



POLICY AND RESOURCES COMMITTEE

Thursday 29 July 2021 at 6.30 pm

Council Chamber, Ryedale House, Malton

IMPORTANT: The Council fully recognises and respects the role and importance of democratic meetings and is committed to protecting the health and safety of Elected Members and Officers who participate. Risk assessments are undertaken in advance of each meeting, and are reviewed on an ongoing basis.

Social distancing measures will be in place throughout the meeting, however it is important that you **do not attend** the meeting if **you or anyone in your household** are required to self-isolate due to receiving a positive COVID-19 test result, having symptoms of COVID-19, or having been told that you have been in contact with someone who has tested positive for COVID-19.

For the purpose of public transparency and accountability, the meeting will be live streamed online. The livestream can be accessed here:

<https://www.youtube.com/channel/UCZCvPUsJ0LwMJ9ukDsGf0Hw>

For health and safety reasons and in accordance with our risk assessment, members of the public are asked to follow the meeting via this method rather than attending in person. If you are unable to access the meeting this way, please contact us so that we can explore whether any safe alternative option is possible. The media will be able to report on proceedings from the live stream.

Agenda

1 **Emergency Evacuation Procedure**

The Chairman to inform Members of the Public of the emergency evacuation procedure.

2 **Apologies for absence**

3 **Declarations of Interest**

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

- 4 **Minutes of the meeting held on 29 June 2021** (Pages 5 - 8)
- 5 **Chair's Announcements**
- 6 **Policy and Resources Committee Forward Plan** (Pages 9 - 12)
- 7 **Government Consultations**
To receive notice of upcoming Government consultations which are for response by the Policy and Resources Committee

TO RECEIVE WORKING PARTY MINUTES

- 8 **Recommendations from the Grants Working Party Meeting held on 7 July 2021**
(Pages 13 - 16)
- 9 **Minutes of the Flood Management Working Party meeting held on 8 July 2021**
(Pages 17 - 20)
- 10 **Minutes of the Livestock Market Working Party meeting held on 15 July 2021**
(Pages 21 - 22)
- 11 **Urgent Business**
To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.

PART 'A' ITEMS - MATTERS TO BE DEALT WITH UNDER DELEGATED POWERS OR MATTERS DETERMINED BY COMMITTEE

- 12 **Changes to the Independent Group's Working Party Appointments**
To make the following changes to the appointed Working Party substitutes for the Independent Group:
- i) To appoint Councillor P Andrews as the substitute on the Livestock Market Working Party;
 - ii) To appoint Councillor Thackray as the substitute on the Local Plan Working Party, in replacement of Councillor Burr.
- 13 **Milton Rooms Grant Update and Business Case** (Pages 23 - 44)
- 14 **Additional Capacity Funding Requests** (Pages 45 - 48)
- 15 **Treasury Management Annual Report 2020-2021** (Pages 49 - 60)

PART 'B' ITEMS - MATTERS REFERRED TO COUNCIL

- 16 **Revenue and Capital Budget Monitoring - Q1 2021/22** (Pages 61 - 66)

- 17 **HR Policy Revision - Local Government Pension Scheme Employer Discretions, Family Leave Policy and Probation Policy** (Pages 67 - 132)
- 18 **Any other business that the Chairman decides is urgent.**

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Policy and Resources Committee

Held at Council Chamber, Ryedale House, Malton
on Tuesday 29 June 2021

Present

Councillors Joy Andrews, Arnold, Bailey (as substitute for Delaney), Burr MBE, Clark (Chairman), Docwra, Duncan, Frank and Graham

Overview & Scrutiny Committee Observers: Councillors Raper and Middleton (virtually).

In Attendance

Will Baines and Simon Copley

Beckie Bennett, Chris Granger, Anton Hodge, Jane Robinson, Phillip Spurr and Margaret Wallace attended virtually.

Minutes

13 Apologies for absence

Apologies for absence were received from Councillor Keal and Councillor Delaney, Councillor Bailey substituting.

14 Declarations of Interest

There were no declarations of interest.

15 Chair's Announcements

The Chair announced that he would be arranging a meeting date with Group Leaders to consider the Car Park Action Plan.

Cllr Duncan raised an email setting out the planned approach to setting up a Joint Works Group. Cllr Clark proposed to raise this at a future Group Leaders meeting.

16 Minutes of the meeting held on 27 May 2021

Decision
That the minutes of the Policy and Resources Committee held on 27 May 2021 be approved and signed by the Chair as a correct record.

Voting record

8 For
0 Against
1 Abstention

17 Urgent Business

There were no items of urgent business.

18 Policy and Resources Committee Forward Plan

The Policy and Resources Committee Forward Plan was received.

It was requested that the following items be added:

- i) Regular monitoring reports on the Council Plan

Decision

That the Policy and Resources Committee Forward Plan be adopted, to include the amendments requested.

19 Government Consultations

The ongoing public consultation on the Transport for the North Decarbonisation Strategy was noted, with a draft response to be circulated to committee members for comments prior to submission.

PART 'A' ITEMS - MATTERS TO BE DEALT WITH UNDER DELEGATED POWERS OR MATTERS DETERMINED BY COMMITTEE

20 Appointment of Members to the Flood Management Working Party

Decision

To appoint Members to the Flood Management Working Party as detailed in Annex A.

Voting record

9 For

0 Against

0 Abstentions

The committee also agreed to refer the motion to Council on 18 February 2021 (minute 77) to the Flood Management Working Party for consideration on 8 July 2021 to make recommendations to the Policy and Resources Committee.

Decision

The Policy and Resources committee refer the motion to Council on 18 February 2021 (minute 77) to the Flood Management Working Party for consideration on 8 July 2021 to make recommendations to the Policy and Resources Committee.

Voting record

Agreed by general affirmation.

21 **Draft Revenue Outturn 2020-21**

Considered – report of the Chief Finance Officer (s.151)

Decision

- i) The Policy and Resources Committee notes the contents of the report and that the draft Deficit Balance of £345k has been transferred from the General Reserve.
- ii) The Policy and Resources Committee approves a carry forward of £2.264m from the Capital Programme.

Voting record

9 For
0 Against
0 Abstentions

22 **Resources and Waste Strategy DEFRA Consultation - Consistency in Collections**

Considered – report of the Head of Customer and Communities

Councillor Duncan queried the proposed 'Disagree' response to question 20 as part of the 'Proposal 8 – Free garden waste collection' section of the draft consultation responses in Appendix A. The views of Councillor Duncan were to be taken into account by the Head of Waste and Environment when finalising the consultation responses with the Chair of Policy and Resources.

Decision

- (i) The draft Ryedale District Council submission to the DEFRA Consistency in Collections Consultation at Appendix A of the report (which is still a working document) is noted.
- (ii) Any amendments made to the draft consultation responses prior to submission on the deadline date of the 4 July will be made following consultation with the Chair of Policy and Resources.
- (iii) The potential financial impacts of all the proposed changes becoming legislation from 2023/24 are noted and provision is included in the financial strategy to include additional revenue implications and capital investment. These are expected to be offset by additional funding but at this stage this cannot be confirmed.

Voting record

Agreed by general affirmation.

PART 'B' ITEMS - MATTERS REFERRED TO COUNCIL

23 **Any other business that the Chairman decides is urgent.**

There being no further business, the meeting closed at 9pm.

Policy and Resources Committee Forward Plan

Date of Meeting	Committee	A/B	Service Area	Report Title	Draft Deadline	Final Deadline	Draft Press Release	Implement Date	Full Council	Reporting Officer	Annual Y/N
August											
September											
23-Sep-21	Policy and Resources Committee	A	Economic Development, Business and Partnerships	Climate Change and Environmental Projects Update	01-Sep-21	14-Sep-21				AT	Y
23-Sep-21	Policy and Resources Committee	A	Economic Development, Business and Partnerships	A64 Update	01-Sep-21	14-Sep-21				PS	N
23-Sep-21	Policy and Resources Committee	A	Housing Services	White Rose Home Improvement Agency Review	01-Sep-21	14-Sep-21				KR	N
23-Sep-21	Policy and Resources Committee	A	Economic Development, Business and Partnerships	Car Parking Strategy Implementation	01-Sep-21	14-Sep-21				AT	N
23-Sep-21	Policy and Resources Committee	A	Planning and Regulatory Services	Review of the Ryedale District Council Air Quality Steering Group to Investigate Options and Opportunities for Member Involvement	01-Sep-21	14-Sep-21				GH	N
23-Sep-21 07-Oct-21	Policy and Resources Committee Council	B	Human Resources and Organisational Development	Ryedale District Council Annual Report 2020/21	01-Sep-21	14-Sep-21	14-Sep-21		07-Oct-21	LB	N
23-Sep-21 07-Oct-21	Policy and Resources Committee Council	B	Human Resources and Organisational Development	Ryedale District Council Performance Management Report - Quarter 1 2021/22	01-Sep-21	14-Sep-21	14-Sep-21		07-Oct-21	LB	N
23-Sep-21 07-Oct-21	Policy and Resources Committee Council	B	Customer Services	Supporting a Credit Union	01-Sep-21	14-Sep-21	14-Sep-21		07-Oct-21	AH	N

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Date of Meeting	Committee	A/B	Service Area	Report Title	Draft Deadline	Final Deadline	Draft Press Release	Implement Date	Full Council	Reporting Officer	Annual Y/N
23-Sep-21 07-Oct-21	Policy and Resources Committee Council	B	Financial Services	Ryedale's Financial Strategy 2021-2025	01-Sep-21	14-Sep-21	14-Sep-21		07-Oct-21	AH	Y
23-Sep-21 07-Oct-21	Policy and Resources Committee Council	B	Financial Services	Council Capacity	01-Sep-21	14-Sep-21	14-Sep-21		07-Oct-21	AH	N
23-Sep-21 07-Oct-21	Policy and Resources Committee Council	B	Communications, Technologies and Business Transformation	Equalities - revised scheme and progress against objectives	01-Sep-21	14-Sep-21	14-Sep-21		07-Oct-21	LW	N
23-Sep-21 07-Oct-21	Policy and Resources Committee Council	B	Human Resources and Organisational Development	Employment Related Policies	01-Sep-21	14-Sep-21	14-Sep-21		07-Oct-21	EL	N
23-Sep-21 07-Oct-21	Policy and Resources Committee Council	B	Housing Services	Climate Change and Energy Efficiency Measures - Railway Tavern and Future Council Schemes	01-Sep-21	14-Sep-21			07-Oct-21	PS	N
23-Sep-21 07-Oct-21	Policy and Resources Committee Council	B	Economic Development, Business and Partnerships	Pickering Starter Units – Alternative Carbon Mitigation Proposals	01-Sep-21	14-Sep-21	14-Sep-21		07-Oct-21	HW	N
October											
November											
11-Nov-21	Policy and Resources Committee	A	Customer Services	Recommendations of Community Grants WP	20-Oct-21	02-Nov-21				MW	Y
11-Nov-21	Policy and Resources Committee	A	Financial Services	Statement of Accounts 2020/21	20-Oct-21	02-Nov-21				AH	Y
11-Nov-21 02-Dec-21	Policy and Resources Committee Council	B	Financial Services	Ryedale's Financial Strategy 2021-25	20-Oct-21	02-Nov-21	02-Nov-21		02-Dec-21	AH	Y

Date of Meeting	Committee	A/B	Service Area	Report Title	Draft Deadline	Final Deadline	Draft Press Release	Implement Date	Full Council	Reporting Officer	Annual Y/N
11-Nov-21 02-Dec-21	Policy and Resources Committee Council	B	Financial Services	Revenue and Budget Monitoring Q2 2021/22	20-Oct-21	02-Nov-21	02-Nov-21		02-Dec-21	AH	Y
11-Nov-21 02-Dec-21	Policy and Resources Committee Council	B	Financial Services	Localisation of Council Tax Support Scheme 2022/23	20-Oct-21	02-Nov-21	02-Nov-21		02-Dec-21	AH	Y
11-Nov-21 02-Dec-21	Policy and Resources Committee Council	B	Corporate Governance	Timetable of Meetings 2022-2023	20-Oct-21	02-Nov-21	02-Nov-21		02-Dec-21	SC	Y
11-Nov-21 02-Dec-21	Policy and Resources Committee Council	B	Human Resources and Organisational Development	Employment Related Policies	20-Oct-21	02-Nov-21	02-Nov-21		02-Dec-21	JL	N
December											
January											
February											
03-Feb-22 17-Feb-22	Policy and Resources Committee Council	B	Financial Services	Revenue and Budget Monitoring Q3 2021/22	12-Jan-22	25-Jan-22	25-Jan-22		17-Feb-22	AH	Y
03-Feb-22 17-Feb-22	Policy and Resources Committee Council	B	Financial Services	Treasury Management Strategy Statement and Investment Strategy 2022/23	12-Jan-22	25-Jan-22	25-Jan-22		17-Feb-22	AH	Y
03-Feb-22 17-Feb-22	Policy and Resources Committee Council	B	Financial Services	Ryedale's Financial Strategy 2022/23	12-Jan-22	25-Jan-22	25-Jan-22		17-Feb-22	AH	Y
03-Feb-22 17-Feb-22	Policy and Resources Committee Council	B	Communications, Technologies and Business Transformation	Council Plan Refresh	12-Jan-22	25-Jan-22	25-Jan-22		17-Feb-22	LW	Y

Date of Meeting	Committee	A/B	Service Area	Report Title	Draft Deadline	Final Deadline	Draft Press Release	Implement Date	Full Council	Reporting Officer	Annual Y/N
03-Feb-22 17-Feb-22	Policy and Resources Committee Council	B	Human Resources and Organisational Development	Employment Related Policies	12-Jan-22	25-Jan-22	25-Jan-22		17-Feb-22	EL	N
March											
17-Mar-22	Policy and Resources Committee	A	Housing Services	Ryedale Housing Strategy 2021-24 Review	23-Feb-22	08-Mar-22				KR	Y
17-Mar-22	Policy and Resources Committee	A	Economic Development, Business and Partnerships	Biodiversity Action Plan	23-Feb-22	08-Mar-22				AT	N
17-Mar-22	Policy and Resources Committee	A	Economic Development, Business and Partnerships	Climate Change and Environmental Projects Update	23-Feb-22	08-Mar-22				AT	Y
17-Mar-22	Policy and Resources Committee	A	Customer Services	Recommendations of Community Grants WP	23-Feb-22	08-Mar-22				MW	Y
17-Mar-22	Policy and Resources Committee	A	Financial Services	Housing Benefit Debtor Write Offs	23-Feb-22	08-Mar-22	08-Mar-22			AH	Y
17-Mar-22 07-Apr-22	Policy and Resources Committee Council	B	Human Resources and Organisational Development	Employment Related Policies	23-Feb-22	08-Mar-22	08-Mar-22		07-Apr-22	EL	N
April											
<p>To be allocated</p> <p>Requested by Policy and Resources Committee</p> <ul style="list-style-type: none"> Ryedale Local Plan <p>Referrals from Full Council</p> <ul style="list-style-type: none"> Motion regarding AONB bid (Proposed by Councillor Middleton, seconded by Councillor Garbutt Moore) Motion regarding the Kirbymoorside / Helmsley cycle route (Proposed by Councillor Riby, seconded by Councillor Burr) Motion regarding green waste recycling (Proposed by Councillor Duncan, seconded by Councillor Delaney) 											

Grants Working Party

Held at Council Chamber - Ryedale House, Malton, North Yorkshire YO17 7HH
on Wednesday 7 July 2021

Present

Councillors Joy Andrews, Arnold, Docwra (Substitute) and Di Keal (via MS Teams)

In Attendance

Alan Bardet, Bridget Scaife

Minutes

1 **Emergency Evacuation Procedures**

2 **Appointment of Chair**

Members voted unanimously for Councillor Arnold to continue as Chair of Grants Working Party.

3 **Apologies for Absence**

Apologies were received from Councillors Garbutt-Moore, Hope and Thackray.

4 **Minutes**

The minutes from the meeting held on 8 March 2021 were agreed.

5 **Urgent Business**

There was no urgent business.

6 **Declarations of Interest**

There were no declarations of interest.

7 **Exempt Information**

It was agreed to exclude the press and public from the meeting during consideration of applications under the following items, as the public interest has been considered and, in all circumstances of the case, the public interest in maintaining the exemption was considered to outweigh the public interest in disclosing the information.

8 **Revision to CG-111 Musical Memories**

Members discussed the revision to the request by Musical Memories.

Recommendation

That the revision be rejected as the correct process has not been followed. A separate application should be made for the additional funds.

9 **Community Grant Applications**

Recommendation

That the recommendations contained in the Minute Annex (Community Grant Applications) be presented to the Policy and Resources Committee for Approval.

Minute Annex

10 **Any other business that the Chairman decides is urgent**

Members were updated on the Ampleforth Village Hall S106 and Hutton le Hole Bowling Club Community Grant requests from the previous meeting.

There being no other business, the meeting closed at 05:30pm

Recipient	Grant Reference	Total Project Cost	Amount Requested	Percentage	Recommendation	Percentage
Lastingham Village Hall, Heating System	CG 128	£7,480	£1,870	25%	£1,870	25%
Newton Village Hall, Car Park Resurfacing	CG 129	£5,760	£1,440	25%	£1,440	25%
Kirby Misperton Village Hall, Toilet and Corridor	CG 130	£18,762	£4,690.50	24%	£4690.50	25%
Hovingham action group, Playground Equipment	CG 131	£999.60	£999.60	100%	£999.60	100%
Settrington Village Hall Trust, Mower and towing vehicle	CG132	£5,000	£1,250	25%	£1250	25%

Available to spend £35,121

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Flood Management Working Party

Held at Council Chamber - Ryedale House, Malton, North Yorkshire YO17 7HH
on Thursday 8 July 2021

Present

Councillors Burr MBE, Cussons MBE, Di Keal (virtually), Potter and Raper

In Attendance

Will Baines, Beckie Bennett, Cllr John Clark, Margaret Wallace (virtually), Rachel Parks (virtually)

Minutes

1 Apologies

Apologies were received from Councillor MacKenzie.

2 Appointment of Chair

Cllr Clark attended the meeting to explain that he would be forgoing the opportunity to chair the working party.

As a result, Cllr Burr proposed and Cllr Raper seconded that Cllr Keal be elected as Chair. This was agreed.

Cllr Burr proposed and Cllr Keal seconded that Cllr Cussons be elected as Vice-Chair. This was agreed.

3 Co-opting

The working party agreed to invite partners and other stakeholders to attend meetings of the Flood Management Working Party as required.

4 Financial Overview

The Head of Waste and Environment gave an overview of the approved financial contribution to the Malton, Norton and Old Malton Flood Scheme, the revenue and capital situation, as well as information on the flood grants scheme run by the Council.

Cllr Burr declared a personal non-pecuniary but not prejudicial interest in the topic as a NYCC County Councillor.

As part of the discussion, Cllr Burr asked for financial budget information from the Chief Finance Officer (s151) to explain the availability of funding from the financial reserves for flood alleviation measures and requested their

attendance at the next meeting of the working party. This was recorded as an action.

5 **Draft Flood Mitigation Action Plan**

Flooding - Motion to Council 18 February 2021 (Min No 77)

On 29 June 2021 the Policy and Resources Committee resolved to refer the motion which in summary “....called for the Council to commit up to £2.5 million of reserves to contribute to partnership funding a permanent pumping solution for Norton.....” to the Flood Management Working Party.

The working party were of the view that it was not for the Council to commit to completely funding permanent solutions however budget provision would be required. It was agreed that discussions with partners was a high priority to better understand their investment plans and how working together may enable joint-funding opportunities and the delivery of potential future permanent solutions or other natural flood management projects to reduce flood risk.

The working party were in agreement that inviting representatives from Yorkshire Water to the next meeting or as soon as possible was essential. An action was agreed for officers to draft an agenda with clear objectives for the discussion with Yorkshire Water which would be circulated to all members of the working party for agreement prior to the meeting.

The Head of Waste and Environment updated the working party on the multi-agency flood mitigation action plan which had been drafted from the two member briefings held in March and April, providing updates on ongoing work from partners. Updates were received on the following:

- Channel Management report
- Community Client Group for the Malton, Norton and Old Malton scheme
- Malton, Norton and Old Malton revised pump plan
- NYCC Programme of Works
- Yorkshire Water - Drainage study
- Yorkshire Water - Brawby
- Yorkshire Water - Living with Water
- Yorkshire Derwent Catchment Partnership
- Yorkshire Humber Drainage Board
- Environment Agency – Buttercrambe
- Ongoing Community Group work in Fryton
- Middle Deepdale Monitoring

A Ryedale District Council draft action plan with suggested themes and an overview of timelines for 2021/21 was also shared with members of the working party for information. This would be used by officers as a tracking document to detail specific agreed actions and progress in between meetings.

Updates would then be reported back at each working party meeting. Developing an action plan and work programme for this working party was agreed as an action.

Further information was requested on the NYCC Programme of Works, particularly those that have taken place in Ryedale. This was recorded as an action and the information would be provided to the working party when made available.

There was no update from the Environment Agency and this was recorded as an action for the information to be provided to the working party at a future meeting.

Following these updates, Cllr Potter spoke about the difficulties determining where one organisation's responsibility ends and another begins on flooding, and the recommendation made in the Pitt Review interim report that registers of all the main flood risk management and drainage assets be compiled.

Cllr Potter requested the Council to lobby Government that water companies, such as Yorkshire Water, are made statutory consultees on any planning application in relation to surface water drainage. This was recorded as an action for officers to draft a letter to Government and present it to the next meeting of the Flood Management Working Party for feedback ahead of recommending it to the Policy and Resources committee.

6 Draft Frequently asked Questions - feedback

The draft Frequently Asked Questions (FAQs) document was considered.

Cllr Potter asked about the answer to question 18 in the FAQs document and whether there are any plans to improve sewage treatment works and the wider network in Ryedale to become modern sewers. This was to be picked up when Yorkshire Water attend the working party.

Cllr Potter requested the Council to lobby the Government that the implementation of Sustainable Drainage Systems (SuDS) be made compulsory rather than given as advice through the planning process. This was agreed as an action for officers to draft a letter to Government and present it to the next meeting of the Flood Management Working Party for feedback ahead of recommending it to the Policy and Resources committee.

It was also agreed as a recommendation to Policy and Resources committee that the implementation of SuDS as a compulsory measure rather than as advice be considered as part of the ongoing review of the Local Plan.

Recommendation to P&R

That the implementation of SuDS as a compulsory measure rather than as advice be considered as part of the ongoing review of the Local Plan.

7 Yorkshire Derwent Catchment Partnership

The Head of Waste and Environment reported back to the working party on the meeting of the Yorkshire Derwent Catchment Partnership (YDCP) that had taken place earlier that day. Topics discussed work on the River Derwent uplands, sediment mapping of the River Derwent with interactive maps available online and the 'Doing More for the Derwent' project co-ordinated by the Environment Agency. The Annual YDCP Report and Finance Strategy for 2020/21 was to be shared with working party members and this was recorded as an action.

A representative from the Yorkshire Derwent Catchment Partnership had agreed to attend a future working party meeting.

8 Middle Deepdale Monitoring

This was covered under item 5.

9 Next Steps

Officers will further develop a work programme and detailed action plan to capture all of the actions from the Flood Management Working Party to enable progress to be tracked at each meeting of the working party.

It was agreed as an action that partner updates will be shared with members of the working party as information is received.

It was also agreed as an action that elected members who represent the Council on the Yorkshire and Humber Internal Drainage Board would provide updates to members of the working party.

10 Any Other Business

There being no other business, the meeting closed at 8:10pm.

11 Date of Next Meeting

To be confirmed.

Livestock Market Working Party

Held at Council Chamber - Ryedale House, Malton, North Yorkshire YO17 7HH
on Thursday 15 July 2021

Present

Councillors Arnold, Bailey, Burr MBE, Clark (Chairman), Cleary, Cussons MBE, Docwra and Middleton

In Attendance

Alan Bardet, Phillip Spurr and Howard Wallis.

Minutes

1 Welcome and Apologies

No apologies were received.

2 Terms of Reference

Members noted the terms of reference presented by Officers.

3 Project Overview and Overall Vision

Officers gave an introduction to the project overview briefing paper in the agenda.

Members discussed and asked questions on the following:

- The need for a clarification from the landowner of their position. Officers confirmed they have been in contact recently and are still on board with the project, but a definitive answer will be sought.
- Any changes to the situation since the initial discussions took place.
- The distinction between the Fitzwilliam Trust and the Fitzwilliam Estate.
- Clarification on whether planning permission for the development of homes in Malton was conditional on the land being made available for a new livestock market. Officers to seek further information from RDC Planning.
- The essential need for written confirmation on the availability of the land.
- The need for a phased resolution to the project starting with relocating the existing livestock market itself before Local Government Reorganisation begins, avoiding potentially jeopardising the whole project by trying to do everything at once.
- Recognition that the project needs to move quickly with targeted aspirations for each stage of the project.

- The difference in size of the existing site compared to a new site. What size would be required for a viable market?
- Which other businesses are waiting to use neighbouring land? Will that affect planning of the project?
- Operation of the market and financial return. Recognition that making money is not the main focus.
- Enthusiasm from local farmers for the project.
- The potential availability of any existing plans for the project created previously.
- Abattoirs currently in operation in Ryedale.

4 **Potential Interested Parties**

5 **Project Plan**

Members agreed on the need to create a realistic and reasonable plan for the project, taking in to consideration all the points raised at this meeting.

6 **Timetable of Future Meetings**

The next meeting is provisionally scheduled to be held on Monday 16 August 2021, once a project plan has been completed by officers ready to present to the working party.

Other conversations and work may be undertaken by the Chair and Members outside of the meetings where required, in consultation with Officers.

7 **Any Other Business**

There being no other business, the meeting closed at 7:45pm.



