



20th April 2020

In accordance with Paragraphs 7 & 10(2) (b) of Schedule 12A of the Local Government Act 1972 and The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 , I hereby summon you to attend a Meeting of **PETERLEE TOWN COUNCIL** to be held online on **MONDAY 27th APRIL 2020 at 6pm**

Ian Morris, P.S.L.C.C

Town Clerk (Proper Officer of the Council)

To join the meeting:

Either click on this link <https://zoom.us/meeting/register/tJMkf-qtqjwoH9JagHW61LNgb-fsRVJMM4MD>

or use the Zoom App on your smartphone or desktop and input:

Meeting ID 979-8354-7256

Meeting Password 183887

Or you can phone dial into the meeting audio using one of these phone numbers:

+44 208 080 6592
+44 330 088 5830
+44 131 460 1196
+44 203 481 5237
+44 203 481 5240
+44 208 080 6591

Members of the Committee and members of the public are reminded that the public part of the meeting may be recorded in both audio and video, and photographs may be taken.

BUSINESS TO BE TRANSACTED

1. Apologies for Absence

2. Public Participation Session

Will be held to allow Members of the public an opportunity to put questions to the Council. This item of business to last no more than 15 minutes, as per Council Standing Orders.

3. Mayor's/Chair's Report

4. Internal Audit

(i) Annual Internal Audit Report 2019/20

(ii) Internal Audit Progress Report & (iii) outstanding actions quarter ended March 2020

To welcome Mr Stephen Carter to the meeting to present the Internal Audit annual report and Q4 progress report. (reports attached)

5. To receive declarations of interest

Members are reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. Please seek advice from the Town Clerk or Deputy Town Clerk **prior to the meeting** if in doubt. Members are reminded that they can check their published declaration of interests here: <https://bit.ly/2wVyeLA>

6. To Approve the Minutes of the last meeting of the 23rd March 2020

The minutes of the previous meeting are attached for consideration and approval as a true and correct record. (attached)

7. Co-option of Casual Vacancy

To resolve the co-option of the casual vacancy for the Passfield Ward.

8. Risk Management Policy

To receive a verbal report from the Town Clerk on the development of a new Risk Management Policy and to approve the draft Policy (attached).

9. Special Leave Policy

To consider and approve the contents of a new Special Leave policy that will formalise the council's approach to issues such as parental, compassionate, and dependents leave as well as the treatment of leave relating to public duties. (attached)

10. COVID-19 Update

To receive a verbal update from the Town Clerk on the Council's response to the COVID-19 situation and to consider any appropriate action by the Town Council including potential provision of financial or other forms of assistance.

11. Future Council meetings

To receive a verbal update from the Town Clerk on the enactment of The Local Authorities and Police and Crime Panels (Coronavirus) Regulations 2020 (NALC briefing note, attached) and to approve the following recommended resolutions:

- To continue with the monthly online meeting of full Council, using the virtual meeting technology that has been successfully trialed to date; and
- To postpone the holding of the Annual Meeting due for May 2020 until September 2020, with the current arrangements for Committees and Chairs effectively 'rolling over' until then.

12. Spokesperson of the North East Party's Report

13. Spokesperson of the Labour Political Party's Report

PETERLEE TOWN COUNCIL

MINUTES OF THE MEETING OF THE TOWN COUNCIL

HELD IN THE COUNCIL CHAMBER, SHOTTON HALL, PETERLEE

ON MONDAY 23rd MARCH 2020 at 6.30PM

PRESENT:- COUN T DUFFY (CHAIR)

Mesdames:- L Fenwick, K Hawley, K J Duffy, M A Cartwright & D Howarth & K Liddell

Messrs:- S Miles, A T Wilkinson, R Moore, A Watson, C Watkins, S Franklin, S McGlen & G Carne

147. Apologies for Absence

Apologies for absence were offered and accepted from Councillors R Kyle, S Simpson, A C Long & S Kirkup.

148. Public Participation Session

A public participation session was held to allow members of the public an opportunity to put questions to the Council. No members of the public were present.

149. Mayor's/Chair's Report

Chair explained he would provide a written report for the next meeting.

150. Police Report/Update

A representative was unable to attend the meeting.

151. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise.

152. To Approve the Minutes of the last meeting of the 20th February 2020 the minutes of the previous meeting were attached for consideration and were approved as a true and correct record.

Matters Arising

(a) A Member asked if the 'Young Heroes' event was being held in Peterlee again this year. The Town Clerk confirmed the Police intended to hold 1 larger event at Durham instead, however should the Council wish to hold a smaller event for local

award winners they were able to do this. It was agreed that the Council review the situation after the 2020 awards and consider hosting a Peterlee-specific event in 2021.

(b) Passfield Ward Vacancy

The Town Clerk confirmed there was no specific time limit for the vacancy to be filled, however, Members did express a desire to fill this position as soon as possible. It was agreed that the Town Clerk and Deputy Town Clerk would look into the practicalities of filling the vacancy by cooption as soon as practicable with interested applicants being spoken to via video link if this was necessary.

(c) Future Meetings

The Town Clerk and Members discussed how future meetings could be held should it no longer be practicable for Members to physically meet in the council chamber.

153. The Minutes of the Resources Committee of the 2nd March 2020 a copy of which had been circulated to each Member, were noted.

Matters Arising

Minute Number 84 – Sportsman’s Dinner, Item (c iii)

A Member asked if Shotton Hall Banqueting Suites Team had been contacted by Peterlee Cricket Club regarding the upcoming Sportsman’s Dinner. The Town Clerk reported the event organiser had rearranged the event to October. **RESOLVED the information given, be noted.**

154. The Minutes of the Community & Environment Committee of the 9th March 2020 a copy of which had been circulated to each Member, were noted.

Matters Arising

Minute Number 76 Fence at Lowhills Road

A Local Member and The Town Clerk confirmed that the gates were now in position. **RESOLVED the information given, be noted.**

155. Project Hagrid

A representative was unable to attend the meeting and so the matter was deferred for consideration at a future meeting. **RESOLVED this item be re considered at a future meeting.**

156. COVID-19 Update

The Town Clerk reported that The Pavilion, Helford Road and the Banqueting Suites and Council Offices at Shotton Hall were now closed to the public and additional cleaning measures were now in place. The Town Clerk also reported that all Council play areas were being closed and appropriate signage was being put in place to explain the closures to local residents, as well as messaging through social media. Woodhouse Park would remain open for the time being.

RESOLVED Hampshire Place, Helford Road and Lowhills Road and Eden Lane play areas to be closed with signs explaining this was to prevent the spread of COVID-19. Woodhouse Park plays areas to be closed with signs, however, the park itself was to remain open as an access route and to allow residents to use it for an area where they could exercise daily.

157. Council Budget 2020/21

The Town Clerk reported on the changes to the Budget and presented members with the final draft budget for 2020/21. **RESOLVED Members approved the final Town Council Budget for 2020/2021.**

158. Spokesperson of the North East Party's Report

Cllr A Watson reported that there has been an overwhelming response from people offering to help other people in and around Peterlee on social media and that this was testament to how great a community Peterlee is. He relayed a big thank you to everyone to had expressed a desire to help.

