

# Agenda

## Cabinet

Date: **Thursday 7 October 2021**

---

Time: **2.00 pm**

---

Place: **Council Chamber**

---

For any further information please contact:

**Alec Dubberley**

Democratic Services Manager

0115 901 3906

---

# Cabinet

## Membership

**Chair** Councillor John Clarke

**Vice-Chair** Councillor Michael Payne

Councillor Peter Barnes  
Councillor David Ellis  
Councillor Gary Gregory  
Councillor Jenny Hollingsworth  
Councillor Viv McCrossen  
Councillor Henry Wheeler

### **WEBCASTING NOTICE**

Please note that this meeting will be live streamed on the Council's YouTube channel and via the website ([www.gedling.gov.uk](http://www.gedling.gov.uk)). At the start of the meeting the Chair will confirm if all or part of the meeting is being broadcast.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

For more information about how your personal data is collected and used please view our privacy notice <https://www.gedling.gov.uk/elections-privacy/>

## AGENDA

Page

- 1 **Apologies for Absence.**
- 2 **To approve, as a correct record, the minutes of the meeting held on 16 September 2021** 5 - 6
- 3 **Declaration of Interests.**
- 4 **Equality and Diversity Policy and Action Plan** 7 - 67  
Report of the Director of Corporate Resources.
- 5 **Financial Management Code** 69 - 92  
Report of the Director of Corporate Resources.  
  
Referral from the Audit Committee.  
  
Cabinet is recommended to:  
  
Approve the initial assessment, set out at Appendix 2 to the report, of the Council's assessed level of compliance with the standards in the Code and the resulting actions required.
- 6 **Review of complaints received by the Council and Annual Review Letter – Local Government and Social Care Ombudsman** 93 - 127  
Report of the Head of Governance and Customer Services.
- 7 **Forward Plan** 129 - 136  
Report of the Democratic Services Manager.
- 8 **Any other items the Chair considers urgent.**

This page is intentionally left blank

## MINUTES CABINET

Thursday 16 September 2021

Councillor John Clarke (Chair)

Present: Councillor Michael Payne Councillor Jenny Hollingsworth  
Councillor Peter Barnes Councillor Viv McCrossen  
Councillor David Ellis Councillor Henry Wheeler  
Councillor Gary Gregory

Officers in Attendance: M Hill, A Ball, M Cryer, A Davey, A Dubberley and  
L Widdowson

### 32 APOLOGIES FOR ABSENCE.

None.

### 33 TO APPROVE, AS A CORRECT RECORD, THE MINUTES OF THE MEETING HELD ON 5 AUGUST 2021

#### RESOLVED:

That the minutes of the above meeting, having been circulated, be approved as a correct record.

### 34 DECLARATION OF INTERESTS.

None.

### 35 COMMUNITY INFRASTRUCTURE LEVY (CIL) NON-PARISH FUNDING – CONSULTATION RESPONSE AND FUNDING DECISION

The Community Infrastructure Levy Officer introduced a report, which had been circulated in advance of them meeting, seeking approval to allocated funding for infrastructure projects as outlined in the report.

#### RESOLVED to:

- 1) Use up to £50,000 collected from Community Infrastructure Levy Non-Parish Neighbourhood Funding contributions towards the Green Lung Corridor project LIS0003; and
- 2) Use up to £43,000 collected from Community Infrastructure Levy Non-Parish Neighbourhood Funding contributions towards the Arnold Marketplace project LIS0004

### 36 CARBON REDUCTION ACTION PLAN

The Head of Environment introduced a report, which had been circulated in advance of the meeting, presenting the Carbon Reduction Action Plan for public consultation.

Councillor Barnes joined the meeting at 2:15 pm

**RESOLVED to:**

- 1) Approve the Carbon Management Strategy and Action Plan at Appendix 1 to the report to go out for wider consultation as detailed in this report; and
- 2) Note the work undertaken to date in relation to the actions and activities surrounding Carbon Management.

**37 FORWARD PLAN**

Consideration was given to a report of the Democratic Services Manager, which had been circulated prior to the meeting, detailing the Executive's draft Forward Plan for the next four month period.

**RESOLVED:**

To note the report.

**38 ANY OTHER ITEMS THE CHAIR CONSIDERS URGENT.**

None.

The meeting finished at 2.25 pm

Signed by Chair:  
Date:



## Report to Cabinet

**Subject:** Equality and Diversity Policy and Equality Framework Action Plan

**Date:** 7 October 2021

**Author:** Director of Corporate Resources and s.151 Officer

### Wards Affected

All wards

### Purpose

To update Members following the public consultation on the draft Equality and Diversity Policy (Policy) and Equality Framework and Action Plan (Action Plan), and to seek approval for their adoption.

### Key Decision

This is a key decision as the Equality and Diversity Policy is likely to be significant in terms of its effect on communities living or working in an area comprising two or more wards of the Borough.

### Recommendation

#### THAT Cabinet:

- 1) Notes the responses to the public consultation on the Equality and Diversity Policy and Equality Framework and Action Plan.
- 2) Approves the adoption of the Equality and Diversity Policy and Equality Framework and Action Plan (at Appendix 2 and 3 respectively), as detailed in this report.

## 1 Background

- 1.1 In November 2020, Cabinet considered a report which outlined the Council's public sector equality duty and responsibilities under the Equality Act 2010 (EA2010), detailed the Council's current Equality objectives as published in the Gedling Plan, and updated on the work

undertaken by the Portfolio Holder and the Policy Advisor for Young People and Equalities with the Equality Review Group comprising key officers, which included the preparation of a draft Equality and Diversity Policy (Policy) and Equality Framework and Action Plan (Action Plan) to be approved for a period of public consultation.

1.2 The report highlighted the specific equalities objectives contained within the current Gedling Plan including:

Priority	Objectives
<b>Cohesive, Diverse and Safe Communities</b>	<ul style="list-style-type: none"> <li>• Reduce poverty and inequality and provide support to the most vulnerable</li> <li>• Improve social mobility and life chances</li> </ul>
<b>Health Lifestyles</b>	<ul style="list-style-type: none"> <li>• Improved health and well-being and reduce health inequalities</li> <li>• Reduce levels of loneliness and isolation</li> </ul>

1.3 The Action Plan was developed taking into account the Local Government Association Equality Framework for Local Government 2020 (EFLG). The Action Plan, sets out the measures the Council already has in place to deliver good equality outcomes and the activity the Council needs to progress to secure further improvement.

1.4 The Policy, sets out clearly the commitment that the Council has to promote equality and diversity both within the organisation and through service delivery. The policy highlights the legislative requirement to comply with the EA2010 and sets out how we will demonstrate our commitment and compliance with the legislation across four areas:

- Developing plans, policies, practices and decision making
- Providing Services
- Employment
- Partnership, procurement and commissioning

1.5 At the November meeting, Cabinet approved a period of public consultation on the Policy and Action Plan. Members also approved the formation of a corporate Strategic Equalities and Diversity Group made of the Leader, Deputy Leader, Portfolio holder for Young People and Equalities, Policy Advisor for Young People and Equalities, one representative from each of the opposition groups, the Chief Executive, the Director with lead responsibility for equality and diversity and any

other Cabinet Member who may wish to attend. The group are responsible for the following:

- Providing leadership and acting as ambassadors for equality and diversity issues, leading by example and encouraging the integration and embedment of equality and diversity in all of the council's functions. This may involve setting up and overseeing the work of sub-groups (Diversity Action Groups) as required;
- Oversee, support and monitor progress of the Equality Framework and Action Plan;
- Consult and seek representation from staff, Members, user groups, service users, residents, businesses and partners.

1.6 The period of public consultation on the Action Plan and Policy ran from 11 November 2020 to 22 December 2020. The main aim of this consultation was to capture resident and community views that would help shape the Council's Policy and Action Plan and explore the public's suggestions in relation to the Council's commitment to further develop its work in relation to equality and diversity in general. The consultation was conducted online and hard copies of the documents were available on request. The promotional activities for the consultation survey involved inviting local community groups to complete the survey, publicising the survey on Facebook, Twitter and GovDelivery, as well as on the Council's website. The survey was advertised in the Christmas Community E Newsletter and Health and Wellbeing newsletter which has a combined circulation of over 10,000 health and wellbeing contacts including community groups and voluntary organisations, individuals who have signed up to keep me posted and partner organisations who have signed up for the newsletter. The survey was also promoted to the Gedling Youth Council, Seniors Council, advertised through Councillor contacts and circulated to local sports clubs. The survey was sent out to all those signed up to Keep me posted through the latest news bulletins which advertise all live consultations, and was sent out to all local media outlets and parish councils through a press release.

1.7 There were only **13** responses to this consultation survey. This was a surprisingly low response rate to a borough wide consultation and as such they did not necessarily reflect a strong collective view on the Policy and Action Plan. The effectiveness of the consultation process was reviewed and consideration given to whether anything could be done to ensure that a more meaningful response could be achieved. In order to ensure compliance with our equality duty, the consultation should be accessible by as many as possible and in particular the views of those directly impacted by the Policy and Action Plan such as those within

protected characteristic groups should have the opportunity to engage. It was recognised that consultations in the usual way were challenging during Covid-19. Normally, in order to engage with harder to reach groups, face to face focus groups would be organised, however, these were not possible due to Covid and, efforts were made to target these groups through a community newsletter. The small number of responses could be a result of the fact that the respondents had to read an inevitably detailed document in order to write their responses. The consultation period was 4 weeks which is not unreasonable but it ran during a period where the County were coming out of national lockdown but unsure of which tier would ensue. There was a risk that the significance of the consultation was lost amongst other more pressing news.

- 1.8 In February 2021, following consideration of the outcome of the first consultation with the Portfolio Holder and Policy Advisor for Young People and Equalities, the Leader considered a report and approved a second consultation to run for a longer period of 6-8 weeks, to include more marketing of the consultation itself to ensure meaningful engagement with the residents and the community, including the direct targeting of specific groups and service users within the protected characteristic groups.
- 1.9 The second consultation was launched in June and was supported by a refreshed communications plan and the publication of a dedicated consultation document developed to highlight the Council's rationale for undertaking the survey and emphasising the significance of the documents to our customers and providing a summarised version of the Policy and Action Plan to try and make these detailed documents more readily accessible and understandable. The full Policy and Action Plan were also available alongside the consultation document.
- 1.10 Due to the ongoing Covid-19 pandemic the survey was available for completion on-line and each community group and partner organisation was sent a direct letter and follow-up reminder to bring their attention to the consultation and encourage participation. Over 200 individual leads from community and interfaith groups were contacted, with further reach achieved via the Community and Health and Wellbeing e-newsletter to over 10,000 contacts. Community groups and partners were asked to identify themselves in their completion of the questionnaire to enable any gaps in participation to be identified to inform future engagement plans for consultation, preferably to include face to face focus groups, as Covid related restrictions lift.
- 1.11 The second consultation survey captured four sets of comments relating to the following questions:

- Do you agree that our proposed policy and action plan will have a positive impact on the lives of the people of Gedling? If you disagree, please explain why.
- Are there any changes that you would suggest to the proposed policy?
- Are there any actions you would particularly like to see included in our detailed action plan?
- What other comments do you have about our proposed policy and action plan?

1.12 The consultation closed after 8 weeks and **80** responses have been received, 8 of which were from groups and partners. The responses have been analysed and the full report, including an analysis of the profile of respondents, is attached at Appendix 1. The main findings from these responses, taken together with the 13 responses to the initial consultation, are detailed in paragraph 1.13 below.

1.13 Main Findings (both consultations)

- 52% of respondents agree that the Council's Equality and Diversity Policy and Action Plan will have a positive impact on the lives of people of Gedling, 26% disagree that it will have a positive impact and 22% are neutral. In the main comments made by those 26% that disagreed that they would have a positive impact focused, firstly around a preference for the Council to use its resources on alternative services, and secondly, whilst generally supporting the Policy and Action Plan raising a concern that they would not effect any real changes or action in community that could be measured, as referenced in the bullet points below.
- Positive feedback relates to the Policy and Action Plan and is seen by some as demonstrating commitment 'a sign that making equality and diversity a focus will have a positive impact on the people of Gedling'.
- 'Actions should be more tangible and measurable (SMART), there should be robust and periodic reporting on the completion of those actions (e.g. to be reported to Cabinet), and these actions should be supported by metrics and focus on the needs of protected characteristic groups'. 'The council should put the adequate mechanisms in place in order to demonstrate 'We will' commitments to residents, such as clear targets and any other tools to measure

success’.

- ‘Further work is needed to create a more diverse workforce within the council, including more non-white and disabled members of staff and a higher representation women in higher positions. This will inspire residents of the borough and give them reassurance that the council is committed to the work relating to equalities and equal opportunities in the local communities as well’. ‘The council needs to make sure that the diversity in the workplace and particularly in senior positions is present because that will ‘drive Equality and Diversity more generally throughout the borough’.
- Common concerns expressed by respondents are that a lot of meetings and training don’t lead to any real achievements or actions within the community, that minority groups are seen and treated as homogenous without any specifically identified needs to a particular group and that the equalities-related work becomes a tick box exercise. The council should engage with the local residents and groups when carrying out Equality Impact Assessment on both policy and in service development and take their views into account.

Other findings to note include:

- Some wording in the policy should be changed to ensure accuracy and in order to demonstrate a stronger commitment;
- Ensure published documentation is presented in an accessible and inclusive way;
- Be transparent with reporting progress of the action plan delivery to demonstrate real change (‘actions not words are the key’, ‘more than lip service’, ‘be aware of tick box’) and offer easy routes to report equalities issues and ascertain public views;
- The council should have a clear stand that any kind of discrimination will not be tolerated (e.g. homophobia, transphobia, racism etc.);

The profile of respondents analysed by protected characteristics provides some statistical data to inform whether the consultation reached a representative group and where further efforts may be required to improve future engagement activity. The profiles appears to be broadly in line with our borough profile but there are some gaps (which is also clear in the number of group respondents) and given the numbers responding overall indicates that the face to face focus groups detailed in paragraph 1.10 will be a valuable part of this action plan.

## Conclusion

- 1.14 The second consultation has generated an improved response rate and provides constructive comments to inform the final Policy and Action Plan. It also provides valuable information with regard to the profile of respondents, including groups, to inform future engagement work.
- 1.15 In the main the comments received relate to issues that are already addressed within the draft Policy and Action Plan but there are some minor areas of improvement or clarification which are now proposed for inclusion in the Policy and Action and are included as track changes for clarity in Appendices 2 and 3:
- Minor wording changed in the Policy and Action Plan to ensure accuracy and in order to demonstrate a stronger commitment.
  - Action Plan Section - Leadership and Organisational Commitment - A new action to review the equalities related objectives and actions in the Gedling Plan to ensure targets successfully measure intended outcomes.
  - Action Plan Section – Understanding and Working with Your Communities - To clarify that the existing action *to consider the development of an engagement strategy* should ensure the different needs of each protected group are fully understood and reflected in service development.
  - Action Plan Section – Understanding and Working with Your Communities – To clarify that the existing action *to Create and Implement a Communications Strategy* will adopt appropriate equalities related standards to ensure accessibility and inclusion.
  - Action Plan Section – Responsive Services and Customer Care – to clarify that the existing action *to consider the further development of mechanisms to consult service users* to identify appropriate service improvements actions for protected groups.
- 1.16 With regards to the suggestion that residents should be consulted to determine the adequacy of equality impact assessments, it is already general practice that EIAs are completed on projects or decisions where appropriate prior to public consultation on those particular decisions/projects. As such, the public would have an opportunity to comment on EIAs as part of the larger consultation on a particular matter in any event. It is already recognised as part of the proposed Action Plan that better collection and use of Equality Data is an action which will facilitate better engagement with residents within protected groups and

better consultation and engagement with those groups.

- 1.17 With regard to comments made through the consultation in relation to equality in the workplace, as indicated at the November Cabinet meeting, work was already underway in relation to a revised inward facing equality policy in respect of staff and employment. Following a period of consultation the final Equality Policy (Employment) was approved by Appointment and Conditions of Service Committee on 17 March 2021 and it came into effect from 1 April 2021. This policy and associated HR service plan actions includes all of the tasks identified in the Action Plan, including the development of a Workforce Strategy (which has now also be approved and implementation has commenced), which includes a specific action relating to those protected groups which are not fully represented in the workforce.
- 1.18 There were also comments from the consultation about including more specific detailed references to certain protected groups within the policy such as specific actions, for example, around disability, age discrimination, homophobia and anti-racism. The Policy aims to encompass all protected characteristics and provides a broad commitment in respect of the Council's stance on equality. In practice, it is through the Action Plan that specific actions will evolve.

## **2 Proposal**

- 2.1 It is proposed that Cabinet note the responses to the consultation on the Equality and Diversity Policy and the Equality Framework and Action Plan which are set out in Appendix 1 to this report and summarised within this report.
- 2.2 It is proposed that Cabinet adopt the Equality and Diversity Policy and the Equality Framework and Action Plan to include the proposed amendments following consultation, as set out in Appendices 2 and 3 respectively.
- 2.3 It should be noted that whilst the public consultation process has been ongoing the delivery of the Action Plan has commenced, for example, the actions detailed in the section on Diverse and Engaged Workforce are fully embedded in the HR, Performance and Service Planning service plans and as detailed in paragraph 1.17 progress is being made. The Gedling Plan operational actions will be reviewed to ensure the Action Plan is fully embedded in service delivery in accordance with timescales set out i.e. over the period up to March 2023. The delivery to date has been impacted by Covid-19 and the ongoing consultation process and there is a risk that timescales will need to be reviewed in line with capacity levels.

- 2.4 The first meeting of the Strategic Equalities and Diversity Group will now be arranged in accordance with the Policy to provide leadership and oversight to the current action plan delivery to ensure outcomes are secured, and to develop the future vision for equalities and diversity in the borough for the next term of the Gedling Plan.

### **3 Alternative Options**

- 3.1 Members could choose not to approve the documents and require further consultation but this may delay the delivery of the strategic actions in the Gedling Plan. Further engagement with the community and service users will be an ongoing feature of equalities related activity which is embedded in the Action Plan.

### **4 Financial Implications**

- 4.1 To fully support the commitment to delivering the Action Plan within the timescales and further improvements in respect of equalities and diversity, and embedding it across the Council, additional officer resource may be required. This will be identified through the normal service planning process.

### **5 Legal Implications**

- 5.1 As detailed in the report, the Council has a statutory duty to comply with the requirements of the EA2010. The Equality Framework and Action Plan, draft Equality and Diversity Policy, Equality Policy (Employment) and all other work detailed in the report demonstrates how the Council seeks to comply with its responsibilities under the EA2010. Whilst consultation on the draft Equality and Diversity Policy was not statutorily required, it is best practice, and is in line with the public sector equality duty. The government has produced guidance on effective consultations which sets out a number of principles. In particular consultations should be targeted, should be clear and concise, should take account of the groups being consulted and should allow adequate time for responding.

### **6 Equalities Implications**

- 6.1 By its nature the work undertaken within this area is aimed to strengthen equality of access to services for all residents and staff. As part of the consultation exercise, engagement was sought with community groups to ensure wherever possible that those within protected characteristics were contacted as part of the consultation.

## **7 Carbon Reduction/Sustainability Implications**

- 7.1 There are no direct Carbon Reduction/Sustainability Implications arising from this report.

## **8 Appendices**

- 8.1 Appendix 1 – Consultation Results 2021  
Appendix 2 – Equality and Diversity Policy (including proposed track changes)  
Appendix 3 – Equality Framework and Action Plan (including proposed track changes)  
Appendix 4 – Equality Impact Assessment

## **9 Background Papers**

- 9.1 Local Government Association Equality Framework for Local Government 2020 (EFLG)

## **10 Reasons for Recommendations**

- 10.1 To ensure members consider the consultation responses and ongoing work to comply with the Council's public sector equality duty and equality obligations.
- 10.2 To support the achievement of Gedling Plan equalities related objectives.

### **Statutory Officer approval**

**Approved by Chief Financial Officer**  
**Date: 17 September 2021**

**Approved by: Monitoring Officer**  
**Date: 20 September 2021**



# Equality policy and action plan consultation results 2021

Natasha Radovanovic  
CUSTOMER INSIGHT OFFICER

# **Equality Policy and Action Plan consultation results 2021**

## **Background and Methodology**

The council consulted local people and community groups on what impact its proposed Equalities and Diversity policy and action plan will have on people in Gedling.

The policy sets out the council's commitment, to provide its services to the public fairly and promote equality and diversity. The views were sought by conducting an online consultation for a period of 8 weeks from June 2021 to July 2021, to help shape the policy and the proposed action plan.

There were 80 responses to this consultation.

90% of respondents were individual residents' responses and 10% were representatives of the local community groups and partners, such as:

- Citizens Advice Nottingham and District
- Friends of Gedling Country Park
- Healthwatch Nottingham & Nottinghamshire
- Framework
- Nottinghamshire County Council
- Burton Joyce & Bulcote WI
- Interfaith Council
- Local Baha'I group

### **Main findings:**

- 52% of respondents agree that the Council's Equality and Diversity Policy and Action Plan will have a positive impact on the lives of people of Gedling, 27% disagree that it will have a positive impact and 23% are neutral.
- Positive feedback relates to the Policy and Action Plan and is seen by some as 'a sign that making equality and diversity a focus will have a positive impact on the people of Gedling'.
- Actions should be more tangible and measurable (SMART), there should be robust and periodic reporting on the completion of those actions (e.g. to be

reported to Cabinet), and these actions should focus more on the needs of the protected characteristic groups, for example old people, age discrimination, disability, domestic violence.

- Further work is needed to create a more diverse workforce within the council, including more non-white and disabled members of staff and a higher representation of women in higher positions. This will inspire residents of the borough and give them reassurance that the council is committed to the work relating to equalities and equal opportunities in the local communities as well.
- Common concerns expressed by respondents are that a lot of meetings and training don't lead to any real achievements or actions within the community, and that actions must be put into practice; that minority groups are seen and treated as homogenous without any specifically identified needs to a particular group and that the equalities-related work becomes a tick box exercise.

## **Results analysis**

In this report the responses to this consultation were categorised within the **S** (Strengths), **W** (Weakness), **O** (Opportunities) and **T** (Threats) matrix. By using the residents', community groups' and partners' views within this matrix, the council can establish the following:

- Strengths and Weaknesses analysis that allow a clear distinction between the views on what aspects of the policy and action plan are considered to be positive and what aspects would need further improvements.
- Opportunities and Threats analysis that allow the council to consider suggestions on how to continue and shape work in this area and also raises awareness of the risk associated with this work, which can be identified in advance and therefore avoided.

### **1. Strengths**

52% of respondents agreed that the council's proposed policy and action plan would have a positive impact on the lives of people of Gedling.

It was mentioned that the policy sounded very thorough and encompassing and that the proposed policy was a step in the right direction.

The policy was also, according to some feedback, a sign that making equality and diversity a focus will have a positive impact on the people of Gedling.

## **2. Weaknesses**

The following comments have been extracted from the consultation:

### **Actions**

- SMART objectives need to be defined in the action plan
- Metrics need to be used to inform decision making rather the reporting being an end in itself.
- Services need to own and drive this agenda and explain how that will happen.

### **Inclusiveness**

Inclusiveness-related issues were also a common topic in the feedback about the policy and action plan. It was mentioned that as it stands, the documents look 'more like a celebration of youth rather than a fully representative slice of the population of the Borough'.

This statement was reinforced by other comments such as:

- There were not enough positive imagers of older people.
- Disability was mentioned but no details, including any actions relating to it were including in the documents.

### **Accuracy**

There was a comment that the plan makes no reference at all to the protected characteristic of sex. There are 10 references to gender. Gender is not a protected characteristic (gender reassignment is, and this has a specific definition in law).

In the documents Equality was being defined as equality of outcomes. This is a grey area I would like the council to expand on this: Defined by Oxford languages, equality is the state of being equal, especially in status, rights, or opportunities.

### **Accessibility**

The documents were produced with pale, red writing against dark background, which makes it difficult to read.

### **3. Opportunities**

#### **Embedding equities**

A lot of emphasis was put on the importance of demonstrating equities in relation to the council's workforce profile. Respondents that highlighted this issue felt that this will provide reassurance to the local community and demonstrate that the council is committed to serve, and treat all parts of the community fairly.

