

Time	5.00 pm	Public Meeting?	YES	Type of meeting	Executive
Venue	Committee Room 3, Third Floor - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH				

Membership

Chair	Cllr Stephen Simkins (Lab)
Vice-Chair	Cllr Steve Evans (Lab)

Labour

Cllr Obaida Ahmed
Cllr Paula Brookfield
Cllr Chris Burden
Cllr Craig Collingswood
Cllr Jacqui Coogan
Cllr Bhupinder Gakhal
Cllr Jasbir Jaspal
Cllr Louise Miles

Quorum for this meeting is three voting members.

Information for the Public

If you have any queries about this meeting, please contact the Democratic Services team:

Contact	Dereck Francis
Tel/Email	Tel: 01902 555835 or dereck.francis@wolverhampton.gov.uk
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Copies of other agendas and reports are available from:

Website	http://wolverhampton.moderngov.co.uk
Email	democratic.services@wolverhampton.gov.uk
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Some items are discussed in private because of their confidential or commercial nature. These reports are not available to the public.

Agenda

Part 1 – items open to the press and public

Item No. *Title*

MEETING BUSINESS ITEMS

- 1 **Apologies for absence**
- 2 **Declaration of interests**
- 3 **Minutes of the previous meeting** (Pages 3 - 6)
[For approval]

DECISION ITEMS (RED - FOR DECISION BY THE COUNCIL)

- 4 **Housing Revenue Account Business Plan 2024 - 2025 including Rent and Service Charges** (Pages 7 - 50)
[To approve the Housing Revenue Account Business Plan 2024-2025 including rent and service charges]

DECISION ITEMS (AMBER - DELEGATED TO THE CABINET)

- 5 **Council Tax Base and Business Rates (NDR) Net Rate Yield 2024-2025 and Update on the Provisional Local Government Finance Settlement** (Pages 51 - 60)
[To set the estimates for Wolverhampton Collection Fund 2024-2025, which the Council manages on behalf of local precepting bodies and central government and to receive an update on the 2024-2025 Provisional Local Government Finance Settlement]
- 6 **Collection Fund Estimated Outturn 2023-2024** (Pages 61 - 66)
[To report on the estimated outturn for Council Tax and Business Rates, also referred to as Non-Domestic Rates (NDR), transactions on the Collection Fund in 2023-2024]
- 7 **Response to Dudley, Sandwell and Telford & Wrekin Local Plan Consultations and South Staffordshire Duty to Cooperate letter** (Pages 67 - 76)
[To approve the Council response]
- 8 **Annual Health and Safety Report - 2023** (Pages 77 - 122)
[To review progress and health and safety performance during 2023 and highlight key priorities for the year 2024]

CITY OF WOLVERHAMPTON COUNCIL	Meeting of the Cabinet Minutes - 13 December 2023
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Attendance

Members of the Cabinet

Cllr Stephen Simkins (Chair)
Cllr Steve Evans (Vice-Chair)
Cllr Obaida Ahmed
Cllr Paula Brookfield
Cllr Chris Burden
Cllr Craig Collingswood
Cllr Bhupinder Gakhal
Cllr Jasbir Jaspal
Cllr Louise Miles

Employees

Ian Fegan	Director of Communications and Visitor Experience
Alison Hinds	Director of Children's Services
James Howse	Director of Finance
Charlotte Johns	Director of Strategy
Richard Lawrence	Director of Regeneration
David Pattison	Chief Operating Officer
Laura Phillips	Deputy Director of People and Change
Jaswinder Kaur	Democratic Services and Systems Manager
Dereck Francis	Democratic Services Officer

Part 1 – items open to the press and public

- | <i>Item No.</i> | <i>Title</i> |
|-----------------|---|
| 1 | Apologies for absence
Apologies for absence were submitted on behalf of Councillor Jacqui Coogan. |
| 2 | Declaration of interests
No declarations of interests were made. |
| 3 | Minutes of the previous meeting
Resolved:
That the minutes of the previous meeting held on 15 November 2023 be approved as a correct record and signed by the Chair. |

4 **Removal of Mandatory Unpaid Leave**

Councillor Paula Brookfield presented the report on a proposal to end Mandatory Unpaid Leave (MUL) from 2024-2025, subject to the outcome of consultations with the Trade Unions. MUL was introduced in 2019 alongside the closure of Council offices during the Christmas period. All employees were required to purchase three days additional annual leave which equated to a deduction of 1.15% from salaries and to book the three days off during the Christmas closure period. Ending MUL would ensure fairness and equity for Council's employees as not all employees could access Mandatory Unpaid Leave. It would also support the Council's employees with the cost of living – effectively a 1.15% increase in pay; responds to a request from Unison for a removal of MUL; and supports the Council's 'employee offer' for recruitment and retention purposes by removing the mandatory deduction applied as part of employee terms and conditions.

Resolved:

1. That the proposal to end Mandatory Unpaid Leave (MUL) from April 2024 and for the Council to enter formal consultation with Trade Unions in this regard be approved.
2. That if agreement is reached after consultation with Trade Unions, employees would utilise their annual leave allowance for the three day Christmas closure period (Friday 27, Monday 30 and Tuesday 31 December 2024) and annually thereafter as per the current collective agreement.
3. That it be noted that if agreed the Christmas closure period for the majority of Council services remains unchanged.
4. That it be noted that employees would continue to have the option to purchase annual leave, as detailed in the Buying Annual Leave Scheme guidance, as a substitute for Mandatory Unpaid Leave.
5. That it be noted that there would be an impact on People Services (HR), Agresso and the Payroll team due to the initial work required to make the amendments (communication, engagement, consultation, changes to terms and conditions, policies and guides) and subsequently a potential increase in purchasing of annual leave, monthly deductions and lost pension buy back related work. At this stage this is not quantifiable and would change on an annual basis so this would need to be carefully monitored to review priorities/put work on hold or bring in additional resource if required.
6. That it be noted that the current arrangements for services not subject to Christmas closure remain the same in that they would still be required to operate as an essential or emergency service. Employees in these services can continue to choose when they book their annual leave using their entitlement or additional purchased leave.

5 **Families First for Children Pathfinder Implementation**

Councillor Chris Burden presented the report on progress made with the Council's participation of Children's Services in the Stable Homes, Built On Love, Families First for Children Pathfinder Programme (FFCP). The Pathfinder, led by the Department for Education (DfE), had been structured in delivery phases. Phase 1 was the test and learn phase. This involved implementing a locally agreed, co-designed model to address reform areas in family help, child protection, family networks and

safeguarding partners. Councillor Burden delivered a summary of the co-designed local response against the four reform areas. Cabinet was asked to endorse the high level Wolverhampton FFCP Implementation Plan and authorise the use of the FFCP budget to support the delivery of the plan.

Resolved:

That the high-level Wolverhampton Families First for Children Pathfinder Implementation Plan be approved.

6

Investment Prospectus First Phase Delivery Plan - St Georges

Councillor Stephen Simkins presented the report on an overview on the strategy and route to bring forward regeneration on the five acre St Georges (formerly Sainsbury's) site. Approval was requested to delegate authority to enter into a pre-development agreement with Capital&Centric to work up a detailed vision as to how the strategic site could become a destination district for Wolverhampton. Early ideas for the site included: homes; community spaces; green streets; a grade two listed church being repurposed as a community centrepiece; shops, workspaces and cafe bars. The culmination of all these things would create a vibrant new quarter to Wolverhampton's City Centre with links to the £61 million City Learning Quarter, which is set to open in 2025.

Resolved:

1. That authority be delegated to the Leader of the Council and the Cabinet Member for Resources, in consultation with the Director of City Development, the Section 151 Officer and Chief Operating Officer to:
 - i. Approve the appointment of Capital&Centric through a direct award via the Pagabo Developer Led Framework (LOT 3c – West Midlands).
 - ii. Enter into a Pre-Development Agreement to progress the development of feasibility studies to inform an HMT Outline Business Case (OBC) identifying the preferred option for the site.
2. That the allocation of £358,000 from the Regeneration Reserve to support the cost of the pre-development agreement be approved.
3. That it be noted that a further report would be brought to Cabinet in the near future to approve the allocation of funds from the regeneration reserve to support the procurement of extra capacity within the Council and city investment directorate that is required in order to deliver St Georges and other priorities.

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet 17 January 2024
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Report title	Housing Revenue Account Business Plan 2024 - 2025 including Rent and Service Charges	
Decision designation	RED	
Cabinet member with lead responsibility	Councillor Steve Evans, Deputy Leader: City Housing Councillor Louise Miles, Resources	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	John Roseblade, Director of Resident Services James Howse, interim Director of Finance	
Originating service	Housing, Finance	
Accountable employee	Jenny Lewington Tel Email	Deputy Director of Housing 01902554845 Jenny.Lewington@wolverhampton.gov.uk
	Jo McCoy Tel Email	Finance Business Partner 01902 554415 Jo.Mccoy@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board Cabinet Member Briefing Scrutiny Board	28 November 2023 5 December 2023 12 December 2023

Recommendations for decision:

The Cabinet recommends that Council:

1. Adopts the Business Plan set out at Appendix 1 to this report as the approved Housing Revenue Account Business Plan including:
 - a. The revenue budget for 2024-2025 at Appendix 1 to this report.
 - b. The Capital Programme for 2024-2025 to 2028-2029 at Appendix 2 to this report that includes the following among the proposed investment plans:
 - £100 million for new homes
 - £67 million provision for estate remodelling

- £41 million to complete the refurbishment of the Heath Town estate
 - £46 million remediation works to non-traditional properties including energy efficiency improvements
 - £141 million for programmes to high rise estates to include building safety improvements, infrastructure replacement, and external works to include energy efficiency
 - £34 million for low and medium rise infrastructure improvements
2. Approves the implementation of an increase of 7.7% to social housing rents in accordance with the Rent Standard and the Welfare Reform and Work Act 2016 and to give 28 days notice to all secure and introductory tenants of the rent increase from 1 April 2024.
 3. Approves the rates for garage rents and service charges set out in Appendix 3 to this report and formally notifies tenants.
 4. Approves an increase to Shared Ownership rents of 7.7%.
 5. Approves allowances to Managing Agents as follows:
 - Wolverhampton Homes £47,700,000
 - Bushbury Hill Estate Management Board £2,070,000
 - Dovecotes TMO £1,280,000
 6. Delegates authority to the Deputy Leader: City Housing in consultation with the Director of Resident Services to approve managing allowances to New Park Village Tenant Management Cooperative to allow for further work on costs relating to the redevelopment of the estate and management responsibilities.
 7. Delegates authority to the Deputy Leader: City Housing in consultation with the Director of Resident Services to approve the equity sale of Shared Ownership properties.

Recommendations for noting:

The Cabinet is asked to note:

1. From 1 April 2020 the Regulator of Social Housing has regulated social rents charged by Local Authorities as set out in the Rent Standard 2020. Local authorities are able to apply a rent increase below the maximum set out in the standard but the decision would be taken in the context of the affordability in terms of a balanced HRA business plan that ensures service delivery and investment can be maintained over the lifetime of the business plan.
2. That, in the opinion of the Director of Finance (Section 151 Officer) the current levels of reserves and provisions is appropriate and adequate for the forthcoming financial year.

3. The increasing cost pressures from policy and legislative changes; Building Safety Act (2022), Fire Safety (England) Regulations 2023, the Regulator and the Social Housing Ombudsman, and a shift from reactive to a proactive regulatory regime.
4. The HRA revenue budget includes provision of £300,000 for those tenants who may experience financial hardship due to the rent increase.

1.0 Purpose

- 1.1 This report presents an updated Housing Revenue Account (HRA) Business Plan 2024-2025 for recommendation to Full Council which is intended to balance the continuing maintenance of and investment in the existing Council housing stock, improving, and redeveloping housing estates and the provision of new homes for rent.
- 1.2 The report also provides, as an integral part of that Business Plan, a proposed HRA budget for 2024-2025, including proposed rents and service charges to take effect from 1 April 2024, and a proposed HRA Capital Programme for the period 2024-2025 to 2028-2029 for recommendation to Full Council.

2.0 Background

- 2.1 Since the implementation of Housing Revenue Account self-financing in 2012, the Council has been required to set out its Housing Revenue Account (HRA) Business Plan. The Business Plan is monitored quarterly and reviewed annually to ensure that assumptions remain robust and resources within the plan are sufficient to meet expenditure requirements. Appendix 4 to the Business Plan provides more detail on HRA self-financing.
- 2.2 In February 2019, the Secretary of State for Housing, Communities and Local Government gave a direction which set out the government's rent policy for social housing for the next five years and the requirement for the Regulator of Social Housing to undertake the regulation of Local Authority Social Housing Rents, aligning the regulation with that of private-registered providers. The resulting Rent Standard came into force on 1 April 2020.
- 2.3 Key elements of the direction are to restrict rent increases on social and affordable rent properties by up to Consumer Price Index (CPI) plus 1% annually from 2020 for a period of at least five years. CPI is based on the published figure for September of the previous year. The direction also allows discretion over the rent set for individual properties with a 5% flexibility for general needs stock.
- 2.4 However, CPI in September 2022 was 10.1% which under the government's policy could have resulted in rent increases of up to 11.1%. Therefore, as part of the Autumn Financial Statement issued by the government in November 2022 the rent increase from 1 April 2023 was capped at 7%.
- 2.5 CPI in September 2023 was 6.7% so the rent increased proposed is 7.7% in line with the Rent Standard. The rent standard exists to allow housing providers to increase rents annually in line with inflation to maintain service delivery, meet the investment needs of their homes and replace properties sold to right to buy.
- 2.6 Shared Ownership rents are not covered by the rent standard, as set out in the terms of most lease agreements, rents are permitted to increase by a maximum of the Retail

Prices Index (RPI) for a given month plus 0.5%. However, it is proposed that Shared Ownership rents also increase by 7.7%.

- 2.7 The HRA borrowing cap was abolished completely in October 2018 enabling local authorities to borrow for housebuilding and other HRA capital investment in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code.

3.0 The HRA Business Plan 2024-2025

- 3.1 The Business Plan has been reviewed in 2023 and updated to revise planning assumptions on rent increases, interest rates, right to buy sales, rent collection rates and inflationary increases to management and maintenance costs including pay awards.

3.2 Table of Assumptions

Assumptions	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029
General Assumptions						
CPI inflation	11%	5%	2%	2%	2%	2%
Inflation of capital expenditure	10%	5%	2%	2%	2%	2%
Increase in Rent	7%	7.7%	3%	3%	2%	2%
Interest Rates	3.8%	3.73%	3.73%	3.5%	3.5%	3.5%
Rent collection rates	98.7%	98.8%	98.9%	99.0%	99.0%	99.0%
Right to Buy sales	(153)	(100)	(100)	(100)	(100)	(100)
Property Numbers						
Average Number of social homes	20,940	20,890	20,750	20,630	20,530	20,430
Average Number of affordable homes	477	557	687	858	895	1,035
Average number of shared ownership	42	50	60	60	60	60
Average number of Total Homes	21,459	21,497	21,497	21,548	21,485	21,525

- 3.3 The number of HRA dwellings is currently around 21,600; of which around 11,800 are houses and bungalows, 5,000 are in medium and high-rise blocks and 4,800 are low rise flats. This includes around 100 that are held for demolition as part of regeneration schemes.
- 3.4 The focus of the business plan is on balancing the revenue pressures and the pressures on tenants whilst also maximising resources available to finance capital expenditure to meet the needs of the existing stock, improve and redevelop estates and provide much needed additional social and affordable housing units. There are currently 6,334 people on the waiting list for a council home in Wolverhampton.

- 3.5 The Business Plan is based on applying a rent increase of 7.7 % to social and affordable rents, commencing 1 April 2024, followed by increases based on inflation forecasts. The government have not indicated whether it will continue with a CPI plus 1% rent increase for future years in line with the policy set out in the Rent Standard 2020. The same increases assumed for dwelling rents are applied to garage rents.
- 3.6 Inflationary increases to budgets have been applied where appropriate and a prudent provision for increases to the bad debt provision, taking into account the challenge Universal Credit has brought to rent collection and the additional impact that the cost-of-living crisis may bring.
- 3.7 Data indicates that around 77% of tenants have full or partial housing costs covered by Housing Benefit or Universal Credit and therefore will receive government support to pay all or part of the rent increase. For those tenants who may experience financial hardship due to the rent increase the HRA revenue budget includes a provision for support of £300,000. This will be kept under review during 2024-2025, with usage and adequacy reported to councillors through quarterly budget monitoring reports.
- 3.8 In terms of service charges, pay and price inflation has necessitated that most charges need to increase to recover full costs. These increases have been limited to 6.7% in line with the September 2023 CPI figure.

4.0 HRA Revenue Budget

- 4.1 The number of right-to-buy properties since discounts were increased in 2012 has had an impact on stock numbers, with around 800 sales over the last five years however, the rate of decrease has slowed due to the success of the new build and acquisitions programme in providing around 445 additional homes. Table 1 below illustrates the decrease in stock numbers over the last five years, an overall decrease of 2.5%.
- 4.2 Table 1 – Stock numbers over five years

Stock Numbers	2019-2020 Outturn	2020-2021 Outturn	2021-2022 Outturn	2022-2023 Outturn	2023-2024 Forecast
Opening	21,995	21,926	21,808	21,680	21,511
Right to Buy Sales	(228)	(155)	(198)	(169)	(153)
Other disposals	-	(9)	(12)	(31)	(37)
Additions	159	46	82	31	127
Closing	21,926	21,808	21,680	21,511	21,448
Cumulative reduction	(69)	(187)	(315)	(484)	(547)

- 4.3 Managing Agents allowances amount to 71% of the supervision and management budgets and 99% of and repairs and maintenance budgets. These allowances are linked to property numbers going forward to ensure that costs remain affordable over the life of the business plan. Inflationary increases to cover cost increases and pay awards are applied as appropriate.

- 4.4 High levels of inflation, particularly impacting on repairs and maintenance costs and fuel costs have been experienced since 2022 and the local government pay awards settlements have equated to around 6% in each of the previous two years. The true level of inflation affecting the housing sector is 9.4% for repairs and 16.4% for housing management according to sector wide research (Savills). The HRA revenue forecast for 2023-2024 that was reported to Cabinet as part of the Quarter 2 Performance and Revenue Monitoring Report in November 2023 approved an included additional allowance of £1.5 million to Wolverhampton Homes to support repairs and maintenance costs. Base budgets have therefore been uplifted by £1.5 million before consideration of inflationary increases to budgets for 2024-2025.
- 4.5 Further pay awards are expected in 2024-2025 further increasing costs to managing agents, who also continue to experience pressures from contractors and increased costs in materials. Therefore, revenue budgets include provision for management allowances per property to be increased by up to 5% to cover a blend of the increase in pay and general inflation.
- 4.6 Further consideration needs to be given to managing allowances for the New Park Village estate, managed by New Park Village Tenant Management Committee, to reflect the number of void properties awaiting demolition which are being managed as part of the regeneration project and it is proposed that this decision is delegated for further work to be done around the costs.
- 4.7 The revenue budget also provides for provision for financial support and a contingency for inflation.
- 4.8 The Council is incurring increased costs from the regulatory role of around £300,000 including additional staff resources which have been reflected in the revenue budget. The retained element of the budgets includes an annual budget of £70,000 for Tenants Scrutiny, and a budget for payment to the Housing Ombudsman of £120,000. The Regulator of Social Housing is also proposing a charge based on the number of properties managed by local authorities which is expected to be over £100,000.
- 4.9 The Council continue to work with the managing agents to identify efficiencies where possible. Quarterly meetings with the Director of Finance scrutinise budget performance, efficiencies and pressures. The Council is assured through external validation that the largest managing agent, Wolverhampton Homes, is relatively lean in terms of staffing. Identifying efficiencies has proved challenging, however additional expenditure on auxiliary services has been restricted.

5.0 The HRA Capital Programme

Capital Investment Context

- 5.1 The Council plans to use capital resources to maximise the provision of additional homes as far as possible but also needs to consider and prioritise the needs of the existing stock

with particular emphasis on enhancing building safety, maintaining decency and improving energy efficiency.

- 5.2 There is a need for proactive capital maintenance programmes which provide better value for money than ad hoc replacements. By ensuring components do not fail this takes the pressure off response repair budgets and causes less disruption to tenants.
- 5.3 As part of a long term, estate-based approach to asset management the remaining life of stock will be taken into account when making investment decisions and alternatives to refurbishment considered where appropriate.
- 5.4 Because construction activity, particularly in high risk buildings is now so highly regulated and must meet all current and future standards there is significant time and resource allocated to the design process and also in appointing specialist contractors and material suppliers with knowledge and experience to meet the required competency standards. This is pushing up programme costs along with general inflationary cost pressures. Despite recent falls in CPI, market conditions for the construction are still challenging with regional pressures affecting the supply chain and shortages of technical and professional staff.
- 5.5 An increase in demand is being experienced for internal improvements such as kitchens, bathrooms, heating and electrical systems. The Decent Homes programme invested £314 million of improvements from 2007 until 2015 and due to the passage of time further demand is anticipated. There has been an increased number of void properties requiring significant investment, with average costs around £25,000. This is due to age related deterioration of the properties which often require replacements of major components. There has also been a significant increase in demand for disabled adaptations, reflecting the needs of tenants.
- 5.6 Based on a 7.7% rent increase, the HRA will have sufficient resources for work programmes currently in progress and meet expected standards but indications are that it will be challenging to meet all the required stock investment needs and fund stock decarbonisation works in the long term. Work is therefore continuing in terms of the longer term capital programme and asset management planning.
- 5.7 Making provision in the longer term capital programme to reduce the carbon impact of the housing stock in line with the Council's strategic priority and to meet Government targets to bring all greenhouse gas emissions to net zero by 2050, it is likely to add in the region of £476 million to future investment costs. External funding contributions will need to be sought in order to achieve this and all the other priorities. The government will expect councils to have maximised their own rental income streams before seeking external funding contributions.

New Homes Programme

- 5.8 The government has demonstrated that it expects councils to play a major part towards the delivery of new social and affordable homes through allowing the retention of right to

buy receipts, and lower HRA borrowing rates through the Public Works Loan Board. However new homes can only be delivered if rental income is maximised to fund the borrowing required.

- 5.9 The programme includes new homes provision of £100 million for the next five years from 2024-2025 for around 500 new homes, including £44 million set aside for future new build schemes. £26.5 million is to fund the next phase of the new homes at Heath Town which will deliver 160 homes on top of the 40 homes that were completed in 2023.
- 5.10 The Council's development programme seeks to prioritise the type of housing stock developed in order to increase homes available for those with priority need under the allocations policy, alleviate homelessness and help people to live independently in their own homes. It is likely that the future development programme will need to focus on building accessible homes and larger family homes where there is a particular shortage of these types of properties, whilst also reflecting the need to develop at an appropriate density to increase stock numbers.
- 5.11 Alongside the application of HRA capital borrowing and capital receipts, homes will be delivered utilising grant opportunities where appropriate, as well as applying Section 106 commuted sums for affordable housing arising from private developments in the city. Grant funding for new homes will fund a proportion of the cost with the balance funded from HRA borrowing.

Improvements to Existing Homes

- 5.12 The Heath Town estate refurbishment managed by Wolverhampton Homes is expected to be completed in 2027 with a budget of £41.5 million. Works now being undertaken include window replacement and external wall insulation works and structural repairs. Work on the new energy centre has commenced.
- 5.13 The work programmes being carried out on the high-rise estates to install external wall insulation, upgrade balconies and windows, renew the mechanical and electrical infrastructure and improve fire safety and retrofit sprinklers have combined budgets of £141 million. This work will deliver improvements to over 1,300 homes and significantly reduce the cost of heating for the residents, helping to reduce the incidences of fuel poverty. Delivery has been accelerated in response to increased customer need and the costs of living crisis.
- 5.14 A medium-rise and low-rise block improvement programme of £34 million is being introduced to deliver external wall insulation, cladding, cavity wall insulation and improved ventilation. Windows, doors and roofs will be replaced and upgraded heating solutions installed. Funding of £2.1 million has been secured via from the Social Housing Decarbonisation Fund (SHDF) towards energy efficiency works.
- 5.15 The budget includes £46 million for Remedial Works to non-traditional properties which will also include decarbonisation measures. A bid to the next round of SHDF will, if successful result in further grant funding. These enhancements that prioritise the homes

needing them most bring forward investment planned in future years and will help reduce fuel costs to tenants. Decarbonisation measures improve the energy efficiency of properties and reduce the energy costs for tenants.

- 5.16 The budget also includes £65 million for major works to void properties and £55.5 million for internal decency improvements. It is expected that the scale of this capital investment will result in a reduction in response repairs costs in future years.

Estate remodelling

- 5.17 The programme includes a budget of £67 million for estate remodelling which will fund the redevelopment at New Park Village and the City Wide Non-Traditional replacement programme, the first phase of which will replace the Tarran bungalows at Bushbury, Wednesfield and Portobello.
- 5.18 The redevelopment at New Park Village will replace around 200 poor energy performing properties and replace with modern, energy efficient homes to meet the needs of the local community and there may be opportunity to increase the number of homes once fully designed, in consultation with the community.
- 5.19 The replacement of the Tarran Bungalows is currently at the procurement stage with delivery of the new homes to commence during the next 12-18 months. The 127 prefabricated bungalows built in the 1940s, have reached the end of their life and will be replaced with similarly designed modern, energy efficient bungalows on the same plots. After consultation with existing residents the phased redevelopment of each estate will be managed sensitively to meet the needs of vulnerable residents.
- 5.20 These projects above are all reflected in the five-year HRA Capital Programme in Appendix 2 of the Business Plan. The programme will be monitored quarterly and reviewed annually to ensure a balanced budget.
- 5.21 Further phases of the City Wide Non-Traditional property replacement programme are being developed and subsequent reports will be presented to future Cabinet meetings once each programme cost has been evaluated together with a resident communication plan.