He suggested that although there had been lots of coverage regarding the 'panic buying' situation, we must remember that some people were frightened and in some cases people may not be able to leave their house for up to 12 weeks and were having to prepare for this.

Cllr Watson congratulated the Town Clerk on arranging the Council's first ever video meeting and he urged everyone to keep safe and follow the Government's guidelines.

RESOLVED the information given, be noted.

159. Spokesperson of the Labour Political Party's Report

Cllr Fenwick stated that we were living in strange times at the moment. She asked that people please stay inside to protect themselves and others and only go out for shopping once a week if possible. She urged people to look out for their neighbours and friends; especially those who live alone. Cllr Fenwick concluded by asking everyone to follow the Government guidelines.

The Chair T Duffy asked Members to look out for each other and thanked those who were helping other people. For those Members who were vulnerable, he urged them to stay home and explained they could contact him if they needed any help.

RESOURCES COMMITTEE**27 April 2020****INTERNAL AUDIT ANNUAL REPORT
2019/20**

REPORT OF THE HEAD OF INTERNAL AUDIT

Purpose of the Report

1. The purpose of this report is to present the Annual Internal Audit Report for 2019/20, which is attached as Appendix 2.

Background

2. This report fulfils the requirements of Public Sector Internal Audit Standards (PSIAS) and the CIPFA Local Government Application note for the Chief Internal Auditor and Corporate Fraud Manager to deliver an annual audit opinion and report that can be used by the Committee to inform its Annual Governance Statement.
3. The Annual Opinion makes conclusions on the overall adequacy and effectiveness of the Council's Framework of governance, risk management and control.
4. Based on work undertaken the Chief Internal Auditor and Corporate Fraud Manager is able to provide a Substantial overall assurance opinion on the adequacy and effectiveness of internal control operating across the Council in 2019/20.
5. This Substantial opinion identifies that there is a sound system of control. Any weaknesses identified expose some of the system objectives to minor risk
6. This opinion is however qualified, in light of the current coronavirus pandemic and the impact of this on the Council. The opinion given at paragraph four is based on internal audit work undertaken, and completed, prior to emergency measures being implemented as a result of the pandemic. These measures have resulted in a significant level of strain being placed on normal procedures and control arrangements. The level of impact is also changing as the situation develops. It is therefore not possible to quantify the additional risk arising from the current short term measures or the overall impact on the framework of governance, risk management and control that have been put in place.

7. There are no adverse implications for the Annual Governance Statement arising from any of the work that Internal Audit has undertaken in 2019/20. All of the risks raised within Internal Audit reports have been accepted. Internal Audit's recommendations, or alternative proposed actions made by Management in response to the risk issues, have been agreed to be implemented. Full implementation of the agreed actions will realise the benefits of the control improvements detailed in each individual audit report. Internal Audit will follow up the implementation of its recommendations, or any agreed alternative actions, with the relevant responsible officers, as soon as is practically possible, after the target implementation dates. Progress on the implementation of audit recommendations will be reported through to this Committee in future reports on Internal Audit work.

Recommendation

8. Members consider the content of the Annual Internal Audit Report and the overall 'Substantial' opinion provided on the adequacy and effectiveness of the Council's control environment for 2019/20.

Appendix 1: Risks and Implications

Finance

The broad programme of work undertaken by Internal Audit supports the Council in maintaining safe and efficient arrangements for the proper administration of its financial affairs.

Staffing

None

Equality and Diversity

None

Accommodation

None

Crime and Disorder

None

Children's Act 2004

None

Stakeholder/Community Engagement

None

Environment

None

Collaboration and Partnerships

None

Value for Money and Productivity

None

Potential Impact on Police and Crime Plan Priorities

Compliance with Public Sector Internal Audit Standards

Other risks

Control risks identified / considered in relation to reviews undertaken

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Internal Audit Annual Report 2019-2020

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Introduction

1. This report summarises work carried out by Durham County Council Internal Audit and Risk Service during 2019/20, as part of the three year Service Level Agreement covering the provision of Internal Audit Services up to 31 March 2022.
2. The report provides assurance on the effectiveness of the Council's control environment, risk management and corporate governance arrangements in place during the year.
3. The requirement for an internal audit function is implied by Section 151 of the Local Government Act 1972 which requires all relevant bodies to, "make arrangements for the proper administration of their financial affairs and ensure that one of its officers has responsibility for the administration of those affairs".
4. The Accounts and Audit Regulations 2015 require those bodies to "undertake an adequate and effective system of internal audit of its accounting records and its system of internal control in accordance with the proper practices in relation to internal control".
5. All Internal Audit work carried out in 2019/20 was in accordance with proper internal audit practices as described within the Public Sector Internal Audit Standards (PSIAS).
6. This report fulfils the requirements of PSIAS and the CIPFA Local Government Application Note for the Chief Internal Auditor and Corporate Fraud Manager to deliver an annual audit opinion and a report that can be used by the Committee to inform its Annual Governance Statement.
7. The report sets out:
 - The annual internal audit opinion on the overall adequacy and effectiveness of the governance, risk and control framework (the control environment).
 - A summary of the audit work carried out from which the opinion is derived.
 - Details of the quality assurance arrangements in place during 2019/20.

Service Provided and Audit Methodology

8. Internal Audit is an independent, objective assurance and consultancy activity designed to add value and improve an organisation's operations.
9. The primary objective of Internal Audit is to provide an independent and objective opinion on the Council's control environment which is comprised of the systems of governance, risk management and internal control.
10. The audit strategy to provide independent assurance, is summarised as follows:
 - To carry out planned assurance reviews of the effectiveness of the management of operational risks in all key service activities/systems.
 - To carry out assurance reviews of the management of strategic risks where the effective management of risk is heavily dependent on identified controls.
 - To carry out annual reviews of key risks where a high level of assurance is required to demonstrate the continuous effectiveness of internal controls, for example those associated with key financial and non-financial systems.
 - To use a Control Risk Assessment (CRA) methodology to focus audit resources on providing assurance on key controls where there is little or no other independent assurance on their adequacy or effectiveness.

Types of Audit Work Carried Out in 2019/20

Assurance Reviews

11. Assurance reviews are those incorporated into annual audit plans where the CRA methodology is to be applied. They also include service requests to provide assurance on more specific risks within a particular service activity.
12. On completion of each assurance review an opinion on the adequacy and / or the effectiveness of the control framework in place is provided to inform the annual audit opinion.
13. The audit methodology for arriving at audit opinions on individual assurance reviews is attached at **Appendix C**.

Advice and Consultancy Work

14. In addition to planned assurance reviews, provision may also be made in annual audit plans to support service managers by undertaking advice and consultancy type work. The outcomes from this work can also provide assurance on the control framework even though an assurance opinion is not provided on the completion of this work.

Counter Fraud Work

15. Provision is made within audit reviews undertaken to support service managers at an operational level to mitigate the strategic risk of fraud and corruption. Control weaknesses identified when fraud is suspected or proven also impacts on the overall opinion on the adequacy and effectiveness of the internal control system.

