors and not just those of a particular group and must ensure that the individual rights of all councillors are respected.

- 5.2 Employees may be required to advise political groups, but before providing such advice they should seek the approval of the relevant Strategic Director. In the provision of such advice employees should not compromise their political neutrality. Any advice given should be available to all political groups, if requested. An exception to this is the political supports officers who are specifically appointed to assist the political parties and are not required to share any advice given to any other political group.
- 5.3 Certain employees have roles which prevent them from undertaking certain political activities, such as canvassing for a political party or seeking election as a councillor (at a council other than Dacorum Borough Council) or other political office. These roles are commonly referred to as politically restricted posts. Please check your job description/employment contract to discover if you are in such a post.
- 5.4 All employees whether or not politically restricted must follow all lawful policies of the Council and must not let their own personal or political opinions interfere with their work.

6.0 Potential Conflict of Interest Situations

- 6.1 Employees are expected to conduct themselves with integrity, impartiality and honesty and their private interests should not be such as to have the potential for allegations of impropriety or partiality to be sustained thereby bringing the Council into disrepute.
- 6.2 In particular attention is drawn to the following examples of situations where potential conflicts of interest can occur.

6.2.1 Relationships with Councillors

Employees are responsible to the Council and for giving accurate and timely advice to councillors when required. Mutual respect between employees and councillors is therefore essential to good local government.

Close personal familiarity between employees and individual councillors can damage this relationship and prove embarrassing to other employees and councillors and should therefore be avoided.

Employees should deal with councillors in a polite, professional and efficient manner.

Whilst it is permitted for an employee to speak to their local ward councillor about any issue affecting them in their private capacity as a local resident, they should not approach nor attempt to influence councillors in relation to anything that relates to their position as an employee, or for their own, or a relative or friend's, personal gain/or detriment and should immediately report to an appropriate manager if a councillor attempts to pressurise them to deal with a matter outside of Council procedure or policy.

Further guidance on the conduct expected between officers and councillors is set out in the Protocol for Member/Officer Relations.

6.2.2 Contact with the Local Community and Service Users

The community and service users have a right to expect a high standard of service from the Council.

Employees have a responsibility to the community they serve and should ensure courteous, professional, effective and impartial service delivery to all groups and individuals within the community.

Employees should be positive, constructive and inclusive in their interactions with members of the community.

Where necessary, officers should make appropriate arrangements to communicate with people with disabilities in accordance with Council policies and should seek advice and guidance from the Council's Diversity and Community inclusion Officer where appropriate.

6.2.3 Relationships with Contractors, Planning Applicants and those applying for Council Grant

All relationships with external contractors, or potential contractors, or applicants for planning consents, grants or licences must be made known to the appropriate manager. This is particularly important if you are the employee who would normally deal with the matter in question. If that is the case you must declare your interest to your manager and the Council's Monitoring Officer and you must not have any involvement in making any decision relating to the matter.

Similarly, any beneficial interest or licence in respect of land which is affected by a planning application must be made known to the appropriate manager.

Orders and contracts, grants and planning decisions must be decided on merit and no special favour should be shown in the tendering process to any businesses, or potential suppliers, particularly those run by, for example, friends, persons to whom the employee owes (or is owed) an obligation, partners or persons where a family relationship is deemed to exist (see Appendix 1 for a definition of 'family relationship').

Employees who deal with, procure, engage or supervise contractors and consultants or process or determine applications under delegated powers with whom they have previously had, or currently have, a relationship in a private or domestic capacity, must declare that relationship to the appropriate manager and must not have any further dealings with the matter.

Employees must not accept money or any other reward from anyone who may benefit from work or funding provided by the Council. To do so would, in law, be corrupt.

7.0 Bribery, Corruption and Fraud

7.1 Under the Bribery Act 2010 it is a serious criminal offence to

- Offer, promise or give someone a reward to induce them to perform their functions or activities improperly.
- Accept, agree to accept or request a reward in return for performing a relevant function or activity improperly.
- Bribe a foreign public official in order to win business, keep business or gain business advantage for the organisation.

7.2 Use of Financial Resources

7.2.1 Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

8. GIFTS AND HOSPITALITY

8.1 It would be inappropriate to foster an atmosphere in which Council employees refused all invitations for social involvement with persons or bodies who may have had, or may seek to have in the future, business dealings with the Council. Contacts established on a social basis can be helpful and in the Council's interests. At the same time it is very easy for such involvement to be misconstrued as providing an opportunity to bring about undue influence. All employees should seek the advice of their Strategic Director or the Monitoring Officer if in any doubt about the right course of action to pursue in such cases.

8.2 The general problem of gifts and hospitality is that very often a careful exercise of judgement may be necessary to decide how the public interest, and the Council's good name, may best be served. Some flexibility is necessary therefore, as extreme strictness can give unnecessary offence to people and organisations with whom the Council's relationships should be cordial. However, an appearance of improper influence is easily created, and with it encouragement of suspicion about the motives of those who serve in local government. The general rule must be "when in doubt, opt out".

8.3 The following guidelines are set out to help employees to avoid the risk of putting themselves in a position which could damage their own position and the public confidence in the Council and are intended to be of assistance to everyone in this delicate area:

8.4 Gifts:

The following paragraphs are particularly directed to gifts from organisations or persons who are, or who seek to provide work, goods or services to the Council, e.g. building contractors, suppliers of goods or equipment and firms

able to provide professional or commercial services to the Council. Apart from the items listed below, the employee must refuse any personal gifts offered to him or her or to a member of his or her family, by any persons or body who has or seeks dealings with the Council.