The following suggestions were found in the feedback in this consultation:

- To increased representation of minorities in the Council, that will inspire all residents
- To put in place surrounding recruitment and selection to be cross examined against the equality act 2010 sections 158 and 159 on positive discrimination and positive action. Conditions must be met to ensure the process is not discriminating illegally.
- Organisational cultural changes to be introduced and not only a policy which is a statement of intent
- To examine where the power lies, look at who is currently employed and at what level and who you talk/listen to against each protected characteristic
- Within the council's workforce, the majority of people are white and this needs to be discusses and considered
- To recruit more disabled people and more non-white people
- Having a more diverse work force with more female people being employed to more senior roles
- Pay attention to the specific needs of women within the community and within your workforce. This should start with accurate data collection.

#### **Including other protected characteristics**

- It is commendable and very welcome that Young People have been singled out for special attention. Will equal consideration be given to older people?
- There is no mention of age discrimination nor International Older People's Day. If you would like to see a good example of an equality and diversity policy on age

- Single mothers should be considered.
- Commitment to work towards becoming Dementia Friendly (an Alzheimer's Society initiative).
- Where does a pledge to 'reduce poverty and inequality' and 'improve social mobility' come into the management of a local authority? How will it be assessed?
- International men's day.
- Racism is very much prevalent in the Gedling area. What are you doing to tackle this?
- Access to Internet to residents of the borough to be evaluated.

### **Improving facilities within the borough**

- Parks to have facilities for children in wheelchairs
- There have been thousands of houses built in Rivendell, Chase Farm etc. but where are the bungalows for less able people?

### **Language, publications and promotion**

- Make sure all departments use words that the ordinary person in Gedling understands and avoid any acronyms.
- Positive images of older people can be found on the Centre for Ageing Better website. They are free for councils to download and use.
- To make sure that printed material is black on white rather than any other combination; font to be at least 12.
- To fly the Progress Pride flag, which is more inclusive than the Pride flag currently flown of LGBTQ
- As other public bodies are striving to do, replace the acronym BAME an offensive, catch-all and inaccurate way of herding together different peoples and diminishing their rights to be respected and treated with dignity
- It would be good if you were able to name the kinds of behaviour that will not be tolerated, e.g. homophobia, transphobia. You could also be explicit in saying that you aim to be anti-racist in your practice and in service delivery, e.g. by challenging inappropriate comments or actions where you come across these.

## **Transparency**

- Make a commitment to offer easy routes to report equalities issues and to regularly ascertain public views are necessarily a part of this approach.
- Updating the Cabinet annually on progress against the plan is really important to ensuring that the policy is being followed. Can it be done more regularly at a more department/management level to ensure that it is embedded in everything the council does?

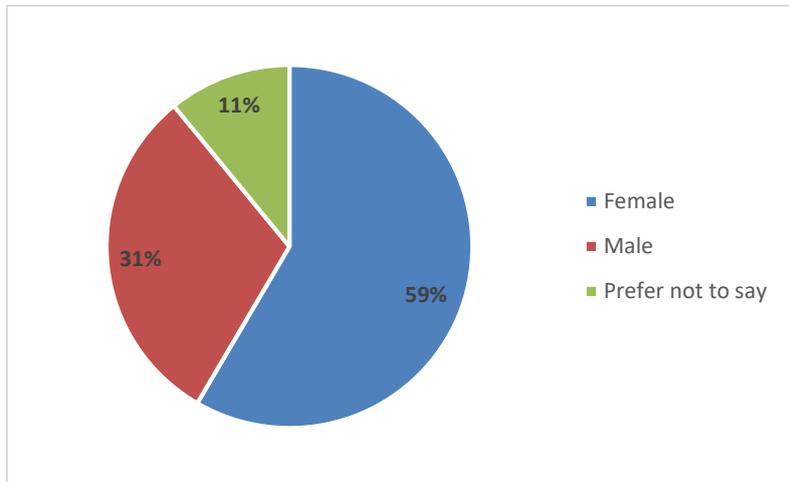
## **4. Threats**

The following comments have been extracted from the consultation:

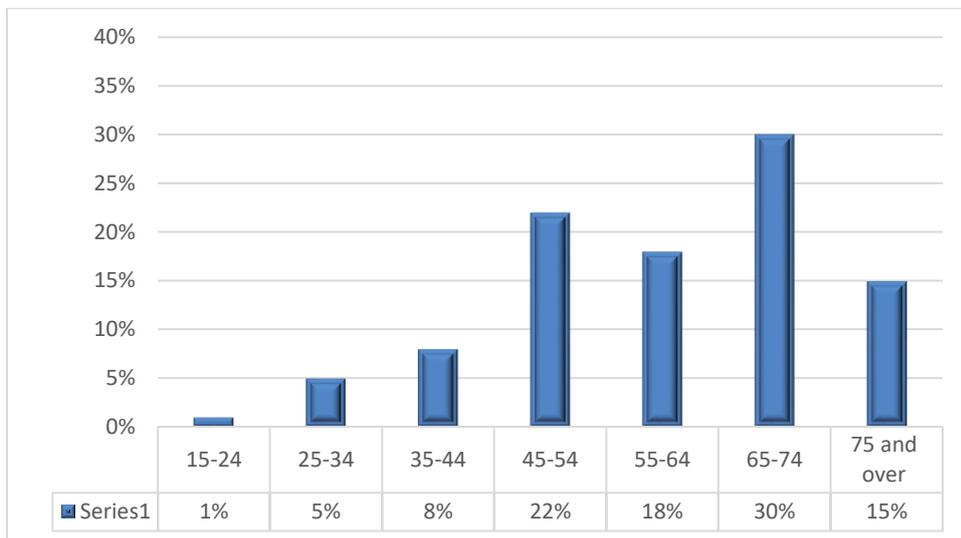
- There are a lot of words, which will lead to a lot of meetings, some training but no evidence of any real action within the community.
- Whilst Equality Impact Assessments are meant to be carried out, are they actually reviewed by either peers or senior management? All too easy to under estimate the impact of a decision on a protected group to avoid difficult work to address it.
- Actions not just words are the key.
- Minority groups are seen and treated as homogenous.
- Look at yourselves - look at the senior leadership team, managers, directors etc. Where's the ethnic diversity and equality in the board and structures? Do you feel this is representative?
- Not to be sitting as a separate policy
- Fine in principle, but lets people off the hook too easily.
- It feels like you are all being trained and there are going to be lots of meetings to discuss things but I have no confidence that anything will be translated into actual action in the next few years given the lack of thought just in the new housing estates and parks recently built.
- Make sure be aware of tick box approaches
- The document as it stands looks more like a celebration of youth rather than a fully representative slice of the population of the Borough.

## Profile of the respondents

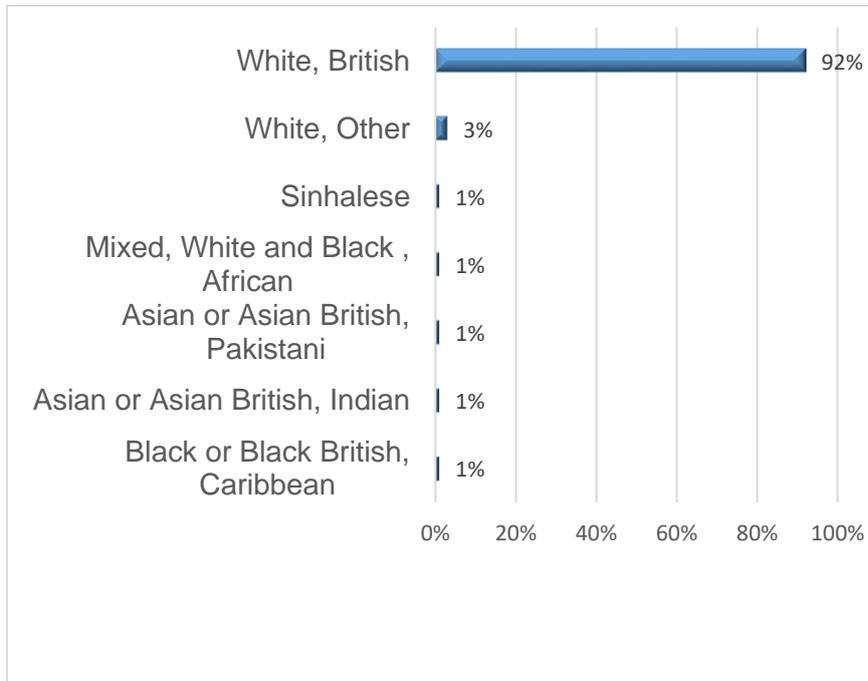
### Gender identity



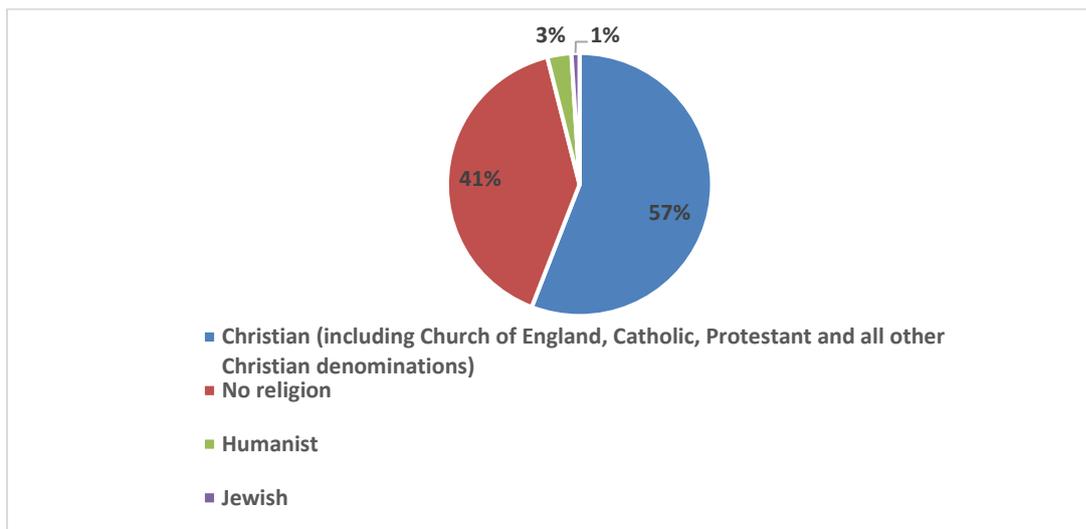
### Age



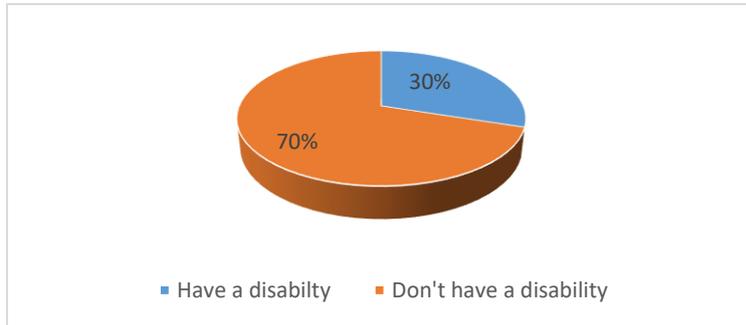
## Ethnicity



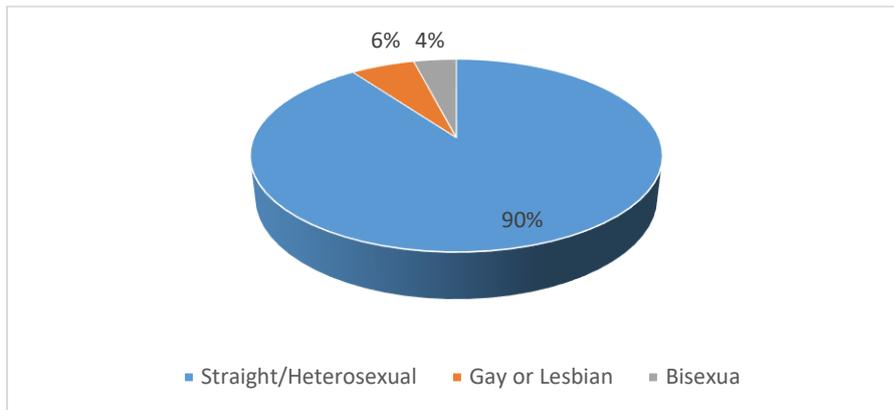
## Religion



## Respondents who have and don't have a disability



## Sexual orientation



**Summary comparison table of the profile of responders to the Equality Policy against statistics for the whole of Gedling Borough Council and GBC workforce**

		GBC Equality Policy responders		Difference in GBC responders vs. whole of GBC		Whole of Gedling Borough Council		Difference in GBC workers vs. whole of GBC		GBC workforce	
		%	Number of people			%	Number of people			%	Number of people
<b>1</b>	<b>Gender identity</b>										
	Male	31.0%	23	↓	17.7%	48.7%	57,550	↑	2.3%	51.0%	227
	Female	59.0%	44	↑	7.7%	51.3%	60,689	↓	2.3%	49.0%	218
	Prefer not to say	11.0%	8	↑	11.0%	0.0%	0	=	0.0%	0.0%	0
<b>2</b>	<b>Sexual Orientation</b>										
	Straight/Heterosexual	90.0%	63			No data				No data	
	Gay/Lesbian	6.0%	4			No data				No data	
	Bisexual	4.0%	3			No data				No data	
<b>3</b>	<b>Age groups</b>										
	15 - 24	1.0%	1	↓	8.7%	9.7%	11,526	↓	5.5%	4.2%	19
	25 - 34	5.0%	4	↓	7.4%	12.4%	14,618	↓	1.5%	10.9%	48
	35 - 44	8.0%	6	↓	4.4%	12.4%	14,716	↑	9.8%	22.2%	99
	45 - 54	22.0%	17	↑	7.9%	14.1%	16,690	↑	17.3%	31.4%	140
	55 - 64	18.0%	14	↑	4.5%	13.5%	15,945	↑	11.2%	24.7%	110
	65 - 74	30.0%	23	↑	18.6%	11.4%	13,528	↓	4.9%	6.5%	29
	75+	15.0%	11	↑	5.3%	9.7%	11,428	↓	9.5%	0.2%	1

<b>4</b>	<b><i>Ethnicity</i></b>										
	White British	92.0%	68	↑	1.7%	90.3%	102,551	↑	1.7%	92.0%	409
	White Irish	0.0%	0	↓	0.8%	0.8%	891	↑	1.1%	1.9%	9
	White Other	3.0%	2	↑	1.1%	1.9%	2,182	=	0.0%	1.9%	9
	Black or Black British, Caribbean	1.0%	1	=	0.0%	1.0%	1,118	↑	0.3%	1.3%	6
	Black or Black British, African	0.0%	0	↓	0.3%	0.3%	370	=	0.0%	0.3%	1
	Asian or Asian British, Indian	1.0%	1	↓	0.2%	1.2%	1,366	↓	1.2%	0.0%	0
	Asian or Asian British, Pakistani	1.0%	1	↑	0.1%	0.9%	962	↓	0.3%	0.6%	3
	Asian or Asian British, Bangladeshi	0.0%	0	↓	0.1%	0.1%	67	↓	0.1%	0.0%	0
	Mixed, White and Black, Caribbean	0.0%	0	↓	1.3%	1.3%	1,500	↓	0.7%	0.6%	3
	Mixed, White and Black, African	1.0%	1	↑	0.8%	0.2%	240	↑	0.1%	0.3%	1
	Mixed, White and Asian	0.0%	0	↓	0.5%	0.5%	521	↓	0.5%	0.0%	0
	Chinese	0.0%	0	↓	0.4%	0.4%	411	↓	0.4%	0.0%	0
	Gypsy/Traveller	0.0%	0	=	0.0%	0.0%	32	=	0.0%	0.0%	0
	Other mixed ethnic groups	0.0%	0	↓	0.8%	0.8%	795	↑	0.2%	1.0%	4
<b>5</b>	<b><i>Religion</i></b>										
	Christian	57.0%	40	↓	0.1%	57.1%	64,830	↓	39.3%	17.8%	79
	Buddhist	0.0%	0	↓	0.3%	0.3%	308	↓	0.1%	0.2%	1
	Hindu	0.0%	0	↓	0.5%	0.5%	531	↓	0.5%	0.0%	0
	Jewish	1.0%	1	↑	0.9%	0.1%	92	↓	0.1%	0.0%	0
	Muslim	0.0%	0	↓	1.4%	1.4%	1,535	↓	1.4%	0.0%	0
	Sikh	0.0%	0	↓	0.6%	0.6%	724	↓	0.6%	0.0%	0
	Other religion	0.0%	0	↓	0.3%	0.3%	381	↑	0.9%	1.2%	5
	No religion	41.0%	40	↑	8.3%	32.7%	37,123	↓	8.3%	18.7%	83
	Religion not stated	0.0%	0	↓	7.1%	7.1%	8,019	↑	55.0%	62.1%	276
<b>6</b>	<b><i>Long-term activity-limiting illness or disability</i></b>										
	Yes	30.0%	22	↑	10.7%	19.3%	21,956	↓	16.5%	2.8%	12
	No	70.0%	52	↓	10.7%	80.7%	91,587	↑	16.5%	97.2%	433

# **Gedling Borough Council's Equality and Diversity Policy 2021-2024**

<b>Contents</b>	<b>Page</b>
<b>1.0 Introduction</b>	<b>3</b>
<b>2.0 What is Equality?</b>	<b>3 – 4</b>
<b>3.0 Our Commitment</b>	<b>4 – 5</b>
<b>4.0 How will we fulfil our commitment</b>	<b>5 – 7</b>
<b>5.0 Responsibilities</b>	<b>7 – 8</b>
<b>6.0 Monitoring and Review</b>	<b>8</b>
<b>Appendix 1 – Reasonable Adjustments</b>	<b>9 - 11</b>

## **1. Introduction**

1.1 This is Gedling Borough Council's Equality and Diversity Policy covering our commitment to enhancing and promoting equality and diversity.

1.2 This policy is part of a set of policies, guidance and information around equality and diversity which includes:

- Equality Impact Assessment and guidance – to analyse the effects of our policies, procedures, and services on people and make sure our decisions are fair, informed and lawful
- Recruitment and employment policies and standards including the Equality Policy (Employment)
- Learning and development opportunities including equality training
- Code of Conduct for Members
- Complaints, Compliments and Comments Policy
- Procurement equality standards and clauses in contracts for organisations providing services on our behalf
- Equality objectives
- Gedling Plan
- Equalities information and data about diversity characteristics and needs, community feedback and employment/community/customer data
- Equality Framework and Action Plan

1.3 Whether you are an employee, job applicant, volunteer, elected Member, customer, partner, visitor to Gedling or resident of the borough, we aim to provide you with services and opportunities without barriers to equality. If you do face any barriers we hope that we can sort them out for you.

1.4 Everyone who works for Gedling Borough Council (as an employee, contractor or volunteer) is expected to adhere to this policy.

1.5 Councillors (Members of Gedling Borough Council) are bound by their Code of Conduct.

## **2. What is Equality?**

2.1 Equality is about valuing a person 'as an equal' and treating people according to their needs and characteristics to achieve an equal or fair outcome – it is not necessarily about treating everyone the same.

2.2 An equal society values human diversity, recognising that diversity brings a range of skills, knowledge, values, styles, perspective, experience and ideas that secure the borough's future as a place where people want to live, work and prosper, and challenges the inequalities that destroy this diversity and divides our society.

2.3 By promoting and embracing equality as an organisation, we are serving our communities and improving the lives of our residents and our staff.

2.4 Equality brings quality for everyone and the creation of a fairer society where everyone can participate and achieve their potential.

2.5 As an organisation we recognise that it is only by meeting people's needs, engaging with our communities, having accessible services and a diverse workforce and respecting diversity that we will achieve equality [and reduce inequality](#).

### **3. Our Commitment**

3.1 Gedling Borough Council is committed to the public sector equality duty under the Equality Act 2010 ('the Act') and in the exercise of ~~its~~[our](#) functions we will have due regard to the need to: eliminate discrimination, harassment and victimisation, advance equality of opportunity and challenge prejudice, in order to advance the achievement of equality and [the](#) fostering [of](#) good relations between diverse groups in the Borough.

3.2 Gedling Borough Council is committed to promoting and providing equality and diversity in all our areas of responsibility both as a major employer and key service deliverer. We see the diversity of our Borough as a real strength, and we are committed to ensuring that equality and diversity lies at the heart of all our work and decision making across the Council.

3.3 Gedling Borough Council will challenge unfair treatment, prejudice, discrimination, harassment, victimisation and bullying on grounds of the following protected characteristics:

- Age
- Disability
- Gender identity
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

This includes discrimination by association and perception.

3.4 Together, through leadership, management supervision, personal responsibility, guidance and training we will ~~aim to~~ create a culture which demonstrates our commitment to equality, where people can feel confident of being treated with fairness, dignity and tolerance irrespective of their personal circumstances,

background or lifestyle. We will ~~aim~~strive to ensure that everyone working for the Council understands about equality and diversity and how to operate in a non-discriminatory and inclusive way.

3.5 The Equality Act 2010 (“the Act”) places a legal duty on the Council and those working for the Council to operate in accordance with the Act. The Council acknowledges and welcomes its legal duties and uses the legislation and national guidance as a framework to ~~improve or maintain~~ and where necessary improve standards and be accountable to residents. As an organisation we are not just driven by legislative requirements and this policy and the work we do is a response to our local needs.

#### **4. How will we make sure we fulfil our commitment?**

##### **4.1 In developing plans, policies, practices and making decisions – WE WILL:**

- design our plans, policies and practices to meet the needs of all our communities by using detailed research and data, consulting and engaging with relevant stakeholders and the communities, following our legal duties and using our experience of good practice.
- make sure that our plans, policies and practices do not unfairly discriminate against people with protected characteristics by doing robust equality impact assessments, acting on the results and understanding who is affected.
- make sure that all our employees, members, volunteers, customers, partners, contractors and residents are aware of this policy, our responsibilities and commitment to equality.
- make sure that in decision making, our Members have all the relevant information needed to ensure decisions are taken in a way that promotes equality and ~~seeks to reduce~~s inequality.
- make sure that we fully understand and assess the equality impacts of our budget setting and savings decisions.

##### **4.2 In providing services – WE WILL:**

- take into account the diverse needs of our communities and provide services that are relevant to those needs.
- make sure our services are accessible to as many as possible including access to physical premises and access to information about our services and make reasonable adjustments where appropriate (see Appendix 1).
- ensure our website is maintained to address the needs of different audiences.

- engage with as many sections of the community as possible when we consult about our services.
- promote and celebrate diversity within our borough.
- treat customers fairly according to their needs, doing what matters to them and not making assumptions.
- encourage our communities to take part in public events and engage with the Council in how we deliver our services.
- keep our services under review to ensure that we are not discriminating unfairly and identify where improvements can be made.
- keep listening to the views of our residents and communities to ensure we take their views into account when reviewing or changing services.
- comply with our legal responsibilities.
- Listen to complaints about our services and act promptly to ~~deal with~~ investigate complaints of discrimination, harassment, victimisation and bullying.

#### **4.3 In employment – WE WILL:**

- have regard to our Equality Policy (Employment).
- do everything we can to make sure our workplace is free from discrimination, oppression, bullying, harassment and victimisation and will act promptly on any complaints.
- ensure employees are made aware of the Equality Policy (Employment) and how this is relevant to them in the workplace and in the work that they do..
- treat all employees, volunteers and job applicants fairly.
- make sure that we work to relevant legislation and statutory codes.
- listen to our employees ideas for service improvement and delivery.
- provide a safe and inclusive working environment and make reasonable adjustments for employees where appropriate.
- provide a culture that promotes and advances equality within the organisation.

#### **4.4 In partnerships, procurement and commissioning services – WE WILL:**

- seek to work with organisations who have the same approach to equality and diversity as we do.
- make sure that our commitment to equality is embedded in our contract documentation and procurement processes.
- take appropriate action for any failure by our contractor's to comply with any equality condition or requirements.
- ensure any contractors or partners we work with are aware of and adhere to this policy.
- share our knowledge of our diverse communities with our contractors and partners to ensure that services are delivered in a relevant way.
- listen to the views of our partners and contactors to ensure we keep our work and practices under review and improve our services and practices when necessary.

### **5. Responsibilities**

5.1 A number of individuals and groups have specific roles in meeting our equality and diversity responsibilities. There is a clear structure in place to demonstrate our leadership and organisational commitment, challenge inequalities and drive an improvement agenda.

5.2 All Councillors are responsible for demonstrating commitment to equality and diversity in their work and decision making, and striving to improve equality in their wards.