6.0 Legislative and Policy Changes

- 6.1 On 14 June 2017, a tragic loss of life occurred when 72 people died as a result of a fire at Grenfell Tower, a high-rise block of flats in North Kensington, London. An extensive inquiry into the tragedy, examined the cause and spread of the fire, the external cladding on the building, inadequate fire safety control and procedures, the regulation of the construction industry and response of the emergency services, but also focused upon the experiences of the residents of the building and their relationship with their landlord.
- 6.2 Grenfell residents, both prior to and following the incident reported a one-way leadership culture from the landlord that did not welcome, listen to, or fully understand their views and concerns.

- 6.3 The tragedy and public inquiry has a continuing impact upon the housing sector, the Social Housing Green Paper (2018) followed by The Charter for Social Housing Residents: Social Housing White Paper (2020) sought to set out the issues facing social housing tenants and the actions that could be taken so they are safe, protected, listened to and able to influence how their homes are managed.
- 6.4 The White Paper detailed new requirements for social housing landlords, in addition to the strengthening of the Regulator of Social Housing, moving them from a reactive to a proactive consumer regulatory regime.
- 6.5 This culminated on 20 July 2023 when the Social Housing (Regulation) Bill received Royal Assent becoming the Social Housing (Regulation) Act 2023 and giving new powers to the Regulator and the Housing Ombudsman.
- 6.6 The powers conferred on the Regulator in moving from a reactive to a proactive regulatory regime, include a new inspection framework for all social housing providers in place from April 2024.
- 6.7 The Housing Ombudsman's Spotlight Report on Damp and Mould in October 2021 and Coroner's Report in November 2022 into the tragic death of two-year old Awaab Ishak, who died following prolonged exposure to mould in his home has resulted in a significant focus and urgency within the sector to respond to reports of damp, mould, and condensation (DMC).
- 6.8 A clause in the Social Housing (Regulation) Act, 'Awaab's Law' will require social landlords to respond to and investigate reports of DMC within specific timescales. In Wolverhampton, DMC is to be included within the 'BIG 7' risks.
- 6.9 The introduction of the Act means that from 1 April 2024, CWC will be subject to four yearly inspections as well as an annual review of newly introduced key performance indicators (KPIs). The Act makes clear that the Regulator will be seeking assurance that where a Council contracts out its housing management service to an Arms-Length Management Organisation (ALMO) or Managing Agent (MA), compliance with the standards remains with the Council.
- 6.10 The TSM standard, a recent addition to the consumer standards from 01 April 2023, requires social housing providers to collect data on Tenant Satisfaction Measures (TSMs) from 1 April 2023, with annual publication starting in Summer 2024.
- 6.11 On 25 July 2023, the Regulator issued four new draft consumer standards for consultation which set out the specific expectations and outcomes that all registered providers will be expected to achieve. A final set of revised standards, in addition to the TSMs will apply from April 2024.
- 6.12 The Housing Ombudsman introduced the Complaint Handling Code for Landlords in 2020. The Code was introduced as part of the Ombudsman's new powers in the revised

Housing Ombudsman Scheme. An updated Code took effect from 1 April 2022 and landlords had until 1 October 2022 to become compliant.

- 6.13 The Code is now statutory under the Housing Ombudsman's powers in the Housing Act 1996, as amended by the Social Housing (Regulation) Act 2023.
- 6.14 By issuing a statutory Code, landlords have a duty to comply with it and the Housing Ombudsman has a duty to monitor compliance against it. This will be delivered through individual investigation findings, submissions of the Code self-assessment and monitoring relevant data, including complaint handling performance. Non-compliance can result in the Ombudsman issuing a Complaint Handling Failure Order.
- 6.15 The Fire Safety (England) Regulations came into force in January 2023, they place an enhanced regulatory regime for all buildings, including a more stringent regime for the design, construction, day-to-day management, and maintenance of higher-risk buildings including high rise.
- 6.16 The Building Safety Act (2022) places significant duties on those who procure, plan, and manage building works, with safety considered at every stage of a building's lifetime. Landlords must ensure that tenants and residents are safe and feel safe, with regulatory powers against those landlords found to be underperforming.
- 6.17 From 1 April 2024, CWC will incur additional annual fees to the Regulator, alongside the existing annual fee to the Housing Ombudsman.
- 6.18 To improve and strengthen the Council's understanding of our compliance with the Consumer Standards and readiness to meet the requirements of inspection by the Regulator, City Housing engaged two external organisations.
- 6.19 In 2021, Savills completed a review of compliance of Wolverhampton Homes (CWC's ALMO) against the Consumer Standards. In 2022 – 23, Campbell Tickell (CT) completed an Independent Strategic Review of Housing services delivered by Wolverhampton Homes.
- 6.20 In October 2023, The Social Housing (Regulation) Act 2023 – Landlord Services Review was reported to Cabinet.
- 6.21 A City Housing Improvement Programme (CHIP) has been established to deliver on the Cabinet endorsed mandate to achieve compliance with the Act, by reviewing the relationship with the ALMO, Wolverhampton Homes. Measures include:
 - An overarching Shareholder Board as a focus for housing governance.
 - Amend the Management Agreement and Partnership Pledge to reflect the Regulatory landscape and strengthen CWC's ability to lead on improvements where necessary.
 - Strengthen the clienting arrangements with defined roles and responsibilities, accountabilities for demonstrating assurance and re-assurance, and clear reporting structures.

- Develop a shared evidence base to demonstrate Regulatory Compliance, to support re-assurance testing, a clear line of sight and single view of the truth. CWC lead on creating a Data Process Strategy that ensures data is being recorded consistently across all teams with associated automated Data Quality and reporting.
 - Align WH business planning cycles with those of CWC, including the objectives of the refreshed Housing Strategy.
 - Review all SLAs and functions delivered by Wolverhampton Homes on behalf of CWC, to ensure services are fit for purpose, that adequate monitoring and oversight is in place which provides assurance to the Council and value for money for residents.
 - Following the implementation of the recommended governance changes, review the effectiveness of the new Management Agreement in strengthening CWC expectations, providing sufficient oversight and whether this has provided the direct line of sight required for Regulatory compliance.
- 6.22 As the expectations of the Social Housing (Regulation) Act and the Regulator of Social Housing become clearer, CWC need to continue to consider whether the ALMO remains the best operational model for our housing services to gain full assurance against Consumer Standards and the regulatory regime and to deliver the best services to the tenants of City of Wolverhampton Council.
- 6.23 A report on progress of the City Housing Improvement Programme (CHIP) will be presented to Scrutiny and Cabinet in October 2024.
- 7.0 Rent Increase 2024 - 2025**
- 7.1 The proposed rent increase of 7.7% is chargeable in line with Government policy set out in the Rent Standard 2020 and the rent cap imposed by the government. Careful consideration has been given to the most appropriate level of rent increase, particularly in light of the cost-of-living increases. There is a difficult balance to be struck in deciding the levels at which rents and services charges are set and the income required to maintain and to improve services and properties.
- 7.2 Not applying the increase, or applying a lower increase, would reduce the resources available to fund core services and the capital programme. The Council would have to reduce the number of new homes and programmes to remediate non-traditional homes and low and medium rise estates would need to be postponed for several years, allowing the condition of the properties to deteriorate. Reducing revenue costs would impact on service standards.
- 7.3 It is proposed to increase service charges by 6.7% in line with CPI to recover increases in inflationary costs. An alternative option could be not to increase, or to reduce the charges, in which case the cost would not be recovered, and a subsidy required from general rents.

- 7.4 The Council understand that any increase in rent and service charges will place an additional burden on many families who are already struggling financially. The Council's Financial Well Being Strategy aims to develop a co-ordinated and coherent strategic response to the increased risk of hardship faced by Wolverhampton citizens due to the far-reaching economic and social implications that were already being experienced and in addition, the increased cost of living.
- 7.5 The strategy maximises support with essential living costs, to gain optimal physical and emotional wellbeing and ensure supportive and connected communities for the people of Wolverhampton. It provides a robust framework that enables a shared understanding of the situation, consolidates, and develops a range of initiatives to mitigate risk and implement early and preventative action, with a single document to ensure that Council Leaders, our partners, and the public are regularly updated on progress.
- 7.6 Tenants who are experiencing financial difficulties and struggling to pay their rent will receive support. We will work collectively across City Housing, our Managing Agents, the Financial Well Being Team, Revenue & Benefits and Welfare Rights to ensure that resources are available and appropriately targeted.
- 7.7 Rent collection performance is within target, at 97.7% in Q2 2023-24, just outside the upper quartile of a sector wide comparison. High levels of rent collection reflect the effectiveness of the income management service, the support provided through Money Smart and supporting services, and the resilience of tenants.
- 7.8 In 2023 – 2024 the Council offered further targeted support funded through the Housing Revenue Account, Financial Assistance Scheme. Provision has been made in the budget for £300,000 to continue to the scheme for 2024 – 2025.
- 7.9 This will be kept under review with usage and adequacy reported to councillors through quarterly budget monitoring reports.

8.0 Evaluation of alternative options

- 8.1 The Council could decide not to increase the rents, or to apply a lower rent increase. This would reduce the resources available to fund core services and the capital programme. The Council would have to reduce the number of new homes and programmes to remediate non-traditional homes and low and medium rise estates would need to be postponed for several years, allowing the condition of the properties to deteriorate. Reducing revenue costs would impact on service standards.

9.0 Reasons for decisions

- 9.1 The Council is asked to approve the 7.7% increase to dwellings rent and garage rents in order to be able to maintain services provided to tenants, meet consumer, building and fire safety standards and finance the capital investment as set out in Section 5 of this report.

9.2 The Council is required to approve a balanced HRA budget which is based on income forecasts, maintains supervision and management expenditure, provides for depreciation and finances borrowing.

10.0 Risk

10.1 The Council is no different to any other organisation and will always face risks in achieving its objectives and priorities. Sound risk management can be seen as the clear identification and management of such risks to an acceptable level.

10.2 In the opinion of the Director of Finance (Section 151 Officer), the proposed levels of reserves and provisions is appropriate and adequate in respect of the forthcoming financial year, having taken into account the risks and pressures facing the HRA.

10.3 The Council will continue to monitor the risks associated with the HRA budget and provide updates to Councillors as part of the quarterly performance and revenue budget monitoring reports.

10.4 A risk matrix is attached at Appendix 5 to the Business Plan. The risk register has been updated to reflect the economic and legislative setting in which it operates.

11.0 Financial implications

11.1 A full listing of non-dwelling rents and service charges is set out in Appendix 3 to the Business Plan.

11.2 The Business Plan model has been reviewed, assumptions updated and additional capital expenditure built in with the aim of providing sufficient resources to maintain existing stock and maximising new build. The assumptions in the model have been externally validated by Savills.

11.3 By increasing the rent the HRA is expected to have sufficient resources to fund over £2 billion of capital works required over the next 30 years, as well as meeting its management and maintenance obligations in the same period and adding to the housing stock. Inflation forecasts have been updated in line with the latest economic forecasts. Due to the possible forthcoming period of economic uncertainty, it will be necessary to closely monitor the data underpinning assumptions in the model and forecast the effect of any changes. The five-year revenue budget and 30-year forecasts are summarised at Appendix 1 to the Business Plan.

11.4 The five-year Capital Programme is reviewed quarterly and the latest version is shown in Appendix 2 to the Business Plan. As well as adding a further year to rolling replacement programmes the budget allows for the impact of inflation, increased demand, and bringing forward expenditure to take advantage of Social Housing Decarbonisation grant funding. The budget also includes increased scope to projects where components have deteriorated and to reflect the impact of enhanced regulation.

- 11.5 The Council now has the freedom to borrow to increase the provision of new build housing in line with prudential indicators. HRA borrowing is monitored to ensure that the revenue surplus will always be sufficient to fund forecast interest on debt with a margin built in to allow for interest rate fluctuations.
- 11.6 The Council could decide not to plan to increase capital expenditure and instead use the HRA operating surplus to pay off debt instead of financing the borrowing required to support the capital programme. However, it would not then be using available resources to improve and increase its housing stock as well as the requirement to respond to national building safety standards. Not investing as planned could result in higher investment costs in the long run as assets further deteriorate.
- 11.7 The HRA reserve is currently at £7.0 million, equating to around £324 per unit which in the opinion of the Section 151 Officer is appropriate and adequate in respect of the forthcoming financial year, having taken into account the risks and pressures facing the HRA. However, this benchmarks as relatively low when compared with peer authorities where the average was £1,432 in 2021-2022 (the national average was £2,273) and will therefore be kept under review.
- 11.8 The HRA net surplus available in the proposed budget for 2024-4025 to contribute to capital expenditure or debt repayment equates to around £13.9 million and therefore is at a level that provides additional assurance that the HRA has sufficient resources alongside reserves to provide sufficient contingency.
- 11.9 The HRA Financial Management and Investment Strategy, at Appendix 6 to the Business plan sets out how the HRA borrowing is monitored to ensure that it remains affordable.
[JM/04012024]

12.0 Legal implications

- 12.1 Statutory requirements as to the keeping of a Housing Revenue Account are contained in the Local Government and Housing Act 1989 ('the 1989 Act'). The 1989 Act includes a duty, under Section 76 of the 1989 Act, to budget to prevent a debit balance on the HRA and to implement and review the budget.
- 12.2 Under Section 24 of the Housing Act 1985, local housing authorities have the power to "make such reasonable charges as they may determine for the tenancy or occupation of their houses". Section 24 also requires local authorities, from time to time, to review rents and make such changes as circumstances may require. This provision conferring discretion as to rents and charges made to occupiers, is now subject to further restrictions arising from the provisions of the Welfare Reform and Work Act 2016.
- 12.3 Rent and other charges are excluded from the statutory definition of matters of housing management in respect of which local authorities are required to consult their tenants pursuant to Section 105 of the Housing Act 1985 and Sections 137 and 143A of the Housing Act 1996 in relation to secure, introductory and demoted tenants respectively.

- 12.4 It is further provided by Section 103 of the Housing Act 1985 in relation to secure tenancies, which also applies in respect of introductory tenancies, that its tenants are notified of variation of rent and other charges at least 28 days before the variation takes effect by service of a notice of variation.

[TC/0912024/A]

13.0 Equalities implications

- 13.1 As part of Council's commitment to involving tenants and other service users in the management of housing services, we have contracted TPAS, (Tenant Participation Advisory Service) to work with our Managing Agents, including Wolverhampton Homes, in developing tenant scrutiny models which encourage meaningful engagement and an opportunity to have oversight of housing management and influencing and shaping service delivery. The Housing Tenant Scrutiny and Engagement approach was rolled out across our Managing Agents from April 2023. The approach is independent of the Council and its managing agent and will deliver meaningful consultation and scrutiny of housing services and promote tenant led regulation. TPAS are required to ensure the tenant scrutiny service is representative of all tenants. Adjustments are made in service delivery to ensure the service is accessible to all.
- 13.2 The City Housing Department Equality Plan (DEP) considers and analyses housing services, with the aim to ensure provision is non-biased. During 2023-24, the DEP presented to the Council Equality Advisory Group assessed housing allocations, rent arrears and damp and mould calls/repairs. Ongoing work will be undertaken to continue and build on these assessments to ensure the provision of non-biased housing services.
- 13.3 The Council monitors and reports on the performance of its housing managing agents. The management agreements between the Council and these organisations (Bushbury Hill EMB, Dovecotes TMO, New Park Village TMC and Wolverhampton Homes). The managing agents are required to consider equality of access to their services and have policies in place, which reflect and complement statutory responsibilities and the effective delivery of housing services. Monitoring of the managing agents includes relevant key performance indicators.
- 13.4 The housing service actively engages with the Equality, Diversity and Inclusion team and has an up-to-date equality action plan to promote continuous improvements are made to services and access to those services. Key issues, such as the Councils Housing Allocations Policy and Local Lettings Plans are subject to Cabinet approval and Scrutiny. Areas where poor performance is identified are escalated, reported and action plans developed and monitored to ensure improvement.

14.0 All other implications

- 14.1 The investment and improvement of the city housing stock will have a significant positive impact on the overall city environment. The strategic planning that will take place to

ensure that all council homes are as energy efficient as they will make a major contribution to ensure that the council meets its carbon reduction targets.

- 14.2 The investment and improvement of the current city housing stock and the additional housing created by new build programmes will have a significant positive impact on the health and wellbeing of current and future tenants.

15.0 Schedule of background papers

- 15.1 Welfare Reform and Work Act 2016
15.2 Housing and Planning Act 2016
15.3 The Housing Revenue Account self-financing determinations 2012

16.0 Appendices

- 16.1 Schedule of Appendices

	Housing Revenue Account
1	30 year and medium term business plan
2	Capital Programme
Recommendations concerning income	
3	Non-dwelling rents, service charges and other rents and charges
4	Background to the Housing Revenue Account
5	Risk Analysis
6	HRA Financial Management and Investment Strategy

MEDIUM TERM BUSINESS PLAN 2023-2024 – 2028-2029**Table 1 – Revenue Budget**

2024-2025 to 2028-2029 refer to Years 1-5 in Table 1 below. 2023-2024 is shown for comparative purposes and is the forecast as at Quarter 3.

Payments to Managing agents are funded from Repairs and Maintenance and Supervision and Management budgets. The budget for 2024-2025 has been rebased to reflect the actual spend reported by Wolverhampton Homes.

REVENUE ACCOUNT	2023- 2024	2024- 2025	2025- 2026	2026- 2027	2027- 2028	2028- 2029
	Forecast	Budget	Forecast	Forecast	Forecast	Forecast
	£000	£000	£000	£000	£000	£000
Income						
Dwelling Rents	(98,769)	(108,436)	(109,499)	(114,393)	(117,302)	(120,212)
Other Rents	(600)	(642)	(660)	(678)	(690)	(703)
Service Charges	(6,098)	(6,581)	(6,586)	(6,718)	(6,852)	(6,989)
	(105,467)	(115,659)	(116,745)	(121,789)	(124,844)	(127,904)
Expenditure						
Repairs and maintenance	32,452	31,919	32,407	33,103	33,762	34,392
Supervision and management	23,779	26,965	26,806	27,408	28,021	28,646
Rents, rates and taxes	994	850	800	750	700	650
Financial Support	300	300	-	-	-	-
Increase in provision for bad debts	2,000	2,191	1,995	1,865	1,805	1,741
Depreciation of fixed assets	22,185	22,839	23,608	24,183	24,700	25,116
Contribution to Capital Funding and Debt repayment	12,245	13,940	10,747	10,933	9,598	10,328
Interest Payable	11,512	16,655	20,382	23,547	26,258	27,031
Total expenditure	105,467	115,659	116,745	121,789	124,844	127,904
Balance	-	-	-	-	-	-

Table 2 – Capital Account

Detail of capital programmes can be found at Appendix 2 of the Business Plan

CAPITAL ACCOUNT	2023-	2024-	2025-	2026-	2027-	2028-
	2024	2025	2026	2027	2028	2029
	Budget	Budget	Budget	Budget	Budget	Budget
	£000	£000	£000	£000	£000	£000
Expenditure						
Capital Expenditure	118,691	142,060	128,959	103,920	86,273	63,282
	118,691	142,060	128,959	103,920	86,273	63,282
Financing						
Major Repairs Reserve	(22,185)	(22,839)	(23,608)	(24,183)	(24,700)	(25,116)
Grants, Contributions and Receipts	(12,912)	(5,360)	(5,860)	(5,060)	(5,060)	(5,060)
Borrowing	(83,594)	(113,861)	(99,491)	(74,677)	(56,513)	(33,106)
	(118,691)	(142,060)	(128,959)	(103,920)	(86,273)	(63,282)
Balance	-	-	-	-	-	-

30 YEAR BUSINESS PLAN FORECAST 2024-2025 to 2053-2054

Table 3 - Revenue Account

REVENUE ACCOUNT	Years 1 - 5 £M	Years 6-10 £M	Years 11 - 15 £M	Years 16 - 20 £M	Years 21 - 25 £M	Years 26 - 30 £M
Income						
Total HRA Income	(607)	(674)	(730)	(791)	(859)	(931)
	(607)	(674)	(730)	(791)	(859)	(931)
Expenditure						
Repairs and Maintenance	166	180	196	213	232	253
Supervision and Management	142	155	172	190	210	231
Other charges to revenue account	10	9	10	11	12	13
Depreciation, capital financing and provision for debt repayments	175	182	191	208	226	245
Interest payments	114	148	161	169	179	189
	607	674	719	779	859	931
Balance	-	-	-	-	-	-

Table 4 – Capital Account

CAPITAL ACCOUNT	Years	Years	Years	Years	Years	Years
	1 - 5	6-10	11 - 15	16 - 20	21 - 25	26 - 30
	£M	£M	£M	£M	£M	£M
Expenditure						
Capital Expenditure	525	301	258	270	274	311
Financing						
Major Repairs Reserve	(120)	(132)	(144)	(156)	(169)	(184)
Grants, Contributions and Receipts	(27)	(70)	(64)	(70)	(74)	(79)
Borrowing	(378)	(99)	(50)	(44)	(31)	(48)
	(525)	(301)	(258)	(270)	(274)	(311)
Balance	-	-	-	-	-	-

Appendix 2

Capital Programme Forecasts 2023-2024 to 2028-2029

Programme Budget	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	Total
	£000	£000	£000	£000	£000	£000	£000
New Build Programme							
Heath Town New Build Phase 1	1,350	-	-	-	-	-	1,350
Heath Town New Build Phase 2	50	500	11,000	7,500	5,000	2,500	26,550
Homes purchased from WV Living	3,151	1,334	107	-	-	-	4,592
Ettingshall Road, Showell Circus and Villiers Avenue	50	5,500	1,150	-	-	-	6,700
Reedham Gardens	100	1,500	2,150	-	-	-	3,750
Additional Social Housing	3,541	2,000	2,500	2,500	2,500	-	13,041
Inkerman St Community Housing Development	91	1,500	-	-	-	-	1,591
Bushbury Hill Community Housing Development	92	1,600	-	-	-	-	1,692
Small Sites Phase 5	1,463	-	-	-	-	-	1,463
Old Fallings Crescent	100	2,700	2,700	-	-	-	5,500
New Build Programme	-	3,000	10,162	10,000	10,000	10,492	43,654
New Build Programme Total	9,988	19,634	29,769	20,000	17,500	12,992	109,883
Estate Remodelling							
Heath Town	30	-	-	-	-	-	30
Estate Remodelling – New park Village	1,000	5,000	12,000	12,000	11,223	-	41,223
Estate Remodelling – City Wide Non -Traditional	2,484	8,000	8,000	7,200	-	-	25,684
Estate Remodelling Total	3,514	13,000	20,000	19,200	11,223	-	66,937
Adaptations for People with Disabilities							
Disabled Adaptations Total	2,600	2,600	2,600	2,600	2,600	2,000	15,000

Appendix 2

Programme Budget	2023- 2024	2024- 2025	2025- 2026	2026- 2027	2027- 2028	2028- 2029	Total
	£000	£000	£000	£000	£000	£000	£000
Decent Homes Stock Condition							
Refurbishment of Voids	13,400	15,000	10,500	9,500	8,500	8,500	65,400
Boiler Replacement Programme	1,000	820	810	830	860	860	5,180
Internal Decency Works	12,300	10,600	10,000	9,400	7,500	5,700	55,500
Heath Town - Refurb of Retained Properties	14,400	16,500	8,400	2,200	-	-	41,500
Bushbury Improvement Programme	158	-	-	-	-	-	158
High Rise M&E	22,700	12,000	9,000	6,500	4,000	-	54,200
Low and Mid Rise infrastructure	3,300	10,500	4,200	4,700	5,500	5,500	33,700
Sustainable Estates Programme	130	300	300	300	300	300	1,630
Non-traditional property surveys	550	300	50	50	300	300	1,550
High Rise External Works	1,300	17,900	16,500	17,000	17,000	17,000	86,700
Decent Homes Stock Condition Total	69,238	83,238	59,760	50,480	43,960	38,160	345,518
Other Stock Condition Improvements							
Structural Works	1,851	1,140	1,140	1,140	1,140	1,140	7,551
Lift and Disability Discrimination Act Improvements - High Rise	500	460	460	460	460	400	2,740
Fire Safety – Medium and Low Rise	3,600	-	-	-	-	-	3,600
Roofing Refurbishment Programme	7,020	3,916	3,400	3,400	2,900	2,900	23,536
Door Entry Security Programme	910	410	250	250	300	300	2,420
Remedial Works to non-traditional properties	16,100	13,600	8,200	3,000	2,800	2,000	45,700
Other Stock Condition Improvements Total	29,981	19,526	13,450	8,250	7,600	6,740	85,547
Other Improvements to the Public Realm							
Pathway Improvement and Safety Programme Total	210	220	220	230	230	230	1,340

Appendix 2

Programme Budget	2023- 2024	2024- 2025	2025- 2026	2026- 2027	2027- 2028	2028- 2029	Total
	£000	£000	£000	£000	£000	£000	£000
Service Enhancements and Miscellaneous							
Right to Buy Sale Administration	60	60	60	60	60	60	360
Wolverhampton Homes Capitalised Salaries	2,100	2,100	2,100	2,100	2,100	2,100	12,600
City Council Capitalised Salaries	800	1,000	1,000	1,000	1,000	1,000	5,800
Commercial to Residential – Bond House	200	-	-	-	-	-	200
Service Enhancements and Miscellaneous Total	3,160	3,160	3,160	3,160	3,160	3,160	18,960
GRAND TOTAL	118,691	142,060	128,959	103,920	86,273	63,282	643,185

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Appendix 3

This report is PUBLIC –
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Non-dwelling rents

Garage rents

1. The table below sets out recommended garage rents to take effect from 1 April 2024. (before VAT).
2. Under VAT rules, garages that are let along with a dwelling do not attract VAT, whereas those that are let separately do. Furthermore, exemption from VAT only extends as far as two garages per tenant/leaseholder. Therefore, there are three different levels of garage rents

	Rent per week 2023-2024 (excl VAT)	% increase 2024-2025	Rent per week 2024-2025 (excl VAT)	Rent per week 2024-2025 (incl VAT)
Dwelling tenants and leaseholders (No VAT)	£5.13	7.7	£5.53	
Dwelling tenants and leaseholders – three or more garages (VAT)	£5.13	7.7	£5.53	£6.64
Privately let garages	£7.34	7.7	£7.91	£9.49

Appendix 3

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[NOT PROTECTED]

Service charges

Service Charge	Services funded	Rationale for charge	Charge paid per week 2023-2024	Proposed change	Charge paid per week 2024-2025
Communal Facilities	Communal facilities in former sheltered schemes	Cost Recovery	£2.97	No increase	£2.97
Concierge with CCTV (Phased)	Essential caretaking duties and remote CCTV and door entry	Cost Recovery	£9.72	6.7% increase	£10.37
Concierge with CCTV (full cost recovery)	Essential caretaking duties and remote CCTV and door entry	Cost Recovery	£9.72	6.7% increase	£10.37
Concierge with CCTV	Essential caretaking duties and remote CCTV and door entry	Cost Recovery	£9.72	6.7% increase	£10.37
Communal cleaning	Cleaning services in communal areas in certain properties	Cost Recovery	£3.22	6.7% increase	£3.44
Digital TV	Installation and maintenance of the wiring required to convey digital TV signals to certain high rise blocks	Cost Recovery	£0.64	6.7% increase	£0.68
Fencing	Replacement of boundary fencing delivered by Wolverhampton Homes. All funds raised by this charge are ring-fenced to replacement fencing	Sufficient income raised to fund fencing programme	£1.98	£0.02	£2.00

Appendix 3

This report is PUBLIC –
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Service Charges – Heating

Service Charge	Services funded	Rationale for charge	Charge paid per week 2023-2024	Proposed change	Charge paid per week 2024-2025
District Heating maintenance	Maintenance of boilers and district heating at Heath Town	Cost Recovery	£4.46	6.7% increase	£4.76
District Heating maintenance owner occupiers*	As above	As above – annual charge	£231.98 p.a	No increase	£231.98
District Heating maintenance	Maintenance of boilers and district heating at Hickman Estate	Cost Recovery	£4.46	6.7% increase	£4.76
Central Heating – Gas	Servicing, maintenance and replacement of gas central heating systems	Cost Recovery	£3.97	No increase	£3.97
Central Heating - Electric	Servicing, maintenance and replacement of electric heating	Cost Recovery	£0.99	No increase	£0.99

District Heating Usage Charges

The following rates are charged for the provision of heating and hot water through District Heating to recover fuel costs based upon current metered usage

Heath Town Estate	19.2 per kw/h
Lincoln & Tremont House	17.7p per kw/h
Wodensfield and William Bentley Court	18.6 p per kw/h

It is anticipated that these rates are likely to be adjusted from Sept 2024 due to the contract price of gas. Authority to agree the increases is delegated in accordance with general fees and charges.