8.4.1 The following are acceptable:

- 8.4.1.1** A modest gift or gifts of a promotional character given to a wide range of people and not uniquely to you. These gifts are usually given at Christmas time and include calendars, diaries, desk sets, flow charts, and other articles of use in the office or job. In no circumstances should a promotional gift or gifts of this nature worth more than £25 (or £25 in total when the value of gifts from one source are aggregated together) be deemed acceptable.
- 8.4.1.2** Gifts on the conclusion of any courtesy visit to a factory or firm or other community or other organisation of a sort normally given by that firm or organisation
- 8.4.2** Obviously, it is wise to err on the side of caution as an obviously expensive gift could raise a question even if it otherwise falls within one of the above categories. If in doubt, you should seek the advice of your Strategic Director or the Monitoring Officer.
- 8.4.3** When a gift has to be refused, this should be done with tact, because the offering of gifts is common practice in the commercial world. In some cases a gift is simply delivered and there may be a problem of returning it, e.g. a turkey received at Christmas. However, unless they are listed in the acceptable items given above, the above guidelines should be followed. It is sometimes acceptable to the giver for the gift to be the subject of a raffle and the proceeds placed to a charitable fund. However, an arrangement of this sort should only be made with a Strategic Director or Monitoring Officer's approval and recorded in writing.

8.5 Hospitality:

Hospitality is sometimes offered to representatives of the Council and is accepted at official level, where it is reasonable in all the circumstances. Where it is offered to employees, special caution is needed where the host is seeking to do business with the Council or to obtain a decision on their services or supply of goods. It is important to avoid any suggestion of improper influence. The question is one of judgement, and the following examples are intended to give general guidance.

8.5.1 ACCEPTABLE

- 8.5.1.1** A functional working lunch or dinner provided at reasonable cost to allow the parties to discuss business.

Such lunches or dinners should not be held in extravagant or luxurious surroundings.

- 8.5.1.2 Invitation to a Society or Institute dinner or function.
- 8.5.1.3 Invitation to participate in Company sporting fixture or attendance as part of a group at an event.
- 8.5.1.4 Invitations to attend award ceremonies, opening ceremonies, celebrations of major commercial or community events.
- 8.5.1.5 Invitations to attend work or profession based conferences at nil or reduced cost.

8.5.2 UNACCEPTABLE

- 8.5.2.1 Holiday abroad or weekend in any holiday centre.
 - 8.5.2.2 Offer of hotel and tickets for theatre.
 - 8.5.2.3 Use of company flat or hotel suite.
- 8.5.3** In general terms it will often be more acceptable to join in hospitality offered to a group rather than to accept something unique to yourself. When a particular person or body has a matter currently in issue with the Council, e.g. litigation arising from a contract, then clearly common sense dictates that offers of hospitality be refused even if in normal times they would be in the acceptable list. Any offer of hospitality which does not readily come under the headings above, should be discussed with your Strategic Director or the Monitoring Officer before being accepted.

8.6 Registration of Gifts and Hospitality

Any offer of a gift or of hospitality, whether or not it is accepted must be declared to your manager. Any offer of a gift or hospitality worth more than £25.00 which is accepted must be recorded in a register maintained for the purpose by the Monitoring Officer using the form at Appendix 2.

8.7 Sponsorship - Giving and Receiving

- 8.7.1 Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

- 8.7.2 Where the Council wishes to sponsor an event or service neither an employee nor any friends, partners or persons where a family relationship is deemed to exist (see Appendix 1 for a definition of ‘family relationship’) must benefit from such sponsorship in a direct way without there being full disclosure to your Strategic Director and the Monitoring Officer of any such interest.
- 8.7.3 Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

9.0 Appointments and Other Employment Matters

- 9.1 Employees involved in appointments should at all times act in accordance with the Council’s Recruitment and Selection Policy Statement.
- 9.2 The Recruitment and Selection Policy Statement part 3 states:

Applicants who are related to an employee of the Council must not be treated more favourably than any other applicant.

Employees must not be involved in the permanent, temporary or casual appointment of any of their relatives to a post in the Council. This includes shortlisting, interviewing, decision making and negotiating salary. Where a person applies for a vacancy in the same Service Group as one of their relatives, measures must be taken by the manager to exclude that relative from the entire recruitment process and to ensure that, if appointed, the new employee is not directly line managed by their relative.

- 9.3 Similarly, employees should not be involved in decisions in relation to discipline, performance, promotion or pay adjustments for any other employee who is a friend, a person to whom the employee owes (or is owed) an obligation, partner or person where a family relationship is deemed to exist (see Appendix 1 for a definition of ‘family relationship’).
- 9.4 Employees who are related to each other or have developed a personal relationship with any other member of staff, or Councillor within the Council, are required to declare this at the earliest opportunity to the Strategic Director, and Assistant Director, People.

10.0 Outside Commitments

- 10.1 An employee must not subordinate his/her duty to the Council to his/her private interests or put himself/herself in a position where duty and private interests conflict.
- 10.2 The Council will not attempt to preclude officers from undertaking additional employment outside their hours of duty with the Council, as long as any such employment does not, in the view of the Council, conflict with or react detrimentally to the Council’s interests, or in any way weaken public confidence in the conduct of the Council’s business.

Examples of unacceptable practices would include:

- architect, planner or other technical officer drawing plans for a third party for applications for planning consent by his/her own Council;
- any lawyer acting for client purchasing his/her house from the Council
- carpenter replacing door in a Council house in own time and at tenant's expense.

- 10.3 Therefore, where an officer wishes to engage in other business or take up additional appointment/s he/she must seek the permission of their Strategic Director and act at all times in accordance any contractual obligations in this respect.
- 10.4 Employees should follow the Council's rules on the ownership of intellectual property or copyright created during their employment.
- 10.5 Employees should be aware of their responsibilities under the Working Time Regulations.

