



OVERVIEW AND SCRUTINY COMMITTEE

Thursday 5 July 2012 at 6.30 pm

Council Chamber, Ryedale House, Malton

Agenda

1 Emergency Evacuation Procedure.

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

2 Apologies for absence

3 Minutes of the meeting held on the 12 April 2012

(Pages 1 - 4)

4 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.

5 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.

6 Standards Role for Overview & Scrutiny Committees and Standards Issues

(Pages 5 - 34)

7 New Members Code of Conduct

(Pages 35 - 62)

- 8 **The Community Safety Plan 2012/13** (Pages 63 - 92)
- 9 **Ryedale Audit Planning Report 2012** (Pages 93 - 116)
- 10 **External Auditor Quarterly Progress Report** (Pages 117 - 118)
- 11 **Annual Report from the Head of Internal Audit** (Pages 119 - 128)
- 12 **Annual Governance Statement** (Pages 129 - 138)
- 13 **Treasury Management Annual Report** (Pages 139 - 148)
- 14 **Customer Complaints Received Quarter 4 - 2011/12** (Pages 149 - 156)
- 15 **Annual Report delivering the Councils Priorities** (Pages 157 - 162)
- 16 **Attendance at Policy Committees** (Pages 163 - 172)
- 17 **Scrutiny Reviews Progress Report - Supporting a Sustainable Community and Voluntary Sector** (Pages 173 - 176)
- 18 **Decisions from other Committees** (Pages 177 - 188)
Commissioning Board held on 7 June 2012
Policy and Resources Committee held on 21 June 2012
- 19 **Any other business that the Chairman decides is urgent.**

Public Document Pack Agenda Item 3

Overview and Scrutiny Committee

Held at Meeting Room 1, Ryedale House, Malton
on Thursday 12 April 2012

Present

Councillors Wainwright (Chairman), Mrs Shields (Vice-Chairman), Mrs Hopkinson, Ward, Raper, Windress and Hawkins

In Attendance

Trevor Anderson, James Ingham (North Yorkshire Audit Partnership), Sarah Anderson (Deloitte LLP), Audrey Adnitt, Max Thomas (Veritau Ltd) and Richard Smith (Veritau Ltd).

Minutes

The Chairman welcomed Mr Thomas and Mr Smith from Veritau Ltd to the meeting, and introductions were made.

146 **Apologies for absence**

Apologies were received from Councillors Arnold and Cussons.

147 **Minutes of the meeting held on the 16 February 2012**

The minutes of the meeting of the Overview & Scrutiny Committee held on the 16 February 2012 were presented.

Resolved

That the minutes of the meeting of the Overview & Scrutiny Committee held on the 16 February 2012 be approved and signed by the Chairman as a correct record.

148 **Urgent Business**

The Chairman reported that there were no items to be dealt with at the meeting as a matter of urgency by virtue of Section 100(B)(4)(b).

149 **Declarations of Interest**

No declarations of interest were received.

150 **Certification of Claim and Returns 2010/11 - Annual Report February 2012**

The Chairman welcomed Mrs Sarah Anderson of Deloitte LLP, the Council's external auditor, to the meeting.

Mrs Anderson presented the Annual Report prepared in February 2012 by Deloitte LLP in respect of the certification of claims and returns 2010/11.

The report had been discussed and agreed with the Corporate Director (s151). Deloitte LLP expressed their appreciation for the assistance and co-operation provided during the course of the certification work, and reported that their aim was to deliver a high standard of work, which made a positive and practical contribution which supported the Authority's own agenda.

Resolved

That the report be accepted.

151 **External Audit Progress Report April 2012**

Mrs Anderson (Deloitte LLP) presented the External Audit Progress Report as at April 2012, which provided a summary of recent activities.

Resolved

That the report be received.

152 **Accounts and Audit Regulation 6 - Review of Effectiveness of Internal Audit**

The Head of Internal Audit presented a report (previously circulated) in order to present the Annual Review of the Effectiveness of Internal Audit from the North Yorkshire Audit Partnership for approval.

Overall the report provided an assurance that the internal audit service provided through the North Yorkshire Audit Partnership met the criteria for an effective system of internal audit. It was not a 'carte blanche' but a balanced judgement.

Resolved

That the Annual Review of the Effectiveness of Internal Audit 2011/2012 from the North Yorkshire Audit Partnership be approved.

153 **Scrutiny Reviews Progress Report 'Supporting a Sustainable Community and Voluntary Sector'**

The Head of Transformation submitted a report (previously circulated) in order to present the progress of the scrutiny review currently being undertaken.

Resolved

That the progress be noted.

154 **Decisions from other Committees**

Decisions from the following Committees were submitted:

Commissioning Board held on the 22 March 2012

Policy & Resources held on the 4 April 2012

Resolved

That the list of decisions of the Commissioning Board held on the 22 March 2012 and the Policy & Resources Committee held on the 4 April 2012 be received.

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

There were no urgent items.

The meeting closed at 7.15pm.

This page is intentionally left blank



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE
DATE:	5 JULY 2012
REPORT OF THE:	COUNCIL SOLICITOR AND MONITORING OFFICER ANTHONY WINSHIP
TITLE OF REPORT:	STANDARDS ROLE FOR OVERVIEW AND SCRUTINY COMMITTEE AND STANDARDS ISSUES
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To inform Members of the Committee of the new Standards Role for Overview and Scrutiny Committee which is intended to promote and maintain high ethical standards within the Council and deal with Standards related issues.

2.0 RECOMMENDATIONS

2.1 That members note Minute No 127 of the Annual Council meeting on 17 May 2012 attached as Annex 1 which allocates the ethical standards function to the Overview and Scrutiny Committee acting as a Corporate Governance Committee;

2.2 That members recommend to Council to:-

- (i) Approve the terms of reference for the Overview and Scrutiny Committee acting as a Corporate Governance Committee as attached at Annex 2;
- (ii) Appoint independent persons;
- (iii) That the Monitoring Officer ensures that all Members are informed of their duty to register their interests;
- (iv) That the Monitoring Officer prepare and maintain new Registers of Interests for the Council and all Parish and Town Councils within the District together with the Code of Conduct adopted by each Parish or Town Council and ensure that they are available for public inspection as required by the Localism Act 2011;
- (v) That the Register of Members' Financial and Other Interests form attached as Annex 3 be approved; and

- (vi) That the Monitoring Officer be authorised to arrange training for Members on Standards issues.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 It is important for the Overview and Scrutiny Committee to note and approve the recommendations to maintain and improve good corporate governance.

4.0 SIGNIFICANT RISKS

- 4.1 No significant risks have been identified in preparing this report – see Risk Matrix (Annex A).
- 4.2 It is helpful for the Monitoring Officer and for the Overview and Scrutiny Committee, in performing their functions, to note and approve the recommendations which is instrumental in the drive to maintain high standards generally. This reduces the risk of the breakdown of standards with consequential effects upon the reputation of an authority and the services it delivers.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 In the wake of the provisions in the Localism Act 2011 which has dismantled the Local Government Act 2000 local government standards regime, the Annual Meeting of Council on 17 May 2012 adopted a new Code of Conduct (with the exception of the part dealing with interests) and arrangements for dealing with allegations of misconduct by Members.
- 5.2 The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (the 2012 Regulations) were published on Friday, 8 June 2012. These regulations define Disclosable Pecuniary Interests.
- 5.3 In a letter to the Chief Executive, dated 8 June 2012, the Government confirmed that the Localism Act 2011 (Commencement No 6 and Transitional, Savings and Transitory Provisions) Order 2012 had now been made bringing the new arrangements for the standards and conduct of Members into force on 1 July 2012.
- 5.4 The relatively late production of the 2012 Regulations (Friday evening on 8 June 2012) has not been helpful in implementing the new standards regime.

6.0 POLICY CONTEXT

- 6.1 The adoption of standards procedures contributes positively to the Council's Corporate Governance arrangements by ensuring that the Council maintains high standards of conduct.

7.0 REPORT DETAILS

Terms of Reference of the Corporate Governance Standards Committee

- 7.1 Members are advised that it is necessary to consider an addition to the Terms of Reference of the Overview and Scrutiny Committee to discharge the new standards role allocated to the Committee.

- 7.2 Members are requested to consider recommending Council to adopt the revised Terms of Reference for the Overview and Scrutiny acting as a Corporate Governance Standards Committee and Sub-Committee as attached at Annex 2.

Register of Interests

- 7.3 The Monitoring Officer is responsible for ensuring that each authority's register (ie District, Parish and Town Councils) is kept at the principal authority's offices and is available for inspection within the District Council's (principal authority). Copies of the District Council's Register of Interests and those of every Parish and Town Council must be published on the District Council's website and, if the Parish/Town Council has a website, then the relevant Register must also be available on that website. The Monitoring Officer must provide the relevant date and information to the Town and Parish Council. A template form for the registration of Member Interests is attached at Annex 3.

Disclosable Pecuniary Interests (DPI)

- 7.4 Every elected or co-opted Member is required to notify the Monitoring Officer within 28 days of being elected or co-opted onto the authority of all current DPIs and update the register within 28 days of being re-elected or re-appointed. Failure to register or disclose a disclosable pecuniary interest will be punishable by a fine of up to Level 5 (£5,000). In addition the magistrates court may on conviction disqualify a Member from being a Member of a Council or any other relevant authority for up to five years. Breaches of the Code of Conduct in relation to failure or declare other pecuniary interests and non-pecuniary interests can only be dealt with as a breach of the Code. Prosecutions for a breach of the legislation relating to disclosable pecuniary interests may only be brought by or on behalf of the Director of Public Prosecutions. The DPP is unlikely to authorise a prosecution unless the breach of the legislation is considered serious. The provision under which a Member who fails to make such registration automatically ceases to be a Member is repealed.

Disclosure of Interests and Participation

- 7.5 A Member has a duty to disclose whenever they attend any meetings of the Council, or Committee, or item to be dealt with under individual powers, in which they have a "disclosable pecuniary interest". In a change from the current requirements, where the interest is already on the Register, or the Monitoring Officer has been notified of the interest, the Member is under no obligation to disclose the interest at the meeting. If the DPI is not currently on the register, or has not been notified already to the Monitoring Officer, then the Member must notify it to the Monitoring Officer within 28 days so that it can be included on the Register.
- 7.6 If a Member has a DPI in any matter, he/she must not participate in any discussion of the matter at the meeting. The Act does not define "discussion". It is unclear if this precludes making representations as currently permitted under paragraph 12(2) of the 2007 Model Code of Conduct. Members must not participate in any vote on the matter. There is no requirement for Members to leave the room, as required under the 2007 Code of Conduct. However, the Member can seek a dispensation which would allow him/her to speak and/or vote as necessary.

Failure to Comply

- 7.7 Failure to comply with the requirements (paragraph 7.5 and 7.6) becomes a criminal offence, rather than leading to sanctions. The Council's Code of Conduct must make "appropriate" provisions for disclosure and withdrawal for interests other than DPIs, but failure to comply with these requirements would be a breach of the Code of Conduct but not a criminal offence. The requirement to withdraw from the meeting room can be covered by Standing Orders, which would be neither a criminal offence

nor a breach of the Code of Conduct, although the meeting could vote to exclude the Member. It is recommended, therefore, that the Council amends Standing Orders to include a provision requiring Members to withdraw from the room when they have a DPI in an item under discussion, which will provide transparency and openness in the decision making process.

Sensitive Interests

- 7.8 The provision introduced in the 2008 Code is re-enacted, enabling a Member to ask the Monitoring Officer to exclude from the public register any details which, if disclosed, might lead to a threat of violence or intimidation to the Member or any person in the Member's household. If the Monitoring Officer agrees, then this Member will only be required to recite at the meeting that he/she has a "disclosable pecuniary interest", rather than giving details of that interest, and the detail can be excluded from the published version of the Register.

Dispensations

- 7.9 The Act significantly amends the provisions on dispensations. Currently a Member who has a prejudicial interest may apply to the Standards Committee for a dispensation on two grounds –

- § That at least half of the Members of a decision-making body have prejudicial interests (this is generally unworkable as it is often only at the meeting that this would become known).
- § That so many Members of one political party have prejudicial interests in the matter that it would upset the result of the vote on the matter.

- 7.10 In future, a dispensation will also be able to be granted in the following circumstances:

- § That so many Members of the decision-making body have DPis in a matter that it would "impede the transaction of the business" (inquarete).
- § That without the dispensation, the representation of different political groups on the decision-making body would be so upset so as to alter the outcome of any vote on the matter.
- § That the authority considers that the dispensation is in the interests of persons living in the authority's area.
- § That, without a dispensation, no Member of the Committee would be able to participate on this matter.
- § That the authority considers that it is otherwise appropriate to grant a dispensation.

Any grant of dispensation must specify how long it lasts for, up to a maximum of four years.

- 7.11 The Act gives discretion for dispensations to be delegated, which would enable requests to be dealt with "at the door to the meeting" if necessary.

Independent Persons

- 7.12 The Council must include at least one Independent Person. In the Commencement Order the Government have provided for transitional arrangements enabling a local authority to appoint a person as Independent Person who has been an Independent Person on the Standards Committee within the last five years ending on 30 June 2012, so long as they are not a Member or co-opted Member of the Standards

Committee of the relevant authority on 1 July 2012. Such appointment will only apply in relation to appointments made before 1 July 2013.

- 7.13 The functions of the Independent Person are that they must be consulted by the Authority before it makes a finding as to whether a Member has failed to comply with the Code of Conduct or decides to take action in respect of that Member. They may also be consulted by the authority in respect of a standards complaint at any other stage (for example on receipt of the complaint). Finally they may be consulted by any Member or co-opted Member of the District, Parish or Town Council against whom a complaint is made.

8.0 IMPLICATIONS

- 8.1 No significant implications have been identified in preparing this report.

Anthony Winship Council Solicitor

Author: Anthony Winship, Council Solicitor
Telephone No: 01653 600666 Ext: 267
E-Mail Address: anthony.winship@ryedale.gov.uk

Background Papers:

Localism Act 2011
The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
'The Localism Act 2011 (Commencement No 6 and Transitional, Savings and Transitory Provisions) Order 2012'

Background Papers are available for inspection at:

Ryedale District Council Offices

STANDARDS ROLE FOR OVERVIEW AND SCRUTINY COMMITTEE AND STANDARDS ISSUES - ANNEX A

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
The Committee fails to have due regard to new developments and good practice.	The risk over time of the breakdown of standards with consequential effects upon the reputation of an authority.	2	B	There is no mitigation in this case	2	B

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

Minute No. 127 of the Annual Council Meeting held on the 17 May 2012.

127. The Localism Act 2011 – The Amended Local Ethical Framework

It was moved by Councillor Knaggs and seconded by Councillor Cussons that the following recommendations from paragraph 2 a-p of minute 20 of the Standards Committee meeting on 3 May 2012 be approved and adopted:

2. That Full Council be recommended that:
 - a) The Authority's duty to promote and maintain high standards of conduct be discharged as listed below and from time to time in such other ways as the Monitoring Officer, in consultation with any Standards Committee established by the Authority, may deem appropriate:-
 - i. Appoint a non-statutory Standards Committee.
 - ii. Adopt new/revise existing ethical statements.
 - iii. Continue to promote ethical issues through planned and monitored Member training, including Member induction training.
 - iv. Produce Standards Bulletins.
 - v. Monitor wider policies, protocols and indicators which point to the ethical health of the Authority.
 - vi. Use of the Authority's website to promote the standards regime ultimately put in place.
 - vii. Publicise when the new/revised Code and supporting standards regime is established by the Authority and from time to time as appropriate.
 - viii. Work together with neighbouring authorities, where possible and appropriate, in order to discharge the statutory duty.
 - b) The Council establish a politically balanced Standards Committee, meeting not less than twice per annum, with a panel of Members from the Committee meeting on an ad hoc basis to deal with any alleged breach of the new Members' Code of Conduct (with effect from 1 July 2012).
 - c) The draft new Members' Code of Conduct for the Council attached at Appendix 3 to the report, as amended, be approved and effective from 1 July 2012; and that such Code be revised as necessary in the future once the relevant regulations are in force regarding the new statutory interests regime.
 - d) Under the new standards regime effective from 1 July 2012, Members and any co-opted Members should be required to sign an undertaking to comply with the Code before acting in such capacity.
 - e) The Council publicise its adoption of the new Code on the Council's website and Intranet and in any other ways the Standards Committee deems appropriate.
 - f) Provision be included in the Council Procedure Rules requiring Members to withdraw from the meeting room when they have a disclosable pecuniary interest.
 - g) The complaint handling procedure as amended attached to the report at Appendix 6 be approved and effective from 1 July 2012.
 - h) Two Independent Persons be appointed, to be involved on a rota basis;

- i) The Independent Persons be invited to meetings of the new Standards Committee but not formally co-opted on to the new Committee.
- j) The Independent Persons be paid expenses in accordance with the Council's Members' Allowances Scheme and that this be considered by the Independent Remuneration Panel in due course.
- k) The Independent Person vacancies be advertised on the Council's website and through a press release via the Council's arrangements with the local press (and in any other way the Council considers appropriate) and that the Chairman of the Standards Committee with the Monitoring Officer should undertake short-listing of applicants.
- l) All functions in respect of the publication of Standards Committee Independent Person vacancies be delegated to the Standards Committee and that the Committee then delegates such functions to the Monitoring Officer in consultation with the Chair of the Committee.
- m) The power to assist in the recruitment of Standards Committee Independent Persons (but not to approve individual appointments) be delegated to the Standards Committee.
- n) The Monitoring Officer be designated as Proper Officer to receive written requests for a dispensation by Members and voting co-opted Members, effective from 1 July 2012.
- o) The power to grant dispensations to Members and voting co-opted Members be delegated to the Standards Committee, after consultation with the Independent Person; and that power be delegated to the Monitoring Officer to grant dispensations (after consultation with the Independent Person) where the timescales are such that a Standards Committee meeting cannot be convened and where the Monitoring Officer has consulted every available Member of the Standards Committee, all of whom consent to the granting of the dispensation (all with effect from 1 July 2012).
- p) That the Council Solicitor be authorised to carry out any consequential amendments to the Council's Constitution.

An amendment was moved by Councillor Knaggs and seconded by Councillor Cussons: To delete paragraph 2 a) i. and 2 b) and replace with "The functions of the Standards Committee shall be performed by the Overview and Scrutiny Committee meeting as a corporate governance committee. Officers are authorised to make such resulting amendments to other recommendations as are necessary."

Upon being put to the vote the amendment was carried.

Councillor Raper then moved and Councillor Mrs Knaggs seconded a further amendment: "That the template Code of Conduct on pages 51-52 be adopted as our Code of Conduct."

Upon being put to the vote the further amendment was carried.

Upon being put to the vote the substantive motion was then carried.

Resolved

That Full Council approve:

- a) The Authority's duty to promote and maintain high standards of conduct be discharged as listed below and from time to time in such other ways as the Monitoring Officer, in consultation with the Overview and Scrutiny Committee established by the Authority, may deem appropriate:-
 - i. The functions of the Standards Committee shall be performed by the Overview and Scrutiny Committee meeting as a corporate governance committee. Officers are authorised to make such resulting amendments to other recommendations as are necessary.
 - ii. Adopt new/revise existing ethical statements.
 - iii. Continue to promote ethical issues through planned and monitored Member training, including Member induction training.
 - iv. Produce Standards Bulletins.
 - v. Monitor wider policies, protocols and indicators which point to the ethical health of the Authority.
 - vi. Use of the Authority's website to promote the standards regime ultimately put in place.
 - vii. Publicise when the new/revised Code and supporting standards regime is established by the Authority and from time to time as appropriate.
 - viii. Work together with neighbouring authorities, where possible and appropriate, in order to discharge the statutory duty.

- b) That the template Code of Conduct on pages 51-52 of the agenda be adopted as the Code of Conduct for Members of Ryedale District Council and any co-opted Members with effect from 1 July 2012; and that such Code be revised as necessary in the future once the relevant regulations are in force regarding the new statutory interests regime;

- c) Under the new standards regime effective from 1 July 2012, Members and any co-opted Members should be required to sign an undertaking to comply with the Code before acting in such capacity.

- d) The Council publicise its adoption of the new Code on the Council's website and Intranet and in any other ways the Overview and Scrutiny Committee deems appropriate.

- e) Provision be included in the Council Procedure Rules requiring Members to withdraw from the meeting room when they have a disclosable pecuniary interest.

- f) The complaint handling procedure as amended attached to the report at Appendix 6 be approved and effective from 1 July 2012.

- g) Two Independent Persons be appointed, to be involved on a rota basis;

- h) The Independent Persons be invited to meetings of the Overview and Scrutiny Committee but not formally co-opted on to the Committee.

- i) The Independent Persons be paid expenses in accordance with the Council's Members' Allowances Scheme and that this be considered by the Independent Remuneration Panel in due course.

- j) The Independent Person vacancies be advertised on the Council's website and through a press release via the Council's arrangements with the local press (and in any other way the Council considers appropriate) and that the Chairman of the Overview and Scrutiny Committee with the Monitoring Officer should undertake short-listing of applicants.

- k) All functions in respect of the publication of Overview and Scrutiny Committee Independent Person vacancies be delegated to the Overview and Scrutiny Committee and that the Committee then delegates such functions to the Monitoring Officer in consultation with the Chair of the Committee.
- l) The power to assist in the recruitment of Overview and Scrutiny Committee Independent Persons (but not to approve individual appointments) be delegated to the Overview and Scrutiny Committee.
- m) The Monitoring Officer be designated as Proper Officer to receive written requests for a dispensation by Members and voting co-opted Members, effective from 1 July 2012.
- n) The power to grant dispensations to Members and voting co-opted Members be delegated to the Overview and Scrutiny Committee, after consultation with the Independent Person; and that power be delegated to the Monitoring Officer to grant dispensations (after consultation with the Independent Person) where the timescales are such that an Overview and Scrutiny Committee meeting cannot be convened and where the Monitoring Officer has consulted every available Member of the Overview and Scrutiny Committee, all of whom consent to the granting of the dispensation (all with effect from 1 July 2012).
- o) That the Council Solicitor be authorised to carry out any consequential amendments to the Council's Constitution.

TERMS OF REFERENCE: OVERVIEW AND SCRUTINY ACTING AS A CORPORATE GOVERNANCE STANDARDS COMMITTEE

The Overview and Scrutiny Committee has been given delegated authority to exercise the Corporate Governance Standards Committee role for Ryedale District Council. References in these Terms of Reference to the Corporate Governance Standards Committee is a reference to the Overview and Scrutiny Committee exercising the Corporate Governance Standards Committee role for Ryedale District Council.

MEMBERSHIP

All the Members of the Overview and Scrutiny Committee.

FREQUENCY OF MEETINGS:

Corporate Governance Standards Committee agenda items will be a standing item on the Overview and Scrutiny Committee agenda on at least two occasions each year.

FUNCTIONS

The Corporate Governance Standards Committee will have the following roles and functions:

- (a) Promoting and maintaining high standards of conduct by Councillors, co-opted members and church and parent governor representatives and officers.
- (b) Assisting the Councillors, co-opted members and church and parent governor representatives to observe the Members' Code of Conduct.
- (c) Advising the Council on the adoption or revision of the Members' and officers' Codes of Conduct.
- (d) Monitoring the operation of the Members' and Officers' Codes of Conduct.
- (e) Advising, training or arranging to train Councillors, co-opted members and church and parent governor representatives on matters relating to the Members' Code of Conduct.
- (f) To consider and determine allegations that individual Members have breached the Members' Code of Conduct.
- (g) Taking all decisions that are necessary to deal with individual cases of alleged breaches of the Code.
- (h) The exercise of (f) and (g) above in relation to the Town or Parish Councils wholly or mainly in the Ryedale district and the Members of those Councils; and
- (i) Reviewing and monitoring the Council's response to:
 - (i) Probity and standards issues arising from internal audit functions and reports of the external auditor.

- (ii) Corporate Governance issues, including overview of whistle blowing and complaints handling.
- (iii) Local Ombudsman's investigations.
- (j) Any other functions allocated to the Corporate Governance Standards Committee by Council under any enactment from time to time.

Terms of Reference of the Corporate Governance Standards Sub-Committee

1. Terms of Reference

- (a) The Corporate Governance Standards Sub-Committee is established to determine complaints that a Member of Ryedale District Council or a Town or Parish Council within the Ryedale district has failed, or may have failed, to comply with that Authority's Code of Conduct.
- (b) Upon completion of an investigation by the Investigating Officer, the Sub-Committee shall be responsible for determining whether:
 - (i) It accepts the Investigating Officer's finding of no failure to observe the Code of Conduct.
 - (ii) It accepts the Investigation Officer's finding of a failure to observe the Code of Conduct.
- (c) Where the Sub-Committee resolves to do any of the actions set out in Paragraph 1(b), the Sub-Committee shall state its reasons for that decision.

2. Sanctions

In the event that the Corporate Governance Standards Sub-Committee makes a finding of a failure to observe the Code of Conduct it may impose any or all of the following sanctions:

- (a) Issue a letter of censure to the Member and where appropriate require an apology to be given to the complainant.
- (b) Recommend to the Member's Group Leader that he/she be removed from any or all Committees or Sub-Committees of the Council.
- (c) Instruct the Monitoring Officer to arrange training for the Member.

The Panel has no power to suspend or disqualify the Member or to withdraw allowances.

3. Composition of the Corporate Governance Standards Sub-Committee

- (i) The Corporate Governance Standards Sub-Committee shall comprise three Members of the Overview and Scrutiny Committee.

- (ii) Political proportionality is disapplied for the Corporate Governance Standards Sub-Committee.

4. **Quorum**

The quorum for a meeting of the Sub-Committee shall be three Members.

5. **Frequency of Meetings**

The Sub-Committee shall only meet as and when required to hear and determine any allegation(s) against an elected or co-opted Member of the Council and Town and Parish Councils.

This page is intentionally left blank

REGISTER OF MEMBERS' FINANCIAL AND OTHER INTERESTS

I, (Full Name)

a Member of (authority)

GIVE NOTICE that I have the interest(s) listed in **Part A (Disclosable Pecuniary Interests)** and **Part B (Other Interests)** below.

This form comprises the entry in the Register of Interests of the above named Member.

The Register of Interest is maintained by the Monitoring Officer in accordance with Section 29 of the Localism Act 2011.

For the purposes of your Register of Interests you should answer each question for yourself and also, to the best of your knowledge, for your spouse or civil partner or anyone living with you as your spouse or civil partner.

Please note that if there is insufficient space for your reply in a box below, please supply details on an additional sheet of paper quoting the question number and staple to the form you complete and sign.