Audit Quality Assurance framework

16. The Internal Audit performance and quality framework reflects the requirements of the PSIAS.
17. Key elements of the quality assurance framework operating during 2019/20 include:
 - Independent quality reviews undertaken by Audit Managers as a matter of routine and periodically by the Chief Internal Auditor and Corporate Fraud Manager to ensure consistent application of agreed processes and procedures and to ensure expected quality standards are maintained.
 - Key contacts, determined by the Council, agree the Terms of Reference for each audit review and are able to challenge the findings and content of draft reports prior to them being finalised.
18. A summary of performance against agreed indicators is given in **Appendix A**.
19. As at the 31 March 2020, the % of planned work completed indicated that the service achieved 100% of the audit plan against a 90% target.
20. The Accounts and Audit Regulations 2015 requires that an annual review of the effectiveness of Internal Audit is carried out. The outcome of the review is reported to Committee.
21. The County Council's Audit Committee at its meeting on 28 June 2019 received an evaluation, in the form of a self-assessment carried out by the Chief Internal Auditor and Corporate Fraud Manager, with regards to compliance with the key elements of the PSIAS that considered the following matters:
 - The structure and resourcing level, including qualifications and experience of the audit team;
 - The extent of conformance with the PSIAS in producing quality work;
 - Ensuring audit work was successfully delivered in the most appropriate areas on a prioritised (risk) basis;
 - The overall performance of the Internal Audit team.
22. For 2018/19, this demonstrated that the Section was conforming to the Code's requirements.
23. A self-assessment for 2019/20 is currently being undertaken against the PSIAS and whilst no issues have been identified at the time of writing this report, the final outcome of the review will be reported to County Council's Audit Committee at its meeting on 29 June 2020.

Summary of audit work carried out

Assurance Work

24. Our work programme for the year was determined by the approved Internal Audit Plan. The assurance opinion takes in account the individual opinions provided across all reviews undertaken in year, together with the most recent opinion for those activities not included in the plan in order to provide a better informed opinion on the entire control environment, a summary of which is attached at **Appendix D**.

Advice and Consultancy Work

25. All planned reviews are designed to add value as they provide independent assurance, through evaluation and challenge, on the adequacy and effectiveness of arrangements in place to manage risks. This evaluation and challenge supports the effective and efficient use of resources and VFM.
26. Through our advice and consultancy work we are able to add value pro-actively and reactively.
27. Reactive work involves responding to ad-hoc requests for advice and reviews added to the plan to address new or emerging risks. It also includes responding to potential fraud or irregularities and we ensure that all such incidents are properly investigated and that appropriate action is taken by managers, whether or not fraud or malpractice is proven.
28. A summary of key advice and consultancy work completed during the year is attached at **Appendix B**

Key Areas for Opinion

29. The key areas of the control environment where assurance is required to inform our overall opinion are:
- Financial Management
 - Risk Management
 - Corporate Governance
30. Assurance has been provided on some aspects of key financial systems during the year. Reviews undertaken considered creditors, debtors, income collection and banking, payroll, main accounting and budgetary control.
31. Assurance reviews incorporate a consideration of the Council's Risk and Governance arrangements within each activity inspected.
32. The Council's Strategic Risk Management arrangements were reviewed in year and confirmed that responsibilities for risk management had been appropriately assigned; that a Risk Register is in place and is in an appropriate format; that arrangements were in place to identify new / emerging risks; that risks had been scored consistently and assigned to appropriate officers and were being monitored for implementation.

Audit Opinion Statement

33. The Council has responsibility for maintaining a sound system of internal control that supports the achievement of its objectives.
34. Internal Audit is required to provide an opinion on the Council's risk management, control and governance process.
35. In giving this opinion it should be noted that assurance can never be absolute and therefore only reasonable assurance can be provided that there are no major weaknesses in these processes.
36. In assessing the level of assurance to be given, we based our opinion on:
 - All audits undertaken during the year
 - Follow up action on audit recommendations
 - Any significant recommendations not accepted by management and the consequent risk
 - Limitations which may have been placed on the scope of the internal audit
 - Reliability of other sources of assurance when determining the scope of audit reviews.
37. We are satisfied that sufficient Internal Audit work has been undertaken to allow us to draw a reasonable conclusion as to the adequacy and effectiveness of the Council's system of internal control.
38. Based on work undertaken the Chief Internal Auditor and Corporate Fraud Manager is able to provide a Substantial overall assurance opinion on the adequacy and effectiveness of internal control operating across the Council in 2019/20.
39. This Substantial opinion identifies that there is a sound system of control. Any weaknesses identified expose some of the system objectives to minor risk
40. Where Internal Audit has identified areas for improvement, recommendations are made to minimise the level of risk, and action plans for their implementation were drawn up and agreed by management. Whilst the % of actions implemented within target dates is high, in many cases there is a time gap between a control weakness being reported and the date determined by management for when the action can practically and realistically be implemented. Consequently, the added assurance provided on implementation cannot always be recognised and evidenced in arriving at our overall annual assurance opinion. Work is ongoing with management with regard to timely and realistic implementation dates for actions being agreed.

PERFORMANCE INDICATORS

Efficiency		Objective: To provide maximum assurance to inform the annual audit opinion	
KPI	Measure of Assessment	Target & (Frequency of Measurement)	Q4 Actual
Planned audits completed	% of planned assurance work from original approved plan complete to draft report stage as at 31 March 2020.	90% annually	100% (5 out of 5 reviews complete)
Timeliness of Draft Reports	% of draft reports issued within 30 Calendar days of end of fieldwork/closure interview Average time taken is also reported for information	90% (Quarterly)	100% (4 out of 4 reports issued) 8 days average
Timeliness of Final Reports	% of final reports issued within 14 calendar days of receipt of management response Average time taken is also reported for information	95% (Quarterly)	100% (3 out of 3 reports issued) 1 day average
Terms of Reference	% of TOR's agreed with key contact in advance of fieldwork commencing	95% (Quarterly)	100% (4 out of 4 TOR's issued)
Quality		Objective: To ensure that the service is effective and adding value	
KPI	Measure of Assessment	Target & (Frequency of Measurement)	
Recommendations agreed	% of Recommendations made compared with recommendations accepted	95% (Quarterly)	100% (13 out of 13 recommendations accepted)
Post Audit Customer Satisfaction Survey Feedback	% of customers scoring audit service good or above (3 out of 5) where 1 is poor and 5 is very good Average score is also reported for information	100% (Quarterly)	100% (3 out of 3 returns) Average score 5
Customers providing feedback Response	% of Customer returning satisfaction returns	70% (Quarterly)	100% (3 returns from 3 surveys issued in 2019/20)

ADVICE AND CONSULTANCY WORK UNDERTAKEN IN 2019/2020

Whilst no formal advice and consultancy reviews have been undertaken for the Council during 2019/20, Internal Audit has maintained its links with the Council's key officers to discuss ongoing matters on an ad hoc / informal basis.