11.0 Personal and Financial Interests

- 11.1 Employees must complete the Register of Interest Form at Appendix 3 within 28 days of the commencement of their employment and update the register within 28 days of becoming aware of any change to your interests.
- 11.2 Employees should review regularly their personal circumstances and take steps to deal with any potential conflict of interest.
- 11.3 In addition to completing the Register of Interest Form employees must declare to their Strategic Director any financial or non-financial interests that they consider could bring about conflict with the Council's interests, for instance:
 - membership of an organisation receiving grant aid from the Council
 - membership of an organisation or pressure group which may seek to influence the Council's policies
 - membership of an organisation which may seek to influence the performance of an employee in carrying out their duties
 - having a beneficial interest in land which is within the Council's district and is subject to any planning application.
- 11.4 Employees who have an interest, financial or non-financial, should not involve themselves in any decision or allocation of Council services or resources from which they, their friends, persons to whom they owe (or are owed) an obligation, or family might benefit and should ensure that the matter is referred immediately to their line manager.

11.5 The Council recognises and respects the right of all employees to become members of organisations. It only requires that employees declare personal and financial interests where there is, or could be perceived to be, a conflict of interest between their duties as an employee and their membership of the organisation.

12.0 Equality Issues

12.1 All members of the local community, customers and employees have a right to be treated with fairness and equality.

12.2 In this regard employees must:

- be made aware of their obligations under equality law (see Appendix 1, paragraph 4);
- co-operate with the Council in the application of any policies agreed by the Council relating to equality issues;
- not take discriminatory action or decisions or encourage or put pressure on fellow employees to take discriminatory action or decisions;
- report any concerns about discriminatory conduct to their line manager or other appropriate employee, such as Head of Service, Strategic Director or the Monitoring Officer.

13.0 Information Security

13.1 The Council maintains an Information Security Policy, in line with industry standards and recognised good practice, to support the confidentiality, integrity and availability of its information assets which are held electronically. As well as working to best practice standards, the Authority commits to deploying suitable hardware and software facilities to ensure that the data held by the Council is maintained in a secure environment. The Policy is also intended to ensure compliance with relevant legislation.

13.2 The purpose of the Policy is to ensure the effective maintenance and delivery of IT facilities, to protect the information that we hold and to meet relevant regulatory and legal obligations. It applies to all users of the Council's IT facilities and associated hardware/software and data processed by these systems.

13.3 Mobile telephone and smartphone usage

13.3.1 Mobile telephones may be used for private purposes during working hours, if kept on silent or vibrating alert. Such use must be reasonable and kept to a minimum e.g. in the case of an emergency, and should not interfere with your work.

13.4 Social Media

- 13.4.1 The Council maintains a Corporate Information Technology Security Policy and Social Media Policy and employees shall act in accordance with those policies.
- 13.4.2 As an employee you should be aware that your personal use of social media – such as Facebook, Twitter, LinkedIn – should never breach any of our policies. For example employees should not use social media – either during or outside of working hours – in a manner that would breach:
 - the Conduct policy
 - the Bullying and Harassment policy
 - the Corporate Information Technology Security Policy
 - any obligations you may have relating to confidentiality
 - criticise or offend the Council, its members, customers or other associates
- 13.4.3 Employees must ensure that they update any social media accounts with their latest employment details once they leave the Council.
- 13.4.4 Misuse of the Internet/Intranet/Social media may result in action under the any of the above policies, and could result in dismissal.

14.0 Criminal Offences

- 14.1 You must inform your line manager if you are being investigated, charged or have been convicted of any criminal offence during your employment. In the case of motoring offences these will be relevant if it is necessary to drive as part of your role. The line manager must inform HR immediately if they become aware that their employee is being investigated, charged or has been convicted of any criminal offence. Any breach of this requirement could result in summary dismissal for gross misconduct or other action under the Council's Disciplinary Policy.
- 14.2 It is your responsibility to immediately inform the Council if events occur which would change or add to the information included in a DBS or Disclosure Scotland check or to your original declaration under the Rehabilitation of Offenders Act 1974. Any breach of this requirement could result in action under the Council's Disciplinary Policy which could include dismissal. For further details please refer to the Council's Enhanced Vetting and Barring Policy on the intranet.

15.0 Whistleblowing

- 15.1 If an employee becomes aware of activities which he/she believes to be illegal, improper, unethical or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998, through the Council's confidential reporting procedure, or any other procedure designed for this purpose. The Council's Whistleblowing Policy is available on Sharepoint [Anti Fraud - Policies - Whistleblowing Policy adopted 110707.doc \(sharepoint.com\)](#).

16.0 Breaches of the Code of Conduct

- 16.1 Any breach by an employee of any part of the Code of Conduct or its supporting policies and guidance may render the employee liable to disciplinary proceedings. It should be noted that a breach of the Code, and its supporting policies and guidance, will be subject to the provisions of the Council's disciplinary or other related procedures.

Appendix 1

LEGAL AND OTHER PROVISIONS RELATING TO THE CODE OF CONDUCT

1. Disclosure of Information (Section 4.0)

Data Protection Act 2018 and General Data Protection Regulation.

Freedom of Information Act 2000.

Local Government Act 1972 as amended (Access to meetings and documents.) Obligations of Discovery in connection with litigation.

2. Potential and/or Perceived Conflict of Interest Situations (Section 6.2.3)

Persons who owe you an obligation, or to whom you owe an obligation – this might include a debtor, creditor, fellow member of an organisation.

Very close personal relationships may also create a conflict, e.g. a good friend.