*** If you are unsure as to how to complete this document, please contact Legal Services or the Monitoring Officer for assistance**

PART A – DISCLOSABLE PECUNIARY INTERESTS

1	<p>Member Are you employed – whether full or part time? (This does not include a remunerated director – this is dealt with at question 4).</p> <p>If NO go to question 2 If YES state the name of your employer(s)</p> <p>Spouse/Partner Is your spouse/partner employed – whether full or part time? (This does not include a remunerated director – this is dealt with at question 4).</p> <p>If NO go to question 2 If YES state the name of your employer(s)</p>	<table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">YES</td> <td style="text-align: right;"><input type="radio"/></td> </tr> <tr> <td>NO</td> <td style="text-align: right;"><input type="checkbox"/></td> </tr> </table> <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">YES</td> <td style="text-align: right;"><input type="radio"/></td> </tr> <tr> <td>NO</td> <td style="text-align: right;"><input type="checkbox"/></td> </tr> </table>	YES	<input type="radio"/>	NO	<input type="checkbox"/>	YES	<input type="radio"/>	NO	<input type="checkbox"/>
YES	<input type="radio"/>									
NO	<input type="checkbox"/>									
YES	<input type="radio"/>									
NO	<input type="checkbox"/>									

1.1	<p>Member In relation to your above employment, are you in a position of general control or management?*</p> <p>If NO go to question 2 If YES go to question 1.2</p> <p>Spouse/Partner In relation to your spouse/partner's above employment, is s/he in a position of general control or management?*</p> <p>If NO go to question 2 If YES go to question 1.2</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>
1.2	<p>Member Does your employer have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question 1.3</p> <p>If YES give details of the goods, services or works provided.</p> <p>Spouse/Partner Does the employer of your spouse/partner have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question 1.3</p> <p>If YES give details of the goods, services or works provided.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p> <p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p>
1.3	<p>Member Does your employer have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 2</p> <p>If YES please provide the address(es) of</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p>

	<p>description(s) of any such land.</p> <p>Spouse/Partner Does the employer of your spouse/partner have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 2</p> <p>If YES please provide the address(es) or description(s) of any such land.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN <input type="radio"/></p>
<p>2</p>	<p>Member Are you self employed or do you run a business?</p> <p>If NO go to question 3.</p> <p>If YES state the name of your business(es)</p> <p>Spouse/Partner Is your spouse/partner self employed or do they run a business?</p> <p>If NO go to question 3.</p> <p>If YES state the name of your business(es)</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p> <p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p>
<p>2.1</p>	<p>Member Does your business have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO go to question 2.2</p> <p>If YES please provide details of the goods, services or works provided.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p>

	<p>Spouse/Partner Does the business of your spouse/partner have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO go to question 2.2</p> <p>If YES please provide details of the goods, services or works provided.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>
2.2	<p>Member Does your business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO go to question 3</p> <p>IF YES please provide the address(es) or description(s) of any such land.</p> <p>Spouse/Partner Does the business of your spouse/partner have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO go to question 3</p> <p>IF YES please provide the address(es) or description(s) of any such land.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>
3	<p>Member Are you a partner in any business?</p> <p>If NO go to question 4</p> <p>If YES state the name of the business(es)</p> <p>Spouse/Partner Is your spouse/partner a partner in any business?</p> <p>If NO go to question 4</p> <p>If YES state the name of the business(es)</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>

3.1	<p>Member Does the business have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question 3.2</p> <p>If YES please provide details of the goods, services or works provided.</p> <p>Spouse/Partner Does the business of your spouse/partner have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question 3.2</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p> <p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p>
3.2	<p>Member Does the business have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 4</p> <p>IF YES please provide the address(es) or description(s) of any such land.</p> <p>Spouse/Partner Does the business of your spouse/partner have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 4</p> <p>IF YES please provide the address(es) or description(s) of any such land.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p> <p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p>
4	<p>Member Are you a remunerated** director of a company?</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>

	<p>If NO go to question 5</p> <p>If YES state the name of your company/companies.</p> <p>Spouse/Partner Is your spouse/partner a remunerated** director of a company?</p> <p>If NO go to question 5</p> <p>If YES state the name of your company/companies.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>
--	---	---

**** “remunerated” means that you receive payment, services, goods or other benefits from the company other than authorised expenses.**

<p>4.1</p>	<p>Member Does the company have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question 4.2</p> <p>If YES please give details of the goods, services or works provided.</p> <p>Spouse/Partner Does the company of your spouse/partner have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question 4.2</p> <p>If YES please give details of the goods, services or works provided.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p> <p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p>
<p>4.2</p>	<p>Member Does the company have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 5</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p>

	<p>If YES please provide the address(es) or description(s) of any such land.</p> <p>Spouse/Partner Does the company of your spouse/partner have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 5</p> <p>If YES please provide the address(es) or description(s) of any such land</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN <input type="radio"/></p>
<p>5</p>	<p>Member Has any person or body made a payment to you in respect of your election expenses?</p> <p>If NO please go to question 6</p> <p>If YES please provide details</p> <p>Spouse/Partner Has any person or body made a payment to your spouse/partner in respect of his/her election expenses?</p> <p>If NO please go to question 6</p> <p>If YES please provide details</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p> <p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p>
<p>6</p>	<p>Member Do you have a beneficial interest in a class of securities of a corporate body that has a place of business in the Council's area that exceeds the nominal value of £25,000 or 1/100 of the total issued shared capital of that body?</p> <p><i>(If you own shares or other form of equity in a company or other body which has a place of business within the authority's area, you will need to consider whether the interest is to be included. Identify the nominal value; this is the amount of shares indicated on the certificate, not the market value. If this exceeds £25,000, you need to register the name of the company or body. If this is less than £25,000 but your holding is more than 1% of the total issued share capital, you need to register the name of the company or body)?</i></p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p>

	<p><i>local organisations, charities, local authority associations etc).</i></p> <p>If NO go to question 10</p> <p>If YES please provide details of these bodies.</p>	
9.1	<p>Are you in a position of control or management in any of the bodies listed above?</p> <p>If NO go to question 10</p> <p>If yes please provide details.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>
9.2	<p>Do any of the bodies listed in question 9.1 above have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question 9.3</p> <p>If YES please provide details of the body and the goods, services or works provided.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p>
9.3	<p>Do any of the bodies listed in question 9.1 above have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 10</p> <p>If YES please provide the address(es) or description(s) of any such land.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p>
10	<p>Are you a member of or part of any public authority or body exercising functions of a public nature in <u>your own right</u>? <i>(Include statutory consumer bodies, health authority bodies).</i></p> <p>If NO go to question 11</p> <p>If YES please provide details of these bodies.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>
10.1	<p>Are you in a position of control or management?</p> <p>If NO go to question 11</p> <p>If YES please provide details.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>

10.2	<p>Do any of the bodies listed in question 10 above have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question 10.3</p> <p>If YES please provide details of the body and the goods, services or works provided.</p>	<p>YES <input type="radio"/></p> <p>NO <input type="checkbox"/></p> <p>NOT KNOWN <input type="radio"/></p>
10.3	<p>Do any of the bodies listed in question 10 have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 11</p> <p>If YES please provide the address(es) or description(s) of any such land.</p>	<p>YES <input type="radio"/></p> <p>NO <input type="checkbox"/></p> <p>NOT KNOWN <input type="radio"/></p>
11	<p>Are you a member of or part of any body that undertakes charitable purposes? <i>(Include charities of which you are a member (e.g. RSPCA, NSPCC etc). Membership of a charity would include where you pay a membership fee, or have voting rights at a meeting of the charity, or you receive a regular newsletter or other publication. Freemasons must register membership of the Grand Charity).</i></p> <p>If NO go to question 12.</p> <p>If YES please provide details of these bodies.</p>	<p>YES <input type="radio"/></p> <p>NO <input type="checkbox"/></p>
11.1	<p>Are you in a position of control or management?</p> <p>If NO go to question 12</p> <p>If YES please provide details</p>	<p>YES <input type="radio"/></p> <p>NO <input type="checkbox"/></p>
11.2	<p>Do any of the bodies listed in question 11 above have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question</p>	<p>YES <input type="radio"/></p> <p>NO <input type="checkbox"/></p> <p>NOT KNOWN <input type="radio"/></p>

	If YES please provide details of the body and the goods, services or works provided.	
11.3	<p>Do any of the bodies listed in question 11 have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 12</p> <p>If YES please provide the address(es) or description(s) of any such land.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN <input type="radio"/></p>
12	<p>Are you a member of or part of any body whose <u>principal purpose</u> includes the influence of public opinion? <i>(Include political parties, lobby groups and pressure groups).</i></p> <p>If NO go to question 13</p> <p>If YES please provide details of these bodies.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p>
12.1	<p>Are you in a position of control or management?</p> <p>If NO go to question 13</p> <p>If YES please provide details</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p>
12.2	<p>Do any of the bodies listed in question 12 above have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question 12</p> <p>If YES please provide details of the body and the goods, services or works provided.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN <input type="radio"/></p>
12.3	<p>Do any of the bodies listed in question 12 have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 13</p> <p>If YES please provide the address(es) or</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN <input type="radio"/></p>

	description(s) of any such land.		
13	<p>Are you a member of any trade union or professional association? <i>(Include all trade unions and professional association of which you are a member).</i></p> <p>If NO go to question 14</p> <p>If YES please provide details of these bodies.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p>	
13.1	<p>Are you in a position of control or management?</p> <p>If NO go to question 14</p> <p>If YES please provide details</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p>	
13.2	<p>Do any of the bodies listed in question 13 13.1 have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 13</p> <p>If YES please provide the address(es) or description(s) of any such land.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN <input type="radio"/></p>	
13.3	<p>Do any of the bodies listed in question 13 above have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question 14</p> <p>If YES please provide details of the body and the goods, services or works provided.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p> <p>NOT KNOWN <input type="radio"/></p>	
14	<p>Are you a member of any private club or other organisation not otherwise listed on this form?</p> <p>If NO go to question 15</p> <p>If YES please provide details</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p>	
14.1	<p>Are you in a position of control or management?</p> <p>If NO go to question 15</p> <p>If YES please provide details</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="checkbox"/></p>	

14.2	<p>Do any of the bodies listed in question 14 above have any contracts with the Council for goods, services or works? <i>(A contract is normally written and includes any agreement or arrangement for the supply of goods or services or for undertaking any work for your Council)</i></p> <p>If NO/NOT KNOWN go to question 14.3</p> <p>If YES please provide details of the body and the goods, services or works provided.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p>
14.3	<p>Do any of the bodies listed in question 14 have a tenancy agreement for any land where the Council is the landlord?</p> <p>If NO/NOT KNOWN go to question 15</p> <p>If YES please provide the address(es) or description(s) of any such land.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p> <p>NOT KNOWN <input type="radio"/></p>
15	<p>Does any person or body <u>other than the Council</u> make a payment to you in respect of any of your expenses incurred in carrying out your duties as a Councillor? <i>(Include the name of the political party and any other person paying any expenses incurred by you in carrying out your duties (e.g. travel expenses received from other bodies, such as local authority associations).</i></p> <p>If YES please give details.</p>	<p>YES <input type="radio"/></p> <p>NO <input checked="" type="radio"/></p>

16. Disclosure of Gifts and Hospitality

16.1 You must reveal the name of any person from whom you have received a gift or hospitality with an estimated value of at least £50 which you have received in your capacity as a Member of the Council.

Date of receipt of Gift/Hospitality	Name of Donor	Reason and Nature of Gift/Hospitality

You are reminded that you must update the register within 28 days of receiving any further gift or hospitality with an estimated value of at least £50 by completing a continuation sheet which may be obtained from Business Improvement (Ext: 203)

17. Changes to Registered Interests

17.1 I understand that I must, within 28 days of becoming aware of any new or change in the above interests, including any change in relation to a sensitive interest, provide written notification thereof to the Council's Monitoring Officer.

18. Declaration

18.1 I recognise that it is a breach of the Council's Code of Conduct to:-

- (1) Omit information that ought to be given in this notice
- (2) Provide information that is materially false or misleading
- (3) Fail to give further notices in order to:
 - § bring up to date information give in this notice
 - § declare an interest that I acquire after the date of this notice and have to declare

and that any breach of the Code of Conduct can be referred to the Overview and Scrutiny Committee.

18.2 I understand that failure (without reasonable excuse) to register or disclose any disclosable pecuniary interest in accordance with Section 30(1) or 31(2), (3) or (7) of the Localism Act 2011, or participating in any discussion or vote in contravention of Section 31(4) of the Localism Act 2011, or taking any steps in contravention of Section 31(8) of the Localism Act 2011 is a criminal offence and risks a fine not exceeding level 5 on the standard scale (currently £5,000) or disqualification as a Member for a period not exceeding 5 years.

Signed: (Councillor)

Date:

Received:

Date:

Signed:
Monitoring Officer, Ryedale District Council

Please return this form to the Monitoring Officer, Ryedale District Council, Ryedale House, Malton YO17 7HH

E:Mail anthony.winship@ryedale.gov.uk

This page is intentionally left blank



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE
DATE:	5 JULY 2012
REPORT OF THE:	COUNCIL SOLICITOR AND MONITORING OFFICER ANTHONY WINSHIP
TITLE OF REPORT:	NEW MEMBERS' CODE OF CONDUCT
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To agree a final Code of Conduct to recommend to Council on 12 July 2012.

2.0 RECOMMENDATION

2.1 To recommend Council to adopt a new Code of Conduct as set out in Annex 1.

3.0 REASON FOR RECOMMENDATION

3.1 It is important for the Overview and Scrutiny Committee to note and approve the new Members' Code of Conduct.

4.0 SIGNIFICANT RISKS

4.1 No significant risks have been identified in preparing this report – see Risk Matrix (Annex A).

4.2 It is helpful for the Monitoring Officer and for the Overview and Scrutiny Committee, in performing their functions, to note and approve the new Members' Code of Conduct which is instrumental in the drive to maintain high standards generally. This reduces the risk of the breakdown of standards with consequential effects upon the reputation of an authority and the services it delivers.

REPORT

5.0 BACKGROUND AND INTRODUCTION

5.1 In the wake of the provisions in the Localism Act 2011 which has dismantled the Local Government Act 2000 local government standards regime, the Annual Meeting of Council on 17 May 2012 adopted a new Code of Conduct (with the exception of

the part dealing with interests) and arrangements for dealing with allegations of misconduct by Members.

5.2 The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (the 2012 Regulations) were published on the evening of Friday, 8 June 2012. These regulations define Disclosable Pecuniary Interests.

6.0 POLICY CONTEXT

6.1 The adoption of a Code of Conduct contributes positively to the Council's Corporate Governance arrangements by ensuring that the Council maintains high standards of conduct.

7.0 REPORT DETAILS

7.1 Members are advised of the following key points:-

- (i) The Annual Council meeting on 17 May 2012 resolved to adopt the Local Government Association Template Code with effect from 1 July 2012.
- (ii) A revised draft Code of Conduct incorporating provisions relating to interests is attached as Annex 1.
- (iii) The last Standards Committee meeting on 14 June 2012 recommended the Overview and Scrutiny Committee to consider the provisions relating to interests in a draft code from Bevan Brittan. This is attached as Annex 2.

7.2 The "Interests" part of the draft code includes the following provisions:

- a section on Disclosable Pecuniary Interests. This incorporates the descriptions of interests contained in the regulations. This is considered helpful to start explaining to Members what the statutory provisions entail. It is recommended to include something on these lines as an interests section of the code.
- A draft of a possible interests section for the Council's code. This seeks to replicate the requirements of the last code, but excluding the statutory requirements for disclosable pecuniary interests. The drafting follows where possible the drafting of the current code. This is seen as a useful starting point for firming up the Council's code.

7.3 Having two sets of rules to deal with Members interests is apparently an improvement according to the Government. It remains to be seen whether or not those affected and involved in applying them have a different perspective.

7.4 As the regulations exclude any reference to gifts and hospitality, Members are recommended to consider making provision in the code for notification.

7.5 The following key points can be made about the Interests part of the Code arising from the regulations:-

- § The regulations identify circumstances of bias law which were represented in the current code made under the Local Government Act 2000, and indeed were covered in general terms in the 1990 code.

- § Section 30 of the Localism Act 2011 extends disclosable pecuniary interests of councillors to their spouse/partner, but the interests of other members of a councillor's family and persons having a close association with the councillor are not included. Such interests may well amount to bias and Local authorities would be well advised to include provision in their own local codes to provide for disclosure and non participation in decision making in relation to the interests of such persons in order to minimise the risk of bias in their decision making. The result of both statutory provision and local provision for similar types of interest would seem to create a more complicated structure than the current arrangements of a single code.
- § The regulations exclude the well applied judicial test of bias contained in paragraph 10 of the current code in the definition of prejudicial interest. Again, it would seem appropriate for a local authority to include this test in their local codes as a means of enabling councillors to make the judgement as to whether the interest (other than a disclosable pecuniary interest) they have (or their spouse or family member or person having close association) is one in respect of which they should exclude themselves from involvement in any decision.

A consequence of exclusion of this test from the regulations, and their stricter approach, is that it would be possible for a minor interest (eg in relation to land or a contract) that has been notified to result in the requirements of Section 31 of the Localism Act 2011 applying, excluding a councillor from involvement in decision making in circumstances where the application of the test would not have so excluded the councillor. The position could be remedied by a dispensation, but that is added bureaucracy, and is unlikely to be readily available at the time a meeting is taking place.

It may well be that the test applicable to civil law is difficult or inappropriate to incorporate in criminal law, but it is appropriate for Members to be aware of the practical consequences that could ensue by excluding the test.

- § The definition of a Disclosable Pecuniary Interest in the 2012 Regulations is significantly different from the former Prejudicial Interest definition. It applies to interests of the member and their spouse or partner. This means that for registration, it is wider than the old requirements which applied only to interests of the member him/herself. But for disclosure and non-participation purposes it is significantly narrower than the old definition, as it omits reference to the member's family or friends.

It is broader than the old definition of a prejudicial interest, in that it is a Disclosable Pecuniary Interest even if there is no likelihood that it might prejudice the member's perception of the public interest.

It is also narrower in that it applies only to very defined categories of interest and omits reference to matters likely to affect the wellbeing or financial standing of the member, or his/her family or friends. Councils are advised to adopt local Codes which require councillors at least to disclose where a decision would affect or relate to family or friends.

- There is no transitional provision for extending the life of the current code until such time as a new code is adopted by a local authority. Presumably this is a deliberate policy decision as part of terminating the old regime on 1 July 2012. It is arguable that councillors continue to be bound by their

undertakings to comply with their authority's code in their declarations of acceptance of office, and that the abolition of the statutory code does not of itself abolish the code adopted by the authority. If this is the legislative intention, it would be helpful if CLG would say so. However, in order for authorities to demonstrate compliance with their duties in Section 27 of the Localism Act 2011, they should now be aiming to adopt a new code (and arrangements etc) as soon as possible.

- Section 31(10) of the Localism Act 2011 enables standing orders to provide for the exclusion of a member from a meeting while any discussion or voting takes place in which, under Section 31(4) the member may not participate by reason of having a disclosable pecuniary interest. This provision does not extend to other interests within the authority's local code. Bearing in mind that DPs are limited to the member and spouse, there are a range of other interests that are pecuniary (or 'prejudicial' in 2000 Act language) that would justify debarring members from involvement in decision making and, preferably, from the meeting room during debate and decision making. The exclusion of a member from involvement in democracy, in the absence of a clear statutory power to that effect, does risk legal challenge. But standing orders have been the framework for good governance and sound decision making for many decades. Judges will be sympathetic to that. It would seem sensible to include provision in standing orders, for exclusion of a member having a pecuniary or prejudicial interest under the local code. It puts the onus on members then to seek to challenge the legality of what is ethically un-arguable. Without a provision of this kind there is a risk of having a councillor sitting in a meeting that is debating and deciding on their son or daughter's planning application.
- The words 'it relates to or is likely to affect' which defines (in Paragraph 8 of the current code) the relationship of an interest to a matter to be, or being, considered, are absent from the description of a DP. The effect would seem to narrow considerably the meaning of Section 31(1)(b) -'has a disclosable pecuniary interest in any matter'... So, for example, I have an interest in my property, but I do not have an interest in my neighbour's property. It would not, therefore, seem to be contrary to the DP provisions to participate and vote on a planning application about my neighbour's property as I do not, under Section 31, have an interest in his property. The words 'relating to or affecting' my interest cannot be implied in criminal law, if they are not in the legislation. The effect seems to be that 'the matter to be considered, or being considered' must be *about* the councillor's interest for the requirements on participation etc to apply. If the matter merely relates to or affects the interest, but is not actually about the interest, then the councillor does not have a DP. The limiting of the application of the DP requirements would apply to all the descriptions of interests in the regulations. In order to plug this rather wide gap, it is recommended that the Council includes in its local code a re-write of the DP rules but including the 'relating to or affecting' part of the definition.

§ In addition to the DP Regulations and the Commencement Order, CLG have also made a new Declarations of Acceptance of Office Order to come into force on 9 July 2012. It will apply to councillors elected after 9 July 2012. What it also does, pursuant to the amendment of S52(2) of the 2000 Act by Schedule 4 paragraph 11 of the Localism Act, is to remove all reference to the code of conduct from the declaration of acceptance of office.

- § The regulations exclude mention of gifts and hospitality. Whilst Local authorities can make provision in their local codes about the receipt of gifts and hospitality, the sanctions available to local authorities are de minimis having regard to the sort of gifts and hospitality deployed by Messrs Poulson and T Dan Smith some decades ago, which led to the formulation of the 1975 code of conduct.
- § The wording of the employment etc description has the effect of excluding offices and vocations such as unpaid trusteeships, directorships, governorships and memberships etc, which are often bestowed on councillors, as well as membership of other public bodies such as parish councils and local sports, culture and community associations. These interests can, in certain circumstances, be pecuniary where the bias test in paragraph 10 of the current code would apply. Again local authorities are advised to make provision for this in their local codes, in order to minimise the risk of bias claims.
- § The general effect of the regulations is to considerably reduce what is to be covered by statute or statutory code in relation to bias circumstances in local government. It will be left to local authorities to make their own arrangements to minimise the risk of bias in respect of the wider gap that is not so covered. The risk, therefore, is that bias cases could well increase. Bearing in mind that the interests provisions in the codes of 1975, 1990 and under the local Government Act 2000 were primarily intended to identify and minimise the risk of bias, these regulations and the effect of the Act appear to be increasing the risk of judicial review challenges to Council and Committee decisions.

7.6 Members are advised that the Code of Conduct in Annex 1 relating to interests has sought to deal with the issues covered above.

8.0 IMPLICATIONS

8.1 No significant implications have been identified in preparing this report.

Anthony Winship
Council Solicitor

Author: Anthony Winship, Council Solicitor
Telephone No: 01653 600666 Ext: 267
E-Mail Address: anthony.winship@ryedale.gov.uk

Background Papers:

Localism Act 2011

Background Papers are available for inspection at:

Ryedale District Council Offices

NEW MEMBERS' CODE OF CONDUCT - ANNEX A

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
The Committee fails to have due regard to new developments and good practice.	The risk over time of the breakdown of standards with consequential effects upon the reputation of an authority.	2	B	There is no mitigation in this case	2	B

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

ANNEX A

ANNEX 1

**RYEDALE
DISTRICT
COUNCIL**



**MEMBERS' CODE OF CONDUCT
WITH GENERAL PRINCIPLES OF LOCAL GOVERNMENT**

**WITH EFFECT FROM
1 JULY 2012**

**Ryedale District Council
Ryedale House
MALTON
North Yorkshire
YO17 7HH**

CONTENTS

		<u>Page</u>
1.	Introduction	2
2.	General Principles of Local Government	5
3.	Members' Code of Conduct	5

Version	Author	Date	Comments
1	Anthony Winship	July 2007	
2	Anthony Winship	June 2008	Local Assessment Changes
3	Anthony Winship	May 2012	Localism Act 2011 Changes

RYEDALE DISTRICT COUNCIL
LOCALISM ACT 2011 – CHAPTER 7 OF PART I
CODE OF CONDUCT FOR COUNCILLORS
WITH GENERAL PRINCIPLES OF LOCAL GOVERNMENT
EFFECTIVE FROM 1 JULY 2012

**[Adopted by resolution at a Meeting of Ryedale District Council held on
19 May 2012]**

INTRODUCTION

The District Council adopted its first Code of Conduct in accordance with section 51 of the Local Government Act 2000 on 10 January 2002.

The new code was adopted pursuant to Section 27 of the Localism Act 2011 by a Council Meeting on 19 May 2012 with effect from 1 July 2012.

Principles and Outcomes

The Code of Conduct is a principles based, outcomes focussed Code of Conduct which is in the following three parts:-

- (i) Part 1 - Principles at page 5
- (ii) Part 2 - The outcomes the principles seek to achieve at page 6
- (iii) Part 3 - Interests at page 7

The Code of Conduct sets out seven mandatory principles which apply to Member conduct. They originate from the Seven Principles of Public Life (the 7 Nolan principles) that Lord Nolan included in his report called "*Standards in Public Life*" published in July 1997. They are the key ethical requirements for Members and co-opted Members who are involved in Local Government. Members and co-opted Members must abide by these principles and use them as their starting point when faced with an ethical dilemma. Where two or more of these principles come into conflict then the principle which takes precedence is the one which best serves the public interest in the particular circumstance, especially the public interest in the proper administration of Local Government.

Outcomes are mandatory and achieving them should help to ensure compliance with the Principles.

Absent from the Code of Conduct are the 'indicative behaviours' that are required to produce the outcomes. However, many 'indicative behaviours' are already incorporated in the Council's existing documentation, for example, dealing with member-officer relations, use of Council

resources, information management, protocol on the disclosure of confidential information, standing orders, and the Planning Code of Practice etc.

To whom does it apply?

It applies to both Members who are councillors and to co-opted members of committees or sub-committees of the District Council.

This Code of Conduct is expressed in the first person to make explicit the personal responsibility that each individual Member has to comply with the provisions of the Code of Conduct.

Written Undertaking

All Councillors upon election should undertake to observe the Code when entering into the statutory declaration of acceptance of office. All new co-opted members of committees or sub-committees of the District Council (provided that they have voting rights) should sign an undertaking to observe the Code before acting as a member.

The Purpose of the Code

The Code defines the standards of conduct which will be required of Members of the District Council in carrying out their duties, and in their relationships with the District Council and the District Council's officers. The Code represents the standards against which the public, their fellow members, the Local Government Ombudsman and the Council's Overview and Scrutiny Committee meeting as a Corporate Governance Committee will judge their conduct.

Raising Concerns

If any person has a complaint or concern about the conduct of a Member of the Council in relation to the Code of Conduct, s/he can submit a complaint using our complaint form ***Complaint Form: Code of Conduct for Members***. Before completing the complaint form you are advised to read the notes ***Code of Conduct for Members: Information for Potential Complainants***.

Both these documents may be seen on the Council's web site. Alternatively copies of these documents are available direct from Legal Services on (01653) 600666 extension 255 or via e-mail at legal@ryedale.gov.uk

The purpose of the General Principles

The general principles underpin the Code of Conduct for Members and are included as a preamble for completeness.

The Council's Overview and Scrutiny Committee (meeting as a Corporate Governance Committee)

Responsibility for discharging the District Council's duty to promote and maintain high standards of conduct has been delegated to the Overview and Scrutiny Committee.

The Overview and Scrutiny Committee for the District Council is the Overview and Scrutiny Committee (meeting as a Corporate Governance Committee) appointed by the District Council. It comprises nine elected Members. Two Independent persons are available to advise.

Further details about the Committee can be obtained from:-

Council Solicitor
Ryedale District Council
Ryedale House
Malton
North Yorkshire
YO17 7HH

Telephone: (01653) 600666 Ext: 267
Fax: 01653 696801
Email: anthony.winship@ryedale.gov.uk
Internet: www.ryedale.gov.uk

CODE OF CONDUCT FOR MEMBERS

Preamble

General Principles of Local Government Conduct

These are the General Principles of Local Government Conduct that have been approved by Parliament and underpin the Code of Conduct for Councillors.

Background

1. Under section 28 of the Localism Act 2011, Parliament has specified the principles which are to govern the conduct of councillors and voting co-optees.
2. The code of conduct for councillors and voting co-optees must be consistent with these principles.
3. Members must take account of these principles. The Hearing Panel established to deal with complaints, the Local Government Ombudsman and the Courts may have regard to these principles when dealing with complaints against Members or scrutinising the procedures or decisions of the Council and its Committees.

Application

This Code of Conduct applies to you whenever you are acting in your capacity as a member of Ryedale District Council, including –

- 1.1 At formal meetings of the Council, its Committees and Sub-Committees
- 1.2 When acting as a representative of the authority
- 1.3 In discharging your functions as a Ward Councillor
- 1.4 At briefing meetings with officers and
- 1.5 At site visits
- 1.6 When corresponding with the authority other than in a private capacity

PART 1 - PRINCIPLES

As a member or co-opted member of Ryedale District Council I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority:-

SELFLESSNESS

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP

Holders of public office should promote and support these principles by leadership and example.