ASSURANCE OPINION METHODOLOGY

Findings

Individual findings are assessed on their impact and likelihood based on the assessment rationale in the tables below:

Impact Rating	Assessment Rationale
Critical	A finding that could have a:
	Critical impact on operational performance (Significant disruption to service delivery)
	Critical monetary or financial statement impact (In excess of 5% of service income or expenditure budget)
	Critical breach in laws and regulations that could result in significant fine and consequences (Intervention by regulatory body or failure to maintain existing status under inspection regime)
	Critical impact on the reputation of the Council (Significant reputational damage with partners/central government and/or significant number of complaints from service users)
	Critical impact on the wellbeing of employees or the public (Loss of life/serious injury to employees or the public)
Major	A finding that could have a:
	Major impact on operational performance (Disruption to service delivery)
	Major monetary or financial statement impact (1-5% of service income or expenditure budget)
	Major breach in laws, regulations or internal policies and procedures (non compliance will have major impact on operational performance, monetary or financial statement impact or reputation of the service)
	Major impact on the reputation of the service within the Council and/or complaints from service users
Minor	A finding that could have a:
	Minor impact on operational performance (Very little or no disruption to service delivery)
	Minor monetary or financial statement impact (less than 1% of service income or expenditure budget)
	Minor breach in internal policies and procedures (non compliance will have very little or no impact on operational performance, monetary or financial statement impact or reputation of the service)
Likelihood	Assessment criteria
Probable	Highly likely that the event will occur (>50% chance of occurring)
Possible	Reasonable likelihood that the event will occur (10% - 50% chance of occurring)
Unlikely	The event is not expected to occur (<10% chance of occurring)

Overall Finding Rating

This grid is used to determine the overall finding rating.

LIKELIHOOD			
Probable	M	H	H
Possible	L	M	H
Unlikely	L	L	M
	Minor	Major	Critical
	IMPACT		

Priority of our recommendations

We define the priority of our recommendations arising from each overall finding as follows;

High	Action required, that is considered imperative , to improve the control environment so that objectives are not exposed to unacceptable risks through lack of or weaknesses in critical or key controls.
Medium	Action required to improve the control environment so that objectives are not exposed to risks through weaknesses in controls.
Best Practice	The issue merits attention and its implementation will enhance the control environment.

Overall Assurance Opinion

Based upon the ratings of findings and recommendations arising during the audit as summarised in the risk matrix above we define the overall conclusion of the audit through the following assurance opinions:

Substantial Assurance	There is a sound system of control. Any weaknesses identified expose some of the system objectives to minor risk.
Moderate Assurance	Whilst there is basically a sound system of control, there are some weaknesses, which expose objectives to risk.
Limited Assurance	There are weaknesses in key areas in the system of control, which expose objectives to unacceptable levels of risk.

				APPENDIX D
SUMMARY OF ASSURANCE WORK CARRIED OUT				
Audit Area				Latest Opinion
Core Financial Systems				2019/20
Creditors				
Debtors				
Income collection and banking				
Payroll				
Main accounting and budgetary control				
Risk Management				2019/20
General Data Protection Regulations (GDPR)				2019/20
Cemetery				2018/19
Pavilion - Income Collection and Banking				2018/19
Leisure Gardens (Follow Up)				2018/19
Parks (note follow up review in 2019/20 identified all actions implemented)				2018/19
Activities and Events				2017/18
Shotton Hall Bar and Catering				2017/18
Capital				2017/18
Overall Opinion				
Assurance Opinion	Substantial	Moderate	Limited	
Key				



RESOURCES COMMITTEE

27 April 2020

INTERNAL AUDIT PROGRESS REPORT

REPORT OF THE HEAD OF INTERNAL AUDIT

Purpose of the Report

1. The purpose of this report is to advise Members on work undertaken by Internal Audit between 01 April 2019 and 31 March 2020 with coverage provided in accordance with our agreed SLA. The report aims to:
 - Provide a high level of assurance, or otherwise, on internal controls operating across the Authority that have been subject to audit.
 - Advise the Committee of significant issues where controls need to improve to effectively manage risks.
 - Advise the Committee of any amendments to the approved Internal Audit plan.
 - Advise the Committee of changes to audit processes and terminology.
 - Track progress on the response to internal audit reports and the implementation of agreed internal audit recommendations.
 - Provide an update on our performance indicators comparing actual performance against planned.
2. The appendices attached to this report are summarised below. Those marked with an asterisk are considered as being not for publication (Exempt information under Part 3 of Schedule 12a to the Local Government Act 1972, paragraph 3).

Appendix 1	Risks and Implications
Appendix 2	Progress against the Internal Audit Plan
Appendix 3	Internal Audit Performance Indicators
Appendix 4*	Overdue Actions

Progress against planned work

3. A summary of the agreed plan showing the status of each audit as at 31 March 2020 is attached at Appendix 2.
4. The Appendix shows that all five assurance reviews included within the 2019/20 plan are complete (final or draft report). Within the quarter the following three reports were completed:

Core Financial Systems

5. This is the Internal Audit Service's biggest review and is undertaken on an annual basis. It considers arrangements in place with regards to income, expenditure, payroll, financial management, budgetary control and Asset Registers. In 2019/20, the work undertaken provided the Council with its first Substantial Assurance opinion in this key area which is a reflection on control improvements in operation.

General Data Protection Regulations (GDPR)

6. This was the first audit that solely covered GDPR. Our work which provided a Substantial Assurance opinion confirmed that relevant members of staff have received GDPR and Data Protection training and that staff are aware of potential data breaches and what to do should this occur. Appropriate arrangements were also in place regarding the use of Privacy notices; completion of the Service Information Asset Register which documents what data is held by whom, its location, the person responsible for the data and retention process; and Data log which records data which has either been destroyed or is held in storage.

Risk Management

7. This was the first audit that solely covered the Council's Strategic Risk Management arrangements. Our work which provided a Substantial Assurance opinion confirmed that responsibilities for risk management had been appropriately assigned; that a Risk Register is in place and is in an appropriate format; that arrangements were in place to identify new / emerging risks; that risks had been scored consistently and assigned to appropriate officers and were being monitored for implementation.
8. Assurance reviews incorporate a consideration of the Council's Risk and Governance arrangements within each activity inspected.
9. The assurance level, if applicable, for each piece of work where a final report has been issued is shown in Appendix 2.

Amendments to Annual Audit Plan

10. No amendments to the annual audit plan have been agreed this period.

Outstanding management response to draft reports

11. There are no management responses to outstanding Draft Reports overdue.

Response to Audit Recommendations

12. To provide independent assurance that adequate progress is made in the implementation of agreed recommendations at the appropriate service operational level, all high and medium recommendations contained within the action plans of individual audit reports are followed up by internal audit. In addition, listings of all recommendations outstanding at the end of each quarter are produced and issued to the Town Clerk to assist the Council in its own internal monitoring processes.
13. To allow the progress made at an operational level to be tracked and monitored, the numbers of all recommendations made arising from each audit complete, and evidenced as implemented, are shown in Appendix 2. It should be noted that Internal Audit will not follow up Best Practice matters raised.
14. A summary of outstanding audit recommendations i.e. those not implemented within original agreed or revised target dates, as evidenced through Internal Audit follow up, is given in the table over page:

Risk	Actions	Total	Implemented			Overdue	Target	Overdue
Category	Raised	Due	(Due)	(Not due)	Total	Original	Revised	Revised
2017/18								
High	0	0	0	0	0	0	0	0
Medium	20	20	18	0	18	2	2	0
Total	20	20	18	0	18	2	2	0
2018/19								
High	3	3	3	0	3	0	0	0
Medium	26	26	25	0	25	1	1	0
Total	29	29	28	0	28	1	1	0
2019/20								
High	0	0	0	0	0	0	0	0
Medium	2	1	1	0	1	0	0	0
Total	2	1	1	0	1	0	0	0

15. There are three Medium priority recommendations overdue against original target implementation dates. Revised target dates have been agreed in all cases with no recommendations overdue. Details of the three overdue recommendations are shown in Appendix 4.