Family Relationship

Stage 2 - Composition of Panels paragraph entitled Canvassing on page D:50 of the Local Government Staff Commission's Code of Procedures on Recruitment and Selection (Code of Procedures) states that a relevant family relationship is deemed to exist between a Council officer and/or member and the person (i.e. the contractor, potential contractor, partner in a business etc.) if they are husband or wife, or partner (civil or otherwise), or if the person is the:

- parent

- son or daughter

- brother or sister

- uncle or aunt

- nephew or niece

- grandparent

- grandson or granddaughter

- foster child or foster parent

- dependent of the Council officer or member, or of the spouse or partner (whether civil or

3. Bribery

Bribery Act 2010, it is a criminal offence to request, agree, or accept a financial or other advantage intending that you will exercise your role as an officer improperly, or get another officer, or councillor to exercise their role or perform their duties improperly. It does not matter if you do not directly receive or accept the advantage.

4. Appointments and Other Employment Matters (Section 9.0) Section 7 Local Government and Housing Act 1989 Requires all officers to be appointed on merit

5. Equality Issues (Section 12.0)

Legislation

- Equalities Act 2010

- Human Rights Act 1998

KEY TERMS USED IN THE CODE OF CONDUCT

Employee/s or Member/s of Staff

The terms employee/s or member/s of staff should be taken to mean any individual/s employed by a council including those working both full time and part time on a permanent, temporary, fixed term or inward secondment basis. The Code also applies to seasonal and casual staff, agency workers and volunteers while they are engaged in carrying out duties for the council.

Appendix 2

Dacorum Borough Council's Code of Conduct for Employees

Notification by an Employee of Receipt of Gift or Hospitality over the value of £25.00

I, *(full name)*

an employee of Dacorum Borough Council

GIVE NOTICE that I have received the following [gift(s)] [hospitality] *(delete whichever does not apply)* over the value of £25.00

(a) Date(s) of receipt of [gift(s)] [hospitality]

(b) Name(s) and address(es) of donor(s)

(c) Nature of gift(s) and/or hospitality

Date	Signed
------	--------

NOTE – This notification must be given by an employee to the Monitoring Officer upon receipt of any gift or hospitality over the value of £25.00.

Appendix 3

DACORUM BOROUGH COUNCIL

EMPLOYEE REGISTER OF INTERESTS

Name:

Job Title:

Service:

I have the following interests under the headings set out below which I am required to register under the Council's Employee Code of Conduct.

(please put "None" where you do not have an interest under a particular heading):

Financial Interests

1. Any land in the Borough of Dacorum in which you own, rent or occupy including your residential address.

(please provide a description sufficient to identify the location).

2. Any employment, office, trade, profession or vocation carried on by you for profit or gain outside of your contracted working hours at Dacorum Borough Council.

3. Any contract for goods, services or works which is made between you or a Relevant Person* and Dacorum Borough Council which has not been fully discharged.

(please give sufficient details to identify the contract)

4. The name of any body, or company, in which you have a beneficial interest in securities, (stocks, bonds, shares, exchange traded funds), which has a place of business or owns land in the Borough of Dacorum.

Other Personal Interests

1. Your membership of, or the fact that you are in a position of general control or management of, any body :-
 - (a) to which you have been appointed or nominated by Dacorum Borough Council;
 - (b) which is in receipt of grant aid from the Council
 - (c) which may seek to influence Council policies
 - (d) which may seek to influence the performance of an employee in carrying out their duties
 - (e) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

2. Please state if you have a Relevant Person* relationship to any other employee, or Councillor, of the Council.

You must, within 28 days of becoming aware of any change to this Interest Form, update this form.

**Relevant Person in this Register of Interest Form means:
Either a person who is a family member defined as:*

- *husband or wife, or partner (civil or otherwise),*
- *parent*
- *son or daughter*
- *brother or sister*
- *uncle or aunt*
- *nephew or niece*
- *grandparent*
- *grandson or granddaughter*
- *foster child or foster parent*
- *dependent (whether civil or otherwise)*
- *Mother in law, father in law, brother in law, sister in law*

or any other person with whom you have a close personal or business relationship, e.g. close friend or business partner.

Appendix 2 Current Code



CODE OF CONDUCT FOR EMPLOYEES

Reviewed 07/14

CODE OF CONDUCT FOR EMPLOYEES

CONDUCT IN LOCAL GOVERNMENT

1. BACKGROUND

- 1.1 The Council's business must be conducted at all times with integrity and honesty. All employees must be particularly careful to see that their official duties and private interests do not conflict.
- 1.2 The public is entitled to expect the highest standards of conduct from all employees who work for the Council. This Code outlines the existing laws, regulations and conditions of service and its aim is to help maintain and improve standards and protect employees from misunderstanding or criticism.
- 1.3 The National Joint Council Scheme of Conditions of Service contains a code of practice on appointment and promotion and official conduct and various practices exist on the question of gifts and hospitality and private or other employment. The Local Government Management Board has issued a Code of Conduct for employees in Local Government which has been approved by the Local Authority Associations. This Code covers all these situations and the manner in which the formal rules are interpreted and applied within Dacorum.
- 1.4 The Code applies to all employees of the Council.

2. OFFICIAL CONDUCT

- 2.1 The National Joint Council Scheme for Administrative, Professional, Technical and Clerical staff makes the following provision concerning official conduct. Perhaps because of its age, the following quotes are couched in language which would now be regarded as sexist. For the purposes of anything that is contained within the quotes here and anywhere else within this document, 'he', 'him' and 'his' should be read as including their female counterparts.