PART 2 - OUTCOMES

As a Member of Ryedale District Council, my conduct will in particular address the statutory principles of the code of conduct by:

- § **Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first.**
- § **Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.**
- § **Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the District or the good governance of the authority in a proper manner.**

- § **Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.**
- § **Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.**
- § **Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.**
- § **Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it.**
- § **Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the Authority's resources.**
- § **Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.**
- § **Always treating people with respect, including the organisations and public I engage with and those I work alongside.**
- § **Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.**

PART 3 - INTERESTS

Summary

Part 3 comprises the following three sections:-

- (i) Part A – Disclosable Pecuniary Interests
- (ii) Part B – Disclosable Other Personal Interests
- (iii) Part C – Gifts and Hospitality

The Act further provides for the registration and disclosure of interests and in Ryedale District Council this will be done as follows:

Registering and Declaring Pecuniary and Non-Pecuniary Interests

You must, within 28 days of taking office as a member or co-opted member, notify your authority's Monitoring Officer of any disclosable pecuniary interest as defined by regulations

made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then the member must disclose the interest to any meeting of the authority at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'.¹

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the Monitoring Officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or other personal interests as defined by your authority. This includes complying with any procedure rule adopted by the Council which requires Members to leave the room during any meeting at which a matter in which they have a disclosable pecuniary or other personal interest is being discussed.

PART A – DISCLOSABLE PECUNIARY INTERESTS

Part A explains the requirements of the Localism Act 2011 (Ss 29-34) and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, in relation to disclosable pecuniary interests. These provisions are enforced by criminal sanction. They come into force on 1 July 2012.

1 Notification of Disclosable Pecuniary Interests

Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any 'disclosable pecuniary interests'. These are listed in the attached Appendix.

2 Register of Interests

Any interests notified to the Monitoring Officer will be included in the register of interests.

A copy of the register will be available for public inspection and will be published on the authority's website.

¹ A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's Monitoring Officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

3 Sensitive Interests

Where you consider that disclosure of the details of a disclosable pecuniary interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a disclosable pecuniary interest, the details of which are withheld under Section 32(2) of the Localism Act 2011.

4 Non participation in case of Disclosable Pecuniary Interest

If you are present at a meeting of the authority, or any committee, sub-committee, joint committee or joint sub-committee of the authority, and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting.

1. You may not participate in any discussion of the matter at the meeting.
2. You may not participate in any vote taken on the matter at the meeting.
3. If the interest is not registered, you must disclose the interest to the meeting.
4. If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

Note: In addition, Standing Order X requires you to leave the room where the meeting is held while any discussion or voting takes place.

5 Dispensations

The authority may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

6 Offences

It is a criminal offence to

- Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election
- Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register
- Fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting
- Participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest
- Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting

The criminal penalties available to a court are to impose a fine not exceeding level 5 (currently £5,000) on the standard scale and disqualification from being a councillor for up to 5 years.

PART B – DISCLOSABLE OTHER PERSONAL INTERESTS

Part B relates to the Disclosure of other Personal Interests. The layout follows the Localism Act layout ie notification, disclosure, register, sensitive interests, non participation.

Interests

1 Notification of Interests

- (1) You must, within 28 days of—
 - (a) this Code being adopted by or applied to your authority; or
 - (b) your election or appointment to office (where that is later),
notify the Monitoring Officer in writing of the details of your disclosable pecuniary interests that are notifiable under the Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interest) Regulations 2012, for inclusion in the register of interests, and notify the Monitoring Officer in writing of the details of your other personal interests, where they fall within the following descriptions, for inclusion in the register of interests.
- (2) You have a personal interest in any business of your authority where either—
 - (a) it relates to or is likely to affect—
 - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
 - (ii) any body—
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management.
 - (iii) any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- (3) You must, within 28 days of becoming aware of any new interest or change to any interest registered under paragraph (1), or as a disclosable pecuniary interest notify the Monitoring Officer of the details of that new interest or change.

2 Disclosure of Interests

- (1) Subject to sub-paragraphs (2) to (5), where you have a personal interest described in paragraph 1 above or in paragraph (2) below in any business of your authority, and where you are aware or ought reasonably to be aware of the existence of the personal interest, and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) (A) You have a personal interest in any business of your authority
 - (i) where a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a *relevant person* to a greater extent than the majority of other council tax payers,

- ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision, or
- (ii) it relates to or is likely to affect any of the interests you have registered as a disclosable pecuniary interest.
- (B) In sub-paragraph (2)(A), a *relevant person* is—
- (a) a member of your family or any person with whom you have a close association; or
 - (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - (d) any body of a type described in paragraph 1(2)(a)(i) or (ii).
- (3) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 1(2)(a)(i) or 1(2)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (4) Where you have a personal interest but, by virtue of paragraph 4, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

(Note:

- (a) "A member of your family" means: your partner (ie your spouse, civil partner or anyone with whom you live in a similar capacity); your parent or parent-in-law; any child, stepchild or sibling of you or your partner, your grandparent, grandchild, aunt, uncle, nephew or niece; and the partners of any of those people.
- (b) You have a "close association" with someone if your relationship is such that a reasonable member of the public might think you would be prepared to favour or disadvantage that person when deciding a matter which affects them).

3 Register of Interests

Any interests notified to the Monitoring Officer will be included in the register of interests. A copy of the register will be available for public inspection and will be published on the authority's website.

4 Sensitive Interests

Where you consider that disclosure of the details an interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld.

5 Non participation in case of Pecuniary Interest

- (1) Where you have a personal interest in any business of your authority you also have a pecuniary interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business—
 - (a) affects your financial position or the financial position of a person or body described in paragraph 1(2); or
 - (b) relates to or affects the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 1(2) or 2(2) above.
- (2) Subject to paragraph (3) and (4), where you have a pecuniary interest in any business of your authority—
 - (a) You may not participate in any discussion of the matter at the meeting.
 - (b) You may not participate in any vote taken on the matter at the meeting.
 - (c) If the interest is not registered, you must disclose the interest to the meeting.
 - (d) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

Note: In addition Standing Order X requires you to leave the room where the meeting is held while any discussion or voting takes place.
- (3) Where you have a pecuniary interest in any business of your authority, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise and you leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.
- (4) Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a pecuniary interest that relates to the functions of your authority in respect of—
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

6 Interests arising in relation to Overview and Scrutiny Committees

In any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

- (a) that business relates to a decision made (whether implemented or not) or action taken by the executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
- (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

You may only attend a meeting of the overview and scrutiny committee for the purpose of answering questions or giving evidence relating to the business, and you must leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.

PART C – GIFTS AND HOSPITALITY

You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a member from any person or body other than the authority.

The Monitoring Officer will place your notification on a public register of gifts and hospitality.

This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose.

APPENDIX

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

A 'Disclosable Pecuniary Interest' is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the descriptions described below.

Disclosable Pecuniary Interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows:-

(In the extracts from the Regulations below, 'M' means you and 'relevant person' means you and your partner, as above).

<i>Interest</i>	<i>Description</i>
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.

Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— <ul style="list-style-type: none"> (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

These descriptions on interests are subject to the following definitions:

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means the person M referred to in section 30 of the Act;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

This page is intentionally left blank

Middleton Borough Council

Code of Conduct for Members

1 Application

This Code of Conduct applies to you whenever you are acting in your capacity as a member of Middleton Borough Council, including –

- 1.1 at formal meetings of the Council, its Committees and Sub-Committees, its Cabinet and Cabinet Committees
- 1.2 when acting as a representative of the authority
- 1.3 in taking any decision as a Cabinet member or a Ward Councillor
- 1.4 in discharging your functions as a ward Councillor
- 1.5 at briefing meetings with officers and
- 1.6 at site visits
- 1.7 when corresponding with the authority other than in a private capacity

2 General Conduct

You must –

- 2.1 provide leadership to the authority and communities within its area, by personal example and
- 2.2 respect others and not bully any person
- 2.3 recognise that officers (other than political assistants) are employed by and serve the whole authority
- 2.4 respect the confidentiality of information which you receive as a member –
 - 2.4.1 not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and
 - 2.4.2 not obstructing third parties' legal rights of access to information
- 2.5 not misconduct yourself in a manner which is likely to bring the authority into disrepute
- 2.6 use your position as a member in the public interest and not for personal advantage
- 2.7 accord with the authority's reasonable rules on the use of public resources for private and political purposes
- 2.8 exercise your own independent judgement, taking decisions for good and substantial reasons –
 - 2.8.1 attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups
 - 2.8.2 paying due regard to the advice of officers, and in particular to the advice of the statutory officers, namely the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer and
 - 2.8.3 stating the reasons for your decisions where those reasons are not otherwise apparent

- 2.9 account for your actions, particularly by supporting the authority's scrutiny function
- 2.10 ensure that the authority acts within the law.

3 Disclosable Pecuniary Interests

You must -

- 3.1 comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which you have a disclosable pecuniary interest
- 3.2 ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests
- 3.3 make verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent
- 3.4 "Meeting" means any meeting organised by or on behalf of the authority, including –
 - 3.4.1 any meeting of the Council, or a Committee or Sub-Committee of Council
 - 3.4.2 any meeting of the Cabinet and any Committee of the Cabinet
 - 3.4.3 in taking a decision as a Ward Councillor or as a Member of the Cabinet
 - 3.4.4 at any briefing by officers; and
 - 3.4.5 at any site visit to do with business of the authority

4 Other Interests

- 4.1 In addition to the requirements of Paragraph 3, if you attend a meeting at which any item of business is to be considered and you are aware that you have a "non-disclosable pecuniary interest or non-pecuniary interest" in that item, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent
- 4.2 You have a "non-disclosable pecuniary interest or non-pecuniary interest" in an item of business of your authority where –
 - 4.2.1 a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or
 - 4.2.2 it relates to or is likely to affect any of the interests listed in the Table in the Appendix to this Code, but in respect of a member of your family (other than a "relevant person") or a person with whom you have a close associationand that interest is not a disclosable pecuniary interest.

5 Gifts and Hospitality

- 5.1 You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £100 which you have accepted as a member from any person or body other than the authority.
- 5.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.
- 5.3 This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose.

Appendix

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

<i>Interest</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992).
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one

class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose –

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

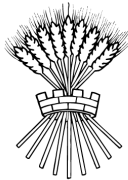
“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.



REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE
DATE:	5 JULY 2012
REPORT OF THE:	HEAD OF CORPORATE SERVICES CLARE SLATER
TITLE OF REPORT:	THE COMMUNITY SAFETY PLAN 2012/13
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To present the 2012/13 Safer Ryedale Partnership Plan.

2.0 RECOMMENDATION

2.1 It is recommended that Members consider the report and the appendices.

3.0 REASON FOR RECOMMENDATION

3.1 The Overview and Scrutiny Committee was designated as the Ryedale District Council's Crime and Disorder Overview and Scrutiny Committee in July 2009. To undertake this function, it was resolved to receive reports from the Safer Ryedale Partnership. (Minute 42(b) refers.)

4.0 SIGNIFICANT RISKS

4.1 Risks are outlined in the Risk Matrix in annex A.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 Council Priorities 2009 – 2013 Aim 4: To have active communities where everyone feels welcome and safe.

5.2 A variety of approaches are used to engage with communities, both face to face and through consultation exercises. These include:

- Website www.ryesafe.org
- Media opportunities
- CAP (Community & Police) meetings.
- Parish Liaison Forum.
- Voluntary Sector Forums.
- Bi-annual street surveys in each of Ryedale's four market towns.

- The 'Rural Voice' project, co-ordinated by Ryedale Voluntary Action, contributes to the involvement of the voluntary sector in Safer Ryedale's processes.
- Valued network of 876 Watch Groups.
- Surveys undertaken with young people at youth clubs and at the North Yorkshire County Council youth premises.
- Working with local parish plans
- The Council 'Budget Simulator' exercise in 2010 indicated that Community Safety was the service that the public least wanted to cut.

6.0 REPORT DETAILS

- 6.1 Ryedale continues to be an area with low levels of crime and anti-social behaviour, with the lowest crime rate of all the districts in North Yorkshire and of similar Community Safety Partnership areas nationally.
- 6.2 Safer Ryedale's Priorities for 2012/13 are based on the data published in the Ryedale JSIA 2011 and include locally identified priorities and those which the partnership is required to adopt. The priorities for 2013 are as follows:
- Reducing re-offending
 - Domestic Abuse
 - Safer Roads
 - Alcohol harm reduction
 - Community priorities
- 6.3 The 2012/13 Partnership Plan is attached in annex B. It was approved by the Safer Ryedale board on 28 June 2012.
- 6.4 The plan will be published on the Ryesafe Website at www.ryesafe.org.uk
- 6.5 The Partnership Plan is monitored by the Delivery Team on a quarterly basis and the quarterly performance information published on the Ryesafe Website.

7.0 IMPLICATIONS

- 7.1 There are no significant implications in receiving this report.

Clare Slater
Head of Corporate Policy

Author: Clare Slater, Head of Corporate Services
Telephone No: 01653 600666 ext: 347
E-Mail Address: clare.slater@ryedale.gov.uk

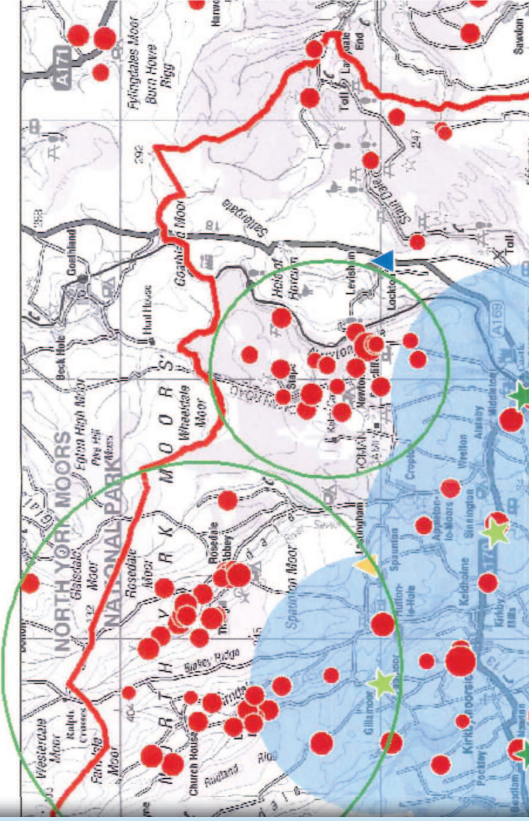
Background Papers:
 None

Safer Ryedale Priorities Action Plan - RISK MATRIX – ANNEX A

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
That the Safer Ryedale Priorities Action Plan does not address the key issues for partners and for the community of Ryedale/does not deliver progress on the priorities	Work might be carried out by all partners with scarce resources being expended for little or no result	2	C	All members of Priority Action groups to focus on setting SMART Actions and Targets	1	B
The Safer Ryedale Partnership Plan is not delivered	The needs and priorities identified are not addressed.	3	C	The Delivery Team reviews progress on a quarterly basis. Each priority has a known budget.	2	B

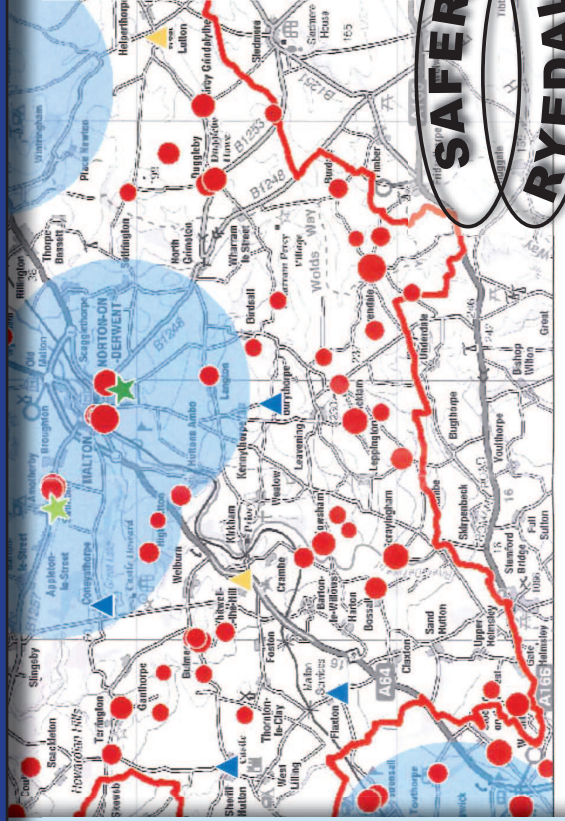
Score	Likelihood	Score	Impact
1	Very Low	A	Low
2	Not Likely	B	Minor
3	Likely	C	Medium
4	Very Likely	D	Major
5	Almost Certain	E	Disaster

This page is intentionally left blank



Partnership Plan 2012 - 2013

www.ryesafe.org



Agenda Item



'working towards a Safer Ryedale'

Contents

Ryedale District	4
What is the Partnership Plan?	5
How does the Safer Ryedale Partnership work?	6
Review of 2011/12	8
Our Priorities for 2012/13	12
Safer Ryedale Action Plan	14
Funding and Resources	15
Community engagement	16
The future	17
Aims and Objectives for 2012/13	18
Glossary	23
Acknowledgements	24
Contact details	25

Foreword

Clare Slater Chair of Safer Ryedale Delivery Team and Head of Policy & Partnerships Ryedale District Council

Safer Ryedale Partnership was formed in 1998 and has since then successfully undertaken many projects to make Ryedale a safer place to live, work and visit. Partnership staff, Police Safer Neighbourhood Team, partner organisations and volunteers have worked effectively together to tackle areas of public concern and issues of crime and anti-social behaviour in Ryedale. This has resulted in Ryedale continuing to be one of the top safest places in England.

The last two years have seen many changes in the national policy environment around community safety. County level structures have changed in line with the reduced reporting requirements and most crucially for Safer Ryedale, its funding has reduced by half and will reduce further in 2012-13.

The Partnership has looked for ways to continue to provide an excellent service with diminishing resources. The Safer Ryedale Board was combined with the Ryedale Strategic Partnership Board in 2010, and two out of our four Priorities – Safer Roads and Domestic Abuse – are now delivered by joint Scarborough Ryedale groups

A major change to crime and disorder reduction is the introduction of elected Police and Crime Commissioners

from November 2012, who, among other powers and responsibilities, will make all decisions concerning community safety funding within the Force Area of York and North Yorkshire. Safer Ryedale will be considering how best to prepare for the new regime throughout this year.

In the meantime, we will continue to work with our partners to address our four priority areas and respond to emerging needs and trends. As always, we will use an intelligence led approach to prioritise the allocation and deployment of our resources.

We will continue to listen to our communities through face to face surveys, Community and Police Group forums and through Neighbourhood Watch liaison.

Last year we launched a new three year Plan for the Safer Ryedale Partnership (2011–14). This Plan reviews the first year of that plan (2011-12) and looks ahead to the coming year (2012-13).

If you would like to find out more about our work and how we are contributing towards a safer Ryedale, please see our website www.ryesafe.org for our latest



Clare Slater
Head of Policy & Partnerships Ryedale District Council



Ryedale District

Situated between York and the Heritage Coastline of North Yorkshire, Ryedale is a rural area containing several small market towns, numerous villages and isolated dwellings. Ryedale covers 150,659 hectares (575 square miles) and is the largest district in North Yorkshire. The main route through the district is the A64 York to Scarborough road. In addition the A170 runs from Scarborough to Thirsk via Pickering and Helmsley and the A169 connects Malton and Whitby.

The district has a population of 53,500 living in 23,000 households and with 0.34 persons per hectare is ranked as having the 7th lowest population density of all 375 local authorities in England. Generally Ryedale has an older population with a greater proportion of people aged over 60 years (29.3% including 2.8% over 85) than the English average (24.2% and 2.1% respectively). It has a smaller proportion of people aged 15-29 years (15.1%) and 30-44 years (17.9%) than average in England (20% and 21.2% respectively).

People in Ryedale are also healthier and live in larger accommodation than the English average. Ryedale has one of the lowest crime rates in the country and much work is undertaken to maintain this level and to gain improvements.



Main picture - Hawnbly Hill & Moor

Above top - Rosedale

Above - Helmsley



What is the Partnership Plan?

Each Community Safety Partnership (CSP) has a statutory responsibility to produce a partnership plan, which identifies how we will tackle the short, medium and long term priorities associated with crime and disorder in the District.

In order to ensure that we identify the correct priorities we take into account feedback from our local communities, obtained from various surveys and public engagement activities.

We also refer to the Joint Strategic Intelligence Assessment (JSIA) prepared and updated annually by North Yorkshire County Council and North Yorkshire Police. This pulls together data and information from various partners, showing levels and patterns of crime, disorder and substance misuse, changes in those levels and analysis of why those changes have occurred, including a review of the previous year's performance.

The previous Partnership Plan was completed in March 2011, and the tables on p8 summarises the Partnership's performance in the last year. This plan covers the period from April 2012 to March 2013, and will be reviewed and updated next year, based on the data published in the Ryedale JSIA, and other locally identified priorities.

We aim to inform our communities of the priorities for 2012/13 and clearly detail what Safer Ryedale will deliver in order to keep Ryedale District one of the safest areas in the country.

The plan outlines how Safer Ryedale will engage and interact with local communities, giving local people a voice on what matters.

Safer Ryedale conducts street surveys every six months. The most recent, in February 2012, involved nearly 400 Ryedale residents completing questionnaires about issues in their neighbourhoods.

The results reveal that 98% of respondents feel that the crime level in Ryedale is low or fairly low compared with national crime levels and 98% feel that Ryedale is a safe place to live.

Inconsiderate and illegal parking, and speeding motorists were the two main complaints with 23% and 20% of respondents saying this is an issue for them followed by 17% concerned about litter.

Complaints about dog fouling have dropped to fourth place with 15% of respondents finding this is still an issue.

90% of residents think they are well informed or fairly well informed by local Police and the District Council about what is being done to tackle issues of concern.



How Does the Safer Ryedale Partnership work?

Safer Ryedale Community Safety Partnership

The Safer Ryedale Partnership brings together representatives from responsible authorities, who under section 17 of the Crime and Disorder Act 1998 have a duty to exercise their functions with due regard to the need to prevent crime and disorder in their area.

The Partnership is required to determine its priorities for action, taking into account the views of those who live and work in the area, and to produce a Partnership Plan which sets out the actions it will take to address the identified priorities.

Since April 2010, the Board of Safer Ryedale has been amalgamated with the Ryedale Strategic Partnership Board, which will, in future meet twice a year. The Delivery Team and Priority Action groups have remained separate from the Ryedale Strategic Partnership; two of the Priority Action groups are now run jointly with the Safer Communities Scarborough partnership.

The diagram below illustrates this relationship:



How Does the Safer Ryedale Partnership work?

The Partnership was supported in 2010-11 by three members of staff; the Community Partnerships Manager, the Community Partnerships Officer and the Crime and Disorder Officer who all worked closely with NY Police's Ryedale Safer Neighbourhood Team.

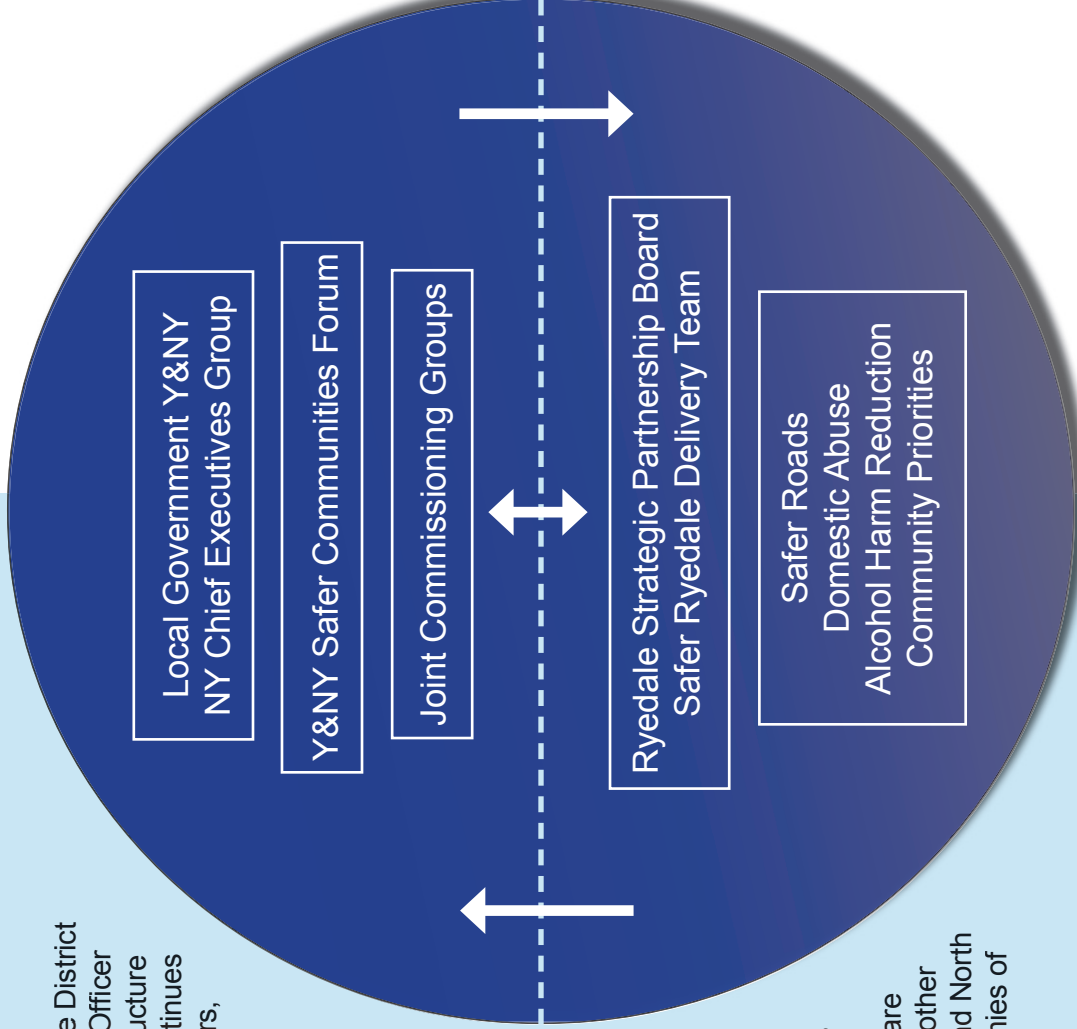
From April 2012 the staff team (employed by Ryedale District Council) will consist of the Community Partnerships Officer and the Crime and Disorder Officer, following a restructure at the District Council. The Safer Ryedale Team continues to work closely with the local police and other partners, benefiting from many years of excellent working relationships.

The Wider Partnership Framework

The Local Government York & North Yorkshire, and the Chief Executives group will continue to meet in 2012, and the York and North Yorkshire Community Safety Forum will report to them. This is attended by the Chair of Safer Ryedale Delivery Team, and the Forum will be considering ways of working with the new Police and Crime Commissioner once she or he is elected (in November 2012). See p 17 for further details.

At a local level, the Safer Ryedale Partnership works to implement the Partnership Plan, which helps to deliver the priorities agreed by the Partnership. We are also committed to working at sub-regional level with other Community Safety Partnerships, through the York and North Yorkshire Safer Communities Forum, to gain economies of scale in tackling issues common to us all.

The diagram below shows the relationship between the county-wide groups and our local delivery structure.