Unplanned work carried out this quarter

16. There has been no unplanned activity carried out during the period.

Reports issued with a Limited Assurance Opinion

17. There were no reports issued in the period that resulted in a Limited Assurance Opinion.

Performance Indicators

18. A summary of target performance indicators is given in Appendix 3.

Recommendation

19. Members are asked, when deliberating over the content of the report, to:
- consider the outturn position on progress made in delivering the internal audit plan for 2019/20 together with that made by managers in responding to the work of internal audit to gain assurance on the adequacy and effectiveness of the internal control environment.

Stephen Carter, Audit Manager, Tel: 03000 269665

Appendix 1: Risks and Implications

Finance -

The programme of work undertaken by Internal Audit supports the Council in maintaining safe and efficient arrangements for the proper administration of its financial affairs

Staffing –

None

Risk -

None

Equality and Diversity / Public Sector Equality Duty -

None

Accommodation -

None

Crime and Disorder -

None

Human Rights -

None

Consultation -

None

Procurement -

None

Disability Issues -

None

Legal Implications -

None

Other Risks

Control risks identified / considered in relation to reviews undertaken

Appendix 2: Summary of the status of work undertaken and recommendations made and implemented

INTERNAL AUDIT SERVICES				High		Medium		Best Practice
Reviews	Schedule	Status	Opinion	M	I	M	I	M
Corporate Governance Risks								
Corporate Governance Arrangements	Q1-4	Complete	N/A	0	0	0	0	0
Risk Management Arrangements*	Q4	Draft Report	Substantial	0	0	2	0	0
Financial Management								
Core Financial Systems	Q3	Final Report	Substantial	0	0	2	0	7
General Data Protection Regulations (GDPR)	Q3	Final Report	Substantial	0	0	0	0	2
Parks – Follow Up	Q1	Final Report	N/A	0	0	0	0	0
Unplanned Activities								
Management								
Audit Planning and Reporting	Q1-4	Complete	N/A	0	0	0	0	0
Total				0	0	4	0	9

Note: The Report for the Risk Management Assurance Review was finalised on 09 April 2020 as part of the 2020/21 reporting period and actions are being tracked accordingly

Appendix 3 Performance Indicators for 2019/20

Efficiency			
Objective: To provide maximum assurance to inform the annual audit opinion			
KPI	Measure of Assessment	Target & (Frequency of Measurement)	Actual
Planned audits completed	% of planned assurance work from original approved plan complete to draft report stage as at 31 March 2020	90% (Quarterly)	100% (5 out of 5 reviews completed)
Timeliness of Draft Reports	% of draft reports issued within 30 calendar days of end of fieldwork/closure interview Average time taken is also reported for information	90% (Quarterly)	100% (4 reports issued) 8 days
Timeliness of Final Reports	% of final reports issued within 14 calendar days of receipt of management response Average time taken is also to be reported for information	95% (Quarterly)	100% (3 reports issued) 1 days
Terms of Reference	% of TOR's agreed with key contact in advance of fieldwork commencing	95% (Quarterly)	100% (4 TORs issued)
Quality			
Objective: To ensure that the service is effective and adding value			
KPI	Measure of Assessment	Target & (Frequency of Measurement)	
Recommendations agreed	% of Recommendations made compared with recommendations accepted	95% (Quarterly)	100% (13 agreed out of 13 recommendations made)
Post Audit Customer Satisfaction Survey Feedback	% of customers scoring audit service good or above (3 out of 5) where 1 is poor and 5 is very good Average score is also reported for information	100% (Quarterly)	100% (3 out of 3 returned) Overall average score 5.00
Customers providing feedback Response	% of Customer returning satisfaction returns	70% (Quarterly)	100% (3 return from 3 surveys issued in 2019/20)

Appendix 4 Outstanding Audit Recommendations Quarter Ended 31 March 2020

	Audit	Year	Action Owner	Priority	Report Issued	Original Target	Revised Target	Recommendation	Progress Update
01	Core Financial Systems	2017/18	Town Clerk	Medium	19/12/2017	31/03/2018	30/09/2020 31/03/2020 30/06/2019 31/03/2019 31/12/2018 31/07/2018	The approval of the fees and charges be included in the minutes of the relevant Council meeting so that the approval process can be evidenced.	Fees and charges for main council activities of football pitch hire and cemetery fees have been completed. Overall review of fees and charges was due to be presented to Annual Meeting in May however this meeting has been suspended so will look to present to council for approval in June 2020.
02	Capital	2017/18	Town Clerk	Medium	03/01/2018	30/06/2018	30/06/2020 31/03/2020 30/06/2019 31/03/2019 31/12/2018	A Service Asset Management Plan be developed and approved by Council.	Draft plan has been produced, will look to taking to Council for approval in June 2020.
03	Pavilion	2018/19	Pavilion Centre Manager	Medium	20/05/2019	31/05/2019	30/09/2020 31/03/2020 30/06/2019	The Council should examine the feasibility of upgrading / replacing the tills at the reception and bars so void reports can be produced.	Facility is closed for foreseeable future. Centre Manager is continuing to progress specification for procurement process.



RISK MANAGEMENT POLICY

April 2020

SUMMARY

This Risk Management Policy sets out the Council's approach to managing risk. It was adopted by the Council in April 2020 and will be reviewed on an annual basis alongside the annual review of the Corporate Risk Framework.

Ian Morris

Chief Officer & Town Clerk

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DRAFT

Peterlee Town Council Risk Management Policy

Introduction

Peterlee Town Council recognises that Risk Management is an essential part of effective corporate governance. The Council has a statutory duty to have in place arrangements for managing risk as per the Accounts & Audit Regulations 2015:

*A relevant authority must ensure that it has a sound system of internal control which—
(a) facilitates the effective exercise of its functions and the achievement of its aims and objectives;
(b) ensures that the financial and operational management of the authority is effective; and
(c) includes effective arrangements for the management of risk.¹*

In March 2020 the Town Council's internal auditors carried out a formal review of the Town Council's approach to risk management and provided a 'substantial assurance' opinion with two medium priority actions including a recommendation that the Council develop and adopt a Risk Management Policy.

This Risk Management Policy sets out the Council's approach to managing risk. It was adopted by the Council in April 2020 and will be reviewed on an annual basis alongside the annual review of the Corporate Risk Framework.

Definition

For the purposes of this policy, Risk is defined as the chance or possibility of loss, damage, injury or failure to achieve the Council's policies and objectives caused by an action or event for which the Council may be unprepared.