"General:

- (a) *the public is entitled to demand of a Local Government Officer, conduct of the highest standard and public confidence in his integrity would be shaken were the least suspicion to arise that he could in any way be influenced by improper motives;*
- (b) *an Officer's off-duty hours are his personal concern but he should not subordinate his duty to his private interests, or put himself in a position where his duty and his private interests conflict. The employing authority should not attempt to preclude Officers from undertaking additional employment, but any such employment must not, in the view of the authority, conflict with or react detrimentally to the authority's interests, or in any way weaken public confidence in the conduct of the authority's business;*

(c) *the Officer should not be called upon to advise any political group of the employing authority, either as to the work of the group, or as to the work of the authority, neither shall he be required to attend any meeting of any political group."*

"Whole-time Service:

Officers above Band 9, shall devote their whole-time service to the work of their Council and shall not engage in any other business, or take up any other additional appointment without the express consent of the Council."

"Proceedings of Committees:

No Officer shall communicate to the public, the proceedings of any Committee meeting, etc, nor the contents of any document relating to the authority unless required by law or expressly authorised to do so." [In practice, within Dacorum any officer attending a meeting in his/her official capacity is authorised by his/her Chief Officer to communicate the Committee's or Council's decision and any other information which it would be in the best interests of the Council to divulge in the ordinary course of business.

Interest of Officers in Contracts:

If it comes to the knowledge of an Officer that a contract in which he has any pecuniary interest, whether direct or indirect (not being a contract to which he is himself a party), has been, or is proposed to be, entered into by the authority he shall, as soon as practicable, give notice in writing to the Chief Executive of the authority of the fact that he is interested therein. (Attention is drawn to the provisions of the Local Government Act 1972, Sections 95 and 117)."

"Information Concerning Officers:

Information concerning an Officer's private affairs shall not be supplied to any person outside the service of the employing authority, unless the consent of such Officer is first obtained." [NB If required by law, statutory Code of Guidance or by the Police, Inland Revenue, Customs and Excise or any other official law enforcement agency, information reasonably required to be divulged may be so divulged by a Chief or other Senior Officer in the course of his/her duties as such, without prior consent of the officer concerned].

- 2.2 The Joint Negotiating Committee for Chief Officers of Local Authorities' Scheme of Conditions of Service makes very similar provisions for the conduct of Chief Officers, with the following principal differences:

"An Officer shall not be required to advise any political group of the Council, either as to the work of the group or as to the work of the Council, neither shall he be required to attend any meeting of any political group. This shall be without prejudice to any arrangements to the contrary which may be made in agreement with any Officer and

which includes adequate safeguards to preserve the neutrality of the Officer in relation to the affairs of the Council."

"No Officer shall communicate to the public the proceedings of any Committee meeting nor the contents of any document relating to the authority which in either case is regarded by the authority as confidential unless required by law or expressly authorised to do so."

3. PECUNIARY INTEREST

- 3.1 The law relating to pecuniary interests of employees in contracts is contained in the Local Government Act 1972 and the National Conditions of Service. In simple terms, if you, as an employee of the Council, have a pecuniary interest in a contract which has been or is proposed to be entered into by the Council, you must notify the Council in writing of this fact. This you may do by writing to the Head of Legal Services using the form at Appendix 1. The Head of Legal Services maintains a register of declarations of Officer interests in contracts for this purpose. The register is open to public inspection during normal office hours.
- 3.2 Whether you have a pecuniary interest in a contract, direct or indirect, which should be declared, will be a matter for your decision. You should however be aware of the following points:
 - 3.2.1 You have an indirect pecuniary interest in a contract if you or any nominee of yours is a member of a Company or other body with which the contract is to be made. An interest arising out of a shareholding of not more than £25,000 or 1/100th of the issued share capital of a particular company (whichever is the lesser) need not be declared.
 - 3.2.2 You have an indirect pecuniary interest in a contract if you are in partnership with a person who has a direct pecuniary interest in the contract.
 - 3.2.3 If you are married, and living with your spouse, the interests of your spouse are deemed to be your interests for these purposes.
 - 3.2.4 You should declare any interests in a contract which your regular partner or any close relative may have. For these purposes a "close relative" would include your parents, child, brother, sister, uncle, aunt, grandparent, grandchild and any other relative who lives with you.
 - 3.2.5 You need not declare your interest in your contract of employment, since the Council is aware of this and you must, by definition, have a pecuniary interest in it.
 - 3.2.6 If you are in any doubt as to whether you have an interest which should be declared and recorded in this way, you should seek the advice of your Chief Officer or the Head of Legal Services.

4. NON-PECUNIARY INTERESTS

Employees are encouraged to declare interests other than pecuniary ones that they consider could at a later date bring about conflict with the Council's interest (eg involvement with an organisation receiving grant aid from the employing local authority). Non-financial interests should be notified to the Group Manager (Legal Governance) using the form at Appendix 2.

5. GIFTS AND HOSPITALITY

5.1 It would be inappropriate to foster an atmosphere in which Council employees refused all invitations for social involvement with persons or bodies who may have had, or may seek to have in the future, business dealings with the Council. Contacts established on a social basis can be helpful and in the Council's interests. At the same time it is very easy for such involvement to be misconstrued as providing an opportunity to bring about undue influence. All employees should seek the advice of their Chief Officer or the Group Manager (Legal Governance) if in any doubt about the right course of action to pursue in such cases.

5.2 The general problem of gifts and hospitality is that very often a careful exercise of judgement may be necessary to decide how the public interest, and the Council's good name, may best be served. Some flexibility is necessary therefore, as extreme strictness can give unnecessary offence to people and organisations with whom the Council's relationships should be cordial. However, an appearance of improper influence is easily created, and with it encouragement of suspicion about the motives of those who serve in local government. The general rule must be "when in doubt, opt out".