Review of Partnership Plan 2011 - 12

The table below shows the Partnership's performance in the last year of the Partnership Plan:

Safer Ryedale Overall Performance Against Performance Plan 2011-12: Table 1

Indicator	2006 / 7 Baseline	Target % Reduction for March 2010/11	2010/11 Target	2010/11 Total	% Reduction Achieved by March 2011
Burglary Dwelling	69	10%	62	61	-12%
Burglary Non Dwelling	196	5%	186	155	-21%
Criminal Damage	541	10%	487	353	-35%
Damage to Vehicles	200	5%	190	141	-30%

This table shows projected performance against the selected indicators for the new Partnership Plan (2011-14) which is anticipated for April 2012

Safer Ryedale Overall Performance Against Performance Plan 2011-14: Table 2

Indicator	2009/10 Baseline	Target % Reduction for March 2013/14	2011/12 Target	2011/12 Total	% Reduction Achieved by March 2012
Shoplifting	74	3%	72	70	-5%
Theft from Motor Vehicle	108	3%	105	107	-1%
Violence	400	3%	386	332	-17%



Review of Partnership Plan 2011 - 12

Alcohol Harm Reduction

- Ensuring links between violent crime and nominations to the Integrated Offender Management Scheme (aimed at providing intensive support).
- Extending alcohol treatment linked to Integrated Offender Management to include offenders on short prison sentences, on anti social behaviour orders and perpetrators of domestic abuse not sentenced through the courts.

Trading Standards are continuing to carry out regular visits to selected licensed premises to check use of refusal registers and that the 'No ID No Sale' regulations are adhered to. Street Scene continued to liaise with North Yorkshire Police informing them of hot spot areas and any drug and alcohol litter finds.

- Working with A & E to identify where people have had their last drink, profiles of drinking behaviour and brief intervention.
- Continuing good links between Housing Officers and Safer Ryedale with joint tenant and problem solving meetings.
- Maintaining a Designated Public Places Order which gives police powers of arrest if people are drinking alcohol anti-socially in the area and refuse to hand it over when requested.
- Using anti-social behaviour enforcement tools to tackle alcohol related disorder.
- Continuation of Pubwatch Groups in Malton/Norton and

Pickering. Quarterly meetings are taking place unless additional meetings are needed to discuss individuals to be banned. If an individual is caught purchasing alcohol for underage drinkers (proxy sales) they are automatically banned from the pubs.

Community Priorities

- Safer Ryedale continues to work closely with Trading Standards, we currently have 50 No Cold Calling Zones in Ryedale.
- Rural Crime – opportunist theft of metal and cable including cat converters is on the increase and operation tornado is a problem solving plan geared to tackling these thefts. Within op tornado Ryedale police are tackling known scrap metal dealers and also targeting nominals with regard to metal thefts across all areas, regular inspection takes place with scrap metal dealers across all of north Yorkshire to ensure they are not buying metal from anybody who is not in possession of formal identification
- Poaching continues to be an issue and countryside watch schemes remain fully engage, cws also focussing on vehicles looking for scrap metal.- link with metal thefts from farms.
- Castlegate Project - Since the formation of the Castlegate Community Group, much has been achieved. Regular litter picking, weeding and general sprucing up has been done. The residents and management of Bridge House have formulated a good system for daily rubbish collection and also fitted flower baskets to the front of the building. Lamppost banners have been erected and further hanging baskets are planned.



Review of Partnership Plan 2011 - 12

Safer Roads

- “Learn & Live” education in nursery and primary schools.
- “Drive Alive” education in secondary schools.
- Multi Agency events focussing on seatbelts and mobile phone use in priority areas that were identified through the data loggers and also around schools.
- Seasonal Campaigns to reduce both drink and drug driving.
- Enforcement Campaigns incorporating the THINK campaign.
- Promotion of the ‘Designated Driver’ initiative.
- Handheld speed laser guns for use in rural areas through Police Safer Neighbourhood Teams.
- Cycle Awareness Training in Schools.
- Developed a speed monitoring protocol which allows the public to make representations via Parish and Town Councils and Safer Neighbourhood Groups to request the deployment of the speed radar equipment.
- Public Events (Motorbike events, Old driver events, attendance at local shows and Emergency Service Days)
- Internet Campaigns
- Speed Matrix sign deployment to evaluate problem areas.



Overview and Scrutiny Process

The Crime and Disorder (Overview and Scrutiny) Regulations 2009 came into force on 30 April 2009. In conjunction with Section 19 of the 2006 Act, they set out the requirements for discharging Crime and Disorder Overview and Scrutiny arrangements.

All Districts have Crime and Disorder Overview and Scrutiny Committees which undertake the statutory role “to review or scrutinise decisions made or other action taken, in connection

with the discharge by the responsible authorities of their crime and disorder functions”. In Ryedale, the Overview and Scrutiny Committee adopted this role.

The Overview and Scrutiny Committee (Crime & Disorder) considers the final partnership plan annually following its agreement by the Safer Partnership Board.



Our Priorities for 2012/13

The Ryedale JSIA 2011, published in December last year, noted (in the Executive Summary)

“Ryedale District has been, and remains, an area of low crime and anti-social behaviour. Both are experiencing downwards trends with reductions of 6% and 8% respectively when comparing 2009/10 to 2010/11. The district has the lowest crime rate of all districts within North Yorkshire and is currently in 1st position within the Most Similar CSP group nationally.”

The JSIA recommends that the Community Safety Partnership focus its activity and coordination with a range of agencies on:

Reducing Reoffending

- Youth re-offending
- Adult re-offending
- Identifying and tackling troubled families and individuals (deprivation, crime, ASB, substance misuse, domestic abuse)

Reducing the harm caused by alcohol and drugs

- Linked to domestic abuse, violence, binge drinking, ASB

Supporting the existing North Yorkshire Police Control Strategy themes of

- Serious Acquisitive Crime (focus on burglary and theft from vehicle)
- Offender Management (identification of organised crime groups)

- Policing the Roads
- Protecting Vulnerable People (child sexual crime, online vulnerability, elderly and remote communities, repeat targeting of vulnerable people for ASB/crime)

Safer Ryedale’s Priorities for 2012-13 are based on the data published in the Ryedale JSIA 2011 and other locally identified priorities.

Safer Ryedale Delivery Team, meeting in January 2012 (following publication of the Ryedale JSIA 2011) agreed to retain the existing four ‘Priorities for Action’ for 2012-13:

- Domestic Abuse
- Safer Roads
- Community Priorities
- Alcohol Harm Reduction

Given the changes in personnel taking place among the partnership’s member organisations, the impending changes connected to the election of a Police and Crime Commissioner and the evident success of the existing Action Plans, it was further decided to retain the Aims and Objectives set in 2011/12 for the new Plan in 2012/13.

Each of the Priority Action groups has decided on appropriate actions to deliver its aims, again taking into account the need to focus resources and to add value where possible.

The Action Plan was approved by the Delivery Team in April 2011 and will be presented to the Board for approval at their next meeting in June 2013, alongside this Partnership Plan.



Our Priorities for 2012/13

Reducing Re-offending

Community Safety Partnerships are required to include reducing re-offending within the Partnership Plan. Probation is the lead agency within the Community Safety Partnership for reducing re-offending, however all responsible authorities within the CSPs have overall responsibility for developing their local PPO strategy, and for establishing and managing a scheme that delivers this within national guidance. In York and North Yorkshire strategic oversight of the Deter strand of the PPO strategy is assumed primarily at County level by the Safer Communities Forum.

As part of this role, CSP members are responsible for:

Page 79

- Identifying and resolving resource and management issues
- Ensuring 'Deter' is appropriately linked with Integrated Offender Management (within which there is a distinct PPO cohort).
- Ensuring that an information sharing protocol is in place.
- Implementing and overseeing 'Deter' operations in their areas.
- Engaging relevant partners at a strategic level, e.g. Children's Trusts and Directors of Children's Services.
- Identifying need for, and developing capacity to provide, interventions.
- Monitoring outcomes

At an operational level re-offending is addressed through Integrated Offender Management support, intervention and enforcement based on offender needs and presenting offending activity, Youth Deter panels, MAPPA, MARAC and Safeguarding processes.



Safer Ryedale Action Plan 2012/13

Performance measures, baselines and targets

Priority Performance Measures	Baseline	Target 2012/13
Domestic Abuse		
NI 32 Repeat incidents of Domestic Violence	2009/10 - 22.2%	Target reduction by 1% per year, 3% by 13-14
Safer Roads		
Safer Roads NI47 Killed or Seriously Injured in Road Traffic Collisions	2010 - 66 Figures taken from NYCC RTA document written by Paul Dea	Target reduction 1% per year over 3 years
Community Priorities		
NI17 Perceptions of ASB	The baseline figure for 2009/10 is not available due to the Place Survey not taking place	Target reduction 0.5% per year
NI19 Rate of proven re-offending by young offenders	2009/10 - 0.74	
Shop Theft	2009/10 - 74	Target reduction 3.5% per year over 3 years
Theft from unattended vehicles	2009/10 - 108	Target reduction 3% per year over 3 years
Violent Crime	2009/10 - 400	Target reduction 3.5% per year over 3 years
Hate Crime	2009/10 - 16	Target reduction 3% per year over 3 years
Burglary of a Non Dwelling	2009/10 - 170	Target reduction 3% per year over 3 years
Domestic Burglary	2009/10 - 53	Target reduction 3% per year over 3 years
Alcohol Harm Reduction		
Violent Crime	2009/10 - 400	Target reduction 3.5% per year over 3 years
Criminal Damage	2009/10 - 397	Target reduction 3% per year over 3 years



Safer Ryedale Funding and Resources

Attracting funding for Community Safety has always been a challenge in areas like Ryedale that are low in crime; however as a result of spending constraints made necessary by the state of the national economy, Safer Ryedale's funding from central government (via the York and North Yorkshire Community Safety Forum) has reduced significantly every year since 2010/11 and will reduce further in 2012/13.

In North Yorkshire, District Community Safety Partnerships receive allocations based on their respective crime levels and population; in addition the central government pot is top-sliced to fund county-wide strategic initiatives as it is acknowledged that some work is best undertaken from the centre. These projects are listed below.

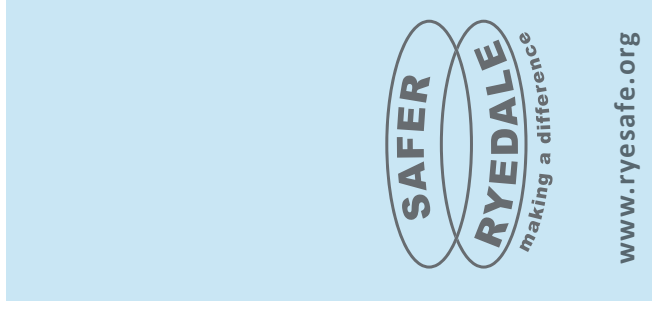
Last financial year, the allocation made to Safer Ryedale from central government (via NYCC), was £29,986, with a contribution of £5,507 from the NY Police Authority. With a carry over of £9,525, the Partnership had a total budget of £45,018 for 2011/12.

The allocation for 2012/13 is £15,607 from NYCC, with £5,323 from the Police Authority. With the addition of £8,405 carry over, the total budget for 2012/13 is £35,930. In addition, Ryedale District Council agreed funding for one year only towards the core costs of the Safer Ryedale Team of £15,000.

Safer Ryedale will continue to explore opportunities for attracting external funding to complement local delivery and will work to ensure that Ryedale benefits from the county-wide projects listed below.

PRG Safer Communities Forum	Relevant Safer Ryedale Priority
Domestic Violence Co-ordinators	Domestic Abuse
Accident and Emergency Alcohol Support Link Worker	Alcohol Harm Reduction
Alcohol Treatment Requirement	Alcohol Harm Reduction/Reducing Re-offending
Road Safety	Safer Roads
Top-sliced from Community Safety Fund	
Making Safe Temporary Accommodation	Domestic Abuse
MARAC Administrators	Domestic Abuse
Independent DV Co-ordinators	Domestic Abuse
AIM 2 (Risky Behaviour in Young People)	Domestic Abuse
Targeted Activities Programme	ASB

The Safer Ryedale Delivery Team will continue to work with partners to utilise both financial and human (staff and volunteer) resources to develop and deliver activities to address the priorities. These will be monitored on a quarterly basis and progress reported on the website www.ryesafe.org



Community Engagement

Engaging the community is a core function of the Partnership. Without understanding the needs of the local community, priorities would be lost and actions would lack focus. The Partnership will develop and enhance approaches that will allow communities to identify their priorities and have a voice to ensure issues affecting their lives are dealt with and where appropriate, agencies, officers and elected members are held to account.

We are fortunate in Ryedale to have an excellent relationship with our community. 90% of respondents to our recent survey felt informed about what is being done by the local Police and District Council to tackle environmental issues, anti-social behaviour and crime in their neighbourhood. 80% of residents feel confident that their concerns about crime and ASB are being addressed by Safer Ryedale and the local Safer Neighbourhood Police.

A variety of approaches are used to engage with communities, including those that are harder to reach. These include:

- Website www.ryesafe.org
- Media opportunities – we have a target of twelve press releases a year, which we exceed.
- Community & Police (CAP) meetings held in six areas of the district, three times a year
- Parish Liaison Forum
- Voluntary Sector Forums (Ryedale Together and the VCS Forum)
- Bi-annual street surveys in Ryedale’s market towns
- The ‘Rural Voice’ project, co-ordinated by Ryedale Voluntary Action, will also contribute to the involvement of the voluntary sector in Safer Ryedale’s processes

- We have an effective and valued network of Watch Groups – 876 in total, made up of:

NHW	352	Business Watch	4
Gold Watch	13	Horse Watch	17
Post Office Watch	11	Pub Watch	90
Rural Watch	293	School Watch	22
Shop Watch	74		

Many of Ryedale’s parishes have written a parish plan and these are another source of information regarding the public’s concerns about community safety.

Community engagement is a legal requirement for the Partnership but we want to ensure it is a positive and worthwhile experience.

During 2012/13 Partnership resources will be allocated to community engagement activities. We are committed to raising awareness, promoting safer communities and offering preventative advice on a variety of issues affecting our communities.



Safer Ryedale - The Future

Over the next 12 months we will be preparing for further significant changes in community safety as preparations are made for the introduction of Police & Crime Commissioners (PCCs) who will play a key role in Community Safety Partnerships (CSPs) across the police force area of York and North Yorkshire.

On 15 November 2012 elections will be held for a Police & Crime Commissioner (PCC) for the North Yorkshire Police Area. The new Commissioner will take office on 22 November. This will coincide with the abolition of Police Authorities. The PCC will be responsible, on behalf of the public, for appointing the Chief Constable, and for producing the Policing Plan, which must be published by the end of March 2013.

However, the PCC's role will extend beyond policing to the wider crime and disorder agenda, forging links (and often taking a leadership role) in areas such as: the Local Criminal Justice Board, CSPs, York & North Yorkshire Safer Communities Forum, youth justice, re-offending, substance misuse and, of course, with the many vital partners who contribute to crime & disorder and community safety in the area.

The PCC will need to keep in touch with what is happening in local communities, through a variety of formal and informal contacts including the new Police and Crime Panel (which will include councillors from each area), local councils' overview and scrutiny panels, local community groups and partners.

From April 2013 all Community Safety grant funding will be paid to the PCC; until the new Commissioner is in post, CSPs will have no idea what decisions she or he might make as to what resources will be made available to Community Safety, or how the Commissioner will want to engage with CSPs.

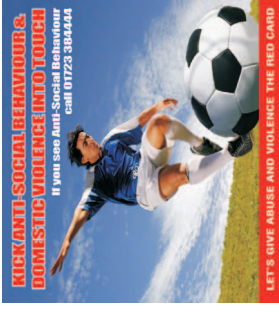
At the present time, we have no way of knowing how the PCC for York and North Yorkshire will choose to conduct Community Safety across the force area or what the CSP landscape will look like in Ryedale in 2013.

Safer Ryedale will continue to work with all our partners within the district and force-wide to adapt to changes as they arise, in order to continue delivering the community safety solutions our communities expect.



Priorities Action Plan 2012/13

Domestic Abuse	
Aim:	To protect and support people experiencing domestic abuse in Scarborough, Whitby and Ryedale
Objective 1:	To reduce repeat MARAC'S
Objective 2:	To deliver awareness raising and education initiatives
Actions	Continue to develop the availability of voluntary perpetrator programmes and monitor their effectiveness Deliver Domestic Abuse awareness training to victims across Scarborough & Ryedale. Train the Trainer Sessions now delivered to 2 Champions within the Ryedale area who will deliver training within their own organisations
Objective 3:	Develop and maintain Multi-Agency Partnership Working
Actions	Increase representation to the existing DAF membership for the hard to reach groups including BME, travellers, gay, bi sexual and Transgender groups Increase representation to the existing DAF membership for the services and agencies working with people with mental health issues
Objective 4:	Develop and maintain services for children and young persons
Actions:	Support the continuation of the delivery and availability of the Specialist Children's Therapeutic Worker at Domestic Abuse Services to children and young people Continue to deliver Domestic Abuse education packages into schools
Objective 5:	Improve availability of appropriate accommodation for victims of abuse
Actions:	Provision of Refuge accommodation Making Safe Service Review
Actions:	Continued awareness around MS & referral to Perpetrator Scheme from custody Transition of perpetrators to independent living Develop links with health & social services
Objective 7:	Ensure the Scarborough, Whitby and Ryedale Action Plan relates to the DA County Wide Action Plan



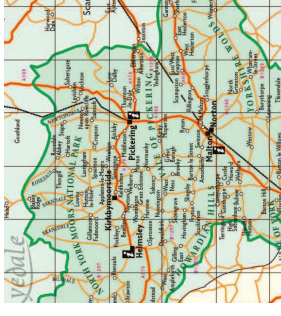
<h2>Safer Roads</h2>	<p>To minimise the levels of Killed and Seriously Injured on the roads of Ryedale</p> <p>Aim:</p> <p>Actions:</p> <p>Motorcycle Campaign to include:-</p> <ul style="list-style-type: none"> • Awareness raising events at Emergency Service Days and Ryedale Show • Cross County initiatives (Cleveland, West Yorkshire) • Internet Campaigns (Think Website) • Enforcement on key routes ie A170 <p>Older Drivers (Cars) Campaign to include:-</p> <ul style="list-style-type: none"> • Older drivers events, consult Age UK and Ryedale Older Persons Forum • Possible use of volunteer Advanced Driving Instructors • Seasonal events including reaction tests, eye tests and ADI assessments • Arrive Alive Classic presentations <p>Young Road User Campaign to include:-</p> <ul style="list-style-type: none"> • Drive Alive NYCC countywide Drive Alive within schools identified as a priority. Once this priority list is confirmed the schools in both districts requiring local targeting will be clearer. (Potential also for Young Farmers group, Cadets and Atmosphere and alternative education packages) • Education young school children “Learn & Live” • Daniel DVD for parents of young drivers • Develop Campaign Ride Aware for 2 wheel road users • Possible campaign UTube Video Clips, DVD, Drive Wise, Think Campaign, Tales of the Road. Use NYCC 4Youth face book page Deployment of Data Loggers and use of the 4 Matrix Signs:- Continual deployment of the data loggers and signs where a need is identified. <p>Operation Siren Multi Agency Campaigns:- The events focussing on seatbelts and mobile phone use will continue within Scarborough and Ryedale (Priority areas identified through the data loggers and also around schools), the Safer Neighbourhood Teams will continue to support where possible.</p> <p>Laser Speed Enforcement & FPN</p>
----------------------	--



Priorities Action Plan 2012/13

Community Priorities

Aim:	To minimise the effects of crime and anti social behaviour on the communities within Ryedale thereby contributing to a positive view of the District.
Objective 1:	To reduce theft and violence by 10% 2011-2014
Actions:	<p>Continue Nominated Neighbour, Sheduction and Seasonal Crime Reduction Initiatives eg Expand and publicise No Cold Calling Zones</p> <p>Continue to promote Watch Schemes</p> <p>To increase the use of the Restorative Justice Scheme and report to Delivery Team on progress</p> <p>Promote Operation Tornado to decrease the number of metal thefts. Carry out regular multi agency checks by all agencies</p> <p>To promote Pub Watch within Ryedale and identify what actions can be taken to prevent offences in the Ryedale night time economy</p>
Objective 2:	Improve perceptions of anti-social behaviour and reduce fear of crime by publishing and responding to public priorities highlighted by the community consultation survey
Actions:	<p>To review Wentworth Street Car Park and identify actions</p> <p>Maintain an ongoing consultation process on perception of anti social behaviour by utilising the Safer Ryedale website and twice yearly street surveys to be carried out in September 2012</p> <p>Make full use of media and other publicity vehicles to reduce crime and fear of crime</p>
Objective 3:	To target young offenders, vulnerable people and those at risk of offending through support, education and diversionary activities to reduce incidents of repeat offending
Actions:	<p>Maintain baseline data of young offenders and others on ASBO, ABC and MAPS Groups</p> <p>Work with the Police to assess complaints of anti-social behaviour, address through problem solving and deliver interventions</p> <p>Ensure continuance of the MAPS Groups by close liaison with four secondary schools and attendance at all meetings</p> <p>To increase the number of referrals to Youth Support Service through the re-adoption of YACAB referrals</p>



Priorities Action Plan 2012/13

Alcohol Harm Reduction

Aim:	To deliver the contents of the previous Alcohol Harm Reduction Strategy and develop the new strategy for the Ryedale District.
Objective 1:	To continue to raise awareness on the consequences to individual's health and community welfare
Actions:	<p>Review the Alcohol Harm Reduction Strategy and align with the County Strategy</p> <p>Carry out a Mini ARC Campaign in Malton</p> <p>Link with the Cambridge Centre and A&E Manager to feedback data to the Steering Group</p> <p>Link in with the schools survey in order to identify the need for further intervention</p> <p>Explore opportunities to raise local awareness and link with the Cambridge Centre/NYP</p>
Objective 2:	To reduce the number of repeat offenders linked to alcohol related offences
Actions:	<p>Maintain links to the Ryedale Women's Hub in order to assess its impact on re-offending</p> <p>To determine how the steering group can make the best use of the data available</p> <p>To increase the amount of Alternative Disposals with regard to alcohol related offences</p> <p>To establish links to the After Math Project</p>
Objective 3:	To reduce the level of alcohol related crime and disorder offences
Actions:	<p>Continue to identify, monitor and actively patrol those public places where young people gather to drink, Youth Support Service and NYP to share information.</p> <p>Continue the media programme for the district, promoting links to national campaigns/initiatives and obtain merchandise from Drink Aware</p> <p>NYP to distribute AA/Cambridge Centre literature when attending incidents where offenders and/or victims are perceived to have issues relating to alcohol.</p> <p>Targeted outreach work in Pickering/Malton/Norton with referrals to the Youth Support Service.</p> <p>Targeted patrols around underage drinking inside licensed premises</p> <p>NYP and Cambridge Centre to share information on arrests involving alcohol. Followed up with targeted action or letter.</p> <p>Offer an incentive of a shorter ban to people barred from licensed premises by Pubwatch (ie brief intervention with Cambridge Centre). Also link with AA and NA</p> <p>Partnership to support a rejuvenated Pubwatch Scheme in Malton/Norton that includes agreed standards of behaviour and unacceptable conduct by customers. Carry out early intervention through police patrols, CCTV, apex radios and increased communication with door staff. Identify those groups and individuals who may cause problems at an early stage and make positive interventions to prevent incidents occurring. Support a 'banned from one banned from all' approach. Licensees, door-staff and partner agencies to take collective responsibility in promoting a safe night time economy by working more closely together.</p>



Community Development	
Aim:	To encourage community participation to inform Safer Ryedale's work
Objective 1:	To develop opportunities to involve the community in raising concerns, setting priorities and to receive information on Safer Ryedale's Work
Actions:	Update the Safer Ryedale website
	Gather community concerns and feedback via website questionnaire ie street survey
	Provide a Safer Ryedale update at Community and Police meetings
	Monitor numbers of Neighbourhood Watch Co-ordinators



Glossary

ABC	Acceptable Behaviour Contract
AHRG	Alcohol Harm Reduction Group
ASBO	Anti Social Behaviour Order
ATC	Auto Traffic Counter
CAF	Common Assessment Framework
CAP	Community and Police liaison meetings
C&DO	Crime and Disorder Officer (RDC)
CPM	Community Partnerships Manager (RDC)
CPO	Community Partnerships Officer (RDC)
CSCM	Community Safety Crew Manager (NY Fire & Rescue)
CSP	Community Safety Partnership
CSS	Community Safety Sergeant (NY Police)
CYP	Children and Young People's working group
DAS	Domestic Abuse Services
DV	Domestic Violence
MAPS	Multi-agency Problem Solving group
MARACs	Multi-agency Risk Assessment Conferences
Missdorothy.com/Miss Dot	Computer software used in primary schools to raise children's awareness of risky and/or unacceptable behaviour (their own or other people's)
NCCZ	No Cold Calling Zone
NHW	Neighbourhood Watch
PCC	Police and Crime Commissioner
PCSO	Police Community Safety Officer
PPO	Prolific and other Priority Offenders
RTC	Road Traffic Collision
SNT	Safer Neighbourhood Team (NY Police)
Tier 3 Services	Drug and alcohol abuse intervention – requires referral
Watch Over Me	As Missdorothy.com above, for secondary schools

Acknowledgements

Safer Ryedale wishes to thank the following organisations and their staff for all their help, support and involvement in the production of the Joint Strategic Intelligence Assessment and the Partnership Plan

North Yorkshire Police

North Yorkshire Fire & Rescue

North Yorkshire County Council

Ryedale District Council

Pan Cunningham, County Analyst

District based Community Safety Partnerships in North Yorkshire, and Safer York



Safer Ryedale Partnership
Ryedale District Council
Ryedale House
Old Malton Road
Malton
YO17 7HH

Tel: 01653 600 666
email: communitysafety@ryedale.gov.uk
www.ryesafe.org.uk



www.ryesafe.org

Contact Numbers and Web Sites

Safer Ryedale
www.ryesafe.org 01653 600666

Ryedale District Council
www.ryedale.gov.uk 01653 600666

North Yorkshire Fire & Rescue Service 01609 780 150
www.northyorksfire.gov.uk

North Yorkshire Police
www.northyorkshire.police.uk 101

North Yorkshire Police Authority
www.nypa.org.uk 01765 641 839

North Yorkshire County Council
www.northyorks.gov.uk 01609 780 780

North York Moors National Park
www.visitnorthyorkmoors.org.uk 01439 770 657

**North Yorkshire & York Primary
Care Trust** www.nyypct.nhs.uk 01423 815150

North Yorkshire Probation Service
www.nyprobation.org.uk 01609 778644

North Yorkshire Youth Justice Service
www.ny-yjs.org.uk 0845 300 5430

Domestic Abuse Helpline 0808 200 0247

Crimestoppers 0800 555 111

**North Yorkshire Trading Standards
Doorstep Crime Hotline** 0845 330 3313



This page is intentionally left blank

Ryedale District Council

Report to the Overview and Scrutiny Committee
on the 2012 Audit Planning

Contents

Executive summary	1
1. Scope of work and approach	4
2. Key audit risks	5
3. Internal control	7
4. Consideration of fraud	9
5. Value for money (VFM)	10
6. Client service team	11
7. Responsibility statement	12
Appendix 1: Detailed findings from our work on key audit relevant general computer controls	13
Appendix 2: Briefing on audit matters	17

Executive summary

We have pleasure in setting out in this document details of our proposed audit plan for Ryedale District Council (“the Council”) for the year ending 31 March 2012 along with the results of our preliminary testing of key audit-relevant general computer controls. The FRC has made it clear, in its ‘Update for Audit Committees – November 2010’, that it expects audit committees to focus activity on assessing and communicating risks and uncertainties and reliance on estimates, assumptions and forecasts. This report will describe the work we undertake in order to support this activity.