Appendix 3

Supported Housing Charges

Service Charge	Services funded	Rationale for charge	Charge paid per week 2023-2024	Proposed change	Charge paid per week 2024-2025
Digital TV	Service provision at Trent Gardens	Cost recovery	£1.31	6.7% increase	£1.40
Communal cleaning	Communal cleaning at Tap Works	Cost recovery	£3.54	6.7% increase	£3.78
Communal cleaning	Internal communal cleaning at Trent Gardens	Cost Recovery	£9.64	6.7% increase	£10.29
Communal Heat Light and Water	Tapworks/Trent Gardens	Cost Recovery	£1.75	6.7% increase	£1.87
Fencing	Tap Works boundary fencing	Provision for replacement	£0.31	6.7% increase	£0.33
Capital Replacement – Tap Works	Capital equipment in communal areas	Provision for replacement	£8.25	6.7% increase	£8.80
Capital Replacement – Trent Gardens	Capital equipment in communal areas	Provision for replacement	£16.50	6.7% increase	£17.61
Window Cleaning	Tap Works	Cost Recovery	£0.21	6.7% increase	£0.22
Window Cleaning	Trent Gardens	Cost Recovery	£0.73	6.7% increase	£0.78

Appendix 3

Temporary accommodation rents and charges

1. The changes for 2024-2025 relate to self-contained standard rent and service charges.

Temporary Accommodation charges	2023-2024 £pw	2024-2025 £pw
Self-Contained standard rent and service charges	75.93 – 129.57	81.69 - 117.97
Self-contained management fee	35.39	38.12
Self-contained Furniture replacement 1	26.49	28.53
Self-contained Furniture replacement 2	34.10	36.73
Cleaning and safety checks	18.00	19.39
Total minimum charge	150.94	167.72
Total maximum charge	201.92	212.20

Properties are across the council stock, mainly on flatted estates. Rent and service charges consistent with neighbouring properties will vary dependent on location, furniture replacement charge applied dependent on property size.

Charges for Land Enquiries

The following fees are chargeable for land enquiries;

£180 land enquiry processing fee

£350 land valuation fee

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Appendix 4

The Housing Revenue Account

1. Local authorities are required by the Local Government and Housing Act (1989) to maintain a ring-fenced revenue account containing expenditure and income relating to their housing landlord service. This is known as the Housing Revenue Account (HRA).
2. Statute governs what may be charged and credited to the HRA, the underlying principle being that housing rents and service charges should only pay for the housing landlord service. In particular, it prevents cross subsidy of those income streams and others that the council receives, for example council tax. The main items which are shown in the HRA are:
 - Income from rents and lettings from dwellings and non-dwellings
 - Costs associated with managing and maintaining the rental stock (but not improving it or the Decent Homes programme, which are capital budget items)
 - Costs and income associated with providing landlord services to tenants such as heating and concierge services
 - The net costs of providing Housing Support services including those to Homeless Families and Carelink as well as HRA feasibility work.
3. Authorities have a duty to prepare and make available to rent payers an annual budget for the HRA in advance of the year in question. The budget must identify how all planned expenditure is to be funded. This may include the use of retained surpluses from previous years, but the HRA must never go into an overall deficit.
4. In accordance with the Council's financial procedure rules, the budget, rents and service charges must be approved by Full Council, which receives recommendations from the Cabinet.

Administration of the HRA at Wolverhampton:

5. The Director of Resident Services has responsibility for the overall HRA budget, and administration of
 - The Council's Housing function, which manages central costs and recharges with the General Fund in conjunction with strategic Finance, as well as undertaking housing development, housing strategy, services for rough sleepers and other specialist support.
 - Wolverhampton Homes and the Tenant Management Organisations who manage the rent collection, day to day maintenance and in the case of Wolverhampton Homes, the programme for maintaining properties at decent homes standard, and more recently, the homeless service.

Appendix 4

HRA Subsidy and Self-financing

6. Until April 2012, one of the key factors in the budget preparation process was the Government's annual HRA subsidy determination. HRA subsidy was a housing resource redistribution system administered by the Department for Communities and Local Government. Authorities either paid into or received money from a national pool, based on a formula that assessed their assumed need to spend and assumed income.
7. HRA subsidy was complex and difficult to predict but had significant impacts on the funds available to an authority's HRA, which made it central to the budget process.
8. With effect from 1 April 2012, HRA subsidy was abolished. Instead of annual determinations, authorities paid or received a one-off settlement at the end of March 2012. This settlement was calculated as the net present value of forecast subsidy payments or receipts over the next 30 years. The final HRA subsidy payment was made in 2012-2013.
9. As part of the self-financing process the government imposed a debt cap of £356.8 million on the HRA, this being the higher of the Subsidy Capital Financing Requirement and the self-financing valuation. On 29 October 2018 the government announced the abolition of the debt cap with immediate effect. The government issued a determination that revoked the previous determinations specifying local authority limits on indebtedness. As a result local authorities are now able to borrow for housebuilding in accordance with the prudential code.

Service Charges

10. Service charges are intended to pay for the receipt of services over and above the provision of a standard dwelling, and not provided to all tenants. They should meet the full cost of providing the service in question, but never exceed it.

Garage Sites

11. HRA garages are not let exclusively to HRA tenants and garage sites do not form part of HRA ringfenced services.

Appendix 5

Risk Number	Category	Risk- cause/event	Impact of Risk	Probability of Risk (P) Score 1-5	Impact of Risk (I) Score 1-5	Score (PxI)	Red (R) Amber (A) Green (G)	Risk Control Measures	Owner	Review Period	
Page 41	1	Government Legislation	There are changes to Government policy that have in year service and budget impact.	Overspend against budget requiring either in year savings or use of housing revenue account balance.	4	5	20	R	<ul style="list-style-type: none"> Monthly monitoring at service level and quarterly monitoring to Members. Close monitoring of developing national position and reporting to Members. HRA balance of £7.0 million 	Director of Finance	Quarterly
		Income and Funding	General interest rates are higher than forecast.	If interest rates are higher than forecast there will be greater interest payments.	3	5	15	R	<ul style="list-style-type: none"> Prudent estimate of interest rates are used in forecasting. The latest forecasts from the OBR are used. 	Director of Finance	Monthly
	3	Income and Funding	Right to Buy sales are higher than forecast.	Less revenue will be received over the life of the plan than has been forecast.	3	4	12	A	<ul style="list-style-type: none"> Prudent estimates of the level of Right to Buy sales are used in forecasting. Review impact of new government policies Weekly monitoring of sales 	Director of Finance	Monthly
	4	Income and Funding	Inflation rates are lower than budgeted for.	Rents cannot be raised as much as has been forecast.	2	5	10	A	<ul style="list-style-type: none"> Prudent estimates of inflation rates are used in forecasting based on external economic forecasts. 	Director of Finance	Monthly

Appendix 5

Risk Number	Category	Risk- cause/event	Impact of Risk	Probability of Risk (P) Score 1-5	Impact of Risk (I) Score 1-5	Score (Pxl)	Red (R) Amber (A) Green (G)	Risk Control Measures	Owner	Review Period
5	Income and Funding	Higher than anticipated bad debts.	Overspend against budget requiring either in year savings or use of housing revenue account balance.	3	3	9	A	<ul style="list-style-type: none"> Robust debt collection and recovery mechanisms in place. Monthly monitoring of Managing agents performance at service level and quarterly monitoring to Members. Monitor effect of Universal Credit. Provide support with financial wellbeing 	Director of Resident Services	Monthly
6	Financial and Budget Management	Ineffective budget management.	Overspend against budget requiring either in year savings or use of housing revenue account balance.	2	4	8	A	<ul style="list-style-type: none"> Monthly monitoring at service level and quarterly monitoring to Councillors. Monitor Wolverhampton Homes performance through Financial Issues Group 	Director of Resident Services	Monthly
7	Financial and Budget Management	The 30 year asset management plan is inaccurate.	Capital expenditure is not budgeted correctly.	2	4	8	A	<ul style="list-style-type: none"> Close interrogation of information generated from asset management systems. Monitor through Asset Management Group 	Director of Resident Services	Monthly

Appendix 5

Risk Number	Category	Risk- cause/event	Impact of Risk	Probability of Risk (P) Score 1-5	Impact of Risk (I) Score 1-5	Score (Pxl)	Red (R) Amber (A) Green (G)	Risk Control Measures	Owner	Review Period
8	Financial and Budget Management	Treasury Management Activity, including increases in the cost of borrowing (e.g. LOBO loans being called) and/or reductions in the return on investments.	Overspend against budget requiring either in year savings or use of housing revenue account balance.	2	4	8	A	<ul style="list-style-type: none"> Robust Treasury Management Strategy. Established and experienced Treasury Management function. Proactive approach to the management of the council's cash flow, on a daily basis, including seeking opportunities to take advantage of borrowing opportunities when interest rates are favourable and seeking to maximise returns on investment whilst effectively managing the risk associated with those investments. External treasury management advisors who provide a proactive and timely service and advice. 	Director of Finance	Daily
9	Financial and Budget Management	Loss of ICT facilities, e.g. due to failure of systems and/or disaster recovery arrangements or key personnel	Lack of robust financial information on which to monitor budgets, leading to in-year budget deficit requiring savings to be identified or the use of Housing Revenue Account balances	2	4	8	A	<ul style="list-style-type: none"> ICT disaster recovery project and arrangements. 	Head of ICT	Monthly

Appendix 5

Risk Number	Category	Risk- cause/event	Impact of Risk	Probability of Risk (P) Score 1-5	Impact of Risk (I) Score 1-5	Score (Pxl)	Red (R) Amber (A) Green (G)	Risk Control Measures	Owner	Review Period
10	Financial and Budget Management	HRA borrowing rises to unaffordable levels after abolition of borrowing cap	Inability to borrow to fund future capital projects results in delays or cancellations.	2	3	6	A	<ul style="list-style-type: none"> Close monitoring of capital spend requirements, including monitoring interest cover ratio Business Plan makes appropriate provision for the repayment of debt 	Director of Finance	Monthly
11	Income and Funding	Reduction to other income.	Overspend against budget requiring either in year savings or use of housing revenue account balance.	2	3	6	A	<ul style="list-style-type: none"> As part of the 2022-2023 budget process income budgets were reviewed and revised accordingly. Monthly monitoring at service level and quarterly monitoring to Members. Monitor through Financial issues group 	Director of Finance	Monthly
12	Managing Agent	Performance issues requiring intervention	Income collection Void rent loss Inappropriate use of resources	2	3	6	A	<ul style="list-style-type: none"> Quarterly performance monitoring Financial audits Monitoring of financial position and performance through the Financial Issues and Delivery Plan monitoring groups 	Director of Resident Services Director of Finance	Quarterly Annual

Appendix 5

Risk Number	Category	Risk- cause/event	Impact of Risk	Probability of Risk (P) Score 1-5	Impact of Risk (I) Score 1-5	Score (Pxl)	Red (R) Amber (A) Green (G)	Risk Control Measures	Owner	Review Period
13	Third Parties	Third parties and suppliers / contractors cease to trade or withdraw from the market.	Short term expensive solutions may be necessary. Requirements to undertake tender exercise. Increased ongoing cost due to reduced competition. Overspend against budget requiring either in year savings or use of housing revenue account balance.	1	4	4	=A	<ul style="list-style-type: none"> Departments using external service suppliers work closely with them and are kept abreast of their service and business situation. At worst this gives the council notice of emerging problems. Monthly monitoring at service level and quarterly monitoring to Members. Strategic Construction Partnership uses two different contractors. 	Budget Holders	Monthly
14	Income and Funding	Lower than anticipated levels of capital funding through receipts and grants.	Capital schemes are cancelled or delayed or have to be funded from revenue budgets and/or prudential borrowing resulting in an over spend against budget requiring either in year savings or use of housing revenue account balance.	2	2	4	A	<ul style="list-style-type: none"> The Capital Programme is actively and closely managed and when so doing expenditure and income streams are continuously monitored. Quarterly monitoring to Members. 	Director of Finance	Monthly

Appendix 5

Risk Number	Category	Risk- cause/event	Impact of Risk	Probability of Risk (P) Score 1-5	Impact of Risk (I) Score 1-5	Score (Pxl)	Red (R) Amber (A) Green (G)	Risk Control Measures	Owner	Review Period
15	Financial and Budget Management	Non pay inflation increase insufficient.	Overspend against budget requiring either in year savings or use of housing revenue account balance.	2	2	4	A	<ul style="list-style-type: none"> Monthly monitoring at service level and quarterly monitoring to Members. 	Director of Finance	Monthly
16	Service Demands	Increased demand for services including the impact of social and demographic pressures on demand for services.	Overspend against budget requiring either in year savings or use of housing revenue account balance.	1	2	2	G	<ul style="list-style-type: none"> As part of the 2022-2023 budget process budgets were reviewed and revised accordingly taking account of known and anticipated increases in demand. Monthly monitoring at service level and quarterly monitoring to Members. Monitor at Financial Issues Group 	Budget Holders	Monthly

HRA Financial Management and Investment Strategy

1.0 Introduction

- 1.1 Following the abolition of the HRA debt cap in October 2018 the Council is required to publish Prudential Indicators specific to the HRA.
- 1.2 Local Authorities are required by regulation to have regard to the prudential code. The objectives of the code are to ensure within a clear framework that capital investment plans are affordable, prudent and sustainable.
- 1.3 As the Council continues to increase its capital investment programme supported by an increase in HRA borrowing, it is timely for the council to set out its approach to monitoring the financial capacity and capability of the HRA to deliver on its objectives towards refurbishment, investment, regeneration and new supply.
- 1.4 By identifying future investment capacity potential, the Council can evidence the affordability of its borrowing and investment strategy for council housing.

HRA 30 year borrowing forecasts are illustrated by the graph at Section 7 below

2.0 Interest Rate Chargeable to HRA borrowing

- 2.1 The Council currently operates a one pool approach to financing both the General Fund and the HRA which results in an interest rate being shared between the two Capital Financing Requirements.
- 2.2 Authority will be given to the Section 151 officer to determine a different approach if required, for example additional borrowing for new developments could be separated from the average interest calculation should this be beneficial.

3.0 HRA Debt Repayment

- 3.1 Since the introduction of self-financing in 2012, the Council has adopted a strategy to utilise the annual HRA operating surplus to repay debt. Under the prudential framework authorities are required to set aside money each year from revenue where they borrow to finance general fund capital spending. This is referred to as Minimum Revenue Provision (MRP).
- 3.2 The annual HRA operating surplus refers to the balance remaining after operating expenses, depreciation and financing costs have been charged against income. Borrowing for Social Housing does not require the set aside of MRP so the balance can be used to fund capital expenditure or increase reserves as well as repaying debt. However sufficient debt repayment should be made in order to create headroom for future borrowing.

Appendix 6

- 3.3 The council is required to charge Depreciation to the HRA in order to reflect the costs of providing the asset over the life of the asset. The depreciation effectively sets aside funding for capital works that enhance and prolong the life of the asset (for accounting purposes this is managed through a Major Repairs Reserve).
- 3.3 Authority will be given to the Section 151 Officer to determine the use of the annual HRA operating surplus in the way that is most beneficial to the Council.

4.0 Investment Framework

- 4.1 While there is no theoretical limit to borrowing within the HRA, the existing asset and operating base generates a net income stream that does offer a logical limit on sustainable borrowing levels because it needs to be sufficient to fund services and cover financing costs.
- 4.2 This strategy sets out the framework within which decisions will be taken to ensure that the HRA Business Plan remains sustainable and borrowing affordable.
- 4.3 Reference is made to the Housing Association sector, traditionally funded through long term bank lending secured on the asset base so provides an insight into the viability and sustainability of borrowing as viewed by private lenders.

4.4 Interest Cover Ratio (ICR)

This is the ratio of operating surplus divided by interest costs and represents the cover that the HRA has against its interest cost liabilities in any year; the ICR is set to a minimum which provides comfort that if there were a sudden drop in income or increase in operating costs, there would be sufficient headroom to continue to cover debt interest.

Housing Association lending covenants are generally based on an ICR of between 1.10 and 1.50 with 1.25 being a typical golden rule.

This strategy sets out that the ICR for the HRA should remain at 1.2 or above for the duration of the 30 year plan. The ICR will be monitored on an annual basis by the Section 151 Officer. Authority is given to the Section 151 officer to determine a variation on the minimum ICR

The HRA 30 year Interest Cover Ratio forecast is illustrated by the graph at Section 7 below and demonstrates that financing of the proposed capital programme with the proposed level of debt repayment is affordable.

5.0 Operating Costs

- 5.1 The effective management of operating costs will enable the HRA to sustain borrowing capacity by creating and maintaining headroom.

Appendix 6

5.2 It is the Council’s strategy to ensure that operating costs are linked to property numbers so that they vary as property numbers reduce over time in line with income generated.

6.0 Minimum Balance

6.1 The HRA minimum balance needs to be sufficient to provide a contingency. Currently at a level of £7 million, equating to 7% of turnover.

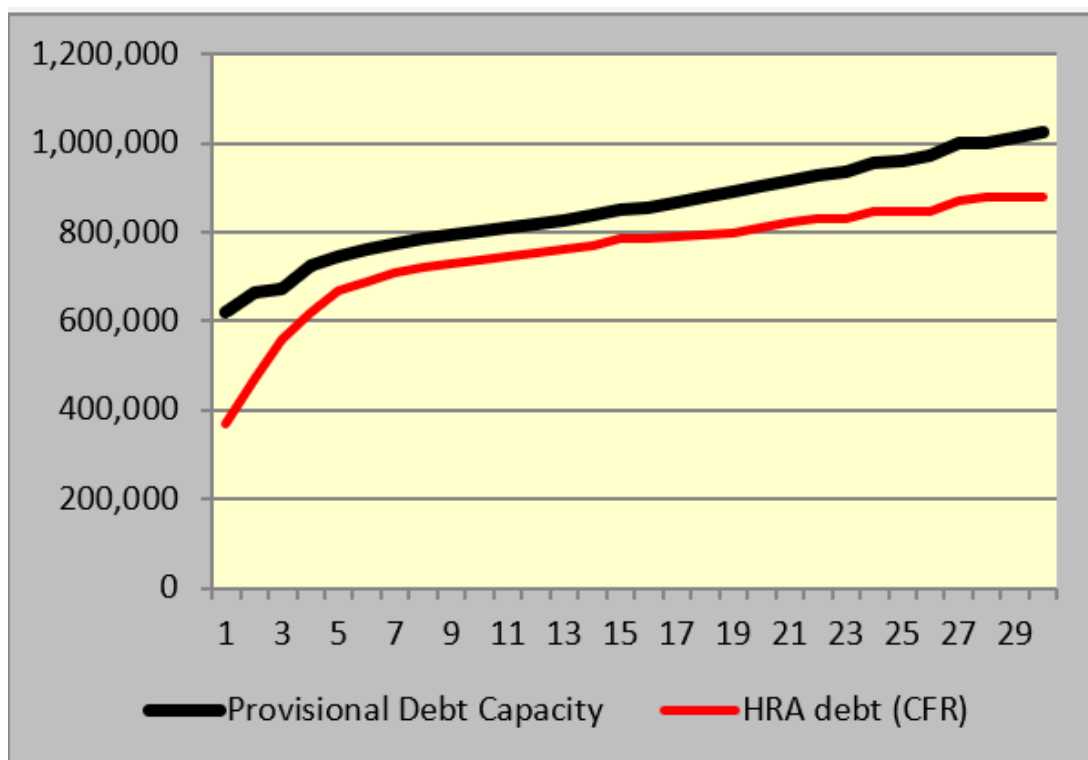
6.2 The Section 151 officer will consider the risks and pressures facing the HRA when determining an appropriate and adequate level of reserve.

6.3 The Section 151 officer will review the minimum balance on an annual basis.

7.0 HRA Borrowing and Interest Cover

7.1 30 year HRA Debt Projection from 2024-2025

The closing Capital Financing Requirement (CFR) is the borrowing need at the end of the financial year.



The provisional debt capacity is created by the minimum ICR

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet 17 January 2024
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Report title	Council Tax Base and Business Rates (NDR) Net Rate Yield 2024-2025 and Update on the Provisional Local Government Finance Settlement	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Louise Miles Resources	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	James Howse, Interim Director of Finance	
Originating service	Strategic Finance	
Accountable employee	Alison Shannon Tel Email	Deputy Director of Finance 01902 554561 Alison.Shannon@wolverhampton.gov.uk
Report to be/has been considered by		

Recommendations for decision:

The Cabinet is recommended to:

1. Set the Collection Fund Council Tax Base for 2024-2025 at 66,645.60 Band D equivalents.
2. Set the Collection Fund Business Rates, also referred to as Non-Domestic Rates (NDR), Net Rate Yield for 2024-2025 at £78.6 million.
3. Delegate authority to the Cabinet Member for Resources, in consultation with the interim Director of Finance, to approve amendments to:
 - a. The final Business Rates Net Rate Yield as required as a result of changes to the NNDR 1 form (National Non-Domestic Rates return) by the Department for Levelling Up, Housing and Communities or data revisions and changes in projections.

- b. The Council Tax Base as a result of any data revisions and changes in projections.
4. Approve the following extensions to the local Business Rates Discretionary Relief Policy:
 - a. In respect of charitable and voluntary organisations for one year from 1 April 2024.
 - b. In respect of Retail, Hospitality and Leisure Business Rates relief scheme for one year from 1 April 2024.
 - c. In respect of transitional relief for the period from 1 April 2024 to 31 March 2026.
 - d. In respect of supporting small businesses for the period from 1 April 2024 to 31 March 2026.
 - e. In respect of Improvement Relief for the period from 1 April 2024 to 31 March 2029.
 5. Agree that applications for discretionary rate relief should be made within the financial year for which relief is being sought effective from 1 April 2024. Delegate authority to the interim Director of Finance in consultation with the Head of Revenues and Benefits to award relief in exceptional circumstances for applications received after this time.
 6. Delegate authority to the interim Director of Finance in consultation with the Head of Revenues and Benefits to award relief in individual cases which satisfy the criteria for the categories of discretionary rate relief in accordance with Section 47 Local Government Finance Act 1988.