5.3 The Leader of the Council and Cabinet Members will act as ambassadors by promoting the Council's approach to equality and diversity across the organisation and in the wider community. They have the responsibility of approving this policy, and ensuring equality considerations are taken into account when making decisions.

5.4 The Portfolio Holder for Young People and Equalities is responsible for functions in relation to equality and is supported by a Policy Advisor for Young People and Equalities. Together they will work with senior leaders to promote equality and diversity within the organisation and engage with communities to ensure equality in service delivery.

5.5 The Portfolio Holder for Young People and Equalities will chair a Strategic Equalities & Diversity Group which comprises the Leader, Deputy Leader, Policy Advisor for Young People and Equalities, one representative from each of the opposition groups, the Chief Executive and the Director with lead responsibility for equality and diversity. Any other Cabinet Member may attend if they wish. The Group will provide leadership and act as ambassadors for equality and diversity issues, leading by example and encouraging the integration and embedment of equality and diversity in all of the council's functions; oversee, support and monitor progress of the Equality Framework and Action Plan and consult and seek representation from staff, Members, user groups, service users, residents, businesses and partners. This Strategic Equalities & Diversity Group may set up and oversee the work of a number of sub-groups (Diversity Action Groups) as required.

5.6 The Chief Executive is responsible for encouraging continued proper regard for equal opportunities issues at a strategic level within the Council with reference to employment, to achieve a diverse and engaged workforce, and service delivery, to ensure responsive services and customer care; instigating action to address areas of concern highlighted by trends or patterns in monitoring data and developing strategic measures and policies to ensure equality across all employment issues within the Council.

5.7 Senior Leadership Team and ~~Service Managers~~Heads of Service have responsibility for developing and encouraging a culture that promotes equality and diversity in employment and service delivery. They also have responsibility to ensure implementation and awareness of and compliance with this policy, and to investigate any complaints in relation to equality and diversity in a fair and effective way.

5.8 The ~~Director of Organisational Development and Democratic Services~~Director of Corporate Resources has lead responsibility for equality and diversity within the organisation and is responsible for maintaining and reviewing this policy, providing performance management information relating to equality that informs SLT and managers, ensuring the provision of training for Members and officers in relation to equality and diversity awareness, publishing relevant equality data including equality objectives and ensuring that the Council meets its statutory responsibilities in relation to equality.

5.9 ~~Service Managers~~Heads of Service are responsible for ensuring equality and diversity considerations are embedded in Service Plans and are central to service delivery, dealing with breaches of this policy and ensuring compliance with statutory responsibilities at a practical level through management of employees

5.10 All employees have a personal responsibility to act in accordance with Equality law and other codes of conduct and policies endorsed or adopted by the Council which govern acceptable behaviour. Employees have a personal responsibility to ensure that the Council's commitment to equality and diversity is fulfilled and that this policy is complied with. Failure to comply with this policy will always be

investigated under the Council's Disciplinary Procedure and may result in disciplinary action.

5.11 All contractors, partners and volunteers should be made aware of this policy and act in compliance with it.

## **6. Monitoring and Review**

6.1 This policy will be regularly reviewed but must be reviewed at least every 3 years to ensure it remains fit for purpose. We will ensure that we engage with residents and staff to enable this policy to be reviewed, taking into account the views of those who use our services or work for, or with us.

## Appendix 1

### Reasonable Adjustments

1. The Equality Act 2010 (“the Act”) requires reasonable adjustments to be provided for people who are “disabled”. Under the Act this means they have a “physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities”.
2. The duty is to make “reasonable adjustments” if the way that we carry out our functions places a disabled person at a “substantial disadvantage” compared to someone who is not disabled.

### Our Legal Duties

3. Anyone providing goods, facilities or services to the public or a section of the public, or carrying out public functions, who find that there are barriers to disabled people in the way they do things must consider making adjustments. If those adjustments are reasonable they must be made.
4. The duty is ‘anticipatory’. This means a service provider cannot wait until a disabled person wants to use the service. They must think in advance about what disabled people with a range of impairments, such as visual, hearing, mobility impairment or a learning disability, might reasonably need.

### What are Reasonable Adjustments?

5. Reasonable adjustments are not defined by the Act. There is a Code of Practice which gives guidance as to the kind of adjustments that could be made. Depending on the individual’s needs, these might include, for example:
  - Providing documents or correspondence in larger print, or with a specific colour contrast, which may help people with conditions such as dyslexia
  - Giving someone more time than would usually be allowed to provide further information or comments on their complaint
  - Using the telephone rather than written communication (e.g. for someone with a visual disability)
  - Communicating with a person through their representative or advocate
  - Arranging for a single point of contact at the council’s premises

- Providing access to an 'easyread' version of our decision for those with a learning disability
  - Providing a person who uses British Sign Language (BSL) with a fully qualified interpreter
6. We will raise awareness of reasonable adjustments by:
- Publishing this policy on our website
  - Asking people whether they need any additional help or assistance.
  - Making sure that our staff are aware of their responsibilities.
  - Including a statement in our publications that invites people to contact us if they need us to adapt the way we communicate
7. We consider each request individually and aim to agree any adjustments with individuals to avoid us making incorrect assumptions about needs.

### **Our response to requests**

8. Before making an adjustment, we will take into account the Code of Practice and we need to consider some important factors, including:
- What the disadvantage would be if the adjustments were not made
  - Whether the adjustment will be effective in reducing the disadvantage
  - How practical it is to make it
  - Whether it would disrupt our other activities unreasonably
  - The cost and availability of internal resources, such as staff available, finance and also possible external help
9. Although we will try to agree a reasonable adjustment with a minimum of delay, in some cases we may need to consider the request in more detail for a longer period of time.

### **Circumstances when the council decides not to meet the request for reasonable adjustments**

10. There may be circumstances where we decide not to meet the request as we might, for example, consider the request itself not to be reasonable. This might be because we need to take into account the cost or resource implications of making the adjustment. If providing the adjustment or meeting it would interfere with our ability to meet our legal obligations, we may decide the adjustment is not “reasonable”.

### **Complaints about failure to provide reasonable adjustments**

11. If someone is dissatisfied with our response to their request for reasonable adjustment, or with the reasonable adjustment provided, they can complain to us about this. We will respond in accordance with our Complaints, Compliments and Comments Policy.

## Equality Framework and Action Plan 2020/23

### Introduction

- 1.1 This Equality Framework and Action Plan 2020/23 has been prepared with reference to the LGA Equality Framework for Local Government 2020 version, which is intended to help Councils:
- deliver accessible and responsive services to customers and residents in their communities including those from protected characteristics;
  - employ a workforce that reflects the diversity of the area they are serving;
  - provide equality of opportunity for all staff; and
  - meet the requirements of the Public Sector Equality Duty.
- 1.2 The LGA Equality Framework seeks to do this by:
- Identifying the areas of activity that Councils need to be address to deliver good equality outcomes.
  - Helping Councils to understand how they can build equality into processes and practices.
  - Supporting organisations to become inclusive employers.
  - Enabling Councils to informally self-assess their progress on the equality improvement journey and determine where and how they need to improve.
  - Providing the framework for an LGA Equality peer challenge.
- 1.3 The Framework sets out four modules for improvement underpinned by a range of criteria and practical guidance that can help a Council plan, implement and deliver real equality outcomes for employees and the community. The four modules are:
- Understanding and working with your communities
  - Leadership and Organisational Commitment
  - Responsive Services and Customer Care
  - Diverse and Engaged Workforce
- 1.4 For each module there are three levels: Developing; Achieving and Excellent. The levels are progressive and cumulative so an organisation can plan and chart its progression against different priorities.
- 1.5 The following high level Framework and Action Plan assesses the Council against the 'Developing' level criteria and identifies areas for further improvement. It demonstrates that the Council has made an organisational commitment to improving equality; has, or is putting in place, processes to deliver on equality issues and meet statutory requirements; and is working towards exceeding those statutory requirements. It sets out the action the Council intends to take over the period 2020-23 and will be underpinned by a detailed operational action plan which identifies responsible officers and timescales for delivery.

## UNDERSTANDING AND WORKING WITH YOUR COMMUNITIES

### **Collecting and Sharing Information**

*The organisation has gathered and published information and data on the profile of its communities and the extent of inequality and disadvantage. Plans are in place to collect, share and use equality information with partners.*

*Criteria:*

*The organisation is clear about what sources of information (both local and national) are relevant and useful.*

*The organisation knows what information is already being collected – internally and by its partners, including voluntary and community sector stakeholders.*

*Some information and data has been gathered and published.*

*The organisation is working with its partners to ensure information is shared effectively.*

*Partners ensure efficient collection of data that avoids duplication.*

*The authority is compliant with GDPR legislation in its collection, analysis storage and use of data and information*

The Council already has the following in place to demonstrate commitment:

A Data Hub is available on the intranet which provides an easily accessible online portal for access to data that will inform and evidence decision-making, service planning and other project work. This ensures it is easily accessed, shared and used by departments across the Council. It includes an array of information such as population, health, housing, education, mosaic and economy data. It includes Gedling Insight information and specifically data from the ‘Gedling Conversation’ Residents’ Satisfaction survey. The information is from the Council’s own sources or a range of external sites and is available at borough, ward and lower output areas levels.

Specifically data is captured about health inequality, including Public Health England data, Primary Care data, Nottinghamshire County Council Public Health data together with local qualitative knowledge from working in communities.

We also gather and collate data to help inform delivery of key projects in the Gedling Plan, for example specific data re health and wellbeing and data to inform the Sport and Physical Activity Strategy.

In accordance with equalities legislation, equalities information is gathered and published on an annual basis on the Council’s website.

The Council also recognises that its partners collect relevant information in particular, the Primary Care Network Health profile data which identifies health need and Joint strategic needs assessment conducted by the County Council. These data sources are used to direct the Council’s work.

The Council is currently working with Newark CVS which has been commissioned by the CCG to obtain insight to understand the local community sector supporting address health inequalities and access to healthcare.

Recognising that we work in a complex environment the Council does seek to ensure information is shared with partners effectively. The Gedling Health and Wellbeing partnership has considered equalities data and agreed actions as part of the Health and Wellbeing Plan as a partnership to address inequality. In addition, at the first Interfaith Forum meeting, it was agreed that the Council would share key equalities data to inform discussion.

The Council does share relevant data with voluntary sector organisations to support bids for funding, where requested. Gedling Insight information is also published on the Council’s website.

The Council has procedures in place to ensure it is compliant with GDPR legislation in its collection, analysis storage and use of data and information. There are also robust and effective data sharing protocols in place for sharing information between partners and to ensure compliance with data protection legislation.

The Council intends to take the following action to demonstrate further commitment:

- 1) Ensure all equalities data held or collected is published on the data hub.
- 2) The Council does not currently collect data in respect of all the protected characteristics and should consider whether additional data should be collected and how. Any data collection must be GDPR/DPA compliant.
- 3) The Joint Needs Assessment data includes useful data but due to lack of resources the Council does not have the capacity to go through it in as much detail as it could. It could be analysed in depth and used more in strategic planning.
- 4) Update the Community page of the Council’s website to ensure Gedling Insight information is easily accessible to voluntary and community organisations. Recognising there is a gap in relation to data held by voluntary and community sector stakeholders due to the lack of a local CVS, consider whether any additional data needs to be shared on this page.
- 5) Participate in the planned government intention to produce Ethnicity Pay Gap data.
- 6) Review the Equality and Diversity Monitoring Form to ensure consistency of data collection.

**Analysing and using data and information**

*Systems are being developed to analyse soft and hard data/intelligence about communities, their needs and aspirations.*

*Criteria:*

*The organisation is developing and improving systems for collating and analysing the different sets of data being collected.*

*Information is collected by front-line staff or key decision makers and taken account of.*

*The authority is compliant with GDPR legislation, analysis and use of data and information*

The Council already has the following in place to demonstrate commitment:

Equality information is collected by ~~Organisational Development~~ Human Resources, Housing Needs and Leisure, reported to Senior Leadership Team and published on the Council's website.

The Council has procedures in place to ensure it is compliant with GDPR legislation in its collection, analysis storage and use of data and information.

The identification of equalities objectives is embedded in the Service Plan/Gedling Plan preparation process. These objectives have been identified following a SWOT analysis. The datasets used as part of that SWOT analysis includes equalities information.

Actions identified to deliver those equalities objectives are subject to the same performance management process as other objectives in the Gedling Plan and Service Plans. Progress against the Gedling Plan actions is subject to quarterly monitoring to Senior Leadership Team, Cabinet and Overview & Scrutiny Committee. This ensures that senior officers and Members are kept informed.

Progress against the Gedling Plan actions is also published on the Council's website which ensures that the public are able to monitor progress.

Equalities data is also used to inform bids for external funding and used for specific projects such as preparation of Sport and Physical Activity Strategy and the Annual Monitoring Report (planning) and Impact Assessments for policy development.

The template Equality Impact Assessment form requires equality data to be included so that the decision maker has due regard to the public sector equality duty.

The Council intends to take the following action to demonstrate further commitment:

- 1) Consider whether equalities information should be gathered by additional front-line services.
- 2) Data currently gathered does not cover all protected characteristics. Conduct gap analysis and consider whether additional data should be collected.
- 3) Ensure all equalities data is published on the data hub, so that it is readily available and can be taken into account in shaping services and when making decisions.

**Effective  
Community  
Engagement**

*Inclusive community engagement structures are being developed throughout the organisation. There are opportunities for communities to be involved in decision making.*

*Criteria:*

*The organisation has an engagement strategy. It is clear about different levels of engagement (i.e. informing, consulting, participating, co-producing) and when these are appropriate.*

*Engagement structures are in place*

*There are opportunities for protected groups to be engaged with decision making.*

*The organisation can evidence examples of these opportunities.*

*Shared engagement structures/mechanisms are in development with partners.*

*There are some shared engagement activities with partners.*

The Council already has the following in place to demonstrate commitment:

The Council has in place a Statement of Community Involvement sets out our policies on community consultation and involvement in planning policy documents and planning applications.

Regular consultation are carried out with our communities, including the biennial Residents' Satisfaction Survey, statutory consultations and ad hoc consultations.

Some engagement structures are in place, including the Youth Council and Seniors' Council. The Council has a Community Relations Service with specific responsibility to engage with communities. This engagement is conducted in a number of ways based on a community database; including regular newsletters, Locality co-ordinators working in particular areas in the borough and a Community development co-ordinator role (commissioned by health partners to work across South Nottinghamshire).

Our customers are able to engage with the Council in a number of ways to ensure maximum accessibility. We interact through a variety of communication channels - face to face, telephone, email, letter, social media and the website.

There are opportunities for protected groups to be engaged with decision making; specifically through the Youth Council, Seniors' Council and Interfaith Forum. The Community Relations Service has actively encouraged broader representation on those groups from the Caribbean Elders and Asian Elders groups.

In response to the Covid-19 pandemic, a partnership with Church Leaders was formed and they were included in decision making regarding food banks and support to the vulnerable.

There are some shared engagement activities with partners in place. These include the Social prescribing project, which is funded by the integrated Care Partnership. The Council is working with the co-production providers to inform social prescribing; specifically developing proposals to inform how health partners engage with the community.

In addition, as part of the LRF response to the Covid-19 pandemic, the County Council developed a hub to support vulnerable individuals which enabled better collaboration with the Council.

The Council intends to take the following action to demonstrate further commitment:

- 1) Consider developing an Engagement Strategy which provides clarity about different levels of engagement (i.e. informing, consulting, participating, co-producing) and when these are appropriate to ensure the different needs of each protected group are fully understood and reflected in service delivery.
- 2) Develop a Community Engagement Toolkit.
- 3) Create and implement a Communications Strategy which adopts appropriate equalities related standards to ensuring accessibility and inclusion.
- 4) Consider broadening the scope of the Interfaith Forum to include representatives from other protected groups.
- 5) Identify whether there are any gaps in consultation with protected groups. If so consider whether national organisations which representation those protected groups should be consulted.
- 6) Locality co-ordinators work with Locality Steering Groups which predominantly involve partners and stakeholders to inform action plans. Identify whether there are any gaps in representation which need to be filled to better reflect the demographic of the areas.
- 7) Undertake the targeted youth engagement work planned.

**Fostering good community relations**

*Structures are in place within the organisation and across partnerships to understand community relationships and map community tensions.*

*Criteria:*

*There are joint partnerships responsible for monitoring community tensions.  
The Community Safety Strategy addresses the issue of community cohesiveness  
Council leaflets/ posters/ communications/ events promote positive relations.*

The Council already has the following in place to demonstrate commitment:

The Council is involved in a number of joint partnerships responsible for monitoring community tensions. The Council is a member of the South Nottinghamshire Community Safety Partnership. Statutory and voluntary partners participate in the SNCSP with a common aim of reducing crime and disorder, anti-social behaviour and promoting healthy and safe communities. The Safer Nottinghamshire Board has a sub group for Hate Crime and membership is drawn from all relevant local statutory and community partnership organisations. In addition there is a countywide Prevent Steering Group with a broad cross section of organisations.

On a practical level Nottinghamshire Police and Public Protection staff are physically located in Jubilee House which enables close working arrangements.

The Policing and Crime Plan (OPCC) and local Community Safety Partnership strategic structures and approaches are in place to identify, monitor and respond to community cohesion issues.

Hate crime and harassment is monitored and analysed by the Hate Crime Steering Group of the Safer Nottinghamshire Board and local borough hate crime issues and concerns are discussed at the Anti-social Behaviour group addressing repeat victimisation in particular. Partnership action is taken at a local level by relevant local delivery partners and actions to address the issues that have been identified. Activity to tackle wider community tension concerns are co-ordinated through the Safer Nottinghamshire Board.

The Portfolio Holder for Public Protection and Portfolio Holder for Community Development are updated on community tensions and activity. All members informally report community intelligence in to the Council and Police.

Council activity and events seek to promote positive relations, in particular recognising the following national days/weeks:

Feb - National Apprenticeship week, World Cancer day, Time to Talk Day

March - International Women's Day, Disabled Access Day, National Intergenerational Week and Flag to be flown for International Day against Homophobia, Transphobia and Biphobia

May - Dementia Action Week, National Children's Day, Mental Health Awareness Week

June - Refugee week and flag to be flown for LGBT Pride Month

July - World Youth Skills Day

August - World Breastfeeding week

September - World Suicide Prevention Day, World Alzheimer's day, Disability Awareness Day

October - World Mental Health Day, World Menopause Day

Communications seek to support those with protected characteristics and promote positive relations; such as the Health and Wellbeing E-Newsletter and Leisure E-Newsletter which include signposting to relevant services and promoting public health campaigns.

A number of events are delivered / commissioned for those with protected characteristics and to promote positive relations: such as targeted Youth activities, Play days, International Women's Day event, Intergenerational event and the event to recognise female representation in Gedling. The Arnold Carnival also provides a platform to local charities to fundraise and engage with the community. Arnold Churches together have a service in the park on Sunday morning, a carers roadshow is held and Men in Sheds attend.

The Public Protection (Community Safety) and Community Relations Services within the local authority work alongside partner organisations to engage positively, both proactively and responsively, to build, maintain and develop good relations between diverse communities.

Specific events have been held to forge positive relations between diverse communities, such as the Syrian refugees / Seniors' Council event which was held to foster good relations with Syrian community. An Intergeneration Conference was held in 2019 bringing together the Youth Council and Seniors Council. In addition the

Council has facilitated the Police Inspector's attendance at the Caribbean elders' group meeting.

The Council intends to take the following action to demonstrate further commitment:

- 1) Whilst the Council already works with a number of groups representing those in our community with protected characteristics it is recognised that there are gaps. Consideration should be given to identifying and engaging with groups which represent other protected groups (e.g. Gender reassignment, disability).
- 2) To review the Council activities and events that promote positive relations to determine if all protected characteristic groups are included.
- 3) Arrange the heritage tour of the borough for representatives from the Seniors Council, Caribbean elders and Syrian refuge community which has been delayed as a consequence of the Covid-19 pandemic. Consulted them on proposals for the heritage way to ensure access for different groups.

**Participation in public life**

*The organisation has a clear understanding of the level of participation in public life by different communities/protected characteristics. This can include involvement in local democracy and representation e.g. school governors, councillors, board members of voluntary/statutory sector organisations.*

**Criteria:**

*Information/data is gathered about the extent of involvement in public life*

The Council already has the following in place to demonstrate commitment:

The Youth Council, Youth Mayor and Seniors Council are in place and actively supported by the Council to ensure local people, including under- represented groups, are given the opportunity for public participation.

Councillors are appointed to a number of outside bodies (voluntary and community organisations).

The Council intends to take the following action to demonstrate further commitment:

- 1) Collect information about the level of participation by different communities/protected characteristics as an elected Member (borough Council) and identify where there is under-representation.
- 2) When conducting public consultation, ensure that organisations representing protected groups are given the opportunity to participate.
- 3) Explore further opportunities to promote the Youth Council and Senior's Council and their activities and achievements.

## LEADERSHIP AND ORGANISATIONAL COMMITMENT

### Leadership

*The political and executive leadership have publically committed to reducing inequality, fostering good relations and challenging discrimination.*

#### Criteria:

*Senior leaders in the organisation have stated their commitment to a diverse workforce and have made clear what is expected from staff when delivering services to the community.*

*Leadership on equality is demonstrated in a way that is recognised and understood by the organisation and local communities.*

*Leaders have publicly committed to improving equality in their area.*

*The organisation has established and publicised a strong business case for its equality work.*

*The organisation regularly communicates its commitment to promoting equality to staff and the community*

*There is evidence that publications reflect the organisation's commitment to equality and fostering good relations.*

The Council already has the following in place to demonstrate commitment:

The Gedling Plan 2020-23 includes a commitment to improving equality specifically identifying the following priorities and objectives:

Cohesive, Diverse and Safe Communities – To promote strong, resilient communities and reduce hardship and inequality

- Promote and encourage pride, good citizenship and participation
- Reduce poverty and inequality and provide support for the most vulnerable
- Improve social mobility and life chances

Healthy Lifestyles – To promote the health and wellbeing of our residents

- Improve health and wellbeing and reduce health inequalities

The Portfolio Holder for Young People and Equalities has been appointed with lead responsibility for equalities. The Portfolio holder is supported by a Policy Advisor for Young People and Equalities.

The Director of ~~Organisational Development and Democratic~~ Corporate Resources Services has been identified as the organisational lead for equality and diversity.

The Code of Conduct for Members which was approved by full Council requires councillors to:

- treat others with respect
- not bully or harass any person
- not to do anything which may cause the Council to breach the Equality Act 2010

Publications reflect the Council's commitment to equality and fostering good relations, by being offered in different formats. The website is also accessible.

A specific paragraph was introduced into the report template from 1 April 2020 to ensure that equality considerations inform decision making. The report template guidance notes include guidance on what should be considered.

The Council intends to take the following action to demonstrate further commitment:

- 1) Introduce a revised Equality and Diversity Policy which includes:
  - A clear commitment from senior leaders to a diverse workforce and clarity on what is expected from staff when delivering services to the community in a way that is recognised and understood by the Council and local communities.
  - A commitment from senior leaders to improving equality in their area.
- 2) Put in place a clear structure, including the creation of a Strategic Equalities & Diversity Group, to demonstrate leadership and organisational commitment, challenge inequalities and drive an improvement agenda.
- 3) Arrange Councillor training on the Policy and equalities obligations.
- 4) Ensure the Council's website complies with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018.

**Priorities and Partnership Working**

*Partnership working arrangements are being reviewed with the voluntary and community sector and the wider community to ensure that local equality priorities are addressed*

*Criteria:*

*Corporate and partnership documents capture the commitment of the organisation and partners to equality.*

*Equality objectives are reflected in local strategic planning.*

The Council already has the following in place to demonstrate commitment:

The Council has a Partnerships register in place.

The Gedling Plan captures the Council's commitment to equality.

The Gedling Health & Wellbeing Partnership (comprising Community Relations, Leisure, Public Protection, Housing strategy, CCG, Notts CC Public health, Jigsaw Homes and a range of other commissioned health services) terms of reference makes it clear that the "ultimate aim is to act efficiently and effectively to improve the health and wellbeing of Gedling residents and to reduce inequalities across the borough". The Partnership has set out its shared objectives and outcomes in the Health and Wellbeing action plan. The Council's commitment to these outcomes is embedded in the Gedling Plan which the inclusion of an action to "Maintain active involvement in the County wide Health and Wellbeing Board, South Nottinghamshire Integrated Care system and continue to support delivery of the Health and Wellbeing Plan".