Audit scope	This document is in relation to the proposed external audit of Ryedale District Council. The audit is to be undertaken in accordance with International Standards on Auditing (UK and Ireland) as adopted by the UK Auditing Practices Board and as required under our contract with the Audit Commission.
Key audit risks	<p>The key audit risks which we have identified as part of our overall audit strategy are:</p> <ol style="list-style-type: none">1. valuation of non-current assets, including heritage assets and reliability of the new asset register system – “Real Asset Management” software;2. collection of debt and the adequacy of bad and doubtful debt provisioning;3. pension scheme assumptions;4. presumed risk of revenue recognition fraud; and5. presumed risk of management override of controls. <p>Further details of the specific risk are set out in section 2 of this report.</p>
Findings from the planning visit	<p>We have substantially completed our planning visit and set out in this report for your attention our findings and recommendations.</p> <p>The key observations that we have made are:</p> <ul style="list-style-type: none">• journal review and backup;• implementation of the new FMS accounting system in April 2012 may lead to missed accruals;• minor weaknesses are noted in the design and implementation of some information security controls over the Powersolve accounting application and there is a lack of periodic, and documented, review of access audit logs for some systems. <p>These are set out in detail within section 3 of this report.</p>

Executive summary (continued)

Value for money audit - Financial resilience and prioritisation of resources

From 2010/11 the Audit Commission has introduced new requirements for local value for money (“VFM”) audit work at councils. This year, auditors are required to give their statutory VFM conclusion based on the following same two criteria:

- proper arrangements in place for securing financial resilience: work to focus on whether the Council has robust systems and processes to manage risks and opportunities effectively, and to secure a stable financial position that enables it to continue to operate for the foreseeable future; and
- proper arrangements for challenging how economy, efficiency and effectiveness is secured: work to focus on whether the Council is prioritising its resources within tighter budgets, for example by achieving cost reductions and by improving efficiency and productivity.

We determine our local programme of work based on our risk assessment, which is informed by a series of risk factors determined by the Audit Commission.

The key audit risk which we have identified as part of our overall audit strategy is the delivery of financial targets and the management of the reduction in financial resources.

More detail is given in section 5 of this report.

Materiality

Materiality levels are calculated on the basis of total gross expenditure for the year. We estimate materiality based on the prior year results to be £361,677. We will update the Committee on the value of materiality for 2011/12 once it has been set.

We will report to the Overview and Scrutiny Committee on all unadjusted misstatements greater than £7,233 and smaller misstatements if they are qualitatively material.

More details of these calculations are given in section 1 of this report.

Other matters for those charged with governance

We have communicated to you separately in our publication entitled “Briefing on audit matters”, attached at Appendix 2, those additional items which we are required to report upon in accordance with International Standards on Auditing (UK & Ireland). The document also provides detail of the safeguards and procedures we have in place to ensure our independence and objectivity.

We confirm we are independent of the Council and will reconfirm our independence and objectivity to the Overview and Scrutiny Committee for the year ending 31 March 2012 in our final report to the Overview and Scrutiny Committee.

Executive summary (continued)

Timetable

This year's timetable comprises the following:

- a review of the IT environment in March 2012;
- a planning visit in March 2012;
- a final visit lasting 6 weeks commencing 2 July 2012.

Our value for money work will also be carried out between April and September 2012.

This report sets out the findings from our planning visits. The findings from the final visit will be presented at the Overview and Scrutiny Committee meeting in September 2012.

The audited financial statements and the Whole of Government Accounts ("WGA") return must be approved and submitted by 5 October 2012.

1. Scope of work and approach

We will conduct our audit in accordance with International Standards on Auditing (UK and Ireland) (“ISA (UK and Ireland)”) as adopted by the UK Auditing Practices Board (“APB”) and the Code of Audit Practice. Our audit objectives are set out in our “Briefing on audit matters” document, attached at Appendix 2.

The audit opinion we intend to issue will reflect the financial reporting framework required of Local Authorities and as set out in the Code of Practice on Local Authority Accounting in the United Kingdom 2011/12 based on International Financial Reporting Standards.

For the 2012 financial statements, we will use gross expenditure as the benchmark for our materiality assessment as this statistic, in our view, represents the most appropriate measure of the scale of the organisation and, therefore, best reflects the context within which any misstatements should be considered.

This assessment takes into account our knowledge of the organisation, our assessment of audit risks and the reporting requirements for the financial statements. The concept of materiality and its application to the audit approach are set out in our Briefing on Audit matters document, attached at Appendix 2.

The extent of our procedures is not based on materiality alone but also on local considerations of the quality of systems and controls in preventing material misstatement in the financial statements, and the level at which known and likely misstatements are tolerated by you in the preparation of the financial statements.

2. Key audit risks

Based upon our initial audit risk assessment and following our planning visit, we will concentrate specific audit effort on the significant audit risks set out below:

1. Valuation of non-current assets, including heritage assets

Risk & Response

In the current climate the property market is still volatile and there is the potential for valuations of property and other assets to have fallen. There is also a new financial reporting standard (FRS 30) this year requiring valuation and enhanced disclosure of heritage assets.

We will obtain a copy of the latest third party valuation report and review a sample of the valuations for arithmetic accuracy. We will consider whether there is indication of any impairment from the third party valuations and whether any noted impairment should be applied more widely to other assets that have not been valued in the current year.

We will review the Council's approach to identifying heritage assets and confirm whether appropriate disclosures are made in the financial statements as necessary.

As part of our work on fixed assets we will review the outputs of the new fixed asset register software and determine whether it accurately reflects the position of the Council's fixed assets at the balance sheet date.

2. Collection of debt and the adequacy of bad and doubtful debt provisioning

Risk & Response

In the current climate there is likely to be more pressure on the Council's rate-payers' financial resources. It therefore follows that there is likely to be a higher level of unpaid debts at the balance sheet date and potentially more bad and/or doubtful debts occurring.

We will document the process the Council has in place for reviewing and providing against bad and doubtful debts owed to the Council at the balance sheet date. We will review the calculation of the year end provision and consider the adequacy of the provision in the light of available evidence including the aging profile of debtors at the year end and at the time of audit, the history of bad debt exposure, recent changes in payment profile and post year-end cash receipts against year-end debtor balances.

3. Pension scheme assumptions

Risk & Response

In the current climate the choice of pension inflation, discount and yield assumptions will be both difficult and judgemental. Small and apparently insignificant changes to these key assumptions can have material consequences for the actuarial assessment of the liability included within the financial statements of the Council.

We will document the process the Council has put in place to determine the assumptions and will use our in-house pension and actuarial department to review these assumptions for reasonableness based upon prevailing market factors.

2. Key audit risks (continued)

5. Presumed risk of revenue recognition fraud

Risk & Response

International Standards on Auditing (UK and Ireland) 240 – “The auditor’s responsibility to consider fraud in an audit of financial statements” requires the auditors to perform certain audit procedures related specifically to fraud risk, and requires a presumption that revenue recognition is a key audit risk.

For the Council we consider that the specific revenue recognition risk relates to the non-recognition of cash receipts as income, or their recognition in the wrong accounting period.

We will perform testing by selecting a sample of cash receipts and confirming that all income received was correctly recognised as income in the financial statements in the appropriate period. In addition, testing of grant income will be performed to ensure that the provisions of the Code of Practice on Local Authority Accounting based on IFRS have been consistently applied.

6. Presumed risk of management override of controls

Risk & Response

International Standards on Auditing (UK and Ireland) requires the auditors to perform certain audit procedures to respond to the risk of management’s override of controls.

We will perform the following:

- understand and evaluate the financial reporting process and the controls over journal entries and other adjustments made in the preparation of the financial statements, and test the appropriateness of a sample of such entries and adjustments;
- review accounting estimates for biases that could result in material misstatement due to fraud, including whether any differences between estimates best supported by evidence and those in the financial statements, even if individually reasonable, indicate a possible bias on the part of management;
- a retrospective review of management’s judgements and assumptions relating to significant estimates reflected in last year’s financial statements; and
- obtain an understanding of the business rationale of significant transactions that we become aware of that are outside the normal course of business or that otherwise appear to be unusual given our understanding of the organisation and its environment.

3. Internal control

Obtaining an understanding of internal control relevant to the audit

As set out in the attached "Briefing on audit matters", for controls considered to be 'relevant to the audit' we are required to evaluate the design of the controls and determine whether they have been implemented ("D & I").

This includes reviewing controls relating to the financial reporting process, reconciliation of ledgers, the preparation of the financial statements and other reports, the reporting and processing of journals, the segregation of duties, related parties and key audit relevant general computer controls.

Findings from the planning visit

1. Documentation of journals

Background Our preliminary review of the journals file showed that not all journals have supporting documentation and journals raised by senior management do not appear to be reviewed.

This observation was noted in our prior year report in September 2011.

Non-authorisation of journals could lead to errors made in the posting of journals, which are either not detected, or which when detected will take a greater length of time to resolve due to the lack of supporting documentation held. There is also a risk of inappropriate journals being posted through fraudulent activities which will not be detected.

Deloitte response Ensure all journals are reviewed and have sufficient supporting documentation.

Management response Whilst accepting the comments made, there needs to be an assessment of cost versus value in full documentation of all journals. Most journals are supported by documentation held in various record forms i.e. computerised application software (fuel, depreciation etc), spreadsheets (vehicle costing, insurance, salary recharges etc) and manual documentation (internal recharges, error suspense etc). Records are also held in a number of different locations. Once the new FMS is fully functional this will be revisited.

2. Implementation of new accounting software – FMS

Background On 1 April 2012, a new accounting system went live and data was migrated from the old system to the new system. The window for data entry at 31 March 2012 was significantly reduced to facilitate smooth data migration in April.

Deloitte response There is a risk that some liabilities may not be recorded at 31 March 2012 due to the old system being promptly closed to data entry in early April 2012. Management will need to review all post year-end invoices received to ensure any amounts relating to 2011/12 are recorded as an accrual in the 2011/12 financial statements.

Management response This has been done as part of the close down process. The 2011/12 final accounts have been prepared using the old system (Powersolve). Powersolve creditor payments were closed down on 28 March 2012. Liabilities that were entered and paid on the new accounting system (Civica Financials) and relevant to 2011/12 were issued with a specific creditor payment transaction type "crinvold". The input of the data entry into Civica Financials and the subsequent transfer of the transactions back into Powersolve was closely monitored by the Finance Section. The window for this process was for a period of 1 April 2012 to 18 April 2012 and has mitigated the risk of liabilities not being recorded at 31 March 2012. Arrangements were made prior to the year end to ensure that service units were active in obtaining invoices promptly from suppliers. Further liabilities outstanding after this period have been entered by subsequent listed creditor journals.

3. Internal control (continued)

3. General computer controls

Background	<p>Our detailed findings from our work, in March 2012, on key audit-relevant general computer controls are included in Appendix 1 to this report.</p> <p>In summary we identified minor weaknesses in the Council's design of information security controls (i.e. access rights, use of passwords, etc) over the Powersolve accounting application. There is one admin account shared by two users with a shared password.</p> <p>It was also noted that not all systems have periodic, documented, reviews of access audit logs.</p>
Deloitte response	<p>Our detailed recommendations are included in Appendix 1 to this report.</p> <p>In summary, re-consideration should be given to shared access rights and admin users should only perform actions through their individual accounts to allow traceability.</p> <p>Periodic, and documented, reviews of access audit logs should be performed for all systems.</p>
Management response	<p>Responses from IT management are included in Appendix 1 to this report.</p> <p>In summary, IT management have confirmed that all our recommendations raised would be investigated and implemented as necessary over the next 6-12 months.</p>

Our audit is not designed to provide assurance as to the overall effectiveness of the controls operating within the organisation, although we will report to management any recommendations on controls that we may have identified during the course of our audit work.

Liaison with internal audit

We have and will continue to liaise with the Council's internal audit function on a constructive and complementary basis to maximise our combined effectiveness and eliminate duplication of effort. This co-ordination will enable us to derive full benefit from the Council's internal audit function, its systems documentation and risk identification during the planning of the external audit to the extent we determine we can rely on their work.

The audit team, following an assessment of the organisational status, scope of function, objectivity, technical competence and due professional care of the internal audit function, will review the findings of any relevant internal audits on the Council and adjust the audit approach as is deemed appropriate. Where internal audit identifies specific material deficiencies in the control environment, we will consider adjusting our testing so that any new additional specific audit risks are covered by our work.

4. Consideration of fraud

Misstatements in the financial statements can arise from either fraud or error. The distinguishing factor between fraud and error is whether the underlying action that results in the misstatement of the financial statements is intentional or unintentional. Two types of intentional misstatements are relevant to us as auditors – misstatements resulting from fraudulent financial reporting and misstatements resulting from misappropriation of assets.

The primary responsibility for the prevention and detection of fraud rests with management and those charged with governance, including establishing and maintaining internal controls over the reliability of financial reporting, effectiveness and efficiency of operations and compliance with applicable laws and regulations. As auditors, we obtain reasonable, but not absolute, assurance that the financial statements as a whole are free from material misstatement, whether caused by fraud or error.

We have made initial inquiries of the following parties regarding fraud:

Management	Internal audit	Those charged with governance
<p>Management's assessment of the risk that the financial statements may be materially misstated due to fraud including the nature, extent and frequency of such assessments.</p> <p>Management's process for identifying and responding to the risks of fraud in the entity.</p> <p>Management's communication, if any, to those charged with governance regarding its processes for identifying and responding to the risks of fraud in the entity.</p> <p>Management's communication, if any, to employees regarding its views on business practices and ethical behaviour.</p> <p>Whether management has knowledge of any actual, suspected or alleged fraud affecting the entity.</p>	<p>Whether internal audit has knowledge of any actual, suspected or alleged fraud affecting the entity, and to obtain its views about the risks of fraud.</p>	<p>How those charged with governance exercise oversight of management's processes for identifying and responding to the risks of fraud in the entity and the internal control that management has established to mitigate these risks.</p> <p>Whether those charged with governance have knowledge of any actual, suspected or alleged fraud affecting the entity.</p>

We will make inquiries of others as appropriate. We will also inquire into matters arising from your whistle blowing procedures. We will ask for you and management to make the following representations towards the end of the audit process:

- We acknowledge our responsibilities for the design, implementation and maintenance of internal control to prevent and detect fraud and error.
- We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
- We are not aware of any fraud or suspected fraud / We have disclosed to you all information in relation to fraud or suspected fraud that we are aware of and that affects the council and involves:
 - (i) management;
 - (ii) employees who have significant roles in internal control; or
 - (iii) others where the fraud could have a material effect on the financial statements.
- We have disclosed to you all information in relation to allegations of fraud, or suspected fraud, affecting the council's financial statements communicated by employees, former employees, analysts, regulators or others.

5. Value for money (VFM)

Based upon our initial assessment, we will concentrate specific effort on the key audit risk set out below. Our risk assessment will however be revisited during the course of our audit, for example when 2011/12 outturn and 2012/13 quarter 1 budget and performance monitoring information is available. Any changes to our risk assessment will be reported in our final report to the Overview and Scrutiny Committee in September 2012.

Delivery of financial targets and the management of reduction in financial resources

Risk & Response

Following the Government's Comprehensive Spending Review and the extent of the reduction in the funding settlement announced in December 2010 and December 2011, the Council is facing severe financial pressures over the next few years. Work is still ongoing by management to develop further measures to achieve the financial funding gap in 2013/14.

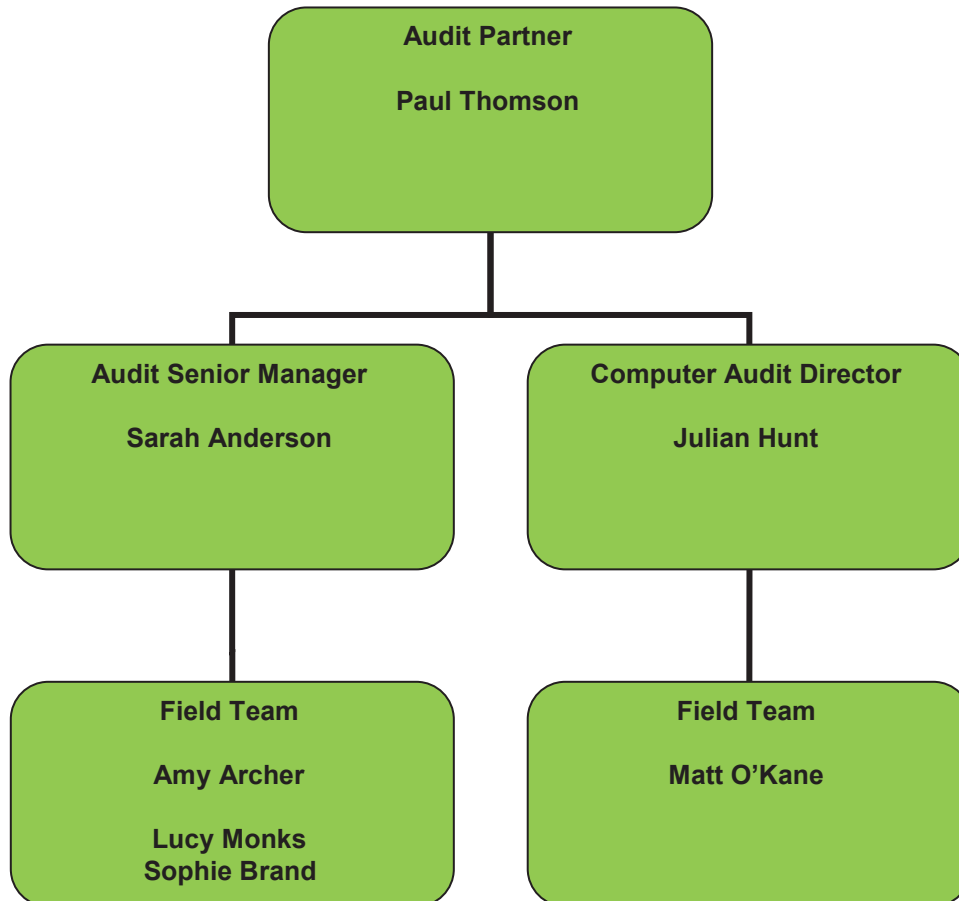
We will review the risk assessments for the savings proposals in the 2012/13 budget and arrangements for the ongoing management of those risks. Progress in developing plans for 2013/14 will also be monitored. During the course of this work, we will consider the effectiveness of arrangements to assess the implications of savings measures and to manage their impact on the delivery of strategic priorities.

We will also select a sample of initiatives to assess the reasonableness of the quantification of savings to be achieved, and the processes for identifying and addressing any costs of implementation.

We will maintain a watching brief over delivery of the savings plans and performance against budgets.

6. Client service team

We set out below our audit engagement team.



7. Responsibility statement

This report sets out those audit matters of governance interest which have come to our attention during the planning of our audit to date. Our audit is not designed to identify all matters that may be relevant to you and our final report on the audit will not necessarily be a comprehensive statement of all deficiencies which may exist in internal control or of all improvements which may be made.

The Audit Commission published a 'Statement of responsibilities of auditors and of audited bodies' alongside the Code of Audit Practice. The purpose of this statement is to assist auditors and audit bodies by summarising, in the context of the usual conduct of the audit, the different responsibilities of auditors and of the audited body in certain areas. The statement also highlights the limits on what the auditor can reasonably be expected to do. Responsibility for the adequacy and appropriateness of these methodologies and data rests with the Audit Commission.

Our report has been prepared on the basis of, and our work carried out in accordance with, the Code and the Statement of Responsibilities.

While our report includes suggestions for improving accounting procedures, internal controls and other aspects of your business arising out of our audit, we emphasise that our consideration of Ryedale District Council's system of internal control was conducted solely for the purpose of our audit having regard to our responsibilities under Auditing Standards and the Code of Audit Practice. We make these suggestions in the context of our audit but they do not in any way modify our audit opinion, which relates to the financial statements as a whole. Equally, we would need to perform a more extensive study if you wanted us to make a comprehensive review for weaknesses in existing systems and present detailed recommendations to improve them.

We view this report as part of our service to you for use, as Members, for corporate governance purposes and it is to you alone that we owe a responsibility for its contents. We accept no duty, responsibility or liability to any other parties as the report has not been prepared, and is not intended, for any other purpose. It should not be made available to any other parties without our prior written consent.

If you intend to publish or distribute financial information electronically or in other documents, you are responsible for ensuring that any such publication properly presents the financial information and any report by us thereon, and for the controls over and security of the website. You are also responsible for establishing and controlling the process for electronically distributing accounts and other information.

Deloitte LLP

Chartered Accountants

Leeds

19 June 2012

For your convenience, this document has been made available to you in electronic format. Multiple copies and versions of this document may therefore exist in different media. In the case of any discrepancy, the final signed hard copy should be regarded as definitive. Earlier versions are drafts for discussion and review purposes only.

Appendix 1: Detailed findings from our work on key audit relevant general computer controls

Executive Summary

In accordance with our normal practice, we would like to draw your attention to the findings and recommendations that we identified during our review of the IT environment at Ryedale District Council (“Ryedale”), which took place during April 2012.

We have held discussions with the IT and Finance departments at Ryedale to update our understanding of the key IT.

As a result of our work, we have found there are four recommendations that require remediation by management in order to improve the overall IT control environment.

Finally, to thank Mick Phythian and the IT and Finance departments at Ryedale for their assistance during the audit.

Detailed observations

The following observations were identified during our audit work in April 2012.

Area	Priority	Observation
1 Administrator access privileges	H	The highest levels of access in each of the key financial applications (iWorld, AIM, PowerSolve and Authority Purchasing) are granted to senior members of staff, giving them full access to any transactional functionality within these applications and the ability to bypass any designed segregation of duties or functional access controls in place.
2 Use of generic administrator accounts	H	Shared generic administrator accounts are used to support the PowerSolve and Authority Purchasing applications and the underlying UNIX servers. Furthermore, there is no formal review or monitoring of activities performed by users with administrative access.
3 User access management	M	No formal review of end user access has been performed on the Windows domain or on the iWorld Revenue and Benefits application during the audit period.
4 Security and audit event monitoring	M	Audit and event logs are not formally reviewed at the domain, application, or database level.

Appendix 1: Detailed findings from our work on key audit relevant general computer controls (continued)

2012 Action Plan

Our recommendations for management are documented in the following action plan.

No.	Area	Recommendations	Priority	Management comments	Responsibility	Deadline
1	Administrator access privileges	<p>Management should review the segregation of duties issue raised and remove these conflicts where possible.</p> <p>Alternatively, the council should document that the conflict exists and formally accept the risks that this creates. Approval should be documented and retained for audit purposes, and the conflict should be reviewed at least annually.</p>	H	This piece of work will be undertaken by the Council's internal auditors	Corporate Directors (s151)	30 September 2012
2	Use of generic administrator accounts	<p>Due to the powerful nature of administrator level accounts, where possible, users should have unique administrator accounts to ensure that all activities are attributable to a named individual. This should be supported by periodic review of logs to ensure that users with administrator access are only undertaking authorised actions which are part of their job role.</p> <p>Where the ownership of accounts cannot be established, effective monitoring controls, including audit and event logging, should be established to compensate for the lack of accountability (see recommendation 4 below).</p>	H	This piece of work will be undertaken by the Council's internal auditors	Corporate Directors (s151)	30 September 2012

Appendix 1: Detailed findings from our work on key audit relevant general computer controls (continued)

No.	Area	Recommendations	Priority	Management comments	Responsibility	Deadline
3	User access management	<p>We recommend that all user profiles within core applications (iWorld, AIM, PowerSolve and Authority Purchasing) and privileged Windows AD accounts are reviewed and recertified at least every six months, in order to ensure that user access rights are commensurate with their current roles and responsibilities.</p> <p>Reviews of Windows user accounts which have not been logged in for a significant period of time should be performed. The review should also ensure that all users with access to restricted drives on the network are appropriate.</p> <p>Documentation to evidence these reviews should be retained by IT.</p>	M	These recommendations will be auctioned by the IT team	IT Services	To be implemented with effect from 1 July 2012
4	Security and audit event monitoring	<p>A framework should be established that enables the monitoring and detection of any potential security breaches to allow IT to promptly investigate any breaches.</p> <p>Independent system monitoring measures should be introduced which ensure that potential security violations and the activity of privileged users are logged, are reported against and reviewed.</p> <p>We agree that a balance is required in terms of system performance and security risk.</p>	M	There is no record of significant potential security breaches and whilst there are security features on selected systems there is no cross network security. The justification of the purchase of 'independent' system monitoring will need to be proven against the impact on system performance.	N/A	N/A

Appendix 1: Detailed findings from our work on key audit relevant general computer controls (continued)

Password Configurations

	System	Windows domain	PowerSolve	AIM	iWorld	Authority Purchasing
Password Policy						
	Recommended					
Minimum length	6 - 8 characters	7	6	7	8	7
Maximum age	30-90 days	90 days	30 days	30 days	30 days	90 days
History	Not use 5 previous passwords	20	10	3	5	20
Lockout Threshold	After 3 failed attempts	5	3	3	3	5
Lockout Duration	Requires administrator reset	Admin reset required	Admin reset required	Admin reset required	Admin reset required	Admin reset required
Complexity	Enforced (alphanumeric)	Enforced	Enforced	Enforced	Enforced	Enforced

Key: ✓ meets or exceeds the recommended settings

✗ does not meet the recommended settings

Appendix 2: Briefing on audit matters

Published for those charged with governance



This document is intended to assist the members and officers of the Council to understand the major aspects of our audit approach, including explaining the key concepts behind the Deloitte Audit methodology including audit objectives and materiality.

Further, it describes the safeguards developed by Deloitte to counter threats to our independence and objectivity.

This document will only be reissued if significant changes to any of those matters highlighted above occur.

We will usually communicate our audit planning information and the findings from the audit separately. Where we issue separate reports these should be read in conjunction with this "Briefing on audit matters".

Approach and scope of the audit

Primary audit objectives We conduct our audit in accordance with International Standards on Auditing (UK & Ireland) as adopted by the UK Auditing Practices Board ("APB"). Our statutory audit objectives are:

- to express an opinion in true and fair view terms to the members on the financial statements;
- to express an opinion as to whether the accounts have been properly prepared in accordance with the relevant financial reporting framework;
- to express an opinion as to whether the accounts have been prepared in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom 2011/12 based on International Financial Reporting Standards;
- to form an opinion on whether adequate accounting records have been kept by the Council; and
- to express an opinion as to whether the audited body has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources.

Other reporting objectives

Our reporting objectives are to:

- present significant reporting findings to the members. This will highlight key judgements, important accounting policies and estimates and the application of new reporting requirements, as well as significant control observations; and
- provide timely and constructive letters of recommendation to management. This will include key business process improvements and significant controls weaknesses identified during our audit.

Appendix 2: Briefing on audit matters (continued)

Materiality

The concept of materiality is fundamental to the preparation of the financial statements and the audit process and applies not only to monetary misstatements but also to disclosure requirements and adherence to appropriate accounting principles and statutory requirements.

"Materiality" is defined in the International Accounting Standards Board's "Framework for the Preparation and Presentation of Financial Statements" in the following terms:

"Information is material if its omission or misstatement could influence the economic decisions of users taken on the basis of the financial statements. Materiality depends on the size of the item or error judged in the particular circumstances of its omission or misstatement. Thus, materiality provides a threshold or cut-off point rather than being a primary qualitative characteristic which information must have if it is to be useful."

We determine materiality based on professional judgment in the context of our knowledge of the audited entity, including consideration of factors such as shareholder expectations, industry developments, financial stability and reporting requirements for the financial statements.

We determine materiality to:

- determine the nature, timing and extent of audit procedures; and
- evaluate the effect of misstatements.

The extent of our procedures is not based on materiality alone but also local considerations of the Council, the quality of systems and controls in preventing material misstatement in the financial statements, and the level at which known and likely misstatements are tolerated by you in the preparation of the financial statements.

For local statutory reporting purposes, individual materiality levels will be set for each of the subsidiary companies.

Uncorrected misstatements

In accordance with International Standards on Auditing (UK and Ireland) ("ISAs (UK and Ireland)") we will communicate to you all uncorrected misstatements (including disclosure deficiencies) identified during our audit, other than those which we believe are clearly trivial.