Recommendation for noting:

That Cabinet is asked to note:

1. The outcome of the 2024-2025 Provisional Local Government Finance Settlement.

1.0 Purpose

- 1.1 The purpose of this report is to set the estimates for Wolverhampton Collection Fund 2024-2025, which the Council manages on behalf of local precepting bodies and central government and to seek approval to extend the Council's local scheme for Business Rates Discretionary Relief with effect from 1 April 2024.
- 1.2 In addition, this report provides an update on the Provisional Local Government Finance Settlement announced on 18 December 2023.

2.0 Background

- 2.1 In accordance with the Local Government Finance Act 2012, the Council must set a Council Tax Base before the end of January which will be used to set the Council Tax Requirements for the following year. It represents the total number of Band D equivalent council taxpayers from whom the Council will collect Council Tax in the year ahead. The total tax collected is shared in agreed proportions with the West Midlands Police and Crime Commissioner and the West Midlands Fire and Rescue Authority.
- 2.2 The Council must also set a Business Rates baseline net rate yield which is used to estimate the amount that the authority will keep as its local share of Business Rates and pay over to the West Midlands Fire and Rescue Authority. It represents the total estimated liability for Business Rates, net of discounts and reliefs, in the Council's area for the year ahead.
- 2.3 The setting of the Council Tax Base and Business Rates baseline net rate yield both impact directly on the Council's General Fund budget and Medium Term Financial Strategy (MTFS).
- 2.4 The Council Tax Base for 2024-2025 must be determined by 31 January 2024 and notified to the precepting bodies on or before that date, so that they can use the information in setting their precepts for 2024-2025. This will determine cashflows between the Collection Fund and precepting bodies during 2024-2025.
- 2.5 The Business Rates baseline net yield must be determined by 31 January 2024 and notified to the Department for Levelling Up, Housing and Communities (DLUHC) on their NNDR 1 form. This will determine cashflows between the Collection Fund and the Council and the West Midlands Fire and Rescue Authority for 2024-2025.
- 2.6 In October 2016, Cabinet approved that the Council, as one of the Constituent Members of the West Midlands Combined Authority (WMCA), participates in a Business Rates retention pilot from April 2017, on a no financial detriment basis. As a result of entering into this pilot, the Council will: retain 99% of Business Rates, no longer receive Revenue Support Grant and receive a Top Up Grant adjustment to account for the net effect of the changes. The Council will continue to be part of the Business Rates retention pilot in 2024-2025.

- 2.7 The NNDR 1 form has been issued by DLUHC in December 2023. Work has been ongoing to forecast the Business Rates net yield for 2024-2025, however, approval is sought to delegate authority to the Cabinet Member for Resources, in consultation with the interim Director of Finance to resolve any changes without further recourse to Cabinet approval prior to the deadline for submission of 31 January 2024.
- 2.8 On 5 December 2023, the Government issued its 'Local Government Finance Policy Statement 2024 to 2025'. As part of this, the Government proposed the continuation of a Council Tax referendum limit for increases in Council Tax of up to 3% and for local authorities with social care responsibilities, the continuation of the adult social care precept of 2%. This was confirmed in the Provisional Local Government Finance Settlement and is in line with the assumptions built into the MTFs.

3.0 Council Tax Base assumptions

- 3.1 The method used to calculate the Council Tax Base for 2024-2025 is set out in the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 which came into force on 30 November 2012.
- 3.2 The calculation starts with the base figures from October 2023 and then adjusts these for known and projected growth.
- 3.3 The total Tax Base, expressed in terms of the number of Band D equivalents, has then been multiplied by an assumed eventual net collection rate of 97.11%

Table 1 – Council Tax Base 2024-2025

	Number of Band D Equivalents
October 2023 baseline	79,159.67
Council Tax Reduction Scheme	(10,980.43)
New build and growth forecast	451.00
Total taxbase before collectability adjustment	68,630.24
Final taxbase including collectability adjustment	66,645.60

- 3.4 The Council Tax Base is expressed as Band D equivalents, however, within Wolverhampton the average property falls within Band A.

4.0 Business Rates yield estimates

- 4.1 The method used to calculate the Business Rates net rate yield for 2024-2025 is set out in the NNDR 1 form issued by central government and associated guidance.

- 4.2 It specifies that an authority starts with the base figures from 31 December 2023 Valuation Office Agency (VOA) list, then adjusts them for known and projected growth in the base, reliefs and losses from appeals which are currently in hand.
- 4.3 As part of the Autumn Statement 2023, the Government announced that there would be a freeze on the small business multiplier, whereas the standard rate multiplier will be uplifted in line with CPI inflation. The multipliers are used to calculate the business rates payable by ratepayers, together with reliefs to be awarded under the Council's discretionary powers, shown within section 5, agreeing to compensate Councils through Section 31 grant for the loss in income.

Table 2 – Business Rates net rates yield estimate 2024-2025

	£000
Baseline	115,904
Transitional Arrangements (net cost for CWC)	(4,148)
Transitional Arrangements (payable from DLUHC)	4,148
Mandatory reliefs	(18,429)
Unoccupied property	(2,700)
Discretionary reliefs	(7,126)
Losses on collection	(4,545)
Appeals	(3,276)
Disregarded Amounts in respect of Designated Areas	(922)
Cost of collection	(336)
Estimated net rate yield	78,570

- 4.4 As stated in paragraph 2.6 above, Cabinet approved that the City of Wolverhampton Council, as one of the Constituent Members of the WMCA, is participating in a 100% Business Rates retention pilot from April 2017, on a no financial detriment basis. As a result of entering into this pilot, the Council will: retain 99% of Business Rates, no longer receive Revenue Support Grant and receive a Top Up Grant adjustment to account for the net effect of the changes.
- 4.5 The NNDR 1 form has been issued by DLUHC in December 2023. Work has been ongoing to forecast the Business Rates net yield for 2024-2025, however, approval is sought to delegate authority to the Cabinet Member for Resources, in consultation with the interim Director of Finance to resolve any changes without further recourse to Cabinet approval prior to the deadline for submission of 31 January 2024.
- 4.6 There is some complexity in identifying the true Business Rates growth between years due to Business Rates appeals and the 2023 revaluation, however, an approach to allocate the growth in the central share for 2017-2018 to 2023-2024 has been agreed with the WMCA. The assumed growth of £12.0 million attributed to the WMCA in 2023-2024, in line with the Investment Plan assumptions, has been apportioned for each

authority pro rata to the aggregate Rateable Value at the start of the year, resulting in a contribution due from Wolverhampton of £939,900 (in 2022-2023 the contribution was £800,300).

5.0 Discretionary Rate Relief

- 5.1 Discretionary rate relief is granted under Section 47 of the Local Government Finance Act 1988.
- 5.2 The existing scheme relating to charitable and voluntary organisations provides either up to 20% of relief for registered charities (on top of 80% mandatory relief) or up to 100% of relief for organisations that are not established or conducted for profit.
- 5.3 In the Autumn Statement on 22 November 2023, the Government announced that there will be a continuation of the 75% discretionary business rates relief for businesses in the retail, hospitality, and leisure sectors in 2024-2025 up to a cap of £110,000. These are awarded as a discretionary reduction in accordance with government guidance and is fully reimbursed through Section 31 grant.
- 5.4 Transitional relief limits how much the business rates bill can increase during the financial year because of the business rates revaluation.
- 5.5 Supporting small business relief was introduced following the revaluation on 1 April 2023 to limit the loss of those businesses who have seen increases in their business rates bill, which is restricted to £600 for each financial year from 1 April 2023 to 31 March 2026.
- 5.6 The Non-Domestic Rating Act 2023 introduced Improvement Relief to support businesses wishing to invest in their property, to provide the ratepayer with 12 months before seeing an increase in their business rates bill, because of qualifying improvements to the property that they occupy. The relief is due to commence from 1 April 2024 and will apply to works completed by 31 March 2028. This scheme will be delivered through a certificated reduction in their rateable value for the 12 months.
- 5.7 The Non-Domestic Rating Act 2023 removed the restriction in section 47(7) of the Local Government Finance Act 1988 on backdating of decisions concerning discretionary rate relief. This requires the Council to implement its own rules regarding the degree of enabling retrospective discretionary rate relief. It is recommended that applications are required within the financial year for which relief is being sought. Accepting applications made after this time is recommended to be at the discretion of the interim Director of Finance in consultation with the Head of Revenues and Benefits where sufficient reasons justify retrospective awards, such as late notification of a business assessment by the Valuation Office Agency.
- 5.8 It is recommended that authority is given to the interim Director of Finance in consultation with the Head of Revenues and Benefits to award relief in individual cases which satisfy the criteria for the categories of discretionary rate relief in accordance with Section 47 Local Government Finance Act 1988.

6.0 Provisional Local Government Finance Settlement

- 6.1 The provisional local government finance settlement was announced on the 18 December 2023.
- 6.2 It was announced that there is a national increase in core spending power of 6.5%. The projected increase in core spending power for Wolverhampton based on the provisional figures released by Government is an increase of 6.2%.
- 6.3 The key points arising from the announcement are detailed in the paragraphs below.

Council Tax and Adult Social Care Precept Referendum Limit

- 6.4 As detailed in paragraph 2.8, The Government confirmed the proposed Council Tax referendum limits at up to 3% for Council Tax and up to 2% for Adult Social Care precept. This is in line with the assumptions built into the draft 2024-2025 budget.

Business rates Multiplier

- 6.5 It was announced as part of the Autumn Statement 2023, that the small business rates multiplier will be frozen at 49.9p and there will be an increase to the standard rate multiplier of 6.7% (from 51.2p to 54.6p). The approach in applying inflation requires local authorities to be compensated for the inflation increase lost to the small business rates multiplier element of their taxbase through a section 31 grant. These figures are projected from the NNDR 1 return as outlined in section 4 and are still subject to validation. The Final Budget report which will be presented to Cabinet in February will be updated to reflect the final figures.

New Homes Bonus

- 6.6 The Government announced that the New Homes Bonus will continue in the same format as 2023-2024 for 2024-2025 with no legacy payments. The Council's provisional allocation is £15,000, this is not currently assumed in the 2024-2025 draft budget. The allocation for 2023-2024 was £709,000.

Services Grant

- 6.7 The Services Grant allocation has reduced nationally from £483 million in 2023-2024 to £77 million in 2024-2025. The 2024-2025 draft budget currently assumes that this grant continued at the 2023-2024 level of £3.2 million. However, the Council's provisional allocation for 2024-2025 is £507,000, a reduction of £2.7 million. This reduced allocation will be reflected in the Final Budget Report to Cabinet in February 2024.

Social Care Grants

- 6.8 Local authorities receive a number of social care grants to support pressures across adult and children's social care, some of which have conditions attached to them. The Government have announced a national increase across these grants of £1,380 million. The provisional allocation for the Council is £53.6 million, an increase of £1.9 million on

our current working assumptions. However, of this £1.2 million relates to the Market Sustainability and Improvement Fund - Workforce Fund which was announced in July 2023. The Council's allocation for 2023-2024 is £2.1 million. The Final Budget Report to Cabinet in February will be updated to reflect the revised allocation, however, it is anticipated that this will support costs pressures across Adults and Children's social care.

Government Consultation

6.9 The Government have released a consultation on the Provisional Settlement with responses to be provided by 15 January 2024.

7.0 Evaluation of alternative options

7.1 The Council Tax Base and the Business Rates Net Rate Yield have been prepared in accordance with relevant legislation.

7.2 The Council could choose not to extend the discretionary relief schemes.

- a. In respect of relief for charitable and voluntary organisations, this option has been discounted because of the beneficial impact to local communities of the services provided. In addition, there could potentially be increased demand for Council services should these services be withdrawn.
- b. In respect the other business rates discretionary relief schemes, this option has been discounted as the criteria for award will match the requirement to be fully funded by Government and they provide an opportunity to reduce rates bills for local businesses.

7.3 The Council could choose not to award any period of backdating for discretionary relief schemes. This has been discounted due to the charitable and non-profit making organisations generally requiring a period of time to be aware of and submit the necessary information in support of an application. There are also situations which are outside of the control of the organisation, such as delays in notification of a rateable value by the Valuation Office Agency.

8.0 Reasons for decisions

8.1 To comply with legislative requirements, Cabinet are recommended to approve the Council Tax Base and Business Rates Net Rate Yield for 2024-2025. This will inform the budget setting process for 2024-2025, for the Council and precepting bodies.

8.2 Approval is also sought to delegate authority to the Cabinet Member for Resources, in consultation with the interim Director of Finance, to approve any final changes to the final Business Rates Net Rate Yield as required as a result of changes to the NNDR 1 form and the Council Tax Base reflecting any further information received ahead of the statutory deadline of 31 January 2024.

- 8.3 Extending the scheme for charitable and voluntary organisations continues to support a range of organisations providing support to vulnerable groups allowing the Council to foster good relations and enhance equal opportunities.
- 8.4 Providing discretionary rate relief to businesses in accordance with Government guidance reduces the business rate bill at no cost to the Council.
- 8.5 The Council is required to determine an effective date for eligibility to discretionary rate relief following changes in legislation.

9.0 Financial implications

- 9.1 The assumptions as reported to Cabinet on 18 October 2023, in the Draft Budget 2024-2025 and Medium Term Financial Strategy, were in line with Government policy on Council Tax referendum limits, which is up to 3% for Council Tax and 2% adult social care precept. Based on these assumptions and the recommended Council Tax base, this would generate income in the region of £133.6 million.
- 9.2 Of the £78.6 million net rate yielded by Business Rates forecast to be collected in 2024-2025 the Council would retain £77.8 million under the 99% Business Rate retention scheme pilot. However, an element of the real terms growth in the central share of Business Rates will be passported to the West Midlands Combined Authority. Work is ongoing to determine this contribution for 2024-2025. An update will be provided in the Final Budget Report to Cabinet on 21 February 2024.
- 9.3 Work has been ongoing to forecast the Council Tax Base and Business Rates net rate yield for 2024-2025, however, approval is sought to delegate authority to the Cabinet Member for Resources, in consultation with the interim Director of Finance, to resolve any changes without further recourse to Cabinet approval prior to the deadline for submission of 31 January 2024; this figure is therefore preliminary and subject to change. The final position will be reported in the Final Budget Report to Cabinet on 21 February 2024.
- 9.4 Under the 99% business rates retention scheme, the cost to the Council of awarding discretionary (charitable and voluntary organisations) relief in 2024-2025 will be in the region of £675,000.
- 9.5 There are no direct financial costs for awards of discretionary rate relief for the Retail, Hospitality, and Leisure Business Rates Relief scheme, supporting small business, transitional relief and improvement relief schemes, as they will be funded by Section 31 grant.
[SH/09012024/Z]

10.0 Legal implications

- 10.1 The relevant legislation is contained in the body of the report and the recommendations will ensure the Council complies with the relevant legislation.

- 10.2 Section 47 of the Local Government Finance Act 1988 gives discretionary power to billing authorities to grant partial or full relief to certain categories of non-domestic ratepayer. The Non-Domestic Rating (Discretionary Relief) Regulations 1989 allow for this relief to be restricted to a fixed period.
- 10.3 It will be for the Council to adopt a local scheme and determine in each individual case, having regard to the Government's guidance to grant relief and ensure that any relief granted does not transgress subsidy control limits.
[TC/0912024/D]

11.0 Equalities implications

- 11.1 The method by which the MTFs and supporting resources, including those detailed in this report for 2024-2025 are developed, is governed by the Council Plan priorities, which itself was guided by consultation and equality analysis. All of this will enable Councillors to pay, "due regard" to the equalities impact of their budget decisions at that point in the budget development process. The resulting and final report to Cabinet and Council will contain a supporting equality analysis that will offer information across the whole range of proposals and in doing so enable Councillors to discharge their duty under Section 149 of the Equality Act 2010.

12.0 All other implications

- 12.1 There are no other implications arising from this report.

13.0 Schedule of background papers

- 13.1 [Draft Budget 2024-2025 and Medium Term Financial Strategy](#), Report to Cabinet, 18 October 2023

CITY OF WOLVERHAMPTON COUNCIL	Cabinet 17 January 2024
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Report title	Collection Fund Estimated Outturn 2023-2024	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Louise Miles Resources	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	James Howse, Interim Director of Finance	
Originating service	Strategic Finance	
Accountable employee	Alison Shannon	Deputy Director of Finance
	Tel	01902 554561
	Email	Alison.Shannon@wolverhampton.gov.uk
Report to be/has been considered by		

Recommendations for decision:

The Cabinet is recommended to approve:

1. The estimated outturn for Council Tax in 2023-2024 is a cumulative surplus of approximately £546,000 which includes the carry forward of the in-year 2020-2021 deficit, which the Government confirmed could be spread over three years from 2021-2022 to 2023-2024.
2. The estimated outturn for Business Rates, also referred to as Non-Domestic Rates, in 2023-2024 is a cumulative surplus of approximately £3.3 million with an estimated deficit in 2023-2024 totalling approximately £354,000.
3. That authority be delegated to the Cabinet Member for Resources, in consultation with the interim Director of Finance, to confirm any final changes to the forecast outturn reflecting any further information received ahead of the statutory deadline of 31 January 2024.
4. That authority be delegated to the interim Director of Finance to confirm and arrange the final payments to the precepting authorities.

1.0 Purpose

- 1.1 The purpose of this report is to inform Cabinet of the estimated outturn for Council Tax and Business Rates, also referred to as Non-Domestic Rates (NDR), transactions on the Collection Fund in 2023-2024.

2.0 Background

- 2.1 Council Tax billing authorities are required to maintain a Collection Fund in accordance with Sections 89 and 90 of the Local Government Finance Act 1988. The operation of the Collection Fund is prescribed in detail by a series of specifications, regulations and directions made under various sections of the Local Government Finance Acts 1988 and 1992. Broadly, the Collection Fund's income comes from receipts of Council Tax and Business Rates, also referred to as Non-Domestic Rates (NDR), collected from taxpayers and any amounts transferred in (e.g. in respect of previous years' deficits). Expenses met from the Fund consist of adjustments to individuals' and companies' tax liabilities (refunds etc.), the billing authority's own budget demand, write offs, precepts and previous years' surpluses transferable out.
- 2.2 Each billing authority must make an estimate of the surplus or deficit for the Council Tax and Business Rates transactions of the Collection Fund for the current financial year. Such estimated surpluses or deficits do not remain in the Collection Fund but are shared between the billing authority, precepting authorities and central government (where applicable) in the year following the financial year to which they relate. Precepting authorities should be notified of their share of any surplus or deficit within seven working days of the estimate being made.
- 2.3 The surplus or deficit is then transferred in instalments in the financial year following the year for which the surplus or deficit has been estimated. In the case of billing authorities, the amounts are transferable in accordance with the schedule of instalments adopted for the payment of precepts and demands. Transfers to or from precepting authorities must take place in no more than ten equal instalments in the following year. The first and final instalments are to be paid by 31 May 2024 and 31 March 2025 respectively with an equal number of working days between instalments.
- 2.4 All Collection Fund surpluses or deficits for Council Tax transactions are to be ignored for the purpose of calculating the billing or precepting authority's budget requirement. They are, however, to be taken into account in calculating a billing authority's basic Council Tax or a joint authority's precept.
- 2.5 It is important to note however that the estimated Collection Fund outturn for the current financial year has to be forecast by January of that year and is based upon information available at a point in time. Therefore, any changes to the assumptions that occur in the remaining months of the financial year, will have an impact on actual Council Tax and Business Rates collected and consequentially the final outturn on the Collection Fund. Any resulting change to the surplus or deficit, will be recovered in future years.

3.0 Council Tax estimated outturn 2023-2024

- 3.1 The estimate on the Collection Fund for 2023-2024 in relation to Council Tax is set out below and includes assumptions about collection rates. It is forecast that there will be an accumulated surplus in the region of £546,000 at 31 March 2024, which includes the carry forward of the in-year 2020-2021 deficit, which the Government confirmed could be spread over three years from 2021-2022 to 2023-2024.
- 3.2 The overall position in terms of the allocation of the deficit between the Council and the precepting bodies is also summarised in the table. The split is based on the 2023-2024 Council Tax bill that was approved by Full Council in the formal Council Tax resolutions on 1 March 2023.

Table 1 – Forecast Council Tax outturn 2023-2024 and recommended split of forecast deficit/(surplus) for 2023-2024, to be distributed in 2024-2025

	City of Wolverhampton Council £000	West Midlands Police and Crime Commissioner £000	West Midlands Fire and Rescue Authority £000	Total £000
Actual accumulated deficit/(surplus) at 1 April 2023	(1,020)	(97)	(40)	(1,157)
Apportionment of 2022-2023 estimated deficit calculated January 2023 (payments made during 2023-2024):				
One third 2020-2021 estimated deficit	(1,971)	(190)	(72)	(2,233)
Adjustment to above deficit due to 2022-2023 estimated outturn	1,217	125	45	1,387
Total payments made during 2023-2024	(754)	(65)	(27)	(846)
Net accumulated deficit/(surplus) 2022-2023 to be apportioned in 2024-2025	(1,774)	(162)	(67)	(2,003)
Estimated income 2023-2024				
Income from Council Tax				(147,250)
Reimbursements from General Fund e.g. discretionary discounts etc.				(727)
Total estimated income				(147,977)
Estimated expenditure 2023-2024				
Demands on Collection Fund:				
City of Wolverhampton Council				125,983
West Midlands Police and Crime Commissioner				13,367
West Midlands Fire and Rescue Authority				4,819
Provision for non-collection of Council Tax				5,265
Total estimated expenditure				149,434
Net estimated deficit/(surplus) for 2023-2024				1,457
Apportionment of 2023-2024 estimated deficit/(surplus) calculated January 2024	1,297	111	49	1,457
Estimated accumulated deficit/(surplus) at 31 March 2024 (to be apportioned)	(477)	(51)	(18)	(546)

4.0 Business Rates (Non-Domestic Rates) estimated outturn 2023-2024

- 4.1 The estimate on the Collection Fund for 2023-2024 in relation to Business Rates, also referred to as Non-Domestic Rates (NDR), is set out below along with the allocation between the Council and the precepting body. It is forecast that there will be an accumulated surplus of £3.3 million at 31 March 2024 with an estimated deficit in 2023-2024 totalling approximately £354,000.

Table 2 – Forecast Business Rates outturn 2023-2024 and recommended split of forecast deficit/(surplus) for 2023-2024, to be distributed in 2024-2025

	City of Wolverhampton Council £000	West Midlands Fire and Rescue Authority £000	Central Government £000	Total £000
Actual accumulated deficit/(surplus) at 1 April 2023	(5,650)	(54)	261	(5,443)
Apportionment of 2022-2023 estimated deficit calculated January 2023 (payments made during 2023-2024):				
One third 2020-2021 estimated deficit	282	3	-	285
2022-2023 estimated deficit	1,524	15	-	1,539
Total payments made during 2023-2024	1,806	18	-	1,824
Net accumulated deficit/(surplus) 2022-2023 to be apportioned in 2024-2025	(3,844)	(36)	261	(3,619)
Estimated income 2023-2024				
Income from Business Rates (NDR)				(72,578)
Reimbursements from General Fund e.g. discretionary discounts etc.				(4)
Transitional payment				(9,032)
Reconciliation payment				700
Total estimated income				(80,914)
Estimated expenditure 2023-2024				
Demands on Collection Fund:				
City of Wolverhampton Council (including designated areas and renewable energy)				75,854
West Midlands Fire and Rescue Authority				758
Provision for non-collection of NDR (incl. appeals and interest)				4,320
Cost of collection allowance				336
Total estimated expenditure				81,268
Net estimated deficit/(surplus) for 2023-2024				354
Apportionment of 2023-2024 estimated deficit/(surplus) calculated January 2024	353	1	-	354
Estimated accumulated deficit/(surplus) at 31 March 2024 (to be apportioned)	(3,491)	(35)	261	(3,265)

5.0 Evaluation of alternative options

5.1 The estimated outturn on the Collection Fund for 2023-2024 has been prepared in accordance with specifications, regulations and directions made under various sections of the Local Government Finance Acts 1988 and 1992.

6.0 Reasons for decisions

6.1 Cabinet is recommended to approve the payments to/from the precepting bodies based on the estimated outturn of the Collection Fund for 2023-2024. This will inform the budget setting process for 2024-2025, for the Council and precepting bodies.

6.2 Approval is also sought to delegate authority to the Cabinet Member for Resources, in consultation with the Director of Finance, to confirm any final changes to the forecast outturn reflecting any further information received ahead of the statutory deadline of 31 January 2024. This will ensure that the most up to date information is used to inform 2024-2025 budgets.

7.0 Financial implications

7.1 The table below summarises the overall Collection Fund forecast position at 31 March 2024 estimated to be in the region of £3.8 million net surplus.

Forecast position at 31 March 2024	City of Wolverhampton Council £000	West Midlands Police and Crime Commissioner £000	West Midlands Fire and Rescue Authority £000	Central Government £000	Total £000
Council Tax	(481)	(51)	(13)	-	(545)
Business Rates	(3,491)	-	(35)	261	(3,265)
Forecast deficit/(surplus)	(3,972)	(51)	(48)	261	(3,810)

The Council will be expected to retain a surplus of approximately £4.0 million to be apportioned over 2024-2025.