The Partnership monitors, reviews and evaluates performance against the Plan and this is also reported to Senior Leadership Team as part of the Gedling Plan quarterly performance monitoring.

The Council intends to take the following action to demonstrate further commitment:

- 1) Explore whether there are additional partnership arrangements where shared equality priorities, objectives and outcomes for the borough should be established.

**Assessing  
Equality  
Impact in  
Policy and  
Decision  
Making**

*Due regard is taken to the aims of the general equality duty when making decisions and when setting policies*

*Criteria:*

*The organisation has an agreed approach to conducting equality analysis/ impact assessment of policy and service decisions.*

*Training and support on equality analysis/ impact assessment is available.*

*Impact assessments take account of the views of those affected by the policy or decision.*

*There is a process for ensuring that equality impact assessments are sufficiently robust.*

The Council already has the following in place to demonstrate commitment:

The Council has published an Equality Impact Assessment (EIA) template and guidance on the intranet to ensure there is a standard approach to equality analysis/ impact assessment of policy and service decisions. The EIA ensures that consideration is given to the impact of the policy/decision on those in protected groups and what changes could be made to address any negative impacts.

The Customer Insight Officer provides advice and guidance on the completion of the EIA where required.

A specific paragraph was introduced into the report template from 1 April 2020 to ensure that equality considerations inform decision making. Where an Equality Impact Assessment is required, a copy of the completed EIA is appended to the decision report which ensures that the decision-maker can take into account the impact on those in protected groups when making the decision.

An EIA is carried out as part of annual budget setting process to ensure that decisions around budget growth, cuts and savings have taken account of cumulative impact. In addition, a high level EIA is carried out for each service plan which identified the projects/activity which require a more detailed EIA.

The Council intends to take the following action to demonstrate further commitment:

- 1) Review the current EIA template.
- 2) Review the current information and guidance on the intranet to ensure that it is up to date and fit for purpose.
- 3) Publish the revised EIA template and guidance on the intranet.
- 4) Deliver training to all managers on the revised template and guidance so that they understand when an EIA is required and how to conduct a robust and meaningful assessment.
- 5) Publish completed EIAs on the intranet.
- 6) Ensure equality considerations are imbedded into the new project management process.

**Equality Objectives and Annual Reporting**

*Equality objectives for the organisation have been set and published in accordance with the requirements to support the public sector Equality Duty.*

*Criteria:*

*The specific duty to publish equality objectives has been met*

*Objectives are underpinned by robust equality analysis.*

*Objectives are SMART(Specific, Measurable Realistic, Achievable and Timely)*

The Council already has the following in place to demonstrate commitment:

The identification of equalities objectives is embedded in the Service Plan/Gedling Plan preparation process. These objectives have been identified following a SWOT analysis. The datasets used as part of that SWOT analysis includes equalities information.

Actions identified to deliver those equalities objectives are subject to the same performance management process as other objectives in the Gedling Plan and Service Plans. Progress against the Gedling Plan actions is subject to quarterly monitoring to Senior Leadership Team, Cabinet and Overview & Scrutiny Committee. This ensures that senior officers and Members are kept informed.

Progress against the Gedling Plan actions is also published on the Council's website which ensures that the public are able to monitor progress.

The specific duty to publish equality objectives has been met. They are specifically referenced in the Cabinet report seeking approval for the Gedling Plan 2020-23 and published separately on the Council's website with equalities information.

The Council intends to take the following action to demonstrate further commitment:

- 1) Raise awareness of the equality objectives across the Council by ensuring they are published on the intranet.
- 2) Introduce an Annual Equality report to Cabinet, which includes an update on progress of the action plan.

2)3) To review the equalities related objectives and actions in the Gedling Plan to ensure targets successfully measure intended outcomes e.g. are SMART.

**Performance Monitoring and Scrutiny**

*Appropriate structures are in place to ensure delivery and review of equality objectives.*

*Criteria:*

*There is an appropriate and accountable leadership group/ board/ forum who have responsibility for the equality agenda.*

*There are resources for supporting equality work.*

The Council already has the following in place to demonstrate commitment:

The Portfolio Holder for Young People and Equalities has been appointed with lead responsibility for equalities. The Portfolio holder is supported by a Policy Advisor for Young People and Equalities.

The Director of ~~Organisational Development and Democratic~~ Corporate Resources has been identified as the organisational lead for equality and diversity.

The Gedling Plan is approved by following the process set out in the Budget and Policy Framework. Given the fact that equalities objectives are included in the Gedling Plan, the Overview and Scrutiny Committee is able to scrutinise and challenge the equality analysis/ impact assessment objective setting and monitoring as part of that process.

Actions identified to deliver the equalities objectives are subject to the same performance management process as other objectives in the Gedling Plan and Service Plans. Progress against the Gedling Plan actions is subject to quarterly monitoring to Senior Leadership Team, Cabinet and Overview & Scrutiny Committee. This ensures that senior officers and Members are kept informed.

Progress against the Gedling Plan actions is also published on the Council's website which ensures that the public are able to monitor progress.

The Council intends to take the following action to demonstrate further commitment:

- 1) The Council does not have an Equalities Officer or dedicated resource to progress equalities work. Consideration could be given to allocating specific resources for supporting equality work.
- 2) Consider specifically requesting Overview and Scrutiny Committee to scrutinise and challenge equality analysis/ impact assessment objective setting and monitoring.

<b>RESPONSIVE SERVICES AND CUSTOMER CARE</b>	
<b>Commissioning and Procuring Services</b>	<i>The organisation ensures that procurement and commissioning processes and practice take account of the diverse needs of clients, and that providers understand the requirements of the public sector Equality Duty.</i>
<p><i>Criteria:</i>  <i>Guidance is available for suppliers on the equality requirements for the procurement and commissioning process.</i>  <i>There are standard equality clauses for contracts.</i></p>	
The Council already has the following in place to demonstrate commitment:	
<p>Procurement instruction forms ask whether specific equality implications need to be considered as part of the procurement process.</p> <p>The Council includes an equalities questionnaire as part of its invitation to tender package which is assessed as part of the due diligence process when selecting suppliers. Equalities Information is also sought through the Contractor's Questionnaire as part of the tender process.</p> <p>Standard equality clauses are included in contracts.</p> <p>The Council has considered how the public pound is spent in regards to local procurement and influence on the local economy. A specific Service Plan Performance Indicator relates to payment of invoices for local businesses within 10 days.</p> <p>Social value requirements may form part of the evaluation requirements in a tender/quote process but not in respect of every contract.</p>	
The Council intends to take the following action to demonstrate further commitment:	
<ol style="list-style-type: none"> <li>1) Guidance should be available for suppliers on the equality requirements for the procurement and commissioning process.</li> <li>2) Contract specifications should take account of the different needs of users, for example through equality analysis/ impact assessments.</li> <li>3) Monitoring requirements to be built into contracts to ensure equality issues are addressed.</li> <li>4) Introduce an established Social Value Framework (which could be included in the Procurement Strategy), that includes provision for the Social value of contracts to be measured.</li> </ol>	
<b>Integration of equality objectives into service planning</b>	<i>Structures are in place to ensure equality outcomes are integrated into business objectives.</i>

<p><i>Criteria:</i>  <i>Service plans are monitored regularly to ensure that equality objectives are being met.</i>  <i>Equality analysis is fed into planning and assessment of service plans.</i>  <i>Customer care policies highlight the needs of protected groups.</i></p>	
<p>The Council already has the following in place to demonstrate commitment:</p>	
<p>Progress against the Gedling Plan/Service Plans is monitored on a quarterly basis to ensure that equality objectives are being met.</p> <p>A SWOT analysis has been carried out as part of the Service Plan/Gedling Plan preparation process. The datasets used as part of that SWOT analysis includes equalities information. In addition, a high level equality impact assessment is carried out for each service plan which identified the projects/activity which require a more detailed EIA.</p> <p>Service delivery generally offers equality of access via different methods (face to face, email, telephone, in writing, online, social media). A Visiting Officer in Customer Services ensures home visits are made to our most vulnerable residents to enable them to access much needed funds and resources available to them.</p> <p>The Complaints, Compliments and Comments Policy recognises the needs of protected groups, enabling communications in different formats.</p> <p>The approved Customer Promise includes the following commitments:          “We Will:</p> <ul style="list-style-type: none"> <li>• Treat you in the right way</li> <li>• Be friendly, helpful and polite</li> <li>• Treat you fairly and with respect</li> <li>• Be sensitive to different needs”</li> </ul>	
<p>The Council intends to take the following action to demonstrate further commitment:</p>	
<p>1) Consider whether any additional equalities data and evidence should be collected and considered as part of the service planning process.</p>	
<p><b>Service Delivery</b></p>	<p><i>The organisation has systems to collect, analyse and measure how satisfied all sections of the community are with services.</i></p>
<p><i>Criteria:</i>  <i>There are mechanisms in place for service users to be consulted about service development and delivery</i>  <i>Social Value and Collaborative Principles are reflected in the organisations practical service delivery.</i>  <i>The organisation is able to analyse and measure whether all sections of the community are able to access services.</i></p>	

*It is clear who Service users are. Services carry out mapping exercises to identify and review current participation and to highlight gaps.*

*The organisation collects data about user satisfaction with its services. The mapping and satisfaction data collected is disaggregated by different equality groups or vulnerable communities.*

*Complaints are disaggregated by protected groups. There are mechanisms in place to enable staff to introduce business improvements.*

*Appropriate mechanisms are in place to ensure that Human Rights considerations are identified when planning services and that customers and citizens are treated with dignity and respect.*

The Council already has the following in place to demonstrate commitment:

There are some examples where service users are consulted about service development and delivery.

A biennial Mystery Shopper exercise is conducted to enable the Council to analyse and measure whether all sections of the community are able to access services.

In relation to accessibility, all four of our leisure centres, the Richard Herrod Centre, The Bonington Cinema and Theatre and Gedling Country Park have been awarded the CredAbility Kite Mark. The Kite Mark denotes that facilities and provisions are in place to suit the needs of our disabled customers and also their carers.

Service User data is collected by Leisure and housing needs with reference to protected characteristics.

Data about access to services and user satisfaction, where collected, is used to support equality analyses/ equality impacts assessment.

The Council's Complaints, Compliments and Comments Policy provides a clear and accessible process for managing customer feedback effectively. At the end of the process Customer Services may contact customers to evaluate our response. The aim of this is to provide information to help the Council determine:

- Whether the complaint procedure was accessible and easy to use.
- Levels of satisfaction with the way the complaint was handled and remedy offered

Each quarter, the Service Manager (Customer Services and Communications) Head of HR, Performance and Service Planning collates details relating to the number of compliments and complaints received by the Council for each Service area. These details will be entered onto the Council's corporate performance management system. SLT receives detailed quarterly reports on complaints and compliments received from customers. An annual complaints report is also presented to Cabinet and Overview and Scrutiny Committee. The report to SLT ensures that customers' experiences are analysed and remedial action is identified and acted upon. Further analysis will be carried out where there is an underlying issue or trend to identify whether additional improvements need to be made. This focussed attention on

complaints data has seen complaints in a number of service areas reduce and customer service improve.

The Council also conducts a biennial Resident's Satisfaction Survey to develop its strategies and understand what residents think and need; and identify any areas where there might be a need for further improvement. The results of the Satisfaction Survey are reported to SLT and Cabinet and used to inform the Gedling Plan. An assessment is also made to understand whether the profile of respondent is proportionate to the profile of the borough. For a number of years the profile of the respondents in terms of ethnicity and **gendersex** seems fairly proportionate to the profile of the borough; however the age profile of the respondents is skewed towards the older population. The overall responses in 2019 show that satisfaction with the Council and its services is very positive compared to the results in 2017.

The Council has policies and procedures in place for Community Asset Transfers and Community Right to Challenge to support delivery of services by local communities instead of the local authority.

The Council intends to take the following action to demonstrate further commitment:

- 1) Consider further development of mechanisms for service users to be consulted about service development and delivery to identify specific needs and appropriate service improvements.
- 2) Explore opportunities for Social Value and Collaborative Principles to be reflected in the practical service delivery.
- 3) Consider whether additional services should collect data to understand who Service users are.
- 4) Ensure that relevant services carry out mapping exercises to identify and review current participation and to highlight gaps.
- 5) Disaggregate complaints, compliments and residents' satisfaction data by different protected groups. Analyse the data to identify and introduce business improvements.
- 6) Review the Equality Impact Assessment form and guidance to ensure that it makes it clear that data about access to services and user satisfaction should be considered.
- 7) Human Rights refresher training should be delivered to Officers and Members to ensure that:
  - human rights issues are understood and considered when delivering services to customers;
  - decision makers have up to date knowledge; and
  - appropriate mechanisms are in place to ensure that human rights considerations are identified when planning services and that customers and citizens are treated with dignity and respect.

<b>DIVERSE AND ENGAGED WORKFORCE</b>	
<b>Workforce Diversity</b>	<i>The organisation understands its local labour market, and has mechanisms in place to monitor its workforce against protected characteristics.</i>
<p><i>Criteria:</i>  <i>The organisation is clear about its local labour market.</i>  <i>It has begun to identify the steps it needs to take to achieve a diverse workforce. These are reflected in recruitment policies and procedures.</i>  <i>The progress of protected groups through the organisational hierarchy is monitored. Equality mapping data is used as part of the analysis.</i>  <i>Recruitment and selection is monitored at all stages of the process by protected characteristics.</i></p>	
The Council already has the following in place to demonstrate commitment:	
<p>As part of the annual Equality Information, workforce data is collected (disability, race, <b>gendersex</b>, age and religion) within the workforce as a whole and in the top 5%, reported to Senior Leadership Team and published on the Council’s website. The data is also analysed to identify where there is underrepresentation when compared to the profile of the borough and whether any specific action is required to redress the balance.</p> <p>A Performance Indicator reports against visible <b>BMEminority ethnic groups</b> in borough compared to the workforce. This is reported to SLT on an annual basis.</p> <p>In order to achieve a diverse workforce, targeted recruitment advertisements are sent to direct to community organisations that represent protected groups. In addition, the Gender Pay Gap is reported to SLT and published on an annual basis including narrative of reasons for gap and where necessary, planned actions to narrow the gap.</p> <p>The Gender Pay Gap and annual equality information is also used to monitor progress of protected groups through the organisational hierarchy.</p> <p>The workforce profile broadly matches the local labour market/community profile and this is continuously monitored and is reported to SLT annually. There is some underrepresentation particularly in the senior management of the organisation.</p> <p>The Gender Pay Gap is very good. There are some “gaps” for other protected characteristics within the workforce but there is a reasonable explanation for the gaps (change is slow due to low turnover of posts).</p> <p>Recruitment and selection is monitored at all stages of the process for a variety of protected characteristics. This data is included the annual Equality Information reported to SLT and published on the website. Where there is evidence of disproportionality, appropriate action will be taken to reverse the trends.</p>	

Recruitment and Selection training is provided to managers which focuses on systematic application of objective assessment against criteria. In addition, the application and shortlisting process have been designed to be “blind” to identification of protected criteria.

Where Members are involved in recruitment to senior posts at Appointments and Conditions of Service Committee, advice and support is provided by the Service Manager: Organisational Development/Head of HR, Performance and Service Planning to ensure that the same systematic application of objective assessment against criteria is carried out.

Good use is made of flexible working arrangements and career pathway initiatives to address potential barriers and under representation. Our flexible working policies are exceptional (including flexitime/ consideration of flexible working at point of vacancy authorisation by SLT/ buying of additional leave/ special leave). Training is well supported across the organisation generally with opportunities for succession planning through honoraria arrangements and “acting up” although there are no specific programmes for people with protected characteristics.

The Council intends to take the following action to demonstrate further commitment:

- 1) Explore whether additional data needs to be gathered to ensure the Council is clear about its local labour market
- 2) Develop a new Workforce Strategy, which includes equality as one of its strands and a specific action relating to those protected groups which are not fully represented in the workforce (race and disability - to review the community groups targeted to receive job vacancy information with objective being a higher rate of application and selection).
- 3) Ensure that Appointments and Conditions of Service Committee are trained in recruitment and selection (including unconscious bias).

**Inclusive Strategies and Policies**

*The organisation’s workforce strategies and policies include equality considerations and objectives.*

**Criteria:**

*All employment policies and procedures comply with equality legislation and employment codes of practice*

*The organisation’s workforce strategy identifies equality issues.*

*Targets and objectives are based on internal monitoring, staff consultation and the assessment of the local labour market and barriers to employment.*

*New/changing employment policies and procedures are assessed for their impact on people with protected characteristics.*

*All employment and training related policies are regularly reviewed.*

*The council is using its workforce data to develop training and development strategies that can support a wider equalities agenda for employees.*

The Council already has the following in place to demonstrate commitment:

The Council's employment policies and procedures comply with equality legislation and employment codes of practice.

Performance indicators are in place to cover a range of metrics that focus both on employees with protected characteristics in the general workforce and also in respect to the top 5% of the workforce (in terms of pay). The PIs have targets set against them and are reported to SLT on an annual basis. As a Disability Confident employer, measures are also in place to try to overcome barriers to employment including a "guaranteed interview scheme".

Equality information is collected by [Organisational Development](#), [HR](#), [Performance and Service Planning](#) relating to recruitment and the workforce and reported to Senior Leadership Team. When necessary, changes will be made as a result of equality analysis findings. The current performance indicators show that the workforce is not fully representative of people with protected characteristics of race and disability.

There are many policies that are designed to support employees with protected characteristics (Attendance Management Policy/ Flexible and Agile Working Policy/ Flexitime Policy/ Menopause in the Workplace Policy) and a number of measures of support were agreed in 2020 to comply with the GMB Charter against domestic abuse. Some policies have a review built in after introduction e.g. Menopause in the Workplace and Flexible Working policies which includes consultation with Unions and management as appropriate to determine if they are fit for purpose.

The Council has an extensive set of policies and practices to enhance workforce equality and diversity including equal pay, flexible working and family friendly policies: including Adoption Policy; Equal Opportunity Policy; Equal Pay Policy Statement; Flexible and Agile Working Policy; Flexible Retirement Policy; Menopause in the Workplace Policy; flexitime; flexible working; job evaluation; and special leave.

The employment policies are included in the Employee Handbook which is readily accessible to Managers and employees or through [Organisational Development](#), [HR](#), [Performance and Service Planning](#). The "Managers' page" of the Intranet also sets out key policies for managers to reference. To ensure consistent application of policy some employee relations training has been delivered to managers and this will be developed to be delivered in a more structured and regular way to all managers. All managers responsible for recruitment have been trained in Recruitment & Selection.

New policies are promoted to staff in a number of ways, such as poster campaigns which have been used to promote some policies (such as the Time Out Policy that allows staff to buy additional time to spend away from work) and news stories on the intranet (for policy changes e.g. Menopause in the Workplace Policy).

Due to capacity issues within Organisational Development HR, Performance and Service Planning not all employment and training related policies are regularly reviewed. However, the range of policies continues to be developed; workforce policy development is dynamic with periodic review for example the Flexible and Agile Working Policy reviewed in 2019.

In order to support a wider equalities agenda for employees, training is delivered through an equalities workbook to all employees which must be completed at the commencement of their employment and through recruitment and selection training to managers. Training is based on legislation and best practice.

A range of inclusive structures are in place to engage and involve staff; including the Our Gedling Group (employee engagement group), annual Employee Awards, Employee Conference, support and recognition of trade unions, Suggestion Scheme and an Employee survey (biennial).

In relation to participation and engagement, the 2019 employee survey showed the highest rate of employee satisfaction with high rates of questionnaire return. There is active participation in the Our Gedling and Employee Awards by all teams across the Council.

The Council intends to take the following action to demonstrate further commitment:

- 1) Complete the review of the Equality Policy (Employment) which is currently underway and ensure it includes a reasonable adjustments policy (employment).
- 2) Develop a new Workforce Strategy, which includes equality as one of its strands and a specific action relating to those protected groups which are not fully represented in the workforce (race and disability - to review the community groups targeted to receive job vacancy information with objective being a higher rate of application and selection).
- 3) Once approved, put in place measures to implement and monitor the equality aspects of the workforce strategy.
- 4) Ensure that an EIA is carried out when introducing new/amending employment policies and procedures to ensure they are assessed for their impact on people with protected characteristics.
- 5) Put in places processes to ensure all employment and training related policies are regularly reviewed.
- 6) Proactively use workforce data to develop training and development strategies that can support a wider equalities agenda for employees.
- 7) Further develop employee relations training for managers developed so that it is delivered in a more structured and regular way to all managers.

**Collecting, Analysing and Publishing Workforce Data**

*Systems are in place to collect and analyse employment data across a range of practices (recruitment, training, leavers, grievance and disciplinaries etc).*

*Criteria:*

*The organisation reports annually on its Gender Pay Gap.*

*People are encouraged to provide data and there are initiatives in place to increase the disclosure of equality information by staff.*

*Diversity monitoring information is separated from recruitment decisions and held securely.*

*GDPR processes are in place and regulations are being met.*

The Council already has the following in place to demonstrate commitment:

The Council reports annually on its Gender Pay Gap. The data is reported to Senior Leadership Team, Portfolio Holder for Young People and Equalities and Joint Consultative and Safety Committee and uploaded to the relevant government website. The data is assessed by Senior Leadership Team to determine whether any actions are required to achieve a gender-neutral state in terms of mean pay differential.

The Council also prepares and publishes an annual Pay Policy Statement.

Diversity monitoring information is gathered as part of the recruitment process but is separated from recruitment decisions and held securely. An in-house on-line system has been developed so ensure that these good practices are applied consistently.

Processes are in place to ensure compliance with the GDPR and Data Protection Act 2018 and training has been provided to staff. A recent exercise was undertaken in 2019 to encourage all employees to update their personal information within the self-serve HR system (ResourceLink) including personal data relating to equalities/protected characteristics.

Workforce data is collected, reported to Senior Leadership Team and published on the Council's website. The data is also analysed to identify where there is underrepresentation when compared to the profile of the borough and whether any specific action is required to redress the balance.

At the point of recruitment, data is transferred from the application system into the HR system and so that data that is collected through the recruitment exercise properly informs the HR system. This system ensures that full data is effectively and systematically collected.

The Council is a 'Disability Confident' employer.

The Council intends to take the following action to demonstrate further commitment:

- 1) Continue to encourage employees to provide relevant data and introduce initiatives to increase the disclosure of equality information by employees.
- 2) Continue to review activity to maintain the Disability Confident employer standard.

<b>Learning and Development</b>	<i>The organisation carries out regular assessments of the training and learning and development needs required to ensure its councillors and officers are equipped to understand their equality duties and take action to deliver equality outcomes.</i>
<p><i>Criteria:</i>  An assessment has been made as to what equality-related training, learning or development is required  Appropriate behavioural competencies have been identified for the workforce.  The learning and development plan/strategy take account of equality issues.  Induction training for new Members includes equality and all Members are offered Equality training.  Appraisal processes ensure staff and managers are aware of their equality-related responsibilities and accountabilities</p>	
<p>The Council already has the following in place to demonstrate commitment:</p>	
<p>All employees (including decision-makers) are required to complete the Equalities Workbook when their employment commenced and are therefore exposed to equalities and diversity training.</p> <p>There is evidence that equality issues are mainstreamed into all training (e.g. training on customer care), for example within the management and leadership training that is delivered. The Code of Conduct training for Members also covers a requirement to comply with the Equalities Act.</p> <p>Different methods are used to promote learning and development to a wide audience, including workbook, workshops, standard courses, webinars and coaching.</p> <p>Appropriate behavioural competencies have been identified for the workforce through the Gedling Employee, Gedling Manager and Gedling Leader Standards. These standards are used to: assess individual performance; assess personal development needs; recruit great employees into our business; move unsuitable people out of our organisation; and through all of the above, to improve the organisation's performance.</p> <p>The use of these standards through the Performance and Development Review (PDR) processes ensures staff and managers are aware of their equality-related responsibilities and accountabilities. In particular, "Caring and considerate" (vulnerable people) is a core value in the Gedling Employee and all employees are assessed against this.</p>	
<p>The Council intends to take the following action to demonstrate further commitment:</p>	
<ol style="list-style-type: none"> <li>1) Introduce regular equality and diversity refresher training for all employees, which includes 'unconscious bias'.</li> <li>2) Explore delivery of equality training through on-line material that would be accessible to all employees.</li> </ol>	

- 3) Re-commission the training drama group to deliver equalities-based training which was due to be delivered at the Employee Conference 2020.
- 4) When planning learning and development for employees ensure that equality issues are taken account of.
- 5) Introduce equality training for all Members.
- 6) Ensure that induction training for new Members following the next borough elections includes equality training.