ISAs (UK and Ireland) do not place numeric limits on the meaning of 'clearly trivial'. The Audit Engagement Partner, management and the members of the audit committee will agree an appropriate limit for 'clearly trivial'. In our report we will report all individual identified uncorrected misstatements in excess of this limit and other identified errors in aggregate.

We will consider identified misstatements in qualitative as well as quantitative terms.

Appendix 2: Briefing on audit matters (continued)

Audit methodology

Our audit methodology takes into account the changing requirements of auditing standards and adopts a risk based approach. We utilise technology in an efficient way to provide maximum value to the Council and create value for management and the Council whilst minimising a “box ticking” approach.

Our audit methodology is designed to give officers and members the confidence that they deserve.

For controls considered to be ‘relevant to the audit’ we evaluate the design of the controls and determine whether they have been implemented (“D & I”). The controls that are determined to be relevant to the audit will include those:

- where we plan to obtain assurance through the testing of operating effectiveness;
- relating to identified risks (including the risk of fraud in revenue recognition, unless rebutted and the risk of management override of controls);
- where we consider we are unable to obtain sufficient audit assurance through substantive procedures alone; and
- to enable us to identify and assess the risks of material misstatement of the financial statements and design and perform further audit procedures.

Other requirements of International Standards on Auditing (UK and Ireland)

ISAs (UK and Ireland) require we communicate the following additional matters:

ISA (UK & Ireland)	Matter
ISQC 1	Quality control for firms that perform audits and review of financial statements, and other assurance and related services engagements
240	The auditor’s responsibilities relating to fraud in an audit of financial statements
250	Consideration of laws and regulations in an audit of financial statements
265	Communicating deficiencies in internal control to those charged with governance and management
450	Evaluation of misstatements identified during the audit
505	External confirmations
510	Initial audit engagements – opening balances
550	Related parties
560	Subsequent events
570	Going concern
600	Special considerations – audits of group financial statements (including the work of component auditors)
705	Modifications to the opinion in the independent auditor’s report
706	Emphasis of matter paragraphs and other matter paragraphs in the independent auditor’s report
710	Comparative information – corresponding figures and comparative financial statements
720	Section A: The auditor’s responsibilities relating to other information in documents containing audited financial statements

Appendix 2: Briefing on audit matters (continued)

Independence policies and procedures

Important safeguards and procedures have been developed by Deloitte to counter threats or perceived threats to our objectivity, which include the items set out below.

Safeguards and procedures

- Every opinion (not just statutory audit opinions) issued by Deloitte is subject to technical review by a member of our independent Professional Standards Review unit.
- Where appropriate, review and challenge takes place of key decisions by the Second Partner and by the Independent Review Partner, which goes beyond ISAs (UK and Ireland), and ensures the objectivity of our judgement is maintained.
- We report annually to the members our assessment of objectivity and independence. This report includes a summary of non-audit services provided together with fees receivable.
- There is formal consideration and review of the appropriateness of continuing the audit engagement before accepting reappointment.
- Periodic rotation takes place of the audit engagement partner, the independent review partner and key partners involved in the audit in accordance with our policies and professional and regulatory requirements.
- In accordance with the Revised Ethical Standards issued by the APB, there is an assessment of the level of threat to objectivity and potential safeguards to combat these threats prior to acceptance of any non-audit engagement. This would include particular focus on threats arising from self-interest, self-review, management, advocacy, over-familiarity and intimidation. Any non audit work which exceeds a deminimis amount set by the Audit Commission must be approved by the Commission prior to agreeing to carry out the work.
- In the UK, statutory oversight and regulation of auditors is carried out by the Professional Oversight Board (POB) which is an operating body of the Financial Reporting Council. The Firm's policies and procedures are subject to external monitoring by both the Audit Inspection Unit (AIU), which is a division of POB, and the ICAEW's Quality Assurance Directorate (QAD). The AIU is charged with monitoring the quality of audits of economically significant entities and the QAD with monitoring statutory compliance of audits for all other entities. Both report to the ICAEW's Audit Registration Committee. The AIU also reports to POB and can inform the Financial Reporting Review Panel of concerns it has with the accounts of individual companies.
- Our work is carried out in line with the Audit Commission standing guidance for local government auditors. Compliance with that guidance and the quality of our work is subject to the Audit Commission's annual Quality Review Process.

Appendix 2: Briefing on audit matters (continued)

Independence policies

Our detailed ethical policies' standards and independence policies are issued to all partners and employees who are required to confirm their compliance annually. We are also required to comply with the policies of other relevant professional and regulatory bodies.

Amongst other things, these policies:

- state that no Deloitte partner (or any immediate family member) is allowed to hold a financial interest in any of our UK audited entities;
- require that professional staff may not work on assignments if they (or any immediate family member) have a financial interest in the audited entity or a party to the transaction or if they have a beneficial interest in a trust holding a financial position in the audited entity;
- state that no person in a position to influence the conduct and outcome of the audit (or any immediate family member) should enter into business relationships with UK audited entities or their affiliates;
- prohibit any professional employee from obtaining gifts from audited entities unless the value is clearly insignificant; and
- provide safeguards against potential conflicts of interest.

Remuneration and evaluation policies

Partners are evaluated on roles and responsibilities they take within the firm including their technical ability and their ability to manage risk.

APB Revised Ethical Standards

The Auditing Practices Board (APB) has issued five ethical standards for auditors that apply a 'threats' and 'safeguards' approach.

The five standards cover:

- maintaining integrity, objectivity and independence;
- financial, business, employment and personal relationships between auditors and their audited entities;
- long association of audit partners and other audit team members with audit engagements;
- audit fees, remuneration and evaluation of the audit team, litigation between auditors and their audited entities, and gifts and hospitality received from audited entities; and
- non-audit services provided to audited entities.

Our policies and procedures comply with these standards.

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited (“DTTL”), a UK private company limited by guarantee, and its network of member firms, each of which is a legally separate and independent entity. Please see www.deloitte.co.uk/about for a detailed description of the legal structure of DTTL and its member firms.

Deloitte LLP is the United Kingdom member firm of DTTL.

© 2012 Deloitte LLP. All rights reserved.

Deloitte LLP is a limited liability partnership registered in England and Wales with registered number OC303675 and its registered office at 2 New Street Square, London EC4A 3BZ, United Kingdom. Tel: +44 (0) 20 7936 3000 Fax: +44 (0) 20 7583 1198.

Ryedale District Council

External Audit Progress Report

July 2012

Deloitte refers to one or more of Deloitte Touche Tohmatsu Limited (“DTTL”), a UK private company limited by guarantee, and its network of member firms, each of which is a legally separate and independent entity. Please see www.deloitte.co.uk/about for a detailed description of the legal structure of DTTL and its member firms.

Deloitte LLP is the United Kingdom member firm of DTTL.

© 2012 Deloitte LLP. All rights reserved.

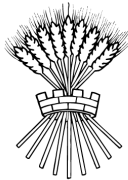
Deloitte LLP is a limited liability partnership registered in England and Wales with registered number OC303675 and its registered office at 2 New Street Square, London EC4A 3BZ, United Kingdom. Tel: +44 (0) 20 7936 3000 Fax: +44 (0) 20 7583 1198.

Summary of activity

We are pleased to present our progress report to the Audit and Governance Committee. This summarises the activities that we have completed since our report in March 2012.

Summary of activities	<p>Audit of financial statements</p> <p>Our audit planning visit has been completed and our audit plan is presented separately at this meeting. Our main audit visit commences on 2 July.</p> <p>Value for Money (“VFM”)</p> <p>Work is currently ongoing in this area and will be completed as part of the main audit work in the summer. The Commission has confirmed that it intends to issue a follow up to the national briefing “Tough Times” issued last year commenting on financial resilience within the sector. To inform this, auditors are required to submit a return to the Commission in July. The return will be discussed with management prior to submission.</p>
------------------------------	--

Other matters	<p>Demise of Audit Commission</p> <p>Results of the outsourcing exercise in relation to the awarding of contracts to firms were announced in early March and 5 year contracts have been awarded.</p> <p>The Commission is currently consulting with all audited bodies on the appointment of their auditor for the audit of the 2012/13 and future years. Consistent with expectations, the Commission has proposed to extend Deloitte’s appointment as auditor for the Council.</p> <p>Appointments will take effect from 1 September 2012 but will not be confirmed until completion of the consultation so during the interim period, we continue in our appointment as interim auditors. The statutory terms of the interim auditors appointment limit their role to keeping a watching brief. The Commission therefore does not expect us to undertake any substantive audit work relating to 2012/13 unless there is an exceptional circumstance.</p> <p>Audit fees 2012/13</p> <p>The final scale fees were published in April 2012 and Ryedale’s fee for 2012/13 is set at £54,868, being a 40% reduction on the 2011/12 fee of £91,447. The Audit Commission have confirmed that the combination of outsourcing their in-house Audit Practice and internal efficiency savings means that they are able to pass on significant reductions in audit fees to audited bodies for 2012/13. The Commission has confirmed that these lower fees are fixed for five years irrespective of inflation.</p>
----------------------	---



REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE
DATE:	5 JULY 2012
REPORT OF THE:	HEAD OF INTERNAL AUDIT MAX THOMAS
TITLE OF REPORT:	ANNUAL REPORT OF THE HEAD OF INTERNAL AUDIT
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 This report summarises the outcome of internal audit work undertaken in 2011/12 and provides an opinion on the overall adequacy and effectiveness of the council's internal control arrangements.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that the committee:
- (i) note the results of audit and fraud work undertaken in 2011/12; and
 - (ii) accept the opinion of the Head of Internal Audit on the adequacy and effectiveness of the council's internal control environment.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 To enable the committee to fulfil its responsibility for considering the outcome of internal audit work.

4.0 SIGNIFICANT RISKS

- 4.1 The Council will fail to comply with the requirements of the Cipfa Code of Practice for Internal Audit in Local Government if the results of audit work are not reported and the opinion of the Head of Internal Audit is not considered by the Audit Committee.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The work of internal audit supports overall aims and priorities by promoting probity, integrity and accountability and by helping to make the council a more effective organisation. The results of completed audit work are reported to service managers and relevant chief officers.

REPORT

6.0 REPORT DETAILS

- 6.1 The work of internal audit is governed by the Accounts and Audit (England) Regulations 2011 and the CIPFA Code of Practice for Internal Audit in Local Government (2006). In accordance with the code of practice, the Head of Internal Audit is required to report to those charged with governance on the findings of audit work, provide an annual opinion on the council's control environment and identify any issues relevant to the preparation of the Annual Governance Statement.
- 6.2 During 2011/12 internal audit work for the Council was delivered by the North Yorkshire Audit Partnership in accordance with the approved audit plan. The results of completed audit work were reported to service managers and relevant chief officers as required during the course of the year. In addition, summaries of audit findings have been presented to this committee as part of regular monitoring reports. Annex 2 summarises all audits completed during the year and forms the basis for the opinion given in this report.
- 6.3 From 1 April 2012 the provision of internal audit services to the Council transferred from the North Yorkshire Audit Partnership (NYAP) to Veritau North Yorkshire (VNY) Limited – a shared services company part owned by the Council. As a result of the transfer, responsibility for providing an opinion has transferred to the Head of Internal Audit for VNY. Clearly this is an unusual situation and the opinion set out in this report is based upon a review by VNY of the findings of the work undertaken by NYAP. Further work will be undertaken through 2012/13 to fully integrate and develop VNY systems for gaining assurance on the control environment within the council.

Opinion of the Head of Internal Audit

- 6.4 The opinion of the Head of Internal Audit is given in annex 1. The opinion is based on internal audit work completed by the North Yorkshire Audit Partnership during 2011/12.
- 6.5 In giving this opinion, consideration has been given to all of the findings identified by NYAP. While these include some issues which it is important for the Council to address, there were no findings which represent a significant risk in relation to the overall control environment. Action taken to address the recommendations made will be followed up during the course of future internal audit work. There are no other issues aside from those arising from internal audit work that have been brought to the attention of the Head of Internal Audit as relevant to forming an opinion.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:
- a) Financial
None
 - b) Legal
None
 - c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
None

Max Thomas
Head of Internal Audit
Veritau North Yorkshire Limited

Author: Richard Smith, Client Relationship Manager (VNY Ltd)
Telephone No: 01904 552936
E-Mail Address: richard.smith@veritau.co.uk

Background Papers:
None

Background Papers are available for inspection at:
Not applicable.

This page is intentionally left blank

Opinion of the Head of Internal Audit

I have evaluated the results of internal audit work undertaken by the North Yorkshire Audit Partnership during the 2011/12 year. In my opinion the council's internal controls provide **Substantial Assurance**. The council can therefore continue to place reliance on the adequacy and effectiveness of its systems of internal control and the overall control environment.

Signed

Max Thomas
Head of Internal Audit
Veritau North Yorkshire Limited

5 July 2012

This page is intentionally left blank

AUDITS COMPLETED AND REPORTS ISSUED

The following categories of opinion were used for audit reports issued in 2011/12¹.

Opinion	Level of Assurance
Very Good	Overall, very good management of risk. An effective control environment appears to be in operation.
Good	Overall, good management of risk with few weaknesses identified. An effective control environment is in operation but there is scope for further improvement in the areas identified.
Satisfactory	Overall, satisfactory management of risk with a number of weaknesses identified. An acceptable control environment is in operation but there are a number of improvements that could be made.
Unsatisfactory	Overall, poor management of risk with significant control weaknesses in key areas and major improvements required before an effective control environment will be in operation.
Unsound	Overall, there is a fundamental failure in control and risks are not being effectively managed. A number of key areas require substantial improvement to protect the system from error and abuse.

Where weaknesses in control were identified, recommendations made were classified as essential, important, or advisory.

¹ The opinions used, and classification of recommendations will be reviewed, following the transfer of internal audit to Veritau North Yorkshire Limited in April 2012.

Draft Reports Issued

There are 2 internal audit reports currently in draft. These reports are with management for consideration and comments. Once the reports have been finalised, details of the key findings and issues will be reported to this committee. The draft reports are categorised as follows:

Opinion	Number
"Very Good"	0
"Good"	1
"Satisfactory"	1
"Unsatisfactory"	0
"Unsound"	0
"Not given"	0

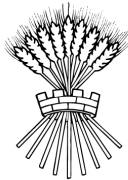
Final Reports Issued

The table below shows all audit reports finalised in 2011/12.

Audit	Date Of Final Report	Opinion	Number of Recommendations		Work done / significant weaknesses / issues identified
			Total	Essential	
Cultural Grants	03/06/11	Satisfactory	2	0	A review of procedures and controls. There are clear criteria for issuing grants which were well documented, and closely adhered to.
Creditors	14/06/11	Satisfactory	8	0	Overview of controls and systems. No significant concerns were identified. Staff members appear to have a good understanding of the risks.

Audit	Date Of Final Report	Opinion	Number of Recommendations		Work done / significant weaknesses / issues identified
			Total	Essential	
Debtors	14/06/11	Good	4	0	Testing of the key controls to ensure that the Council can place reliance on the soundness of the systems associated with the debtors function. No significant concerns were identified.
General Ledger	14/06/11	Good	1	0	A review of the procedures and testing of controls associated with the main financial system. This included input (direct and through feeder systems), budgetary control, and system security. No significant issues were found.
Recycling	14/07/11	Satisfactory	5	0	A review of systems and controls relating to Recycling. No significant issues were found.
Community Safety/Safer Ryedale	21/09/11	Satisfactory	5	2	A review of the systems associated with Community Safety. A number of minor issues were raised. The two essential recommendations relate to the timeliness of invoices raised and delays in reconciling expenditure.
Dog Enforcement	02/12/11	Satisfactory	5	0	A review of procedures in place surrounding the Dog Warden service. The audit looked at adherence to legislation, income/expenditure and data protection.
Licensing Act	05/12/11	Good	5	0	Key controls were tested to ensure that the Council could place reliance on the soundness of the systems associated with Licensing Act requirements. A number of minor recommendations were made and agreed.

Audit	Date Of Final Report	Opinion	Number of Recommendations		Work done / significant weaknesses / issues identified
			Total	Essential	
Pollution Control	05/12/11	Good	2	0	A review of systems and controls around monitoring pollution. A number of minor recommendations were made relating to procedures and data storage.
Car Parking	31/12/11	Satisfactory	27	3	A review key controls relating to Car Parking. Issues were identified in a number of areas including lone working, VAT calculations and recording of permit sales. All of the recommendations made were agreed and the majority were implemented shortly after issuing the report.
Payroll	19/01/12	Good	2	0	A review of the procedures and systems relating to payroll. The last audit in 2010/11 identified that controls were good. While this continues to be the case, the two recommendations made following the 2010/11 audit remained outstanding in 2011/12. These relate to the lack of a current service level agreement with the payroll provider, and published timetables for payroll processing being out of date.
Development Control	27/04/12	Good	5	2	A review of the procedures and controls associated with Development Control. Two essential recommendations were made relating to records of enforcement activity and the timeliness of enforcement action.



REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE
DATE:	5 JULY 2012
REPORT OF THE:	CORPORATE DIRECTOR (s151) PAUL CRESWELL
TITLE OF REPORT:	ANNUAL GOVERNANCE STATEMENT 2011/12
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 For members to consider the council's review of its system of internal control and approve the Annual Governance Statement (AGS) as required by the Accounts and Audit Regulations 2011.

2.0 RECOMMENDATION

- 2.1 It is recommended that members approve the Annual Governance Statement for inclusion in the Statement of Accounts.

3.0 REASON FOR RECOMMENDATION

- 3.1 The Accounts and Audit Regulations require councils to approve an Annual Governance Statement. In Ryedale approval of the AGS is the responsibility of the Overview and Scrutiny Committee.

4.0 SIGNIFICANT RISKS

- 4.1 The Council would not comply with the requirements of the Accounts and Audit Regulations 2011 if it failed to review its system of internal control at least annually, or did not approve and publish an Annual Governance Statement.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 Production of the AGS is a mandatory requirement. Senior council officers have contributed to the review of controls and preparation of the statement.

REPORT

6.0 REPORT DETAILS

- 6.1 Good governance is important to the proper operation of all organisations, and is

essential for local authorities and other bodies with a responsibility for managing public funds. In recognition of this importance, the Accounts and Audit Regulations require all councils to annually review their systems of control and prepare an annual governance statement setting out their governance arrangements. The statement should include any significant issues relevant to an understanding of the governance framework. The AGS forms part of a council's Statements of Accounts and is considered by the external auditor during their review of the accounts.

- 6.2 The Corporate Management Team and other appropriate officers have reviewed the Council's system of controls. In addition, comments, evidence, and feedback from a number of internal and external sources have been considered in compiling the statement. The Council has adopted the Cipfa framework for producing the AGS, and the attached AGS has been prepared in accordance with proper practice.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
None

- b) Legal
None

- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
None

Paul Creswell
Corporate Director (s151)

Author: Richard Smith, Client Relationship Manager for VNY Ltd.
Telephone No: 01904 552936
E-Mail Address: richard.smith@veritau.co.uk

Background Papers:

CIPFA – Annual Governance Statement in Local Government – meeting the requirements of the Accounts and Audit (Amendment) (England) Regulations 2006 The 'rough guide'
Cipfa Finance Advisory Network – AGS 'Rough Guide' for practitioners.
Cipfa/Solace Application Note to Delivering Good Governance in Local Government: a Framework. (March 2010)
The Accounts and Audit (England) Regulations 2011

Background Papers are available for inspection at:

Internal Audit – Ryedale House
Contact Richard Smith

ANNUAL GOVERNANCE STATEMENT 2011/12

1. Scope of Responsibility

The Authority is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The Authority also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the Authority is also responsible for putting in place proper arrangements for the governance of its affairs, facilitating the effective exercise of its functions, and which includes arrangements for the management of risk.

2. The Purpose of the Governance Framework

Corporate Governance is the system by which local authorities direct and control their functions and relate to their communities. The framework for corporate governance recommended by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives (SOLACE) identifies three underlying principles of good governance, namely:

- Openness and Inclusivity
- Integrity
- Accountability

The principles of corporate governance should be embedded into the culture of each local authority. Furthermore each local authority has to be able to demonstrate that it is complying with these principles. To achieve this, the framework document recommends that all local authorities should develop a local code of corporate governance, comprising the following elements:

- Community Focus
- Service Delivery Arrangements
- Structures and Processes
- Risk Management and Internal Control
- Standards of Conduct

The Authority has formally adopted a local code of corporate governance, consequently the principles and standards contained in the framework document are recognised as good working practice, and hence are supported and followed. To this end both Officers and Members have had externally provided training to ensure governance arrangements are understood and embedded. This Statement forms part of the overall process within the Authority for monitoring and reporting on the adequacy and effectiveness of the corporate governance arrangements, particularly those in respect of risk management and internal control.

The system of internal control is designed to manage risk to a reasonable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on a continuous process designed to identify and prioritise the risks to the

ANNUAL GOVERNANCE STATEMENT 2011/12

achievement of the Authority's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically. This has been in place within the Authority for the year ended 31 March 2012 and up to the date of approval of the Statement of Accounts.

3. The Governance Framework

The requirement to have a governance framework, incorporating a sound system of internal control covers all of the Authority's activities. The internal control environment within the Authority consists of a number of different key elements, which taken together contribute to the overall corporate governance framework. The key elements of internal control within the Authority consist of

Policies and Guidance:

Specific policies and written guidance exist to support the corporate governance arrangements and include:

- The Council's Constitution, including Financial Regulations, Procurement Regulations and Contract Standing Orders
- Codes of Conduct for Members and Officers
- The Corporate Plan
- Medium Term Financial Plan
- Member and Officer Schemes of delegation
- Registers of interests, gifts and hospitality
- Corporate policies, for example those relating to Whistleblowing and Counter Fraud and Corruption
- Asset Management Plan / Capital Strategy Statement
- Strategic Risk Register
- Council Procurement Strategy

Political and Managerial Structures and Processes

The Authority is responsible for agreeing overall policies and setting the budget. The Policy and Resources Committee and Commissioning Board are responsible for decision making within the policy and budget framework set by the Council. The Authority's Corporate Management Team has responsibility for implementing Authority's policies and decisions, providing advice to Members and for co-ordinating the use of resources. The Corporate Management Team meet regularly and the Committees usually every two months. Both the Committees and the Corporate Management Team monitor and review Authority activity to ensure corporate compliance with governance, legal and financial requirements. In addition, the Authority has scrutiny arrangements, through the Overview and Scrutiny Committee that include the review of policies, budgets and service delivery to ensure that they remain appropriate. This Committee is also formally designated as the Authority's Audit Committee. A forward plan detailing the main work of Committees over the next year has been devised to ensure decisions are taken in a timely manner. Urgent items will be debated as appropriate.

ANNUAL GOVERNANCE STATEMENT 2011/12

The Authority has developed a process that is intended to reflect political and community objectives as expressed in the Community Strategy ("Imagine Ryedale") and acts as a basis for corporate prioritisation. The process has identified the Authority's corporate aims together with a number of associated objectives. These will be reviewed at appropriate intervals to ensure that they continue to meet the needs of the community. The Authority has linked the performance management process across all service areas to provide an integrated performance management system. Each service has developed a performance improvement plan as part of their Service Delivery Plan showing how that service will work to achieve the Authority's objectives.

Financial Management

The Corporate Director (s151 officer) has the overall statutory responsibility for the proper administration of the Authority's financial affairs, including making arrangements for appropriate systems of financial control. The Authority operates within a system of financial regulations, comprehensive budgetary control, regular management information, administrative procedures (including the segregation of duties) and management supervision.

The Corporate Director (s151 officer) is a member of the Authority's Corporate Management Team, and is directly responsible to the Chief Executive. The Authority is therefore fully compliant with the requirements of the 2010 CIPFA/SOLACE Application Note to Delivering Good Governance.

Compliance Arrangements

Monitoring and review of the Authority's activities is undertaken by a number of Officers and external regulators to ensure compliance with relevant policies, procedures, laws and regulations. They include:

- The Chief Executive Officer
- The Corporate Director (s151) who is the s151 Officer of the Authority and the Chief Finance Officer (CFO)
- The Monitoring Officer
- The External Auditor and various other external inspection agencies
- Internal Audit (provided by the North Yorkshire Audit Partnership up to 31 March 2012 and Veritau North Yorkshire Limited from 1 April 2012)
- Finance Officers and other relevant service managers

Value For Money

Through reviews by external auditors, external agencies, internal audit, the transformation team, and the Financial Services Manager the Authority constantly seeks ways of ensuring the economic, effective and efficient use of resources, and securing continuous improvement in the way in which its functions are exercised.

Risk Management

The Authority has adopted a formal system of Risk Management. This is effectively

ANNUAL GOVERNANCE STATEMENT 2011/12

delivered through widespread use of Covalent, the Authority's Performance and Risk Management software. Although responsibility for the identification and management of risks rests with service managers, corporate arrangements are co-ordinated by the Heads of Service Group. The process serves to ensure that:

- The Authority identifies, prioritises and takes appropriate mitigation for those risks it identifies as potentially preventing achievement of the Corporate and Community Plan
- The Authority's assets are adequately protected
- Losses resulting from hazards and claims against the Authority are mitigated through the effective use of risk control measures
- Service managers are adequately supported in the discharge of their responsibilities in respect of Risk Management

The system of Risk Management requires the inclusion of risk evaluation assessments in all Committee reports and the maintenance of a corporate risk register. Relevant staff within the Authority have received training and guidance in Risk Management principles.

Internal Audit & Fraud

The Authority operates internal audit and internal (non Housing Benefit) fraud investigation functions. In 2011/12 these services were provided by the North Yorkshire Audit Partnership. From 1 April 2012 internal audit and counter fraud services have been provided by Veritau North Yorkshire Limited – a company partly owned by the Authority. Internal audit services are provided in accordance with the Accounts and Audit Regulations 2011 and the CIPFA Code of Practice for Internal Audit in Local Government. An annual programme of reviews covering financial and operational systems is undertaken, to give assurance to Members and managers on the effectiveness of the control environment operating within the Council. The work of internal audit complements and supports the work of the external auditors (Deloitte LLP for 2011/12). In addition, internal audit provides assurance to the Corporate Director (s151) as the Authority's s151 Officer in discharging his statutory review and reporting responsibilities. The Authority also undertakes an annual review of the effectiveness of its internal audit arrangements as required by the Accounts and Audit Regulations. The results of the review are reported to the Overview & Scrutiny (Audit) Committee.

Internal audit also has an advisory role that provides:

- Advice and assistance to managers in the design, implementation and operation of controls
- Support to managers in the prevention and detection of fraud, corruption and other irregularities

Housing Benefit Counter Fraud work is undertaken within the Benefits Office through contractual arrangements with Veritau. A pro-active approach is taken to supplement referrals, both internal and external, with any leads arising from participation in the National Fraud Initiative, the Housing Benefits Matching Service, and internal data matching.

Performance Management

ANNUAL GOVERNANCE STATEMENT 2011/12

The Authority has established effective performance management arrangements. The Chief Executive has overall responsibility for the function and the Corporate Management Team undertakes an ongoing monitoring role. Heads of Service and their Service Unit Managers are expected to deliver improvements or maintain performance standards where appropriate. The Covalent performance management system is used to record and monitor performance.

4. Review of Effectiveness

The Authority has responsibility for conducting, at least annually, a review of the effectiveness of its systems of internal control. In preparing this Statement a review of corporate governance arrangements and the effectiveness of the Authority's systems of internal control has been undertaken, by the Corporate Management Team. This review has included consideration of:

- Reports received from the Authority's external auditors and other inspection agencies
- The results of internal audit and fraud investigation work
- The views of senior managers, including Chief Executive, the s151 Officer and the Monitoring Officer
- The work of the Heads of Service Group in compiling the Authority's Strategic Risk Register.
- Outcomes of service improvement reviews and performance management processes
- Compliance with the CIPFA Statement on the role of the CFO

In addition, the Authority through its Committees especially the Overview and Scrutiny (Audit) Committee considers corporate governance issues as they arise throughout the year and agree recommendations for improvement as necessary.