7.2 The Council's Medium Term Financial Strategy (MTFS) will be updated to reflect the forecast outturn on the Collection Fund and reported to Cabinet on 21 February 2024.

7.3 It is important to note however, that the estimated Collection Fund outturn for the current financial year has to be forecast by January of that year and is based upon information available at a point of time. Therefore, any changes to the assumptions that occur in the remaining months of the financial year, will have an impact on actual Council Tax and Business Rates collected and consequently the final outturn on the Collection Fund. Any resulting change to the surplus or deficit, will be recovered in future years.

[SH/09012024/J]

8.0 Legal implications

8.1 The relevant legislation is contained in the body of the report and the recommendations are made in accordance with the legislation.

[TC/0912024/C]

9.0 Equalities implications

9.1 There are no relevant equalities implications arising from this report, however the method by which the MTFS and supporting resources, including those detailed in this report for 2024-2025 are developed, is governed by the Council Plan priorities, which itself was guided by consultation and equality analysis. All of this will enable Councillors to pay, "due regard" to the equalities impact of their budget decisions at that point in the budget development process. The resulting and final report to Cabinet and Council will contain a supporting equality analysis that will offer information across the whole range of proposals and in doing so enable Councillors to discharge their duty under Section 149 of the Equality Act 2010.

10.0 All other implications

10.1 There are no other implications arising from this report.

11.0 Schedule of background papers

- 11.1 [Council Tax Formal Resolutions included in 2023-2024 Final Budget Report](#), report to Council, 1 March 2023

CITY OF WOLVERHAMPTON COUNCIL	Cabinet 17 January 2024
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Report title	Response to Dudley, Sandwell and Telford & Wrekin Local Plan Consultations and South Staffordshire Duty to Cooperate Letter	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Stephen Simkins Leader of the Council	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	City Planning	
Accountable employee	Michele Ross	Lead Planning Manager
	Tel	01902 554038
	Email	Michele.ross@wolverhampton.gov.uk
Report has been considered by	Regeneration Leadership Team	4 December 2023
	Strategic Executive Board	5 December 2023

Recommendations for decision:

The Cabinet is recommended to:

1. Approve the City of Wolverhampton Council response to the Sandwell Local Plan Draft Plan consultation on the basis of the approach set out in paragraphs 3.4-3.7 of this report.
2. Approve the City of Wolverhampton Council response to the Dudley Local Plan Draft Plan consultation on the basis of the approach set out in paragraphs 4.4-4.7 of this report.
3. Approve the City of Wolverhampton Council response to the Telford & Wrekin Local Plan Draft Plan consultation on the basis of the approach set out in paragraphs 5.8-5.10 of this report.
4. Approve the City of Wolverhampton Council response to the South Staffordshire Council Duty to Cooperate Letter on the basis of the approach set out in paragraph 6.4 of this report.

1.0 Purpose

- 1.1 To summarise the implications of and approve the principles for responses to consultations on the Sandwell, Dudley and Telford & Wrekin Local Plans, and to note the status of the South Staffordshire Local Plan and approve the principles of a response to related correspondence from South Staffordshire Council.

2.0 Background

- 2.1 Duty to Cooperate (DtC) is a mandatory requirement that should inform the preparation of all Local Plans. DtC requires local authorities to engage with neighbouring areas to identify relevant cross-boundary issues and seek agreement on how to resolve these issues. DtC issues commonly include unmet housing and employment land requirements and alignment of strategic infrastructure. In December 2022, Cabinet were provided with an update on the operation of DtC in Wolverhampton following the cessation of work on the Black Country Plan (BCP) in autumn 2022. DtC activity is now the responsibility of the individual Black Country Authorities (BCA), rather than the Association of Black Country Authorities (ABCA). It is important that the City Council continues to engage with neighbouring local plans to ensure that City priorities are fully recognised and that the Council seeks to ensure that those plans respond to these issues.
- 2.2 The main strategic DtC issues which the City Council needs to raise regarding neighbouring local plans are unmet housing and employment land requirements, and alignment of strategic infrastructure to serve proposed new developments across the boundary with South Staffordshire. The City Council is a member of the West Midlands Resource Technical Advisory Body (WMRTAB) which helps member authorities to meet their DtC obligations regarding strategic waste management. WMRTAB has submitted responses to the Sandwell and Dudley Local Plan consultations on behalf of the member authorities which cover technical issues regarding strategic waste management.
- 2.3 The current Wolverhampton position on housing and employment land need and supply is set out in the Wolverhampton Strategic Housing Land Availability Assessment (SHLAA) 2022, the Black Country Economic Development Needs Assessment (BC EDNA) 2023 and the Draft BCP (2021). On the basis of the December 2022 consultation version of the National Planning Policy Framework (NPPF), the Leader of the Council committed to excluding any green belt land from development allocations in the emerging Wolverhampton Local Plan (WLP). Taking into account potential capacity on non-green belt land in the Draft BCP, and an extended Plan period to 2042, the WLP is likely to generate a shortfall of around 11,500 homes and 50 ha of employment development land. In terms of employment development land, the BC EDNA concludes that the Black Country Functional Economic Market Area (BC FEMA) as a whole has a shortfall of 152ha, however contributions secured through current Statements of Common Ground between the BC FEMA authorities and Shropshire and South Staffordshire Councils have potential to provide 133.6 ha towards BC FEMA needs, which would reduce that shortfall to 18.4 ha.

3.0 Sandwell Local Plan - Draft Plan Consultation

- 3.1 Following cessation of work on the BCP, Sandwell Council moved forward quickly with an Issues and Options consultation which proposed the preparation of a Sandwell Local Plan (SLP) covering both strategic and non-strategic policies. The policies, spatial strategy and sites selected for allocation for housing and employment development were broadly similar to those in the Draft BCP. On 26 April 2023 Cabinet approved a response to this consultation which supported the proposed use of work to date on the BCP, encouraged Sandwell to maximise use of urban land for development whilst protecting viable employment land and acknowledged that there would be housing and employment land shortfalls arising in Sandwell which would require DtC engagement with relevant authorities.
- 3.2 In November 2023, Sandwell Council published a draft SLP for consultation which provides detailed allocations and policies in line with the direction of travel set out in the Issues and Options consultation. The closing date for representations is 18 December 2023, however as a key DtC partner, the City Council is able to submit formal comments following Cabinet approval. The Plan identifies a local need for 29,773 homes up to 2041 and a supply of 11,167 homes on new brownfield sites and increased densities, resulting in a shortfall of 18,606 homes – slightly less than identified in the Draft BCP. Green belt land has been excluded from consideration on the basis that the limited areas of green belt in Sandwell are not suitable for development. Based on the BC EDNA, the Plan identifies a local employment development land need of 185ha and supply of 42ha up to 2041, resulting in a shortfall of 143ha. Sandwell forms an integral part of the BC FEMA.

Proposed Consultation Response

- 3.3 The principles for a proposed consultation response are set out below.
- 3.4 It is welcome that good progress has been made with the SLP under the current Plan system, that it is underpinned by work undertaken to prepare the BCP (particularly the shared evidence base and associated policy development) and that the SLP timetable is aligned with the emerging WLP and Plans for other neighbouring authorities. This is important given the need to progress a regional solution to addressing unmet housing and employment land needs, a significant proportion of which originate in Sandwell.
- 3.5 It is recognised that Sandwell Council have fully explored all opportunities within the Borough to maximise development capacity, including increased densities and sites in centres, whilst protecting viable employment land and premises as necessary, given the evidenced shortfall of employment development land across the BC FEMA. It is accepted that it will not be possible to meet all development needs within the Borough, and that it is necessary for Sandwell to ask other authorities if they are able to contribute towards meeting Sandwell needs through the allocation of land in their Local Plans.
- 3.6 Given existing shortfalls (set out in para 2.2 above), Wolverhampton will not be in a position to provide land within the emerging WLP to meet either housing needs arising in Sandwell, or employment development land need arising in the BC FEMA. It is recommended that Sandwell Council continues to engage with the work of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) officer group and the

programme of work contained within the Statement of Common Ground as circulated by South Staffordshire Council in 2022. Clearly, given the scale of the Sandwell shortfall, a regional approach is required. Any solution should be based on an understanding of the pattern of functional and physical relationships across the GBBCHMA including migration and travel to work data so that, where practicable, needs are addressed as close as possible to where they arise.

- 3.7 Regarding employment development land, it is recommended that Sandwell should continue to work together with the other BC authorities to close the BC FEMA employment development land shortfall through ongoing DtC activity, with a focus on those areas having a strong or moderate functional economic relationship with the Black Country (as defined in the BC EDNA), and other areas where there is evidence of a functional relationship.

4.0 Dudley Local Plan - Draft Plan Consultation

- 4.1 Following cessation of work on the BCP, in November 2023, Dudley Council published a draft Dudley Local Plan (DLP) for consultation covering both strategic and non-strategic policies. The closing date for representations is 22 December 2023, however as a key DtC partner, the City Council is able to submit formal comments following Cabinet approval. A DtC letter has also been received from Dudley Council, with a response deadline of 26 January. The Plan identifies a local need for 11,954 homes up to 2041 and a supply of 10,876 homes on new brownfield sites and increased densities, resulting in a shortfall of 1,078 homes. Based on the BC EDNA, the Plan identifies a local employment development land need of 98ha and supply of 25ha up to 2041, resulting in a shortfall of 73ha. Dudley forms an integral part of the BC FEMA.
- 4.2 The policies, spatial strategy and sites selected for allocation for housing and employment development are broadly similar to those consulted on through the Draft BCP in summer 2021. However, the decision has been taken not to review the green belt, which removes from consideration 1,117 homes on green belt sites which were included in the Draft BCP. The decision not to review the green belt is in accordance with the revised NPPF (Dec 2023).

Proposed Consultation Response

- 4.3 The principles for a proposed consultation response are set out below.
- 4.4 It is welcome that good progress has been made with the DLP under the current Plan system, that it is underpinned by work undertaken to prepare the BCP (particularly the shared evidence base and associated policy development) and that the DLP timetable is aligned with the emerging WLP and Plans for other neighbouring authorities. This is important given the need to progress a regional solution to addressing unmet housing and employment land needs, a proportion of which originate in Dudley.
- 4.5 It is recognised that Dudley Council have fully explored all opportunities within the urban area of the Borough to maximise development capacity, including increased densities and sites in centres, whilst protecting viable employment land and premises as necessary, given the evidenced shortfall of employment development land across the BC

FEMA. In the context of the revised NPPF, it is accepted that it will not be possible to meet all development needs within the Borough, and that it is necessary for Dudley to ask other authorities if they are able to contribute towards meeting Dudley needs through the allocation of land in their Local Plans.

- 4.6 Given existing shortfalls (set out in para 2.2 above), Wolverhampton will not be in a position to provide land within the emerging WLP to meet either housing needs arising in Dudley, or employment development land need arising in the BC FEMA. It is recommended that Dudley Council continues to engage with the work of the GBBCHMA officer group and the programme of work contained within the Statement of Common Ground as circulated by South Staffordshire Council in 2022. Any solution should be based on an understanding of the pattern of functional and physical relationships across the GBBCHMA including migration and travel to work data so that, where practicable, needs are addressed as close as possible to where they arise.
- 4.7 Regarding employment development land, it is recommended that Dudley should continue to work together with the other BC authorities to close the BC FEMA employment development land shortfall through ongoing DtC activity, with a focus on those areas having a strong or moderate functional economic relationship with the Black Country (as defined in the BC EDNA), and other areas where there is evidence of a functional relationship.

5.0 Telford & Wrekin Local Plan – Draft Plan Consultation

- 5.1 Telford & Wrekin Council (TWDC) published the draft Telford & Wrekin Local Plan (TWLP) for consultation in October 2023. The closing date for representations is 12 January 2024, but as a key DtC partner the City Council is able to submit formal comments following Cabinet approval.
- 5.2 ABCA responded to an Issues and Options consultation on the TWLP in January 2021. This response focussed on housing and employment land issues and requested that the TWLP should seek to deliver levels of housing and employment growth to the mutual benefit of both TWDC and the BCA. Given the likely housing and employment land shortfalls for the emerging WLP (set out in para 2.3 above), these two issues remain the focus of ongoing DtC engagement between the City Council and TWDC.
- 5.3 The TWLP aims to protect the Borough's green spaces and help bring forward climate-ready development that provides homes for all, supports regeneration and brings new investment in infrastructure and job creation. The Plan proposes to deliver 20,200 new homes during 2020-40. The TWLP Cabinet Report states that 1,600 homes of this target are to address unmet needs arising in the Black Country, and the remaining 18,600 homes are to meet local TWDC-defined need. However, this offer is not set out in the Plan itself, which is surprising. The TWDC-defined need figure is almost double the Government-defined need figure of 9,500 homes, but below recent housing completion rates. The relatively high housing target reflects: the Council's objective of delivering an economic growth based strategy with associated levels of job creation; the use of

recently published data from the 2021 Census; and the Borough's intention to move from their previous identity as a 'New Town' (designed primarily as a sustainable overspill location for the needs of the West Midlands conurbation) to a 'Young Town' (where the majority of housing is provided to meet the needs of Telford & Wrekin residents). The level of housing associated with the economic growth strategy (the market signals uplift) appears to be some 5,060 homes, but it is not clear from the published data to what extent this is reliant on in-migration from outside the Borough, and, if so, the likely source of this in-migration. This issue requires clarification, as it is likely that the Black Country is the most significant source of in-migration into Telford over the Plan period, and how this jobs-based uplift relates to the 1,600 offer is not clear. The TWLP also identifies more sites than are needed to deliver the 20,200 housing target. This is partly to provide a buffer to allow for potential under-delivery on some sites, and partly to provide flexibility to remove some sites in response to consultation feedback, if required.

- 5.4 The 1,600 homes offer to the BCAs is similar to the 1,500 homes offer set out in the Shropshire Local Plan, which is currently at examination. This offer will need to be apportioned between the BCAs to provide certainty for individual Local Plans. An approach based on migration patterns provides a sound basis for this apportionment. Of the BCAs, Wolverhampton has by far the strongest migration relationship with Telford & Wrekin, equating to 66% of net migration movements over the period 2011-19. This would suggest that a minimum of 1,069 homes could be attributed to meeting needs arising in Wolverhampton. The BCAs are in agreement over the use of this migration-based approach to apportionment.
- 5.5 Therefore, the key DtC issues relating to housing are: is the TWDC-defined housing need figure based on robust evidence; is the BCA offer evidenced and of an appropriate scale; and is the buffer evidenced and realistic. The evidence underpinning the TWDC-defined housing need figure and the BCA offer is not straightforward and relies on unpublished information which, when released, will provide further insight and confirm whether the approach is sufficiently robust.
- 5.6 The draft TWLP makes no such equivalent offer to meet the Black Country employment land shortfall. However, the BC EDNA does not identify Telford as being an area with a close economic relationship with the BC FEMA, and recommends that areas with a stronger relationship should be prioritised for ongoing DtC engagement in the first instance.

Proposed consultation response

- 5.7 The principles for a proposed consultation response are set out below. This approach is broadly consistent with the approach proposed by Walsall Council.
- 5.8 The principle of a BCA housing offer set out in the TWLP is positive and should be welcomed in principle. However, the offer is modest relative to the total Black Country housing shortfall, Telford's historic role as a new town designed largely to accommodate 'overspill' from the Black Country, and the fact that the area is not constrained by green

belt. The key issue is therefore whether the offer is based on sound evidence and is fully justified. At this stage, it is considered that the evidence base is partial, particularly the documents setting out how and why the TWDC-defined housing need and BCA offer figures have been calculated. If the TWDC-defined figure were lower and / or the economic growth element of the figure is reliant on in-migration potentially from the Black Country, then the TWLP could make a higher offer to the BCAs. Also, the method used to generate the BCA offer figure runs the risk of double-counting between Telford & Wrekin housing need and Black Country housing need. Therefore, it is recommended that the basis of the offer requires further explanation before it can be accepted as appropriate. It is also understood that the level of housing supply that could be delivered through sites identified in the draft Plan is above the housing target. This headroom could provide the basis for a higher offer to the BCAs. Therefore, any buffer provided to allow for potential under-delivery should be evidenced and clearly defined in the TWLP.

- 5.9 In the case of the Shropshire Local Plan, the ABCA position was to accept the offer as being based on sound evidence, but to request that the Council commits to an early review of the Plan should it be the case that a significant housing and employment land shortfall remains following the preparation of the current round of Local Plan preparation across the West Midlands. Should it be the case that the equivalent TWLP housing 'offer' is also sound, then it is recommended that a similar approach is followed. It should be noted, however, that the current DtC will not exist under the next round of Plans prepared under the new Plan system (as set out in the Levelling Up and Regeneration Act), and that the replacement alignment test may not require cross-boundary collaboration on unmet housing needs to the extent that it does presently.
- 5.10 Turning to employment land, it is recommended that the absence of an equivalent 'offer' is noted, and that the TWLP also provides for an early review mechanism should it be the case that it has not been possible to meet the current evidenced Black Country employment land shortfall through existing and emerging Local Plans.

6.0 South Staffordshire Local Plan – DtC Letter

- 6.1 In January 2023, South Staffordshire Council (SSC) paused work on their Local Plan review due to the need for clarity from Government on proposed changes to the NPPF, which would remove the requirement to consider releasing land from the green belt to meet housing need. The Draft South Staffordshire Local Plan (SSLP), published for consultation in late 2022, included a number of significant housing and employment development allocations on land currently within the green belt on the edge of the City. These allocations were designed to respond positively to the evidenced shortfall of land to meet needs arising in Wolverhampton, but would be associated with impacts on City infrastructure which would need to be mitigated. Cabinet approved a City Council response to this consultation on 14 December 2022. As a largely green belt area, the changes to the NPPF have far-reaching implications for the overall SSLP strategy and the status of the proposed site allocations in particular.

6.2 In July 2023, work on the SSLP re-commenced with a view to consulting on the next stage of the Plan in early 2024, by which time the updated NPPF was anticipated to be in force. SSC have not yet reached a published position on how the Plan could change as a result of the proposed NPPF and are unlikely to do so until the next draft of the SSLP is published for consultation. In the meantime, SSC have written to neighbouring authorities to understand their position should the SSLP no longer review green belt boundaries to accommodate the needs of both South Staffordshire or the wider GBBCHMA including Wolverhampton. SSC are also undertaking an update to their gypsy and traveller accommodation evidence and are requesting neighbouring authorities to indicate their position on cross-boundary issues relating to gypsy and traveller pitch need and supply.

Proposed consultation response

- 6.3 The principles for a proposed response to the DtC letter are set out below.
- 6.4 Regarding the question on the City Council's likely views on the status of the proposed green belt allocations, it is considered premature to comment at this stage. The Council's position would need to be informed by the progress of the WLP which is programmed for consultation in early 2024. It is also premature to provide a City Council position on cross-boundary issues relating to gypsy and traveller pitch need and supply, as this would need to be informed by progress on the WLP which will consider gypsy and traveller pitch need and supply in Wolverhampton.

7.0 Evaluation of alternative options

- 7.1 The alternative option to making a response to the consultation would be to make no response. This would not be in accordance with the Duty to Cooperate responsibilities of the Council.

8.0 Reasons for decisions

- 8.1 It is important that the Council responds to consultations on Local Plans being progressed for neighbouring authorities, in line with the Duty to Cooperate.

9.0 Financial implications

- 9.1 There are no direct financial implications associated with the recommendations of the report.
[AI/15122023/K]

10.0 Legal implications

- 10.1 The Council has a duty to respond to consultations on Local Plans being progressed for neighbouring authorities in accordance with the Duty to Cooperate, which is a key element of planning law and national policy.
[JA/20122023/E]

11.0 Equalities implications

11.1 There are no equalities implications of this report.

12.0 All other implications

12.1 There are no other implications of this report.

13.0 Schedule of background papers

- 13.1 Dudley Local Plan Draft Plan Consultation, November 2023 ([Draft Dudley Local Plan consultation | Dudley Council](#))
- 13.2 Sandwell Local Plan Draft Plan Consultation, November 2023 ([Sandwell Local Plan | Sandwell Council](#))
- 13.3 Report to 26 April 2023 Cabinet: [Sandwell Local Plan Consultation Response](#)
- 13.4 Telford & Wrekin Local Plan Draft Plan Consultation, October 2023 ([Introduction - Review of the Telford & Wrekin Local Plan - Telford & Wrekin Council](#))
- 13.5 Association of Black Country Authorities Response to Telford & Wrekin Local Plan Issues and Options Consultation Response, January 2021
- 13.6 Report to 14 December 2022 Cabinet: [South Staffordshire, Stafford and Birmingham Local Plan Consultation Responses](#)

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CITY OF WOLVERHAMPTON COUNCIL	Cabinet 17 January 2024
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Report title	Annual Health and Safety Report - 2023	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Paula Brookfield Governance and Equalities	
Key decision	No	
In forward plan	Yes	
Wards affected	Not applicable	
Accountable Director	David Pattison, Chief Operating Officer	
Originating service	Health and Safety	
Accountable employee	Tim Munro	Head of Health and Safety
	Tel	07976751442
	Email	Tim.munro@wolverhampton.gov.uk
Report to be/has been considered by	Directorate Leadership Team	15 December 2023
	Cabinet Member Briefing	18 December 2023
	Strategic Executive Board	2 January 2024

Recommendation for decision:

The Cabinet is recommended to:

1. Agree the revisions to the Corporate Health and Safety Policy on the updated structure within the organisation for managing health and safety and that the Policy is endorsed by the new Leader of the Council, Councillor Stephen Simkins.

Recommendation for noting:

The Cabinet is asked to note:

1. The progress and action taken during 2023 with regards to managing health and safety in the organisation.

1.0 Purpose

- 1.1 Protecting the Health and Safety of employees and members of the public who may be affected by our activities is an essential part of risk management and must be led by the controlling minds in the organisation. This is a delegated responsibility placed on the Chief Executive, who has delegated operational responsibility to the Chief Operating Officer.
- 1.2 Commitment to the health and safety agenda and a means to implement the agenda effectively within an organisation is demonstrated by the organisation having an agreed and signed Corporate Health and Safety Policy. This is a legal responsibility placed on the City Council by Section 2(3) of the Health and Safety at Work etc. Act 1974.
- 1.3 Organisations should also require assurance that their commitment to health and safety is being appropriately implemented through the agreed organisational arrangements and that appropriate resources are allocated to ensure objectives are met.

2.0 Background

- 2.1 Health and safety law places duties on organisations, employers and Directors who can be personally responsible when these duties are breached.
- 2.2 Having a written Health and Safety Policy is a legal requirement under Section 2 (3) of the Health and Safety at Work etc. Act 1974.
- 2.3 It is a subsequent requirement to revise and update an organisation's health and safety policy on a regular basis or as and when circumstances change.
- 2.4 City of Wolverhampton Council current Corporate Health and Safety Policy was last updated in 2022.
- 2.5 The main changes in this revision are:
 - A. Updated structure within the organisation for managing health and safety.
 - B. That the Policy is endorsed by the new Leader of the Council, Councillor Stephen Simkins.
- 2.6 Employers including the City Council are legally responsible for ensuring that their activities do not create uncontrolled or unacceptable risks to employees or anyone affected by the delivery of services it provides.

3.0 Progress

- 3.1 The report at Appendix 1 describes the progress during the last 12 months with regards to managing health and safety.
- 3.2 This report is the third received by Cabinet, the last one having been presented and discussed in January 2022.

3.3 The report is presented in partial fulfilment of the legal requirement to ensure that health and safety within the City Council is being effectively managed. It is important that the Council is transparent regarding the ways in which it meets its duties.

3.4 In summary the annual report sets out that the Council is meeting its health and safety duties under the relevant legislation.

4.0 Reasons for Decision

4.1 There are potentially serious risks for City of Wolverhampton Council and its operations from inadequate consideration of health and safety issues. The punitive measures include not only enforcement powers of inspectors but can include both personal and corporate liability proceedings. As a significant presence in the West Midlands, City of Wolverhampton Council is a high profile case, particularly if things go wrong.

5.0 Evaluation of alternative options

5.1 The option to do nothing here and continue without recognition or discussion of health and safety would present an obvious failure of the organisation to adequately consider, address and plan for health and safety. As stated above in 4.0 this would present a failure of the organisation with regards to its health and safety responsibilities and could indicate a lack of management and leadership with regards to health and safety.

5.2 Failure to maintain and update a corporate health and safety policy likewise could be interpreted as a failure of legal responsibilities placed on the Council under the Health and Safety at Work etc. Act 1974.

5.3 Contrary to points 5.1 and 5.2 above the presentation of this report helps to demonstrate the commitment to health and safety from senior leadership within the organisation, and a commitment continuous improvement with regards to health and safety.

6.0 Financial implications

6.1 There are no additional direct financial implications as a result of the content or recommendations in this report.

[LD/08012024/N]

7.0 Legal implications

7.1 The annual report and also the Health and Safety Policy sets out how (and helps to ensure that) the Council meets its legal obligations under the Health and Safety at Work Act 1974 and related legislation.

[DP/09012024A]

8.0 Equalities implications

8.1 The Health and Safety Policy is a revision of an existing document. The equalities impact of the revision has been considered as part of its consultation through

Governance Leadership Team. There are no additional equalities implications arising from this report.

8.2 Equalities implications arising through the operational implementation of health and safety procedures are included as part of operational delivery.