**Health and Wellbeing**

*The organisation has begun to consider how it can address the key employee health and wellbeing issues*

*Criteria:*

*The organisation uses workforce data and other information from staff to determine what its health and wellbeing priorities are*

*The organisation has assessed all aspects of the working environment to ensure that the needs of all its employees are met*

*A range of inclusive mechanisms are in place to engage and involve staff*

*Policies and systems are in place to identify, prevent and deal effectively with harassment and bullying at work.*

*The organisation has a policy for Reasonable Adjustments for staff and Members and managers are trained to implement it.*

*Occupational health services are provided*

*The organisation has started to address mental health issues in the workplace*

The Council already has the following in place to demonstrate commitment:

The Council collects employee absence data and reports it to Joint Consultative and Safety Committee on an annual basis. This data is used to determine what the health and wellbeing priorities should be. A “fast track” physiotherapy service has been introduced after the data showed that muscular-skeletal problems resulted in high levels of absence. Mental health (stress and anxiety) is also recognised as an issue that results in substantial absence and as a consequence the Council has:

- Launched the Employee Assistance Programme scheme;
- Commissioned team member/ manager training sessions; and
- Committed to acquisition of on-line mental health awareness support package

Risk assessments, through which all aspects of the working environment have been assessed to ensure that the needs of all its employees are met, are in place. In addition personal and private risk assessments have been carried out in relation to employees who have particular needs (e.g. as a result of disability, pregnancy or race). All employees also take part in annual PDR process which is an opportunity for individual needs to be raised and addressed.

The Suggestion Scheme, Our Gedling Group, Employee survey, Employee Conference and Employee Awards are in place to engage and involve staff.

An Anti-harassment policy, Disciplinary Procedure and Grievance Procedure are in place to identify, prevent and deal effectively with harassment and bullying at work. The Employee Assistance Programme is in place to provide support to staff. The

Code of Conduct for Members also includes an obligation not to bully or harass any person.

The consideration of reasonable adjustments are dealt with within the Attendance Management Policy and guidance can be obtained from Occupational health. Reasonable Adjustments are provided in a timely fashion across the Council. Cases are managed within policy and consistently with support from [Organisational HR, Performance and Service Planning-Development](#). For issues of mental health time limits are specified in the Absence Management Policy for referral to Occupational Health. Employees are also encouraged to make an application to Access to Work where they require help at work which is not covered by the obligation to make reasonable adjustments.

Occupational health services are provided by an external provider and referral to occupation health is a normal part of welfare case management.

The Council has started to address mental health issues in the workplace, with the introduction of the Employee Assistance Programme, acquisition of an awareness package and commissioning training for team members and managers in the Attendance Management Policy. It is recognised that not all managers may be personally confident to deal with mental health issues of staff in their team and so support is provided through our [Organisational Development HR, Performance and Service Planning team](#) who are experienced and confident practitioners able to support managers (and individual employees).

Harassment and bullying incidents are monitored and analysed regularly as part of the monitoring of disciplinary and grievance cases. These are reported to SLT annually in terms of race and [gendersex](#) as part of the annual equalities information and published on the Council's website.

Allegations would always be investigated and appropriate action taken to address the issues that have been identified through existing policy.

Through its training and employee policies the Council has adopted the social model of disability. The council focus is on "ability" not "disability" and the approach seeks to remove barriers in order to enable employment.

The Council intends to take the following action to demonstrate further commitment:

- 1) Complete the review of the Equality Policy (Employment) which is currently underway and ensure it includes a reasonable adjustments policy (employment).
- 2) Provide training so that managers understand how to implement reasonable adjustments.
- 3) Further develop the close relationship with occupational health to identify and address absence trends.
- 4) Deliver the team member and manager training for support of mental health in the workplace which has been delayed due to the covid pandemic (planned 2021).



## EQUALITY IMPACT NEEDS ASSESSMENT

### Equality and Diversity Policy and Equality Framework Action Plan (External and Internal Stakeholders)

Protected characteristic	Positive impact	Possible adverse impact	Not relevant	Consultation needed? Y/N (include as a sub-action)	Comments and sub-actions
Age	X			N	<p>The policy is designed to promote and improve equality and diversity in the borough.</p> <p>A borough-wide consultation on both the Policy and Action Plan has been completed as detailed in the report.</p> <p>Implementation of the specific tasks in the Action Plan may require further targeted consultation.</p>
Disability	X			N	
Race	X			N	
Religion or belief	X			N	
Sex	X			N	
Sexual orientation	X			N	
Pregnancy and maternity	X			N	
Gender Identity	X			N	
Marriage and civil partnership	X			N	

This page is intentionally left blank



## **Report to Audit Committee**

**Subject:** Financial Management Code

**Date:** 21 September 2021

**Author:** Director of Corporate Resources and Section 151 Officer

### **Wards Affected**

All

### **Purpose**

To inform the Audit Committee about the introduction of CIPFA's Financial Management Code (the Code) as a framework to support good practice in local authorities by the setting of standards of financial management and to outline how it is considered that the Council presently adheres to this as well as provide details of proposed actions intended to ensure full compliance.

### **Key Decision**

This is a not a key decision.

### **Recommendation(s)**

**THAT the Audit Committee:**

- 1) Note the introduction of the CIPFA Financial Management Code and that 2021/22 will be the first year for which full compliance will be required.**
- 2) Note the initial assessment set out in appendix 2 of the Council's assessed level of compliance with the standards in the Code and the resulting actions required and refer it to Cabinet for approval; and**
- 3) Note that progress towards the actions identified will be monitored by the Audit Committee through the production and monitoring of the Annual Governance Statement.**

## **1 Background**

- 1.1 Local government finance in the UK is governed by primary legislation, regulation and professional standards as supported by statutory provision. The general financial management of a local authority, however, has not until now been supported by a professional code. The Code has been introduced by the Chartered Institute of Public Finance and Accountancy (CIPFA) because the exceptional financial circumstances faced by local authorities have revealed concerns about fundamental weaknesses in financial management, particularly in relation to organisations that may be unable to maintain services in the future.
- 1.2 Local authorities were required to apply the Code with effect from 1 April 2020 with the first full year of compliance being 2021/2022. This timescale has been questioned due to the extreme pressures placed upon local authorities by the Covid 19 crisis. However, the objective of the Code is to enhance standards of financial management across the public sector and it is considered that having good financial management embedded is even more essential during the current challenging times. Good financial management is an essential element of good governance and longer-term service planning, which are critical in ensuring that local service provision is sustainable.
- 1.3 The requirement of full compliance by 2021/2022 has not changed but the Code does allow for both flexibility and a proportionate approach which should allow local authorities to adhere to some parts of the Code whilst other parts may indicate a direction of travel with commentary within the Annual Governance Statement used to demonstrate local decisions and provide additional guidance and transparency. Demonstrating compliance with the Code is a collective responsibility of the leadership team, both the Executive and the Senior Leadership Team.
- 1.4 The Code is designed to support good practice in financial management through a series of principles supported by specific standards which are considered necessary to provide the strong foundation to:
- Financially manage the short, medium and long term finances
  - Manage financial resilience to meet unforeseen demands on services
  - Manage unexpected shocks in financial circumstances

- 1.5 A more detailed analysis of the Code requirements is given in Appendix 1. whilst an initial assessment of the Council's current position against the standards set out in the Code along with identified actions is set out in Appendix 2.

## **2 Proposal**

- 2.1 It is proposed that the requirement to comply with the CIPFA Financial Management Code with effect from 2021/22 be noted. A summary of the Code requirements including the Financial Management Standards and how compliance with those standards can be demonstrated is detailed in Appendix 1.

- 2.2 It is proposed that the initial assessment of the Council's current level of compliance with the standards set out in the Code and the outstanding actions required as detailed in Appendix 2 be noted for comment.

- 2.3 It is proposed that the progress with the implementation of actions to ensure the compliance with the Code be monitored by this Committee through the consideration of the Annual Governance Statement which will highlight areas outstanding for improvement in the action plan. Members will note that many of the actions detailed in Appendix 2 are reflected in the draft Annual Governance Statement considered by the Committee in June. Any further update required will be included in the final Annual Governance Statement to be approved alongside the Statement of Accounts in December. It should be noted that compliance with the Code is an ongoing requirement and new actions to both maintain and improve standards will be a normal feature of securing effective financial management and continuous improvement.

## **3 Alternative Options**

An alternative option is not to comply with the Financial Management Code. This is not recommended as it would not support the statutory requirement of all local authorities to have sound financial management.

## **4 Financial Implications**

There are no financial implications arising directly from this report.

## **5 Legal Implications**

Compliance with the Financial Management Code is not a statutory requirement. CIPFA's intention is that the Code will have the same scope as the Prudential Code for Capital Finance in Local Authorities,

so although the FM Code does not have legislative backing, it applies to all local authorities. In addition to its alignment with the Prudential Code the FM Code also has links to the Treasury Management in the Public Sector Code of Practice and Cross Sectoral Guidance Note and the annual Code of Practice on Local Authority Accounting in the United Kingdom. In this way the FM Code supports authorities by reiterating in one place the key elements of these statutory requirements.

The Code is also further supported by: the statutory requirement for all authorities to have sound financial management; S151 of the Local Government Act 1972 requiring local authorities to 'make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs'.

## **6 Equalities Implications**

There are no equalities implications arising directly from this report.

## **7 Carbon Reduction/Environmental Sustainability Implications**

There are no carbon reduction or environmental sustainability implications arising directly from this report.

## **8 Appendices**

Appendix 1 – Summary of Financial Management Code requirements.

Appendix 2 – Self assessment of the Council's current position against the standards in the Financial Management Code including identified actions.

## **9 Background Papers**

CIPFA Financial Management Code and Code Guidance Notes

### **Statutory Officer approval**

**Approved by the Chief Financial Officer**  
**Date: 10 September 2021**

**Approved by the Monitoring Officer**  
**Date: 13 September 2021**

## **Financial Management Code Requirements**

### **1. Introduction**

The Code does not prescribe the financial management processes that local authorities should adopt but requires a local authority to demonstrate that its processes satisfy the principles of good financial management for an authority of its size, responsibilities and circumstances.

The underlying principles which have been designed to focus on robust financial management as a way of achieving both short term financial resilience and long term financial sustainability are:

- Organisational leadership
- Accountability
- Transparency
- Adherence to professional standards
- Assurance
- Sustainability

The principles are supported by financial management standards which are described below.

### **2. Financial Management Standards**

Each of the underlying principles is supported by a set of financial management standards which a local authority should meet. The standards are to be guided by proportionality whereby it will be appropriate to apply different financial management approaches to high value/high risk items as distinct from low value/low risk items. A local authority should demonstrate a vigorous approach to the assessment and mitigation of risk so that financial management expertise is deployed effectively given the circumstances faced by the authority. Demonstrating compliance is the collective responsibility of elected members, the Senior Leadership Team (SLT) and the Chief Finance Officer.

#### **Leadership**

- The leadership team is able to demonstrate that the services provided by the authority provide value for money.
- The authority complies with the CIPFA Statement on the Role of the Chief Finance Officer in Local Government.
- The leadership team monitors the elements of its balance sheet that pose a significant risk to its financial sustainability.

## Accountability

- The authority applies the CIPFA/SOLACE Delivering Good Governance in Local Government: Framework (2016).
- The Chief Finance Officer has personal and statutory responsibility for ensuring that the statement of accounts produced by the local authority complies with the reporting requirements of the Code of Practice on Local Authority Accounting in the United Kingdom
- The presentation of the final outturn figures and variations from budget allows the leadership team to make strategic financial decisions.

## Transparency

- The authority has engaged where appropriate with key stakeholders in developing its long-term financial strategy, medium-term financial plan and annual budget.
- The authority uses an appropriate documented option appraisal methodology to demonstrate the value for money of its decisions.

## Standards

- The authority complies with the CIPFA Prudential Code for Capital Finance in Local Authorities.
- The authority complies with its statutory obligations in respect of the budget setting process.
- The budget report includes a statement by the Chief Finance Officer on the robustness of the estimates and a statement on the adequacy of the proposed financial reserves.

## Assurance

- The leadership team demonstrates in its actions and behaviours responsibility for governance and internal control.
- The authority has carried out a credible and transparent financial resilience assessment.
- The leadership team takes action using reports enabling it to identify and correct emerging risks to its budget strategy and financial sustainability.

## Sustainability

- The financial management style of the authority supports financial sustainability.
- The authority understands its prospects for financial sustainability in the longer term and has reported this clearly to members.
- The authority has a rolling multi-year medium-term financial plan consistent with sustainable service plans.

### **3. Compliance with Standards**

The Code gives further guidance on how compliance with the minimum standards may be achieved and demonstrated.

The responsibilities of the Chief Finance Officer and Leadership Team:

- Responsibility for corporate financial sustainability rests with those responsible for making executive decisions with the support of their professional advisors. Elected members need to work effectively with officers and other stakeholders to make difficult decisions and to identify and deliver savings when required.
- The statutory of the role of the Chief Finance Officer is a distinctive feature of local government in the UK. This role cannot be performed in isolation and requires the support of the other members of the Leadership Team. The Leadership Team must recognise that while statutory responsibility for the financial management of the authority rests with the Chief Finance Officer, the Chief Finance Officer is reliant on the actions of the Leadership Team, both collectively and individually as elected members and other senior officers.

Governance and financial management style:

- Without good governance a local authority cannot make the changes necessary for it to remain financially sustainable. As such, financial sustainability must be underpinned by the robust stewardship and accountability to be expected of public bodies. Good governance gains the trust of taxpayers and other funders by giving them confidence that money is being properly spent. Good governance ensures better informed and longer-term decision making and therefore is essential for good financial management. Responsibility for good governance also rests with the leadership team. The team must ensure that there are proper arrangements in place for governance and financial management, including a proper scheme of delegation that ensures that frontline responsibility for internal and financial control starts with those who have management roles. Good governance is evidenced by actions and behaviours as well as formal documentation and processes.
- The financial management challenges faced by many local authorities are unprecedented in recent history and show no signs of easing. This is significant because it means that different styles of financial management are necessary. Financial sustainability will not be achieved by continuing with the behaviours of the past since these do not meet the demands of the present – or the future, which may be even more challenging. To remain

financially sustainable authorities need to develop their financial management capabilities. The strength of financial management within an organisation can be assessed by a hierarchy of 3 financial management styles: delivering accountability; supporting performance; enabling transformation.

#### Medium to long term financial management:

- While the statutory local authority budget setting process continues to be on an annual basis, a longer-term perspective is essential if local authorities are to demonstrate their financial sustainability. Short-termism runs counter to both sound financial management and sound governance.
- If an authority has not tested and demonstrated its long-term financial resilience then its financial sustainability remains an open question. Authorities must critically evaluate their financial resilience. It is possible that the existing strategy is financially sustainable, but this must still have been tested and demonstrated in a financial resilience assessment.

#### Annual budget:

- One of the objectives of the Code is to end the practice by which the annual budget process has often become the focal point if not the limit of local authority financial planning. However, the annual budget preparation process needs to be protected at a time when the need to make difficult decisions may threaten its integrity.
- The annual report setting out the proposed budget for the coming year is a key document for the authority. The best budget plans are those owned and articulated by the whole leadership team and senior managers, not simply the Chief Finance Officer

#### Stakeholder engagement and business cases:

- Financial sustainability requires citizens to understand that resources are not limitless and that decisions have to be made about both the relative priority of different services and the balance between service provision and taxation levels. The leadership team collectively has an important role in reviewing priorities to enable resources to be redirected from areas of lesser priority. It is not possible to rely principally on pro rata cuts to generate the savings necessary for financial sustainability in an era of austerity.
- Stakeholder consultation can help to set priorities and reduce the possibility of legal or political challenge late in the change process. Stakeholder consultation helps to encourage community involvement not just in the

design of services but in their ongoing delivery. This is especially the case when a local authority adopts an enabling approach to public service delivery which, along with the active involvement of the third sector, may facilitate future reductions in service costs.

- Financial sustainability will be dependent upon difficult and often complex decisions being made. The authority's decisions must be informed by clear business cases based on the application of appropriate option appraisal techniques

#### Performance monitoring:

- To remain financially sustainable an authority must have timely information on its financial and operational performance so that policy objectives are delivered within budget. Early information about emerging risks to its financial sustainability will allow it to make a carefully considered and therefore effective response.

#### External financial reporting:

- Taxpayers and citizens have a legitimate stake in understanding how public money has been used in providing the functions and services of the authority. The audited statements of account, which present the authority's financial position and financial performance, play an integral part in demonstrating this to them. The statutory accounts provide a secure base for financial management. They support accountability and thus good financial management by allowing the users of the financial statements and other stakeholders to discover how much is spent in a year on services and whether this has increased or decreased from previous years; consider the indebtedness of an organisation and how that might impact on future taxpayers; recognise the value and therefore usefulness of the assets that the organisations hold; assess what the future commitments and liabilities are, for example, for pensions or leases, and again how these are likely to impact on future generations and taxpayers.

Financial Management Code - Self Assessment 2021/22

Code Ref	Financial Management Standard	Suggested Evidence Requirements	CFO Assessment and Action(s) Required to meet minimum standards 2021/22
<b>Responsibilities of the Chief Finance Officer and the Leadership Team</b>			
A	The leadership team is able to demonstrate that the services provided by the authority provide value for money	<p>The authority has a clear and consistent understanding of what value for money means to it and its leadership team.</p> <p>There are suitable mechanisms in place to promote value for money at a corporate level and at the level of individual services.</p> <p>The authority is able to demonstrate the action that it has taken to promote value for money and what it has achieved.</p>	<p>The Council has a clear commitment to the provision of value for money which is embedded in the Gedling Plan, Values and Priorities i.e. to <i>be a High Performing Council</i> with associated actions for the provision of efficient and effective services.</p> <p>Performance management processes for budget and service planning are integrated and transparent with clear lines of accountability, regular frequency of monitoring and reporting to the Executive to ensure achievement of Gedling Plan Priorities.</p> <p>The Budget Strategy and Medium Term Financial Plan (MTFP) is underpinned by value for money and sustainability principles, providing a rigorous budget setting process which has received positive comments from external auditors in previous years.</p> <p>The Council has an Efficiency Strategy to guide value for money improvements in service delivery and the development of its Efficiency Programmes which are approved by elected members.</p>

			<p>The Council demonstrated its arrangements for securing value for money are effective through the achievement of an annual unqualified Value For Money conclusion from the external auditors (Mazars) in 2019/20. A similar outcome is anticipated in 2020/21.</p> <p>The Annual Governance Statement focusses on all aspects of governance but critically on processes around value for money in cost effective and sustainable service provision.</p> <p><b>Actions Required - None</b></p>
<p>B</p>	<p>The Authority complies with the CIPFA Statement on the Role of the Chief Finance Officer in Local Government.</p>	<p>The CIPFA Statement requires that the Chief Financial Officer (CFO):</p> <ul style="list-style-type: none"> <li>• Is a key member of the leadership team, helping it to develop and implement strategy and to resource and deliver the organisation’s strategic objectives sustainably and in the public interest.</li> <li>• Must be actively involved in, and able to bring influence to bear on, all material business decisions</li> <li>• Must lead the promotion and delivery by the whole organisation of good financial management so that public money is safeguarded at all times and used appropriately, economically, efficiently and effectively.</li> <li>• Must lead and direct a finance function that is resourced to be fit for purpose.</li> <li>• Must be professionally qualified and suitably experienced.</li> </ul>	<p>The CFO (the Director of Corporate Resources and S151 Officer) is a fully qualified CIPFA member with substantial experience in local government and reports directly to the Chief Executive.</p> <p>The CFO is a key member of the Senior Leadership Team (SLT) which comprises of the Chief Executive and Corporate Director(s).</p> <p>The CFO has direct access to elected members and is actively involved in strategic decision making, including participation in the Programme Board that oversees the implementation of all major projects.</p> <p>The CFO leads on the MTFP and ensures that all risks are considered, in conjunction with the other members of the leadership team (Executive Members and Senior Leadership Team).</p> <p>The Chief Finance Officer provides comments on all Member decision reports in advance of report publication.</p>

			<p><b>Actions Required</b></p> <ul style="list-style-type: none"> <li>- Review the working practices and structure of the Financial Services team to deliver required efficiencies and ensure it remains fit for purpose to support continued good financial management across the Council (including building in suitable succession arrangements where possible)</li> <li>- Rollout a fraud awareness training to staff and Member</li> <li>- To continue to support professional development – ongoing</li> </ul>
<b>Governance and Financial Management Style</b>			
C	<p>The leadership team demonstrates in its actions and behaviours responsibility for governance and internal control.</p>	<p>The leadership team espouses the Nolan principles.</p> <p>The authority has a clear framework for governance and internal control.</p> <p>The leadership team has established effective arrangements for assurance, internal audit and internal accountability.</p> <p>The leadership team espouses high standards of governance and internal control.</p> <p>The leadership team nurtures a culture of effective governance and robust internal control across the authority.</p>	<p>The Nolan principles are embedded in the Council’s Constitution in the Members Code of Conduct, the employee handbook and Counter Fraud and Corruption Strategy.</p> <p>The Constitution contains the rule governing how we operate and how decisions are made, including the Contracts Procedure Rule and Financial Regulations, to ensure procedures are efficient, transparent and accountable. The Constitution is being fully reviewed with adoption anticipated in 2021/22</p> <p>The Code of Corporate Governance provides the clear framework for governance and internal control which is reviewed annually by Audit Committee.</p> <p>The Council has an internal audit function (provided by BDO) that reviews and reports to the Audit Committee on the adequacy and effectiveness of the internal control system to</p>

			<p>ensure the achievement of the Council's objectives in the areas reviewed as set out in an agreed annual programme of work.</p> <p>BDO provide an annual report to the Audit Committee on the work they have undertaken that includes an overall opinion on the adequacy and effectiveness of the Council's risk management, control and governance processes.</p> <p>BDO reported to the Audit Committee in June 2021 that that they were able to provide moderate assurance that in 2020/21 the Council had a sound system of internal control designed to meet the Council's objectives and that controls were being applied consistently. This opinion represented BDO's second highest level of assurance in a challenging year and none of their local authority clients achieved substantial assurance in 2020/21.</p> <p><b>Action Required</b></p> <ul style="list-style-type: none"><li>- The Council's Constitution is being reviewed and will be consider by Council for adoption during 2021/22, this includes a fundamental review of Contract Procedure Rules and Financial Regulations.</li><li>- Improve the process for Officer Declaration Interests as detailed in the Counter Fraud and Corruption Strategy Action Plan.</li><li>- Ensure all agreed internal audit recommendations from 2020/21 that were not</li></ul>
--	--	--	---

			implemented by the agreed implementation date are implemented in 2021/22.
D	The Authority applies the CIPFA/SOLACE Delivering Good Governance in Local Government: Framework (2016).	<p>The authority is aware of the provisions of the CIPFA Delivering Good Governance Framework.</p> <p>The authority has sought to apply the principles, behaviour and actions set out in the Framework to its own governance arrangements.</p> <p>The authority has in place a suitable code of governance.</p>	<p>The Council has an approved Local Code of Corporate Governance consistent with the CIPFA Delivering Good Governance Framework available on its website. The Local Code is reviewed annually by Audit Committee.</p> <p>The production of the Annual Governance Statement (AGS) as part of the Statement of Accounts also includes a review of compliance with the CIPFA Framework including an update on progress towards the completion of actions previously identified to address control or risk issues along with proposed actions for the following year.</p> <p><b>Action Required - None</b></p>
E	The Financial Management Style of the authority supports financial sustainability	<p>Strong financial management is assessed against a hierarchy of</p> <ol style="list-style-type: none"> <li>1. delivering accountability</li> <li>2. supporting performance</li> <li>3. enabling transformation.</li> </ol> <p>Need to perform well at each level before moving to the next. This is broadly linked to economy, efficiency and effectiveness.</p>	<p>The Council's Constitution (due to be updated in 2021/22) sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that decisions are transparent to the local community.</p> <p>The Financial Regulations included in the Constitution establish the system of control for financial decisions including the roles and responsibilities of Members and officers.</p> <p>There is an effective performance management framework in place with quarterly finance and performance reporting to Cabinet. The Finance</p>