Risk management is the process of identifying those risks which could either threaten the Council through affecting governance, finance, people, buildings or other forms of well-being, and wherever possible reducing (mitigating) such risks to the lowest possible level.

Legal Requirements

Peterlee Town Council will make best efforts to comply with all legal requirements relating to risk, and in particular:

- Health and Safety at Work Act 1974
- Management of Health and Safety at Work Regulations 1999
- Accounts & Audit Regulations 2015

Policy Statement

Peterlee Town Council has acknowledged through its Standing Orders, Financial Regulations and other core policies that it has a responsibility to manage its risks effectively in order to protect its

¹ The Accounts & Audit Regulations 2015, part 2, regulation 3
<http://www.legislation.gov.uk/ukxi/2015/234/regulation/3/made>

employees, assets, liabilities and community against potential losses and to minimise any impact of unforeseen problems that could occur.

The Council is aware that not all risks can be eliminated fully, however it will put in place a planned and focussed approach to managing risk.

The Council expects all Members and employees at all levels to make best efforts to understand the nature of any risks present in decisions and activities that they are involved in and accept responsibility for risks that exist within their area of authority, as follows:

Councillors - To set the overall policy approach to risk and oversee effective management of risk by council staff;

Senior Officers - To ensure that the Council manage risk effectively through the development and delivery of the risk management process; and

Employees - To manage risk effectively within their roles.

Objectives

The Town Council will:

- i) Ensure that Risk Management forms an integral part of the Council's procedures;
- ii) Manage any risk in accordance with best practice;
- iii) Anticipate and respond to changing social, environmental and legislative requirements;
- iv) Identify risks and the impact of those risks when adopting policies and making operational decisions; and
- v) Positively and actively promote an awareness of risk management across all council services and activities.

Implementation

The Town Council will:

- i) Establish clear roles, responsibilities and reporting lines within the Council's committee and staffing structures;
- ii) Inform relevant Committees of the Council of potential risks identified by including risk assessments as a standard part of committee reporting;
- iii) Maintain a Corporate Risk Register and review this formally at least once a year;
- iv) Provide training of staff in risk management procedures and ensure that they have the knowledge and ability to identify and raise concerns where working practices or issues have led to increased risk or they have concerns that risks and or actions to mitigate need to be improved;
- v) Carry out risk assessments in all relevant areas of the council's activities;
- vi) Continue to monitor procedures and assessments periodically;
- vii) Prepare contingency plans for potential risks which could have a significant effect on the Council and or the community;
- viii) Include risk management as a subject for review in the annual Internal Audit programme.

Risk Assessments

Risk assessments will be carried out for all significant projects, functions and services. Risks will be determined according to the impact of the risk on the project, function or service and the likelihood of it occurring.

From the risk assessments an Action Plan will be produced if required. Where relevant, the Risk Assessment and Action Plan will be reported to the responsible Committee, along with any mitigation proposals and financial consequences that may require funds to achieve.

Risk assessments will be monitored and reviewed at appropriate points, either during the progress of a particular project, or in the case of functions and services provided by the Town Council, whenever there is any significant operational or legislative change impacting on that function or service. Every report requiring action submitted to Council committees for decision will contain a paragraph entitled Risk Assessment, wherein the risk of any proposal will be assessed and mitigation proposals suggested where appropriate.

Level of Risk Impact will be viewed in terms of the consequences of the identified risk on the Service, (i.e. the extent to which it may cause failure or unavailability). Impact will be classified using the following criteria:

Extreme (5) e.g. total failure of process

Very High (4) e.g. serious disruption to the process

Medium (3) e.g. disruption to the process

Low (2) e.g. some minor impact to the process

Negligible (1) e.g. annoyance but does not disrupt the process.

An assessment of the likelihood of the identified risk occurring within a relevant timeframe will be carried out using the following classification:

Almost Certain (5)

Likely (4)

Moderate (3)

Unlikely (2)

Rare (1)

Based on the above, each level of impact will be multiplied against each level of likelihood, providing a 'risk rating' score and enabling the council to set out a general 'risk appetite' as follows:

PTC Appetite Risk Matrix					
Likelihood	5				
	4				

3					
2					
1					
	1	2	3	4	5

Impact

Prioritisation of Risk

Using the table and the results of the risk ratings, all the identified risks will be categorised into three levels. This will enable attention to be focused on the highest priority area.

H:25-12 Risks requiring immediate response, active monitoring and management

M:10-5 Risks requiring management and monitoring

L: 4- 1 Risks which do not require specific management attention but may be monitored, as appropriate

Delivery of this Policy

This policy will be implemented by the Council's Chief Officer and Senior Management Team and will be reviewed on a regular basis by Council.



SPECIAL LEAVE POLICY (INCLUDING BEREAVEMENT AND EMERGENCY LEAVE)

APRIL 2020

ABSTRACT

Peterlee Town Council provides this Special Leave Policy for all employees to use as a guide for the process of taking special leave including bereavement and emergency leave.

Janet Hugill

CORPORATE SERVICES MANAGER

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SPECIAL LEAVE POLICY

(including Bereavement and Emergency Leave)

Introduction

This policy is intended for all employees of the Town Council.

Good attendance is a vital factor in the effective operation of our business. High levels of attendance will help to maintain good quality services and an excellent professional reputation. Poor levels of attendance have a major impact on colleagues and may cause damage to our professional reputation.

Employees have access to annual leave and time off in lieu (TOIL) if they need to take time off work. But there are some life circumstances that the Council recognises as 'special circumstances' and in these cases the Council may award additional 'special leave' over and above an employee's annual leave entitlement or TOIL balance.

These circumstances include:

- Magistrate and other Public Duties
- Jury Service
- Trade Union activity
- Medical appointments
- Compassionate leave
- Bereavement leave
- Extreme weather
- Emergency dependents leave

The Council recognises the requirement for fairness and consistency when considering requests for special leave. All applications for special leave will be considered on an individual basis, having due regard to the Council's other applicable policies.

In authorising special leave, managers should be compassionate when considering the request and consider:

- All the circumstances surrounding the request.
- The need to ensure that services are minimally disrupted; and
- Consistency of application of this policy throughout the Council.

In most instances approval should be sought and agreed in advance by the Chief Officer.

Medical, dental and optician appointments will be agreed by the Manager and a hospital/dental/optician appointment card or letter from the hospital/dentist or optician should be produced and checked by the Manager prior to the authorisation of leave.

‘Close Relative’ definition

For the purpose of this policy close relatives are generally defined as follows:

- Employee's spouse or civil partner;
- Employee's child or parent;
- Any person who lives at the same residential address as the employee (other than as a lodger, tenant or boarder);
- or who would reasonably rely on the employee for assistance or arrangements for care in the event of illness or injury. This may also include step and foster children.

Magistrates and Other Public Duties

Paid leave of absence for Magistrate or other official Public Duties will be granted by the Town Council subject to the needs of the service. Employees are reminded that all such engagements should be declared in advance, as per the Officers Code of Conduct.

Jury Service

The appropriate National Agreements (NJC Green Book) will apply to employees called to serve as jurors. An employee receiving a summons to serve on a jury must report the fact to his/her Manager/Chief Officer, who shall grant leave of absence unless exemption is secured by the Council.