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	29 JULY 2021
REPORT OF THE:	PROGRAMME DIRECTOR FOR ECONOMIC DEVELOPMENT, BUSINESS AND PARTNERSHIPS PHILLIP SPURR
TITLE OF REPORT:	MILTON ROOMS GRANT UPDATE AND BUSINESS CASE
WARDS AFFECTED:	MALTON

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To detail the proposed changes to works listed in the original approved grant of £193,000 (approved at full Council in February 2021).
- 1.2 To review the business case for the additionally budgeted £307,000 to support further refurbishment work at the Milton Rooms (approved at full Council in February 2021).
- 1.3 To request approval for the proposed changes and to request the release of funds for the budgeted £307,000.

2.0 RECOMMENDATION(S)

- 2.1 It is recommended that:
 - (i) The proposed changes to the original works approved by Council in February 2021 be approved.
 - (ii) The business case for the budgeted £307,000 be accepted and the funds approved for release.

3.0 REASON FOR RECOMMENDATION(S)

- 3.1 In light of the unexpected further budgeting of £307,000 for the Milton Rooms during the full council meeting in February, the original proposed works for the approved grant of £193,000 have been modified by the Milton Rooms trustees. Much of the proposed works will continue as planned but changes have been made to some elements to act as infrastructural preparations for the work proposed as part of the additional funding. This is intended to ensure best value for money overall.

3.2 A full business case for the additionally budgeted £307,000 has been outlined and presented as requested.

4.0 SIGNIFICANT RISKS

4.1 Elements of the originally approved grant works that have not been modified have been outlined in a grant agreement being drawn up. If the proposed changes are not approved it could impact plans already underway to progress these.

4.2 The business case for the budgeted £307,000 is aligned with the Milton Rooms strategic development plan and if this proposal is not approved this could impact their wider development opportunities.

4.3 There is a risk that the cost of materials will rise which could affect the proposed budgets. Attempts to mitigate any effect of this have been made through the provision of a contingency fund within the original budget.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 The Council Plan 2020-2024 highlights the ambition to support Ryedale's Creative Industries and expand the cultural offer. Investment in the building improvements outlined in these proposals would support that aim and widen opportunities for business and audience development at the Milton Rooms, having a positive impact on Ryedale more widely.

5.2 The Milton Rooms Working Party report was concluded in March 2020 and contained a series of recommendations to support the development of the site. The report included reference to building improvements (section 7.1/3 and section 7.2/5). The Milton Rooms have progressed with the recommendations, many elements of which are embedded in their business plan and evidenced in the business case for funding.

5.3 Prior to their original grant request for £193,000 (which was approved at Full Council on 25th February 2021), it was requested the Milton Rooms provide a business plan for the site. This was developed and submitted with the previous request for funds. A further business case has now been submitted.

5.4 The North Yorkshire Cultural Strategy is soon to be published. It outlines regional priority actions for cultural development which include:

- widening reach
- place-shaping
- access to the cultural/heritage offer
- development of local leadership and
- investment in creative skills

The proposed developments at the Milton Rooms will help to deliver these priorities.

5.5 The recent Ryedale-based consultation work which was carried out to help shape the Ryedale Cultural Action Plan revealed 95% of respondents felt that arts and cultural activity enhanced a sense of community and 82% said they'd like to see more activity available. The developments at the Milton Rooms will support the increase of the cultural offer for Ryedale communities.

REPORT

6.0 REPORT DETAILS

Changes to the works proposed as part of the formerly approved £193,000 grant:

- 6.1 In February 2021 the Council approved a grant of £193,000 for refurbishment works at the Milton Rooms. This grant was requested as part of the Milton Rooms Committee's development plans for the site and a full business plan was provided in support of the bid. The refurbishment proposals included new toilet facilities and improvements to the kitchen and lighting facilities; all of which will support public accessibility and artistic and business developments at the venue.
- 6.2 At the February council meeting it was also agreed that an additional £307,000 be budgeted for the Milton Rooms for further improvements to the building. Any approval to release these funds would only be made subject to receipt of a business case.
- 6.3 This additional budget of £307,000 while welcome, was not anticipated by the Milton Rooms board when the original £193,000 grant request was made. As a consequence they have since reconsidered their original spending plan for the £193,000, to ensure that it is managed in line with how the additional funds can be best spent and to ensure best value for money. The Milton Rooms trustees have therefore revised some of their original proposals. The Table below highlights the key areas of work and indicates which have changed since the previous grant was approved.

Key works listed in previous proposal:	Key changes based on new Proposals
Refurbish Basement Gents Toilets	Unchanged
Refurbish Basement Ladies Toilets	Unchanged
Installation of Lift	Unchanged
Refurbish Unisex Toilet	Unchanged
Strip out and clear disabled toilet	Unchanged
Refurbish Bar Toilets	Unchanged
Unisex Toilet and Baby Change	Cancelled – plumbing and waste issues; modifications instead to be made to existing plans for the Studio Toilets refurbishment.
New Sink to Bar Area	Unchanged
New Kitchen facilities (outside Assembly Rooms)	It is proposed this is now conducted as part of the additionally budgeted £307,000 funding.
Main Hall Decorating	It is proposed this is now conducted as part of the additionally budgeted £307,000 funding.
Floor Cleaning	It is proposed this is now conducted as part of the additionally budgeted £307,000 funding.
New stage steps	Unchanged
Black Out Curtains	It is proposed this is now conducted as part of the additionally budgeted £307,000 funding.
Kitchen Refurbishment	Unchanged
Wheelchair Ramp	Cancelled, the existing ramp has been modified by volunteers
Lighting Rig	Unchanged
New Heating Systems	Cancelled – investigations proved options to be too expensive

	<p>Additional Items: Due to changes as outlined above, and the intention to ensure suitable groundwork preparations for works to be proposed as part of the additionally budgeted £307,000 funds, the following items have been suggested to complete the original £193 grant spend, subject to approval:</p>
	Bar Security Grills
	Infrastructure/Refurbishment for digital LED Lighting and Sound Line Array system, Wi-Fi plus infer-red hearing loop, rewiring throughout the building
	Refurbishment works (flooring and lighting) to Ladies Powder Room.
	Decorate Green Rooms and stairwell

A full breakdown of the proposals and the changes is included in Appendix B.

- 6.4 As evidenced in full in Appendix B, these suggested changes are in part to use funds from this earlier grant to provide some preparatory infrastructure work for proposals outlined in support of the £307,000 business plan, such as lighting and sound works. Some works outlined originally were also able to be modified which meant that other elements could be withdrawn.
- 6.5 For those elements of the original grant request which have not changed (totalling £136,450.29), a grant agreement for the new total is being progressed.
- 6.6 Regarding the altered works: a spending proposal is detailed on page 5 of the new business plan (Appendix A) and further outlined in the Budget Spreadsheet (Appendix B) for the remaining £56,545.29 of this original grant money. These proposals are:

Bar Security Grills (addition as present grills are not secure)	£2,125.00
Infrastructure/Refurbishment for digital LED Lighting and Sound Line Array system, Wi-Fi plus infrared hearing loop, rewiring throughout the building to reach present day electric regulations for certification for lighting and sound. Equipment to be installed in phase 2 using the additionally budgeted £307,000 funds.	£46,875.00
Ladies Powder Room to enhance the entrance with non-slip flooring	£3,922.60
Decorate Green Room & Stairwell	£3,622.69
Total request from £193,000 agreed grant	£56,545.29

6.7 These proposals both continue to support developments for accessibility at the venue while also providing electrical infrastructure support for further lighting and sound work outlined in the business plan for the additionally budgeted £307,000 funds.

Business Case for the additionally budgeted £307,000 funds

6.8 At the February Council meeting where the Milton Rooms grant request for £193,000 for refurbishment works was approved, Members also agreed to budget a further £307,000 for the Milton Rooms development plans.

6.9 Members requested a business case would need to be presented including an outline budget for the £307,000 before approval could be granted for release of the funds.

6.10 The business case is presented at Appendix A. The document provides background on further business and organisational developments at the Milton Rooms. It also evidences actions taken in response to the Milton Rooms Working Party Recommendations. Sections include:

- an updated vision for the Milton Rooms site;
- an outline of governance and management developments and objectives including improvements to the volunteer and membership programme
- partnership developments: including opportunities being explored with Helmsley Art Centre, Pocklington Arts Centre, Pickering Memorial Hall, The Wesley Centre, York Theatre Royal and more.
- Updates to the recent programme and future plans for programming; including recent visitor feedback
- Plans for 2023 and beyond

6.11 These developments so far have proved successful. The plan also includes the revised proposals for the original grant request (detailed in sections 6.1-6.7 above) as well as a business case and budget breakdown for the additional £307,000 funds. The proposals that are outlined for the £307,000 funds support the Milton Rooms business plan.

6.12 It is proposed that the budgeted £307,000 be used to support further refurbishment and improvement works. These are:

Main Hall Audio Line Array Sound System – Based on research completed with professional performers: they often reach out to provincial venues to rehearse before going on tour or playing at the large city centre arenas. This circuit is very lucrative but the big performers and bands will only consider this if the equipment is of the highest standard. The Line Array system offers superb sound quality and future proofs the Milton Rooms for the next 30 years. This system was used when the main hall underwent its audio mapping from Leeds Beckett University.	£167,000.00
Blackout Curtains Main Hall	£18,000.00
Stage Curtains	£7,550.00
Masking stage curtains	£950.00

Decorate Main Hall	£10,000.00
Main Hall Floor	£7,500.00
Lighting Bars over Stage	£38,000.00
Radiator Grills Main Hall	£5,000.00
Lighting for the Assembly Rooms & Foyer	£21,420.00
Material for Roman Blackout blinds Assembly Rooms	£2,900.00
Lighting Square Truss	£26,400.00
Box Office	£2,219.95

6.13 A full breakdown of these proposals is outlined in the Business Plan case for funding (Appendix A) p.6-7.

6.14 These improvements, like the work taking place as part of the original £193,000 grant will support accessibility at the venue and will help contribute to Ryedale's cultural offer through the opportunities that can be developed. The benefits will include:

- improved accessibility for the public, including those with sensory impairments, supporting the venue to develop its audiences and increase footfall at the venue.
- improved facilities and equipment for professional visiting acts allowing for a wider range programming and greater opportunities to attract headline acts to the venue,
- improved facilities could also allow the Milton Rooms to provide rehearsal space for big-named acts which could include revenue of up to £500 and £1,000 per day,
- greater capability for the Milton Rooms to work with a range of community groups with improved accessible facilities open to all
- An increase in visitors due to access improvements and the broader cultural offer will support the venue to be financially sustainable in the longer term,
- The development of a wider range of facilities and a more accessible site will provide the Milton Rooms with the ability to diversify their income streams through both the wider range of programming that is possible, the improved opportunities for community use of the site and the development of new initiatives such as operating the studio bar independently of the rest of the venue.
- The proposals outlined will provide the foundational work for further funding bids to external organisations with the intention of attracting further investment.

Further investment benefits are noted on page 7 and 8 of Appendix A.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

- £56,545.29 The total from the original £193,000 grant which has been reallocated towards other works and for which approval is sought.
- £307,000 of additionally budgeted funds.
- A full income/expenditure spreadsheet with predicted figures is included as Appendix C.

b) Legal

As with the original £193,000 grant, the additional funds being requested are for works outside of the maintenance remit of the sub-lease between the Milton Rooms and RDC. If all or part of the financial request is granted, the legal team will draw up a grant agreement with approved terms and conditions.

When preparing the grant agreement for the £193,000 it was requested by the Milton Rooms Trustees that RDC hold the funds and any invoices for work be paid for directly so the VAT can be reclaimed. To ascertain the viability of this, colleagues in Legal, Finance, Democratic Services and Procurement were consulted for input on whether RDC could legitimately meet this request. It was concluded that:

- If RDC pay any invoices directly then they would be the contracting authority and any contracts would need to comply with the councils Contract Procedure Rules (CPR's) and Public Contract Regulations (PCR's),
- If the Milton Rooms receive the funds from us in pre-agreed instalments (which would be outlined in the grant agreement) they would deal with the contracts themselves in line with any specific terms in the agreement and subject to their own organisations procurement rules.

As stated, the Milton Rooms preference was for the invoices to be dealt with through RDC and paid on their behalf. In this case RDC would be the lead contracting authority and would manage the procurement activity and the authority CPR's and PCR's would apply. It was therefore discussed that the grant would be paid to the Milton Rooms via a schedule outlined in the grant agreement. The same agreement can be progressed for this additional grant.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)

All necessary health and safety protocols will be followed if the works outlined in the grant request works are to go ahead. These can be outlined in the terms and conditions of a grant agreement.

Many of the proposals in the grant request are to enhance the accessibility of the venue which will support equality of participation for a wider range of people.

It is intended that the developments proposed will all be carried out by Ryedale-based suppliers where possible thus minimising the overall carbon footprint. Many of the refurbishment works are intended to improve the overall energy efficiency of the building. For example, water usage will be minimised through the installation of touch-sensitive taps and improved toilet flushing systems. Heating and insulation will be improved through the installation of better energy efficient radiators and the floor to ceiling black out curtains which improve acoustics but also act as insulators. The introduction of LED lighting and the electrical improvements will all serve to increase energy efficiency.

It is expected that any future requests for capital investment will be expected to include a carbon assessment prior to grant funding being considered.

Name of Head of Service: Phillip Spurr

POLICY AND RESOURCES COMMITTEE

29 JULY 2021

Job Title: Programme Director for Economic Development, Business and Partnerships

Author: Esther Graham, Arts and Events Officer
Telephone No: Tel: 07770372332
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Background Papers:

Appendix A - Milton Rooms Business Plan
Appendix B – Spreadsheet of proposed budgets
Appendix C – Income Expenditure spreadsheet

Background Papers are available for inspection at:
Location or web address
Economic Development Team Files.

Milton Rooms Business Plan2021-2023

Plus remaining money from £193k Grant and £307k ring fenced Capital Bid

Executive Summary

This Business Plan has been developed to provide a strategic framework for the Milton Rooms proposed development over the next 1-3 years. It incorporates plans to develop and improve the governance, arts and community programming and capital improvements to the building. The Milton Rooms charity is committed to providing a quality arts and community hub for Ryedale.

Covid-19:

It should be noted that the COVID -19 pandemic has and continues to impact the Milton Rooms. Trustees are monitoring the situation constantly and are working to ensure a manageable and sustainable programme which is flexible to changing restrictions and associated national or local guidance.

Contents:

1. The Milton Rooms Vision
2. Governance and Organisation
3. Partnerships
4. Facilities
5. Programme
6. Beyond Covid-19 – and the Ring Fenced RDC Money

1. The Milton Rooms Vision:

Malton and its surrounding areas are growing exponentially in terms of housing development and social demographics. It is even more important that we recognise the status of the Milton Rooms as a community and arts facility which is a great asset to the prosperity of the local population in terms of restaurants, public houses and hotels. We intend to become the cultural heart of Malton and Ryedale. Working are with other community centres to offer a varied programme of arts events. We have worked closely with the Fitzwilliam Estate to enhance their vision of making Malton a centre for the arts, visual and written, with the possible development of a festival weekend. We have a firm and positive working relation with the Museum developing ideas for exhibitions of local history. We have reached out to and are working with local schools offering the Milton Rooms to support volunteering activities for “Duke of Edinburgh”. Also there would be the possibility of supporting Units within the BTEC Production Arts courses. All to encourage the next generation to support their community amenity.

Our revised vision focuses on the refurbishment and moderation programme which is urgently required to improve the facilities that can be offered to the area of Ryedale as a hub for performing and visual arts with the ambition and potential to attract performers and audiences to enjoy high quality events; also to provide facilities for local organisations for meetings, conferences, workshops etc.

As requested by the working party the Studio Bar will be opening as a separate revenue stream. Future possibilities are also being considered where we could extend our opening hours to offer refreshments to those shopping in the town.

If the Milton Rooms is going to thrive then now is the time to use the enthusiasm of a new board of trustees and energy new volunteers. Strike while the iron is hot to make this venue one to be proud of.

2. Governance and Organisation:

During mid-2020 the Milton Rooms went through a significant managerial restructure of the trustees and its chair which has led to a refocusing of the organisation’s vision. Even though it is a charity it should be managed and run on a business footing.

During 2021, Covid-19 has had a limiting effect on the Venue Manager’s capabilities to move the Milton Rooms forward in terms of revenue streaming but the post has proved invaluable when considering the restraints and legislation required for when the venue can again operate at full capacity. Along with every other Arts Venue and theatre in the land we wait for when we can run at full capacity.

The trustees acknowledge the recommendations made in the Milton Rooms Working Party Report and have incorporated these into the business plan. During these unprecedented Covid-19 times it is becoming more evident that the Arts and cultural venues are more important than ever for the well-being and mental health of our community.

2021-2023

Governance area	Objectives
Board of Trustees	<ul style="list-style-type: none"> We have increased trustee board numbers with new trustees bringing specific expertise in areas such as finance, inclusive arts, theatre, technical theatre expertise, marketing, social media and website building
Volunteer development and support	<ul style="list-style-type: none"> Recruit more volunteers and develop the volunteer community Develop volunteer policies Establish regular volunteer/trustee meetings at the venue Continued recognition and support for the existing and new volunteers who have worked so hard to support the Milton Rooms
Milton Rooms Membership Programme	<ul style="list-style-type: none"> Revise the Milton Rooms membership programme and develop a ‘friends’ group’
Malton Museum	<ul style="list-style-type: none"> We have mutually agreed on the outstanding tenancy issue for the Subscription Rooms We have collaborated on programming museum activity and events in other spaces in the Milton Rooms. Explore options for a joint funding bid for collaborative heritage project
RDC	<ul style="list-style-type: none"> Continued to liaise with Ryedale District Council (RDC) and work together to develop opportunities and programming for the site.

3. Partnerships

The Milton Rooms have a renewed commitment to develop working partnerships with other cultural and arts providers in Ryedale and beyond as well as working with local businesses and community groups. Our objective is to make the Milton Rooms inclusive and accessible to all.

Partnerships opportunities are already being explored with organisations in Ryedale and beyond; including increased collaborative work with Malton Museum.

2021-2023

Area	Objectives
Arts and Culture	<ul style="list-style-type: none"> Explore opportunities and collaborations with organisations in Ryedale and beyond including Helmsley Art Centre, Pocklington Arts Centre, Pickering Memorial Hall, The Wesley Centre, York Theatre Royal and SJT Scarborough, The Picturedrome Holmfirth and charitable organisations including “Musical Memories” and Malton Museum. Joined the Small Venues Network; a partnership of mostly Yorkshire-based arts venues which share news and support joint programming.
Schools	<ul style="list-style-type: none"> Collaborated with local schools who offer media and performing arts on their curriculum enabling students to practice and gain accreditation for units studied in the classroom giving them vocational experience.
Community Groups	<ul style="list-style-type: none"> Increase the number of community groups using the site. Provide space for and develop revenue from business events and conferencing

4. Main Facilities:

The trustees intend to develop the opportunities for use of the different spaces with the building; including greater promotion of the rooms available for hire.

Room	Capacity	Features
Main Hall	Max 300 (theatre style) 60/70 under Covid-19 secure guidelines	Hall with stage
Assembly Rooms	80. 30 under Covid-19	Multipurpose hall space
Subscription Rooms	N/A	The subscriptions rooms are currently occupied by Malton Museum.
Bar	Closed to public – Table service only at this time in Main Hall – (Cabaret Style)	Small bar with seating and adjacent kitchen. Also used for micro performances.

The Assembly Rooms have recently been revamped and the trustees aim to capitalise on this addition to the available room hire over this business plan period (indeed, we do now have our first wedding booking in August). As well as being suitable for workshops, lectures and performances, this space could include events such as weddings, christenings, birthdays and wakes.

5. Programming:

The trustees and the Venues Manager have created a marketing group who are keen to develop a vibrant arts programme for the Milton Rooms, maximising the full potential of what the venue has to offer and providing a rich and vibrant programme for the public to enjoy.

Some successful community programming has taken place already and meetings and discussions are underway with performers, stage acts and various arts development professionals.

Successful events took place from September 2020:-

- September 2020 – Musical Memories, Blues Club, Three Men In a Boat
- October 2020 - Musical Memories x 2, Taphouse Burnout, Blues Club
- November 2020 – COVID Closed
- December 2020 - Taphouse Burnout, Dickens Christmas, children's Christmas show Magical Quest
- January, February, March, April 2021 – COVID Closed
- May 2021 – Martin Gough, Dickens Flowers, Blues Club, Mandy Muden
- June 2021 – Charity Event, Taphouse Burnout, Hilarity Bites comedy club, Kick in the Head - theatre production, Blues Club

All took place within the Covid-19 safe guidelines.

2021-2023 plans include:

- Continue to provide the traditional and successful acts that have worked in the past.
- Develop a programme of at least 3 x new types of acts/events each year:
- Develop the marketing of the programming with proactive and consistent publicity
- Initiate and consistently evaluate programming; collate the feedback to inform future programmes and ensure the Milton Rooms can be responsive to visitor comments, suggestions and complaints.

A Sample of audience feedback comments:-

- A – Wonderful evening, great venue
- B- Fantastic night, volunteers at the venue are exceptional
- C – Wonderful atmosphere, great music, bar was well organised with table service
- D – Fantastic to be back out, volunteers were brilliant
- E – Brilliantly organised, table service very attentive
- F – Venue very COVID safe, volunteers helpful and friendly
- G – Great to be out after a year
- H – A very safe evening, sound needs working on

Taken from 30 feedback forms from various events: - Out of 150

How did you rate the event /5	How did you rate the venue /5	How did you rate the performance /5
148	147	147

6. Beyond Covid-19 - 2023:

Similar to all other venues and community centres 2020/21 has been a difficult year for the Milton Rooms due to the Coronavirus pandemic, the subsequent government orders to close and limited numbers due to social distancing when allowed to open.

However, we are pleased to report we have a new enhanced board of trustees with more valuable business as well as relevant theatrical experience, and a venue Manager now complements the team.

The fresh approach and enthusiasm from the trustees as well as a warm welcome to all enquiries has also resulted in an increase in new volunteers, including people with useful skills in design and marketing.

Periods of lockdown have been actively spent updating all H&S and Safeguarding policies as well as general maintenance, decorating and cleaning of the venue. Having achieved the 'Visit Britain We're Good to Go' Industry Standard we continued to monitor and update our Covid-19 risk assessments so that we were ready to open as soon as restrictions allowed.

The performances and events we have held were successful and received very positive feedback from the public that attended. (See comments above)

During periods that venues were allowed to open, the Milton Rooms was able, due to its size to offer space to local community groups who otherwise would not have been able to meet under the social distancing restrictions. These included Kirkham Henry Performing Arts Centre who used the venue as a second campus to enable their children's classes to be taught, Swinton brass band, Yoga classes plus RDC full council meetings, the Museum AGM and the Malton and Norton Lions meeting.

Our main achievement this year was that the trustees vision and plans for the venue, as well as our 'can do attitude' instilled enough confidence in the officers and members of Ryedale District Council who awarded the Milton Rooms a grant of £193,000, plus a further ring fenced £307, 000 for a programme of refurbishment, renovation and enhancement works.

Plans for the future

Agreed £193k Grant from RDC: breakdown of intent:

From our changed bid put forward to P&R in September 2020 which was heard in February 2021 we would wish to start our first phase of works that will include a complete renovation of both the main hall and the Studio Bar toilet facilities. A new lift will be installed in the foyer to allow access to a unisex disabled toilet with baby changing facilities. The kitchen will be upgraded to allow outside caterers a useable space to cater for functions. The Studio bar will be enhanced to allow it to open independently of any performance and thereby supply another revenue stream. The total sum from the £193k bid would be £136,450.92 which includes a contingency for £8,245.00. We have included a contingency which we feel is essential for forward thinking when taking on any works dealing with

plumbing and electrics in an old building. This contingency will also be used to cover the rising prices of materials due to the protracted time between applying for the grant in September 2020 and now. It would be short sighted of us not to do so.

- The £56,545.29 is left from the £193k grant represents our second phase of our first bid. This would include the technical infrastructure to be put in place to allow the upgrade of the sound and lighting systems. Also within this money new security grills would be purchased making the bar a secure area, new flooring in the Ladies Powder Room to match the flooring in the unisex disabled toilets and the ladies toilets plus the decorating of the Green Room and stairwell outside the Assembly Rooms as these two areas are too high for volunteers to undertake.

The Importance of the Infrastructure:-

The technology with reference to the lighting and sound is out dated throughout the Milton Rooms, Studio Bar and the Assembly Rooms. The infrastructure is part analogue and part digital and the electrics supporting the lighting and sound although safe to operate at the moment would not under current regulations allow for any further alterations or additions as certification would not be given. We have three electricians and two theatre technical companies who have verified this. Therefore it is now a major priority that the whole infrastructure be refurbished and replaced securing at least a further 30years before revisiting this area of the Milton Rooms. This would allow for the state of the arts equipment to be put in place with our second bid of £307k ring fenced money. There is little point in ploughing ahead with our original bid if this means we cannot meaningfully use the £307K ring fenced money in terms of best value for money.

Bar Security Grills (addition as present grills are not secure)	£2,125.00	Our vision for the initial £193k has changed because of the extra £307k ring fenced money. We are pleased that the unchanged refurbishment grant money has been approved subject to the legal agreement. Here is how we propose to use the remaining £56,436.69 money from the £193k grant. We sincerely hope that our explanation for changing some of our priorities will be understood by the members of P&R when it is presented at the next meeting which would allow us to start work henceforth as the cost of materials are forever going up.
Infrastructure/Refurbishment for digital LED Lighting and Sound Line Array system, Wi-Fi plus infer-red hearing loop, rewiring through out the building to reach present day electric regulations for certification for lighting and sound. Equipment to be installed in phase 2 using £307,000 ring fenced money	£46,875.00	
Ladies Powder Room to enhance the entrance to the Ladies and Disabled toilet with non slip flooring	£3,813.60	
Decorate Green Room & Stairwell	£3,622.69	
Total request of from £193k agreed grant	£56,436.29	

The money from the £193k would complete the refurbishment of the toilet areas, unisex disabled toilet, disabled lift and accessible toilets in the bar area making the Milton Rooms accessible to all. It also includes the refurbishment of the bar, bar kitchen, Green Room and stairwell decoration. Thus making the bar a viable revenue stream for the Milton Rooms to open independently from the main hall.