			<p>team provide a Finance Business Partnering Role in support of services.</p> <p>The Chief Finance Officer is a member of the Programme Board which oversees all major projects. Finance Business Partner are members of each project team to ensure effective advice is provided to transformation projects.</p> <p><b>Action Required –</b></p> <p>As included at C above a review the Constitution, including Financial Regulations is due to be completed in 2021/22 with training to be provided to Members and Officers once it has received approval by Council, to ensure it is effectively embedded</p>
<b>Long to Medium Term Financial Management</b>			
F	<p>The Authority has carried out a credible and transparent Financial Resilience Assessment.</p>	<p>The authority has undertaken a financial resilience assessment.</p> <p>The assessment tested the resilience of the authority's financial plans to a broad range of alternative scenarios.</p> <p>The authority has taken appropriate action to address any risks identified as part of the assessment.</p>	<p>A full risk assessment of the Council's financial resilience is undertaken as part of the production of the updated 5 year Medium Term Financial Plan (MTFP) presented to Cabinet in February each year.</p> <p>The corporate risk register has a specific risk (2 – Failure to maintain financial integrity) dedicated to the Council's financial resilience with defined controls and agreed actions that are reviewed by the Senior Leadership Team on a quarterly basis.</p> <p><b>Action Required</b></p> <ul style="list-style-type: none"> <li>- Consider further enhancing financial resilience reporting by utilising tools such as the CIPFA Financial Resilience Index</li> </ul>

G	<p>The Authority understands its prospects for financial sustainability in the longer term and has reported this clearly to Members.</p>	<p>The authority has a sufficiently robust understanding of the risks to its financial sustainability.</p> <p>The authority has a strategic plan and long term financial strategy that addresses adequately those risks.</p> <p>The authority reports effectively to the leadership team and to members its prospects for long-term financial sustainability, the associated risks and the impact of these for short- and medium-term decision making.</p>	<p>A 5 year Medium Term Financial Plan (MTFP) is presented to Cabinet in February each year which fully identifies the risks to financial sustainability and impact on reserves.</p> <p>It was reported to Cabinet in February 2021 that it is anticipated that a minimum General Fund balance of £1m will be maintained through to the end of 2025/26. However, this is subject to a number of assumptions which will need to be reviewed and revised in future iterations of the MTFP.</p> <p>A fuller understanding of long term financial sustainability will only come when the current uncertainties and risks associated with the review of local government funding and Covid-19 are reduced and reflected in the medium term financial planning process.</p> <p>The financial implications of major projects are monitored through the Programme Board and any revised assumptions need to be reflected in future medium term financial planning along with any priority work identified in the production of an Asset Management Plan.</p> <p>The corporate risk register has a specific risk (2 – Failure to maintain financial integrity) dedicated to the Council's financial resilience with defined controls and agreed actions that are reviewed by the Senior Leadership Team on a quarterly basis.</p> <p><b>Action Required</b></p> <ul style="list-style-type: none"> <li>- Present an updated Medium Term Financial Plan (MTFP) to Cabinet in February 2022</li> </ul>
---	--	--	---

			considering the risk of Covid and outcome of the expected Comprehensive Spending Review and review of local government funding.
H	The Authority complies with the CIPFA Prudential Code for Capital Finance in Local Authorities.	<p>The authority is aware of its obligations under the Prudential Code.</p> <p>The authority has prepared a suitable capital strategy.</p> <p>The authority has a set of prudential indicators in line with the Prudential Code.</p> <p>The authority has suitable mechanisms for monitoring its performance against the prudential indicators that it has set.</p>	<p>The Council has all the strategies/policies in place as required and recommended by the Prudential Code.</p> <p>The Capital Investment Strategy and Treasury Management Strategy Statement are presented to Cabinet and Full Council for approval each year. The Strategies currently cover a 5-year planning horizon consistent with the MTFP.</p> <p>Business cases for major capital investment decisions are developed over a longer time frame consistent with the life of the asset to ensure the affordability and sustainability of the project.</p> <p>Quarterly treasury management updates (including compliance with prudential indicators) are reported to Cabinet.</p> <p>This is supplemented by specialist advice received from the Council's treasury advisors</p> <p><b>Actions Required</b></p> <ul style="list-style-type: none"> <li>- Ensure the Council complies with any new requirements as set out in the revised versions of the Prudential Code and Treasury Management Code – ongoing</li> <li>- Consider the implementation of a longer term planning horizon for current asset maintenance</li> </ul>

			linked to the Asset Management Plan which is currently under review.
I	<p>The Authority has a rolling multi-year Medium Term Financial Plan consistent with sustainable service plans.</p>	<p>The authority has in place an agreed medium term financial plan.</p> <p>The medium-term financial plan consistent with and integrated into relevant service plans and its capital strategy.</p> <p>The medium-term financial plan has been prepared on the basis of a robust assessment of the relevant drivers of cost and demand.</p> <p>The medium-term financial plan has been tested for resilience against realistic potential variations in key drivers of cost and demand</p>	<p>The 5 year rolling Medium Term Financial Plan (MTFP) is updated and reported to Cabinet in February each year as part of the budget setting process. The plan is consistent with the capital investment strategy and is refreshed annually to reflect relevant strategic priorities, commitments, underlying assumptions and emergent issues and to agree future savings targets. This ensures that the Council always has a 5-year balanced budget, allowing for sufficient time to time to plan and deliver any required savings.</p> <p>The MTFP is linked to the Gedling Plan to ensure that measures to deliver the priorities are properly resourced.</p> <p>Service Plans are developed based on Gedling Plan priorities and the service planning and budget process are integrated.</p> <p>The Council maintains a number of earmarked reserves to manage any significant in year variances, particularly in respect of initiatives planned as part of the delivery of the Efficiency Programme.</p> <p><b>Action Required – None</b></p>

<b>The Annual Budget</b>			
J	<p>The Authority complies with its statutory obligations in respect of the budget setting process</p>	<p>The authority is aware of its statutory obligations in respect of the budget-setting process.</p> <p>The authority has set a balanced budget for the current year.</p> <p>The authority is likely to be able to set a balanced budget for the forthcoming year.</p> <p>The authority is aware of the circumstances under which it should issue a Section 114 notice and how it would go about doing so.</p>	<p>The Council sets a balanced budget along with a council tax increase that is within the council tax referendum limits. A properly recorded vote on the budget takes place at Council meetings.</p> <p>The Council consults with the local business community on its budget proposals in accordance with the statutory requirement.</p> <p>The Council has a balanced medium term financial plan (MTFP) through to 2025/26 with the General Fund balance projected to be above a minimum £1m.</p> <p>The Council is aware of the circumstances and the process in issuing a Section 114 notice, but does not envisage this to be an issue over the medium term.</p> <p><b>Action Required - None</b></p>
K	<p>The budget report includes a statement by the Chief Finance Officer on the robustness of the estimates and a statement of the adequacy of the proposed financial reserves.</p>	<p>The authority's most recent budget report includes a statement by the CFO on the robustness of the estimates and a statement of the adequacy of the proposed financial reserves.</p> <p>The report accurately identifies and considers the most significant estimates used to prepare the budget, the potential for these estimates to be incorrect and the impact should this be the case.</p>	<p>The Medium Term Financial Plan (MTFP) presented to Cabinet in February 2021 by the Chief Finance Officer included details of the robustness of the estimates and the adequacy of the anticipated reserves through to 2025/26. This was then presented to Full Council in March 2021.</p> <p>The Council maintains number of reserves to mitigate against future financial risks including, for example, the Insurance Reserve, the Efficiency and Innovation Reserve and the Asset Management Reserve.</p>

		<p>The authority has sufficient reserves to ensure its financial sustainability for the foreseeable future.</p> <p>The report sets out the current level of the authority's reserves, whether these are sufficient to ensure the authority's ongoing financial sustainability and the action that the authority is taking to address any shortfall.</p>	<p><b>Action Required - None</b></p>
<b>Stakeholder Engagement and Business Plans</b>			
L	<p>The authority has engaged where appropriate with key stakeholders in developing its long-term financial strategy, medium term financial plan and annual budget.</p>	<p>The authority knows who its key stakeholders are.</p> <p>The authority has sought to engage with key stakeholders in developing its long-term financial strategy, its medium term financial plan and its annual budget.</p> <p>The authority has assessed the effectiveness of this engagement.</p> <p>The authority has a plan to improvement its engagement with key stakeholders.</p>	<p>Officers engage with and work closely with the Leader, Deputy Leader, Portfolio Holders and other Cabinet members on the medium term financial strategy and annual budget.</p> <p>Officers brief other members (including opposition parties) on the budget proposals and other financial matters.</p> <p>Consultation on the annual budget takes place via the Council's website and networks with the local business community.</p> <p>Regular consultation with the community through the Gedling Conversation includes a Residents Survey which informs the development of the Gedling Plan, which directly inform the development of the budget through the integrated budget and service planning process.</p> <p>Consultation with residents/service users is conducted in respect of the development of new policy or individual service changes, which informs budget priorities. This allows the engagement to be more targeted to affected</p>

			<p>groups and ensures that the engagement is meaningful.</p> <p><b>Action Required –</b></p> <p>Review the current budget consultation processes with a view to improving engagement and encouraging active participation in respect of the whole budget.</p>
M	<p>The authority uses an appropriate documented option appraisal methodology to demonstrate the value for money of its decisions.</p>	<p>The authority has a documented option appraisal methodology that is consistent with the guidance set out in IFAC/PAIB publication 'Project and Investment Appraisal for Sustainable Value Creation: Principles in Project and Investment Appraisal'.</p> <p>The authority offers guidance to officers as to when an option appraisal should be undertaken.</p> <p>The authority's approach to option appraisal includes appropriate techniques for the qualitative and quantitative assessment of options.</p> <p>The authority's approach to option appraisal includes suitable mechanisms to address risk and uncertainty.</p> <p>The authority reports the results of option appraisals in a clear, robust and informative manner that gives clear recommendations and outlines the risk associated with any preferred option(s).</p>	<p>The Council has a developed a robust corporate project management methodology designed to ensure that projects achieve deliverables on time and within budget. The project management framework contains key templates for business cases, project initiation documents (PIDs) and highlight reports. The highlight reports include separate sections on financial implications and mitigations to address any key risks identified.</p> <p>All major projects are monitored via the Programme Board and assigned a Project Manager to oversee and be accountable for the project. Updates on key projects including proposals to amend budgets are presented to Cabinet when necessary.</p> <p>The 5 year Capital Investment Strategy presented to Cabinet in February and then approved by Council in March each year includes a Capital Resource Development Bid scoring methodology linked to Gedling Plan priorities used to assess bids for their suitability for inclusion in the capital programme.</p> <p><b>Action Required - None</b></p>

<b>Monitoring Financial Performance</b>			
N	<p>The leadership team takes action using reports enabling it to identify and correct emerging risks to its budget strategy and financial sustainability.</p>	<p>The authority provides the leadership team with an appropriate suite of reports that allow it to identify and to correct emerging risks to its budget strategy and financial sustainability.</p> <p>The reports cover both forward- and backward looking information in respect of financial and operational performance.</p> <p>There are mechanisms in place to report the performance of the authority's significant delivery partnerships.</p> <p>The reports are provided to the leadership team in a timely manner and in a suitable format.</p> <p>The leadership team is happy with the reports that it receives and with its ability to use these reports to take appropriate action.</p>	<p>Cabinet receive quarterly performance and budget monitoring reports which highlight any significant variances that are emerging and include updates on progress towards meeting targets set out in the Efficiency Programme. Any significant variances identified continue to be tracked and additional information provided in subsequent quarterly reports if necessary.</p> <p>Quarterly treasury management update reports are also presented to Cabinet whilst the Medium Term Financial Plan (MTFP) is updated and reported to Cabinet in February each year as part of the budget setting process.</p> <p>The Chief Finance Officer provides a 'going concern' report to the Audit Committee alongside the external auditor's report on the conclusion of the audit of the Council's annual accounts.</p> <p><b>Action Required - None</b></p>
O	<p>The leadership team monitors the elements of its balance sheet which pose a significant risk to its financial sustainability.</p>	<p>The authority has identified the elements of its balance sheet that are most critical to its financial sustainability.</p> <p>The authority has put in place suitable mechanisms to monitor the risk associated with these critical elements of its balance sheet.</p> <p>The authority is taking action to mitigate the risk identified.</p>	<p>The Council regularly monitors and report through quarterly monitoring procedures on key balance sheet risks including its reserves position, provisions and investments and borrowing.</p> <p>The Council's balance sheet includes a number of provisions including one for business rate appeals.</p> <p>Cash flow is managed through a robust treasury management processes which involves quarterly updates being presented to Cabinet.</p>

		<p>The authority reports unplanned use of its reserves to the leadership team in a timely manner.</p> <p>The monitoring of balance sheet risks is integrated into the authority's management accounts reporting processes.</p>	<p>The Council also includes consideration of balance sheet elements, such as the use of reserves and requirement for provisions, in its medium term financial plan (MTFP). The planned use of reserves is monitored through the quarterly budget and performance review process included outturn reports.</p> <p>Other assets and liabilities are not routinely reported on.</p> <p><b>Action Required</b></p> <ul style="list-style-type: none"> <li>- Consider how, when and by who a more detailed and frequent analysis of the Council's balance sheet can be undertaken to enhance medium and long term financial planning.</li> </ul>
<b>External Financial Reporting</b>			
P	<p>The Chief Finance Officer has personal responsibility for ensuring that the statutory accounts provided to the local authority comply with the Code of Practice on Local Authority Accounting in the United Kingdom.</p>	<p>The authority's leadership team is aware of the CFO's responsibilities in terms of the preparation of the annual financial statements.</p> <p>The authority's CFO is aware of their responsibilities in terms of the preparation of the annual financial statements.</p> <p>These responsibilities are included in the CFO's role description, personal objectives and other relevant performance management mechanisms.</p> <p>The authority's financial statements have hitherto been prepared on time and in accordance with the requirements of the</p>	<p>The Chief Finance Officer (CFO) conducts their duties in accordance with the Constitution and the Scheme of Delegation.</p> <p>The CFO is aware of their responsibility for the preparation of the annual financial statements and ensures that they are completed both on time and in accordance with the requirements of the Code of Practice on Local Authority Accounting. This is evidenced by the fact that the Council has received an unqualified opinion from the external auditors on its annual financial statements for a number of years.</p> <p><b>Action Required</b></p> <ul style="list-style-type: none"> <li>- As detailed in Standard B - Ensure that the Financial Services team has sufficient</li> </ul>

		Code of Practice on Local Authority Accounting in the United Kingdom.	resources in terms of number of staff as well as their knowledge, skills and expertise to produce the annual financial statements in accordance with the timescales set out in the Accounts and Audit Regulations.
Q	The presentation of the final outturn figures and variations from budget allow the leadership team to make strategic financial decisions.	<p>The authority's leadership team is provided with a suitable suite of reports on the authority's financial outturn and on significant variations from budget.</p> <p>The information in these reports is presented effectively.</p> <p>These reports are focused on information that is of interest and relevance to the leadership team.</p> <p>The leadership team feels that the reports support it in making strategic financial decisions.</p>	<p>The Senior Leadership Team (SLT) along with Cabinet are provided with an outturn report detailing significant variations to the revised revenue and capital budgets. The reports include requests for revenue and capital carry forwards (above those delegated to the Chief Finance Officer) and proposals for transfers to and from of earmarked reserves.</p> <p>SLT on the advice of the Chief Finance Officer consider the treatment of any surpluses and reserves before discussion with Members and formal approval.</p> <p>SLT maintain a specific focus on the development of the MTFP and provide a strategic overview to ensure the priorities set out in the Gedling Plan are adequately resourced and are considered within the overall financial position</p> <p><b>Action Required - None</b></p>



## Report to Cabinet

**Subject:** Review of complaints received by the Council and Annual Review Letter - Local Government and Social Care Ombudsman 2020/21

**Date:** 4 October 2021

**Author:** Head of Corporate Governance and Customer Services

### Wards Affected

All Wards

### Purpose

To inform members of the receipt of the Annual review letter from the office of the Local Government and Social Care Ombudsman and the complaints dealt with by the Council through the internal complaints procedure during the year 2020/21.

To seek approval of amendments to the Councils Complaints, Compliments and Comments Policy and Unreasonably Persistent Complaints Policy as detailed in the report.

### Key Decision

This is not a key decision.

### Recommendation

#### THAT Cabinet:

- 1) Notes the details of the Annual Review letter from the Local Government and Social Care Ombudsman and the information in relation to the number of complaints dealt with by the Council through the internal complaints procedure in 2020/21.
- 2) Approves the amendments to the Council's Complaints, Compliments and Comments Policy as shown in Appendix 2.
- 3) Approves amendments to the Council's Unreasonably Persistent Complainants Policy as shown at Appendix 4.

## 1 Background

- 1.1 Members will be aware of the Council's arrangements for dealing with formal complaints, full details of which are available on the website and provided in the Council's Complaints, Compliments and Comments Policy ("the Policy").
- 1.2 The departmental analysis of complaints appears below.
- 1.3 Between 1 April 2020 and 31 March 2021, the Council received a total of 510 complaints (an increase of 131 from 2019/20) and 397 compliments (an increase of 37 from 2019/20). Of all complaints received 32% were upheld or partially upheld at stage 1 (an increase from 29% upheld or partially upheld in 2019/20). The breakdown of complaints and compliments is set out below;

<b>Service</b>	<b>Complaints received</b>	<b>Upheld/ partially upheld</b>	<b>Compliments</b>
Community Relations	0	0	18
Customer Services and Communications	7	3	34
Economic Growth & Regeneration	1	0	14
Elections and Member Services	1	0	0
Housing	9	1	17
Legal Services	1	0	0
Leisure	8	2	126
Organisational Development	1	0	1
Parks & Street Care	57	22	84
Planning	19	5	9
Property Services	5	0	1
Public Protection	24	2	21
Revenues Services	50	21	10
Waste	328	108	62
<b>Total</b>	<b>510</b>	<b>164</b>	<b>397</b>

- 1.4 Where a complaint is not upheld in full or in part, the complainant may ask for it to be considered further under stage 2 of the complaints procedure. 16 complaints were considered under stage 2 between 1 April 2020 and 31 March 2021 (a decrease of 10 from 2019/20) and 37.5% of complaints were upheld at stage 2 (a decrease from 45% upheld in 2019/20). The

breakdown of stage 2 complaints is as follows;

<b>Service</b>	<b>Stage 2 complaints</b>	<b>Upheld/ partially upheld</b>	<b>Not Upheld</b>
Community Relations	0	0	0
Customer Services & Communications	0	0	0
Economic Growth & Regeneration	0	0	0
Democratic Services	1	0	1
Housing	1	0	1
Legal Services	0	0	0
Leisure	0	0	0
Organisational Development	0	0	0
Parks and Street Care	0	0	0
Planning	1	0	1
Property Services	0	0	0
Public Protection	2	0	2
Revenues Services	5	1	4
Waste	6	5	1
<b>Total</b>	<b>16</b>	<b>6</b>	<b>10</b>

- 1.5 Members should note that complaints and compliments data is analysed and reported to Senior Leadership Team (SLT) quarterly as part of performance monitoring, to ensure that any trends can be identified and appropriate action taken. SLT scrutinise complaints data quarterly to ensure appropriate action is taken when required. Details of complaints are also reported annually through the Overview and Scrutiny Committee.
- 1.6 The increase in complaints from 2019/20 – 2020/21 of, was predominantly due to an increase in complaints to waste services. In 2019/20 158 complaints were received which increased to 328 for 2020/21. Analysis of these complaints has revealed that 65% of the complaints were recorded as a service failure, predominantly missed bins. This increase has prompted a detailed review of complaint handling and waste policy by the Corporate Director of Environment, Communities and Leisure. It should also be noted that during 2020/21 there was some disruption to waste services due to Covid-19.

- 1.7 If the complainant is not happy with the response at stage 2, he or she is entitled to refer the complaint to the Local Government and Social Care Ombudsman (“LGSCO”). Between 1 April 2020 and 31 March 2021, 2 complaints were received by the Council via the Ombudsman, which is a decrease from the 8 complaints received the previous year. A summary of the decisions of the LGSCO made in the same period appear in the table below.

<b>Service</b>	<b>Decision of LGO</b>
Public Protection	Closed after initial enquiries

- 1.8 The Annual Review letter for the year ending 31 March 2021 is attached at Appendix 1. Members will note that due to the Covid-19 pandemic, at the end of March 2020, the LGSCO suspended casework until June 2020. Members are to note that whilst 2 complaints were received from the LGSCO in 202/21, only one of those cases was determined. The other was determined in 2021/22 and the outcome will be reported in next year’s statistics.
- 1.9 Since April 2013, the Ombudsman has been publishing all decisions on complaints they receive. Decision statements are published on the Ombudsman website at [www.lgo.org.uk](http://www.lgo.org.uk) no earlier than three months after the date of the final decision. The information published does not name the complainant or any individual involved with the complaint. The Ombudsman also retains discretion not to publish a decision, for example where it would not be in the interests of the person complaining to publish or where there’s a reason in law not to.
- 1.10 The data contained in the Annual Review letter has been uploaded onto the Ombudsman’s interactive map, also available on the LGSCO website, which shows the annual review data for all Councils.

#### Policy Review

- 1.11 In order to ensure that complaints are handled effectively, a review of the Council’s Complaints, Compliments and Comments Policy has been undertaken. The policy remains largely fit for purpose, with some minor amendments necessary to reflect changes in job roles. In addition, as part of the Council’s plan to develop Council owned affordable housing in the Borough and become a Registered Social Landlord, it is a requirement of registration that the corporate complaints policy reflects the correct reporting process for complaints from social housing tenants. Complaints in respect of social housing provided by the authority as a landlord, which go through stage 1 and 2 of the Council’s internal complaint’s process, must then be directed to the Housing Ombudsman, rather than the LGSCO. The Council’s Complaints, Compliments and Comments Policy document has therefore

been amended to reflect this change. The amended version of the policy can be seen at Appendix 2, with a “clean” amended version at Appendix 3.

- 1.12 Whilst the aim of the Council is always to try to find a way to resolve complaints, there are occasions when a complainant can become unreasonable or unreasonably persistent in their actions. There is a need to deal with complaints fairly but also to ensure that Council resources are used effectively and that other customers or employees do not suffer any detriment as a result of a persistent or unreasonable complainant. The Council has a separate policy for dealing with such complainants, the Unreasonably Persistent Complainants Policy. This policy has also been reviewed, and again, whilst the policy largely remains fit for purpose, some slight amendments to the policy are required to reflect changes in job roles, and to ensure reference to the Housing Ombudsman is included. The proposed amendments to the Unreasonably Persistent Complainants Policy, can be seen at Appendix 4, with a “clean” version shown at Appendix 5.

## **2 Proposal**

- 2.1 It is proposed that Cabinet note the contents of the report in respect of complaints data and the Local Government and Social Care Ombudsman’s annual letter for 2020/21.
- 2.2 It is proposed that Cabinet agree the amendments to the Council’s Complaints, Compliments and Comments Policy, and the Unreasonably Persistent Complainant’s Policy, to reflect the requirement to direct complaints in respect of social housing, after stage 2, to the Housing Ombudsman, who are the correct body for dealing with such complaints and to reflect changes in job roles.

## **3 Alternative Options**

- 3.1 This information could no longer be reported to members, however, it is considered important that members are informed of the number and origin of complaints on an annual basis, including details of the Annual Review letter, to enable proper assessment of performance.
- 3.2 Cabinet could determine not to accept changes to the Council’s Complaints policies, however these changes are necessary to ensure future social housing tenants of the Council are directed to the correct Ombudsman’s office. It should be noted that complaints in respect of the Council’s responsibilities in respect of homelessness, will still be directed to the LGSCO after completing the Council’s internal complaints process.

## **4 Financial Implications**

- 4.1 None arising from this report.

## **5 Legal Implications**

- 5.1 The Local Government and Social Care Ombudsman is the independent body responsible for investigating complaints made against public bodies where it is alleged there has been maladministration causing injustice. The powers of the Local Government and Social Care Ombudsman come from the Local Government Act 1974. The Ombudsman will generally only investigate a complaint against a public body where the complaint has firstly been taken through that body's internal complaints procedure. It is therefore essential that the Council maintains a robust complaints process. The Ombudsman does have the power to make recommendations to a public authority following a complaint however the recommendations are not mandatory, findings and recommendations are however published by the Ombudsman. In relation to complaints from tenants of a Registered Social provider, the Housing Ombudsman is the correct body to investigate such complaints, once they have been through the relevant authority's complaints process.