9.0 All other Implications

9.1 There are no other known implications that require consideration as a consequence of this report.

10.0 Schedule of background papers

10.1 There are no background papers.

11.0 Appendices

11.1 Appendix 1 : Annual Health and Safety Management Report – 2023

11.2 Appendix 2 : Proposed Corporate Health and Safety Policy 2024

City of Wolverhampton Council
Annual Health and Safety Management Report - 2023
January 2024

1.0 Purpose of the Report

- 1.1 To update members as to the progress and changes made with regard to managing health and safety since the last annual report in January 2023.

2.0 Introduction and Background

- 2.1 This report will focus on the achievements and work priorities of the health and safety team, and a view of planned objectives for the next 12 months.
- 2.2 Strategically the overall responsibility for health and safety remains with the Chief Executive and Directors of the Council. Delegated responsibility for health and safety remains with the Chief Operating Officer.
- 2.3 Operationally, the Council's specialist health and safety team sits within the Governance Directorate. The health and safety team provide strategic health and safety advice to the organisation to ensure that it meets its legal health and safety responsibilities under the Health and Safety at Work etc. Act 1974, and subordinate legislation. The team also provide operational advice across all services of the City Council. Health and safety advice is also provided to Wolverhampton Homes through a service level agreement.

3.0 Executive Summary

- 3.1 In summary the management of health and safety in the Council is in a good place with substantial progress having been made in 2023, in particular in relation to collection of health and safety data and ensuring that appropriate action is taken on the basis of that data, as well as specific higher risk issues that were identified.

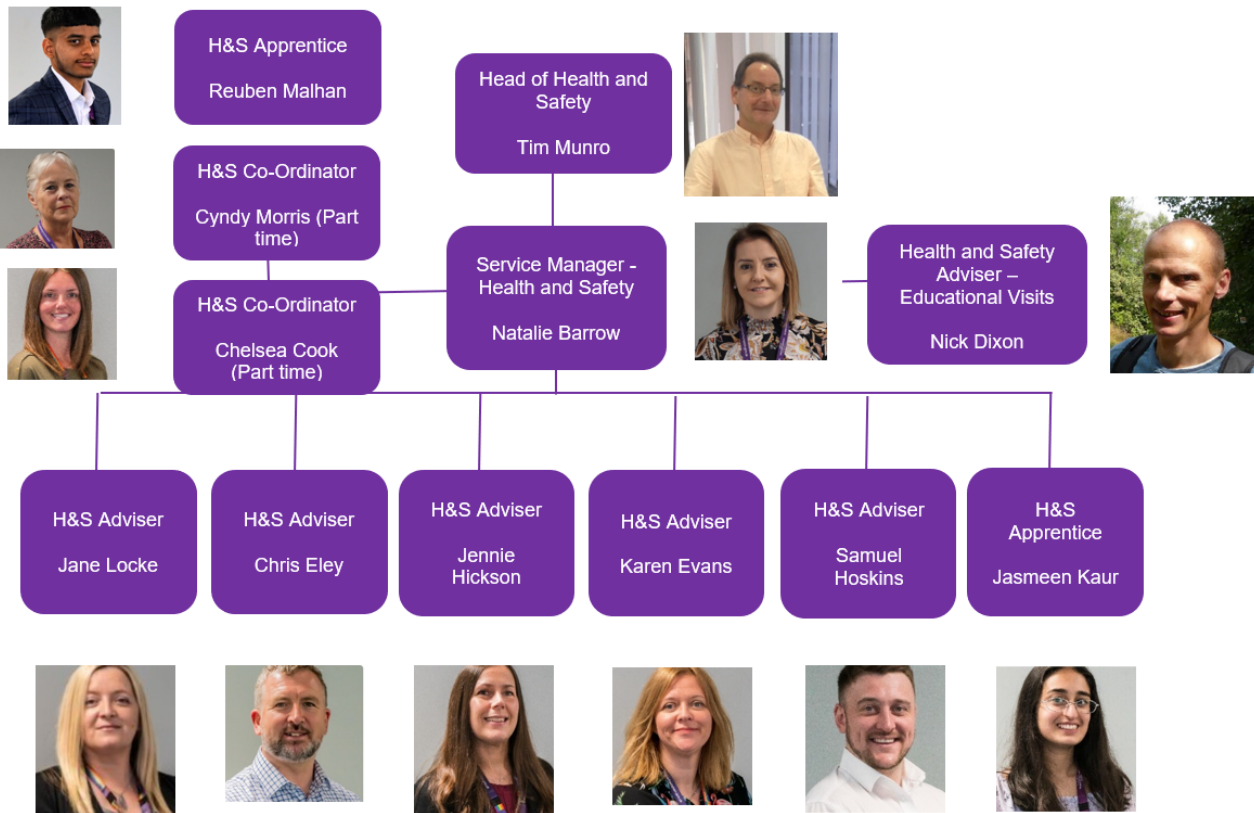
4.0 Discussion

- 4.1 In the previous report information was provided on the changes to the structure and reporting arrangements to the health and safety team. Whilst the structure at that time was agreed and appropriate financial resource allocated, recruitment to all the posts had not been implemented.
- 4.2 During the intervening 12 month period a structured and robust process was implemented to securing recruitment of skilled, knowledgeable and experienced health and safety practitioners.
- 4.3 It is significant that the recruitment has brought into the team additional high quality, competent resource. Worthy of note are :

- a) 1 additional Health and Safety Adviser

b) 2, apprenticeship roles within the health and safety team

4.4 The current health and safety team :



4.5 As a direct result of this recruitment significant improvements in the delivery of the health and safety service have been evident, including but not limited to :

- a) Ability to be more responsive to service led requests for health and safety support
- b) Ability to provide more focussed and detailed investigations into health and safety related incidents
- c) Bringing to the organisation additional specialist health and safety skills and knowledge in areas where the team previously had limited resource

4.6 This now completes the health and safety team recruitment, and is the first time since 2019 that the health and safety team has been fully resourced.

4.7 The result of this recruitment is that the health and safety team are now in a much better place to deliver a high quality, competent and robust service for both the strategic and operational needs of the City Council, in terms of both its responsibilities to employees, but also its residents and communities.

4.8 This following sections of this report describe key areas of health and safety work during the previous 12 months. It describes the leadership required for health and safety and also, following the plan, do, check, act methodology for effective health and safety management, described and supported in Health and Safety Executive publication HS(G)65 '*Managing for Health and Safety*', provides and overview of

recent work in progressing the health and safety agenda within the Council. The publication can be accessed [here](#) and relevant extracts are shown in *italics* in the following paragraphs.

- 4.9 *Protecting the health and safety of employees, partners or members of the public who may be affected by our activities is an essential part of risk management and must be led by the senior post holders in the Council. Failure to include health and safety as a key business risk in decisions can have significant business impact. Many high-profile safety cases have been rooted in failures of leadership.* Health and safety law places duties on organisations and employers, and directors can be personally liable when these duties are breached: members have both collective and individual responsibility for health and safety. Following effective systems and processes for managing health and safety will help the Council find the best ways to lead and promote health and safety, and therefore meet our legal obligations.
- 4.10 Plan Requirements : Senior leadership within the Council should set the direction for effective health and safety management. *They need to establish a health and safety policy that is much more than a document – it should be an integral part of our organisation’s culture, of its values and performance standards. All members should take the lead in ensuring the communication of health and safety duties and benefits throughout the organisation. Directors must develop policies to avoid health and safety problems and must respond quickly where difficulties arise or new risks are introduced; other senior leaders must make sure that health and safety is properly addressed. Health and safety should appear regularly on the agenda for appropriate strategic meetings. The Chief Executive can give the clearest visibility of leadership, but organisations find it useful to delegate this responsibility to an appropriately positioned and responsible Director. The presence in the senior leadership team of a health and safety director can be a strong signal that the issue is being taken seriously and that its strategic importance is understood. An independent Cabinet member can act as a scrutineer – ensuring the processes to support organisations facing significant health and safety risks are robust.*
- 4.11 The submitted Corporate Health and Safety Policy make it clear that the Council is committed to ensuring the health, safety and welfare of employees and persons affected by our activities. It also reinforces the clear responsibilities at both strategic and operational level for leading, managing and implementing effective health and safety practice. The Chief Executive has delegated responsibility for health and safety to the Chief Operating Officer, who provides a regular update to the Cabinet Member with responsibility for health and safety. The Head of Service; Health and Safety, attends these meetings on a quarterly basis to provide a strategic overview on health and safety practice and also an operational perspective with regards to health and safety performance indicators.
- 4.12 Do : *Delivery of the health and safety agenda depends on an effective management system to ensure, so far as is reasonably practicable, the health and safety of employees, customers and members of the public. Organisations should aim to*

protect people by introducing management systems and practices that ensure risks are dealt with sensibly, responsibly and proportionately. In particular :

- a) Leadership is more effective if visible – Senior leaders can reinforce health and safety policy by being seen on the ‘shop floor’, following all safety measures themselves and addressing any breaches immediately.*
- b) Consider health and safety when deciding senior management appointments.*
- c) Having procurement standards for goods, equipment and services can help prevent the introduction of expensive health and safety hazards. The health and safety arrangements of partners, key suppliers and contractors should be assessed: their performance could adversely affect ours.*
- d) Setting up a strategic committee, chaired by a senior executive, can make sure the key issues are addressed and guard against time and effort being wasted on trivial risks and unnecessary bureaucracy.*
- e) Providing health and safety training to some or all of the senior post holders in an organisation can promote understanding and knowledge of the key issues.*
- f) Supporting worker involvement in health and safety, above the legal duty to consult worker representatives, can improve participation and help show our commitment.*

4.13 With regards to the ‘doing’ phase of effective health and safety management there are a number of initiatives relevant to the points above which have been progressed during the last year :

- a) It is pleasing to note that the year has seen a return to a more proactive and planned approach to health and safety advice with the resumption of many aspects of the teams work including more detailed investigation of accidents and incidents, planned health and safety audits in schools, planned workplace inspections with trades unions and face to face meetings.
- b) The communication and consultation methods for health and safety continue to be followed as described in the Health and Safety Policy. Operationally this takes place through six Operational Health and Safety Groups, each chaired by an appropriate Head of Service. They each meet quarterly, approximately 4 weeks before each Strategic Health Safety and Wellbeing Board. Each meeting is supported by a member of the health and safety team, an HR representative, an equalities and diversity representative and one or more trades union representatives. These meetings were reconfigured during the year to ensure a more comprehensive and appropriate representation at each of the meeting. Two of the groups combined whilst the ‘regulatory services’ within the City Council were removed from their existing group, to their own Commercial Regulation group, to allow for more structured and helpful meeting discussions. Reports from each of the meetings continue to be provided to the Strategic Health Safety and Wellbeing Board who ensure adequate scrutiny of matters discussed and take responsibility for progressing escalated matters from the

operational groups. The Strategic Health Safety and Wellbeing Board meets quarterly and is chaired by the Chief Operating Officer to provide the necessary strategic leadership on health and safety matters and a route for any significant risks to be raised with SEB and Councillors.

The effectiveness of these operational meetings in particular has continued to be monitored and improved and representation from services at these meetings has seen a significant improvement in attendance and the raising of relevant health and safety matters for discussion, and where appropriate escalation to Strategic Health Safety and Wellbeing Board. It has been pleasing to see increased ownership in these meetings from the respective chairs, the link Health and Safety Adviser, and attendees alike. Attendance is monitored as a standing agenda item at the Strategic Health Safety and Wellbeing Board meetings, and challenged where appropriate at the request of the Chief Operating Officer.

- c) A current and up to date knowledge of a pragmatic and proportionate approach to managing health and safety at a senior level is fundamental to ensuring that health and safety is taken seriously and receives appropriate senior level commitment. At an operational level, all managers and supervisors are required to attend an 'in house' managing health and safety qualification developed and delivered by the health and safety team. This programme is currently underway and has now fully returned to face to face delivery after being delivered virtually during Covid. The course is delivered regularly throughout the year and has received some excellent feedback from the managers who attend. From January to the current date :

Courses Delivered : 13

Course attendees : 149

- d) Collaborative working between the health and safety team (on behalf of the organisation) and recognised trades unions continues to be instrumental to compliance with not only legal requirements but also the communication and consultation mechanism described in the Corporate Health and Safety Policy. This has taken place formally through Operational Health and Safety Meetings, the Strategic Health Safety and Wellbeing Board and Joint Consultative Panel meetings. Working relationships between the trade unions and health and safety team have improved in the previous 12 months, not only through these formal meetings but also on an ad-hoc basis where both parties have consulted and communicated outside of these meetings to discuss issues and agree approaches to health and safety issues. This collaborative approach should not be underestimated and has resulted in issues not requiring escalation as matters have been discussed and agreed at an early stage without the need for formal raising.

In addition to this the formal 'Partnership Working Agreement' between the trades unions and the Council has been reviewed and updated.

- e) One of the new positions created in the team during 2022 was that of the Health and Safety Adviser – Educational Visits. The benefit that this postholder has brought to the scrutiny of health and safety around school visits has been significant, particularly as schools have now fully resumed their extra curricular activities and learning and development of pupils away from the school environment. A summary of the activity from September 2022 to July 2023 academic year is summarised below.

Monitoring Visits & Incident Investigation

The following monitoring and assurance visits have been carried out in the last academic year.

- 5/12/22 Culmington Manor
Site Visit following the incident. Report provided to H&S team.
- 17/3/23 FSC Rhyd y Creuau Betws y Coed (Colton Hills)
- 24/3/23 Duke of Edinburgh (Moreton)
- 13/6/23 Pioneer Centre
After reports of a near miss from another authority this centre was visited and checked) competency of staff & H&S check (Whitgreave Primary and Uplands)
- 4/7/23 Wildside site visit and check (Claregate Primary (none AALA licence provision of adventurous activities)

Examples of advice given on;

- Last minute French visit advice re Risk Assessments and Staffing (Mat Winzor (Aldersley)).
- Child with broken arm on residential (PGL Boreaton Pk).
- Advice re Flying lessons at Cosford for pupils from Colton Hills and Heath Park.
- Use of Local swimming pool on residential in N Wales (Wilkinson Primary).
- Quality Badging and advice re Laches Wood (Green Park).
- Abilities and restrictions with pregnant staff on residential (16.3.23).
- Visit to Andrew Simpson Sailing Centre (Midpoint).
- Visit to Wrekin with own staff only (Qualifications needed) (Midpoint).
- Unlicensed Adventure Activities with the MOD/ Jason Till (Heath Park).
- Use of small private pools / Dunfield house, a recurring theme.
- Unlicensed Adventurous Activities Canoeing Wildside Claregate.
- Use of own staff for Gelli Wig (Green Park).

In addition to the above advice, help has been given on investigating incidents & near misses that occur with our schools on visits. An example of this was the near miss that occurred at Culmington Manor on 10.11.22. A child fell out of their harness and was suspended by their ankles whilst abseiling during a residential. This resulted in a thorough investigation involving other bodies such as the Quality

Badge Providers and assessors and the OEAP. It also resulted in a full investigation by IIAC before the quality badge was restored.

Evolve Approvals

This authority uses a system called Evolve which is a web-based system to allow approval of Off Site visits from schools and other authority providers of children's residentials which we require all maintained schools to purchase because of the Local Authority being the overall 'employer'. The Authority allows other schools such as academies and voluntary aided schools to buy into the service through an service level agreement. The monitoring of trips through Evolve is something that is also heavily supported by the health and safety co-ordinators within the Health and Safety team.

Summary of statistics :

153 trips approved. These trips arrive via Evolve with sufficient information, preparation and planning to be approved immediately.

45 trips initially denied. Of these; 10 arrived after they had taken place so were not approved, one was the Culmington Manor trip that was later approved with no activities on water or at height, & 34 trips had insufficient planning or visit information for which the school was helped to amend the trip or find out more information in order for the trip to go ahead.

It was great to see a gradual return of trips from schools to going abroad for visits though this still is well below pre-pandemic levels.

Examples of trips Abroad include;

Aldersley – France

St Matthias – WW1 Battlefields France & Belgium

Colton Hills – Hanover

Wolverhampton Girls High School – Belgium

Thomas Telford – Barcelona

All of these schools were helped to provide sufficient information to gain approval.

Courses and training delivered

5/9/22 Visit Leader Training (Loxdale) (44 attended)

5/10/22 New EVC Training (Kingswood) (7 attended)

6/10/22 EVC Update training (Wildside) (13 attended)

7/10/22 Visit Leader Training (Wildside) (10 attended)

22/11/22 Visit Leader Training (Wildside) (Funded by Waterways & Wellbeing trust) (15 attended)

7/2/23 Visit Leader Training (Wildside) (10 attended)

- 8/2/23 New EVC Training (Kingswood) (13 attended)
- 9/2/23 EVC Update training (Wildside) (6 attended)
- 7/3/23 Visit Leader Training (Wildside) (Funded by Waterways & Wellbeing trust) (15 attended)
- 20/6/23 New EVC Training (Kingswood) (12 attended)
- 21/6/23 Visit Leader Training (Wildside) (9 attended)
- 3/7/23 EVC/VLTD Training for Council Provision (e.g. Music School and Wolverhampton Homes staff) (Oasis Hub Willenhall Rd) (10 attended)

The health and safety scrutiny of educational visits is in a good place, and we are happy to provide assurance that risks to employees and students are adequately controlled at this time.

- f. Supporting the City Councils, 'Our City, Our Plan' initiatives is a fundamental element of the health and safety teams work. One of the key areas is supporting the work of the City Events team in delivering our own events and supporting third parties to hold events in our parks and open spaces.

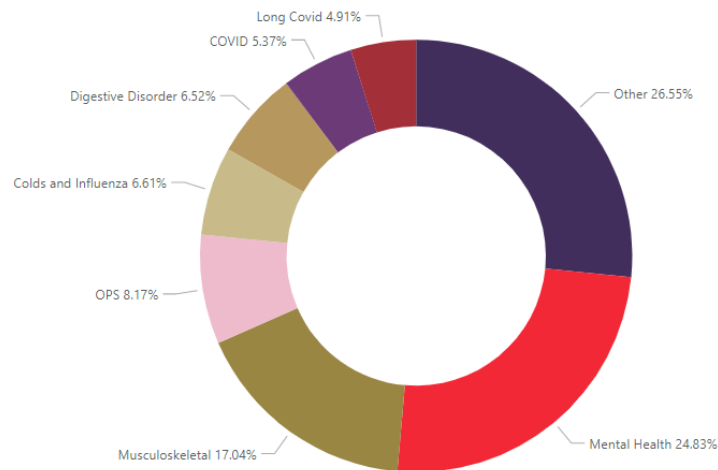
The work involves supporting with event documentation, representation and involvement in the Public Events Safety Advisory Group and carrying out health and safety visits to events prior to opening and also whilst operating. Over 55 different events have been scrutinised and 36 site visits carried out in support of the events.

- 4.14 Check : *Monitoring and reporting are vital parts of a health and safety culture. Management systems must allow the organisation to receive both specific (e.g. incident-led) and routine reports on the performance of health and safety policy. Much day-to-day health and safety information need be reported only at the time of a formal review. But only a strong system of monitoring can ensure that the formal review can proceed as planned – and that relevant events in the interim are brought to the organisations attention.* In particular :

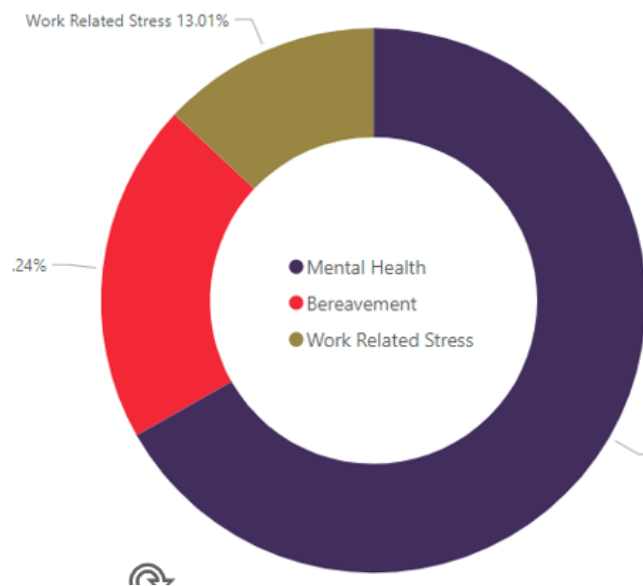
- a) *“Effective monitoring of sickness absence and workplace health can alert the board to underlying problems that could seriously damage performance or result in accidents and long-term illness.”*
- b) Monitoring of workplace sickness absence take place through each of the Operational Health and Safety Groups and is also a standing agenda item at Strategic Health Safety and Wellbeing Board meetings. In summary for the year to date :

Sickness absence has increased when comparing the year as a whole to the previous year but has decreased overall in 2022-23 Q4 when compared to the same quarter in the previous year.

In 2021-2022, Mental Health sickness absence became the most common reason for sickness absence. This has continued into 2022-23 with Mental Health being the most common sickness absence reason (24.83% of all days lost), closely followed by Musculoskeletal (17.04%).



- Mental Health Issues is a grouping of three sickness absence reasons and includes Mental Health, Bereavement and Work Related Stress – the current options for line managers to record sickness absence of this nature. In total, the Mental Health Issues group accounts for 9,458.9 days lost to sickness absence in 2022-23 an increase of 313.7 days when compared to 9,145.2 days lost in 2021-22.
- Mental Health (which includes the former ‘Anxiety’ and ‘Stress’ options, now removed) accounted for 66.75% (6,313.4 days) of all Mental Health Issues sickness absence in 2022-23, compared to 57.85% (5,290.8 days) reported in 2021-22 – an increase of 8.90pp (1,022.6 days) when compared to the previous year.
- Bereavement accounted for 20.24% (1,914.5 days) of all Mental Health Issues sickness absence in 2022-23, compared to 23.95% (2,190.3 days) reported in 2021-22 – a decrease of 3.71pp (275.8 days) when compared to the previous year.
- Work related stress accounted for 13.01% (1,230.9 days) of all Mental Health Issues sickness absence in 2022-23, compared to 18.2% (1,664.1 days) reported in 2021-22 – a decrease of 5.19pp (433.2 days) when compared to the previous year.



- For 2022-23 Q4 the absence rate (4.47%) and average days lost (2.83 days) for female employees remained higher than that for male employees (4.06% and 2.57 days) as had been the case from 2021-22 Q2 onwards.
- For 2022-23 Q4, the absence rate and average days lost for both female and male employees has decreased when compared to the period in the previous year. For both groups, the most absences in the five-quarter period from 2012-22 Q4 to 2022-23 Q4 were recorded in the 2021-22 Q4.
- The proportion of absence days lost for females was slightly above the female workforce proportion for all age groups apart from 16 to 20 and 21 to 30, when males had a higher proportion sickness absence days than their proportion of the workforce.
- The Office for National Statistics have consistently reported a higher rate of sickness absence for women than for men from 1995-2022.
- The highest average number of sickness absence days taken per employee by age group in 2022-23 Q4 was 5.10 days (whole Council average 2.74 days) in the oldest age group of employees aged 61 plus, which is a pattern that has continued through the eight quarters from 2021-22 Q1.
- For all but two of the ages groups (16 to 20 and 61 plus) the average number of sickness absence days taken per employee decreased when compared to the same quarter last year.
- The 61 plus age group is the only group to have seen increases in sickness absence for each consecutive quarter throughout 2022-23.
- The Office for National Statistics reported the higher rate of absence for the 50 to 64 age group (7.7 days), followed by the 65 and over age group (5.5 days).

The sickness absence data receive detailed scrutiny at Strategic Health Safety and Wellbeing Board meetings with trades unions involved in questioning and analysing the absence data. In addition to the data above analysis is also provided with regards to workstyle, short term/long term and gender.

Regarding the incidence of mental health issues, the City Council has both reactively and proactively continued to address these issues with employees. These have been delivered by the HR, Organisational Development and Health and Safety teams. Interventions include help and support to all employees with regard to health and wellbeing issues with a dedicated and comprehensive resource available on wellbeing@ work pages on the Our People Portal. It covers advice and sources of support which can be self-accessed on matters such as general wellbeing, working from home and balancing work life balance, supporting physical health, supporting mental health and financial support.

HR support managers throughout the Management of Attendance procedure providing comprehensive, tailored advice and guidance to managers on how to support employees that have been absent due to mental health (and other reasons). Support mechanisms are discussed in detail and management support plans are developed in conjunction with employees to support their individual mental health and well-being needs.

HR and Organisational Development are also working together and with a group of employees and managers from across the organisation to further look at and investigate employees mental health. This includes trades unions also.

During the year a procurement exercise has also been completed resulting in a new provider of the Council's Employee Assistance Programme. This will ensure that it is fit for purpose, delivering to the needs of employees and provides value for money.

In addition, the Organisational Development team have continued to deliver initiatives to support employee well-being. This includes our well-being pledges that were co-produced with employees, chatty cafés, yoga sessions, introduction and promotion of mental health first aiders, and, webinars.