A comprehensive review has been undertaken to support the preparation of this AGS document as required by the Accounts and Audit Regulations 2011. The Authority has produced a detailed statement along with a targeted action plan to ensure that full compliance is achieved. This has followed the best practice framework suggested by CIPFA and adopted by the Authority. An action plan schedule has been produced to ensure compliance and a list of those Officers having responsibility is available.

An Action Plan is appended which identifies and notes progress with previous year's matters of concern, and includes those arising from this year's review. The Annual Governance Statement for 2011/12 will provide details of the work completed against this Plan.

We have been advised on the implications of the results of the review of the effectiveness of the system of internal control by the Overview & Scrutiny (Audit) Committee, and a plan to address weaknesses and ensure continuous improvement of the system is in place.

5. SIGNIFICANT INTERNAL CONTROL ISSUES

A review of the internal control arrangements in place within the Authority has identified areas where improvements could be made. Specific actions are proposed to address the issues identified. Attached is the action plan for 2011/2012 incorporating those issues

ANNUAL GOVERNANCE STATEMENT 2011/12

brought forward from the previous plan, which are still outstanding.

The Authority will continue to seek to improve performance and take action on agreed recommendations by both internal and external agencies.

Signed: Dated: XX
Janet Waggott
Chief Executive

Signed: Dated: XX
Cllr Keith Knaggs
Leader of the Council.

STATUS	CONTROL ISSUE	ACTION PROPOSED	RESPONSIBILITY	TARGET DATE	CURRENT POSITION & COMMENTS
Brought Forward	Corporate Business Continuity Plan (BCP) requires testing for resilience and further training may be required.	Use consultancy days from our insurers and specialist to ensure the plan is fit for purpose and appropriate staff have currency of knowledge.	Corporate Director (s151)	Completed	Ongoing updating and training.
Brought Forward	Risk of compromise and weaknesses in operational systems as a consequence of continuing reductions in staffing as Government funding cuts made.	Where changes in staffing occur, that changes in operating arrangements are reviewed prior to reducing the controls. Internal audit will be included in working groups reviewing operating systems and arrangements, including commissioning, partnership arrangements etc.	Corporate Director (s151)	Continuing	This will be a continuing issue in 2012/2013
New 2011/12	Internal changes within the Council including the establishment of the Hub and implementation of the new FMS weaken the	Project and Risk Management applied to changes Changes to subject to audit review	Corporate Director (s151)	Ongoing	New control Issue

	control environment or affect service standards.	Ongoing monitoring of performance			
--	--	-----------------------------------	--	--	--

OVERVIEW AND SCRUTINY ITEM, FOR CONSIDERATION PRIOR TO FULL COUNCIL

**RYEDALE
DISTRICT
COUNCIL**



REPORT TO:	COUNCIL
DATE:	12 JULY 2012
REPORT OF THE:	CORPORATE DIRECTOR (s151) PAUL CRESSWELL
TITLE OF REPORT:	TREASURY MANAGEMENT ANNUAL REPORT 2011-2012
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 2011/12. 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 That Council is recommended to:

- (i) Note the annual treasury management report for 2011/12; and
- (ii) Approve the actual 2011/12 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 Sector Treasury Services Limited to provide treasury management information and advice.

REPORT

6.0 REPORT DETAILS

6.1 During 2011/12 the minimum reporting requirements were that the full Council should receive the following reports:

- An annual treasury strategy in advance of the year (Council 21 February 2011)
- A mid year (minimum) treasury update report (Council 12 January 2012)
- An annual review following the end of the year describing the activity compared to the strategy (this report).

In addition, treasury management update reports were received by the Policy and Resources Committee.

6.2 Recent changes in the regulatory environment place a much greater onus on members for the review and scrutiny of treasury management policy and activities. This report is 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. Member training on treasury management issues was undertaken on 5 October 2011 in order to support Members' scrutiny role.

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;
- Overall treasury position and the impact on investment balances;
- Summary of interest rate movement in the year;
- Detailed investment activity.

The Council's Capital Expenditure and Financing 2011/12

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.

	2011/12 Actual (£)	2010/11 Actual (£)
Total Capital Expenditure	4,478,225	3,569,072
Resourced by:		
Capital receipts	2,560,996	2,529,287
Capital grants and contributions	469,935	703,436
Capital reserves	1,447,294	336,349
Total	4,478,225	3,569,072

Treasury Position as at 31 March 2012

- 6.7 The Council's treasury management and investment position is organised by the Finance Section in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. 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 2011/12 the Council's treasury position was as follows:

	31 March 2012 (£)	31 March 2011 (£)
Internally Managed Investments	5,570,000	4,540,000
Externally Managed Investments	0	5,000,000
Total	5,570,000	9,540,000

- 6.8 The maturity of the investment portfolio was as follows;

	31 March 2012 (£)	31 March 2011 (£)
On-call Investments	70,000	40,000
Fixed Term Deposits:		
Repayable within 1 month	0	0
Repayable 1 month to 3 months	3,000,000	3,000,000
Repayable 3 months to 6 months	0	2,500,000
Repayable 6 months to 12 months	2,500,000	4,000,000
Repayable 12 months to 24 months	0	0
Total	5,570,000	9,540,000

- 6.9 Investments were placed with the following institutions:

Type of Institution	31 March 2012 (£)	31 March 2011 (£)
UK Clearing Banks	3,070,000	4,540,000
Foreign Banks	0	3,500,000
Building Societies	1,500,000	1,500,000
Local Authorities	1,000,000	0
Total	5,570,000	9,540,000

The Strategy for 2011/12

- 6.10 The Treasury Management Strategy for 2011/12 was approved by members at full Council on 21 February 2011.
- 6.11 The expectation for interest rates within the strategy for 2011/12 anticipated low but rising Bank rate (starting in quarter 4 of 2011). Continued uncertainty in the aftermath of the 2008 financial crisis promoted a cautious approach, whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

The Economy and Interest rates

- 6.12 The financial year 2011/12 continued the challenging investment environment of previous years, namely low investment returns and continuing heightened levels of counter party risk.
- 6.13 Economic growth in the UK was disappointing during the year due to the UK austerity programme, weak consumer confidence and spending, lack of rebalancing of the UK economy to exporting and weak growth in our biggest export market, the European Union (EU). The UK coalition Government maintained its tight fiscal policy stance against a background of warnings from two credit rating agencies that the UK could lose its AAA credit rating. Key to retaining this rating will be a return to a strong economic growth in order to reduce the national debt burden to a sustainable level, within the austerity plan timeframe. The USA and France lost their AAA credit ratings from one rating agency during the year.
- 6.14 This weak UK growth resulted in the Monetary Policy Committee increasing quantitative easing by £75bn in October and another £50bn in February. Bank Rate therefore ended the year unchanged at 0.5% while CPI inflation peaked in September at 5.2%, finishing at 3.5% in March, with further falls expected to below 2% over the next two years.
- 6.15 The EU sovereign debt crisis grew in intensity during the year and a second bailout package for Greece was eventually agreed and signed off in March. Major concerns remain that the measures taken during the year were merely a postponement of the debt crisis rather than a solution.

Compliance with Treasury Limits

- 6.16 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).
- 6.17 The Council has no long-term borrowing and there were no temporary borrowing transactions in the year. However, the Council has a number of lease agreements that were initially entered into as operating leases but following the implementation of International Financial Reporting Standards (IFRS) is now reclassified as finance leases. As a consequence the Council do not have a nil Capital Finance Requirement.

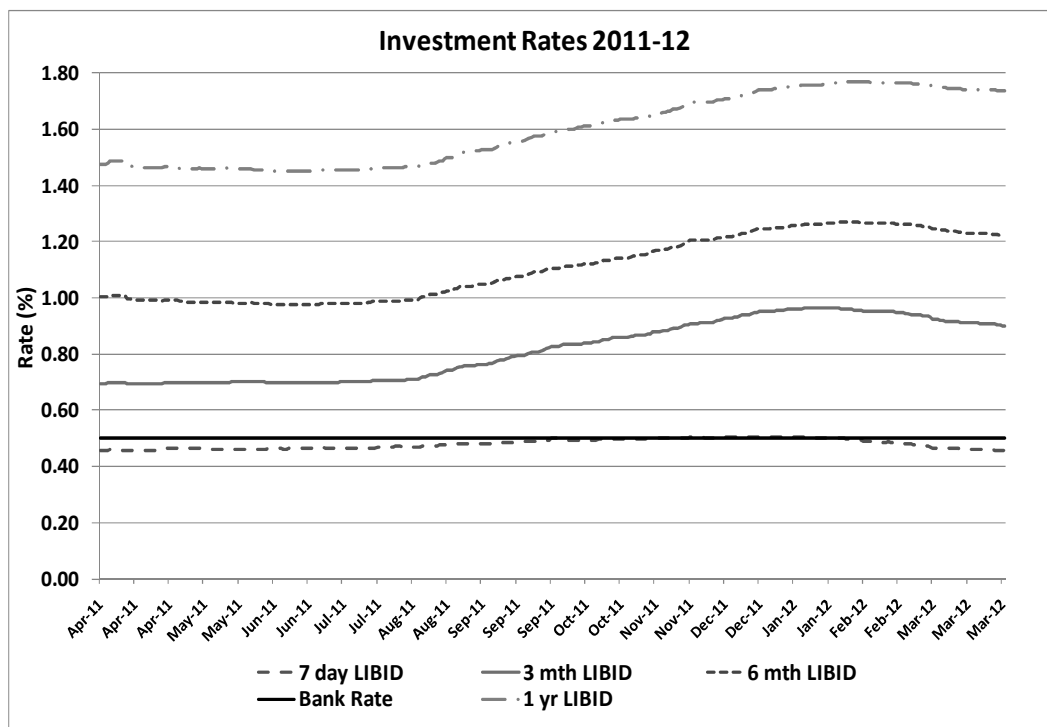
Investment Rates in 2011/12

- 6.18 The tight monetary conditions following the 2008 financial crisis continued through 2011/12 with little material improvement in the shorter term deposit rates. However, one month and longer rates rose significantly in the second half of the year as the Eurozone crisis grew. Bank Rate remained at its historic low of 0.5% throughout the year while market expectations of the start of monetary tightening were gradually pushed further and further back during the year to the second half of 2013 at the

earliest.

6.19 Overlaying the relatively poor investment returns was the continued counterparty concerns, most evident in the Euro zone sovereign debt crisis.

6.20 The summary below shows the movement of investment rates in 2011/12:



Investment Outturn for 2011/12

6.21 The Council’s investment policy is governed by CLG guidance, which was been implemented in the Annual Investment Strategy approved by the Council on 21 February 2011. 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).

6.22 The investment activity during the year conformed to the approved strategy and the Council had no liquidity difficulties.

6.23 During the early part of 2011/12 the Council terminated the agreement with the cash manager, Tradition, to invest part of its cash balances. 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 7-day LIBID un-compounded rate bench mark:

	Average Investment (£)	Gross Rate of Return	Net Rate of Return	Benchmark Return
Internally Managed:				
Temporary & On-Call Investments	1,804,105	0.58%	n/a	n/a
Fixed Term Deposits	1,092,745	1.23%	n/a	0.48%

6.24 The interest received by the Council from investments and loans in 2011/12 totalled

£138k; this compares to an original estimate of £130k.

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. As expected the level of return was low and in line with the capital plan.

b) Legal

There are no legal implications within this report

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

There are no additional implications within this report.

Paul Cresswell
Corporate Director (s151)

Author: Paul Cresswell
Telephone No: 01653 600666 ext: 214
E-Mail Address: paul.cresswell@ryedale.gov.uk

Background Papers:

None

Background Papers are available for inspection at:

Not applicable

TREASURY MANAGEMENT ANNUAL REPORT 2011-12 - RISK MATRIX – ANNEX A

Issue/Risk	Consequences if allowed to happen	Likelihood	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.	1	D	In response to the economic climate the Council have adopted a more stringent credit rating methodology, which was tightened further during 2011/12.	1	D
Market risk - Selection of wrong type of investment for higher return.	The poor performance of the chosen investment.	3	B	The number of investment options was reduced in the Investment Strategy for last year and full Council have agreed to continue with this approach in 2012/13.	3	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	The maturity profile has shortened for investments. The 2011/12 Investment Strategy reduced the period for non- specified investments and full Council have agreed to continue with this policy in 2012/13.	1	B

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

This page is intentionally left blank

PRUDENTIAL AND TREASURY INDICATORS

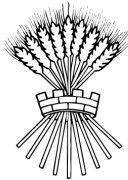
Prudential Indicators

	2010/11 Actual	2011/12 Original	2011/12 Actual
Capital Expenditure	£3.569m	£5.802m	£4.478m
Ratio of financing costs to net revenue stream	0.95%	1.11%	0.89%
Net borrowing requirement	-£8.861m	-£3.640m	-£5.027m
Capital Financing Requirement as at 31 March	£0.639m	£1.383m	£0.473m
Annual change in Capital Financing Requirement	£0.083m	£0.744m	-£0.166m
Incremental impact of capital investment decisions			
Increase in council tax (band D) per annum	N/a	£6.99	N/a

Treasury Management Indicators

	2010/11 Actual	2011/12 Original	2011/12 Actual
Authorised Limit for external debt -			
borrowing	N/a	£20m	N/a
other long term liabilities	N/a	£0m	N/a
Total	N/a	£20m	N/a
Operational Boundary for external debt -			
borrowing	N/a	£5m	N/a
other long term liabilities	N/a	£0m	N/a
Total	N/a	£5m	N/a
External debt	£0	£1.383m	£0m
Upper limit for fixed interest rate exposure			
Net principal re fixed rate borrowing / investments	N/a	100%	N/a
Upper limit for variable rate exposure			
Net principal re variable rate borrowing / investments	N/a	20%	N/a
Upper limit for total principal sums invested for over 364 days (per maturity date)	N/a	£1.0m	N/a

This page is intentionally left blank



REPORT TO: OVERVIEW AND SCRUTINY COMMITTEE

DATE: 5 JULY 2012

REPORT OF THE: BUSINESS SUPPORT MANAGER
ANGELA JONES

TITLE OF REPORT: CUSTOMER COMPLAINTS RECEIVED QUARTER 4
(2011/12)

WARDS AFFECTED: ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To inform Members of the number and type of complaints received under the Council's complaint procedure for the period January – March 2012.

2.0 RECOMMENDATION

2.1 It is recommended that members accept the report as attached.

3.0 REASON FOR RECOMMENDATION

3.1 This report includes complaints monitored under individual service complaints systems (**Annex 1**).

3.2 The report also includes a summary of customer feedback to Community Leisure Ltd (CLL) for the period January – March 2012 together with the action taken where appropriate (**Annex 2**).

4.0 REPORT DETAILS

4.1 The annexes of the report show the number of complaints received and the actions which have been taken.

Angela Wood

Customer Service and Benefits Manager

Author: Angela Jones, Business Support Manager

Telephone No: 01653 600666 ext: 220

E-Mail Address: angela.jones@ryedale.gov.uk

Background Papers:

RDC Complaints Procedure

http://www.ryedale.gov.uk/council_and_democracy/corporate_complaints.aspx

This page is intentionally left blank

SUMMARY OF COMPLAINTS LOG

PERIOD: January – March 2012

SERVICE UNIT	SUMMARY OF COMPLAINT	NO SETTLED WITHIN DEADLINE	RESULTANT SERVICE IMPROVEMENTS / ACTION TAKEN
Customer Services & Benefits		0	
Democratic Services		0	
Development Services	<ol style="list-style-type: none"> 1. Dis satisfaction with planning procedures. 2. Lack of planning enforcement. 	2	<ol style="list-style-type: none"> 1. Customer advised in writing complaint currently being investigated and written response to be issued when investigation concluded. 2. Letter of explanation sent to customer.
Economic & Community	<ol style="list-style-type: none"> 1. Poor service and lack of quality local map at Malton TIC. 2. Noise nuisance 3. Lack of availability of meeting rooms. 	3	<ol style="list-style-type: none"> 1. Staff training and letter of apology sent to customer. 2. Anonymous and insufficient information to progress or respond to customer. 3. Letter of explanation sent to customer.

Facilities & Emergency Planning	1. Floor wet in pool changing rooms.	1	1. Customer advised in writing complaint currently being investigated and written response to be issued when investigation concluded.
Finance & Revenue Services	1. Customer was wrongly sent a notification of bailiff referral letter. 2. Dis satisfied with Council Tax demand letter.	2	1. Letter of apology sent to customer and Officers have been instructed to be more thorough with their tracing and verification methods. 2. Letter of explanation sent to customer.
Forward Planning	1. Dis satisfaction with delivery of consultation material and the inconvenience that this it caused.	1	1. Letter of apology and explanation sent.
Health & Environment		0	
Housing Services	1. Dis satisfaction with workmanship of adaptation. 2. Behaviour of staff member.	2	1. Correction work undertaken and letter of apology sent to customer detailing actions to be taken. 2. Customer contacted and suitable accommodation offered.
Human Resources		0	
ICT Services		0	
Legal	1. Lack of planning permission. 2. Lack of impartiality and fairness of staff member.	2	1. Letter of explanation sent to customer. 2. Investigation and letter of explanation sent to customer.

Streetscene Services	<ol style="list-style-type: none"> 1. Alleged damage to garden by waste collection vehicle. 2. Lack of lighting. 3. Recycling not collected. 	3	<ol style="list-style-type: none"> 1. Phone call to customer followed by letter. 2. Letter of apology and actions to be taken. 3. Letter of explanation and apology sent to customer.
Transformation		0	
TOTAL		16	

This page is intentionally left blank

DERWENT POOL – CUSTOMER FEEDBACK

JANUARY TO MARCH 2012	very good	good	fair	poor	very poor
Efficiency of the staff	2	0	2	0	0
Helpfulness of the staff	0	0	1	1	0
Courtesy of the staff	0	0	2	0	0
General cleanliness	0	2	0	0	1
Condition of the facilities	0	1	1	0	0
Condition of the equipment	0	1	0	0	0
Safety and security	0	1	3	0	0
Air temperature	0	2	2	0	0
Value for money	0	1	3	0	0
Overall experience	0	2	2	1	0
	2	10	16	2	1

Jan	Pool water temperature is cold.	Please report to reception if you feel the temperature is cold and we will take a reading and inform RDC.
February	Please could we have coat pegs by the shoe station in the women's changing room somewhere to hang coats when putting shoes on.	We have looked into putting up pegs for coats at the shoe station unfortunately the wall is not a load bearing wall and just a thin plaster board. which would not hold any weight. However we will look into alternative solutions for this.
	Larger seating area at female shoe station.	We have put a larger bench in place for the shoe station in the female changing area.
March	Female toilets smelled of urine.	Please report to reception if you feel the changing areas are untidy. The changing areas are checked regularly although at times of lessons there may be longer periods before they are checked.

LIFESTYLES – CUSTOMER COMMENTS FEEDBACK

JANUARY TO MARCH 2012	very good	good	fair	poor	very poor
Efficiency of the staff	0	0	0	0	0
Helpfulness of the staff	0	0	0	0	0
Courtesy of the staff	0	0	0	0	0
General cleanliness	0	0	0	0	0
Condition of the facilities	0	0	0	0	0
Safety and security	0	0	0	0	0
Value for money	0	0	0	0	0
Overall experience	0	0	0	0	0
	0	0	0	0	0

January	no comments
February	no comments
March	no comments

RYEDALE POOL – CUSTOMER COMMENTS FEEDBACK

JANUARY TO MARCH 2012	very good	good	fair	poor	very poor
Efficiency of the staff	2	3	0	0	0
Helpfulness of the staff	0	4	1	0	0
Courtesy of the staff	0	4	1	0	0
General cleanliness	0	3	2	0	0
Condition of the facilities	0	2	3	0	0
Condition of the equipment	0	3	2	0	0
Safety and security	0	2	3	0	0
Air temperature	0	2	3	0	0
Value for money	0	2	3	0	0
Overall experience	0	2	3	0	0
	2	27	21	0	0

January	Pool water is cold as is the changing rooms.	Along with the water temperature the changing room temperature is controlled from Ryedale house. We take regular readings and inform RDC should the temperature be below what is acceptable. Please inform reception if you feel it is cold, who will then notify RDC once a reading is taken.
	More key rings on changing room lockers.	We will attach key rings to those lockers that have bands missing.
February	An enjoyable swim	
March	No comments received	



REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE
DATE:	5 JULY 2012
REPORT OF THE:	HEAD OF CORPORATE SERVICES CLARE SLATER
TITLE OF REPORT:	ANNUAL REPORT 2011/12 – DELIVERING THE COUNCILS PRIORITIES
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to present the committee with the content of the Councils Annual Report of delivery against its priorities.

2.0 RECOMMENDATION

- 2.1 That the committee considers the draft content for the Annual Report for 2011/12.

3.0 REASON FOR RECOMMENDATION

- 3.1 The Annual Report is a key element of the Councils performance management framework.

4.0 POLICY CONTEXT AND CONSULTATION

- 4.1 The Council Plan is the key policy statement of the Council and is complimented by other plans such as the Financial Strategy and Service Delivery Plans.
- 4.2 The Council engages with the communities it represents throughout the year and the intelligence gathered informs the delivery of the Council Plan and the annual budget process.

REPORT

5.0 REPORT DETAILS

- 5.1 The Council adopted a set of priorities in March 2009 in the Council Plan 2009-13. These priorities were reaffirmed by Council in July 2011
- 5.2 The Council has adopted the following priorities in the Council Plan 2009 -13:

Aim 1: To meet housing need

Strategic Objectives:

1. To change and add to housing stock to meet the local housing needs
2. To support people to access a suitable home or remain in an existing home

Aim 2: To create the conditions for economic success

Strategic Objectives:

3. Place of opportunity – economic structure and supporting infrastructure
4. Opportunity for people – increasing wage and skills levels

Aim 3: To have a high quality clean and sustainable environment

Strategic Objectives:

5. Reducing waste and CO2 emissions
6. Planning to adapt to climate change
7. To maintain the quality of our local environment

Aim 4: To have safe and active communities

Strategic Objectives:

- 8a. Safe Villages and Towns
- 8b. Healthy Villages and Towns

Aim 5: To transform the Council

Strategic Objectives:

9. To understand our communities and meet their needs
10. To develop the leadership, capacity and capability to deliver future improvements

Performance Management

5.3 Progress in delivering the councils priorities is reported quarterly to the Policy and Resources Committee. These reports are complimented by the Revenue Budget Monitoring reports also submitted to the Policy and Resources committee. These reports are available on the Councils website and contribute to the delivery of the transparency agenda for local government.

5.4 The Annual Report for 2011/12 will be prepared in the same style as that published for 2010/11 which can be viewed on the council website at <http://www.ryedale.gov.uk/pdf/V2Final%20Version%20Annual%20Report%202011%20WEB.pdf>

5.5 The format and content of all performance reports will be reviewed as part of the project to continue the development of Covalent as a key corporate system for information management. As part of this project, consultation will be undertaken with members to understand their information requirements.

5.6 **Performance Information for the Annual Report 2011/12**

Aim 1: To meet housing need

a) **Affordable Housing Delivery**

The Council has an annual target of 75 new affordable homes – around a third of the new homes planned each year for Ryedale – but 95 new affordable homes were delivered in the District in the year April 2011 to March 2012. This almost matches the record achievement of 96 affordable homes that were delivered in Ryedale in 2009/10.

Work is underway on sites that will deliver 160 further affordable homes in the next two years. New planning permissions have been granted for housing schemes which

will deliver a further 111 additional affordable homes.

b) **Housing Benefit**

The Council is involved with a County wide pilot with the DWP to trial an approach to the implementation of Universal Credit.

c) **Bridge House**

A new supported accommodation facility is required for homeless people in Ryedale, replacing Bridge House. Work has continued to find a solution to this challenge this year. Work is continuing with the Homes and Communities Agency who have allocated £400,000 towards this project.

d) **Preventing Homelessness**

The government has increased funding through the homeless Prevention Grant in acknowledgement that homelessness may continue to increase. 626 households have approached the Council as a result of experiencing housing difficulty, compared to 585 last year. Whilst many of these households have their problem resolved in some way, this has led to an increase in the number of households accepted as homeless. There has been a 23% increase compared to the national average of 18%. The number of households living in temporary accommodation has reduced from 21 to 10 this year. This improvement is as a result of the introduction of the Young People's Homelessness Partnership.

e) **Private Sector Renewal**

Ryedale was the only authority in North Yorkshire to make capital resources available from its own reserves for continuing the grants and loans schemes in 2011/12. These fund a range of private sector housing grants and loans to help meet the housing needs of vulnerable and low income people in private sector housing – be this to get empty properties back into residential use or to adapt homes so that a person can continue to live there as their health and mobility changes. The Joint Commissioning Group has explored this area of work and this has resulted in the establishment of the Joint Home Improvement Agency between Ryedale and Scarborough, this will deliver all of the Councils Disabled Facilities Grants of which 54 were allocated in 2011/12 totalling £249k. The JCG work also resulted in the streamlining of the grants and loans for private sector housing and additional measures to bring empty properties back into use.

f) **Supporting Independent Living**

Ryedale has secured 143 new connections this year and have expanded the service provided in Richmondshire to include weekend calls. The contract to provide services in the Selby District Council area has been extended by 12 months.

g) **Supporting those on low income**

During the last year the council has helped 3,769 residents to pay their rent and Council Tax. On average we processed and maintained these cases within 16.4 days. This is higher than last year but this was anticipated due to the conversion to Northgate. Customer satisfaction has been maintained.

Aim 2: To create the conditions for economic success

a) Improving Infrastructure

The construction of the Brambling Fields junction improvement scheme started on site in January 2012 and the improved junction is scheduled to open in late summer 2012.

b) Town Centre Improvements

Schemes to improve the public areas and streets within Malton Town Centre will be brought forward to help encourage visitors and trade and boost the local economy. Draft schemes will be brought following the conclusion of development proposals within Malton Town Centre.

c) Local Development Framework

The LDF Local Plan Strategy has been published and submitted to the Planning Inspectorate with its examination expected during the summer of 2012. The Local Plan Sites Development Plan Document (DPD) and the Helmsley Plan DPD are being prepared for publication in 2012/13.

d) Community Broadband

The Council is embarking on a project to ascertain and implement community and business aspirations for Next Generation Broadband across Ryedale, in partnership with NYnet.

e) Supporting the Community and Voluntary Sector

The Council has purchased Harrison House to provide town centre offices in Norton for RVA and CAB with potential for co-location with other public and private sector services. The facility will also add to parking provision available close to the bus and rail stations.

The Community Investment Fund has been established to enable communities to take full advantage of £200k of New Homes Bonus whilst developing the capacity of local communities to deliver their priorities for themselves

f) Supporting Local Businesses

Ryedale has been represented on the LEP and the Ryedale business forum continues to develop.

g) Ryedale Economic Strategy

The economic action plan has been prepared and following consultation will be finalised in summer 2012.

Aim 3: To have a high quality clean and sustainable environment

a) Waste and Recycling

The Streetscene Team began the phased introduction of kerbside recycling for plastics and cardboard.

The level of performance in relation to waste reduction and recycling targets has been maintained in 2011/12 with data to be verified by July 2012.

b) **Streetscene savings**

Cost savings have been generated through the use of the new transfer station for dry recyclables (glass, paper, cardboard) on Showfield Lane, in the region of £250k for 2012/13.

c) **Managing the Impact of Climate Change**

The Council has continued improvements to its estate to reduce levels of Co2 emissions.

Flood resistance grant schemes have benefited communities at risk of flooding with awards made totalling £127,500 to households in Kirkby Mills and Keldholme, £85,000 for households in Pickering and £50,000 funding from RDC. To date flood resistance measures have been implemented to 35 properties in Kirby Mills, 12 properties in KMS, 6 properties in Pickering and 1 in Fryton. In addition 29 properties in Pickering are currently in the process of being protected.