5.3 The following guidelines are set out to help employees to avoid the risk of putting themselves in a position which could damage their own position and the public confidence in the Council and are intended to be of assistance to everyone in this delicate area:

5.4 Gifts:

The following paragraphs are particularly directed to gifts from organisations or persons who are, or who seek to provide work, goods or services to the Council, e.g. building contractors, suppliers of goods or equipment and firms able to provide professional or commercial services to the Council. Apart from the items listed below, the employee must refuse any personal gifts offered to him or her or to a member of his or her family, by any persons or body who has or seeks dealings with the Council.

5.4.1 The following are acceptable:

5.4.1.1 A modest gift or gifts of a promotional character given to a wide range of people and not uniquely to you. These gifts are usually given at Christmas time and include calendars, diaries, desk sets, flow charts, tape measures, scales and other articles of use in the office or job. In no circumstances should

a promotional gift or gifts of this nature worth more than £10 (or £10 in total when the value of gifts from one source are aggregated together) be deemed acceptable.

- 5.4.1.2 Gifts on the conclusion of any courtesy visit to a factory or firm or other community or other organisation of a sort normally given by that firm or organisation
- 5.4.2 Obviously, it is wise to err on the side of caution as an obviously expensive gift could raise a question even if it otherwise falls within one of the above categories. If in doubt, you should seek the advice of the relevant Chief Officer or the Group Manager (Legal Governance).
- 5.4.3 When a gift has to be refused, this should be done with tact, because the offering of gifts is common practice in the commercial world. In some cases a gift is simply delivered and there may be a problem of returning it, e.g. a turkey received at Christmas. However, unless they are listed in the acceptable items given above, the above guidelines should be followed. It is sometimes acceptable to the giver for the gift to be the subject of a raffle and the proceeds placed to a charitable fund. However, an arrangement of this sort should only be made with a Chief Officer's approval and recorded by letter.

5.5 Hospitality:

Hospitality is sometimes offered to representatives of the Council and is accepted at official level, where it is reasonable in all the circumstances. Where it is offered to employees, special caution is needed where the host is seeking to do business with the Council or to obtain a decision on their services or supply of goods. It is important to avoid any suggestion of improper influence. The question is one of judgement, and the following examples are intended to give general guidance.

5.5.1 ACCEPTABLE

- 5.5.1.1 A functional working lunch or dinner provided at reasonable cost to allow the parties to discuss business. Such lunches or dinners should not be held in extravagant or luxurious surroundings. An employee must not claim subsistence unless he or she has actually expended the money claimed on, for example the purchase of drinks.
- 5.5.1.2 Invitation to a Society or Institute dinner or function.
- 5.5.1.3 Invitation to participate in Company sporting fixture or attendance as part of a group at an event.

5.5.1.4 Invitations to attend opening ceremonies, celebrations of major commercial or community events.

5.5.2 UNACCEPTABLE

5.5.2.1 Holiday abroad or weekend in any holiday centre.

5.5.2.2 Offer of hotel and tickets for theatre.

5.5.2.3 Use of company flat or hotel suite.

5.5.3 In general terms it will often be more acceptable to join in hospitality offered to a group rather than to accept something unique to yourself. When a particular person or body has a matter currently in issue with the Council, e.g. litigation arising from a contract, then clearly common sense dictates that offers of hospitality be refused even if in normal times they would be in the acceptable list. Any offer of hospitality which does not readily come under the headings above, should be discussed with your Chief Officer or the Group Manager (Legal Governance) before being accepted.

5.6 Registration of Gifts and Hospitality

Any offer of a gift or of hospitality, whether or not it is accepted must be declared to your manager. Any offer of a gift or hospitality worth more than £10.00 which is accepted must be recorded in a register maintained for the purpose by the Group Manager (Legal Governance) using the form at Appendix 3.

6. PRIVATE AND OTHER EMPLOYMENT WHILE IN SERVICE

6.1 The Council recognises that employees sometimes undertake work outside their own official duties, whether or not for payment, which is clearly not against the public interest and is to be encouraged, e.g. participation in the work of an employee's professional institution or lectures at a local college, but it is not permissible for employees to undertake outside work for payment on any matter within the scope of their official duties. Examples of unacceptable practices would include:

- architect, planner or other technical officer drawing plans for a third party for applications for planning consent by his/her own Council;
- any lawyer acting for client purchasing his/her house from the Council
- carpenter replacing door in a Council house in own time and at tenant's expense.

- 6.2 The following rules should be observed in this respect:
- 6.2.1 Employees at all levels are required to avoid getting in a position of conflict by undertaking outside work. A conflict arises when an employee undertakes to do work for or to represent a member of the public or any outside organisation or body, with or without pay, in a matter which is connected with the scope of his/her official duties, or indeed where the work could result in the need for Council approval and, accordingly, such work must not be accepted. It is impossible to set rigid rules or give exhaustive examples of conduct which might give rise to a conflict of interest. The test would be to ask yourself "How would a reasonable member of the public see my conduct?" If, objectively, there would appear on the face of it to be a conflict of interest, the proposed employment should not be undertaken.
 - 6.2.2 Those employees above Band 9, i.e. Senior Officers and above, need specific permission to undertake outside work even if, in their view, the work could not possibly conflict with their duty as an employee of the Council. Such permission will be considered in the light of the particular circumstances of the application to be approved, upon application to the Chief Officer concerned.
 - 6.2.3 Employees below the above salary level must advise their Chief Officer of private or other employment undertaken.
 - 6.2.4 Any employee who undertakes the work outlined in paragraph 6.2.1 above or has not obtained the permission or advised his/her Chief Officer as in 6.2.2 and 6.2.3 above, will render themselves subject to the Conduct Procedure.
 - 6.2.5 Chief Officers must obtain the express permission of the Cabinet to undertake outside work for payment. The Chief Executive is authorised to grant permission for Chief Officers to carry out irregular casual paid outside work. The permission to carry out any such work must be registered in a register kept by the Group Manager (Legal Governance) and open to public inspection during normal office hours.