The employee shall claim the allowance for loss of earnings to which he/she is entitled under the Jurors' Allowances Regulations in force at the time. He/she shall then have deducted from full net pay an amount equal to the allowance received. The Chief Officer must also declare whether the employee is required to return to work if not required for jury service for full or part days.

Employees' attention is drawn to the fact that under the Local Government Pension Scheme Regulations, contributions based on full pay will be payable for the first 30 days' absence. If the absence continues after a period of 30 days, the employee will be deemed to have given notice that he/she elects to continue paying contributions based on full pay.

The employee will receive from the Court details of the Jurors' Allowances payable and a Jurors' Loss of Earnings Certificate on which to claim loss of earnings. The employee will submit the form to his/her manager who will certify that a deduction from earnings will be made for each day the employee performs jury service. The amount of the deduction will be the appropriate jurors' allowance or actual earnings, whichever is the lower amount. An amount equal to the allowance received will then be deducted from full net pay by Payroll.

Trade Union Conferences

Paid leave shall be granted to a recognised Trade Union Steward attending the annual conference of a recognised Trade Union, subject to the requirements of the service.

Medical Appointments

Routine and non-urgent appointments

All routine and non-urgent appointments should be made outside of normal working hours where possible, however if this is not possible and the timing of appointments or the urgency then annual leave or TOIL must be used during working time and will be allowed, subject to notifying Manager/Town Clerk. **Every effort should be made to ensure appointments are made outside of normal working hours.**

Any pregnant employee has the right to paid time off for ante-natal care and must produce evidence of appointments if requested.

Hospital appointments

Any hospital appointments due to an underlying health condition will be classed as sick leave and reasonable time off will be granted. An appointment card or letter from the hospital should be produced and checked by the Manager prior to the authorisation of leave.

Where the employee is able to come back to work but wishes to take time off before or after the appointment to extend the time away from work to a half or full day, the employee will be expected to take the excess time as annual leave. Or, if available, the employee may take time off in lieu for hours previously worked.

Cancer Screening

In line with the National Conditions of Service which provide that necessary paid time off shall be granted for the purposes of screening.

Ongoing Treatment

Where an employee is receiving ongoing treatment for a medical condition but is able to attend work, the employee may still require time off during working hours to receive such treatment. The employee should discuss the situation with their Manager and the Town Clerk. Reasonable time off and/or special arrangements will be considered for the purposes of the employee receiving treatment.

Special arrangements could include paid time off; unpaid time off; changing starting or finishing times; adjusting lunch periods; or any other arrangements which may be deemed suitable during the period of treatment.

Where the treatment is necessary for health reasons and the employee has no choice in the timing of appointments, he/she will be permitted paid time off from work. No employee will be paid for more than a standard day even if treatment exceeds a standard day's length.

Supporting medical evidence will be required by the Council when agreeing time off facilities with the employee.

Compassionate leave

Compassionate leave may be granted in circumstances such as the serious illness of a close relative. The amount of compassionate leave granted will be considered on a case by case basis but will typically not last more than 5 working days.

The Council recognises that in some circumstances employees may need longer periods away from work than may be covered in this policy. If this can be accommodated, it will usually be on the basis of unpaid leave.

Bereavement Leave

The Town Council recognises that bereavement is an emotional matter and will treat all applications for bereavement leave with sensitivity. Bereaved employees will be offered the provision of counselling support through the Council's Occupational Health service.

It is expected that managers will take all relevant circumstances into account when granting paid leave for bereavement, such as the closeness of the relationship, both physical and emotional.

Bereavement leave for part time employees will be authorised as the equivalent of working days.

If necessary employees can take annual leave or toil. This would be in addition to bereavement leave and subject to approval from his/her manager and the immediate needs of the service.

3 days paid leave will be granted for all employees for the loss of a parent, parent in law, spouse, brother or sister or grandchild.

Any other close family relatives of the employee will be granted 1 days paid leave.

As of 6th April 2020, there is a change to parental bereavement leave. The entitlement is now:

- All employees have a 'day one' right to 2 weeks unpaid bereavement leave.
- Parents and primary carers must have been employed for a continuous period of at least 26 weeks before the child's death and are eligible for 2 weeks paid parental bereavement leave if they receive pay above the lower earnings limit.
- Statutory parental bereavement leave is £151.20 per week or 90% of earnings if less than this amount.
- The 2 weeks leave can be taken in either 1 block of 2 weeks or 2 blocks of one week each.
- The leave must be taken within 56 weeks of the date of the child's death.
- An employee can cancel a request by giving the appropriate notice but cannot cancel any week of leave that has already begun.

Extreme weather or other emergency conditions

Should extreme weather conditions or other emergencies affect the function of the Council and the Council has to close for a short period, the following provisions will apply:

- Closure for a period of time resulting in staff either being sent home from work or instructed not to attend work, staff will receive their normal average earnings / day's pay;
- Should staff be unable to attend work due to severe weather conditions (e.g. unable to use their own transport and public transport services have ceased to operate, etc.) or other factors such as flight delays in returning from holiday, the emergency leave should be taken as holiday, or lieu time, if available.

Emergency Leave (Time off for Dependants)

Emergency leave is intended to cover unexpected or unplanned events such as:

- If a dependant falls ill, or has been injured or assaulted;
- To make longer term care arrangements for a dependant who is ill or injured;
- To deal with the death of a dependant;
- To deal with an unexpected disruption or breakdown of care arrangements for a dependant;
- When a dependant goes into labour;
- To deal with an unexpected incident involving an employee's child during school hours;
- There is no requirement to pay for time off for dependants. However, the emergency leave can be taken as holiday, or lieu time, if available. If you are unable to take holiday or if available, time off in lieu for hours previously worked lieu, all emergency leave will be **unpaid**.

- Employees must inform their line manager as soon as possible before their usual start time or as soon as the problem has occurred. Employees must say why they need the time off and how long they think it will take to resolve the problem.
- Employees will be allowed reasonable time off work to deal with an emergency. The time off will vary depending on circumstances of the emergency. In many instances only a few hours will suffice to resolve any immediate problems. For most other cases, one day will be sufficient to deal with the problem.
- All staff absences will be recorded, monitored and managed. Should any occasions of lateness become a concern, management may use disciplinary action to address these concerns.

Emergency leave would not apply to:

- The long-term care arrangements such as childcare or nursing a sick child or relative
- A broken central heating boiler at home
- Problems with the family pet
- Accompanying a friend to hospital
- An event that is known in advance (ie taking a child to hospital for an appointment)

This list is not exhaustive; it is only intended for guidance.

Other leave provisions available to employees

The Town Council have a range of other policies which may be more suitable to allow employees time off from work. The Time Off for Dependants (Emergency Leave) Policy is only for emergency situation.

Other requests

Requests for leave other than those covered by National Agreements or as described above shall be determined by the Town Clerk.

Abuse of the policy

Any abuse of this policy will be considered as a disciplinary matter and will be dealt with under the Town Council's Capability and Disciplinary Procedure.

Complaints

If an employee has a complaint regarding the application of this policy can be raised using the Council's Complaints Procedure.