Hopefully with the RDC approving the remaining money from the £193k grant and the £307k ring fenced bid we would use that success to bid for national grant funding to complete our vision for the Milton rooms.

National Grant funding for £500,000: breakdown of intent:-

We intend to seek national funding to extend the lighting system within the Milton Rooms and to include the exterior which will make the drab corner of the market place into a stunning attraction. This would enable the building to change colour, e.g. blue for the NHS or offering the facility for a “Son et Lumiere” for the Museum to depict historical exhibitions of the town by using a state of the art data projector to project on the building itself. This idea has been endorsed by the Fitzwilliam Estate during one of our site meetings with then this year. The projector would be used inside to decrease the use of fixed scenery for theatrical productions.

Our vision in this phase extends to glazing between the front pillars and fixing behind the glass interactive TV screens to advertise local Ryedale events on one and forthcoming events at the Milton Rooms on the other. With no tourist information office in Malton this would be a further community asset we could offer. Retractable seating would give the main hall the flexibility to have performances in the round, avenue or thrust which would link with new square lighting rig installed within the £307k bid.

The End Game:-

All three bids have been meticulously thought through to create a jigsaw puzzle that when fitted together would create a fantastic Arts and Community Venue worthy of the North East and beyond all set in Ryedale. The spin off for the local economy would be a well-deserved boost after a fraught couple of years with COVID restrictions. Restaurants would benefit from meal bookings prior to shows and hotels for people seeking weekend breaks away with entertainment on their doorsteps.

It will work if RDC members and officers have faith in this new and visionary board of trustees and has the foresight to leave a truly stunning legacy for future generations.

The aim of all the planned renovations and refurbishments is to upgrade the Milton Rooms into a sustainable business, fit for purpose in the 21st century as a community venue for Malton and the whole of Ryedale. We will offer a wide and diverse programme to suit all ages and tastes with a mix of both professional and amateur performances and events.

**Our ethos is:-
‘Run by the community for the community’**

7. Capital Improvement Grant Request

Plan:

£307k ring fenced bid: breakdown of intent:-

Within this second bid we would be using the technical infrastructure installed by the first grant to upgrade the main hall lighting rig, lighting bars over the stage plus new stage curtains, lighting in the Assembly Rooms. Plus a Line Array sound system which will include a new infrared hearing loop, blackout curtains to create a theatrical atmosphere need for productions and gigs but most importantly to enhance the poor sound quality in the main hall. We have had the main hall acoustically mapped by Leeds Beckett University (Music and Sound Department) which shows the sound properties of the room as it is now and again with the new proposed sound system. The quality of this new sound system would attract quality performers giving the audiences an enhanced and professional experience. A “state of the art” sound and lighting system will broaden our appeal not only to bands and performers but will also enable us to attract well known artists to “play” the Milton Rooms. It will also help us to work more closely with community groups such as Ryedale Special families, as we will be able to offer multi-sensory shows that will cater more for children and young adults with severe disabilities. The new sound system will also encourage use of the hall for large meetings and conferences by groups such as RDC, as it will make it possible for all to hear clearly the proceedings. It will also be a great asset for working with the Ryedale Sight Group on various performances. One project we would be excited to develop, using the new data projector, is extending the accessibility to our growing group of multi-cultural residents in Ryedale. We would offer original language films and other themed evenings, to not only foster a sense of community but to help embrace and enhance our knowledge of the differing cultures within our locality. We intend in this phase to redecorate the main hall back to its original colours lightening it for day events but allowing the blackout curtains to offer the atmosphere required for theatrical events. We also will have the oak sprung dance floor cleaned and restored to all its glory as it is one biggest sprung floors in the North.

We will also be able to offer ‘technical’ training facilities and are already in conversation with local schools about students being able to work towards BTEC qualifications levels 2 & 3 in Production Arts. Plus we have young people volunteering as part of the DofE Awards scheme for which we will have all trustees DBS checked and certificated adding strength to our Safeguarding Policy and governance.

Request for the ring fenced Capital Improvement Grant for £307k:

Phase 2 RDC £307.000 Ring Fenced	
Main Hall Audio Line Array Sound System – from research we have completed within the professional world of performers they often reach out to provincial venues to rehearse before going on tour or playing at the large city centre arenas. This circuit is very lucrative but the big performers and bands will only consider this if the equipment is of the highest standard. The Line Array system offers superb sound quality and future proofs the Milton Rooms for the next 30 years. This system was used when the main hall underwent its audio mapping from Leeds Beckett University.	£167,000.00
Blackout Curtains Main Hall	£18,000.00
Stage Curtains	£7,550.00
Masking stage curtains	£950.00
Decorate Main Hall	£10,000.00
Main Hall Floor	£7,500.00

Lighting Bars over Stage	£38,000.00
Radiator Grills Main Hall	£5,000.00
Lighting for the Assembly Rooms & Foyer	£21,420.00
Material for Roman Blackout blinds Assembly Rooms	£2,900.00
Lighting Square Truss	£26,400.00
Box Office (temporary structure)	£2,219.95

£306,939.95

It is the belief of the newly formed board of trustees that the Milton Rooms requires this capital grant of ring fenced money to modernise the facilities to bring the building into the 21st century thus making it a desirable venue to hire and fit for public use.

The Milton Rooms contribution to the cultural and social activities of the local community remains of major significance. The community is keen to support moves to rejuvenate the building and retain it as an active and viable local resource. For such a small community it is amazing how many local people who have performed on the Milton Rooms stage as amateurs have gone on to the professional world of Performing Arts either as:

We are engaging with local young people who have benefited from their early engagement with the Milton Rooms and we have invited them to patrons and our supporters promoting the venue on social media.

- Laurie Scarth – Musical Theatre actor in the West End
- Lauren Hood– Musical Theatre actor in the West End
- Scott Garnham – Musical Theatre actor in the West End and Director of the internationally acclaimed Barricade Boys

Hayden Clements – Events Technical. Hayden after meeting with the technical consultancy company we hired has secured a fulltime employment with this international company. He has already refurbished a theatre on a cruise ship in France in the past three weeks. This international company has designed Ferrari World in the UAE, built lecture theatres with video conferencing links to the operating theatres on board the mercy ships to train local surgeons in Africa so that they can go back into their local communities to operate and save lives. They have created theatres for the, Silversea’s cruise ships and the planetarium on the QM2, the Frost Science Museum in Miami, the “Chaley Heritage Foundation” for severely disabled children for which the CEO of this company received a knighthood and they are based locally at Buttercrambe.

The list will be added to..... Ryedale maybe small but its influence in the sphere of performing arts is genuinely international.

This organisation requires and deserves RDC’s support. As leaseholders of the building and representatives of the local community RDC have an obligation to the upkeep of the Milton Rooms for further generations by being an active stakeholder and landlord in a community asset. This could be RDC’s opportunity to leave a lasting legacy.

The impact of the investment:

- The community for many years have complained bitterly about the state of the toilets both female and male. They are grossly outdated and in no way reflect a community venue fit for the 21st Century. This includes the lack of a disabled toilet that can be used with dignity, there is an accessible toilet which is situated and opens straight on the foyer area at the moment. The new disabled toilet with a baby changing room is to be sited in the basement, accessed by a lift which will make the venue truly accessible to all. This refurbishment will also involve accessible comfort height toilets in the Studio Bar with handrails. With this refurbishment of the Milton Rooms toilets more members of the community will support this venue, as the poor facilities are often cited as the main reasons why people don't attend events. Black tie functions stopped for these very reasons and we will be encouraging them to come back.
- When the new Line Array Sound system is installed it will attract big named bands to rehearse before going on tour. It is common practice for these bands to seek out well equipped rural venues to prepare and rehearse for a couple of weeks away from the glare of the media. This would be a fantastic revenue stream for the Milton Rooms which could range from £500 to £1,000 per day depending on the stature of the band and the community may even get a preview in the bargain.

- Being able to attract higher quality artists will undoubtedly breed success for the Milton Rooms and success breeds success. This will have a knock on effect for the local economy where visiting audiences will pre book "before show" meals at the local restaurants plus overnight and weekend stays will boost the hotel occupancy.
- Using the new equipment we would offer "original language" films for those in our community where English is a second language. This would be accompanied by coffee mornings in the revamped Studio Bar where the Milton Rooms would be a hub for sharing cross-cultural traditions including foods, folk tales and costumes. This would evidence Malton and Ryedale as reaching out and being an inclusive environment in which to live.
- The Studio Bar is already open Thursday, Friday and Saturday 5.00pm - 8.00pm offering a further revenue stream and will be a great new facility for the local community when it undergoes its complete refurbishment. It will offer an intimate space for evenings where solo artists will perform and we would offer open mic evenings for up and coming local performers plus quiz nights.
- The new infrastructure in terms of Sound and Lighting is vital for expanding the scope of the Milton Rooms. At the moment it is part analog and part digital. As from September the halogen theatre light bulbs will no longer be sold therefore it is vital that we move wholly into the world of LED digital lighting which is environmentally friendly. These electrical systems have been added to and added to over the years where now we can add or alter no more. Five electricians have stated that if any further works were to be carried out, none of them would certificate the works under the up-to-date regulations. The infrastructure has come to the end of its life and it needs replacing, future proofing the Milton Rooms technically for the next 30 years. Making it a viable community arts venue fit for purpose and able to work alongside the Helmsley Art Centre , Pocklington Arts Centre and the Wesley Centre offering a truly varied programme of events for all in Ryedale. With the design of the square lighting rig it would make the Milton Rooms the only venue within Ryedale that could offer a performance space that is flexible for theatre in the round, avenue and thrust.
- The Milton Rooms with its new infrastructure supporting the Sound and Lights will offer immersive sensory experiences for Ryedale Special Families, Sight Support Ryedale groups and will have in place an infrared hearing loop. We will with the new Sound equipment offer special performers for the partially sighted where plays are acted as radio performances. The Milton Rooms also currently hosts a local Autism support group and the improved facilities will be of huge benefit to those involved providing greater opportunities for participation.
- This up-to-date theatrical equipment will be offered as a youth training opportunity for those interested in this form of technology. We have already joined forces with a local theatrical engineering company and "Kickstart" where demonstrations of how Audio and Visual equipment works are in place. These sessions are already up and running but with the new equipment the sky would be the limit for youth involvement. Links with local schools have proved successful with students wishing to use the Milton Rooms for their Duke of Edinburgh Awards Scheme for volunteering and those who are completing their vocational BTEC courses Level 2&3 in Production Arts could use these facilities to complete their DofE award and BTEC Units.
- The Assembly Rooms has already had a greater interest shown in terms of bookings for weddings, funeral wakes and christenings. Location film scouts have already been in contact and when this Georgian room is brought back to its full glory it could be used for a film location. This space is also ideal for local artists and photographers to exhibit their works.

It is not only an investment for now but for the future generations who will undoubtedly benefit from the opportunities such a joint venture as ours can offer.

Milton Rooms - Comparison September 2020 v April 2021

Breakdown of grant submitted September 2020 Bid

Item of Expenditure	Budget (in UK Sterling)
Basement Gents	£25,892.00
Basement Ladies	£27,763.00
Lift (subject to Survey)	£18,969.74
Unisex Toilet	£7,489.34
Strip out disabled toilet	£256.01
Bar toilets	£5,863.49
New unisex toilet facilities: "Green Room" A new unisex disabled toilet and baby changing facilities.	£7,489.34
Bar (new sink to bar area)	£1,247.52
New kitchen facilities in room off from the Assembly Rooms	£9,270.86
Main Hall decorating	£9,885.00
Floor Cleaning (clean, resurface, varnish)	£7,195.00
New steps (floor to stage both sides)	£1,000.00 (Est)
Black-out curtains blinds/curtains for the balcony, entrance, Assembly Room, Main Hall	£14,800.00
Kitchen refurbishment (bar area)	£10,000.00
Wheelchair ramp in foyer	£535.00 (Est)
Lighting rig	£20,000.00
New heating systems	£25,000.00 (Est)
	£192,656.30

April 2021 Modified Bid taking into consideration the agreed addition of the £307,000 ring fenced money as a critical path work submission February 2021

Item of Expenditure	Budget (in UK Sterling)	Reason for revising September bid	
Basement Gents (difference - vanity units replaced by sinks with pedestal)	£23,483.44	<p>Our September 2020 bid was submitted at the February 2021 P&R meeting and was ratified at the March 2021 RDC full Council Meeting. Unbeknown to the trustees and the officers an amendment to the budget was put forward to ring fenced a further sum of £307k. This was subsequently passed and was awarded to the Milton Rooms at the March 2021 meeting. The outcome of this was that the trustees reviewed their priorities of how best to use the £193k bearing in mind a further bid would be needed for the £307k which would go to P&R in September 2021 and then for ratification at full council in October 2021. It made sense to rethink the projects in our first bid in relation to how we would best use the money in our second bid as everything should be seen as one big jig-saw puzzle.</p> <p>Our main priority remains the refurbishment of all the toilets that service the Milton Rooms and Assembly Rooms and to create a disabled toilet accessed by a lift from the foyer to the basement.</p> <p>Our other priority is to enable the Milton Rooms to run as a business and at the moment with the current Covid restrictions in place for arts venues the Studio Bar is seen as a viable revenue stream. To enable this the Bar needs a complete refit, some of which has already been completed by the volunteers. The technology with reference to the lighting and sound is out dated throughout the Milton Rooms, Studio Bar and the Assembly Rooms. This infrastructure is part analog and part digital and the electricians supporting the lighting and sound although safe to operate at the moment would not under current regulations allow for any further alterations or additions as certification would not be given. Therefore it is now a major priority that the whole infrastructure be refurbished and replaced securing at least a further 30years before revisiting this area of the Milton Rooms. This would allow for the state of the arts equipment to be put in place with our second bid of £307k. There is little point in ploughing ahead with our original bid if this means we can not meaningfully use the £307K ring fenced money in terms of best value for money.</p>	
Basement Ladies (difference - vanity units replaced by sinks with pedestal)	£21,072.38		
Lift (subject to Planning) (difference - smaller lift to fit in existing shaft)	£15,570.00		
Unisex Toilet (difference this would for disabled use)	£9,057.88		
Strip out disabled toilet	£256.01		
Bar toilets (difference - to install accessible toilets with rails)	£7,547.89		
On investigation because of plumbing and waste issue this is not achievable but with the refurbished toilets in the Studio Bar we have made these "Accessible" by putting in comfort height toilets with accompanying rails.			
Bar (new sink to bar area)	£949.66		
This would be completed during phase 2 using £307,000 ring fenced money			
This would be completed at the end of phase 2 using £307,000 ring fenced money			
This would be completed at the end of phase 2 using £307,000 ring fenced money			
New steps (floor to stage both sides) (difference actual quote not Est)	£1,672.69		
The Blackout curtaining will be for the Main Hall in phase 2 using £307,000 ring fenced money			
Kitchen refurbishment (bar area) (difference - prices have gone up from original quote)	£19,938.00		
Existing wheelchair ramp has been modified to have rails on both sides by volunteers			
Lighting and Sound Bar	£28,906.00		
We investigated various heating models to increase our efficiency which included Solar Panels, Air and Ground Heat Pumps and insulation to reduce our carbon footprint but all were far too expensive and would require structural works.			
Bar Security Grills (addition as present grills are not secure)	£2,125.00	<p>Our vision for the initial £193k has changed because of the extra £307k ring fenced money. We are pleased that the unchanged refurbishment grant money has been approved subject to the legal agreement. Here is how we propose to use the remaining £56,436.69 money from the £193k grant. We sincerely hope that our explanation for changing some of our priorities will be understood by the members of P&R when it is presented at the next meeting which would allow us to start work henceforth as the cost of materials are forever going up.</p>	
Infrastructure/Refurbishment for digital LED Lighting and Sound Line Array system, Wi-Fi plus infer-red hearing loop, rewiring through out the building to reach present day electric regulations for certification for lighting and sound. Equipment to be installed in phase 2 using £307,000 ring fenced money	£46,875.00		
Ladies Powder Room to enhance the entrance to the Ladies and Disabled toilet with non slip flooring	£3,922.60		
Decorate Green Room & Stairwell	£3,622.69		
Total request of from £193k agreed grant	£56,545.29		
Contingency	£8,000.00		
	£192,999.24		
			Contingency

B Revised Option Milton Rooms Breakdown of £193k Bid June 2021

	June Quote		March Quote	
	A	B	C	D
Gents Toilets	£33,308.44	£29,131.74	£28,592.94	£23,483.44
Strip Out	£3,387.71	£3,387.71	£3,387.71	£3,387.71
Drainage Alteration	£711.77	£711.77	£711.77	£711.77
Pipework Alterations	£1,380.55	£1,380.55	£1,380.55	£1,380.55
New Radiator	£233.63	£233.63	£233.63	£233.63
New Sanitaryware	£5,523.54	£5,523.54	£4,360.17	£4,360.17
Concealed Cisterns & Wall Hung Pan Two In Total	£1,420.80		£1,420.80	
Basins & Sensory Taps With Pedestals Three In Total	£1,163.37		£1,220.40	
Semi Recessed Basins Three In Total	£1,220.40			
Urinals Five Bowls In Total	£1,718.97		£1,718.97	
	£5,523.54		£4,360.17	
New LED Lights	£1,160.44	£1,160.44	£1,979.95	£1,979.95
Airforce Hand Drier One In Total	£422.63	£422.63		
New Extract Fan & Grilles	£819.51	£819.51		
New Vanity Units & Wall Boarding	£5,109.50	£5,109.50	£5,109.50	
No Vanity Units Just Wall Boarding	£3,129.50			
Toilets Cubicles Including Wall Panels For Urinals	£7,242.40	£7,242.40	£7,242.40	£7,242.40
New Suspended Ceiling Including Bulkhead To Window	£1,006.72	£1,006.72	£1,006.72	£1,006.72
Non Slip Polysafe Flooring	£2,133.34	£2,133.34	£2,133.34	£2,133.34
Re-Decorate	£1,047.20	£1,047.20	£1,047.20	£1,047.20
	£30,178.94	£29,131.74	£28,592.94	£23,483.44
Ladies Toilets	£32,660.18	£31,329.18	£29,866.88	£21,072.38
Strip Out	£1,290.01	£1,290.01	£1,290.01	£1,290.01
Drainage Alteration	£589.51	£589.51	£589.51	£589.51
Pipework Alterations	£1,136.04	£1,136.04	£1,136.04	£1,136.04
New Radiator	£233.63	£233.63	£233.63	£233.63
New Sanitaryware	£5,661.36	£5,661.36	£4,110.20	£4,110.20
Concealed Cisterns & Wall Hung Pan Five In Total	£2,483.00		£2,483.00	
Basins & Sensory Taps With Pedestals Four In Total	£1,551.16		£1,627.20	
Semi Recessed Basins Four In Total	£1,627.20			
	£5,661.36		£4,110.20	
New LED Lights	£1,979.95	£1,979.95	£1,979.95	£1,979.95
Airforce Hand Drier One In Total	£422.63	£422.63		
New Extract Fan & Grilles	£819.51	£819.51		
New Vanity Units & Wall Boarding On All Walls	£7,463.50	£7,463.50	£7,463.50	
No Vanity Units Just Wall Boarding	£4,713.50			
New Toilet Cubicles Five In Total	£9,849.40	£9,849.40	£9,849.40	£9,849.40
New Suspended Ceiling	£717.64	£717.64	£717.64	£717.64
Non Slip Polysafe Flooring	£1,166.00	£1,166.00	£1,166.00	£1,166.00
Re-Decorate	£827.20	£827.20	£827.20	£827.20
New Entrance Door	£503.80	£503.80	£503.80	£503.80
	£32,660.18	£31,329.18	£29,866.88	£21,072.38
New Sink To Bar	£949.66	£949.66	£949.66	£949.66
Strip Out Disabled Toilet	£256.01	£256.01	£256.01	£256.01
Bar Toilets	£9,049.69	£8,446.87	£7,647.89	£7,647.89
Strip Out	£1,729.61	£1,729.61		
Widen Doors Including New Doors	£728.20	£728.20		
Non Slip Polysafe Flooring	£652.30	£652.30		
New Suspended Ceiling	£724.90	£724.90		
New LED Lights	£318.06	£318.06		
Pipework Alterations	£1,058.86	£1,058.86		
New Toilets Two In Total	£1,050.12	£1,050.12		
Semi Recessed Basins Two In Total	£292.48	£292.48		
Sensor Taps Two In Total	£490.56	£490.56		
Decorate	£602.80	£602.80		
New Radiators To Bar x 4	£1,401.78	£1,401.78		
	£9,049.67	£8,446.87	£7,647.89	£7,647.89
Kitchen Bar	£10,230.14	£8,619.74		
Strip Out Works	£849.20			
Electrics Including Lighting	£910.58		£910.58	
Plumbing Works	£1,625.06		£1,625.06	
New Fire Doors	£1,625.80		£1,625.80	
New Polysafe Flooring	£966.90		£966.90	
White Rock To Walls	£3,491.40		£3,491.40	
Suspended Ceiling	£761.20			
	£10,230.14	£8,619.74		
New Unisex Disabled Toilet	£9,057.88		£9,057.88	£9,057.88

Armitage Doc M Toilet		£1,143.47	£1,143.47		
Extract Fan & LED Light		£578.06	£578.06		
Block Up Doorway		£3,602.50	£3,602.50		
Pipework To New Toilet & Basin		£1,668.05	£1,668.05		
New Suspended Ceiling		£382.80	£382.80		
Non Slip Polysafe Flooring		£400.40	£400.40		
Widen Door To Comply To Disabled Regs		£679.80	£679.80		
Redecorate	Volunteers to redecorate	£602.80			
		£9,057.88	£8,455.08	£9,057.88	£9,057.88
Lift		£15,570.00	£15,570.00	£15,570.00	£15,570.00
New Stage Steps		£1,672.69	£1,672.69	£1,672.69	£1,672.69
Bar Kitchen Wards Equipment		£7,779.95	£7,779.95	£19,938.00	£19,938.00
Lighting Bar	Removed Sound System	£28,915.00	£15,995.00	£28,915.00	£28,915.00
Contingency		£8,000.00	£8,245.00	£8,000.00	£8,000.00
Total asked for in original £193k Bid		£154,320.12	£136,450.92	£150,466.95	£136,562.95
Revised request when £307k was ring fenced					
Ladies Powder Room		£3,922.60	£3,922.60	£3,874.60	£3,813.60
Strip Out Lift		£1,232.00	£1,232.00	£1,232.00	
New Suspended Ceiling		£832.70	£832.70	£832.70	
Non Slip Poly Safe Floorings		£1,025.20	£1,025.20	£1,025.20	
New LED Lighting		£832.70	£832.70	£784.70	
		£3,922.60	£3,922.60	£3,874.60	£3,813.60
Bar Security Grills		£2,125.00	£2,125.00	£2,125.00	£2,125.00
Infrastructure Milton Rooms Lighting and Sound		£46,875.00	£46,875.00	£46,875.00	£46,875.00
Decorate Green Room and Stairwell		£3,622.69	£3,622.69	£3,622.69	£3,622.69
			£56,545.29		
		£210,865.41	£192,996.21	£206,964.24	£192,999.24
		A	B	C	D

D is the £192,999.24 put forward to RDC April 2021
B is the revised £192,996.21 with the up-to-date quotes June 2021.