7. POLITICAL NEUTRALITY

- 7.1 All employees of the Council (with the exception of the political group secretaries) serve the authority as a whole. It follows that they must serve all Councillors and not just those of the majority group, and must ensure that the individual rights of all Councillors are respected.
- 7.2 Many senior employees of the Council are politically restricted, which means that they are disqualified from being Councillors, Members of Parliament or Members of the European Parliament. It also means that they are subject to prescribed restrictions on their political activity.

- 7.3 All employees, whether or not politically restricted, must follow every lawful expressed policy of the Council and not allow their own personal or political opinion to interfere with their work.
- 7.4 It is not the Council's practice to provide dedicated assistance to the political groups, beyond the secretarial and clerical services of the group secretaries. However, you may be invited to attend and advise meetings of one or other of the political groups or be asked to provide a group with statistical or other information. If this occurs, you should be sure to offer the same facility to any other group or section of Councillors. Whatever information or opinion may be disclosed to you at these group meetings must be treated with strict respect for confidentiality.
- 7.5 Information of a general, factual nature which is disclosed on request to a Councillor, should be copied at the same time to the Chair of the appropriate Committee or Cabinet Member(s).

8. RELATIONSHIPS

8.1 With Customers

Employees should always remember their responsibilities to the people of Dacorum and ensure courteous efficient and impartial service delivery to all groups and individuals within the community in accordance with the Council's policies.

8.2 With Councillors

Employees are required to observe the Protocol for Member/Officer Relations.

8.3 With Contractors

- 8.3.1 Any relationship of a business or private nature with external or potential contractors should be made known to your Manager. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour may be shown to businesses run by, for instance, friends, partners, or relatives in the tendering process. No part of the local community should be discriminated against.
- 8.3.2 Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to their Manager.
- 8.3.3 In entering into contractual relationships on behalf of the Council employees must adhere to the rules and advice stipulated in the Procurement Standing Orders and Financial Regulations.

8.4 With Certain Organisations

Employees should declare to their Manager and/or the Head of Legal Services, membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules, membership or conduct.

- 8.5 All declarations made under section 8.4 of the Code should be made, in writing, to the Chief Executive or the Group Manager (Legal Governance). For this purpose the Group Manager (Legal Governance) maintains a register of declarations, which is open to public scrutiny.

9. EMPLOYMENT MATTERS

- 9.1 Employees involved in appointments should ensure that these are made in accordance with the Council's personnel policies and strictly on the basis of merit. You should not make an appointment based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias or discrimination, you should not be involved in an appointment where you are related to the applicant or have a close personal relationship outside of work with him or her.
- 9.2 Similarly, you should not be involved in decisions relating to discipline or pay adjustments for any other employee who is your relative, partner, or with whom you have a close personal relationship.
- 9.3 You should always ensure that policies relating to equality issues as agreed by the Council are complied with in addition to any requirements of the law. All members of the local community, customers and other employees, have a right to be treated with fairness and equity.

10. COMPETITIVE TENDERING “DUAL HATTEDNESS”

- 10.1 Employees who are privy to confidential information on tenders or bids during a competitive tendering process must not disclose that information to any person or organisation.
- 10.2 Employees who have both a client and a contractor responsibility must be aware of the need for accountability and openness.
- 10.3 Where employees are located in units providing goods or services they must exercise the same degree of fairness and impartiality when dealing with customers, suppliers and contractors. The sections of this Code of Conduct on hospitality apply to provider units in that they should not offer to customer's gifts or hospitality except those which the Council deems to be of an insignificant nature.
- 10.4 Any employee appointed as a Manager of a Direct Labour or Service Organisation remains an employee of the Council and responsible to the Council and as such, the normal rules under the Code of Conduct will apply.

- 10.5 Employees should ensure that no special favour is shown to current or former employees or their close relatives, partners or associates in awarding contracts to private or other businesses run by them or employing them in a senior or relevant managerial capacity. All selection processes should be conducted impartially and employees who are known to have relevant interests should play no part in the selection of tenderers or contractors.

Appendix 1

Dacorum Borough Council's Code of Conduct for Employees

Notification by an Employee of a Financial Interest in a Contract

I, (*full name*)

an employee of Dacorum Borough Council

- (a) GIVE NOTICE that I have a financial interest in a contract which has been, or is proposed to be, entered into with the Council.
- (b) The details of the contract are as follows :-

The contract is made, or will be made, between –

The contract (if already completed) is dated –

The contract relates to –

The nature of my financial interest is -

Date

Signed

NOTE – This notification must be given to the Group Manager (Legal Governance) as soon as you become aware that you have a direct or indirect financial interest in a contract (not being a contract to which you are a party) which has been, or is proposed to be, entered into with the Council.

Appendix 2

Dacorum Borough Council's Code of Conduct for Employees

Notification by an Employee of a Non-Financial Interest

I, (*full name*)

an employee of Dacorum Borough Council

GIVE NOTICE that I have a non-financial interest which I consider could bring about a conflict with the Council's interests. The nature of my non-financial interest is –

Date _____ Signed _____

NOTE – This notification must be given to the Group Manager (Legal Governance) as soon as you become aware that you have a non-financial interest which you consider could bring about a conflict with the Council's interests.