Aim 4: To have safe and active communities

a) **Investing in Sport and Recreation**

A Sports Strategy/Action Plan for Ryedale is being prepared and is to be launched for consultation in September 2012. Further investment in the sport and recreation infrastructure will be considered as part of the Sports Strategy.

b) **Maintaining Low Crime Levels**

Crime rates have fallen year on year by 10%. The police are focussing on the control of behaviour in the night time economy having seen an increase in violence and disorder in Malton and Norton.

c) **Delivering Community Safety Priorities**

The Safer Ryedale Team continue to deliver the priorities of the Community Safety Plan despite diminishing resources. Following community consultation the priorities for 2012/13 are:

- Domestic Abuse
- Safer Roads
- Alcohol Harm Reduction
- Community Priorities

Two of these priorities – Safer Roads and Domestic Abuse - will be delivered through joint Scarborough and Ryedale task groups

Aim 5: To transform the Council

a) **Balancing the Budget**

Budget savings of over £600k were achieved through delivery of the Going for Gold programme. This included redesign of services, partnership working and maximising opportunities as they present themselves. This approach will continue in 2012/13 with an estimated target of £600k.

b) **Optimising Technology**

Efficiencies were achieved by maximising the benefit of investment in IT and improved systems. This will continue in 2012/13 through the development of the Business Hub.

c) **Responding to Legislation**

The Council continues to work with partners in preparing for the implications of new legislation such as the Localism Act, Police Reform and Social Responsibility Act, Welfare Reform Act and the Health and Social Care Act

d) **Improving Access to Services**

The Council is working with partners such as the Post Office Ltd, to increase access to services whilst supporting channel shift.

6.0 IMPLICATIONS

6.1 The following implications have been identified:

a) Financial

There are no new financial implications in considering this report which are not accounted for in the Financial Strategy.

b) Legal

There are no significant legal implications arising from this report

c) Other

There are no significant other implications arising from this report.

Clare Slater
Head of Policy and Partnerships

Author: Clare Slater, Head of Corporate Services
Telephone No: 01653 600666 ext: 347
E-Mail Address: clare.slater@ryedale.gov.uk

Background Papers:

Council Plan 2009 -13

Delivering the Council Plan Reports – Reported quarterly to Policy and Resources Committee

Background Papers are available for inspection at:

www.ryedale.gov.uk



REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE
DATE:	5 JULY 2011
REPORT OF THE:	HEAD OF CORPORATE SERVICES CLARE SLATER
TITLE OF REPORT:	ATTENDANCE AT POLICY COMMITTEES
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To provide Members with a draft rota for attendance to observe at policy committee meetings and to agree guidance to assist this process.

2.0 RECOMMENDATION

- 2.1 It is recommended that Members agree the rota for attendance at Policy Committees.

3.0 INTRODUCTION

- 3.1 One of the key legislative roles of the Committee is holding the Executive to account. In Ryedale's case this means examining the policy committees minutes and forward plans in detail and using call-in or other mechanisms to comment or intervene in the decision making process. In order to be effective in this it has been previously agreed that Members of the Committee would take turns to attend both the Policy and Resources Committee and the Commissioning Board and Licensing Committee for the purposes of observation. Subsequently, Full Council agreed that this be an approved duty for Members of this Committee.

- 3.2 Draft guidance and a checklist is attached at Annex A to assist Members in undertaking this responsibility.

- 3.3 Attached at Annex B is a draft rota for Members consideration.

4.0 CONCLUSION

- 4.1 Members have previously agreed a rota for attendance at policy committees. Guidance and an accompanying checklist have been produced to help Members with this important process.

Clare Slater
Head of Corporate Services

Author: Clare Slater, Head of Corporate Services
Telephone No: 01653 600666 ext: 347
E-Mail Address: clare.slater@ryedale.gov.uk

Background Papers:
The Constitution of the Council

Annex A - Guidance for Members observing at a policy committee

This note sets out details of the issues that should be considered when observing. A simple checklist is appended at Appendix A.

The Role of the Committee

The Committee has a number of complimentary roles, being both the Scrutiny Committee, the Audit Committee, the Standards Committee and the Crime and Disorder overview and Scrutiny Committee for Ryedale District Council.

The Committee undertakes its work by:

- Scrutinising the decisions made by other committees and using the ability to ‘call-in’ a decision of a committee of the Council and refer it back if necessary for re-consideration;
- Scrutinising the performance and effect of council services and policies by receiving internal and external audit reports, reports on the Council’s counter fraud work, monitoring and reviewing the statement on internal control, examining our approach to the minimization and control of risk, and examining progress on our improvement plans;
- Undertaking and instigating reviews of existing policy and the development of new policy;
- Monitoring service performance, through the performance management framework and customer complaints, and considering the outcomes of Best Value and other reviews.

Together this enables the Committee to focus on the improvement of services: considering in-depth major issues, examining other areas of the work of the Council or of other local and national agencies, highlighting when things are going wrong and seeking action to address this in the most effective way.

Decision-making and call-in

The main purpose of observing at policy committee meetings is to consider whether or not decision-making has complied with the Council’s Constitution. All decisions of the Council will be made in accordance with the following principles:

- (a) the rule of law;
- (b) clarity of aims and desired outcomes.
- (c) proportionality (i.e. the action must be proportionate to the desired outcome);
- (d) due consultation and the taking of professional advice from officers and/or appropriately qualified consultants;
- (e) respect for human rights (see below for further details); and
- (f) a presumption in favour of openness.

If Members consider that one of more of these rules have been breached then the decision may be ‘called-in’. To call in a decision a proforma, attached at Appendix B, must be completed with the reasons for the call-in clearly stated. It must be signed by either the Chairman or three Members of the Committee and must be handed to the proper officer within 10 working days of the publication of the decisions of the meeting. The Overview and Scrutiny Committee then meets within a further 10 working days of the decision to call-in. Members may request the attendance of relevant officers or Members to answer any questions that they may have. The Committee can then refer the matter back to the decision-making committee, setting out in writing the nature of its concerns or refer the matter to Full Council. If referred back to the decision-making committee, a meeting will be convened to reconsider the decision within a further 10 working days.

Further details can be found in the Council Constitution on page 144.

At the heart of the Overview and Scrutiny Committees work should be the consideration of what impact the Policy Committees decisions, plans and policies have on the communities of Ryedale. If the Committee considers the decisions made will have an adverse affect they have a duty to say so and suggest improvements.

Members of Overview and Scrutiny Committees should also make efforts to identify issues of concern to the residents of Ryedale and where the Committee agrees, instigate a Scrutiny review.

General Framework for Scrutiny:

Function	Scope	How delivered:
Democracy and Governance	Local democracy and the achievement of effective, transparent and accountable decision making by the Council.	The Call in function and involvement in Policy Review Review of the Statement of Internal Control
Lifelong learning and culture	The provision, planning and management of education, training and Culture in the District in so far as the Council is responsible for this.	
Public Accounts	The Councils budget, the management of its budget, capital, revenue borrowing and assets and its audit arrangements.	Review of the relevant documents.
Regeneration and Housing	The physical, social and economic environment and regeneration of the Ryedale District; enabling the provision, planning and management of its housing and the rural and built environment.	Review of the Housing Strategy and Capital Strategy.
Services	The provision, planning, management and performance of Council services, including support services, the community plan and any other Council functions not otherwise addressed by any other Committee.	Review of the Performance Management framework on a quarterly basis and the review of policy documents. Their involvement in VFM processes.
Social Inclusion	Policies and Strategies of the Council and other bodies which affect the economic, social and political resources available to individuals to enable them to participate fully in Society.	Review of the Community Plan and budget/capital strategy. The money should follow the priorities.

Appendix A - Checklist

1. Review decision-making and consider call-in
2. Consider the effect of policy decisions on the community - have the intended policy outcomes been achieved?

Also consider against the implementation of the Council's Equalities Scheme, which is:

- To work towards the elimination of discrimination (either direct or indirect) and harassment
- To ensure that members and officers work towards mainstreaming equality of opportunity across all policies and functions
- To ensure equality, equity and consistency in working practices and conditions
- To ensure that the workforce represents the wider community of the District

3. Identify areas for future policy investigation
4. Identify any issues arising from the strategies and plans of the Council:
 - Community Plan
 - Corporate Plan
 - Medium Term Financial Plan
 - Capital Strategy
 - Asset Management Plan
 - Crime and Disorder Strategy
 - Housing Strategy
5. Budget issues: capital programme, revenue budgets, borrowing, assets
6. Performance issues
7. Value for Money issues
8. Management issues
9. Audit and Governance issues
10. Environmental issues

Appendix B – Call-in Proforma

Date

Committee:

Decision to be called in:

Council’s Constitution – Article 12 Decision Making

Principles of decision-making:

All decision of the Council will be made in accordance with the following principles:

- (a) the rule of law
- (b) clarity of aims and desired outcomes
- (c) proportionality
- (d) due consultation and the taking of professional advice from officers and/or appropriately qualified consultants
- (e) respect for human rights
- (f) a presumption in favour of openness

Reason for calling in the decision:

This form is to be signed by **either** the Chairman of Overview & Scrutiny Committee **or** 3 Members of the Committee

Signature of Chairman of Overview & Scrutiny Committee **or** Councillor

.....Date:.....

Signature of Councillor

.....Date:.....

Signature of Councillor

.....Date:.....

Date of meeting to consider the Call in
(Must be within 10 working days of call in)

This page is intentionally left blank

Agenda Item 16

Annex B - Attendance at Policy Committees 2012/13 – Draft Rota

	Sept	Nov	Jan	Mar	
Commissioning Board	20	22	24	21	
Cllr S Arnold	x			x	
Cllr D Cussons	x			x	
Cllr G Hawkins	x			x	
Cllr Mrs A Hopkinson		x			
Cllr J Raper		x			
Cllr Mrs E Shields		x			
Cllr Ms S Ward			x		
Cllr R Wainwright			x		
Cllr J Windress			x		
	Sept	Dec	Feb	Feb	April
Policy and Resources Committee	27	6	7(budget)	14	4
Cllr S Arnold			x		
Cllr D Cussons			x		
Cllr G Hawkins			x		
Cllr Mrs A Hopkinson	x			x	
Cllr J Raper	x			x	
Cllr Mrs E Shields	x			x	
Cllr Ms S Ward		x			x
Cllr R Wainwright		x			x
Cllr J Windress		x			x

The rota is based on three Members observing at each policy committee meeting. If you are unable to attend could you please try and obtain a substitute in the first instance.

If you are unable to do so then please contact the Chairman, Councillor Wainwright.

This page is intentionally left blank



REPORT TO:	OVERVIEW AND SCRUTINY COMMITTEE
DATE:	5 JULY 2012
REPORT OF THE:	HEAD OF CORPORATE SERVICES CLARE SLATER
TITLE OF REPORT:	SCRUTINY REVIEWS PROGRESS REPORT – 'SUPPORTING A SUSTAINABLE COMMUNITY AND VOLUNTARY SECTOR'
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To present the progress of the scrutiny review currently being undertaken.

2.0 RECOMMENDATION

2.1 That members note the progress made with the current scrutiny review

3.0 REASON FOR RECOMMENDATION

3.1 The Overview and Scrutiny Committee has commissioned a scrutiny review of the Council's role in supporting a sustainable voluntary and community sector.

4.0 SIGNIFICANT RISKS

4.1 No significant risks have been identified at this point but this will be reviewed as the review progresses.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 The terms of reference for the review were agreed at the previous meeting of the Committee and these will be reviewed periodically throughout the period of the review.

5.2 Engagement of the voluntary and community sector, partners other funding bodies and parish councils is being planned as part of the review to be undertaken.

6.0 REPORT DETAILS

6.1 The aim of the review is to make recommendations to the policy committees of the Council on the options available to Council for ensuring it utilises any of its resources

in the most efficient, effective and economical way to support a sustainable voluntary and community sector.

6.2 At the meeting of the task group held on 26 April, the Chief Officer of Ryedale Voluntary Action (RVA) gave a detailed presentation to members covering the following areas:

- The structure of the organisation
- The core services they deliver including the on-line directory of organisations and the Volunteer Centre.
- A summary of their achievements and details of events and training they have undertaken
- The direction and development of the RVA
- The national and regional context for the Voluntary and Community Sector
- Changes and issues for the RVA
- Profile of the voluntary sector in Ryedale
- Challenges facing voluntary and community organisations in Ryedale

6.3 On the 19th June, the task group hosted a 'Consultation Café' event involving previous funding recipients or organisations who had received other support from the Council. The event was well attended with a wide range of voluntary and community organisations represented. Following the World Café consultation method, groups had conversations based around three questions, whilst enjoying tea, coffee and cake.

The three topics discussed were:

- What does your organisation value most about what the Council does/offers to support the voluntary and community sector in Ryedale?
- How can the Council improve the way it works with the voluntary and community sector?
- Thinking about the opportunities and threats facing your organisation, what role do you think the Council should play in supporting a sustainable voluntary and community sector in the future?

The full outcomes of the discussions will be documented and will feed into the review.

Initial themes coming out of the consultation included:

- Communication
- Themed networks/forums
- Skills/knowledge sharing
- Transport co-ordination
- Advocacy
- Support offered by the Council and it's officers greatly valued
- Duplication of roles
- The value of funding – core vs project, range of grants available

Next steps for the review involve undertaking further consultation and research which includes:

- a survey of the residents of Ryedale in relation to the impact of grant funding
- consulting with voluntary organisations that have not been funded by the Council

- engagement work with other funding bodies.

6.3 The schedule for future task group meetings is as follows:

Date	Tasks
Thurs 19 July 2012	Engagement work with other funding bodies
Thurs 16 August 2012	Present the findings of the engagement activities and formulate recommendations
Thurs 13 Sept 2012	Draft Report and recommendations agreed by task group
Thurs 4 October 2012	O and S Committee meeting consider draft report and recommendations

Clare Slater
Head of Corporate Services

Author: Jane Robinson and Justine Coates, Business Improvement Team
 Telephone No: 01653 600666 ext 297 & 228
 E-Mail Address: jane.robinson@ryedale.gov.uk and justine.coates@ryedale.gov.uk

Background Papers:

A Plain English Guide to the Localism Act:

<http://www.communities.gov.uk/publications/localgovernment/localismplainenglishupdate>

Statutory Best Value Guidance

<http://www.communities.gov.uk/documents/localgovernment/pdf/1976926.pdf>

National Council for Voluntary Organisations:

- [‘NCVO New Best Practice Guide’](#)

Community Development Foundation :

- [‘Structures for community development in local authorities’](#)
- [‘the role of the community sector within localism’ evidence to select committee](#)

Action with Communities in Rural England :

- [‘Making the most of Community Led Planning \(a best practice guide for local authorities\)’](#)

This page is intentionally left blank

Ryedale District Council – Decisions taken by the Commissioning Board on Thursday, 7 June 2012

Agenda Item No	Topic	Decision
1	Apologies for Absence	Apologies for absence were received from Councillors Hicks and Walker.
2	Minutes of Meeting held on 22 March 2012	<p>The minutes of the meeting of the Commissioning Board held on 22 March 2012 (previously circulated) were presented.</p> <p style="text-align: center;">Resolved</p> <p>The minutes of the meeting of the Commissioning Board held on 22 March 2012 be approved and signed by the Chairman as a correct record.</p>
3	Declarations of Interest	Councillors Mrs Cowling and Mrs Frank declared a personal but not prejudicial interest in Item 10 as proprietors of a teashop and public house respectively.
4	Urgent Business	There were no items of urgent business.

Part A - Items to be dealt with under delegated powers or matters determined by the Board

5	Appointment of Joint Commissioning Groups	<p>The Head of Environment submitted a report (previously circulated), which sought appointments to the two Joint Commissioning Groups.</p> <p>Members were assured that they could attend either Commissioning Group, as the Terms of Reference stated that the Groups were open to all Members of the Commissioning Board.</p> <p style="text-align: center;">Resolved</p> <p style="text-align: center;">Economy and Housing</p> <p>That Councillors Andrews, Clark, Mrs Denniss, Mrs Sanderson, Mrs Frank, Mrs Cowling and Richardson be appointed to the Economy and Housing Joint Commissioning Group.</p>
---	---	--

Ryedale District Council – Decisions taken by the Commissioning Board on Thursday, 7 June 2012

Agenda Item No	Topic	Decision
		<p>Active and Environment That Councillors Andrews, Clark, Richardson, Hope and Fraser be appointed to the Active and Environment Joint Commissioning Group.</p>
6	Annual Report 2011/12 - Delivering the Council's Priorities	<p>The Head of Policy and Partnerships submitted a report (previously circulated) which presented to the Board the content of the Council's Annual Report of delivery against its priorities.</p> <p>Councillor Mrs Cowling moved and Councillor Mrs Frank seconded the recommendations. Upon being put to the vote the recommendations were carried.</p> <p>Resolved</p> <p>That the draft content of the Annual Report for 2011/12 be considered.</p>
7	Housing Performance Report	<p>The Head of Economy and Housing submitted a report (previously circulated), which informed Members of the progress made against the Council's agreed Housing Strategy objectives and which considered the expected housing challenges over the next 12 months.</p> <p>Members requested that their congratulations be passed on to all members of the Housing Services team for the results achieved during the last year.</p> <p>Councillor Mrs Cowling moved and Councillor Mrs Frank seconded the recommendations. Upon being put to the vote the motion was carried.</p> <p>Resolved</p> <p>That Members considered the performance report and the contents noted.</p>

Ryedale District Council – Decisions taken by the Commissioning Board on Thursday, 7 June 2012

Agenda Item No	Topic	Decision
8	Ryedale Economic Action Plan 2012-15 - Consultation Feedback and Adoption	<p>The Head of Economy and Housing submitted a report (previously circulated) which showed the results from the Ryedale Economic Action Plan consultation period and sought agreement of amendments to be incorporated in the adopted Action Plan.</p> <p>It was moved by Councillor Andrews and seconded by Councillor Clark that the following bullet point be added to page 4 of Appendix B at the beginning of the list of growth areas for consideration:</p> <ul style="list-style-type: none"> • Promoting and encouraging existing businesses <p>Upon being put to the vote the amendment was lost.</p> <p>It was moved by Councillor Mrs Cowling and seconded by Councillor Clark to add the following words to the end of recommendation 2.1 (iii):</p> <p>“... and then for consideration and adoption by Full Council.”</p> <p>Upon being put to the vote the amendment was carried.</p> <p>Resolved</p> <ul style="list-style-type: none"> (i) that the Ryedale Economic Action Plan consultation feedback was considered and noted; (ii) the recommended amendments in appendix A of the report were agreed and included within the draft Plan, to form the adopted Ryedale Economic Action Plan; and (iii) the adopted Action Plan, incorporating amendments agreed by the Commissioning Board, be referred to the next meeting of the Policy and

Ryedale District Council – Decisions taken by the Commissioning Board on Thursday, 7 June 2012

Agenda Item No	Topic	Decision
		Resources Committee for information and then for consideration and adoption by Full Council.
9	Food Service and Health and Safety Service Plan 2012/13	<p>The Head of Environment, Streetscene and Facilities submitted a report (previously circulated) which put before Members the Food Service and Health and Safety Plan for 2012/13 and provided details of the work undertaken the previous year.</p> <p style="text-align: center;">Resolved</p> <p style="text-align: center;">i. That the aims and objectives of the Service Plan be supported; and ii. The Food Service and Health and Safety Plan for 2012/13 be adopted.</p>
10	Any other business that the Chairman decides is urgent	There being no items of urgent business, the meeting closed at 8:20 pm.

Page 180

Publication Date: 11 June 2012
Implementation Date: 25 June 2012

Ryedale District Council – Decisions taken by the Policy and Resources Committee on Thursday, 21 June 2012

Agenda Item No	Topic	Decision
2	Minutes of the Meeting Held on 4 April 2012	<p>The minutes of a meeting of the Policy and Resources Committee held on 4 April 2012 were presented.</p> <p>Resolved</p> <p>That the minutes of a meeting of the Policy and Resources Committee held on 4 April 2012 be approved and signed by the Chairman as a correct record.</p>
3	Minutes of the Meeting of the Resources Working Party held on 6 June 2012	<p>The minutes of a meeting of the Resources Working Party held on 6 June 2012 were presented.</p> <p>Resolved</p> <p>That the minutes of a meeting of the Resources Working Party held on 6 June 2012 be received.</p>
4	Urgent Business	<p>The Chairman reported that there were no items to be considered at the meeting as a matter of urgency by virtue of Section 100B(94)(b) of the Local Government Act 1972.</p>
5	Declarations of Interest	<p>Councillor Knaggs declared a personal but not prejudicial interest in Item 12 as he had been consulted by the Parish Council during the course of the review.</p>
<p>Part 'A' items - Matters to be dealt with under delegated powers or matters determined by committee.</p>		
6	Appointment of Working Parties	

Ryedale District Council – Decisions taken by the Policy and Resources Committee on Thursday, 21 June 2012

Agenda Item No	Topic	Decision
----------------	-------	----------

Page 182

		<p>Nominations were sought for the following Sub Committees/Working Parties:</p> <ul style="list-style-type: none"> (a) Senior Management Contracts Working Party (b) Resources Working Party (c) Sub-Committee – Appeals Panel <p>Resolved</p> <p>That the following Members be appointed to the following Working Parties/Sub-Committees for the municipal year 2012-13:</p> <p>Senior Management Contracts Working Party</p> <p>The Leader of the Council, Chairman of Policy and Resources Committee, Vice-Chairman of the Policy and Resources Committee, Chairman of Commissioning Board and the Staff Champion</p> <p>Resources Working Party</p> <p>Councillors Acomb, Mrs Cowling, Mrs Goodrick, Knaggs, Mrs Knaggs and Legard</p> <p>Sub-Committee – Appeals Panel</p> <p>Chairman of Policy and Resources Committee, Staff Champion and Vice-Chairman of Policy and Resources Committee</p> <p>In the absence of any of these Members, the panel to consist of 3 Members to be appointed by the Chief Executive in consultation with the Chairman of Policy and Resources Committee or,</p>
--	--	---

Ryedale District Council – Decisions taken by the Policy and Resources Committee on Thursday, 21 June 2012

Agenda Item No	Topic	Decision
		in the Chairman's absence, the Vice-Chairman, from the current membership of the Policy and Resources Committee (including any substitute members). The Panel to meet as and when required; such a panel to consist of two members of the Conservative Group and one Member of another Group.
7	Ryedale Economic Action Plan 2012-15 - Consultation Feedback and Adoption	<p>The Head of Economy and Housing submitted for information a report giving feedback on the results from the Ryedale Economic Action Plan consultation period (previously circulated) which had been considered at a meeting of the Commissioning Board held on 7 June 2012.</p> <p>Resolved</p> <p>That the report be noted</p>
8	Annual Report 2011/12 - Delivering the Council's Priorities	<p>The Head of Policy and Partnerships submitted a report (previously circulated) presenting the content of the Council's Annual Report of delivery against its priorities.</p> <p>Resolved</p> <p>That the report be received.</p>
9	Establishing the Community Investment Fund Working Party	<p>The Head of Policy and Performance submitted a report (previously circulated), the purpose of which was to establish the Community Investment Fund as a working party of the Policy and Resources Committee.</p> <p>Resolved</p>

Ryedale District Council – Decisions taken by the Policy and Resources Committee on Thursday, 21 June 2012

Agenda Item No	Topic	Decision
----------------	-------	----------

Page 184

		<p>That the report be received and that</p> <ul style="list-style-type: none"> (i) The authority to make decisions on the allocation of grants be delegated to the Head of Economy and Infrastructure in consultation with the members of the Community Investment Fund Panel. In the absence of the Head of Economy and Infrastructure the delegation passes to the Chief Executive (ii) The terms of reference detailed in paragraph 6.1 of the report for the Community Investment Fund Panel be adopted (iii) The following Members be appointed to the Community Investment Fund Panel: Councillors Acomb, Ives, Mrs Knaggs and Mrs Goodrick (Conservative Group) Councillor Ward (Liberal Group) Councillor Maud (Independent Group) Councillor Mrs Burr (Lib/Dem Group) <p>Substitutes: Councillors Arnold and Knaggs (Conservative Group) Councillor Wainwright (Independent Group) Councillor Mrs Shields (Lib/Dem Group) Councillor Woodward (Liberal Group)</p>
--	--	---

Part 'B' items - Matters referred to Council.

10	Statement on Local Procurement	The Corporate Director (s151) submitted a report (previously circulated) proposing the adoption of a policy requiring officers to seek quotes from local suppliers in procurement processes where possible.
-----------	--------------------------------	---

Ryedale District Council – Decisions taken by the Policy and Resources Committee on Thursday, 21 June 2012

Agenda Item No	Topic	Decision
----------------	-------	----------

		<p>Resolved</p> <p>That the report be received and that Council be recommended to approve the Statement of Local Procurement at Annex A to the report.</p>
11	Community Governance Review - Foston and Thornton-le-Clay Parish Council	<p>The Council Solicitor and Monitoring Officer submitted a report (previously circulated), the purpose of which was to</p> <ul style="list-style-type: none"> (a) Consider and respond to a Community Governance petition which has been submitted under the provisions of Section 80 of the Local Government and Public Involvement in Health Act 2007 (The 2007 Act) requesting the District Council to conduct a Community Governance Review to increase the size of the Parish Council from five to seven Councillors (b) Ryedale District Council has a duty under section 83 of the 2007 Act to respond to the petition using its powers to undertake a Community Governance Review under section 82 of the 2007 Act <p>Resolved</p> <p>That Council be recommended to:</p> <ul style="list-style-type: none"> (i) Note the receipt of the request and its validity (ii) Agree to undertake a Community Governance Review of the Parishes of Foston and Thornton-le-Clay (iii) Agree the Terms of Reference of the review as detailed in Annex C including the timetable and arrangements for public consultation (iv) Agree that the review will be carried out by the Council Solicitor and Monitoring Officer,

Ryedale District Council – Decisions taken by the Policy and Resources Committee on Thursday, 21 June 2012

Agenda Item No	Topic	Decision
----------------	-------	----------

		<p>in consultation with the Chairman of Policy and Resources Committee (v) Note that further reports will be brought to Council in order that decisions may be made in respect of draft proposals and final recommendations of the Review</p>
12	Localisation of Council Tax Support	<p>The Corporate Director (s151) submitted a report (previously circulated) in which members were informed of the proposals for the Localisation of Council Tax Support and which considered policy options for taking forward the upcoming legislative requirements. It proposed a policy direction for the Council which would enable it to consult with the major precepting authorities, the County Council, Fire and Police. Members were to approve a final scheme for Council Tax support in January 2013 and the matter was to go to Council in September prior to public consultation.</p> <p>Resolved</p> <p>That the report be received and that Council be recommended</p> <p>(i) The preparation of a scheme for 2013/2014 Council Tax Support for consultation with the major precepting authorities which incorporates:</p> <ol style="list-style-type: none"> 1. Maximum Eligible Council Tax Support of 80% 2. Removal of the Second Adult Rebate 3. A maximum Band D property restriction for all working age claims 4. An assumption that all preceptors contribute proportionately to any additional collection costs 5. An assumption that all preceptors contribute proportionately to the establishment of a Council Tax Support <p>(ii) That any shortfall in funding to meet the total cut in Government funding, having implemented the above, is met through reductions in Council Tax discounts as part</p>

Ryedale District Council – Decisions taken by the Policy and Resources Committee on Thursday, 21 June 2012

Agenda Item No	Topic	Decision
		of the 2013/2014 budget strategy process (iii) That a further report and scheme for public consultation is presented to Council on the 6 September 2012 taking into account the comments of the major preceptors
13	Any other business that the Chairman decides is urgent.	There being no urgent business the Chairman declared the meeting closed at 8.10pm

Publication Date: 25 June 2012
 Implementation Date: 6 July 2012

This page is intentionally left blank