Phase 2 RDC £307k Ring Fenced	
Main Hall Audio Line Array Sound System – from research we have completed within the professional world of performers they often reach out to provincial venues to rehearse before going on tour or playing at the large city centre arenas. This circuit is very lucrative but the big performers and bands will only consider this if the equipment is of the highest standard. The Line Array system offers superb sound quality and future proofs the Milton Rooms for the next 30 years. This system was used when the main hall underwent its audio mapping from Leeds Beckett University.	£167,000.00
Blackout Curtains Main Hall	£18,000.00
Stage Curtains	£7,550.00
Masking stage curtains	£950.00
Decorate Main Hall	£10,000.00
Main Hall Floor	£7,500.00
Lighting Bars over Stage	£38,000.00
Radiator Grills Main Hall	£5,000.00
Lighting for the Assembly Rooms & Foyer	£21,420.00
Material for Roman Blackout blinds Assembly Rooms	£2,900.00
Lighting Squire Truss	£26,400.00
Box Office	£2,219.95

£306,939.95

Phase 3 National Grant Funding £500k	
Bar Sound & TV monitor	£12,920.00
Retractable seating 50 seats x4	£50,000.00
Lighting fixtures	£131,200.00
Video projector	£33,350.00
Foyer digital signs	£5,200.00
Foyer audio	£3,280.00
Green Room Audio	£1,440.00
Green Room Video	£2,380.00
Stuido Bar Video & TV monitor	£2,380.00
Glazing & Bollards	£22,000.00
Assembly Room Audio/Lighting/Truss/Video/Blackout Curtains/Dance floor	£73,500.00
Later Additions Artwork ceiling tiles/scenic projection/exterior indoor touch signs/building LED lighting	£55,500.00

National Grant £500,000.00 **£393,150.00**

The Milton Rooms Income & Expenditure Account	ACTUAL 2020/21			2021/22				Notes to Forecast	2022/23	Notes to Forecast	equates to p/mnth	2023/24	Notes to Forecast	equates to p/mnth
	Unrestricted Funds	Restricted Funds	Total Funds	ACTUAL Apr-June	FORECAST Jul-Sept	FORECAST Oct-Mar	TOTAL 2021/22		YEAR FORECAST			YEAR FORECAST		
Income	£	£	£	£		£	£		£			£		
Ticket Sales	1,637		1,637	3,028	3,028	17,292	23,348	Oct-Mar-2019/20 + 10%	37,728	2019/20 accounts + 20%	£3,144	45,274	2022/23 + 20%	£3,773
Room Hire	3,126		3,126	2,767	2,767	9,879	15,413	Oct-Mar-2019/20 + 10%	26,942	2019/20 accounts + 50%	£2,245	32,330	2022/23 + 20%	£2,694
Craft & Chat	39		39		0	266	266	assume resume to 2019/20 level	585	assume resume to 2019/20 level+10%		585		
Bar Sales	2,391		2,391	4,292	4,721	10,221	19,234	Oct-Mar-2019/20 + 30%	23,586	2019/20 accounts + 50%	£1,966	28,303	2022/23 + 20%	£2,359
Vintage Dance			0		1,521	3,042	4,563	assume resume July at 2019/20 level	6,084	assume resume at 2019/20 level		6,084		
Coronavirus, Retail, Hospitality & Leisure Grant	32,002		32,002		0		0		0			0		
Local Restrictions Support Grants	6,860		6,860		0		0		0			0		
Restart Grant Scheme			0	16,000	0		16,000		0			0		
Norton Town Council	1,200		1,200		0		0	?	?			?		
Malton Town Council	1,250		1,250		0		0	?	?			?		
GoFundMe web appeal	3,206		3,206		150	250	400	est lower	500			500		
RDC CCTV extension grant		1,044	1,044		0		0		0			0		
The National Lottery Community Fund		5,850	5,850		0		0	ended	0			0		
Charitable Trust grant income	4,750		4,750	1,000	0		1,000		0	?		0	?	
Other income	572		572	15	100	400	515	eg Food market /stalls	1,000	est increase		1,200	2022/23 + 20%	
Donations	709		709	100	100	200	400	est	500	est		500	est	
Rental from Malton Museum			0	625	625	1,250	2,500		3,000	offered		3,000	assume continue	
Income from Licensees (Museum 30% utilities)	1,094		1,094		339	339	678	assume invoice 6 monthly in arrears	709	assume invoice 6 monthly in arrears		741		
Fundraising income			0	173	173		346	raffles etc	346			346		
Total Income	58,836	6,894	65,730	28,000	13,524	43,138	84,663		100,980			118,863		
Direct Expenses														
Bar Purchases	1,367		1,367	1,655	1,655	4,088	7,398	assume 60% gross profit on bar	9,434	assume 60% gross profit on bar		11,321	assume 60% gross profit on bar	
Production Costs	1,088		1,088	2,843	2,843	15,563	21,249	assume 10% gross profit	30,182	assume 20% gross profit		31,692	assume 30% gross profit	
Stage repairs & wiring	2,010		2,010				0	any more ?				0		
CCTV extension work		1,044	1,044				0					0		
Bar/Kitchen equipment				1,151			1,151							
Vintage Dance			0		788	1,575	2,363	assume resume July at 2019/20 level	3,042	approx 50% gross profit		3,042		
Musical Memories						234	234	balance of restricted funds to spend						
Marketing/website	726		726	668	668	1,800	3,136	assume increase to £300 p/mnth	3,600	estimate £300 p/mnth?		3,600		
Professional fees	100		100	1,392		2,000	3,392	Apr-June = North Star £2k CAVCA?						
Provision for doubtful debts	127		127				0		900			900		
Credit Card Charges (on-site)	985		985	149	149	447	745							
Total Direct Expenses	6,403	1,044	7,447	7,858	6,103	25,707	39,668		47,159			50,555		
Overheads														
Water Rates - Milton Rooms	890		890	375	375	750	1,500	DD plan agreed	1,800	DD £150 p/mnth		1,800		
Gas - Milton Rooms	2,541		2,541	361	361	1,677	2,399	assume increase over winter +10%	2,879	assume 20% increase re usage		3,455	assume 20% increase re usage	
Electric - Milton Rooms	2,199		2,199	475	475	1,451	2,401	assume increase over winter +10%	2,882	assume 20% increase re usage		3,458	assume 20% increase re usage	
Gas- Subscription Rooms	1,711		1,711	464	464	928	1,856	33% contra in income	1,949	33% contra in income		2,046	33% contra in income	
Electric - Subscription Rooms	421		421	0	0	0	0	Museum electricity now pay direct	0			0		
Office costs	100		100	209	150	300	659		700			750		
Telephone & internet	1,355		1,355	52	52	104	208		208			354		
Legal & Professional	13		13		0	13	13	company house fee	13			13		
Insurance	3,078		3,078	775	775	1,550	3,100		3,255	assume slight increase		3,418		
Cleaning/Caretaking	2,944		2,944	1,063	1,063	3,000	5,126	assume increase with more events	7,200	assume increase with more events £600 p/mnth		8,400	£700 p/mnth	
Repairs, inspections and renewals	3,943		3,943	1,213	600	1,200	3,013	Apr-June includes gas survey £614	3,600	£300 p/mnth provision		3,600	£300 p/mnth provision	
Waste Removal	229		229		145	291	436	assuming resumes as per last year	600	based on 2019/20 accounts		600		
Bank charges	318		318	58	58	291	407		400	based on 2019/20 accounts		400		
General Expenses	297		297	87	87	174	348		500	based on 2019/20 accounts		500		
Licences & subscriptions	597		597	382	382	976	1,740	includes music licence	2,342	2019/20 accounts + 20%		2,811	2022/23 + 20%	
Computer/IT	325		325	60	60	120	240		500	provision		500	provision	
Health & safety - hand sanitisation etc	1,354		1,354	6	50	175	231	sanitisers purchased July 2020	450	est		450	est	
Accounting services	3,488		3,488	1,072	1,072	2,100	4,244	variable to volume & vat!	4,200	£350 p/mnth variable		4,200	£350 p/mnth variable	
Independent Examination	550		550			550	550	statutory accounts prep & IE currently volunteer-aim to reintroduce fees when events fully resume	578			606		
Venue Manager Fees	7,605	5,850	13,455				0							
Depreciation			0	178	178	357	713	2 x cash registers (cost 2852 over 4 yrs)	713			713		
Total Overheads	33,958	5,850	39,808	6,830	6,348	16,006	29,184		34,768			38,074		
Total Expenditure	40,361	6,894	47,255	14,688	12,450	41,713	68,851		81,927			88,629		
Surplus/Deficit(-) in period	18,475	0	18,475	13,312	1,074	1,425	15,812		19,053			30,234		
Balances b/f	15,054	1,149	16,203	34,678	47,990	49,064	34,678		50,490			69,542		
Transfers	915	-915	0											
Balances c/f*	34,444	234	34,678	47,990	49,064	50,490	50,490	Forecast total reserves*	69,542	Forecast total reserves*		99,777	Forecast total reserves*	

* including the designated funds of £13,915 comprising a wind down provision in the event of closure of £3k and refurbishment contingency of £10,915

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PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	29 JULY 2021
REPORT OF THE:	PROGRAMME DIRECTOR, ECONOMIC DEVELOPMENT, BUSINESS AND PARTNERSHIPS, PHILLIP SPURR
TITLE OF REPORT:	ADDITIONAL CAPACITY FUNDING REQUESTS
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 This report:

- notes the additional resources being deployed in the short term to increase capacity in the Economic Development and Planning teams (one post and two posts respectively) to enable progress to be made on the livestock market project and required capacity to be in place in the Development Management team to deal with a significant increase in Planning applications.
- also notes that a continuation of these resources will require additional funding to be agreed by Council as part of a wide-ranging review of capacity to be presented to Committee in September, and subsequent discussions about the Financial Strategy

2.0 RECOMMENDATION(S)

2.1 It is recommended that

- Committee notes that additional budgets will be used in 2021/22 to support the three posts below, and that a further report will be brought to cover funding for future years, as part of the Financial Strategy

3.0 REASON FOR RECOMMENDATION(S)

3.1 Both the livestock market relocation and processing Planning applications in a timely manner are key corporate priorities which need to be progressed as quickly and efficiently as possible.

3.2 Current staffing resources mean that it is not possible to progress these activities to the desired timescales/without adverse impact upon other existing priorities. These

proposals will address this issue.

4.0 SIGNIFICANT RISKS

- 4.1 Should funding not be agreed then resources will need to be redirected from other priority activities to enable the livestock market relocation to be progressed and Planning applications to be processed in a timely manner.
- 4.2 In the Economic Development team this would mean that activities such as transport schemes, employment projects, feasibility work and funding bids will not be progressed. Within the Planning team this could mean that Development Management performance will decline, or resources would have to be drawn from Local Plan work, with impacts upon the timeline for moving that process forward.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The Ryedale Council Plan 2020 – 2024 identifies the need to build strong, inclusive and attractive communities; the opportunity to harness Ryedale’s unique economy to deliver growth, homes and jobs; and the need to build the district as a sustainable, safe and clean place, as key priorities. The livestock market relocation and undertaking Planning work in a timely and efficient manner will make a central contribution to the delivery of these priorities.
- 5.2 This funding request will feed into the Financial Strategy which is a key strategic document that affects all service delivery, linking into the Corporate Plan and all other strategic plans, as well as providing the means for attaining the Council’s objectives and priorities.

REPORT

6.0 REPORT DETAILS

- 6.1 The Financial Strategy agreed by Council in February noted that:

‘The Head of Paid Service commissioned senior managers to work with their teams to identify areas where it is considered that further investment is required given the current pressures on capacity due to increased service demands and the need to deliver against the Council Plan as well as COVID-related responsibilities.’
- 6.2 A wider report is being prepared and will be brought to the Policy and Resources Committee meeting in September to address broader resource issues. This report is presented to Members now given the urgency of decisions regarding additional resources to progress the livestock market and address a significant increase in Planning workload.
- 6.3 **Livestock Market (£106k over 24 months, £18k in 2021/22)**
- 6.4 Council agreed to earmark £1.5m from reserves into the capital programme for a livestock market. This does not cover Officer costs required to facilitate the project, including additional Member meetings. Therefore it is proposed that an additional £106k is earmarked to cover the recruitment of a Grade 8 post for the next two years.
- 6.5 The very early stage in progressing the livestock market scheme is currently being managed by an Officer within the Economic Development team. If the livestock market is to be progressed at the pace sought by Members it is not possible to accommodate

this project and continue to deliver what is an already high and demanding workload within Economic Development. If the livestock market is prioritised within the current resource base this will mean that other key activities such as transport schemes, employment projects, feasibility studies and funding bids will have to be deprioritised/ceased at this time.

- 6.6 As highlighted above, an Officer within the Economic Development team is currently overseeing the very early phases of livestock market work. It is proposed that any new appointee will either lead on the livestock market allowing the existing Officer to return to substantive duties, or the new appointee will backfill the current Officer's workload and allow that Officer to retain responsibility for the livestock market scheme. This management decision will be made in the coming weeks.
- 6.7 **Planning (£90k per annum, ongoing; £30k in 2021/22, less any increased Planning income received)**
- 6.8 Additional funding was agreed in the budget of £64k to cover two Development Management posts in the Planning team: a Grade 5 and a Grade 6. However, we have seen a significant increase in workloads since the start of 2021: the increase in minor and other category applications has been from 295 to 363 (an increase of 23%) since the same period last year. Pre-applications have also increased by 23% and development enquiry requests have almost doubled. (This may be because as working from home becomes a more significant part of life, people are looking to make changes to their properties to accommodate this change in work and home lifestyles.)
- 6.9 Members are also advised that a number of major applications arising from sites being allocated in the Council's adopted Sites Document are anticipated to be submitted shortly. Whilst not large in number these large (major category) applications will inevitably have a significant and additional impact on Officer workloads as they are complex, locally contentious and time consuming to deal with.
- 6.10 Members will recognise that it is a Council priority that work on the review of the Local Plan progresses in a timely manner and that Officers involved in the Plan review can concentrate solely on that work. This is particularly important given the impending pressures of LGR. A reviewed Plan will also give certainty to the communities of Ryedale in the medium term by helping to head off the likelihood of 'planning-by-appeal'. At this moment in time 'Local Plan' Officers have been involved, to varying degrees, in dealing with the increased Planning caseload. Additional resources in the Development Management function will ensure that this is not required going forward allowing relevant Officers to focus on progressing the Local Plan.
- 6.11 Members will be aware that the Council is also encouraged by Government to negotiate and agree extensions of time with applicants to resolve problems with submissions in order to avoid refusals where possible and/or withdrawn applications. This has increased from 28% of applications to 31% at the time of writing which again is an indication of increasing pressure on the team.
- 6.12 Discussions with other Councils indicate that this this is not something that is unique to Ryedale. Although the budget agreed funding for two posts, Officers consider that another Senior Planning Officer is required to deal with the increase in more complicated workload and an additional Planning Officer is required to deal with the increased pressure from homeowners who are seeking to extend and alter their properties. This will enable the other work to be redistributed around the team to deal with the general rise in work across all applications and pre apps and the exempt work listed above and mean that 'Local Plan' Officers are not diverted from that task into

Development Management work. Therefore funding for a Senior Planning Officer (Grade 8) post (£53k) and a Planning Officer (Grade 6) post (£37k) is requested.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

The costs for the additional posts can be funded from within existing resources in the current financial year and these are set out below – although they might be reduced if additional Planning income offsets these. Further funding of £143k in 2022/23 and then £117k the following year would be required if the posts continue after that date, as set out in the following table. (This issue will be dealt with in the broader Capacity report to be presented to Committee in September.)

Should Members decide not to support the continuation of these resources in future financial years then officers will need to look at savings elsewhere in the budget to offset these costs or terminate the posts. This will however need to be done in the context of the overall Financial Strategy.

	Time	Costs			Total
		£000s	£000s	£000s	£000s
		2021/22	2022/23	2023/24	
Planning	Ongoing	30	90	90	210
Livestock Market	24 months	18	53	27	98
		48	143	117	308

b) Legal

There are no additional Legal issues resulting from these recommendations.

c) Other

The proposals within the Financial Strategy do impact on the staffing resources of the Authority. Appropriate procedures and plans are in place to manage these issues.

No other implications (such as Equalities, Staffing, Planning, Health & Safety, Environmental, Climate Change, Crime & Disorder) have been identified at this stage.

Phillip Spurr

Programme Director, Economic Development, Business and Partnerships

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Background Papers:

None.



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	29 JULY 2021
REPORT OF THE:	CHIEF FINANCE OFFICER (s151) – ANTON HODGE
TITLE OF REPORT:	TREASURY MANAGEMENT ANNUAL REPORT 2020-21
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 The Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2020-21. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

2.0 RECOMMENDATIONS

- 2.1 The Committee is recommended to:
- (i) Note the annual treasury management report for 2020-21; and
 - (ii) Approve the actual 2020-21 prudential and treasury indicators in this report.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 The Council has adopted the Code. A provision of the Code is that an annual review report must be made to the Full Council relating to the treasury activities of the previous year.

4.0 SIGNIFICANT RISKS

- 4.1 There are significant risks when investing public funds especially with unknown institutions. However, by the adoption of the CIPFA Code and a prudent investment strategy these are minimised. The employment of Treasury Advisors also helps reduce the risk.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The Council has adopted the CIPFA Code of Practice on Treasury Management in Local Authorities and this report complies with the requirements under this code.
- 5.2 The Council uses the services of Link Asset Services – Treasury Solutions (Link) to provide treasury management information and advice.

REPORT

6.0 REPORT DETAILS

- 6.1 During 2020-21 the minimum reporting requirements were that the full Council should receive the following reports:
- An annual treasury strategy in advance of the year (Council 20 February 2020)
 - A mid year (minimum) treasury update report (Audit, Overview & Scrutiny Committee 19 November 2020)
 - An annual review following the end of the year describing the activity compared to the strategy (this report).
- 6.2 The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is therefore important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by Members.
- 6.3 This Council also confirms that it has complied with the requirement under the Code to give prior scrutiny to all the above treasury management reports by the Overview and Scrutiny Committee before they were reported to the full Council.
- 6.4 This report summarises:
- Capital activity during the year;
 - Impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement);
 - Reporting of the required prudential and treasury indicators;
 - Summary of interest rate movement in the year;
 - Detailed borrowing activity;
 - Detailed investment activity.

The Council's Capital Expenditure and Financing 2020-21.

- 6.5 The Council undertakes capital expenditure on long-term assets. These activities may either be:
- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
 - If insufficient financing is available or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.
- 6.6 The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

	2020-21 Actual (£)	2019/20 Actual (£)
Total Capital Expenditure	1,014,618	1,145,556
Resourced by:		
Capital receipts	70,527	56,855
Capital grants and contributions	523,036	590,524
Reserves	236,891	313,076
S106 Commuted Sums	164,164	185,101
External Borrowing	-	-
Total	1,014,618	1,145,556

The Economy and Interest rates

6.7 The Council's treasury advisors Link Asset Services – Treasury Solutions (Link) summarised the key points associated with economic activity in 2020-21 as follows:

- the first national lockdown due to the Coronavirus pandemic in late March 2020 caused an economic downturn that exceeded the one caused by the financial crisis of 2008/09;
- The shorter, second lockdown in November and third lockdown in January 2021, saw businesses and individuals proving more resilient, resulting in less damage to the economy than was caused in the first lockdown;
- the fast programme of vaccination in both the UK and US is expected to lead to a return to something approaching normal life during the second half of 2021, and has been instrumental in speeding economic recovery and the reopening of the economy. It is therefore expected that the UK economy could recover its pre-pandemic level of economic activity during quarter 1 of 2022;
- the final Brexit agreement on 24th December 2020 eliminated a significant downside risk for the UK economy. The initial agreement only covered trade so there is further work to be done on the services sector where temporary equivalence has been granted in both directions between the UK and EU; that now needs to be formalised on a permanent basis. There was much disruption to trade in January as new administrative procedures were implemented. This appears to have eased, although remains acute in some areas.

6.8 Deposit rates continued into the start of 2020-21 at previously depressed levels following the cut to base rate in March 2020 to 0.10%.

Overall Treasury Position as at 31 March 2021

6.10 The Council's opening and closing treasury position for the financial year was as follows (excluding finance leases):

	31 March 2021	31 March 2020
Total Debt	£1,513m	£1.553m
CFR	£2.069m	£1.702m
Over/(Under) borrowing	-£0.566m	-£0.149m
Total Investments	£28,901m	£26.208m
Net Debt	-£28,335m	-£26.059m

The Strategy for 2020-21

- 6.11 The Treasury Management Strategy for 2020-21 was approved by members at full Council on 20 February 2020.
- 6.12 The expectation for interest rates incorporated within the Annual Treasury Management Strategy for 2020-21 was based on officers' views at that time, prepared with assistance from the Council's Treasury Management Advisor (Link Asset Services) and supported by a selection of City forecasts.
- 6.13 The interest rates for the UK were expected to be as follows:

Bank Base Rate was expected to rise from 0.75% to 1.00%. It was not expected that Bank Rate would increase again in 2020-21. **The 20-21 Strategy and interest Rate forecasts were prepared prior to the full impact on the UK and its economy from the COVID-19 Pandemic.**

PWLB Borrowing rates were forecast to rise gradually throughout the next three years in all periods. Variable and short term rates were expected to be the cheaper form of borrowing over the period.

- 6.14 Based on the above, the Strategy adopted by the Council for 2020-21 was as follows:

a) Long Term Debt to Finance Capital Expenditure (borrowing strategy 2020-21)

2020-21 was expected to remain as a year of low bank interest rates, with low returns expected from the Council's investments. This situation extends the current opportunity for the Council to utilise an internal borrowing strategy. Borrowing in advance of need within the constraints of the Prudential Code and approved Prudential Indicators would only be considered in exceptional circumstances.

Consideration would be given to financing capital expenditure by taking borrowing from PWLB/money markets, but the key treasury strategy was to maintain an under borrowed position to avoid the cost of holding higher levels of investments and to reduce counterparty risk.

In considering this option however, day to day cash flow constraints and the loss of longer term interest stability would also be taken into account together with the possibility of having to replace the internal borrowing with external borrowing in a subsequent year at higher interest rates.

b) Investment of Surplus cash (investment strategy 2020-21)

The Council's investment priorities are firstly the security of capital and secondly the liquidity of its investments. The highest return would then be sought provided that proper levels of security and liquidity are achieved. The investment risk appetite of the Council is low in order to give priority to the security of investments.

The Borrowing Requirement and Debt

- 6.13 The Council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR) (excluding borrowing by finance leases).

	31 March 2020 Actual	31 March 2021 Budget	31 March 2021 Actual
Total CFR	£1.589m	£1.553m	£1.553m

Borrowing Rates in 2020-21

- 6.14 The movement in relevant UK market interest rates for the year was as follows:

a) For Bank Rate

Period	%
1 April 2021 – 31 March 2021	0.10

b) For PWLB rates (Inclusive of the 0.20% discount rate)

Item	Range during Year %	Start of Year %	End of Year %	Average in Year %
Fixed Interest Maturity				
1 Year	0.85 – 2.14	2.09	0.99	1.63
5 Years	0.92 – 2.19	2.12	1.38	1.70
10 Years	1.20 – 2.48	2.30	1.91	2.01
25 Years	1.73 – 3.06	2.80	2.39	2.53
50 Years	1.52 – 2.91	2.54	2.19	2.34

Borrowing Outturn for 2020-21

- 6.15 No new borrowing was undertaken during the year and scheduled repayments were made. At the end of the financial year the debt portfolio was as follows:

Lender	Principal	Type	Interest Rate	Borrowing term at inception	Remaining Term length
PWLB	£1.00m	Maturity	3.69%	50 years	43 years
PWLB	£0.51m	EIP	2.99%	19 years	12 years

Investment Rates in 2020-21

- 6.16 Deposit rates continued into the start of 2020-21 at previously depressed levels following the cuts to the base rate in March 2020.

Item	Range during Year	Start of Year	End of Year	Average during Year
	%	%	%	%
7 day LIBID	-0.10 – 0.00	0.00	-0.08	-0.07
1 month	-0.11 – 0.14	0.10	-0.07	-0.05
3 month	-0.10 – 0.56	0.45	-0.04	0.01
6 month	-0.10 – 0.62	0.59	-0.01	0.07
1 year	-0.05 – 0.77	0.71	0.04	0.17

Investment Outturn for 2020-21

- 6.17 The Council's investment policy is governed by MHCLG guidance, which has been implemented in the Annual Investment Strategy approved by the Council on 20 February 2020. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc).
- 6.18 The investment activity during the year conformed to the approved strategy and the Council had no liquidity difficulties.
- 6.19 The following table shows the result of the investment strategy undertaken by the Council and the relative performance of the internally managed funds against the 7day LIBID un compounded rate bench mark:

	Average Total Investment (£)	Gross Rate of Return	Net Rate of Return	Benchmark Return
Internally Managed:				
Temporary & On-Call Investments	£7.436m	0.00%	n/a	n/a
Fixed Term Deposits	£26.785m	0.65%	n/a	-0.07%

- 6.19 **The interest received by the Council from investments in 2020-21 totalled £177k; this compares to an original budgeted estimate of £205k.**
- 6.20 The Council's investment position is organised by the Finance Section in order to ensure adequate liquidity for revenue and capital activities and security of investments. Procedures and controls to achieve these objectives are well established both through Member reporting detailed in the summary, and through officer activity detailed in the

Treasury Management Practices. At the beginning and the end of 2020-21 the Council's investments position was as follows:

	31 March 2021 (£)	31 March 2020 (£)
Internally Managed Investments	28,901,486	26,208,398

6.21 The maturity of the investment portfolio was as follows;

	31 March 2021 (£)	31 March 2020 (£)
On-call Investments	1,401,486	4,708,398
Fixed Term Deposits: Repayable within 1 month	3,000,000	1,000,000
Repayable 1 month to 3 months	9,500,000	2,900,000
Repayable 3 months to 6 months	10,000,000	13,600,000
Repayable 6 months to 12 months	5,000,000	4,000,000
Repayable 12 months to 24 months	0	0
Total	28,901,486	26,208,398

6.22 Investments were placed with the following institutions:

Type of Institution	31 March 2021 (£)	31 March 2020 (£)
UK Clearing Banks	8,901,486	9,208,398
Foreign Banks	-	-
Building Societies	-	-
Local Authorities	20,000,000	17,000,000
Total	28,901,486	26,208,398

Compliance with Treasury Limits

6.23 During the financial year the Council operated within the treasury limits and Prudential Indicators set out in the Council's Treasury Management Strategy Statement (annex B).

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
The results of the investment strategy effect the funding of the capital programme.
- b) Legal
There are no legal implications within this report
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder, Climate Change)
There are no additional implications within this report.