Appendix 3

Dacorum Borough Council's Code of Conduct for Employees

Notification by an Employee of Receipt of Gift or Hospitality over the value of £10.00

I, (*full name*)

an employee of Dacorum Borough Council

GIVE NOTICE that I have received the following [gift(s)] [hospitality] (*delete whichever does not apply*) over the value of £10.00

(c) Date(s) of receipt of [gift(s)] [hospitality]

(d) Name(s) and address(es) of donor(s)

(e) Nature of gift(s) and/or hospitality

Date _____ Signed _____

NOTE – This notification must be given by an employee to the Group Manager (Legal Governance) upon receipt of any gift or hospitality over the value of £10.00.

Agenda Item 10

Clerk: Trudi Angel (x2224)

Finance and Resources Overview & Scrutiny Committee Work Programme 2023/2024

Meeting Date	Report Deadline	Items	Contact Details	Background information
6 June 2023	26 May 2023	Action Points (from previous meeting)	Democratic Services Trudi.angel@dacorum.gov.uk	
		Q4 Corporate & Commercial Performance Reports: <ul style="list-style-type: none"> ○ Finance and Resources ○ Legal and Democratic Services ○ Commercial Development Services 	Strategic Director, Corporate and Commercial Catherine.silvadonayre@dacorum.gov.uk Chief Finance Officer Nigel.howcutt@dacorum.gov.uk Assistant Director, Legal & Democratic Services Mark.brookes@dacorum.gov.uk Head of Commercial Development Ben.Hosier@dacorum.gov.uk	<i>To review and scrutinise quarterly performance</i>
		Financial Outturn Report	Chief Finance Officer Nigel.howcutt@dacorum.gov.uk	
		Q4 People and Transformation Performance Report	Strategic Director, People and Transformation Aidan.wilkie@dacorum.gov.uk	<i>To review and scrutinise quarterly performance</i>
4 July 2023	23 June 2023	Action Points (from previous meeting)	Democratic Services Trudi.angel@dacorum.gov.uk	

5 September 2023	24 August 2023	Action Points (from previous meeting)	Democratic Services Trudi.angel@dacorum.gov.uk	
Q1 Corporate & Commercial Performance Reports: <ul style="list-style-type: none"> ○ Finance and Resources ○ Legal and Democratic Services ○ Commercial Development Services 		Strategic Director, Corporate and Commercial Catherine.silvadonayre@dacorum.gov.uk Chief Finance Officer Nigel.howcutt@dacorum.gov.uk Assistant Director, Legal & Democratic Services Mark.brookes@dacorum.gov.uk Head of Commercial Development Ben.Hosier@dacorum.gov.uk	<i>To review and scrutinise quarterly performance</i>	
Budget Monitoring Report		Chief Finance Officer Nigel.howcutt@dacorum.gov.uk	<i>To review and scrutinise quarterly performance</i>	
Q1 People and Transformation Performance Report		Strategic Director, People and Transformation Aidan.wilkie@dacorum.gov.uk	<i>To review and scrutinise quarterly performance</i>	
3 October 2023	22 Sept 2023	Action Points (from previous meeting)	Democratic Services Trudi.angel@dacorum.gov.uk	
Medium Term Financial Strategy		Chief Finance Officer		

		(MTFS)	Nigel.howcutt@dacorum.gov.uk	
7 November 2023	27 October 2023	Action Points (from previous meeting)	Democratic Services Trudi.angel@dacorum.gov.uk	
		Q2 Corporate & Commercial Performance Reports: <ul style="list-style-type: none"> ○ Finance and Resources ○ Legal and Democratic Services ○ Commercial Development Services 	Strategic Director, Corporate and Commercial Catherine.silvadonayre@dacorum.gov.uk Chief Finance Officer Nigel.howcutt@dacorum.gov.uk Assistant Director, Legal & Democratic Services Mark.brookes@dacorum.gov.uk Head of Commercial Development Ben.Hosier@dacorum.gov.uk	<i>To review and scrutinise quarterly performance</i>
		Budget Monitoring Report	Chief Finance Officer Nigel.howcutt@dacorum.gov.uk	<i>To review and scrutinise quarterly performance</i>
		Q2 People and Transformation Performance Report	Strategic Director, People and Transformation Aidan.wilkie@dacorum.gov.uk	<i>To review and scrutinise quarterly performance</i>
6 December 2023	27 November 2023	Joint Budget	Chief Finance Officer Nigel.howcutt@dacorum.gov.uk	<i>To review and scrutinise the draft budget proposals for 24-25</i>

9 January 2024	28 December 2023	Action Points (from previous meeting)	Democratic Services Trudi.angel@dacorum.gov.uk	
7 February 2024	29 January 2024	Joint Budget	Chief Finance Officer Nigel.howcutt@dacorum.gov.uk	<i>To review and scrutinise the draft budget proposals for 24-25</i>
5 March 2024	23 February 2024	Action Points (from previous meeting)	Democratic Services Trudi.angel@dacorum.gov.uk	
Q3 Corporate & Commercial Performance Reports:		<ul style="list-style-type: none"> ○ Finance and Resources ○ Legal and Democratic Services ○ Commercial Development Services 	Strategic Director, Corporate and Commercial Catherine.silvadonayre@dacorum.gov.uk Chief Finance Officer Nigel.howcutt@dacorum.gov.uk Assistant Director, Legal & Democratic Services Mark.brookes@dacorum.gov.uk Head of Commercial Development Ben.Hosier@dacorum.gov.uk	<i>To review and scrutinise quarterly performance</i>
		Budget	Chief Finance Officer	<i>To review</i>

	Monitoring Report	Nigel.howcutt@dacorum.gov.uk	<i>and scrutinise quarterly performance</i>
	Q3 People and Transformation Performance Report	Strategic Director, People and Transformation Aidan.wilkie@dacorum.gov.uk	<i>To review and scrutinise quarterly performance</i>

Agenda Item 12

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 1ZA
of the Local Government Act 1972.

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Agenda Item 13

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Agenda Item 14

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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