Author of Policy;	Corporate Services Manager
Date effective from;	April 2020
Policy review;	April 2022
Version Control;	V1

PETERLEE TOWN COUNCIL
SPECIAL/UNPAID LEAVE REQUEST FORM

NAME.....

DAYS REQUESTED

FROM..... TO.....

SIGNED..... DATE.....

MANAGER/LINE MANAGER: I HAVE APPROVED THIS LEAVE REQUEST.

SIGNED..... DATE.....

A SPECIAL LEAVE REQUEST FORM MUST BE SUBMITTED AND AGREED PRIOR TO ANY PERIOD OF LEAVE BEING TAKEN. THE TOWN CLERK RESERVES THE RIGHT TO REFUSE ANY LEAVE REQUEST.

I UNDERSTAND I WILL NOT BE PAID FOR THIS LEAVE REQUEST.

THIS FORM WHERE POSSIBLE SHOULD BE SUBMITTED TO ADMIN BEFORE 5th OF THE MONTH. ANY REQUESTS AFTER THAT DATE WILL HAVE BEEN PROCESSED BY PAYROLL, THEREFORE THE PAYMENT WILL BE DEDUCTED THE FOLLOWING MONTH.

SUBMITTED TO ADMIN TEAM BY:	MANAGERS/LINE MANAGER NAME:	DATE:
PROCESSED BY ADMIN TEAM BY:	ADMIN TEAM NAME:	DATE:

PETERLEE TOWN COUNCIL

BEREAVEMENT

Name

Works No

Relationship of Deceased

Leave of absence required from to

Employee signature

Manager signature

2 weeks **children under the age of 18 or still born babies**

3 Days **Allowed for Parents, Parents in Law, Spouse, Brother, Sister,**

1 Day **Allowed for other close family relations**

Once completed please send this form to admin to be processed.

3 APRIL 2020

L01-20 | THE LOCAL AUTHORITIES AND POLICE AND CRIME PANELS (CORONAVIRUS) (FLEXIBILITY OF LOCAL AUTHORITY AND POLICE AND CRIME PANEL MEETINGS) (ENGLAND AND WALES) REGULATIONS 2020

Introduction

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (“the 2020 Regulations”) come in to force on 4 April. Broadly speaking, the 2020 Regulations enable local councils to hold remote meetings (including by video and telephone conferencing) for a specified period until May next year. They also remove the requirement to hold an annual meeting. The 2020 Regulations apply to local council meetings, committee and sub-committee meetings in England. Separate legislation is anticipated for Wales.

This briefing will summarise the detail of the 2020 Regulations and what they mean for local councils. The briefing should also be read in conjunction with the NALC guidance on remote meetings, which considers more practical issues around the holding of electronic meetings. The term “local council” will be used in this briefing to refer to parish councils, town councils and councils using alternative styles.

Background to the 2020 Regulations

The COVID-19/ Coronavirus pandemic and the unprecedented in peacetime Government measures in response to the crisis (e.g. prohibitions on gatherings, social distancing, self-isolation and shielding of those deemed to be the most vulnerable) have meant that the requirement for local authorities to hold public meetings in person with all members present in one place cannot be met. The statutory requirements for meetings are mainly contained in the Local Government Act 1972 (“the 1972 Act”) and the Public Bodies (Admission to Meetings) Act 1960 (“the 1960 Act”).

In recognition of the problem of holding and attending meetings, and further to the lobbying of NALC and others, the Government included s.78 in the Coronavirus Act 2020. This section gave the Secretary of State the power to make Regulations to make provisions for the holding of meetings. The 2020 Regulations set out those provisions.

What are the main provisions for local councils?

The relevant Regulations for local authorities are as follows:

Regulation 2 – the 2020 Regulations apply to local authority meetings that are required to be held, or held, before 7 May 2021. The date could be brought forward if Government rules are relaxed.

Regulation 3 – parish councils in England are included within the definition of “local authority” in the 2020 Regulations. Parish meetings are not included within the definition and, as such, there is nothing permitting them to meet remotely. In NALC’s view, the current Government guidance means that parish meetings should not take place in person, including the annual meeting of the electors.

Regulation 4 – this provides that where an appointment would otherwise be made or is required to be made at an annual meeting of a local authority, the appointment continues until the next annual meeting of the authority or until such time as that authority may determine (Regulation 4 (2)). This would apply to the election of the chairman, the first business at the annual council meeting. Therefore the current chairman will remain in place until an annual meeting is held (possibly next year) unless the council decide to elect a replacement earlier.

Regulation 5 – this permits the holding of remote meetings. The effect of the Regulation is that persons attending a local council meeting do not need to be in the same place. “Place” means more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers (Regulation 5 (1)). To attend a meeting remotely a member in remote attendance must meet specified conditions (see below).

Regulation 5 (6) also enables local councils to make standing orders to specify (i) how voting will be carried out, (ii) how members and the public can access documents and (iii) how remote access of the press and public by electronic means will take place. Councils should make these decisions based on their own needs and capacity. Local factors such as broadband strength may also determine what methods they use. See also the NALC guidance on remote meetings.

Regulation 6 – confirms that being present at a local council meeting includes being present through remote attendance. The Regulation also disapplies paragraph 7 of Schedule 12 to the 1972 Act. This means there is no requirement for a parish council to hold its annual meeting although a council may do so if they so choose. However paragraph 8 of Schedule 12 has not been disapplied. Paragraph 8 requires a local council to hold in a year not less than three meetings

in addition to the annual meeting. We believe this should also have been disapplied. The equivalent paragraphs have been disapplied for principal authorities (paragraphs 1 and 2 of Schedule 12).

Regulation 13 – s.1 (4) (a) of the 1960 Act has been amended so that public notice of the time and place of the meeting is deemed to be given if published on the relevant principal authority's website. In NALC's view the notice could be placed on the local council's website or in a prominent physical place to meet the advertising requirements contained in Schedule 12 of the 1972 Act. Councils should take account of social distancing requirements before deciding to put notices in physical spaces NALC's view is that a council's decision making is unlikely to be challenged if it only places the notice on its own website.

Regulation 17 – confirms that a local council complies with Regulation 8 of the Openness of Local Government Bodies Regulations 2014 (decisions and background papers to be made available to the public) by making the written record and any background papers available for inspection by publishing them on their website; or by such other means that the council considers appropriate.

What are the specified conditions to enable local councils to meet remotely?

Regulation 5(2) of the 2020 Regulations provides that a member in remote attendance attends the meeting at any time if the member is able at that time:

- a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance,
- b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and
- c) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

All of the above conditions must be satisfied.

These conditions allow members to join via a video link system or by telephone so long as every member can be heard by every other member and the public.

All members, clerk and other staff, and any members of the public will be in attendance for the purposes of the 2020 Regulations if they are in remote attendance. The provisions in Regulation 5 will apply notwithstanding any standing orders or rules to the contrary.

Existing provisions that have not been specifically disapplied still apply, including the notice requirements in Schedule 12 of the 1972 Act.

Summary

- The 2020 Regulations permit the holding of remote meetings, with conditions.
- Local councils can decide the methods they will use to facilitate the holding of remote meetings.
- There is no requirement to hold an annual meeting.

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