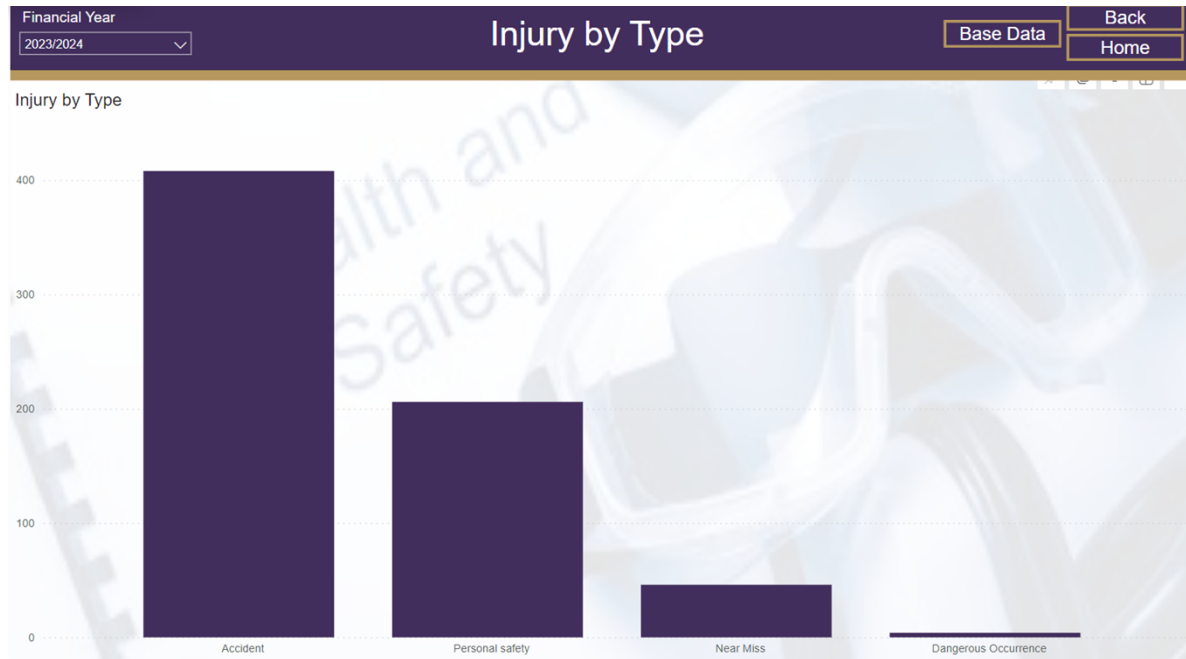
Supporting this, the HR team where they have identified that there is a higher incidence of mental health absence in a particular team, arrange for specific and focussed support to managers and supervisors in those teams. This includes delivering specific stress management training delivered by the health and safety team. The health and safety team also provide specific support to these managers on completing employee stress risk assessments. This is in addition to the regular stress risk assessment management training delivered by the health and safety team as part of the organisational development teams regular health and safety training courses. This training is supported and monitored by the trade unions at the Strategic Health Safety and Wellbeing Board meetings.

- c) *The collection of workplace health and safety data can allow the board to benchmark the organisation's performance against others in its sector. Appraisals of*

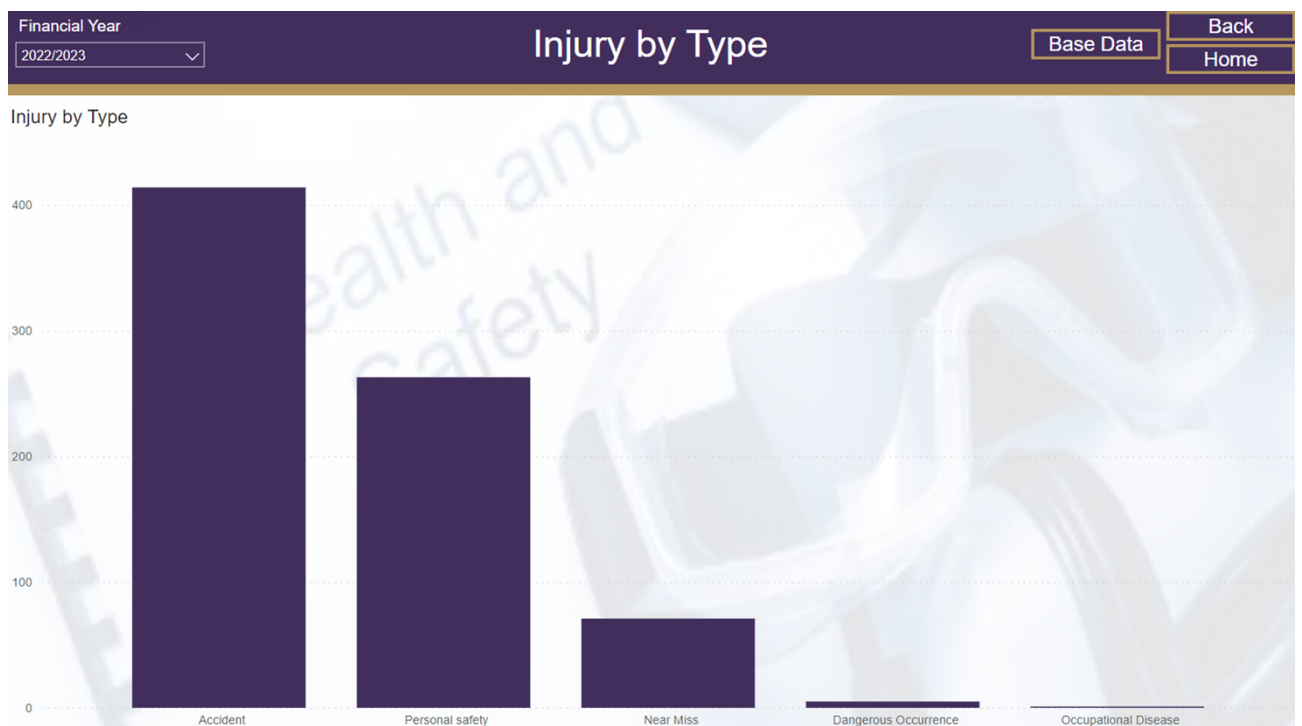
senior managers can include an assessment of their contribution to health and safety performance.

In addition to sickness absence/accident/incident data is also collected, reported on and discussed at operational and strategic health and safety meetings. A summary of key data for the last year shows :

Data for Current Year (2023)



Data for last Year (2022)

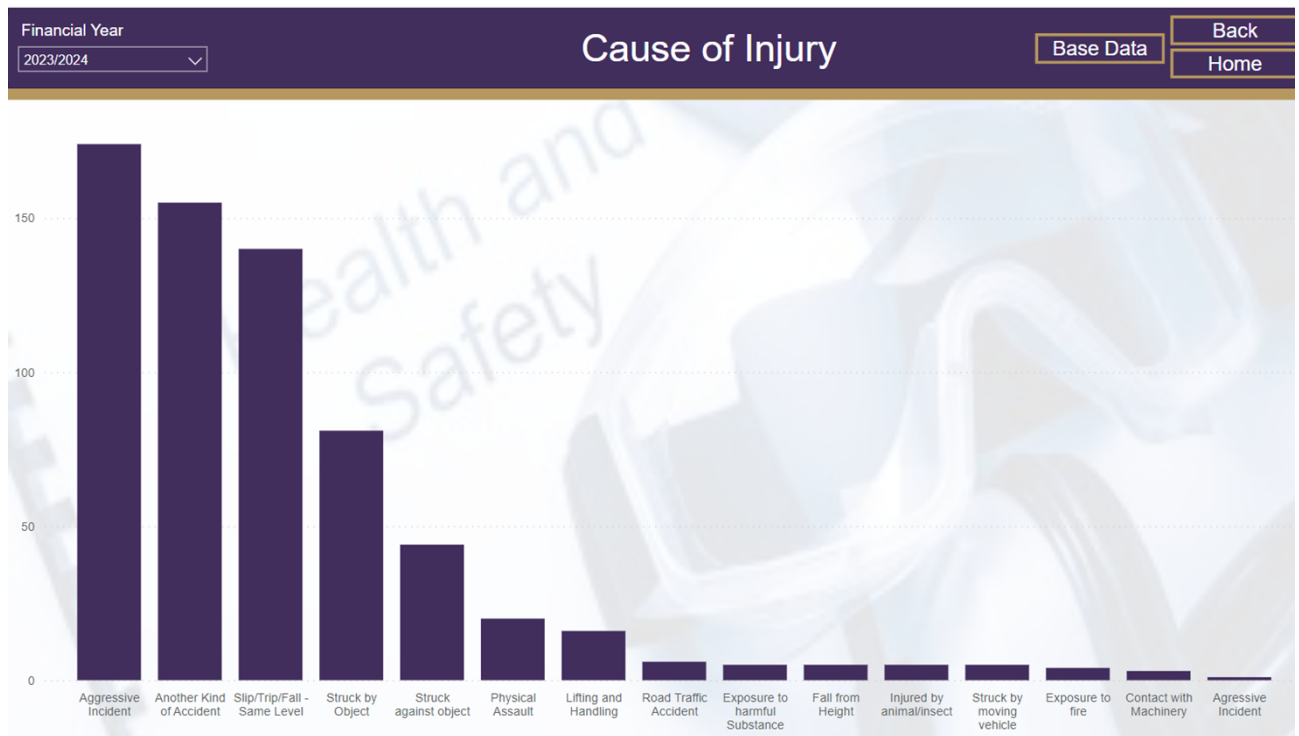


At the end of 2021 the health and safety team changed and improved how health and safety incident data is recorded. This means that comparative data is not as valuable this year but will be in future years including emerging trends in the data recorded which can be used to inform health and safety interventions across the City Council.

Worthy of note in the data above are the reports of ‘near misses’. Reporting these events is important as they indicate where preventative action can be taken, preventing more serious incidents occurring in the future. Whilst these reports are encouraging there is a piece of work to be carried out to maximise these type of reports for not only the reason stated above, but also as an indicator of a positive health and safety culture within the organisation.

All of the above incidents have received appropriate investigation by the health and safety team, often in conjunction with the employees involved and their manager. The purpose of these investigations is to identify any appropriate remedial action/preventative measures for implementation. These preventative measures are important not just for the service in which the incident has occurred, but also to disseminate across the organisation, in order to share learning.

Cause of Injury Current Year (2023)



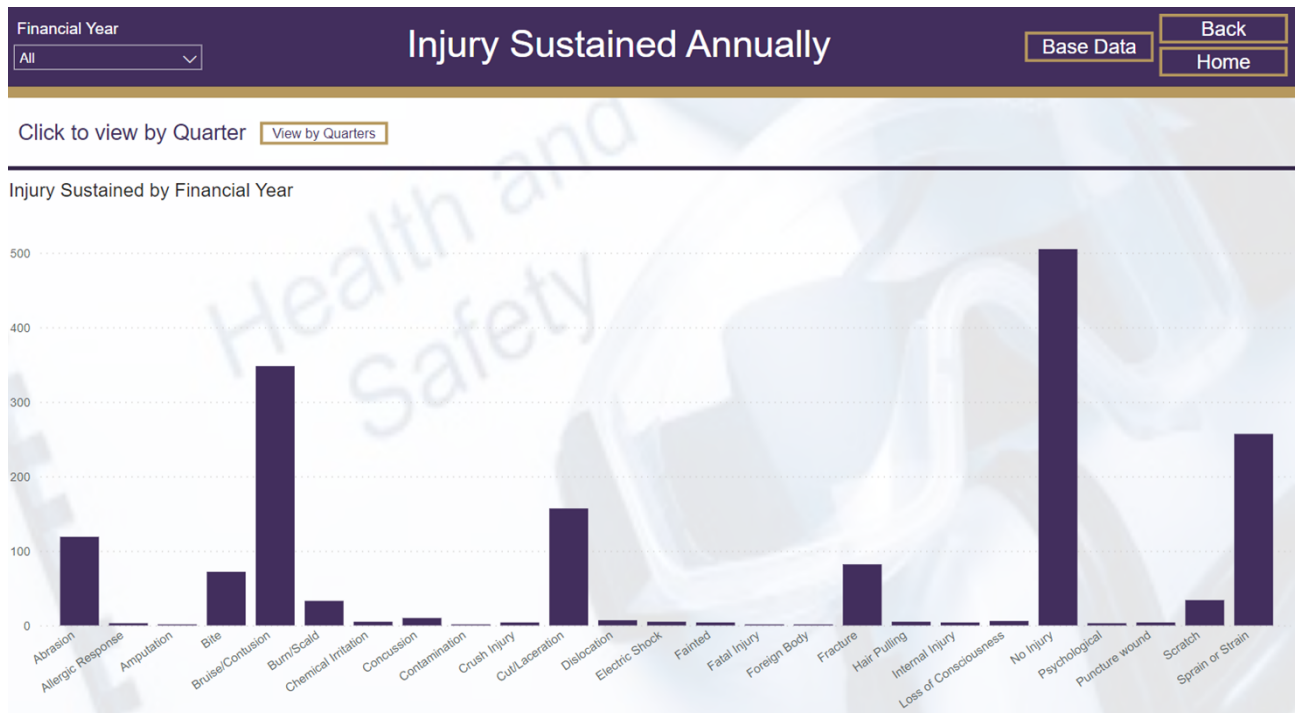
This data helps the organisation to direct health and safety resource in providing health and safety guidance to employees and managers in appropriate health and safety subject areas, with the aim of preventing the most common causes of workplace incidents.

With specific regard to the data in the cause of incident' graph, aggressive incidents appear to be high compared to other types of incident. Analysis of these incidents shows the majority of these incidents are in educational settings or children and adult social care. It needs to be noted that pupils and service users may have special educational needs, mental health issues or specific individual circumstances which have resulted in the incidents. As a preventative measure in these settings employees are provided with specialist training in dealing with pupils or service users with special requirements, and the number of incidents reported do not in themselves indicate a problem level of type of incident.

If the 'aggressive' incidents are looked at separately (where a perpetrator has shown or exhibited direct and possibly pre mediated aggression) towards employee these can be seen to be much lower in number and in line with what would be expected.

The other significant cause of incident to be noted is that of 'slips, trips and falls'. Whilst possibly of concern at first sight these incidents are in line with nationally reported incidents and in the latest national HSE data, similar incidents account for 33% of incidents. Slip trips and falls within City of Wolverhampton Council account for around 40% of incidents.

Injury Sustained Current Year (2023)



The City Council is under a legal requirement to report certain incidents to the Health and Safety Executive under Reporting of Injuries, Diseases and Dangerous Occurrence Regulations 2013.

For the year to date the following numbers of reports have been made (21 in Total):

1 Workplace Fatality

Specified Injury – 3 incidents

Over 7 days absence from work - 11 incidents

Other – 6 Incidents

Included in the information above is a workplace accident which resulted in an employee tragically losing their life. The incident was reported to the Health and Safety Executive in line with legal requirements and both internal and external investigations are currently underway. We are fully co-operating and constructively assisting. It is not appropriate at this time, during an ongoing investigation, to comment further on this incident. Additional information will be made available at the appropriate time.

Other comparative data when compared with published HSE data for 'Public Administration' is shown in the table below :

Area of Data	HSE 'Public' Administration Data for 2021	CWC Data for 2022 (to date)
Incident rate per 100,000 employees	5257	5208
Musculoskeletal Disorders	17%	17%
Mental Health absence	61%	24%

At a high level this comparative reactive data indicates that the City Council is operating commensurate with published national data. However, further benchmarking on our health and safety performance data with other local authorities and year on year comparisons within the City Council will provide additional indication and measurement of performance which can be used to direct health and safety resource and organisational involvement in addressing emerging issues.

- d) Boards can receive regular reports on the health and safety performance and actions of contractors. Some organisations have found they win greater support for health and safety by involving workers in monitoring. It is worth noting here that the Health and Safety Team actively engage with the recognised Trades Unions in carrying out joint workplace inspections and visits with their formally appointed Statutory Safety Representatives. These take place for both planned activities/routine inspections and other special purpose visits. An example of this is that during the last 12 months, 12 joint inspections have taken place to workplaces with trades unions.
- e) Another area of continued work the health and safety have progressed is that of personal safety of employees. This has been reviewed and progressed particularly in the light of changed workstyles for many employees.

Maintaining the personal safety of employees is a non specific legal duty placed on employers under the general duty of the Health and Safety at Work etc. Act 1974, to ensure so far as is reasonably practicable the health safety and wellbeing of employees. Not withstanding this legal duty, as a responsible employer City of Wolverhampton Council will want to be seen and be able to evidence doing the right and proper thing for employees regardless of legal requirements.

Whilst at work we need to make sure that all employees whose work involves dealing with members of the public, in or away from the office, in person or over the phone or other non in person means is suitably and sufficiently risk assessed. This will ensure that City Council services have robust procedures in place which have been developed through a formal and agreed decision making process. Ultimately the risk assessment process should ensure that the City Council's duty to ensure employees health and safety is fulfilled.

In line with corporate Policies all services are required to have adequately risk assessed the services they deliver, as the risks will be different for every service and even within services delivering different services to different groups of people and in different ways. This process has been reviewed by the Health and Safety team to ensure there are robust controls in place.

The controls that services have the ability to introduce to control risks to personal safety and which have a greater or lesser degree of corporate control are predominately in the areas of :

Risk Assessment : City of Wolverhampton Council Aggression at Work Policy requires managers to include personal safety in their services risk assessment. These are required to be updated on a regular basis and when the manner of service delivery changes which may render current controls less effective.

Personal Safety Incidents to date over last 12 months : Recording data related to personal safety incidents it is important to provide tangible information relating to personal safety. Since January 1st 2023, 282 incidents have been reported in line with reporting procedures and categorised as 'personal safety' related. This represents 31% of the total 895 incidents reported.

Each incident reported receives an appropriate level of investigation by the health and safety team, and any recommendations for improvement identified, together with any follow up support for employees involved in the incident.

Personal Safety Devices : The ability for employees to summon assistance when in situations causing concern quickly and easily, is essential from both the point of view that employees are able to summon assistance when needed, and also to provides confidence to employees that they are not at a high level of vulnerability whilst at work.

The City Council has procured a personal safety device through an external, and appropriately accredited provider. During the year the City Council has re-tendered its contract for the provision of personal safety devices. This has resulted in the award of the contract to a new supplier which has delivered financial savings, but no less of a service with regards to ensuring the appropriate

monitoring of employees, and ability to summon assistance if needed. The exchange of devices is to be completed by 20th December 2023.

Personal Safety Training : Allowing employees to become more confident in their conduct, and having knowledge of what procedures to follow to ensure their safety is integral to implementing a practical approach from the theory of personal safety at work.

The City Council has a number of different approaches to provide the necessary specific knowledge to employees so they can be more aware of issues around personal safety. In the previous 12 months the following training has been attended or completed by employees :

Personal Safety and Lone Working – in person training: 112
Personal Safety in Other People's Homes and Premises (eLearning): 9
Lone Worker Types and Typical Risks (eLearning): 19
Lone Working Hazards and Risks (eLearning): 24

The Council will continue to encourage and indeed require employees who may be at a risk to attend either online or face to face training. This would ensure that City of Wolverhampton Council can demonstrate that they actively ensure that employees are provided with suitable and sufficient information and training to safely perform their job roles.

Potentially Violent Persons Register (PVPR) Access

Having prior knowledge of any potential health and safety risk is one of the best controls we can implement. If we know that something is likely to harm us we can ensure that we take appropriate preventative action.

The City Council maintains a potentially violent persons register where we identify properties or addresses where we have evidence that health and safety risks may exist. These are not just people (violence and aggression) related but include matters such as dangerous pets, discarded hypodermic needles etc.

All employees can request access to the register, where necessary as part of their role, and for new employees it is included as part of the managers health and safety induction checklist, so that so far as reasonably practicable, new employees who may need to check the register prior to visits have the ability to do so. There is a responsibility incumbent on employees to check the register prior to visits, and on managers to ensure that employees are not only aware of the register and need to check, but are actively using the resource to support their health and safety.

One of the current weaknesses of this system is that it needs to be kept current and up to date with appropriate information. The system is maintained by the health and safety team who, add new entries, update existing entries and remove old or obsolete entries, in line with GDPR requirements. This process relies heavily on each service providing information to the health and safety team. One of the current weaknesses is that some services store information locally on their own systems which is not only potentially not GDPR compliant but does not share

information across services, presenting a risk that some employees may visit a premises without knowing that a potential risk is present.

To address this, it was reported last year that a project was underway involving appropriate services and stakeholders to develop and implement a more robust, accurate, compliant and efficient system to record and share the information. It is pleasing to report that this project is nearing completion (expected end of December 2023) which will 'go live' during the second week in January 2024.

Guidance and Advice : Provision of suitable and sufficient information to employees is fundamental to them being able to have sufficient awareness of personal safety issues and implement the necessary controls. Information for employees and managers is provided on the health and safety pages of City People. In particular specific information is provided on, how to obtain an personal safety device, how to access the PVPR as well as a copy of the City Councils Personal safety Policy and procedures.

Some specific guides to personal safety have been produced, an example being the Councillors Guide to personal Safety, and it is pertinent that a similar guide for employees is also produced and brought to the attention of employees.

Gender, Maternity and Paternity (GMP) Forum : The Council has an active staff GMP forum. One aspect of their work that is being progressed is work to support the findings and actions which have come out of the staff safety survey undertaken last year. The health and safety team are supporting this work, in particular supporting carrying out safety surveys of our corporate sites where employees work or provide services. In particular the survey highlighted a need to ensure consistency at our corporate sites with regards to access to safe car parking or access routes to public transport, adequate lighting on access routes, removal of overgrown vegetation which creates 'concealed areas' and obscures natural and artificial lighting.

Last year significant work and resource was put into addressing the issues identified, and this year in order to ensure that progress was maintained and site conditions improved, further visits have been carried out and training for the awareness of site managers and site responsible persons has been delivered by the health and safety team and City Assets team. The result of this was that when a further position statement was developed in October 2023, the situation of the issues was greatly improved from 2022.

- f) One area of potential significant impact on public liability for the City Council is around having effective tree safety management processes. Whilst the responsibility for this fall within the remit of Environmental Services its acceptability and implementation has been further scrutinised by the Strategic Health Safety and Wellbeing Board and progress is monitored formally through these meetings.

During the year there have been several high profile cases involving other local authorities the City Council has implemented a new process for reviewing our arrangements and ensuring that they are commensurate with the 'reasonably practicable' judgements from legal cases.

Trees covered by the arrangements include those along public roads and footways, public parks and environmental sites, leisure sites, corporate sites and schools.

As a result of the review updated arrangements have been agreed (including financial requirements) for the inspection of trees within the City on a 2 yearly inspection programme, together with the associated remedial works required following the inspections.

The current inspection data reports that 99% of inspections are completed for the current year. The outstanding sites (6 Number) are currently in progress to address.

- g) Building Compliance Issues are a key area of health and safety performance with regards to legal responsibilities placed on the City Council.

City Assets are responsible for ensuring that the Council’s corporate & community buildings are maintained in a safe and compliant condition and managed safely.

City Assets and colleagues in Education are responsible for working alongside Headteachers, Governors and key school staff to ensure that schools are maintained in a safe and compliant condition and managed safely.

Fire risk assessments (FRA)

Fire risk assessments are required by the Fire Safety Order 2005 and are undertaken on varying frequencies depending on the building type e.g.; annually for large public buildings, 3 yearly for schools and 5 yearly for park changing rooms.

The FRA identifies overall level of risk for a building and actions required to reduce risk to, or maintain risk at, a “Tolerable” level. Actions are defined as;

High - Serious breach of legislation, having the potential for serious injury to occupants

Medium - Matters that breach legislation but are not considered to constitute a serious threat to life safety

Low - Matters that need to be addressed as good practice, but that do not constitute a significant threat to occupants.

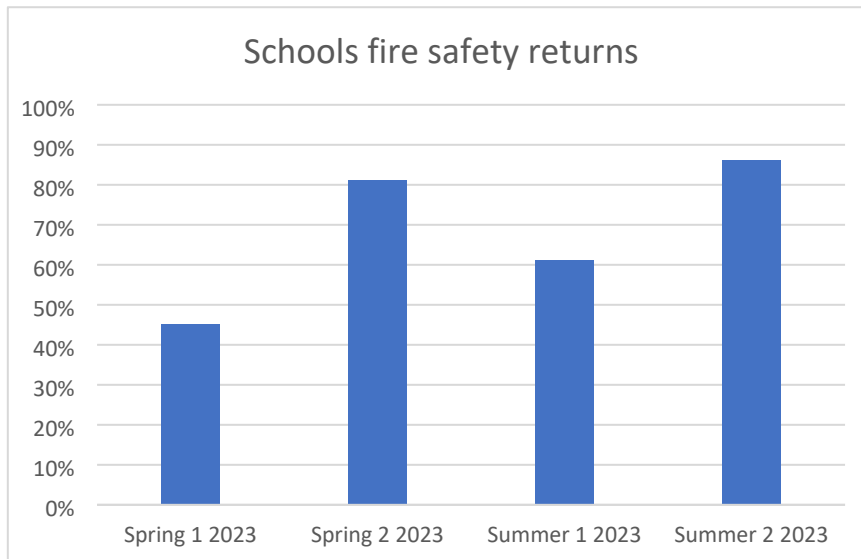
Data reported	Headline	Comments
Number of assets	171	Operational Corporate, Community Buildings and Schools
Number of assets with FRA	171	
Number of assets with FRA in date	164	Instructions issued to Hydrock covering outstanding FRA’s and those due before 31/03/24

Number of City Assets FRA actions - years up to and including 2020/21	Resolved; 600 Underway; 7 Not yet undertaken; 0	covers years up to and including 2020/21 *outstanding actions require capital investment or have other dependencies e.g. planned schemes, tenant coordination. *1no High priority action underway, mitigated as medium priority
Number of City Assets FRA actions completed – 2021/22	Resolved; 24 Underway; 16 Not yet undertaken; 1	*all High priority actions resolved
Number of City Assets FRA actions completed – 2022/23	Resolved; 119 Underway; 59 Not yet undertaken; 20	*2no High priority actions underway, both mitigated as medium priority
Number of Site Responsible Person (SRP) FRA actions completed	Resolved; 367 Underway; 34 Not yet undertaken; 109	*16no High priority actions underway 8no actions underway mitigated as Medium priority 8no not mitigated to date
Number of Schools FRA actions completed	Resolved; 226 Underway; 68 Not yet undertaken; 31	*3no High priority actions underway, but not mitigated to date.
Number of West Mids Fire Service visits	21	
Number of enforcement / prohibition notices issued by WMFS within previous 12 months	Nil	

Schools fire safety returns

Maintained schools are required to submit a fire safety return each half term (six per school year). The fire safety return reports on regular fire safety checks e.g. fire alarm testing, as well as management arrangements and training.