Anton Hodge Chief Finance Officer (s151)

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Background Papers: None

TREASURY MANAGEMENT STATEMENT AND INVESTMENT STRATEGY REPORT- RISK MATRIX – ANNEX A

Issue/Risk	Consequences if allowed to happen	Likeli-hood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
Credit risk - associated with investing with financial institutions that do not meet the credit rating criteria.	Could mean loss of principal sum and interest accrued.	2	D	The economic climate has seen uncertainty as a consequence of the COVID-19 Pandemic, meaning counterparty risk is still a big issue. As a result the Council have adopted and maintained a stringent credit rating methodology.	1	D
Market risk - Selection of wrong type of investment for higher return.	The poor performance of the chosen investment.	2	B	The number of investment options is kept to a minimum. Investments are normally restricted to short term fixed rate deposits or instant access accounts.	2	B
Liquidity risk - Use of fixed term deposits and / or instruments / investments with low marketability may mean a lack of liquidity	Unable to take advantage of better investment options. Funds are unavailable to cover capital spend.	1	B	This Strategy specifies the type of instrument the authority is prepared to invest in and maximum term for those investments. A cash balance is kept in a call account for access when needed, and all deposits are restricted to a maturity profile of 12 months or less	1	B

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Score	Likelihood	Score	Impact
1	Very Low	A	Low
2	Not Likely	B	Minor
3	Likely	C	Medium
4	Very Likely	D	Major
5	Almost Certain	E	Disaster

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PRUDENTIAL AND TREASURY INDICATORS

Prudential Indicators

	2019/20 Actual	2020/21 Estimate	2020/21 Actual
Capital Expenditure	£1.146m	£3.321m	£1.015m
Net borrowing requirement	£0m	£0m	£0m
Capital Financing Requirement as at 31 March (incl. leases)	£1.702m	£2.069m	£2.069m
Annual change in Capital Financing Requirement	-£0.163m	£0.367m	£0.367m

Treasury Management Indicators

	2019/20 Actual	2020/21 Original	2020/21 Actual
Authorised Limit for external debt - borrowing	N/a	£10.0m	N/a
other long term liabilities	N/a	£ 1.5m	N/a
Total	N/a	£11.5m	N/a
Operational Boundary for external debt - borrowing	N/a	£5.0m	N/a
other long term liabilities	N/a	£1.0m	N/a
Total	N/a	£6.0 m	N/a
External debt	£1.55m	£1.51m	£1.51m
Upper limit for fixed interest rate exposure			
Net principal re fixed rate investments	N/a	100%	N/a
Upper limit for variable rate exposure			
Net principal re variable rate investments	N/a	50%	N/a
Upper limit for total principal sums invested for over 364 days (per maturity date)	N/a	£1.0m	N/a

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	29 JULY 2021
on REPORT OF THE:	CHIEF FINANCE OFFICER (s151) ANTON HODGE
TITLE OF REPORT:	REVENUE AND CAPITAL BUDGET MONITORING – Q1 2021/22
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 The revenue budget for 2021-22 was approved by Council on 18 February 2021. This report (plus a verbal update at the meeting) will present the financial performance against the budget as at 30 June 2021. The report also contains an updated position on the estimated use of reserves over the next few years. Due to the lead-in time required for preparing and circulating reports, at the time of writing Q1 had only just closed and therefore work was not yet complete on finalising these estimates. However it is hoped that these will be available in time for the meeting.

2.0 RECOMMENDATION

- 2.1 It is recommended that Council:
- i) Notes the contents of the report – including as updated verbally at the meeting, or beforehand where possible.
 - ii) Notes the impact on reserves of current spending plans and that it is likely that reserves will be fully spent by March 24 unless further savings are made. This assumes that the Council will continue in its current form to at least that point. If Local Government Review happened before then, there will be additional costs arising from that which all councils will be expected to contribute to.

3.0 REASON FOR RECOMMENDATION(S)

- 3.1 To ensure that budget exceptions are brought to the attention of the Council in order to approve remedial action where necessary and to inform the financial implications and impact on future years.

4.0 POLICY CONTEXT AND CONSULTATION

- 4.1 The financial position and performance against budget is fundamental to delivery of the Council's Plan, achieving value for money and ensuring financial stability.

5.0 REPORT DETAILS

General Fund (Appendix A) – Revenue Estimates

- 5.1 A verbal update on the forecast year-end position will be provided at the meeting.

Covid-19 impact on Revenue Budget

- 5.2 Forecasts will be prepared using the latest information gathered for the Financial impacts monitoring returns to MHCLG and the position reported here uses the estimates for the full financial year as at the end of June.
- 5.3 Council approved additional funding from reserves of £787k to cover COVID costs as set out in the table below.
- 5.4 Estimated gross costs for the year at this stage – and assuming no continuation of these after September are also included below.

	Budget £000	Latest Estimate
Stand-by payments	25	25
Reduction in investment income	150	150
Additional Vehicle Hire (Streetscene)	23	23
Loss of car park income	155	155
Loss of catering income	10	10
Additional finance resources	50	50
Ryecare Income	8	8
Procurement savings not achieved	50	50
Streetscene (reduction of income, offset by reduction in diesel, etc)	73	73
Customer Services Staff	90	90
COVID Grant Revenue Officers	25	25
COVID Marshall	12	14
Online meetings	25	20
Covid-secure workplace adjustments including PPE	45	45
Support for Vol and Community sector incl additional grant allocation	25	25
COVID implementation and coordination arrangements	22	22
	<u>787</u>	<u>785</u>

- 5.5 The £785k is the estimated annual gross cost for costs to be funded this year. The only additional funding provided by government to date is Contain Outbreak Management Fund of £67k and this has been fully accounted for.

- 5.6 At this stage therefore it looks like funding agreed at budget will cover the COVID costs (assuming they do not go beyond September) and this will be taken into account in the reported Q1 figures.

Capital Programme

- 5.7 The current approved programme is £11.3m, which includes the original budget of £9.069m approved by Council plus £2.264 carried forward from last year. A verbal summary of the most up-to-date estimates will be provided at the meeting.
- 5.8 Within the budget, the main headings are shown below. As in previous years, it can be expected that some of these costs will slip into future financial years.

All figures are £000s	2021-22	future years	total
Vehicle Replacement	1,788	821	2,609
IT Infrastructure	477		477
Affordable Housing	2,455	2,784	5,239
Disabled Facilities Grants	496	1,488	1,984
Community Housing Fund	289		289
Car Park Action Plan	50	100	150
Industrial Units - new development	2,290		2,290
Milton Rooms: grant towards building works	193		193
Milton Rooms: ringfenced for business case	307		307
Livestock Market	1,500		1,500
Ryedale House - Covid-safe Adjustments	55		55
Malton and Norton Infrastructure	350		350
Community Facilities in Pickering	200		200
Flooding Contingency	100		100
Milton Rooms - Property Condition	216		216
Former Waste Transfer Site	65		65
Car Parks	30		30
Street Lights	201	120	321
Other projects	272	210	482
	11,333	5,523	16,856
<u>Funded by</u>			
External Funding	1,747	3,266	5,014
Leases/Internal borrowing	1,508	856	2,364
Capital Receipts/Debtors	37		37
Reserves	8,040	1,401	9,441
	11,333	5,523	16,856

Impact on Reserves

- 5.9 As reported to the Committee in June, the amount of revenue reserves as at 31.03.21 was £16.2m. Much of this has already been committed and the table below shows the expected position over the current financial year. The funding of capital programmes, including the additional projects agreed to be earmarked by Council in February, make up the largest element of the intended use of reserves and, as mentioned above, some of this could slip. However commitments intended for the current year would reduce the level of revenue reserves to 5.4m:

£000s	31.03.21								31.03.22
		original	capital	credit	original	livestock	Pickering	Milton	
		use	c/fwd	union	COVID	market		Rooms	
General Reserve	3,981			-500	-787				2,694
Capital Fund	5,405	-4,456	-1,577			-1,500	-200	-307	-2,635
Election Reserve	7	30							37
New Homes Bonus Reserve	3,582	0							3,582
Collection Fund Equalisation Reserve	837	-600							237
Pensions Reserve	81	225							306
Council Tax Hardship	77	-77							0
COVID grants Reserve	99	-99							0
Strategic Reserve	2,133	-965							1,169
	16,204	-5,942	-1,577	-500	-787	-1,500	-200	-307	5,390
Capital Reserves:									
Capital Receipts	421								421
Total Capital Reserves	421	0							421
Total Reserves	16,625	-5,942	-1,577	-500	-787	-1,500	-200	-307	5,811

- 5.17 This assumes that there will be no further deficit in 2021/22 nor any additional spend on capacity or other projects. It is extremely likely that there will be transition costs of any local government review outcome which all councils will have to contribute to.

- 5.18 The table below shows further expectations over the next two years, albeit before any impact of LGR:

£000s	31.03.22		31.03.23		31.03.24		31.03.25
		In-year		In-year		In-year	
General Reserve	2,694	0	2,694	0	2,694	1	2,695
Capital Fund	-2,635	-1,166	-3,800	-125	-3,925	-110	-4,035
Election Reserve	37	-90	-53	30	-23	30	7
New Homes Bonus Reserve	3,582	0	3,582	0	3,582	0	3,582
Collection Fund Equalisation	237	-237	0	0	0	0	0
Pensions Reserve	306	273	579	-579	0		0
Council Tax Hardship	0		0				
COVID grants Reserve	0		0				
Strategic Reserve	1,169	-1,226	-57	-1,539	-1,596	-1,487	-3,083
	5,390	-2,446	2,945	-2,213	732	-1,566	-834

5.18 The reductions in Strategic Reserve show the impact of funding the deficit of the revenue budget, as outlined in the Financial Strategy agreed by Council in February 2020. Should funding increase or savings be found, this will reduce the call on reserves.

5.19 It should be noted that some of these reserves are earmarked for specific purposes (rather than supporting the general revenue budget or other agreed projects) and effectively this reduces the amount of funding available. The figures above also do not take account of the Financial Strategy's agreed minimum working balance of £1m. Therefore a more realistic picture is shown below:

£000s	31.03.22	31.03.23		31.03.24		31.03.25	
		In-year		In-year		In-year	
General Reserve	2,694	0	2,694	0	2,694	1	2,695
Capital Fund	-2,635	-1,166	-3,800	-125	-3,925	-110	-4,035
Election Reserve	37	-90	-53	30	-23	30	7
New Homes Bonus Reserve	3,582	0	3,582	0	3,582	0	3,582
Collection Fund Equalisation Reserve	237	-237	0	0	0	0	0
Pensions Reserve	306	273	579	-579	0		0
Council Tax Hardship	0		0				
COVID grants Reserve	0		0				
Strategic Reserve	1,169	-1,226	-57	-1,539	-1,596	-1,487	-3,083
	5,390	-2,446	2,945	-2,213	732	-1,566	-834
Remove							
Pensions Fund	-306		-579		0		0
Minimum Level of Reserves	-1,000		-1,000		-1,000		-1,000
Elections	-37		53		23		-7
Reserves Available	<u>4,047</u>		<u>1,419</u>		<u>-245</u>		<u>-1,841</u>

5.20 The figures above show that there is very little scope for additional spending from reserves and that without savings plans in place for future years and once additional LGR costs are incurred, reserves are likely to be fully spent by March 2024. Should the council continue to operate beyond that date, members may have to look to reverse some decisions, find additional savings, or borrow to fund the capital programme.

5.21 The Financial Strategy agreed by Council in February noted that

“The Head of Paid Service commissioned senior managers to work with their teams to identify areas where it is considered that further investment is required given the current pressures on capacity due to increased service demands and the need to deliver against the Council Plan as well as COVID-related responsibilities. Those identified in relation to business as usual/Council Plan delivery capacity included

supporting performance management, data intelligence and potential for further work as a result of LGR. Any further allocations will be subject to business cases coming forward at a future date to members.”

- 5.22 The Strategy also noted that funding for posts and work which was specifically related to the impact of COVID was agreed only for 6 months of the financial year – i.e. up to October 2021 and again that a request to draw down further funds may be forthcoming.
- 5.23 The figures in this report do not include the impact of any further capacity proposals and a paper will be brought to the September Committee about these. Should any further capacity proposals be included, this will have a further impact on reserves.
- 5.24 Likewise, should LGR go ahead, the council will be expected to contribute towards implementation costs and these will be better known at that stage.

6.0 IMPLICATIONS

6.1 The following implications have been identified:

- a) Financial
Included in the body of the report.
- b) Legal
There are no legal implications identified as part of this report.
- c) Other
None to report, although in any report to Committee and Council, it will be noted that any proposals which may impact on Equalities, Staffing, Planning, Health & Safety, Climate Change, Environmental, Crime & Disorder will be assessed as part of the budget process.

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Background Papers:

None

Background Papers are available for inspection at:

N/A



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES
DATE:	29 JULY 2021
REPORT OF THE:	HEAD OF HUMAN RESOURCES HAROON RASHID
TITLE OF REPORT:	HR POLICY REVISION – LOCAL GOVERNMENT PENSION SCHEME EMPLOYER DISCRETIONS, FAMILY LEAVE POLICY AND PROBATION POLICY
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To approve revised HR Policies:

- LGPS Employer Discretions Policy.
- Family Leave Policy
- Probation Policy

2.0 RECOMMENDATION(S)

2.1 It is recommended to Council that:

- (i) The revised policies are agreed for implementation.

3.0 REASON FOR RECOMMENDATION(S)

3.1 LGPS Employer Discretions Policy

All employers who participate in the Local Government Pension Scheme (LGPS) are required to formulate a discretions policy in accordance with Regulation 66 of the Local Government Pension Scheme (Administration) Regulations 2008, and Regulation 60 of the Local Government Pension Scheme Regulations 2013.

There is no evidence of an updated policy after 2012.

3.2 Family Leave Policy

A number of previous policies existed covering different aspects of family leave, such as maternity and paternity leave. These policies were not up to date in terms of legislation.

3.3 Probation Policy

The probation policy and procedure is a new policy to provide structure and consistency to the probation process.

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks identified with the revised policies. Outdated policies however, can leave an organisation at risk. Old policies may fail to comply with new laws and regulations and may not address new systems or technology, which can result in inconsistent practices.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 Full trade union consultation has taken place and the revised policies have been approved by Strategic Management Board. Final ratification by Elected Members will complete the consultation process prior to implementation.

REPORT

6.0 REPORT DETAILS

6.1 HR policies are a written description of rights and responsibilities of employers and employees. If a policy is well developed and clearly written, it helps communication with employees, clarifies expectations and makes sure that everyone is treated in a consistent and fair way. These are all important factors for creating a desirable culture for the organisation, and they minimise exposure to legal risk.

LGPS Employer Discretions Policy

6.1 Background to Legislation

The LGPS (Amendment) Regulations 2018 introduced some new rules for scheme members who left before 31 March 2014 and Councillor Members. The change to the scheme rules means that they no longer need our consent (as their former employer) to take their pension benefits between the age of 55 and 60.

The draft discretions policy contains all of the 'legacy' discretions for the

scheme rules prior to 1 April 2014 as well as the current discretions from 1 April 2014. Discretions are classed as:

- **Mandatory:** the employer must formulate, publish and keep under review a policy on these discretions
- **Recommended:** there is no requirement for employers to publish a written policy on these discretions. However, as these matters arise fairly frequently it may be appropriate, so that members can be clear on their employer's policy
- **Less common:** there is no requirement for employers to publish a written policy on these discretions

The draft policy contains discretions classed as mandatory and recommended.

6.2 Policy Requirements

In formulating and reviewing the discretions policy RDC are required by the regulations to have regard to the extent to which the exercise of discretionary powers unless properly limited, could lead to a serious loss of confidence in the public service, and be satisfied that the policy is workable, affordable and reasonable having regard to the foreseeable costs.

Exercising the major discretions may result in a cost to the employer (commonly called 'pension strain'), the policy has been formulated taking this into consideration.

Family Leave Policy

- 6.3 The Family Leave Policy combines all elements of family leave in one document for consistency and ease of understanding. Previously, separate policies existed for Maternity, Paternity and Adoption Leave. In addition to these, the new policy covers Shared Parental Leave, Unpaid Parental Leave, Surrogacy and Parental Bereavement Leave. For ease of reference a comparison table is provided with the policy.

Probation Policy and Procedure

- 6.4 This is a new policy to ensure a consistent and supportive approach to probation. This policy is closely aligned with the Council's People and Culture Plan and supports our priorities, values and behaviours in delivering a robust and consistent approach to performance with clear expectations, so a supportive performance culture can develop and be embedded.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:

- a) Financial

Discretionary powers come with a cost attached - policies must not lead to a loss of confidence in public services and therefore have to be affordable.

- b) Legal
As above
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)

All policies should pay due regard to equality legislation and care has been taken to make sure that policies do not discriminate on the grounds of any protected characteristic, either directly or indirectly.

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Background Papers:

- Appendix A: Policy Change Log
- Appendix B: LGPS Employer Discretions Policy
- Appendix C: Family Leave Policy
- Appendix D: Probation Policy and Procedure

Briefing Notes on Policy Changes

LGPS Employer Discretions Policy

The Local Government Pension Scheme regulations require employers who participate in the Local Government Pension Scheme (LGPS) to draw up and publish a discretions policy and to keep it under review. Discretions are powers that enable employers to choose how to apply the scheme in respect of certain provisions.

The last time RDC published a Discretions Policy, there were only a small number of elements that were included, mainly those under redundancy and flexible retirement. These remain within the revised draft Discretions Policy as they directly relate to the Redundancy and Flexible Retirement policies which have not yet been reviewed.

In all other cases, the Council must decide how/if it will apply a discretion under each item. Where a discretion is applied, this is usually with a financial implication to the Council.

The policy looks complicated but it is only the last column in the table that needs consideration, all other wording is taken directly from the legislation and is mandatory. The policy is in line with other councils. NYPF have also had sight of the policy and while they cannot advise on what we should do as an organisation, they can comment if there is anything that may cause concern ie contradictory of another discretion or potentially discriminatory and positive feedback has been received.

Once the policy is ratified, this is then sent to NYPF for use.

Family Leave Policy

This is an amalgamation of all family related policies previously published separately. The majority of the policy is legislative. We have also been mindful of inclusive language use throughout the policy. A comparison table is below:

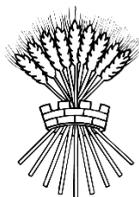
Key changes

Old Policies	New Policy
Separate policies for all (maternity, paternity, adoption leave) with the exception of shared parental leave; a policy for this does not current exist within RDC despite this legislation being introduced in 2015.	One document covering all types of family leave
Very outdated: <ul style="list-style-type: none"> • maternity leave last updated in 2010 – 7 pages • adoption leave last updated in 2008 – 2 pages • no shared parental leave policy • paternity leave (2002, revised 2009) – 2 pages 	Follows up to date guidance and legislation

Misses some key elements of what should be contained in both documents	In line with ACAS guidance, includes procedural guidance and information on pay entitlements, KIT days and other statutory information
No section covering purpose and scope in any of the old policies	Section added
Terminology (abbreviations) only explained in Maternity Policy	Guide to all abbreviations
Very different levels of information between the policies – for example adoption leave very closely mirrors maternity leave the former was 2 pages, the latter 7 pages	Consistent approach to information, with more detail provided where necessary. Like information grouped for ease of reference
Outdated language and overly complicated explanations	Improved language and document sectioned, with comprehensive table of contents for ease of reference
One page separate document on New and Expectant Mothers at Work (2 paragraphs)	Incorporated into policy with risk assessment template

Probation Policy

This is a new policy to ensure a consistent and supportive approach to probation periods for all eligible employees. Although we have always had a probation procedure, the policy provides a detailed clear process for managers and employees to follow. This policy is closely aligned with the Council's People and Culture Plan and supports our priorities, values and behaviours in delivering a robust and consistent approach to performance with clear expectations, so a supportive performance culture can develop and be embedded.



Local Government Pension Scheme – Employer Discretions Policy

Author	HR/OD Project Officer
SMB owner	Head of HR
Policy reference no.	HREDP
Version	01
Status	DRAFT
Ratifying committee	Policy & Resources, Council
Date ratified	
Date policy effective from	
Review cycle	3 years or on change in legislation
Review date	

Introduction

The Local Government Pension Scheme regulations require employers who participate in the Local Government Pension Scheme (LGPS) to draw up and publish a discretions policy and to keep it under review.

Discretions are powers that enable employers to choose how to apply the scheme in respect of certain provisions. Discretions only apply at the time of application and are subject to change.

When the Council sets and reviews these employer discretions, consideration is given to:

- Cost – discretionary powers come with a cost attached - policies mustn't lead to a loss of confidence in public services and therefore have to be affordable.
- Basis on which decisions are made – policies should not be as rigid or restrictive as to prevent flexibility where a possibly unanticipated situation requires it.
- Equality – criteria that do not discriminate and where decisions are objectively justified

There are many employer discretions in the current Scheme regulations and several more still existing from previous Schemes; however only a relatively small number of employer discretions have to be published.

The LGPS Employer Discretions Policy is therefore the Council's written policy statement detailing all mandatory employer discretions, plus a number of non-mandatory employer discretions the LGPS recommend employers also publish.

North Yorkshire Pension Fund Board publish the Administering Authority discretions on their website.

Scope and Policy

Due to changes of the Scheme over time, different regulations and provisions may apply to pension benefits and pensionable service accrued under different arrangements. This policy sets out the relevant discretions in different sections. At the commencement of each section the applicable Regulations are detailed.

Sections

Section	Contents	Page
1	Discretions from 1 April 2014 in relation to post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members)	4
2	Discretions in relation to scheme members (excluding councillor members) who ceased active membership on or after 1 April 2008 and before 1 April 2014	8
3	Discretions in relation to: <ul style="list-style-type: none">• councillor members who ceased active membership on or after 1 April 1998 and• any other scheme members who ceased active membership on or after 1 April 1998 and before 1 April 2008	9

4	Discretions in relation to scheme members who ceased active membership before 1 April 1998	10
5	Discretions in relation to redundancy and compensatory payments on the early termination of employment	10
6	Discretions in relation to any compensatory added years awarded before 1 April 2007	11
7	Injury allowances as they apply to leavers, deaths and reductions in pay that occurred after 15 January 2012	12

Definitions

Within the Regulations all discretions have a classification as follows:

- Mandatory - an employer must formulate, publish and keep under review a policy on these discretions.
- Recommended - there is no requirement for an employer to publish a written policy on these discretions. However, as these matters arise fairly frequently it may be appropriate so that members can be clear on your policy on these matters.
- Less common - there is no requirement for employers to publish a written policy on these discretions, though they may choose to do so.

Within a number of the discretions, reference is made to **administrative shortcomings**. The following would be considered an administrative shortcoming:

- A scheme member is not given appropriate advice/information to enable him/her to transfer pension rights
- A scheme member contacts RDC, NYPF or a previous pension scheme regarding transfer within 12 months but does not receive correct or sufficient information to enable them to make a proper decision
- A scheme member believes that the action he/she has taken within 12 months is sufficient to have effected transfer
- A scheme member has used his/her best endeavours to effect a transfer within 12 months of joining the scheme but the transfer has not taken place for reasons outside of his/her control, e.g. investigation into mis-selling, winding up of previous fund, etc.

SECTION 1	Discretions applicable from 1 April 2014 in relation to post 31 March 2014 active members (excluding councillor members) and post 31 March 2014 leavers (excluding councillor members)
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Applicable Regulations:

Abbr. Description

- R** Local Government Pension Scheme (LGPS) Regulations 2013 [SI 2013/2356]
TP LGPS (Transitional Provisions, Savings and Amendments) Regulations 2014 [SI 2014/525]
A LGPS (Administration) Regulations 2008 [SI 2008/239]
B LGPS (Benefits, Membership and Contributions) Regulations 2007 (as amended) [SI 2007/1166]
T LGPS (Transitional Provisions) Regulations 2008 [SI 2008/238]
L LGPS Regulations 1997 (as amended) [SI 1997/1612]

No	Area	Discretion	Regulation	Policy
1	Mandatory Granting additional pension	Whether to grant additional pension to an active member or within 6 months of ceasing to be an active member by reason of redundancy or business efficiency (by up to £6,500 p.a - figure at 1 April 2014. This is inflation proofed annually)	R31	RDC will not grant additional pension to a member.
2	Mandatory Shared cost Additional Pension Contributions (to buy additional pension)	Whether, how much and in what circumstances to contribute to a shared cost Additional Pension Contributions (APC) scheme A member can buy additional pension through an APC contract. The discretion is whether the employer will share the cost of the APC	R16(2)(e) & R16(4)(d)	RDC will contribute to Shared Cost APC Schemes only when an employee has opted to buy back 'lost' pension due to a period of authorised unpaid leave (including sickness and child related leave) within 30 days of returning to work from that leave. In these circumstances, the employee will pay one third of the cost of the Shared Cost APC and the employer will pay two thirds of the cost.
3a	Mandatory	Whether all or some benefits can be paid if an active member aged 55 or over and with at least 2 years qualifying service reduces their hours or grade (flexible retirement)	R30(6) & TP11(2)	RDC will consider applications in accordance with its policy on early/flexible retirement.
3b	Flexible retirement	Whether to waive, in whole or in part, actuarial reduction to benefits paid on flexible retirement	R30(8)	RDC will not waive any actuarial reduction on benefits paid on flexible retirement. All applications for flexible retirement will be considered in line with the process and criteria set out in RDC's policy on early/flexible retirement.

4	Mandatory 85 Year Rule	Whether to “switch on” the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60 (other than on the grounds of flexible retirement).	TPSch 2, para, 1(2) &1(1)(c)	RDC will not switch on the 85 Year Rule for any employee voluntarily drawing benefits on or after age 55 and before age 60
5a	Mandatory Waive Reduction	<p>Whether to waive any actuarial reduction for a member voluntarily drawing benefits before normal pension age other than on the grounds of flexible retirement (where the member has both pre 1/4/14 and post 31/3/14 membership)</p> <p>a) on compassionate grounds (pre 1/4/14 membership) and in whole or in part on any grounds (post 31/3/14 membership) if the member was not in the Scheme before 1/10/06,</p> <p>b) on compassionate grounds (pre 1/4/14 membership) and in whole or in part on any grounds (post 31/3/14 membership) if the member was in the Scheme before 1/10/06, will not be 60 by 31/3/16 and will not attain 60 between 1/4/16 and 31/3/20 inclusive</p> <p>c) on compassionate grounds (pre 1/4/16 membership) and in whole or in part on any grounds (post 31/3/16 membership) if the member was in the Scheme before 1/10/06 and will be 60 by 31/3/16</p> <p>d) on compassionate grounds (pre 1/4/20 membership) and in whole or in part on any grounds (post 31/3/20 membership) if the member was in the Scheme before 1/10/06, will not be 60 by 31/3/16 and will attain 60 between 1/4/16 and 31/3/20 inclusive</p>	TP3(1), TPSch 2 para 2(1) & B30(5) & B30A(5)	RDC will not waive any actuarial reduction arising out of a voluntary early or flexible retirement.
5b	Mandatory Waive Reduction (cont)	Whether to waive, in whole or in part, actuarial reduction on benefits which a member voluntarily draws before normal pension age other than on the grounds of flexible retirement (where the member only has post 31/3/14 membership)	R30(8)	RDC will not waive any actuarial reduction on benefits paid which a member voluntarily draws before normal pension age
6	Recommended Shared cost Additional	If a member has an authorised unpaid absence (not including illness or injury, relevant child-related leave or reserve forces service leave) and within 30 days of	R16(16)	RDC will extend the deadline for a member to elect for a shared cost APC to 60 days or longer where there is evidence of administrative shortcoming.