## **6 Equalities Implications**

- 6.1 The Council's Complaints process is designed to enable accessibility for all as complaints are invited by a variety of methods, including; by telephone, in writing, by email, via a councillor, in person and online.

## **7 Carbon Reduction/Sustainability Implications**

- 7.1 There are no carbon reduction/sustainability implications arising from this report.

## **8 Appendices**

- 8.1 Appendix 1 – Local Government and Social Care Ombudsman Annual review Letter.
- 8.2 Appendix 2 – Council's Complaints, Compliments and Comments Policy showing amendments.
- 8.3 Appendix 3 – Council's Complaints, Compliments and Comments Policy amended.
- 8.4 Appendix 4 – Council's Unreasonably Persistent Complainants Policy showing amendments.
- 8.5 Appendix 5 – Council's Unreasonably Persistent Complainants Policy amended.

**9 Background Papers**

9.1 None

**10 Reasons for Recommendations**

10.1 To alert the Executive to the contents of the Local Government Ombudsman Annual Review Letter and raise awareness of the complaints received by the Council during 2020/21.

10.2 To ensure the Council's Complaints Policies remain up to date and directs complainant's to the correct investigative authority.

**Statutory Officer approval**

**Approved by**

**Date:**  
**Chief Financial Officer**

21 September 2021

**Drafted by the Monitoring Officer**

This page is intentionally left blank

21 July 2021

*By email*

Mr Hill  
Interim Chief Executive  
Gedling Borough Council

Dear Mr Hill

### **Annual Review letter 2021**

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2021. At the end of a challenging year, we maintain that good public administration is more important than ever and I hope this feedback provides you with both the opportunity to reflect on your Council's performance and plan for the future.

You will be aware that, at the end of March 2020 we took the unprecedented step of temporarily stopping our casework, in the wider public interest, to allow authorities to concentrate efforts on vital frontline services during the first wave of the Covid-19 outbreak. We restarted casework in late June 2020, after a three month pause.

We listened to your feedback and decided it was unnecessary to pause our casework again during further waves of the pandemic. Instead, we have encouraged authorities to talk to us on an individual basis about difficulties responding to any stage of an investigation, including implementing our recommendations. We continue this approach and urge you to maintain clear communication with us.

### **Complaint statistics**

This year, we continue to focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have focused statistics on three key areas:

**Complaints upheld** - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated.

**Compliance with recommendations** - We recommend ways for authorities to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the authority upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit authorities that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 28 July 2021. This useful tool places all our data and information about councils in one place. You can find the decisions we have made about your Council, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the resource with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

As you would expect, data has been impacted by the pause to casework in the first quarter of the year. This should be considered when making comparisons with previous year's data.

### **Supporting complaint and service improvement**

I am increasingly concerned about the evidence I see of the erosion of effective complaint functions in local authorities. While no doubt the result of considerable and prolonged budget and demand pressures, the Covid-19 pandemic appears to have amplified the problems and my concerns. With much greater frequency, we find poor local complaint handling practices when investigating substantive service issues and see evidence of reductions in the overall capacity, status and visibility of local redress systems.

With this context in mind, we are developing a new programme of work that will utilise complaints to drive improvements in both local complaint systems and services. We want to use the rich evidence of our casework to better identify authorities that need support to improve their complaint handling and target specific support to them. We are at the start of this ambitious work and there will be opportunities for local authorities to shape it over the coming months and years.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. During the year, we successfully adapted our face-to-face courses for online delivery. We provided 79 online workshops during the year, reaching more than 1,100 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,



Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

**Complaints upheld**

The Ombudsman carried out no detailed investigations during this period

**Compliance with Ombudsman recommendations**

No recommendations were due for compliance in this period

**Satisfactory remedy provided by the authority**

The Ombudsman did not uphold any detailed investigations during this period

**NOTE:** To allow authorities to respond to the Covid-19 pandemic, we did not accept new complaints and stopped investigating existing cases between March and June 2020. This reduced the number of complaints we received and decided in the 20-21 year. Please consider this when comparing data from previous years.

This page is intentionally left blank

## **Complaints, Compliments and Comments Policy**

The Council is committed to continually improving the quality of, and access to, the services it provides. This policy covers all services delivered by the Council, or for which it has responsibility, it does not include services where there are separate complaints procedures, for example the conduct of elections, the conduct of Councillors or requests for information under the Freedom of Information Act, Environmental Information Regulations or Data Protection Act. In addition, issues which are in court or have already been heard by a court or tribunal fall outside this policy.

A clear and accessible Complaints, Compliments and Comments process allows the Council to demonstrate its commitment to managing customer feedback effectively.

~~This~~ The purpose of this Policy is to ensure that:

- Providing feedback to the Council is made as easy as possible.
- Feedback is dealt with promptly and efficiently.
- There is effective communication between council staff and both the person making the complaint and any other partners involved in the complaint from an early stage.
- Every effort is made to resolve any complaints that are received at an early stage.
- The Council learns from all feedback received taking appropriate steps to improve service provision or celebrate good feedback.
- There is clarity on the roles of staff with the process.
- Credibility and accountability are maintained through meaningful review and monitoring.

### **Definitions**

For the purpose of this Policy “feedback” includes compliments, comments and complaints and the following definitions will be used;

#### *Compliments*

Compliments are specific expressions of satisfaction from customers concerning a function or a service provided by the Council. A simple thank you, usually at the end of a contact, would not normally be considered a compliment.

#### *Comments*

Comments are views or suggestions that customers may have about a service that is provided by the Council or an initial request for a service.

#### *Complaints*

There is often confusion about what constitutes a complaint, which leads to complaints mistakenly being labelled as requests for service. A request for service is not a situation where the Customer is requesting an item or service that is missing/has been missed, this is a complaint. However a complaint about a taxi driver or noisy neighbour would be treated as a request for service.

Where there is any doubt whether the customer's feedback is a complaint, a comment or a request for service, it is to be treated as a complaint.

A complaint is also any expression of dissatisfaction with the standard of a service that is provided by the Council. This may include the action or lack of action taken by the Council and/or the way in which the service has been provided, including the conduct of staff. This will also include situations where customers state that the perceived failure has repeatedly occurred.

This may include complaints about:

- failure to provide a service, or inadequate standard of service
- how we met a customer's needs
- how we communicated with a customer
- how long we took to deal with a case
- treatment by or attitude of a member of staff
- failure to follow the appropriate administrative process.

The above definitions also extend to complaints in respect of partners or contractors providing services on behalf of the Council, in these cases the contracting/managing department is responsible for ensuring that complaints are investigated, resolved and responded to.

There is no difference between a formal and an informal complaint. Both are expressions of dissatisfaction that require attention as a complaint and a response.

### **Whistleblowing**

A complaint of a serious nature which gives rise to concerns about fraud or corruption will be dealt with under the Council's Whistleblowing procedures.

### **English language requirement for Public Sector workers**

The Council is under a duty to ensure that all staff in customer facing roles are fluent in spoken English to the extent necessary to enable them to perform their role effectively.

If a customer feels that a member of staff in a customer facing role has insufficient proficiency in spoken English for the performance of their role they can complain to the Council. This complaint will then be investigated and a response provided in accordance with the Policy.

**Please note** that a complaint about a member of staff's accent, dialect, origin or nationality will not be considered a legitimate complaint.

### **How a customer may provide feedback**

A customer may provide feedback either;

- by using the on-line complaints form on the Council's website
- by telephone

- in writing (by email or letter)
- in person
- via a Councillor

We will respond to customers in writing, unless it is appropriate to respond via other channels of contact (for example the telephone or in person).

Customers are encouraged to put their complaints in writing to give as much information as possible to aid investigation. If they are making a verbal complaint, we will take down their details and confirm with them that they wish the complaint to be investigated and how to contact them with the outcome of the investigation. Standard forms are available on the Council's website and at all Council reception areas.

The Council's Leisure Centres have 'comments books' available for customers in the Reception areas. The Manager of the Leisure Centre reviews these each day and provides a response in the book, this can be checked by the customer who made the comment, and other customers which ensures there is comprehensive feedback.

The Council will ensure that reasonable adjustments are made to help customers access and use the Council's services. The Council will provide assistance to those who may struggle with providing feedback or require information in another language or format.

### **Recording compliments, complaints and comments**

The ~~Service Manager (Customer Services and Communications)~~Head of Corporate Governance and Customer Services is responsible for the Council's compliments, complaints and comments system.

To ensure that there is consistency across the different Council departments, ~~Service Managers~~Heads of Service must designate appropriate staff to receive and deal with any feedback regarding their service areas. They must also ensure that relevant staff in their departments are aware of the importance of recognising what compliments and complaints are and are dealt with and recorded on the Council's compliments, complaints and comments system.

All compliments and complaints must be recorded promptly in the Council's compliments, complaints and comments system and dealt with in the agreed timescales. This will allow the Council to; take into account customer feedback, pass on compliments to relevant staff, learn from mistakes, identify improvements to service delivery and identify training needs.

Where there is a complaint involving more than one department of the Council then the departments involved will identify a lead officer to investigate and deal with the complaint.

If a complaint involves more than one organisation, for example Nottinghamshire County Council, the dealing department should ensure that communication is made with the third party to ensure the Customer receives a proper response and to avoid customers being passed back and forth between organisations.

### **Guidance for managing compliments**

All compliments should be acknowledged and, if relating to a specific individual or team, relevant staff informed that a compliment has been received.

### **Guidance for managing comments**

All comments should be acknowledged, appropriate action taken and, where relevant, feedback given to the customer within 10 days of receipt.

### **Framework for managing complaints**

The Council has a three stage complaint process:

#### **Stage 1 - Service Department Complaint (Investigated at point of service delivery)**

1. An acknowledgement should be sent within 2 working days of receipt of the complaint.
2. A full response should be sent within 10 working days of receipt of the complaint. If this is not possible because of the complexity of the complaint, the customer will be advised that the investigation is continuing and giving-given an indication of when it will be completed. Regular contact should be maintained until the complaint is resolved.
3. The customer will be advised in the Council's response of what they need to do to progress to stage 2 if they remain dissatisfied with the outcome of the complaint.

#### **Stage 2 - Service Department Reviews**

1. An acknowledgement should be sent within 2 working days of receipt of the request for a review.
2. The relevant ~~Service Manager~~Head of Service (or Director if the stage 1 complaint was dealt with by the ~~Service Manager~~Head of Service) will ensure that an objective review is carried out for any stage 2 complaint that is received. As well as reviewing the original complaint and the Council's response under stage 1 of the complaints procedure it will also take in to account any further relevant information provided by the customer.
3. A full response should be sent within 10 working days of the request for a review. If this is not possible, because of the complexity of the complaint, the customer will be advised that the investigation is continuing and giving an indication of when it will be completed. Regular contact should be maintained until the complaint is resolved.
4. The customer will be advised in the response that they may complain further to the Local Government and Social Care Ombudsman or the Housing Ombudsman, if the complaint relates to social housing where the Council are the landlord. If they remain dissatisfied with the outcome and sent details of their procedure.

#### **Stage 3 – Referral to the Local Government and Social Care Ombudsman (Ombudsman) or the Housing Ombudsman**

Any correspondence received from/sent to the Ombudsman will be handled by the ~~Council's Service Manager~~: Legal Services Manager on behalf of the Council's Monitoring Officer ~~who will enter the referral on to the LGO system~~. The actual referral will also be sent to the relevant ~~Service Manager~~Head of Service for their comments.

### **Feedback relating to staff behaviour**

Notifying staff of compliments made about them can improve staff satisfaction, staff morale, customer service and performance. Where a complaint relates to a specific member of staff, the complaint will be investigated in an appropriate way, which may include consideration under the Council's Disciplinary Procedure.

### **Remedies**

Where a complaint investigation identifies that things have gone wrong an appropriate remedy will be determined. Appropriate remedies could include:

- An apology
- An explanation of what went wrong
- Actions to put things right
- Some form of compensation to the customer (in line with delegated powers)

The guiding principle must be that, where possible, the customer is put back in the position they would have been if things had not gone wrong.

### **Evaluating our response to customers**

Customer Services may contact customers, following resolution, asking them to complete a satisfaction form. The aim of this is to provide information to help the Council determine:

- Whether the complaint procedure was accessible and easy to use.
- Levels of satisfaction with the way the complaint was handled and remedy offered

### **Monitoring**

~~Service Managers~~Heads of Service should ensure that they monitor and review outcomes of all feedback that they receive within their departments to identify trends and to use them for discussion at team meetings, staff development and PDRs.

Each quarter, the ~~Service Manager (Customer Services and Communications)~~Head of HR, Performance and Service Planning will collate details relating to the number of compliments and complaints received by the Council for each Service area. These details will be entered onto the Council's Corporate Performance Management System. Following this the Customer Insight Officer will prepare a report and analysis for consideration by Senior Leadership Team.

### **Unreasonably persistent complainants**

On occasions certain complaints can be difficult to resolve and can cause anxiety and distress to customers and employees. Whilst the aim of the council is always to try to find

a way to resolve matters, there are occasions when customers become unreasonable or unreasonably persistent in their actions to obtain the outcome that they want.

There is a need to ensure that these complaints are dealt with fairly. However, there is also a need to ensure that Council resources are used effectively and that other customers or employees do not suffer any detriment as a result of their behaviour. There is a separate policy to deal with any unreasonably persistent complainants.

## Complaints, Compliments and Comments Policy

The Council is committed to continually improving the quality of, and access to, the services it provides. This policy covers all services delivered by the Council, or for which it has responsibility, it does not include services where there are separate complaints procedures, for example the conduct of elections, the conduct of Councillors or requests for information under the Freedom of Information Act, Environmental Information Regulations or Data Protection Act. In addition, issues which are in court or have already been heard by a court or tribunal fall outside this policy.

A clear and accessible Complaints, Compliments and Comments process allows the Council to demonstrate its commitment to managing customer feedback effectively.

The purpose of this Policy is to ensure that:

- Providing feedback to the Council is made as easy as possible.
- Feedback is dealt with promptly and efficiently.
- There is effective communication between council staff and both the person making the complaint and any other partners involved in the complaint from an early stage.
- Every effort is made to resolve any complaints that are received at an early stage.
- The Council learns from all feedback received taking appropriate steps to improve service provision or celebrate good feedback.
- There is clarity on the roles of staff with the process.
- Credibility and accountability are maintained through meaningful review and monitoring.

### Definitions

For the purpose of this Policy “feedback” includes compliments, comments and complaints and the following definitions will be used;

#### *Compliments*

Compliments are specific expressions of satisfaction from customers concerning a function or a service provided by the Council. A simple thank you, usually at the end of a contact, would not normally be considered a compliment.

#### *Comments*

Comments are views or suggestions that customers may have about a service that is provided by the Council or an initial request for a service.

#### *Complaints*

There is often confusion about what constitutes a complaint, which leads to complaints mistakenly being labelled as requests for service. A request for service is not a situation where the Customer is requesting an item or service that is missing/has been missed, this is a complaint. However a complaint about a taxi driver or noisy neighbour would be treated as a request for service.

Where there is any doubt whether the customer's feedback is a complaint, a comment or a request for service, it is to be treated as a complaint.

A complaint is also any expression of dissatisfaction with the standard of a service that is provided by the Council. This may include the action or lack of action taken by the Council and/or the way in which the service has been provided, including the conduct of staff. This will also include situations where customers state that the perceived failure has repeatedly occurred.

This may include complaints about:

- failure to provide a service, or inadequate standard of service
- how we met a customer's needs
- how we communicated with a customer
- how long we took to deal with a case
- treatment by or attitude of a member of staff
- failure to follow the appropriate administrative process.

The above definitions also extend to complaints in respect of partners or contractors providing services on behalf of the Council, in these cases the contracting/managing department is responsible for ensuring that complaints are investigated, resolved and responded to.

There is no difference between a formal and an informal complaint. Both are expressions of dissatisfaction that require attention as a complaint and a response.

### **Whistleblowing**

A complaint of a serious nature which gives rise to concerns about fraud or corruption will be dealt with under the Council's Whistleblowing procedures.

### **English language requirement for Public Sector workers**

The Council is under a duty to ensure that all staff in customer facing roles are fluent in spoken English to the extent necessary to enable them to perform their role effectively.

If a customer feels that a member of staff in a customer facing role has insufficient proficiency in spoken English for the performance of their role they can complain to the Council. This complaint will then be investigated and a response provided in accordance with the Policy.

**Please note** that a complaint about a member of staff's accent, dialect, origin or nationality will not be considered a legitimate complaint.

### **How a customer may provide feedback**

A customer may provide feedback either;

- by using the on-line complaints form on the Council's website
- by telephone

- in writing (by email or letter)
- in person
- via a Councillor

We will respond to customers in writing, unless it is appropriate to respond via other channels of contact (for example the telephone or in person).

Customers are encouraged to put their complaints in writing to give as much information as possible to aid investigation. If they are making a verbal complaint, we will take down their details and confirm with them that they wish the complaint to be investigated and how to contact them with the outcome of the investigation. Standard forms are available on the Council's website and at all Council reception areas.

The Council's Leisure Centres have 'comments books' available for customers in the Reception areas. The Manager of the Leisure Centre reviews these each day and provides a response in the book, this can be checked by the customer who made the comment, and other customers which ensures there is comprehensive feedback.

The Council will ensure that reasonable adjustments are made to help customers access and use the Council's services. The Council will provide assistance to those who may struggle with providing feedback or require information in another language or format.

### **Recording compliments, complaints and comments**

The Head of Corporate Governance and Customer Services is responsible for the Council's compliments, complaints and comments system.

To ensure that there is consistency across the different Council departments, Heads of Service must designate appropriate staff to receive and deal with any feedback regarding their service areas. They must also ensure that relevant staff in their departments are aware of the importance of recognising what compliments and complaints are and are dealt with and recorded on the Council's compliments, complaints and comments system.

All compliments and complaints must be recorded promptly in the Council's compliments, complaints and comments system and dealt with in the agreed timescales. This will allow the Council to; take into account customer feedback, pass on compliments to relevant staff, learn from mistakes, identify improvements to service delivery and identify training needs.

Where there is a complaint involving more than one department of the Council then the departments involved will identify a lead officer to investigate and deal with the complaint.

If a complaint involves more than one organisation, for example Nottinghamshire County Council, the dealing department should ensure that communication is made with the third party to ensure the Customer receives a proper response and to avoid customers being passed back and forth between organisations.

### **Guidance for managing compliments**

All compliments should be acknowledged and, if relating to a specific individual or team, relevant staff informed that a compliment has been received.

## **Guidance for managing comments**

All comments should be acknowledged, appropriate action taken and, where relevant, feedback given to the customer within 10 days of receipt.

## **Framework for managing complaints**

The Council has a three stage complaint process:

### **Stage 1 - Service Department Complaint (Investigated at point of service delivery)**

1. An acknowledgement should be sent within 2 working days of receipt of the complaint.
2. A full response should be sent within 10 working days of receipt of the complaint. If this is not possible because of the complexity of the complaint, the customer will be advised that the investigation is continuing and given an indication of when it will be completed. Regular contact should be maintained until the complaint is resolved.
3. The customer will be advised in the Council's response of what they need to do to progress to stage 2 if they remain dissatisfied with the outcome of the complaint.

### **Stage 2 - Service Department Reviews**

1. An acknowledgement should be sent within 2 working days of receipt of the request for a review.
2. The relevant Head of Service (or Director if the stage 1 complaint was dealt with by the Head of Service) will ensure that an objective review is carried out for any stage 2 complaint that is received. As well as reviewing the original complaint and the Council's response under stage 1 of the complaints procedure it will also take in to account any further relevant information provided by the customer.
3. A full response should be sent within 10 working days of the request for a review. If this is not possible, because of the complexity of the complaint, the customer will be advised that the investigation is continuing and giving an indication of when it will be completed. Regular contact should be maintained until the complaint is resolved.
4. The customer will be advised in the response that they may complain further to the Local Government and Social Care Ombudsman or the Housing Ombudsman, if the complaint relates to social housing where the Council are the landlord. If they remain dissatisfied with the outcome and sent details of their procedure.

### **Stage 3 – Referral to the Local Government and Social Care Ombudsman (Ombudsman) or the Housing Ombudsman**

Any correspondence received from/sent to the Ombudsman will be handled by the Legal Services Manager on behalf of the Council's Monitoring Officer. The actual referral will also be sent to the relevant Head of Service for their comments.

## **Feedback relating to staff behaviour**

Notifying staff of compliments made about them can improve staff satisfaction, staff morale, customer service and performance. Where a complaint relates to a specific member of staff, the complaint will be investigated in an appropriate way, which may include consideration under the Council's Disciplinary Procedure.

## **Remedies**

Where a complaint investigation identifies that things have gone wrong an appropriate remedy will be determined. Appropriate remedies could include:

- An apology
- An explanation of what went wrong
- Actions to put things right
- Some form of compensation to the customer (in line with delegated powers)

The guiding principle must be that, where possible, the customer is put back in the position they would have been if things had not gone wrong.

## **Evaluating our response to customers**

Customer Services may contact customers, following resolution, asking them to complete a satisfaction form. The aim of this is to provide information to help the Council determine:

- Whether the complaint procedure was accessible and easy to use.
- Levels of satisfaction with the way the complaint was handled and remedy offered

## **Monitoring**

Heads of Service should ensure that they monitor and review outcomes of all feedback that they receive within their departments to identify trends and to use them for discussion at team meetings, staff development and PDRs.

Each quarter, the Head of HR, Performance and Service Planning will collate details relating to the number of compliments and complaints received by the Council for each Service area. These details will be entered onto the Council's Corporate Performance Management System. Following this the Customer Insight Officer will prepare a report and analysis for consideration by Senior Leadership Team.

## **Unreasonably persistent complainants**

On occasions certain complaints can be difficult to resolve and can cause anxiety and distress to customers and employees. Whilst the aim of the council is always to try to find a way to resolve matters, there are occasions when customers become unreasonable or unreasonably persistent in their actions to obtain the outcome that they want.

There is a need to ensure that these complaints are dealt with fairly. However, there is also a need to ensure that Council resources are used effectively and that other customers or employees do not suffer any detriment as a result of their behaviour. There is a separate policy to deal with any unreasonably persistent complainants.

This page is intentionally left blank



## **Unreasonably Persistent Complainants Policy**

This policy should be used in conjunction with other Council policies (for example; the Compliments, Complaints and Comments Policy, Equality and Diversity Policy and those policies relating to health & safety ~~and equal opportunities~~) and with consideration to the Council's obligations under the Human Rights Act, Freedom of Information Act, and the ~~Equalities~~ Equality Act.

Gedling Borough Council is committed to dealing with all complaints fairly and impartially and to provide a high quality service to those who make them. The purpose of this policy is to ensure that the Council deals with complaints in a consistent and fair manner and to help staff understand what is expected of them, what options are available and who can authorise these actions.

~~However, t~~There are a small number of customers who, because of the frequency or manner of their contact with the Council, hinder our consideration of theirs or other people's complaints and place an unreasonable amount of time on the Council in dealing with the matter. These 'unreasonably persistent complainants' will be dealt with on an exception basis and action will be taken to limit their contact with the Council. This will ensure that Council resources are used effectively and that other service users and/or staff do not suffer any detriment as a result of the complainant behaviour.

### **Who is a persistent complainant?**

A persistent complainant may have a justified complaint or grievance, but may pursue them in inappropriate ways, or they may be intent on pursuing complaints that have no substance or which have already been investigated and determined. Their contact with the council may be amicable but still place heavy demands on staff time.

A persistent complainant may exhibit behaviours outlined in appendix 1. The danger is that their complaint, even if it has merits, is treated without a significant degree of seriousness and consideration, which compounds their complaint and leads to criticism of the Council.

Sometimes the situation moves from being unreasonably persistent to unacceptable behaviour (i.e. abusive, offensive or threatening). If this occurs, action may need to be taken under procedures relating to the Council's Employee Protection Register.

### **Deciding whether a person should be classed as a persistent complainant**

The decision to designate someone as an unreasonably persistent complainant could have serious consequences for that person. The decision to designate someone as an unreasonably persistent complainant will be made by the ~~Service Manager~~ Head of Service for the relevant service area, in consultation with the relevant Director. Before deciding whether the policy should be applied we must be satisfied that:

- The complaint is being/has been investigated properly in line with the Compliments, Complaints and Comments policy. If the complainant asks the same question, due to

failure by the Council to adequately respond to the complaint, this cannot be considered persistent.