	Pension Contributions (to buy lost pension following a period of authorised unpaid absence)	returning to work they elect to buy back the lost pension, the employer must share the cost (2/3rds) The discretion is whether to extend the 30 day deadline for a member to elect for a shared cost APC		
7	Recommended Transferring in non LGPS pension rights	Extend normal time limit for acceptance of a transfer value beyond 12 months from joining the LGPS	R100(6)	RDC will allow members to opt to transfer pension rights beyond the 12 month period in exceptional circumstances and/or if there is evidence of administrative shortcomings. The Administering Authority can provide guidance on individual queries.
8	Recommended Transferring in LGPS pension rights (only for pre 1 April 2014 re-joiners)	Whether to extend the 12 month option period for aggregation of deferred benefits Care: This must match your existing discretion under the 2008 Scheme.	A16(4)(b)(ii)	RDC will only permit aggregation beyond 12 months in exceptional circumstances and/or if there is evidence of administrative shortcomings
9a	Recommended Transferring in LGPS pension rights (only for post 1 April 2014 re-joiners)	Whether to extend the 12 month option period for a member to elect that deferred benefits should not be aggregated with a new employment	R22(8)(b)	RDC will only extend the 12 month option period beyond 12 months in exceptional circumstances and/or if there is evidence of administrative shortcomings
9b		Whether to extend the 12 month option period for a member to elect that deferred benefits should not be aggregated with an ongoing concurrent employment	R22(7)(b)	RDC will only extend the 12 month option period beyond 12 months in exceptional circumstances and/or if there is evidence of administrative shortcomings
10	Recommended Transferring in LGPS pension rights (i.e. final salary benefits which will buy CARE pension	Whether to extend the 12 month option period for a member (who did not become a member of the 2014 Scheme by virtue of TP5 (1)) to elect that pre 1 April 2014 deferred benefit should be aggregated with a new employment	TP10(6)	RDC will only permit aggregation beyond 12 months in exceptional circumstances and/or if there is evidence of administrative shortcomings

	only for post 1 April 2014 re-joiners)			
11 Page 79	Recommended Employee contribution rate	Employers to assess the relevant contribution band to determine the rate of employee contribution. Banded contribution rates for employees are based on actual pensionable pay received and not whole time equivalent salary. Employers to allocate appropriate band at each 1 April and determine other circumstances in which the banding will be reviewed.	R9(1) & R9(3)	<p>On 1st April each year, RDC will allocate the appropriate band for all members' pensionable pay based on the previous years' pensionable pay and include incremental progression and cost of living increases where known as at 1 April .</p> <p>This will not change during the financial year unless there is a post change or cessation of salary protection arising from that change, or a pay award which cannot be applied on 1 April.</p> <p>This would include a pay award which is being applied retrospectively to 1 April or a pay award which applies from a date other than 1 April. For new posts commencing during the year, their band will depend on starting salary.</p> <p>Only permanent changes to pensionable pay will result in re banding. If members have variable or nil hours contracts, the relevant band will be based on an assessment of the total pensionable pay received in the previous year.</p> <p>For new variable or nil hours posts, banding will be based on the whole time equivalent salary, and reviewed 6 months after appointment to ensure the correct band has been allocated (based on total pensionable pay in their first 6 months). If any member believes this would be inaccurate, they should ask their Line Manager to contact ESS for further information.</p>
12a	Recommended	In determining APP, whether a lump sum payment made in the previous 12 months is a "regular lump sum"	R21(5)	RDC would include lump sum payments in the calculation of APP where there is evidence that the lump sums were regularly received.

12b	Assumed Pensionable Pay (APP)	Where in the employer's opinion, the pensionable pay received in relation to an employment (adjusted to reflect any lump sum payments if appropriate) in the 3 months (or 12 weeks if not paid monthly) before the start of APP, is materially lower than the level of pensionable pay the member would have normally received The discretion is whether to substitute a higher level of pensionable pay by taking into account the pensionable pay received by the member in the previous 12 months	R21(5A) & R21(5B)	RDC will allow the substitution of a higher level of pensionable pay assessed over the previous 12 month period.
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SECTION 2	Discretions in relation to scheme members (excluding councillor members) who ceased active membership on or after 1 April 2008 and before 1 April 2014
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Applicable Regulations:

Abbr.	Description
A	LGPS (Administration) Regulations 2008 [SI 2008/239]
B	LGPS (Benefits, Memberships and Contributions) Regulations 2007 (as amended) [SI 2007/1166]
C	LGPS (Transitional Provisions) Regulations 2008 [SI 2008/238]
D	LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 [SI 2014/525]
E	LGPS Regulations 2013 [SI 2013/2356]
F	LGPS 1997 (as amended) [1997/1612]

No	Area	Discretion	Regulation	Policy
13a	Mandatory	Whether to "switch on" the 85 year rule for a member voluntarily drawing benefits on or after age 55 and before age 60	TPSch 2, para 1(2) & 1(1)(c)	RDC will not switch on the 85 Year Rule for any deferred member voluntarily drawing benefits on or after age 55 and before age 60
13b	85 Year Rule	Whether to "switch on" the 85 year rule for a pensioner member with deferred benefits (i.e. a suspended tier 3 ill health pensioner) voluntarily drawing benefits on or after age 55 and before age 60,	TPSch 2, para 1(2) & 1(1)(c)	RDC will not switch on the 85 Year Rule for any deferred member voluntarily drawing benefits on or after age 55 and before age 60
14	Mandatory Waive reduction	Whether to waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early under B30 (member)	B30(5) TPSch 2, para 2(1)	Applications from deferred Pensioners will only be considered on compassionate grounds, taking into account the costs of waiving any reduction.

				All applications will be considered by the Strategic Management Board
15	Mandatory Waive reduction	Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early under B30A (pensioner member with deferred benefits, i.e. a suspended tier 3 ill health pensioner)	B30A(5) TPSch 2, para 2(1)	Applications from deferred Pensioners will only be considered on compassionate grounds, taking into account the costs of waiving any reduction. All applications will be considered by the Strategic management Board

SECTION 3	Discretions in relation to: a. councillor members who ceased active membership on or after 1 April 1998., and b. any other scheme members who ceased active membership on or after 1 April 1998. and before 1 April 2008
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Applicable Regulations:

Abbr. Description

A LGPS (Administration) Regulations 2008 [SI 2008/239]

B LGPS (Benefits, Memberships and Contributions) Regulations 2007 (as amended) [SI 2007/1166]

T LGPS (Transitional Provisions) Regulations 2008 [SI 2008/238]

TP LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 [SI 2014/525]

2013 LGPS Regulations 2013 [SI 2013/2356]

1997 LGPS 1997 (as amended) [1997/1612]

No	Area	Discretion	Regulation	Policy
16	Mandatory Employer consent retirement	Grant application for early payment of deferred benefits on or after age 50 and before age 55	L31(2)	RDC will not grant early payment of deferred benefits before the age of 55
17	Mandatory Waive reduction	Waive, on compassionate grounds, the actuarial reduction applied to deferred benefits paid early	L31(5) & TPsSch 2, para 2(1)	RDC will not waive actuarial reduction on deferred benefits paid early.
18	Mandatory Employer consent at Normal Retirement Date for optant out	Where a member who opted out of the scheme continues to be employed by a Scheme employer, the member is only entitled to receive their benefits at NRD if their employer consents to them doing so (in respect of a member who opted out of the scheme after 31 March 1998 and before 1 April 2008).	L31(7A)	RDC will agree to optants out being able to get benefits paid from their NRD

19	Mandatory 85 Year Rule	Whether to “switch on” the 85 year rule for a member with deferred benefits voluntarily drawing benefits on or after age 55 and before age 60	TPSch 2, para 1(2) & 1(1)(f) & R60	RDC will not switch on the 85 Year Rule for any deferred member voluntarily drawing benefits on or after age 55 and before age 60
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SECTION 4	Discretions in relation to scheme members who ceased active membership before 1 April 1998
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Applicable Regulations:

Abbr.	Description
	LGPS Regulations 1995 (as amended) [SI 1995/1019]
L	LGPS Regulations 1997 (as amended) [SI 1997/1612]
TL	LGPS (Transitional Provisions) Regulations 1997 (SI 1997/1613)
TP	LGPS (Transitional Provisions, Savings and Amendment) Regulations 2014 [SI 2014/525]
R	LGPS 2013 [SI 2013/2356]

No	Area	Discretion	Regulation	Policy
Page 20 82	Mandatory Employer consent retirement	Grant application for early payment of deferred benefits on or after age 50 on compassionate grounds	TP3(5A)(vi) TL4 & L106(1) & D11(2)(c)	RDC will not grant applications for early payment of deferred benefits between the ages of 50 and 55. Over the age of 55, RDC will consider on a case by case basis.

SECTION 5	Discretions in relation to redundancy and compensatory payments on the early termination of employment
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Applicable Regulations:

Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (as amended) [SI 2006/2914]

No	Area	Discretion	Regulation	Policy
21	Mandatory Redundancy Pay on actual week's pay	To base redundancy payments on an actual weeks pay where this exceeds the statutory week's pay limit	5	RDC redundancy policy Actual weekly pay will be used to calculate the redundancy payments for all Ryedale District Council employees.

22	Mandatory Lump sum compensation	To award lump sum compensation of up to 104 weeks' pay in cases of redundancy, termination of employment on efficiency grounds, or cessation of a joint appointment	6	RDC redundancy policy Lump sum compensation payments will be made to all employees. Severance payments will be calculated by applying a multiplier of 1.5 to each completed year of service, up to a maximum of 20 years' service (30 weeks). For employees affected by TUPE regulations, RDC will take legal advice where appropriate.
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SECTION 6	Discretions in relation to any compensatory added years awarded before 1 April 2007
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Applicable Regulations:

Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended) [SI 2000/1410]

No	Area	Discretion	Regulation	Policy
23	Mandatory Abatement during re-employment	Whether and to what extent to reduce or suspend the member's annual compensatory added years (CAY) payment during any period of re-employment in local government	17	RDC will make a determination after consultation with the administering Authority and having regard to the date of original award.
24	Mandatory Reduction following cessation of re-employment	How to reduce the member's annual CAY payment following the cessation of a period of re-employment in local government	19	RDC will make a determination after consultation with the administering Authority and having regard to the date of original award.
25	Mandatory Apportionment of survivor benefit	How to apportion any surviving spouse's or civil partner's annual CAY payment where the deceased person is survived by more than one spouse or civil partner	21(4)	RDC will consider on a case by case basis.
26a	Mandatory	Whether, in respect of the spouse of a person who ceased employment before 1 April 1998 and where the spouse or civil partner remarries, enters into a new civil	21(7)	RDC will consider on a case by case basis

	Effects of remarriage, new civil partnership or co-habitation on survivor's compensation payments	partnership or cohabits after 1 April 1998, the normal pension suspension rules should be disapplied i.e. whether the spouse's or civil partner's annual CAY payments should continue to be paid		
26b		If, under the preceding decision, the authority's policy is to apply the normal suspension rules, whether the spouse's or civil partner's annual CAY payment should be reinstated after the end of the remarriage, new civil partnership or cohabitation	21(5)	If RDC determined to suspend such payment, it will reinstate after the end of the remarriage, new civil partnership or cohabitation.
26c		Whether, in respect of the spouse or civil partner of a person who ceased employment before 1 April 1998 and where the spouse or civil partner remarries or cohabits or enters into a civil partnership on or after 1 April 1998 with another person who is also entitled to a spouse's or civil partners annual CAY payment, the normal rule requiring one of them to forego payment whilst the period of marriage, civil partnership or co-habitation lasts, should be disapplied i.e. whether the spouses' or civil partners' annual CAY payments should continue to be paid to both of them	21(7)	RDC will consider on a case by case basis.

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8

SECTION 7 Injury allowances as they apply to leavers, deaths and reductions in pay that occurred after 15 January 2012

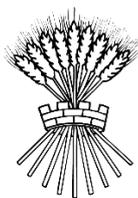
Applicable Regulations:

Discretions under the Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011[SI 2011/2954]

No	Area	Discretion	Regulation	Policy
27a	Mandatory Injury Allowances	Whether to grant an injury allowance following reduction in remuneration as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job	3(1)	RDC does not grant any injury allowance.
27b		Amount of injury allowance following reduction in remuneration as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job	3(4) & 8	RDC does not grant any injury allowance.
27c		Determine whether person continues to be entitled to an injury allowance awarded under regulation 3(1)	3(2)	RDC does not grant any injury allowance.

		(reduction in remuneration as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job).		
27d		Whether to grant an injury allowance following cessation of employment as a result of permanent incapacity caused by sustaining an injury or contracting a disease in the course of carrying out duties of the job.	4(1)	RDC does not grant any injury allowance.
27e		Amount of injury allowance following cessation of employment as a result of permanent incapacity caused by sustaining an injury or contracting a disease in the course of carrying out duties of the job	4(3) & 8	RDC does not grant any injury allowance.
27f		Determine whether person continues to be entitled to an injury allowance awarded under regulation 4(1) (loss of employment through permanent incapacity)	4(2)	RDC does not grant any injury allowance.
27g		Whether to suspend or discontinue injury allowance awarded under regulation 4(1) (loss of employment through permanent incapacity) if person secures paid employment for not less than 30 hours per week for a period of not less than 12 months.	4(5)	RDC does not grant any injury allowance.
27h		Whether to grant an injury allowance following cessation of employment with entitlement to immediate LGPS pension where a regulation 3 payment (reduction in remuneration as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job) was being made at date of cessation of employment but regulation 4 (loss of employment through permanent incapacity) does not apply	6(1)	RDC does not grant any injury allowance.
27i		Determine amount of any injury allowance to be paid under regulation 6(1) (payment of injury allowance following cessation of employment)	6(1)	RDC does not grant any injury allowance.
27j		Determine whether and when to cease payment of an injury allowance payable under regulation 6(1) (payment of injury allowance following cessation of employment).	6(2)	RDC does not grant any injury allowance.
27k		Whether to grant an injury allowance to the spouse, civil partner, co-habiting partner or dependent of an employee who dies as a result of sustaining an injury or	7(1)	RDC does not grant any injury allowance.

		contracting a disease in the course of carrying out duties of the job.		
271		Determine amount of any injury allowance to be paid to the spouse, civil partner or co-habiting partner under regulation 7(1) (employee who dies as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job).	7(2) & 8	RDC does not grant any injury allowance.
27m		Determine whether and when to cease payment of an injury allowance payable under regulation 7(1) (employee who dies as a result of sustaining an injury or contracting a disease in the course of carrying out duties of the job).	7(3)	RDC does not grant any injury allowance.



Family Leave Policy

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Introduction

1. Purpose and Scope

This document applies to all employees of Ryedale District Council and covers family leave and pay arrangements. There are some differences in entitlement depending on the conditions of service that apply, which are detailed in the body of the document.

Any documentation (e.g. MATB1, adoption matching certificate, keep in touch notes and forms, etc) must be saved on the employee's file by the Line Manager. Original certificates may be requested by Payroll Services in which case copies should be taken for the file.

Managers are not expected to be experts in family leave and pay arrangements and where there is any uncertainty when applying the policy, managers should seek advice from:

- Policy advice: HR Shared Service Team (HRSST)
- Pay related advice: Employment Support Service (ESS)

2. Guide to Abbreviations

		OAL	Ordinary Adoption Leave
		OAP	Occupational adoption pay
AAL	Additional Adoption Leave	OML	Ordinary maternity leave
AL	Adoption leave	OMP	Occupational maternity pay
AML	Additional maternity leave	PL	Paternity leave
CML	Compulsory maternity leave	SAP	Statutory adoption pay
EWC	Expected week of childbirth	ShPL	Shared parental leave
KIT	Keep in touch	ShPP	Shared parental pay
MA	Maternity allowance	SMP	Statutory maternity pay
ML	Maternity leave	SPLIT	Shared parental leave keep in touch
MP	Maternity pay	SPP	Statutory paternity pay
MSL	Maternity support leave	UPL	Unpaid parental leave

Maternity and Adoption

3. Right to Maternity/Adoption Leave (ML/AL)

You have the right to up to 52 weeks' maternity/adoption leave if you're having a baby or adopting a child and are legally classed as an employee.

You have this right from your first day of starting a job. After the first compulsory 2 weeks leave (in the case of maternity), how many of the remaining 50 weeks you take is up to you.

You get the same amount of maternity leave and pay (i.e. 52 weeks leave etc) even if you have more than one baby, for example twins.

3.1 Entitlement

An employee is entitled to take up to 26 weeks' ordinary maternity leave (OML) or ordinary adoption leave (OAL) and up to 26 weeks' additional maternity leave (AML) or additional adoption leave (AAL), making a total of 52 weeks. This is regardless of the number of hours worked, or length of service. There must be no gap between OML/OAL and AML/AAL.

4. Notification

4.1 Maternity

It is in the interests of the employee to inform the employer of the pregnancy as soon as possible, for reasons of Health and Safety and also to be paid for ante-natal appointments.

Notification should be made in writing (email or letter) no later than the end of the 15th week before the expected week of childbirth (EWC) of the following:

- The fact that you are pregnant;
- Your expected week of childbirth;
- The date on which you wish to start your maternity leave; and
- If eligible, whether you wish to be paid the Occupational Maternity Pay (i.e. will be returning to work after the maternity leave period).

An **original** MAT B1 certificate must be provided, which is a certificate from a healthcare provider (normally Midwife) confirming the expected week of childbirth (EWC). Maternity leave cannot be processed without the original document. This is usually available at around the 24th week of pregnancy. It is advisable to take photocopies as other employers may wish to see a copy if there is an application for paternity or shared parental leave.

The manager will reply to the employee within 28 days of receiving notification, to advise the expected date of return from ML. Unless otherwise agreed, there will be an assumption that the employee will take the full 52 weeks ML.

4.2 Adoption

The employee should tell their manager as soon as they have been approved as the primary adopter so that the manager can plan working arrangements. This may be before the employee has received or needs to submit their documentary evidence.

The manager should respond in writing to acknowledge their initial notification and seek support from HR if necessary.

The employee must inform their manager in writing of their intention to take AL within;

- UK Adoptions: seven days of being notified by their adoption agency that they have been matched with a child for adoption.
- Overseas Adoptions: no later than 28 days after the date they receive the 'official notification', which is normally from the Secretary of State.

This is known as the notification period and they should inform their manager in writing:

- That they are adopting a child
- When the child is expected to be placed with them
- When they want their adoption leave to start

In addition, they should:

- Give at least 28 days' notice of the date they expect any payments of Statutory Adoption Pay (SAP) to start, if reasonably practicable
- Declare their intention to return to work at the end of the period of AL, to qualify for OAP; and give their manager a 'matching certificate' from their adoption agency as proof of their entitlement to SAP and AL. Employees should ask their adoption agency for this certificate, which will include basic information on matching and expected placement dates.
- Managers will respond in writing using the appropriate template letter within 28 days of receiving the above notification to advise the expected return date from AL. This will be based on their full leave entitlement of 52 weeks unless notified otherwise.
- Employees going through the adoption process can apply for up to 5 days paid leave per year (pro rata for part time staff). This pre adoption leave can be used in preparation for the adoption. Appointment timing subject to agreement with line manager.

5. Health and Safety: Maternity

The Authority has a duty to take care of the health and safety of all employees, which includes undertaking a risk assessment (see Appendix B) to assess the workplace risks to women who are pregnant, have recently given birth or are breastfeeding. The line manager, along with the employee, should complete a Pregnant Workers Checklist. <https://www.hse.gov.uk/pubns/indg373.htm>

6. Maternity and Adoption Leave

6.1 Starting Maternity/ Adoption leave (ML/AL)

6.1.1 Maternity

Maternity Leave (ML), at the earliest, can begin from the eleventh week before the EWC. ML can start from any day of the week.

If ML has not already started, it will be triggered by the birth of the child, or pregnancy-related sickness, from the beginning of the fourth week before the EWC.

If triggered by the birth of the child, ML will begin on the day that follows the day on which childbirth occurs.

In either of these situations, the employee must notify their manager as soon as reasonably practicable, that they have given birth or that they are absent wholly or partly because of pregnancy related sickness. If they do not do so, they may lose their right to paid ML. Initial notification can be by telephone but this should be followed up in writing as soon as possible.

Even when a baby has been born prematurely, or is sick, the birth parent must notify their employer as soon as reasonably practicable that they have given birth, and provide the date that the baby was born. Sometimes the birth parent is unable to obtain and complete the MAT B1 form before the birth, for example if the baby is born prematurely or the birth parent and /or the baby is sick. This may mean a delay in getting the form signed and sending it to payroll. Therefore, they would not receive Statutory Maternity Pay / Maternity Allowance until the form can be provided. Managers should bear in mind that this is a very stressful time for parents and any communications regarding this or other matters should be approached sensitively and compassionately.

Where an employee holds multiple posts within the organisation, their ML and MP will commence on the same date for all posts based on total earnings for all roles.

6.1.2 Adoption

Employees can choose to start their leave on any day of the week, either:

- From the date of the child's placement; or
- From a fixed date which can be up to 14 days before the expected date of placement; or
- From a 'fixed point' to be agreed, where a child is being adopted from overseas

If the employee's placement is delayed for any reason and they have already started Adoption Leave (AL) they will not be able to stop it and start again at a later date, unless it becomes a disrupted placement. If the employee plans to start AL before the actual date of placement they should check the placement is to start as planned.

If the employee has started AL before the placement of the child and they are subsequently notified that the placement will not be made; or, if during the employee's AL the child placed with them is returned to the adoption agency or died; then, the manager will discuss with them sympathetically an appropriate date on which to return to work. Usually in this situation the employee's AL finishes eight

weeks after the end of the week in which the disruption took place, or earlier if their AL was due to finish before this time. The employee should still give 28 days' notice to return to work.

6.2 Changing the Maternity/Adoption Leave start date

If the employee subsequently wants to change the date on which their leave starts, they must give at least 28 days' notice if reasonable practicable. The manager will reply in writing within 28 days to confirm their new expected date of return.

If ML is triggered by childbirth or a pregnancy-related absence the manager will similarly write to confirm the employee's expected date of return.

To avoid potential underpayments, line managers should inform Employment Support Services as soon as possible (and ideally before the payroll deadline) once a return to work date has been agreed with the employee. The workflow is not linked to the payroll system so ESS needs to be advised separately.

6.3 Stopping maternity/adoption leave and converting to shared parental leave

An eligible employee can opt into Shared Parental Leave (ShPL) at any point (after compulsory maternity leave) before their return, as long as there is some untaken ML/AL to share.

Employees must give their line manager notification of their entitlement and intention to take ShPL **at least** eight weeks before the ShPL can begin.

6.4 Returning from Maternity/Adoption Leave (ML/AL)

Employees who intend to return to work at the end of their full ML/AL entitlement do not have to give any further notification to their manager. An employee is entitled to return to the job in which they were employed under their original contract of employment and on terms and conditions not less favourable than those which would have been applicable to them if they had not been on maternity leave. 'Job' for this purpose, means the nature of the work which they are employed to do and the capacity and place in which they are employed.

Where it is not practicable by reason of redundancy to return to work to the job the employee had before their maternity/adoption leave commenced, they must be offered a suitable alternative post, if this is available, which must be on terms and conditions not substantially less favourable than those on which they were originally employed.

Suitable alternative employment may also be offered if exceptional circumstances (other than redundancy e.g. reorganisation), which would have occurred regardless of their absence, necessitate a change in the job in which they were employed prior to their absence. The work to be done should be suitable to them and appropriate to the circumstances and the capacity and place in which they are to be employed. The terms and conditions of employment should not be less favourable to them than if they had been able to return to the job in which they were originally employed.

6.5. Returning before the full leave entitlement

If the employee wants to return before the end of their full leave entitlement of 52 weeks they must tell their manager at least 8 weeks before the intended return date (whether in the OML/OAL or AML/AAL period). These notice periods are the minimum required by legislation and are as such to enable managers to plan cover.

If the employee does not give the minimum notice, the manager may postpone the employee's return until 8 weeks after the date the manager was informed the employee wished to return early, but not to a date after the employee's full leave entitlement would have ended.

If the employee does not intend to return at the end of their ML/AL they should give normal contractual notice. If OMP/OAP has been received, the employee would be required to pay this element back to the authority.

To avoid potential underpayments line managers should inform payroll as soon as possible (and ideally before the payroll deadline) once a return to work date has been agreed with the employee.

6.6. Annual Leave

Employees will continue to accrue annual leave during their maternity/adoption leave at the normal rate.

Where possible all leave should be taken in the current leave year by tagging annual leave onto the start and/or end of maternity/adoption leave but a maximum of five days can be carried forward to the following year with line manager's consent and must be taken within three months of the return to work.

For employees not returning to work, annual leave will be calculated up to the last day of employment.

If an employee does not return to work for a period of at least three months after ML/AL, then any leave taken to which the employee was not entitled will be reclaimed.

6.7. Miscarriage, still birth or death of a child (in relation to maternity leave)

Miscarriage can be a frightening, lonely and traumatic experience for all parents. It is often both physically and emotionally painful, with effects that can last for a very long time. Your line manager and the Council will want to support you in the most appropriate way possible. The Council's Health Assured Employee Assistance Programme is also able to provide emotional support via a 24/7 helpline, staffed by BACP (British Association for Counselling and Psychotherapy) qualified counsellors. You can telephone Health Assured on 0800 030 5182.