- The decision made is the right one based on all information provided.
- Communications with the complainant have been adequate. The complainant is not now providing any significant new information that might affect the ~~council's~~ Council's view on the complaint.

If the ~~Service Manager~~ Head of Service, in consultation with the relevant Director, is satisfied on these points, they should then consider whether any further action is necessary prior to taking any decision to designate the complainant as unreasonable/unreasonably persistent. Examples might be:

- If no meeting has taken place between the complainant and a member of staff from the Council, then providing that we know nothing about the complainant which would make this unadvisable, we could consider offering the complainant a meeting with a member of staff of appropriate seniority. This may aid a resolution.
- If more than one department is being contacted by an unreasonably persistent complainant then the following should be considered;
  - Setting up a meeting to agree a cross departmental approach
  - Designating a key member of staff to co-ordinate the Councils response
  - If the complainant has special needs, an advocate may be advisable.
- Before applying any restrictions, giving the complainant a warning that if their actions continue we may decide to treat them as an unreasonably persistent complainant and explain why.

### **Possible action that could be taken**

The actual action that we may take should be appropriate and proportionate to the nature and frequency of the complainant's contacts with the Council. If it is felt that action should be taken then that could include one or more of the following:

- Placing time limits on telephone conversations and personal contact.
- Restricting the number of calls that will be taken (for example one call on a specified morning/ afternoon of any week).
- Limiting the complainant to one access channel (telephone, letter, email etc) and/or requiring the complainant to communicate only with one named member of staff. □ Managing contact with the help of an independent advocate.
- Refusing the complainant access to the Council's premises.
- Requiring any personal contacts to take place in the presence of a witness.
- Refusing to process further complaints about the same matter.
- Where a decision on a complaint has been made – only acknowledging future correspondence or informing the complainant that future correspondence will be read and placed on file but not acknowledged. The complainant should be reminded of their right to refer the complaint to the Local Government and Social Care Ombudsman, or the Housing Ombudsman (if the complaint relates to Council in its capacity as a Residential Social Landlord).

In deciding which options to apply, departments should be particularly careful to balance the rights of the individual with the needs of the Council and decisions should be made by the

~~Service Manager~~Head of Service for the service area, in consultation with the relevant Director.

## **Operating the policy**

### **Deciding whether the policy should be applied to a complainant**

Having regard to all the circumstances concerning the case the ~~Service Manager~~Head of Service for the department dealing with the complaint should make the decision as to whether the policy should be applied to a complainant, in consultation with the relevant Director.

### **Informing the complainant**

If a decision is made to apply the policy we must write to inform the complainant that:

- The decision has been taken and the reason for it
- What this means for the complainant in contacting the council
- How long any restriction will last
- What the complainant can do to have the decision reviewed

### **Record of actions taken**

Adequate records must be kept detailing the reason why any decision has been made and all contacts with unreasonable and unreasonable persistent complainants, for example

- Why a decision was made to designate someone as an unreasonable or unreasonable consistent complainant
- When a decision is taken not to put a further complaint from such a complainant through its complaints procedure for any reason
- When a decision is taken not to respond to further correspondence, and to make sure that any further correspondence is read to pick up any significant new information
- When a decision has been made to review or cancel any restriction that has been placed on a complainant

### **Reviewing the decision**

When the letter is sent to the complainant telling them that the policy has been applied to them they should be told that if they wish to have the decision reviewed they must write to the ~~Service Manager (Customer Services and Communications)~~Head of Governance and Customer Services setting out their reasons for the review within 14 days of the date of that letter.

On receipt of any letter requesting a review of the decision the ~~Service Manager (Customer Services and Communications)~~Head of Governance and Customer Services should refer the matter to the ~~Director of Organisational Development & Democratic Services~~Director of Corporate Resources who will carry out that review.

The complainant should be then informed, in writing, within 10 working days of receipt of the request for review by the Director of the outcome of the review and, if restrictions are to continue to be applied, when these will be reviewed.

A review of the restriction should be taken when the restrictions imposed expire. If the complainant has complied with the restrictions, they will usually be lifted and relationships returned to normal unless there are good grounds to extend them. Where the complainant fails to comply with the restrictions or continues to behave unreasonably, the matter will be reviewed by the Director ~~of Organisational Development & Democratic Services~~ of Corporate Resources to determine whether additional restrictions should be imposed.

When unreasonable and unreasonably persistent complainants make complaints about new issues these should be treated on their merits, and decisions will need to be taken on whether any current restrictions are still appropriate and necessary.

### **Recording, monitoring and reporting**

The ~~Service Manager (Customer Services and Communications)~~ Head of Corporate Governance and Customer Services should be notified when this policy is applied to any complainant.

## **APPENDIX 1**

### **Examples of behaviour – either one or more can constitute unreasonable behaviour**

- Refusing to specify the grounds of a complaint, despite offers of assistance with this from the authority's staff.
- Attempting to use the complaints procedure to pursue a personal vendetta against a member or officer of the Council.
- Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Refusing to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope.
- Insisting on the complaint being dealt with in ways, which are incompatible with the adopted complaints procedure or with good practice.
- Making what appear to be groundless complaints about the staff dealing with the complaints, and seeking to have them replaced by a senior officer or with a person named by the complainant.
- Changing the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage.
- Using obscene, racist, abusive, offensive, aggressive or threatening language or behaviour in written correspondence or direct personal contacts with staff.
- Introducing trivial or irrelevant new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed but unimportant questions and insisting they are all fully answered.

- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved.
- Adopting a 'scattergun' approach: pursuing a complaint or complaints with the authority and, at the same time, with a Member of Parliament/a councillor/the authority's independent auditor/~~the Standards Board~~/local police/solicitors/the Ombudsman
- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being investigated (i.e. excessive contact to numerous council staff or lengthy complex correspondence every few days and expecting immediate responses).
- Submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations, which the complainant insists, make these 'new' complaints.
- Refusing to accept the decision – repeatedly arguing the point and complaining about the decision.

This page is intentionally left blank

## **Unreasonably Persistent Complainants Policy**

This policy should be used in conjunction with other Council policies (for example; the Compliments, Complaints and Comments Policy, Equality and Diversity Policy and those policies relating to health & safety) and with consideration to the Council's obligations under the Human Rights Act, Freedom of Information Act, and the Equality Act.

Gedling Borough Council is committed to dealing with all complaints fairly and impartially and to provide a high quality service to those who make them. The purpose of this policy is to ensure that the Council deals with complaints in a consistent and fair manner and to help staff understand what is expected of them, what options are available and who can authorise these actions.

There are a small number of customers who, because of the frequency or manner of their contact with the Council, hinder our consideration of theirs or other people's complaints and place an unreasonable amount of time on the Council in dealing with the matter. These 'unreasonably persistent complainants' will be dealt with on an exception basis and action will be taken to limit their contact with the Council. This will ensure that Council resources are used effectively and that other service users and/or staff do not suffer any detriment as a result of the complainant behaviour.

### **Who is a persistent complainant?**

A persistent complainant may have a justified complaint or grievance, but may pursue them in inappropriate ways, or they may be intent on pursuing complaints that have no substance or which have already been investigated and determined. Their contact with the council may be amicable but still place heavy demands on staff time.

A persistent complainant may exhibit behaviours outlined in appendix 1. The danger is that their complaint, even if it has merits, is treated without a significant degree of seriousness and consideration, which compounds their complaint and leads to criticism of the Council.

Sometimes the situation moves from being unreasonably persistent to unacceptable behaviour (i.e. abusive, offensive or threatening). If this occurs, action may need to be taken under procedures relating to the Council's Employee Protection Register.

### **Deciding whether a person should be classed as a persistent complainant**

The decision to designate someone as an unreasonably persistent complainant could have serious consequences for that person. The decision to designate someone as an unreasonably persistent complainant will be made by the Head of Service for the relevant service area, in consultation with the relevant Director. Before deciding whether the policy should be applied we must be satisfied that:

- The complaint is being/has been investigated properly in line with the Compliments, Complaints and Comments policy. If the complainant asks the same question, due to failure by the Council to adequately respond to the complaint, this cannot be considered persistent.
- The decision made is the right one based on all information provided.

- Communications with the complainant have been adequate. The complainant is not now providing any significant new information that might affect the Council's view on the complaint.

If the Head of Service, in consultation with the relevant Director, is satisfied on these points, they should then consider whether any further action is necessary prior to taking any decision to designate the complainant as unreasonable/unreasonably persistent. Examples might be:

- If no meeting has taken place between the complainant and a member of staff from the Council, then providing that we know nothing about the complainant which would make this unadvisable, we could consider offering the complainant a meeting with a member of staff of appropriate seniority. This may aid a resolution.
- If more than one department is being contacted by an unreasonably persistent complainant then the following should be considered;
  - Setting up a meeting to agree a cross departmental approach
  - Designating a key member of staff to co-ordinate the Councils response
  - If the complainant has special needs, an advocate may be advisable.
- Before applying any restrictions, giving the complainant a warning that if their actions continue we may decide to treat them as an unreasonably persistent complainant and explain why.

### **Possible action that could be taken**

The actual action that we may take should be appropriate and proportionate to the nature and frequency of the complainant's contacts with the Council. If it is felt that action should be taken than that could include one or more of the following:

- Placing time limits on telephone conversations and personal contact.
- Restricting the number of calls that will be taken (for example one call on a specified morning/ afternoon of any week).
- Limiting the complainant to one access channel (telephone, letter, email etc) and/or requiring the complainant to communicate only with one named member of staff. □ Managing contact with the help of an independent advocate.
- Refusing the complainant access to the Council's premises.
- Requiring any personal contacts to take place in the presence of a witness.
- Refusing to process further complaints about the same matter.
- Where a decision on a complaint has been made – only acknowledging future correspondence or informing the complainant that future correspondence will be read and placed on file but not acknowledged. The complainant should be reminded of their right to refer the complaint to the Local Government and Social Care Ombudsman, or the Housing Ombudsman (if the complaint relates to Council in its capacity as a Residential Social Landlord).

In deciding which options to apply, departments should be particularly careful to balance the rights of the individual with the needs of the Council and decisions should be made by the Head of Service for the service area, in consultation with the relevant Director.

### **Operating the policy**

## **Deciding whether the policy should be applied to a complainant**

Having regard to all the circumstances concerning the case the Head of Service for the department dealing with the complaint should make the decision as to whether the policy should be applied to a complainant, in consultation with the relevant Director.

### **Informing the complainant**

If a decision is made to apply the policy we must write to inform the complainant that:

- The decision has been taken and the reason for it
- What this means for the complainant in contacting the council
- How long any restriction will last
- What the complainant can do to have the decision reviewed

### **Record of actions taken**

Adequate records must be kept detailing the reason why any decision has been made and all contacts with unreasonable and unreasonable persistent complainants, for example

- Why a decision was made to designate someone as an unreasonable or unreasonable consistent complainant
- When a decision is taken not to put a further complaint from such a complainant through its complaints procedure for any reason
- When a decision is taken not to respond to further correspondence, and to make sure that any further correspondence is read to pick up any significant new information
- When a decision has been made to review or cancel any restriction that has been placed on a complainant

### **Reviewing the decision**

When the letter is sent to the complainant telling them that the policy has been applied to them they should be told that if they wish to have the decision reviewed they must write to the Head of Governance and Customer Services setting out their reasons for the review within 14 days of the date of that letter.

On receipt of any letter requesting a review of the decision the Head of Governance and Customer Services should refer the matter to the Director of Corporate Resources who will carry out that review.

The complainant should be then informed, in writing, within 10 working days of receipt of the request for review by the Director of the outcome of the review and, if restrictions are to continue to be applied, when these will be reviewed.

A review of the restriction should be taken when the restrictions imposed expire. If the complainant has complied with the restrictions, they will usually be lifted and relationships returned to normal unless there are good grounds to extend them. Where the complainant fails to comply with the restrictions or continues to behave unreasonably, the matter will be reviewed by the Director of Corporate Resources to determine whether additional restrictions should be imposed.

When unreasonable and unreasonably persistent complainants make complaints about new issues these should be treated on their merits, and decisions will need to be taken on whether any current restrictions are still appropriate and necessary.

### **Recording, monitoring and reporting**

The Head of Corporate Governance and Customer Services should be notified when this policy is applied to any complainant.

## **APPENDIX 1**

### **Examples of behaviour – either one or more can constitute unreasonable behaviour**

- Refusing to specify the grounds of a complaint, despite offers of assistance with this from the authority's staff.
- Attempting to use the complaints procedure to pursue a personal vendetta against a member or officer of the Council.
- Refusing to co-operate with the complaints investigation process while still wishing their complaint to be resolved.
- Refusing to accept that issues are not within the remit of a complaints procedure despite having been provided with information about the procedure's scope.
- Insisting on the complaint being dealt with in ways, which are incompatible with the adopted complaints procedure or with good practice.
- Making what appear to be groundless complaints about the staff dealing with the complaints, and seeking to have them replaced by a senior officer or with a person named by the complainant.
- Changing the basis of the complaint as the investigation proceeds and/or denying statements he or she made at an earlier stage.
- Using obscene, racist, abusive, offensive, aggressive or threatening language or behaviour in written correspondence or direct personal contacts with staff.
- Introducing trivial or irrelevant new information which the complainant expects to be taken into account and commented on, or raising large numbers of detailed but unimportant questions and insisting they are all fully answered.
- Electronically recording meetings and conversations without the prior knowledge and consent of the other persons involved.
- Adopting a 'scattergun' approach: pursuing a complaint or complaints with the authority and, at the same time, with a Member of Parliament/a councillor/the authority's independent auditor /local police/solicitors/the Ombudsman

- Making unnecessarily excessive demands on the time and resources of staff whilst a complaint is being investigated (i.e. excessive contact to numerous council staff or lengthy complex correspondence every few days and expecting immediate responses).
- Submitting repeat complaints, after complaints processes have been completed, essentially about the same issues, with additions/variations, which the complainant insists, make these 'new' complaints.
- Refusing to accept the decision – repeatedly arguing the point and complaining about the decision.

This page is intentionally left blank



## **Report to Cabinet**

**Subject:** Forward Plan

**Date:** 7 October 2021

**Author:** Democratic Services Manager

### **Wards Affected**

All

### **Purpose**

To present the Executive's draft Forward Plan for the next four month period.

### **Key Decision**

This is not a Key Decision.

### **Recommendation(s)**

**THAT:**

**Cabinet notes the contents of the draft Forward Plan making comments where appropriate.**

### **1 Background**

- 1.1 The Council is required by law to give notice of key decisions that are scheduled to be taken by the Executive.
- 1.2 A key decision is one which is financially significant, in terms of spending or savings, for the service or function concerned (more than £500,000), or which will have a significant impact on communities, in two or more wards in the Borough.
- 1.3 In the interests of effective coordination and public transparency, the plan includes any item that is likely to require an Executive decision of the Council, Cabinet or Cabinet Member (whether a key decision or not). The Forward Plan covers the following 4 months and must be

updated on a rolling monthly basis. All items have been discussed and approved by the Senior Leadership Team.

## **2 Proposal**

- 2.1 The Forward Plan is ultimately the responsibility of the Leader and Cabinet as it contains Executive business due for decision. The Plan is therefore presented at this meeting to give Cabinet the opportunity to discuss, amend or delete any item that is listed.

## **3 Alternative Options**

- 3.1 Cabinet could decide not agree with any of the items are suggested for inclusion in the plan. This would then be referred back to the Senior Leadership Team.
- 3.2 Cabinet could decide to move the date for consideration of any item.

## **4 Financial Implications**

- 4.1 There are no financial implications directly arising from this report.

## **5 Legal Implications**

- 5.1 There are no legal implications directly arising from this report.

## **6 Equalities Implications**

- 6.1 There are no equalities implications arising from this report.

## **7 Carbon Reduction/Environmental Sustainability Implications**

- 7.1 There are no carbon reduction/sustainability implications arising from this report.

## **8 Appendices**

- 8.1 Appendix 1 – Forward Plan

## **9 Background Papers**

- 9.1 None identified

## **10 Reasons for Recommendations**

- 10.1 To promote the items that are due for decision by Gedling Borough Council's Executive over the following four month period.

**Statutory Officer approval**

**Approved by:**

Chief Financial Officer

**Date:**

31/8/2020 (report content)

**Approved by:**

Monitoring Officer

31/8/2020 (report content)

This page is intentionally left blank

# Gedling Borough Council

## FORWARD PLAN

### FOR THE FOUR MONTH PERIOD 1 OCTOBER 2021 TO 31 JANUARY 2022

This Forward Plan sets out the details of the key and non-key decisions which the Executive Cabinet, individual Executive Members or Officers expect to take during the next four month period.

The current members of the Executive Cabinet are:

Councillor John Clarke – Leader of the Council

Councillor Michael Payne – Deputy Leader and Portfolio Holder for Resources and Reputation

Councillor Peter Barnes – Portfolio Holder for Environment

Councillor David Ellis – Portfolio Holder for Public Protection

133  
Page 133  
Councillor Gary Gregory – Portfolio Holder for Community Development

Councillor Jenny Hollingsworth – Portfolio Holder for Growth and Regeneration

Councillor Viv McCrossen – Portfolio Holder for Young People and Equalities

Councillor Henry Wheeler – Portfolio Holder for Health and Wellbeing.

Anyone wishing to make representations about any of the matters listed below may do so by contacting the relevant officer listed against each key decision, within the time period indicated.

Description of the decision	Date decision is expected to be taken and who will take the decision?	Responsible Officer	Documents to be considered by the decision maker	Cabinet Portfolio	Open / Exempt (and reason if the decision is to be taken in private)  Is this a Key Decision?
<p><b>Review of complaints received by the Council and Annual Review Letter – Local Government and Social Care Ombudsman</b></p> <p>To inform Members of the receipt of the Annual Review letter from the Office of the Local Government and Social Care Ombudsman and the complaints dealt with by the Council through the internal Complaints Procedure during the last year</p>	<p><b>7 Oct 2021 Cabinet</b></p>	<p>Francesca Whyley, Head of Governance and Customer Service</p>	<p>Officer Report</p>	<p>Portfolio Holder for Resources and Reputation</p>	<p>Open</p> <p>No</p>
<p><b>Equality and Diversity Policy and Action Plan</b></p> <p>To update Members following the public consultation on the draft Equality and Diversity Policy and Equality Framework and Action Plan and seek approval for adoption.</p>	<p><b>7 Oct 2021 Cabinet</b></p>	<p>Alison Ball, Director of Corporate Resources</p>	<p>Officer Report</p>	<p>Portfolio Holder for Young People and Equalities</p>	<p>Open</p> <p>Yes</p>
<p><b>Draft Waste &amp; Recycling Policy</b></p> <p>Seeking permission to consult on the draft waste and recycling policy</p>	<p><b>4 Nov 2021 Cabinet</b></p>	<p>Melvyn Cryer, Head of Environment</p>	<p>Officer Report</p>	<p>Portfolio Holder for Environment</p>	<p>Open</p> <p>Yes</p>
<p><b>Environmental Enforcement Policy</b></p> <p>Update to the approach to environmental enforcement policy to include priorities for enforcement and approaches</p>	<p><b>4 Nov 2021 Cabinet</b></p>	<p>Kevin Nealon, Community Protection and Pollution Control Manager</p>	<p>Officer Report</p>	<p>Portfolio Holder for Public Protection</p>	<p>Open</p> <p>Yes</p>
<p><b>Economic Growth Framework</b></p> <p>To seek approval of the Economic Growth Framework. This document provides support to develop and deliver work that assists the economic development of the Borough</p>	<p><b>4 Nov 2021 Cabinet</b></p>	<p>Jeffery Kenyon, Economic Growth Manager</p>	<p>Officer Report</p>	<p>Portfolio Holder for Growth and Regeneration</p>	<p>Open</p> <p>Yes</p>

Description of the decision	Date decision is expected to be taken and who will take the decision?	Responsible Officer	Documents to be considered by the decision maker	Cabinet Portfolio	Public / Exempt (and reason if the decision is to be taken in private)  Is this a key decision?
<b>Prudential Code Indicator Monitoring 2021/22 and Quarterly Treasury Activity Report for Quarter 2</b> To inform Members of the performance monitoring of the 2021/22 Prudential Code Indicators, and to advise Members of the quarterly Treasury activity as required by the Treasury Management Strategy.	<b>4 Nov 2021 Cabinet</b>	Sue Healey, Principal Accountant	Officer Report	Portfolio Holder for Resources and Reputation	Open  Yes
<b>Budget Monitoring (Q2) and Virement Report</b> To update members on financial performance information for the 2nd quarter of the 2021/22 year.	<b>4 Nov 2021 Cabinet</b>	Tina Adams, Principal Finance Business Partner	Officer Report	Portfolio Holder for Resources and Reputation	Open  Yes
<b>Gedling Plan Quarter 2 Performance Report</b> To inform Cabinet in summary of the position against Improvement Actions and Performance Indicators in the 2021/2022 Gedling Plan for the most recent quarter.	<b>4 Nov 2021 Cabinet</b>	Alan Green, Performance and Project Officer	Officer Report	Leader of the Council	Open  Yes
<b>Sport and Physical Activity Strategy</b> The sport and physical activity strategy for Gedling Borough Council 2021	<b>4 Nov 2021 Cabinet</b>	Lance Juby, Head of Communities and Leisure	Officer Report	Portfolio Holder for Community Development	Open  Yes
<b>Infrastructure Funding Statement 20/21</b>	<b>9 Dec 2021 Cabinet</b>	Lewis Widdowson, Planning Officer	Officer Report	Portfolio Holder for Growth and Regeneration	Open  Yes
<b>Community Infrastructure Levy (CIL) Non-Parish Funding – Local Infrastructure Schedule Project Assessments and Proposed Funding 20/21</b>	<b>9 Dec 2021 Cabinet</b>	Lewis Widdowson, Planning Officer	Officer Report	Portfolio Holder for Growth and Regeneration	Open  Yes

Description of the decision	Date decision is expected to be taken and who will take the decision?	Responsible Officer	Documents to be considered by the decision maker	Cabinet Portfolio	Public / Exempt (and reason if the decision is to be taken in private)  Is this a key decision?
<b>Prudential Code Indicator Monitoring 2021/22 and Quarterly Treasury Activity Report for Quarter 3</b> To inform Members of the performance monitoring of the 2021/22 Prudential Code Indicators, and to advise Members of the quarterly Treasury activity as required by the Treasury Management Strategy.	<b>27 Jan 2022 Cabinet</b>	Sue Healey, Principal Accountant	Officer Report	Portfolio Holder for Resources and Reputation	Open  No
<b>Quarterly (Q3) Budget Monitoring and Virement Report</b> To update members on financial performance information for the 3rd quarter of the 2021/22 year.	<b>27 Jan 2022 Cabinet</b>	Tina Adams, Principal Finance Business Partner	Officer Report	Portfolio Holder for Resources and Reputation	Open  Yes
<b>Gedling Plan Quarter 3 Performance Report</b> To inform Cabinet in summary of the position against Improvement Actions and Performance Indicators in the 2021/2022 Gedling Plan for the most recent quarter.	<b>27 Jan 2022 Cabinet</b>	Alan Green, Performance and Project Officer	Officer Report	Leader of the Council	Open  Yes
<b>Prudential and Treasury Indicators and Treasury Management Strategy Statement 2022/23</b> To present for Members' approval the Council's Prudential Code Indicators and Treasury Strategy for 2022/23, for referral to Council.	<b>10 Feb 2022 Cabinet</b>  <b>3 Mar 2022 Council</b>	Sue Healey, Principal Accountant	Officer Report	Portfolio Holder for Resources and Reputation	Open  Yes
<b>Capital Programme and Capital Investment Strategy</b> To approve the capital investment strategy and capital spending programme for the next financial year.	<b>10 Feb 2022 Cabinet</b>  <b>3 Mar 2022 Council</b>	Alison Ball, Director of Corporate Resources	Officer Report	Portfolio Holder for Resources and Reputation	Open  Yes
<b>General Fund Budget 2022/23</b> For Cabinet to recommend to Council the revenue budget for the next financial year.	<b>10 Feb 2022 Cabinet</b>  <b>3 Mar 2022 Council</b>	Tina Adams, Principal Finance Business Partner	Officer Report	Portfolio Holder for Resources and Reputation	Open  Yes