If the baby is stillborn (i.e. miscarriage occurs) earlier than the 24th week of pregnancy, the employee will not be eligible for Maternity Pay and Maternity Leave. However, if they are unfit to return to work at this time, they will be eligible to take

sick leave, subject to the normal sick pay entitlements. Sickness absence in this instance will be recorded as 'pregnancy-related' and will not count towards sickness absence trigger point.

If the employee is not the person who has experienced the physical loss (for example this might be a partner) but needs to take time off work following the loss, compassionate or special leave will be considered. Please see the leave policy for more information.

If the baby is stillborn after the start of the 24th week of pregnancy, then the employee will still qualify for full Maternity Pay and Maternity Leave in accordance with criteria as stated above.

If a child dies within the Maternity Leave period, the employee will remain eligible for Maternity Pay and Maternity Leave in the usual way.

Further information on parental bereavement leave is provided at section 18.

6.8 Pregnancy-related sickness absence

If an employee cannot work due to a pregnancy-related illness, they should notify their manager following the usual sickness absence procedure and will receive their usual sick pay. Pregnancy-related absence is recorded separately from other sickness absence and is not counted towards any review or trigger points.

If the employee is off work because of a pregnancy-related illness within 4 weeks of the due date, maternity leave will begin automatically.

6.9 Pregnancy during maternity leave

If an employee falls pregnant again during their maternity leave, they should notify their line manager in accordance with the notification requirements set out previously in this policy. SMP/OMP will be calculated in accordance with the previously set out guidance based on the reference period prior to 15 weeks before the EWC.

An employee who has taken advantage of unpaid additional maternity leave (AML) and then finds that due to a further pregnancy, they will require a further period of maternity leave to commence immediately on expiry of AML, will be entitled to return to work in their original job if this is reasonably practicable, or to another job which is deemed to be suitable and appropriate at the end of the second period of maternity leave.

The work to be done should be suitable to them and appropriate to the circumstances and the capacity and place in which they are to be employed. The terms and conditions of employment should not be less favourable to them than if they had been able to return to the job in which they were originally employed.

7. Maternity Pay (MP) and Adoption Pay (AP)

7.1 Who qualifies for maternity/adoption pay (MP/AP)?

If an employee has completed 26 weeks continuous service with Ryedale District Council or another local authority recognised under the Modification Order, by the

- 15th week before the EWC (maternity)
- week in which they are matched with a child for adoption (adoption)

and average earnings are at least the lower limit for N.I. contributions, they will be entitled to maternity/adoption pay from the organisation.

7.2 Who qualifies for Occupational Maternity/Adoption Pay (OMP/OAP)?

If the employee is eligible to receive SMP/SAP, they will also be entitled to Occupational Maternity/Adoption Pay. It is paid on the understanding that the employee will return to local authority employment for at least 12 weeks (excluding any period of unpaid parental leave).

Alternatively, should you be unsure as to whether you wish to return to work following maternity/adoption leave, the OMP/OAP element can be withheld until the end of the period and the amount paid in full when/if the employee returns to work after ML/AL.

Pay calculations are based on when money is due rather than when it is paid, so the 'half pay plus SMP/SAP must not exceed full pay' refers to the weekly calculation based on week's 7-18 when OMP/OAP is due.

Where an employee has multiple posts the OMP/OAP applies on all of their established posts at the time they are going on ML/AL should they meet the continuous service requirement for OMP/OAP i.e. if they have been with Ryedale District Council in an established post (NOT relief) for more than 12 months then their OMP/OAP will reflect the multiple posts.

Regardless of the date of return, SMP/SAP cannot be paid in part weeks, whereas OMP/OAP would be paid up to the day before the employee returns.

Pay if you're adopting a child from overseas

The requirements are the same as if you're adopting from within the UK, except the employee must have been continuously employed with Ryedale District Council or another local authority recognised under the Modification Order for at least 26 weeks when the employee begins to receive adoption pay. Employees must also sign [form SC6](#) (government website) if they are adopting from overseas with a partner.

This is because, if you're adopting a child from abroad with a partner, you can choose who gets SAP and adoption leave and who gets Statutory Paternity Pay (SPP) and paternity leave.

Whoever chooses to get SAP and adoption leave must fill in the 'Declaration' to confirm that they've chosen to get SAP and adoption leave not SPP and paternity leave.

Whoever chooses to get SPP and paternity leave must fill in the 'Dates for pay and leave' and 'Declaration' on form SC5, 'Statutory Paternity Pay/paternity leave when adopting from abroad' and give this to their employer. Part of this declaration confirms that they've chosen to get SPP and paternity leave not SAP and adoption leave.

7.3 Statutory Maternity/Adoption Pay (those not wishing to return to work following ML/AL)

Week 1 to 6		6 weeks	90% of your average weekly earnings
Week 7 to 39		33 weeks	Statutory maternity/adoption pay or 90% of your average weekly earnings (whichever is the lower)
Week 40 to 52		13 weeks	No pay

7.4 Occupational Maternity/Adoption Pay (those entitled through length of service and wishing to return to work following ML/AL)

Week 1 to 6	6 weeks	Higher rate SMP/SAP – 90% of average earnings
Week 7 to 18	12 weeks	Standard rate SMP/SAP plus half of normal pay
Week 19 to 39	21 weeks	Standard rate SMP/SAP
Week 40 to 52	13 weeks	No pay

7.5 Calculating Statutory Maternity Pay (SMP) and Statutory Adoption Pay (SAP)

SMP is worked out based on the average weekly pay received during the eight week period, 15 weeks before EWC (weeks 17 to 25 of pregnancy).

SAP is worked out based on the average weekly pay during the 8 weeks prior to the matching week (MW).

If the baby is born before or during the Qualifying Week (the 15th week, Saturday to Sunday, before the week the baby is due) the continuous employment rule is satisfied if they would have completed 26 weeks' continuous employment had it not been for the baby's early birth. The average weekly earnings would then be worked out using the birth date instead of the Qualifying Week.

For employees who are on fixed term contracts who meet the above eligibility but whose contract ceases during the maternity period, SMP will be paid throughout the maternity period, therefore the contract end date and date of end of SMP payments may be different. If the option for shared parental leave is taken up, SMP will cease and be replaced by Shared Parental Pay (ShPP).

The employee **must** tell Ryedale District Council if during their 39-week maternity pay period they:

- Leave the UK including Channel Islands and Isle of Man
- Are in legal custody
- Start work with a different employer (after childbirth)

7.6 What if the employee does not qualify for SMP/SAP?

7.6.1 Maternity

If the employee does not have 26 weeks continuous Local Government Service prior to the 15th week before the baby is due, they may be eligible for Maternity Allowance (MA) paid by the Department of Work & Pensions (DWP).

If the employee is not entitled to SMP, they will be sent a form SMP1 by Payroll. The form is to be sent to the Department for Work and Pensions along with the MAT B1.

The employee will still be required to notify the employer of the dates of ML as specified.

7.6.2 Adoption

If the employee is not entitled to SAP, they will be sent a form SAP1 explaining why they cannot get Statutory Adoption Pay.

7.7 Employee Benefits

It is important to note that as a salary sacrifice benefit reduces cash pay, the amount of salary that the employee pays National Insurance contributions on is also reduced. Staff who participate in a salary sacrifice scheme will have been informed through the terms and conditions of the scheme of the impact on any allowances including maternity/adoption. Any salary sacrifice applicable for the employee during this eight-week period will reduce entitlement to SMP/SAP.

In addition, employees remain responsible for payments due for the goods or services through salary sacrifice during ML/AL. However, salary deductions cannot be made during periods of SMP/SAP or nil pay and repayment arrangements will have to be set up through a separate agreement.

Further information is available via the [Everybody Benefits page](#). There are some practical considerations for employees to consider and these are set out in the relevant maternity/adoption notification letter.

8. Pension implications of maternity/adoption leave for those in LGPS – buy back

During maternity/adoption leave employees will pay pension contributions calculated on the actual pay they receive. Therefore, during unpaid leave, pension contributions

will be lost. If there is a right to return to work employees also have the option of buying back any pension lost during the period of unpaid leave.

If employees decide to buy back pension 'lost' due to periods of unpaid leave within 30 days of returning to work after the period of leave, then the cost of this would be shared with Ryedale District Council paying two thirds of the cost and the employee paying one third. To find out how much it would cost to buy back pension, employees should contact employment support services on 01609 532190.

For more information see the [North Yorkshire pension fund](#) for accessing your online record.

9. Keeping in touch days (KIT days) – Maternity and Adoption

The regulations allow an employee to undertake up to 10 days' work during ML/AL without bringing their ML/AL to an end. Whilst KIT days are covered by statute, they may only take place by agreement between the employer and the employee. Where a request is made it should not be unreasonably refused. Working for part of a day (even one hour) will count as one KIT day and the employee will be paid for the hours worked at their contractual hourly rate. Payment will be offset against any maternity/adoption pay/allowance paid for that week. The employee will not lose any maternity or adoption related pay for working up to 10 days.

'Work' is defined as any work that is done under their contract of employment and this may include training or any activity undertaken for the purposes of keeping in touch with their workplace. However, Ryedale District Council cannot insist that an employee carries out work and equally the employee cannot insist that they are given work to do during this period under the KIT arrangements.

It should be noted that employees will not be able to carry out any work during the first two weeks following the birth of their child. This period is known as compulsory maternity leave that must be taken at this point.

KIT Forms should be used for recording keeping in touch days and MyView should be used to submit claims for payment for keeping in touch days. It is important to note that once an employee has used up the 10 KIT days if they then work again they will not receive their maternity or adoption benefits for that week; therefore, records must be kept to avoid this happening.

10. Additional employment

If the employee works for another employer during the SMP period but before the baby is born, then SMP will continue to be paid. If the employee works for another employer during the SMP period but after the baby is born, Ryedale District Council will need to check whether the work undertaken for the other employer occurred during the 15th week before the baby was due.

If so, SMP should be paid as usual. If, however, the employee is working for another employer for which they did not work during the 15th week before the baby was due, Ryedale District Council will stop paying SMP from the start of the week that the employee works for the other employer. It is up to the employee to inform Ryedale

District Council that they are working for someone else during their statutory maternity pay period.

If an employee completes work for Ryedale District Council (not on a relief basis) in a different role which was not held prior to commencement of maternity leave this should be treated as a KIT day for that role. e.g. If the employee completes work as a Relief Ryecare Operator whilst on maternity leave they will effectively break their maternity leave and pay periods.

Paternity/Maternity Support Leave

11. Entitlement

If you are a father to be, same sex partner or will share the responsibility with a partner for bringing up a child, you may have the right to statutory paternity/maternity support leave and pay which is a maximum of two weeks. This includes those who are adopting a child. The entitlement is the same regardless of whether your partner has a multiple birth (e.g. twins).

Paternity/Maternity Support Leave will be paid at full pay, providing employees meet the qualifying criteria below.

You must take your leave in one go and this must be in full week blocks of either one or two weeks. A week is the same amount of days that you normally work in a week, e.g. if you only work on Mondays and Tuesdays a week is two days.

Leave cannot start before the birth of the baby and it must end within 56 days of the birth.

You are requested to give as much notice as reasonable practicable of the dates you wish to take paternity/maternity support leave to allow the service to plan, however rough dates in advance are acceptable (e.g. to commence the week after the baby's birth). You must give at least 28 days' notice in writing if you wish to change the dates of your leave.

To qualify for leave and pay, employees must:

- Have or expect to have responsibility for the child's upbringing;
- Be the biological father of the child or the birth parent's husband, civil partner or partner;
- Have worked continuously for their employer for 26 weeks ending with the 15th week before the baby is due (or the 'matching week' in the case of adoption).

The definition of 'partner' is quite strict, since it is defined as "someone who lives with the birth parent of the baby in an enduring family relationship but is not an immediate relative."

Employees must also have average weekly earnings at or above the lower earnings limit.

Only one period of leave can be taken however many children are born or placed for adoption at the same time.

A photocopy of the MATB1/Matching Certificate must be provided by the employee.

The notification of maternity, paternity or adoption leave form (available on BOB) must be completed by the manager and forwarded to Employment Support Services for actioning.

12. Leave for antenatal appointments

Entitlement: All pregnant employees are entitled to paid time off to attend antenatal appointments. Time off for antenatal care should be paid at the employee's normal rate of pay. Antenatal care may include relaxation and parent craft classes, as well as medical examinations related to the pregnancy. The entitlement to paid time off for antenatal appointments applies regardless of the employee's length of service.

This paid entitlement is also extended to fathers and partners to attend up to two antenatal appointments. The employer can ask for appointment cards/evidence except for the very first appointment.

13. Miscarriage, still birth or death of a child (in relation to paternity leave)

Employees still qualify for paternity leave and pay if the baby is either:

- Stillborn from 24 weeks of pregnancy
- Born alive at any point in the pregnancy but later dies

Further information on parental bereavement leave is also provided at section 18.

Shared Parental Leave (ShPL) and Pay

14. Shared Parental Leave

ShPL and ShPP is available to employees who are expecting a baby or adoption placement, from the date of the baby's birth or the adoption of a child, subject to eligibility. The leave must be taken before the child's first birthday or one year from the adoption date. The birth parent/primary adopter can share the leave with their partner if they're also eligible for ShPL, and choose how much of the leave each of them will take.

Employees are encouraged to discuss their potential plans regarding ShPL at the earliest opportunity, to enable the organisation to support them effectively.

14.1 Who is eligible for ShPL?

ShPL can only be used by two people. The birth parent/adopter and one of the following:

- The father of the child (in the case of birth) or the spouse
- Civil partner or partner of the child's birth parent/adopter

Additionally, an employee seeking to take ShPL must satisfy each of the following criteria:

- Birth parent/adopter must be/have been entitled to statutory maternity/adoption leave or have been entitled to statutory maternity/adoption pay or maternity allowance and must have ended or given notice to reduce any maternity/adoption allowances.
- The employee must still be working for the organisation at the start of each period of ShPL.
- The employee must pass the 'continuity test' requiring them to have a minimum of 26 weeks' service at the end of the 15th week before the EWC/matching date.
- The employee's partner must meet the 'employment and earnings test' requiring them (in the 66 weeks leading up to EWC/matching date) to have worked for at least 26 weeks and earned an average of at least £30 a week in any 13 of those weeks.
- The employee must correctly notify their line manager of their entitlement and provide evidence as required.

14.2 What is the entitlement?

The number of weeks available is calculated using the birth parent's/adopter's entitlement to maternity/adoption leave, which allows up to 52 weeks leave. The birth parent/adopter can reduce this entitlement; they and/or their partner can opt in to the ShPL and take any remaining weeks as ShPL.

If the birth parent/adopter is not entitled to maternity/adoption leave, but is entitled to SMP, SAP or MA they must reduce their entitlement to less than 39 weeks.

If such a birth parent chooses to reduce their statutory maternity pay or maternity allowance period and take fewer than 39 weeks of pay or allowance, then their employed partner could take the untaken weeks as shared parental leave if they are eligible for leave. In this case, the number of weeks of pay or allowance must be deducted from 52 weeks to calculate the number of weeks of shared parental leave that will be available for the partner to take.

14.3 When can ShPL begin?

The birth parent can take ShPL after they have taken the legally required two weeks of ML immediately following the birth of the child. The adopter can take ShPL after taking at least two weeks of AL.

The father/partner/spouse can take ShPL immediately following the birth/placement of the child, but may first choose to exhaust any PL entitlements.

If a birth parent/adopter gives notice to curtail their maternity/adoption entitlement, then the partner can take leave while the birth parent/adopter is still using their maternity/adoption allowance.

14.4 Giving notice of the intention to take ShPL

Employees must give at least eight weeks' notice to their employer of their intent to take ShPL. This notice must be in writing, and include:

- The name of the employee
- The name of the other parent
- The start and end dates of any maternity/adoption leave or pay, or maternity allowance, taken in respect of the child and the total amount of ShPL available
- The date on which the child is expected to be born, and the actual date of birth, or in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the adoption placement date
- The amount of ShPL the employee and their partner each intend to take
- A non-binding indication of when the employee expects to take the leave

Variation is only permitted by mutual consent of both parents, and leave already booked can only be varied with eight weeks' notice of the change.

14.5 What information must be provided by the employee?

Employees must provide the line manager with a signed declaration stating:

- That they meet, or will meet the eligibility conditions and are entitled to take ShPL.
- That the information they have given is accurate.
- If they are not the birth parent/adopter they must confirm that they are either the father of the child, or are the spouse, civil partner or partner of the birth parent/adopter.
- That should they cease to be eligible they will immediately inform the organisation.

Ryedale District Council may, within 14 days of the ShPL entitlement notification being given, request:

- The name and business address of the partner's employer (where the partner is self-employed their contact details must be given instead).
- In the case of biological parents, a copy of the child's birth certificate (or where one has not been issued, a declaration as to the time and place of birth).
- In the case of an adopted child, documentary evidence of the name and the address of the adoption agency, the date of the matching notification and the date which the child is expected to be placed for adoption.

The organisation reserves the right to investigate further where there is cause to believe that a fraudulent claim has been made. Any investigation would be carried out in accordance with usual Ryedale District process and without acting in a discriminatory manner in relation to any of the protected characteristics defined in the Equality Act 2010.

14.6 Booking ShPL

In addition to notifying the employer of the intention to take ShPL, the employee must also give notice to take the leave. In many cases, this will be done at the same time. The correct notification must be given at least eight weeks before the date on which they wish to start the leave and (if applicable) receive ShPP.

Employees have the right to submit no more than three notifications specifying leave periods they are intending to take. Each notification may contain either:

- A single period of weeks of leave or
- Two or more weeks of discontinuous leave, where the employee intends to return to work between periods of leave.

ShPL can only be taken in complete weeks, but it may begin on any day of the week. A response will be provided to the employee no later than the 14th day after the leave request was made and will be responded to in writing.

14.7 Continuous leave notifications

A notification can be for a period of continuous leave which means a notification of a number of weeks taken in an unbroken period of leave e.g. six weeks in a row. Employees can take a continuous block of leave so long as it does not exceed the total number of weeks of ShPL available to them and the correct notice period has been given.

14.8 Discontinuous leave notifications

A single notification may contain a request for two or more periods of discontinuous leave, which means asking for a set number of weeks over a period, with breaks in between e.g. employee takes six weeks of ShPL, and then works every other week for a period of three months.

It is not a statutory right to have periods of discontinuous leave. All requests will be carefully considered, weighing up the potential benefits to the employee and to the organisation against any adverse effects to the service.

If a notification request for discontinuous leave is refused, the employee can either withdraw it within 15 days of giving it, or can take the leave in a single continuous block. If the option of a single continuous block is taken, the employee has until the 19th day from the original date of notification to choose when they want the leave period to begin. The leave cannot start sooner than eight weeks from the date the original notification was submitted. If the employee does not choose a leave date the leave will begin on the date specified in the original notification.

14.9 Commencing ShPL

It will generally commence on the employee's chosen start date. However, if the baby arrives early, the leave can start and notice be given as soon as practically possible. It must end no later than one year after the birth/placement of the child. Any ShPL not taken by this point will be lost.

14.10 Varying ShPL

Employees are permitted to vary or cancel an agreed and booked period of ShPL provided that they advise their line manager in writing at least eight weeks before the start of any variation. Any new start date cannot be sooner than eight weeks from the date of the variation request.

Variation/cancellation notifications will usually count as a new notification, thus reducing the employee's right to book/vary leave by one. Exceptions to this will be changes due to early births, or as a result of the organisation requesting the change and it being agreed by the employee. Any variation will be confirmed in writing by the organisation.

14.11 What happens on return to work?

Ryedale District Council will have confirmed the return date in writing to the employee, and the employee will be expected to return to work on the next working date after this date, unless they notify the organisation otherwise.

If the employee has been off for no more than 26 weeks they will be eligible to return to the same job. If the employee has been off for more than 26 weeks they will be entitled to return to work in their original job if this is reasonably practicable, or to another job which is deemed to be suitable and appropriate. The work to be done should be suitable to them and appropriate to the circumstances and the capacity and place in which they are to be employed. The terms and conditions of employment should not be less favourable to them than if they had been able to return to the job in which they were originally employed.

If the employee also takes a period of unpaid leave of four weeks or less this will have no effect on their right to return to the same job as they occupied before taking the last period of leave, if the aggregate weeks of maternity/paternity/adoption and ShPL do not exceed 26 weeks.

If the employee takes a period of unpaid parental leave of 5 weeks, even if the aggregate weeks of maternity/paternity/adoption and ShPL do not exceed 26 weeks, the employee will be entitled to return to the same job unless this is not possible, then the employee will be entitled to return to work in their original job if this is reasonably practicable, or to another job which is deemed to be suitable and appropriate. The work to be done should be suitable to them and appropriate to the circumstances and the capacity and place in which they are to be employed. The terms and conditions of employment should not be less favourable to them than if they had been able to return to the job in which they were originally employed.

To avoid potential underpayments, line managers should inform Employment Support Services (ESS) as soon as possible (and ideally before the payroll deadline) once a return to work date has been agreed with the employee.

14.12 ShPL in touch days (SPLiT days)

Each parent will be entitled to up to 20 keep in touch days, plus the birth parent will also have her entitlement of 10 maternity leave keep in touch days. This work will be paid at the employee's hourly contractual rate.

15. Shared parental pay (ShPP)

15.1 What are the arrangements for pay during ShPL?

Eligible employees may be entitled to take up to 37 weeks Shared Parental Pay (ShPP) while taking SPL. The amount available will depend on the amount by which the birth parent/adopter reduces their maternity/adoption pay period or maternity allowance period.

In addition to meeting the eligibility requirements for SPL, an employee seeking to claim ShPP must further satisfy each of the following criteria:

Birth parent/adopter must be/have been entitled to statutory maternity/adoption pay/maternity allowance, and must have reduced their maternity/adoption pay/maternity allowance pay period.

- The employee must intend to care for the child during the week in which ShPP is payable.
- The employee must have an average weekly earnings for the period of eight weeks leading up to and including the 15th week before the due date/matching date are not less than the lower earnings limit in force for national insurance contributions.
- The employee must remain in continuous employment until the first week of ShPP has begun.
- The employee must give proper notification in accordance with the rules set out below.

Where an employee is entitled to receive ShPP they must, at least eight weeks before receiving any ShPP, give their line manager written notice advising of their entitlement to take SPL.

In addition, any notice that advises of entitlement for ShPP must include:

- The start and end dates of any maternity/adoption pay or maternity allowance.
- The total amount of ShPP available, the amount of ShPP the employee and their partner each intend to claim, and a non-binding indication of when the employee expects to claim ShPP.

- A signed declaration from the employee confirming that the information they have given is accurate, that they will meet, the criteria for ShPP and that they will immediately inform the organisation should they cease to be eligible.

ShPP is paid at is paid at the rate of £151.20 per week or 90 per cent of an employee’s average weekly earnings, whichever is lower (the rate of pay will be set by the Government for each relevant tax year).

16. Unpaid parental leave

Eligibility

Eligibility	Entitlement
Each child	18 weeks up to the child’s 18 th birthday.
Each adopted child	18 weeks up to the child’s 18 th birthday.
Each child in receipt of disability living allowance	18 weeks up to the child’s 18 th birthday.

Eligibility

Employees qualify if all of these apply:

- they’ve worked within the organisation for more than a year
- they’re named on the child’s birth or adoption certificate or they have or expect to have [parental responsibility](#)
- they’re not self-employed or a ‘worker’, eg an agency worker or contractor
- they’re not a foster parent (unless they’ve secured parental responsibility through the courts)
- the child is under 18

Employers can ask for proof (like a birth certificate) as long as it’s reasonable to do so, eg they can’t ask for proof each time an employee requests leave.

Arrangements

Eligible employees can take unpaid parental leave to look after their child’s welfare. This may include but is not limited to in order to spend more time with your children, look at new schools, settle children into new childcare arrangements or spend more time with the family such as visiting grandparents.

Leave should be taken in blocks or multiples of one week (except for parents of children in receipt of disability living allowance, where leave can be taken in periods of one day or more), with a maximum four weeks leave in any year. A year is based on the birth date of the child. Employees should give 21 days’ notice of their request to take leave.

Managers can postpone when this leave is taken up to a maximum six months for business reasons, except for requests to take leave immediately after a child is born or placed for adoption.

Where qualifying employees wish to take leave to begin on the date on which the child is born or adopted, a minimum of 28 days' notice is required before the beginning of the expected week of childbirth and should specify the duration of the period of leave to be taken.

If the leave is not to be taken immediately after the birth or adoption of a child, then the employer may postpone it if they consider that the 'operation of its business would be unduly disrupted' if the employee took leave during that period. The employer must agree with the employee to allow the same length of leave to begin no later than six months after the commencement of the postponed period.

Any period of unpaid parental leave not exceeding four weeks that is taken within a period of shared parental leave will not count towards the 26-week period, which is the time at which employees are entitled to return to the same job they left.

17. Surrogacy

Surrogates are the legal birth parent of any child they carry, unless they sign a parental order after they give birth transferring their right to the intended parents. The person who gives birth is always treated as the legal birth parent and has the right to keep the child, even if they're not genetically related.

Surrogacy contracts aren't enforced by UK law, even if a contract has been signed with the intended parents and they've paid for any expenses.

The child's legal father or 'second parent' is the surrogate's husband or civil partner unless legal rights are transferred to someone else or the surrogate's husband/civil partner didn't give permission to their wife/partner.

Every pregnant employee has the right to 52 weeks' maternity leave and to return to their job after this. What a birth parent does after the child is born has no impact on their right to maternity leave.

18. Parental Bereavement Leave and Pay

Parental bereavement leave is time off to deal with the death of a child, if they die under the age of 18 or are stillborn after 24 weeks' pregnancy.

Eligible parents have a right to 2 weeks':

- Statutory Parental Bereavement Leave, if they're an employee
- Statutory Parental Bereavement Pay, if they're an employee or worker

This right applies to the:

- biological parent

- adoptive parent, if the child was living with them
- person who lived with the child and had responsibility for them, for at least 4 weeks before they died
- 'intended parent' – due to become the legal parent through surrogacy
- partner of the child's parent, if they live with the child and the child's parent in an enduring family relationship

Parental Bereavement Leave

Parents have a right to take Statutory Parental Bereavement Leave if:

- they're classed as an employee
- their child dies under the age of 18 or is stillborn after 24 weeks' pregnancy
- Employees have this right from the day they start their job.

Statutory Parental Bereavement Leave can be taken in the 56 weeks following their child's death.

If more than 1 child dies, the employee is entitled to 2 weeks' Statutory Parental Bereavement Leave for each child.

Anyone classed as a worker is not entitled to Statutory Parental Bereavement Leave. But they might be entitled to 2 weeks' Statutory Parental Bereavement Pay for time they take off.

Taking Statutory Parental Bereavement Leave

An employee can choose to take either 1 or 2 weeks' leave.

If an employee takes 2 weeks, this can be taken in one go, or as 2 separate weeks. For example, they could take 1 week immediately after the death, and take the other week later on.

The leave must end within 56 weeks of the child's death. The date of the child's death is the first day of the 56 weeks.

Giving notice to take leave

An employee must tell their employer (give 'notice') to use Statutory Parental Bereavement Leave.

To give notice, the employee must tell their employer:

- when they want the leave to start
- whether they want to take 1 or 2 weeks leave
- the date their child died

This notice does not have to be in writing.

The rules for giving notice depend on how long it's been since their child died.

Taking leave in the first 8 weeks

If it's within 8 weeks (56 days) of their child dying, an employee can start their leave as soon as they give notice.

They must tell their employer before they start their leave. This can be on the first day of leave as long it's before they're due to start work. For example, if they've started work and give notice to start their leave straight away, Statutory Parental Bereavement Leave must start the following day.

They can also cancel the leave, as long as they tell their employer before their leave starts. This can be on the day their leave is due to start, as long it's before they're usually due to start work. Any cancelled leave can be taken later by giving notice again.

Taking leave after the first 8 weeks

If leave will be taken more than 8 weeks (56 days) since their child died, the employee must give their employer 1 week's notice:

- to take the leave
- if they want to cancel the leave

Any cancelled leave can be taken later by giving notice again.

Parental Bereavement Pay

Employees and workers are entitled to 2 weeks' Statutory Parental Bereavement Pay if:

- their child dies under the age of 18 or is stillborn after 24 weeks' of pregnancy
- they were employed when their child died
- they'd worked for their employer for at least 26 weeks, on the Saturday before the child's death
- they earn on average at least £120 per week, before tax

Supporting Employees

Your line manager and the Council will want to support you in the most appropriate way possible. The Council's Health Assured Employee Assistance Programme is also able to provide emotional support via a 24/7 helpline, staffed by BACP (British Association for Counselling and Psychotherapy) qualified counsellors. You can telephone Health Assured on 0800 030 5182.

Guidance for Line Managers

Before an employee commences ML/AL

The employee's line manager must complete the notification of maternity paternity or adoption leave form (available on BOB) and forward to Employment Support Services as soon as the employee is known to be entitled to SMP/SAP and/or OMP/OAP.

The employee's line manager must write to the employee within 28 days of receiving notification, stating the expected date of return from ML/AL. This will be based on the full entitlement to 52 weeks ML/AL.

Maternity: If ML has been triggered by childbirth or pregnancy-related absence the line manager will likewise confirm the expected date of return.

Health and safety risk assessment

Maternity: Line managers should undertake the relevant risk assessments (Appendix 2) as soon as they are informed about the employee's pregnancy.

Advice on health and safety issues is contained in HSE guidance: <https://www.hse.gov.uk/pubns/indg373.htm>. Advice and guidance is also available from health and wellbeing services.

Where a significant risk has been identified that could damage the health or safety of a new or expectant birth parent or their unborn child, Ryedale District Council will take any protective or preventative measures required to eliminate it. If this would not avoid the risk, the following steps are carried out in the following order:

1. If it is reasonable to do so, alter working conditions or hours of work;
2. If the risk cannot be avoided in this way, employees should be offered suitable alternative employment. Suitable alternative employment means work which is both suitable in relation to the employee and appropriate for her to do in the circumstances and on existing or no less favourable terms and conditions;
3. If no suitable alternative work is available, the employee is 'suspended'. This means they are entitled to paid leave or, where suitable alternative work is available but refused by her, unpaid leave;

An employee can be suspended in this way at any time starting from when they become pregnant until either;

- The date on which they have notified their maternity leave starts;
- The start of the fourth week before the EWC if the above date has not been notified.

Should suspension occur after the fourth week before the EWC this will automatically trigger the start of maternity leave. Suspension on health and

safety grounds can also occur during any period from the end of the employee's maternity leave up until the sixth month from the date of childbirth (later if breastfeeding goes beyond this date).

Night workers: A new or expectant birth parent who works nights and provides a medical certificate showing that their health and safety is at risk if they continue with night work should be offered suitable alternative employment. Where that is not possible they will be given paid leave. This protective measure operates from when Ryedale District Council is aware that the employee is pregnant until the later or six months after the date of childbirth, or miscarriage where this occurs, or until breastfeeding stops.

During maternity leave – line manager contact with the employee

The line manager will make 'reasonable contact' with the employee whilst on maternity leave. This would normally be to discuss return arrangements or to discuss work-related training that may be available or to inform the employee of any changes in the workplace that may affect them. Methods and regularity of contact should be agreed before maternity leave commences.

During maternity leave – employee detriment and dismissal

An employee who is pregnant or on maternity leave is protected from detrimental treatment (being treated unfairly or less favourably due to an act, or deliberate failure to act by the employer) or dismissal because they:

- Have given birth to a child;
- Have taken, or seeks to take, ordinary and additional maternity leave;
- Have taken, or seeks to take, any of the benefits of ordinary maternity leave;
- Have been suspended from work on maternity health and safety grounds;
- Are being made redundant during their maternity leave and have not been offered any available suitable alternative employment.

Protection includes any detrimental treatment or dismissal after the employee failed to return to work following ordinary or additional maternity leave where either:

- The employee's manager did not notify them in accordance with the statutory duties or otherwise of the date on which their maternity leave would end and the employee reasonably believed that their maternity leave had not ended;
- The employee's manager gave them less than 28 days' notice of the date their maternity leave would end and it was not reasonably practicable for the employee to return on that date.

Employees can claim unfair dismissal regardless of length of service if related to pregnancy or maternity leave. An employee dismissed at any time during pregnancy or maternity leave is entitled to written reasons for dismissal (whether requested or not). Ryedale District Council can dismiss employees for reasons unrelated to pregnancy, such as conduct, and any such employee must have two year's continuous service to claim unfair dismissal at an employment tribunal.

To avoid potential underpayments line managers should inform Employment Support Services (ESS) as soon as possible (and ideally before the payroll deadline) once a return to work date has been agreed with the employee.

MATERNITY RISK ASSESSMENT TEMPLATE FOR NEW OR EXPECTANT BIRTH PARENTS

Expectant or new birth parent risk assessment for:		Reference:	
Name:	[Name of employee]	Contact number:	
Job role: (including typical tasks)		Department / location:	
Expected date of delivery: (expectant birth parent)		Actual date of birth: (new birth parents only)	
Manager completing assessment:		Initial assessment date:	
Any health / wellbeing issues:			

Risk assessment for an expectant or new birth parent: Hazards and controls

Significant Hazard	Perceived Nature of Risk	Generic Control Measures	Residual Risk Low/Medium/High	Additional Control Measures	Managers Comments
Display Screen Equipment	Increased susceptibility to musculoskeletal disorders and deep vein thrombosis (DVT)	DSE assessment to be undertaken if not already in place. Workstation should provide adequate adjustment to allow for increase in abdominal size. Advice on posture to prevent musculoskeletal problems. Adjust working practices to avoid continuous sitting at workstation (risk of DVT)		Review DSE assessment as pregnancy progresses	
Slips, Trips & Falls	Increased risk of injury due to physical change and or hormonal changes	Maintain high standards of housekeeping in work area. Individual may have difficulty negotiating stairs during later stages of pregnancy			
Lifting and Carrying Loads	Musculoskeletal injury Weakening of the skeletal structure	Reduce amount of physical work associated with task. Physical tasks become more difficult to achieve as pregnancy progresses Carrying heavy loads to be avoided			
Welfare	Access to toilets to protect against risk of infection and kidney disease	Provision of easy access to toilet facilities and more frequent breaks from work activity. Consideration should be given to providing access to quiet area where the individual can rest as necessary.		Agree provision of suitable rest facility as necessary	
Fatigue	Fatigue from prolonged standing or physical activity	Avoid long periods of time standing. Task modified to provide seating or more frequent rest periods.			

		Aspects of the work may need to be modified as physical capability will be reduced as a result of pregnancy			
Work Related Stress	Individual vulnerable to stress due to hormonal, psychological and physiological changes during pregnancy	Monitoring and reduction of risks in relation to work demands, relationships with colleagues / manager and requirements of the role.			
Temperature / Humidity	Lower tolerance to heat and humidity resulting in discomfort/faint	Temperature of the working environment to be suitably controlled. Individual may require access to fresh air for periods during the working day. Individual to have ready access to fresh drinking water		Provision of equipment to provide local heating / cooling as necessary	
Out of Hours Working	Long working hours or shift work patterns can affect the health of pregnant women.	Allowance made for tiredness and nausea at early stages of pregnancy. Consult with occupational health and individual on modification to working hours/avoidance of night work			
Personal Safety	Violence or fear of violence can increase	If there is a perceived risk of violence or threat of violence / abuse consideration needs to be given to modifying the role to reduce the risk to the individual and or make provision for staff to be available should support be required			

Access / Egress	Mobility may be impaired during later stages of pregnancy	Seek to modify the individuals work task to avoid walking significant distances or traversing flights of steps.		PEEP ¹ assessment should be completed with health and safety team	
Working at Height	Loss of agility and or balance	Modify task to avoid aspects of working at height			
Travel Health	Increased medical risk from business travel. Poor posture / prolonged sitting increase risk of deep vein thrombosis (DVT) Risk from infectious diseases in some countries	<u>UK Travel</u> Travel arrangements should include adequate provision for rest breaks during the journey. Travel times chosen to reduce levels of fatigue. Carry out regular stretching exercises on flights. Drink sufficient fluids. The use of graded compression stockings. Loose-fitting clothing to avoid constriction of veins.			
		<u>International Travel</u> Health risks to be further assessed with advice from a medical practitioner / occupational health. Travel to be scheduled to avoid restrictions imposed by airlines on pregnant women (typically past 32 weeks). Carry out regular stretching exercises on flights. Drink sufficient fluids.			

¹ Personal Emergency Evacuation Plan

		The use of graded compression stockings. Loose-fitting clothing to avoid constriction of veins.			
Biological or	Exposure to certain biologicals e.g. bacteria, viruses, moulds, fungi.	New or Expectant birth parent must not be exposed to biological agents. Consider alternative tasks to working environment where exposure is recognized			
Chemical	Exposure to certain Chemicals; dust, fumes, gas vapour, mist, liquids solids, fibres	New or Expectant birth parent must not be exposed to chemical agents. Consider alternative tasks to working environment where exposure is recognized.			

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Risk assessment for an expectant or new birth parent: Further actions required

Risk assessment for an expectant or new birth parent: Risk Assessment Review

Action to be taken to further reduce risk	Person responsible for completing action	Target completion date (Prioritized on risk)		Action closure	
		Date	Priority	Signature	Date
Review DSE assessment as pregnancy progresses	DSE Assessor				
Agree provision of suitable rest facility if necessary	Manager of work area				
Provision of equipment to provide local heating / cooling if necessary	Manager of work area / E&FM				
Additional procedures for lone working / working off site	Manager of work area				
PEEP assessment form to complete	Safety Adviser for the work area				
Seek advice from medical practitioner / Occupational Health before making International travel arrangements	Manager of work area				

	Date	Employee signature	Manager signature
Initial risk assessment completed:			
Proposed date for next assessment:			
Assessment reviewed on:			



Probation Policy and Procedure

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SMB owner	Head of HR
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1. Policy

1.1 Purpose

Ryedale District Council values its employees and recognises that they are its greatest asset. We want all employees to perform well and feel valued.

The Council is committed to supporting all employees to get to grips with working at the Council and their new job. The general approach to probation is supportive and constructive, featuring feedback on performance, learning and development, team work and two-way communication.

The process has been designed to allow any issues that might prevent successful completion of the probation period to be identified and addressed in a timely fashion.

This policy is closely aligned with the Council's People and Culture Plan and supports our priorities, values and behaviours in delivering a robust and consistent approach to performance with clear expectations, so a supportive performance culture can develop and be embedded.

The policy is also designed to ensure that performance against job roles is achieved. As a public sector organisation, we must demonstrate effective and efficient use of resources. We therefore expect all employees to deliver against the remit and grading of their role.

The positive management by the line manager of a new employee during the probationary period, sets the tone for future performance management, for positive on-going relationships and assists in improving the overall standards and morale of the workforce. It also embeds the principles of feedback on performance, learning and development, team work and two-way communication as part of the employee's working life at Ryedale District Council.

Notwithstanding this general approach, Ryedale District Council is committed to the highest standards of performance, and will terminate a contract if the employee does not demonstrate satisfactory performance, including adherence to the Officer Code of Conduct, during their probationary period.

1.2 Scope

The probationary period applies in a variety of circumstances.

First, it applies to all newly appointed employees.

The procedure applies to all new full-time, part-time and permanent and temporary employees of the Council, but does not apply to employees who have come into the Council as a result of a TUPE transfer.

Second, where an existing employee moves to another job within the Council, reviews will be scheduled to evaluate their performance and conduct in line with the

principles of the probationary process. In these circumstances where performance or conduct is identified as being unsatisfactory during, or at the end of, the probationary period this will be dealt with under either the Council's Capability or Disciplinary Procedures.

1.3 Length of probation

All employees new to the Council will normally undertake a six month probationary programme (unless TUPE applies). This period may be extended in exceptional circumstances, if there are definite indicators that the employee will achieve the standard required, given further time; guidance should be sought from HR before the end of the original probation period. In most circumstances, the probationary period will be extended by 2 months where this is deemed necessary by the line manager in consultation with HR.

The probation period may be reduced to four weeks for contracts below six months. Where an employee has not attended work due to sickness absence, please contact HR for advice on how probationary periods should be extended/handled as this will be dealt with on a case by case basis.

1.4 Responsibilities and Expectations

Employees are responsible for:

- engaging with the induction and probationary period processes and reaching the required level of performance
- Familiarising themselves with the organisation's rules, policies and procedures, particularly those relating to security, equal opportunities, conduct, discipline and grievance.
- Ensuring that they understand the probationary procedure.
- Ensuring that they are familiar with the standards and requirements of the job role, both those specified within the job description and how their role fits into the wider team and further organisational contribution;.
- Ensuring that they take an active part in the probation review meetings.
- Undertaking any learning and development activities agreed with the manager; this includes all mandatory training modules and familiarity with specified policies such as health and safety and safeguarding.

Managers are responsible for:

- Ensuring the employee is aware of this probation policy and procedure.
- Explaining the expected standard of performance, how performance will be monitored, and expected standards of conduct to the new employee.
- Completing probation reviews as appropriate for the new employee.
- Ensuring probation documentation is completed in a timely manner.
- Notifying the employee of any probation review meetings in advance so that both parties have time to prepare.

- Identifying any potential for the employee to fail to meet the standards required and taking appropriate action quickly whilst maintaining liaison with HR if appropriate.
- Ensuring that systems are in place to support and monitor the employee's work throughout the probationary period in order that they receive such assistance as is reasonable to fulfil the duties and responsibilities of the post.

2. Procedure

2.1 Induction

The importance of good induction for a new starter in assisting them to complete their probationary period satisfactorily cannot be underestimated. Quite apart from the obvious challenge of tackling a new role, there is also the need to become accustomed to a new organisation, a new environment and new colleagues. The purpose of induction is to support employees during this period and to help them quickly become fully integrated into the Council.

Managers are responsible for devising an induction programme, which explains the range of work, standards and expectations required by the Council of the employee. It is important that the manager checks that the employee fully understands the requirements of the job and the organisation's expectation of performance and expected behaviours.

2.2 Length of probationary period

The probationary period will normally last for six months. Managers will conduct monthly review meetings, completing the probationary review form at Appendix A. At the six-month final review the employment shall be confirmed, unless the contract is to be terminated or in exceptional circumstances, the probation period is to be extended. The probation period may be reduced to four weeks for contracts below six months.

2.3 Disabilities

Employees with disabilities should be monitored using the same procedure as for all other staff. However, in line with the Equality Act 2010, the need for any reasonable adjustments or more favourable treatment required by disabled employees must be considered at any time during the probationary period. In circumstances where a disability only becomes fully apparent once an employee has started in post it may be necessary to defer the probationary assessment until after all reasonable adjustments have been considered and implemented where appropriate. Occupational Health advice should be sought at the earliest opportunity.

Reasonable adjustments which are required to enable an employee to perform in their post must be implemented promptly. In all cases in which reasonable adjustments are or may be required the manager shall seek advice from Human Resources and shall invite the employee to a meeting, at which they may be

accompanied by a work colleague or trade union representative, giving at least five working days' notice, to discuss this.

2.4 Misrepresentation of Skills/Qualifications

Where a probationary employee has misrepresented their skills, abilities and/or qualifications at interview, and it becomes apparent during the probationary period that they are unable to carry out the duties or requirements associated with the job, the manager will decide in conjunction with HR whether to terminate employment. In these circumstances the process set out at Section will 2.5 will apply.

2.5 Termination of employment before the completion of the Probationary Period

If work performance, attendance or conduct falls short of acceptable standards with the effect that that it is not appropriate to continue employment it is possible to terminate employment at any point during the probationary period.

In all cases the employee must be invited to attend a meeting to be told how their performance, attendance or conduct is unsatisfactory and have the opportunity to give an explanation.

As dismissal will be considered, the manager must inform the employee of their right to be accompanied by a trade union representative or work colleague, should they so wish. The invitation to the meeting must be in writing, by letter or by email, and must give at least five working days' notice to the employee.

It is not the intention of this procedure that probationary employees should face dismissal as a result of allegations of minor misconduct which would not lead to the dismissal of any other employee. However, persistent acts of minor misconduct may lead to dismissal.

All employees must act in accordance with the values and behaviours of the Council; termination will be considered where non-compliance is consistently demonstrated during the probationary period.

Where, following this meeting it becomes clear that the probationary period will not be completed successfully, the manager shall inform the employee of their intention to recommend to HR and the appropriate Head of Service that the employee's contract be terminated. Confirmation of termination of employment will be provided in writing to the employee. The employee shall have a right of appeal in accordance with Section 5 of this procedure.

3. The Review Process

3.1 Achievement of performance targets and working within the Council's Code of Conduct

In line with the Council's performance review process, managers must commence monthly one-to-one meetings with employees as soon as they start employment.

Managers do not need to conduct separate one to one meetings (part of regular performance management) and probation meetings; the monthly meeting will act as both. These meetings should be set up in advance of the employee starting and their purpose covered as part of induction.

Employees should be given adequate notice of any proposal to vary the date of the review meeting.

The aim of the review process is to assess the employee's ability to carry out their job. A written record should be made of all meetings, shared with the employee and a copy placed on the employee file. For consistency, a template is provided to aid managers during these discussions (Appendix A).

The purpose of regular one-to-ones is to support the employee during their probation period so they understand their role, the conduct and behaviours expected of all employees, and the standards and measures of performance which they are required to deliver against. This is to give them every reasonable chance of completing the probation successfully.

The meeting should discuss what is going well, progress against objectives, any areas of concern and identification of next steps to support the employee during the probation period. Factors which the manager must consider include:

- Quality of work and performance
- Attitudes and motivation
- Conduct, behaviours, timekeeping and attendance
- Any training needs

If any issues arise from the discussions that suggest the employee may not be able to complete their probation period successfully, these should be raised with HR at this stage, and advice taken on any additional actions that need to be taken.

Factors which are potentially discriminatory under the terms of any of the equalities and discrimination legislation must not form part of the assessment review process. Where employees have a disability or a disability becomes apparent, the line manager must consider any reasonable adjustments in line with the Equality Act 2010.

3.2 Unsatisfactory performance

At each stage the review discussion must cover the strengths, weaknesses and areas for improvement of the employee's performance. These must be discussed and noted, together with ways performance could be improved, as part of an improvement action plan. An assessment must be made as to whether the overall performance is satisfactory or unsatisfactory. Where performance is unsatisfactory, managers must:

- draw this to the attention of the employee

- discuss weaknesses and areas for development with the aim of establishing the reasons for poor performance and identifying strategies/training for improving that performance
- restate the standards required and the consequences of failure to meet those standards

An action plan may be used to detail what needs to take place to improve performance (Appendix B). Managers may also wish to seek the guidance from HR where there is unsatisfactory performance.

3.3 Unsatisfactory conduct

Where there is evidence of persistent misconduct or serious/gross misconduct during the probationary period the matter will be addressed in accordance with section 2.5.

3.4 The final review – 6 months

Prior to the final review the employee's line manager must consider whether the:

- employee's appointment should be confirmed;
- employee's probation period should be extended (exceptionally); or
- employee's contract should be terminated.

If the manager considers that the employee's conduct and / or performance is unsatisfactory, they must write to the employee at least one week prior to the final review meeting to inform them in advance of the reasons why this is the case.

Where dismissal or an extension of the probationary period is contemplated, the manager must inform the employee that they have a right to be accompanied at the final review meeting by a trade union representative or work colleague, should they so wish. It is the responsibility of the employee to notify their representative of the date and time of the meeting. In the event that the representative is unavailable the meeting may be postponed by up to five working days.

The final review must take place within one week of the employee having completed six months' service, unless there are extenuating circumstances. The employee's line manager must conduct the review meeting.

The purpose of the final review is to assess the employee's progress over the whole of the probation period and to reach a decision as to whether the employee's employment should be confirmed, whether exceptionally the probation period should be extended or whether the employee should be dismissed.

4. Outcomes at the final review

4.1 Confirmation of appointment

Where the appointment is to be confirmed, the manager should confirm this to the employee during the final review and note this on the form. A copy of the form must

be kept on the employee's file.

4.2 Extension of probation period

There may be circumstances where it is appropriate to extend the probationary period for the following reasons:

- Through the employee's sickness or other authorised absence it has not been possible to assess performance
- An extension has been agreed in accordance with paragraph 2.4.1
- The employee has not performed satisfactorily but the manager has evidence to suggest that performance is likely to improve with a further period of probation

If the employee's manager concludes that the probationary period should be extended, this matter must be discussed with Human Resources. Where the manager and HR conclude that the probationary period should be extended, the following must be discussed with the employee and confirmed in writing:

- the reason for the extension
- details of any training that will be provided during the extension period
- the performance standards expected and the way in which it will be monitored
- that if performance still fails to meet expectations at the end of the period the employment will be terminated.

The probation period should not normally be extended by more than two months.

Where, following the extended probationary period the employee's performance has improved substantially, the appointment should be confirmed, the employee formally notified and from then on be subject to the Council's appraisal, staff development and other HR policies and procedures.

4.3 Termination of employment

Where, following the six-month formal review or extended probationary period, it becomes clear that the probationary period will not be successfully completed, the manager shall inform the employee of their intention to recommend to HR and the appropriate Head of Service, that the employee's contract be terminated. Confirmation of termination of employment will be provided in writing to the employee along with details of their right of appeal against termination of employment by virtue of failure to successfully complete a probationary period. Dismissal will be with notice pay and may be actioned as a payment in lieu of notice (PILON).

5. Appeals

5.1 Lodging an appeal

Where an employee's contract is terminated, the employee will be advised of their right to appeal the decision.

The appeal must be made in writing, to the Head of Service, within 10 working days of receipt of written confirmation of the decision.

Where possible, the appeal will be heard before the dismissal takes effect. The appeal will normally be heard within the notice period.

Appeals against dismissals will be heard by the Appeals Panel of the Policy and Resources Committee. The employee has the right to be represented at an appeal by a trade union representative or work colleague.

5.2 Appeal conditions

The grounds of appeal should relate to one or more of the following:

The procedure: An appeal can be lodged on the grounds that the probation procedure was applied unfairly or inaccurately.

The facts: An appeal can be lodged where the employee believes that the facts of the case did not support the decision made; that the facts considered were not relevant; that the facts were not substantiated; or where there are new facts/evidence which needs to be considered that has come to light subsequent to the hearing

The decision: An appeal can be lodged where the employee feels that the sanction received is disproportionate to the charges found taking into account the evidence/mitigating circumstances presented.

5.3 The appeal process

The employee will be given 5 working days' notice of the appeal hearing along with any documents which will be presented at the appeal. The employee must provide their own documents within two working days of the hearing.

The panel will review whether the original decision was reasonable having reviewed the grounds for appeal. The Appeal Panel shall have discretion to go into as much detail as they consider necessary in order to give a fair hearing to the appeal, within the grounds of the appeal. The decision at appeal shall be either to uphold the original decision to dismiss, or to confirm the employee in employment. This decision shall be final and will be confirmed in writing.

Notes shall be taken at an appeal hearing and a copy provided to the employee within 10 working days of the hearing.

Probationary Review

Name of Employee:	
Name of Manager:	
Probation Review No.	
Date:	

Reviews should take place every 4 weeks/1 month during the course of the probationary period.

What has gone well?	
What areas are to be concentrated on next?	
What areas of improvement need to be made?	
Any areas of concern	

Signature (employee):

Signature (manager):

Date:

Probation: Action Plan

Employee Name		Job Title	
Line Manager		Department	
Probation Review No		Meeting Date	

	Issue (be clear if this is something that the employee is doing or not doing and what is and isn't acceptable)	Action/Training to take place	Milestones	People involved	Review date
1					
2					
3					
4					

Actions agreed (Manager signature)		Date	
Actions agreed (Employee signature)		Date	