The graph below indicates fire safety return rates over the previous four return periods.



Schools Business & Support Services confirm that all schools have provided at least one return since April 2023 providing greater assurance that fire safety is managed.

Asbestos Management

The Council is required under the Control of Asbestos Regulations 2012 to ensure that a “suitable and sufficient assessment” is carried out as to whether asbestos is or is liable to be present in the premises or asset. Any asbestos identified must then be managed, which may include monitoring, encapsulation or removal.

Data reported	Headline	Comments
Number of assets within scope (i.e. pre 2000 building) – includes schools	201	Operational Corporate, Community Buildings and Schools. Also includes voids and specific industrial units.
Number of assets with valid asbestos management survey (AMS) and Asbestos Register	201	100%
Number of priority actions identified within AMS’ which are outstanding	2	Removals to external boiler / plant rooms with access currently restricted
Number of improvement / prohibition notices issued by HSE within previous 12 months	Nil	

Building Safety inspections

Building Safety inspections are undertaken using existing resources within City Assets or an external consultant.

Progress to date with inspections is as indicated below. Building priorities were assessed considering;

- building location
- characteristics and construction of the building

- usage of the building

Building priority	Number of sites	Number of initial inspections undertaken	% initial inspections undertaken
High	21	21	100%
Medium	104	47	45%
Low	45	1	2%

Actions identified from inspections are the responsibility of the maintenance budget holder (City Assets maintenance team, Facilities Manager, school etc) or the site management team.

All actions are recorded within Sharepoint, with progress updated by action owners, for measurement and audit purposes. Access has been provided for the Strategic Health Safety and Wellbeing Board to the Sharepoint site following requests made at the latest meeting.

Water Hygiene

City Assets Maintenance Team currently manages water hygiene in 168 corporate buildings, community sites and schools. This management function excludes specialist equipment which certain services manage and operate direct. Examples of this service management are, swimming pools, paddling pools, flower watering tanks / equipment, water features and jet washing equipment.

We have been using the term contractor to carry out additional monitoring monthly sampling. Operationally our buildings have been using less water post pandemic, the impact of less water usage is the build-up of bacteria in the system, with a potential higher risk of Legionella. To mitigate the risk of legionella we have increased water sampling across the estate, this allows the team to focus on the water management activities. Once this sampling demonstrates there are three months of Negative reading, we reduce the monitoring frequency.

Water hygiene contractor's performance.

Description	Target	Actual
Number of sites attended in the month	168	168
Number of samples taken in the months – Note down from 301 but rising from last Quarters report of 219	223	223
Samples results returned with positive results – Over 20 sites – down from 21 sites	Nil	44

4.15 *Act* : A formal strategic review of health and safety performance is essential. It allows the organisation to establish whether the essential health and safety principles – strong and active leadership, worker involvement, and assessment and

review – have been embedded in the organisation. It tells us whether our systems are effective in managing risk and protecting people.

1. Performance on health and safety and wellbeing is increasingly being recorded in organisations' annual reports to investors and stakeholders. Good health and safety performance should be celebrated at a central and local level.

As mentioned previously in this report health and safety features on a quarterly basis in the monthly meetings between the Chief Operating Officer and Cabinet member holding responsibility for Governance portfolio. These meetings include operational updates and any specific matters requiring attention.

In addition the Chief Operating Officer reports on the quarterly Strategic Health Safety and Wellbeing Board meetings to SEB.

It was noted at the previous report in September 2021 that previously there has not been an agreed formal reporting mechanism to Councillors on health and safety matters. This report is a continuation of the report in 2021 and 2022 and fulfils the requirements outlined in the organisation's Corporate Health and Safety Policy of having such a reporting mechanism.

An instrumental part of the 'Act' element is the identification of future activity, in response to both work undertaken and also emerging issues. Objectives for the management of health and safety in the coming 12 months include :

- Further embedding the health and safety teams routine audit and inspection programme to ensure that the review of health and safety arrangements across the organisation are effective.
- Ensuring that health and safety is effectively integrated into 'business change' discussions and models, following identification that during the last 12 months health and safety factors have not always featured to the extent that they should have done, and that the organisation would expect.
- Continue to progress the City Council's tree inspection and safety management programme.
- Further review and implement process and procedures to ensure the personal safety of employees and Councillors.
- Ensure that the judgement of the 'reasonably practicable' test with respect to health and safety is effective. The test ensures that organisations analyse the cost, time and effort elements of health and safety arrangements are appropriate. Linked to other corporate priorities this is particularly important in terms of the City Councils medium term financial strategy, to ensure that important organisational objectives and legal requirements continue to be met during challenging times in the provision of local authority services to our residents and communities.

- Continuing to develop the effectiveness, engagement and accountability from the Operational Health and safety groups.
- Continue to ensure that building compliance safety issues are adequately and appropriately implemented, monitored and addressed.
- Developing these and other health and safety objectives into a structured, and monitored corporate health and safety plan.

5.0 Conclusion

- 5.1 During the previous 2 years in particular there have been significant investment and changes in the personnel, structure and reporting arrangements of the health and safety team. This has resulted in a more established and effective team who are able to respond more proactively to health and safety requirements of the City Council.
- 5.2 The team have developed their specialisms and the recruitment has allowed recruitment of individuals with both the interpersonal and technical skills to enhance the teams provision across the whole of the organisation.
- 5.3 Overall the health and safety team continue to react proportionally and pragmatically to the health and safety requirements of the City Council and our City's residents. It continues to be a challenge but as described recent recruitment and provision of non personnel resource have ensured that the competent health and safety advice required by the Management of Health and Safety at Work Regulations 1999 have ensured that the organisation continues to effectively address its health and safety responsibilities.
- 5.4 The demands on the health and safety team continue to be acknowledged by the senior management team in the organisation in supporting the provision of additional resources to ensure that the health and safety team will be in an excellent position to respond to both current and future demand.
- 5.5 As part of the preparation of this report for approval, colleagues in UNISON have been consulted and are pleased to support the content of the report. Dave Auger, Branch Secretary and Chris Cooper, Regional Health and Safety Officer, commented on the positive progression on health and safety over the last year. They noted the improvement in the visibility of senior management commitment to health and safety, and the development in the effectiveness of the health and safety consultation process through the Operational Health and Safety Groups. They were also pleased to see the acknowledgement and implementation for the expansion of the health and safety team which they feel has already started to yield results in promoting a better health and safety culture across the organisation.
- 5.6 It remains to be pertinent to highlight that whilst the overall assessment of the provision of a health and safety service is in a good place, there continues to be more that can and needs to be done with regards to embedding a constructive health and safety culture in all areas of the organisation and ensuring that health and safety risk is managed in the same business as usual way as other business and operational risks. These additional needs continue to be addressed on an as

and when basis with the senior management team responding in an appropriate manner.

5.7 The previous report in 2022 concluded with a reminder about the approach to managing health and safety risk. It is appropriate that this report too, reminds members of the fact that there are potentially serious risks for inadequate consideration of health and safety issues. The punitive measures include not only enforcement powers of inspectors but can include both personal and corporate liability proceedings. The key approach of the organisation is to ensure a sensible and pragmatic approach to risk management namely:

- Ensuring that employees and the public are properly protected
- Providing overall benefit to society by balancing benefits and risks, with a focus on reducing real risks – both those which arise more often and those with serious consequences
- Enabling innovation and learning not stifling them
- Ensuring that those who create risks manage them responsibly and understand that failure to manage real risks responsibly is likely to lead to robust action
- Enabling individuals to understand that as well as the right to protection, they also have to exercise responsibility

Sensible risk management **is not** about:

- Creating a totally risk free society
- Generating paperwork mountains
- Scaring people by exaggerating or publicising trivial risks
- Stopping important recreational and learning activities for individuals where the risks are managed

5.8 The City Council is in a positive place in respect of the way in which it is meeting its Health and Safety duties and will continue to ensure that it takes these risks seriously and delivers on these duties.

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Corporate Health and Safety Policy

Approved by Strategic Health, Safety and Wellbeing Board : December 2023
Reported to Cabinet : January 2024

City of Wolverhampton Council Corporate Health and Safety Policy

Introduction

This policy identifies the key elements of our health and safety management system. It details the commitment City of Wolverhampton Council has for maintaining and improving the health, safety and welfare of its staff and others, including our customers, service users and residents who may be affected by our activities.

Our staff are a key resource and it is essential that risks to their health and safety are properly controlled through an effective health and safety management system and commitment at all levels within the organisation.

City of Wolverhampton Council recognises the important role confident strategic leadership and effective management control plays in establishing a positive safety culture and preventing incidents, work related ill-health and accidents.

We are committed to improving health and safety performance, and this policy provides the framework for this to be achieved. City of Wolverhampton Council values the important contribution that staff and union appointed safety representatives make in improving health and safety. A partnership approach to managing health and safety is crucial to the organisation meeting its objectives for maintaining and improving health and safety performance.

Suggestions for improvement on any health and safety related issues are always welcomed and should be addressed through your manager or safety representative.

STATEMENT OF INTENT

City of Wolverhampton Council attaches great importance to the health, safety and welfare of its employees, considering this management responsibility equal to that of any other management function, believing that the preservation of human and physical resources is an important means of minimising costs and ensuring customer satisfaction.

It is the policy of City of Wolverhampton Council to provide safe and healthy working conditions for all employees and to enlist the active support of employees in fulfilling their own health and safety responsibilities in order that City of Wolverhampton Council achieves a continuous improvement to health and safety performance.

The objectives of the policy are:-

- 1) To promote standards of health, safety and welfare that comply with the provision and requirements of the Health and Safety at Work etc. Act 1974 and all other statutory provisions, ACOP's (approved codes of practice) and guidance.
- 2) To provide and maintain safe and healthy workplaces and working environments, the safe transportation and handling of articles and substances, safe systems and methods of work and to protect employees, and others, including members of the public, in so far as they come into contact with foreseeable work hazards.
- 3) To provide all employees with the information, instruction, training and supervision that they need to work safely and efficiently and to develop safety awareness amongst employees.
- 4) To maintain a constant and continuing interest in health and safety matters applicable to the organisations activities by involving and consulting with employees on relevant matters.

City of Wolverhampton Council Health and Safety Policy will be reviewed and revised as often as is necessary in the light of changing circumstances and statutory requirements.

Chief Executive City of Wolverhampton Council ?? January 2024

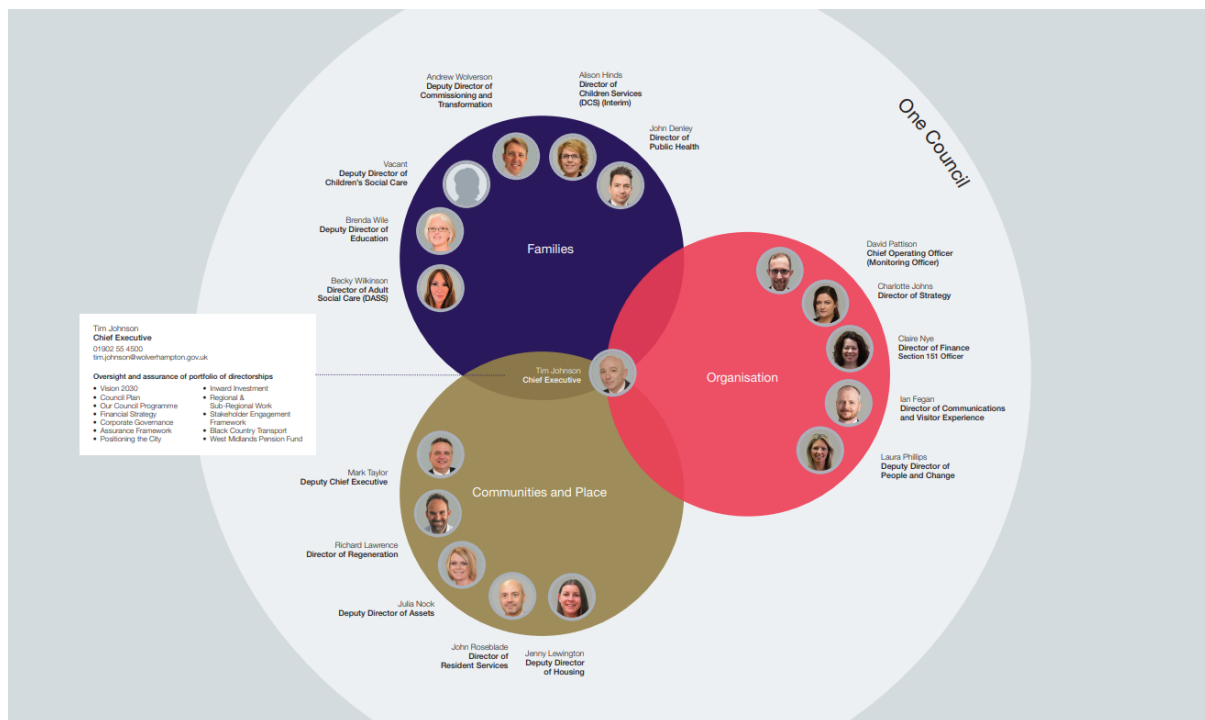
Leader of the City of Wolverhampton Council ?? January 2024

ORGANISING FOR HEALTH AND SAFETY

Any employee, including Directors, Heads of Service, Managers, Supervisors, Team Leaders, may be found criminally liable if he/she has not fulfilled their duties under the Health and Safety at Work etc. Act 1974 or relevant legislative requirements.

The hierarchy of responsibilities and organisation for effective health and safety management is shown in the organisational chart below.

The organisational framework identifies the responsibilities and relationships, which help to promote a positive health and safety culture. This section of our policy identifies individuals who are responsible for delivering the policy commitments.



City of Wolverhampton Council Senior Team

City of Wolverhampton Council's Senior Team accept their responsibilities with regards to ensuring effective implementation of health and safety systems and procedures. In particular they will:

1. Take responsibility and "ownership" of health and safety
2. Approve the strategic health and safety action plan and monitor its implementation and progress
3. Receive sufficient information a minimum annually, during their usual meeting cycle, to satisfy themselves that health and safety throughout City of Wolverhampton Council is being effectively managed, and where appropriate, consider recommendations for improvements.
4. Be provided with sufficient information and training to enable them to act with due diligence and to effectively discharge their duties under this policy.
5. Appoint one of the team to champion and lead on implementation of health and safety

6. Follow good practice set out by the Health and Safety Commission and The Institute of Directors in guidance Document "Leading Health and Safety at Work".
7. Receive specific and routine reports from officers with responsibilities for health and safety on the standards of health and safety management being achieved and recommendations for any necessary changes with regards to roles and responsibilities for ensuring health and safety.

Chief Executive

The Chief Executive has overall responsibility for the Health and Safety Policy, and for ensuring that adequate funds and resources are available to meet both organisational and statutory health and safety requirements. The Chief Executive will ensure that the effectiveness of health and safety policy is continually reviewed and will ensure that periodic reports are provided to Cabinet.

The Chief Executive will have ultimate responsibility for ensuring that health and safety policy objectives are met and that such are implemented across the organisation. In particular they will:

1. Accept, by signing of this Policy, that they have overall responsibility for the day to day management of health and safety.
2. Ensure that City of Wolverhampton Council Senior Management Team are competent to fulfil their health and safety duties required by this policy and act as role models for the benefit of promoting a positive health and safety culture.
3. Ensure that health and safety planning is incorporated into business planning processes and that departmental plans support the implementation of the Strategic Health and Safety Action Plan in relation to health and safety. They will call for periodic reports on the implementation of the plans.
4. Ensure that all Directorates have adopted adequate systems for the undertaking of risk assessments and the implementation of safe systems of work within their departments.
5. Keep up to date with changes and developments in health and safety legislation, best practice and relevant management standards
6. Ensure the Health and Safety Policy is reviewed annually and approved.

Chief Operating Officer - Delegated responsibility for Health and Safety.

The Chief Operating Officer has been delegated responsibility to act on behalf of the Chief Executive with regards to the implementation of health and safety policy and practice.

In particular they will:

1. Be responsible for the co-ordination of health and safety within City of Wolverhampton Council and regularly review the Health and Safety Policy.
2. Ensure compliance with City of Wolverhampton Council' Health and Safety Policies and encourage best practice at all levels of management and staffing.
3. Be responsible for updating and advising elected members and Senior Management Team on health and safety matters.
4. Authorise new or revised health and safety procedures as appropriate
5. Be responsible for ensuring health and safety policies are developed and formulated

6. Ensure health and safety objectives and priorities are identified.
7. Will ensure that adequate resources, including financial resources, are available to train staff on health and safety matters.

Directors and Deputy Directors

The Deputy Chief Executive, Directors and Deputy Directors have overall responsibility for giving effect to health and safety, and will:

1. Be responsible for the day to day management of health and safety within their teams and will ensure that their Senior Managers and managers are committed to the Health and safety Policy and arrangements for its implementation.
2. Be responsible for the effective management, monitoring and progression of health and safety issues within their directorate or business unit,
3. Ensure that effective management systems are in place to achieve high standards of health and safety.
4. Call for periodic reports on the progress of health and safety issues from within their own teams and also from the City Councils health and safety team on corporate health and safety matters.
5. Will liaise and ensure full co-operation not only with, but also between, managers and supervisors to ensure that they are in compliance with their responsibilities and company policies and procedures.
6. Ensure full co-operation with appointed Safety Representatives and other personnel appointed in matters relating to health and safety, whilst maintaining and encouraging a positive attitude towards health and safety.
7. Be responsible for ensuring that their teams health and safety plans adequately reflect the corporate health and safety objectives.
8. Establish management arrangements within their teams and ensure that risk assessments are undertaken; control measures identified, actions implemented; and associated performance standards are met.
9. Be responsible for obtaining and co-ordinating specialist health and safety advice. They will liaise on health and safety matters with the, Chief Executive, City of Wolverhampton Council Health and safety team, Health Safety and Wellbeing Committee and any other relevant specialist to ensure effective planning and implementation of policy and arrangements.
10. Keep up to date with changes and developments in health and safety legislation, best practice and relevant management standards, in particular with regards to their specific area of responsibility.
11. Actively encourage the participation and involvement of their staff in relation to health and safety matters. They will each demonstrate their own commitment by acting as exemplars for health and safety, undertaking periodic safety Inspections of the workplace.

City of Wolverhampton Council Health and Safety Team

The City of Wolverhampton Council health and safety team will:

1. Ensure that City of Wolverhampton Council's Health and safety policies and procedures are fit for purpose based on business need and statutory requirements.
2. Provide competent advice regarding the development of best practice guidance, operational procedures, and management and staff working instructions.
3. Attend regular consultative Health Safety and Welfare Committee meetings with Trade Unions with the aim of fostering good joint working relations and oversee joint initiatives.

4. Agree with the Director of Governance health and safety objectives and priorities.
5. Assist in the identification of health and safety training needs and selection and appointment of training providers either internal or external to City of Wolverhampton Council.
6. Provide or commission advice on the impact of any legislative change in relation to health and safety and develop improvements in systems and working practices to meet the challenges of national policy initiatives.
7. Determine and implement a planned program of health and safety audits based on risk priorities to monitor health and safety management systems.
8. Assist managers in developing and implementing health and safety risk management systems relevant to their area of operation.
9. Ensure City of Wolverhampton Council has access to a suitable process for the undertaking of assessments required under the Control of Hazardous Substances Regulations 2005. To provide training and awareness to the City of Wolverhampton Council employees responsible for undertaking the assessments to ensure they are able to complete suitable and sufficient assessments.
10. Develop and implement a regular programme of inspection of fixed work places (Offices) to ensure compliance with statutory requirements.
11. Support where necessary the Human Resources/ Occupational Health function in matters relating to Safety, Welfare and Health.
12. Provide relevant specialist health and safety input to the preparation of pre-tender and construction phase health and safety plans.
13. Maintain a system for the reporting of accidents, produce associated statistics and arrange a common procedure for the reporting and investigation of accidents.
14. Following notification of accidents to the health and safety team to assess the need for investigation, and where indicated as necessary in accordance with City of Wolverhampton Council policy to conduct appropriate investigations.
15. Provide relevant health and safety input to ensure effective internal communication with staff relating to health and safety matters, including, but not limited to, attendance at team meetings, articles for staff briefings, and health and safety bulletins.

Managers and Supervisors

The terms managers and supervisors includes all members of staff with responsibility for managing and directing the activities of others.

Managers and supervisors are directly responsible for ensuring that rules, regulations, procedures and codes of practice relating to health and safety of employees and others affected by the work of their team are correctly interpreted and implemented for all activities within their area of responsibility.

Managers and supervisors must therefore:

1. Understand and ensure the implementation the Corporate Safety Policy rules and statutory requirements applicable to all operations under their control.
2. Ensure that all employees under their control are aware of the Corporate Health and safety policy.
3. Be responsible for developing, where appropriate section specific policies and procedures to complement the organisations Health and Safety Policy in order to adequately control known health and safety risks.
4. In order to comply with the Health and safety at Work etc. Act 1974 they must ensure that, for their team, there is adequate provision for:
 - 1) Safe articles, protective clothing, plant tools, equipment and systems of work.

- 2) Safe arrangements for the use, handling, storage and transportation of substances and materials.
 - 3) Premises used by employees and members of the public shall be safe and not present a hazard to the users or occupants.
 - 4) Sufficient information, instruction, training and supervision to enable all employees to avoid hazards and contribute positively to their own health and safety at work.
 - 5) A safe access and egress to and from the place of work.
 - 6) Adequate health and welfare facilities.
 - 7) A healthy working environment.
5. Represent and advise the appropriate Director, Deputy Director or manager as requested on all matters of health and safety.
 6. By undertaking risk assessments for all activities carried out by employees under their control, ensure that all risks to health and safety of employees, and members of the public which may arise from the work of the section are identified and adequately controlled by whatever means identified as appropriate by the risk assessment.
 7. Ensure that all health and safety records, certificates, licenses and reports pertaining to their area of responsibility (employee and equipment) are satisfactory and up to date.
 8. Ensure that all appropriate remedial action is taken in respect of all reported defects and complaints relating to health and safety.
 9. Keep up to date with and implement where applicable any new health and safety measures and circulate any relevant information to each level of employee under their control.
 10. Ensure full co-operation with appointed Safety Representatives and other personnel appointed in matters relating to health and safety.
 11. Require and encourage a positive attitude towards health and safety within their own area of responsibility. This must include ensuring that there is a regular formal means to pass health and safety information out to employees and also to allow employees to raise health and safety matters with their manager. Regular feedback on matters raised must also be given.
 12. Take whatever disciplinary action is necessary against any employee not carrying out their responsibilities under health and safety legislation, or organisational Health and Safety Policy.
 13. To ensure that all employees are aware of the first aid arrangements.

Employees

All employees have an equal responsibility for ensuring and maintaining health and safety in the workplace.

City of Wolverhampton Council supports and encourages employee participation in health and safety. This is because we recognise that active employee involvement helps to:

- ✓ promote a positive health and safety culture
- ✓ develop effective risk control measures and realistic safe systems of work
- ✓ reduce accidents and work-related ill health.

To achieve this participation, we will:

- ✓ promote open, frank and constructive consultation with employees and their nominated representatives
- ✓ promote employee engagement
- ✓ make sure employees have the facts they need to make an informed contribution

All employees must:

1. Ensure that they understand the contents of the organisations Corporate Health and Safety Policy, a copy of which is readily available, and also be aware of health and safety arrangements for their particular job and place of work.
2. Use the correct and safe tools and equipment for the job, also to use all safety equipment \ protective clothing provided, and adopt a safe method of working at all times.
3. Keep tools, equipment, plant, machinery and protective equipment in good condition to prevent injury to themselves or others.
4. Report any defects or hazards to their immediate supervisor.
5. Develop a personal concern for safety, both for themselves and for others around them, particularly trainees and young persons.
6. Suggest ways of eliminating hazards by reporting to their immediate manager or supervisor.
7. Co-operate with internal and external representatives and their immediate manager or supervisor on matters relating to health and safety.
8. Set a personal example and ensure safe working practices are observed at all times.
9. Be aware of and carry out the requirements of health and safety legislation, and the safety instructions issued to them.
10. Work in a safe and responsible manner, avoiding accidents and not causing hazards to themselves or others.
11. Ensure that they are not rendered unfit for work through alcohol or drugs.
12. Not intentionally or recklessly interfere with any plant or equipment or clothing provided in the interests of health and safety for their own use or use by others.
13. Report to their supervisor in accordance with the accident reporting Policy any accidents or near miss incidents.
14. Consider the health and safety of colleagues and members of the public, and will not act in any way which could cause harm to others.

Human Resources Team

The human resources team will assist and support the implementation of this policy. In particular they will:

1. Monitor absence resulting from industrial injuries. Liaise with the Health and Safety team.
2. Be responsible for procuring, implementing and monitoring occupational health arrangements.
3. Provide support to assess when necessary the requirement for any reasonable workplace adjustments.

Organisational Development Team

The organisational development team will assist and support the implementation of this policy. In particular they will:

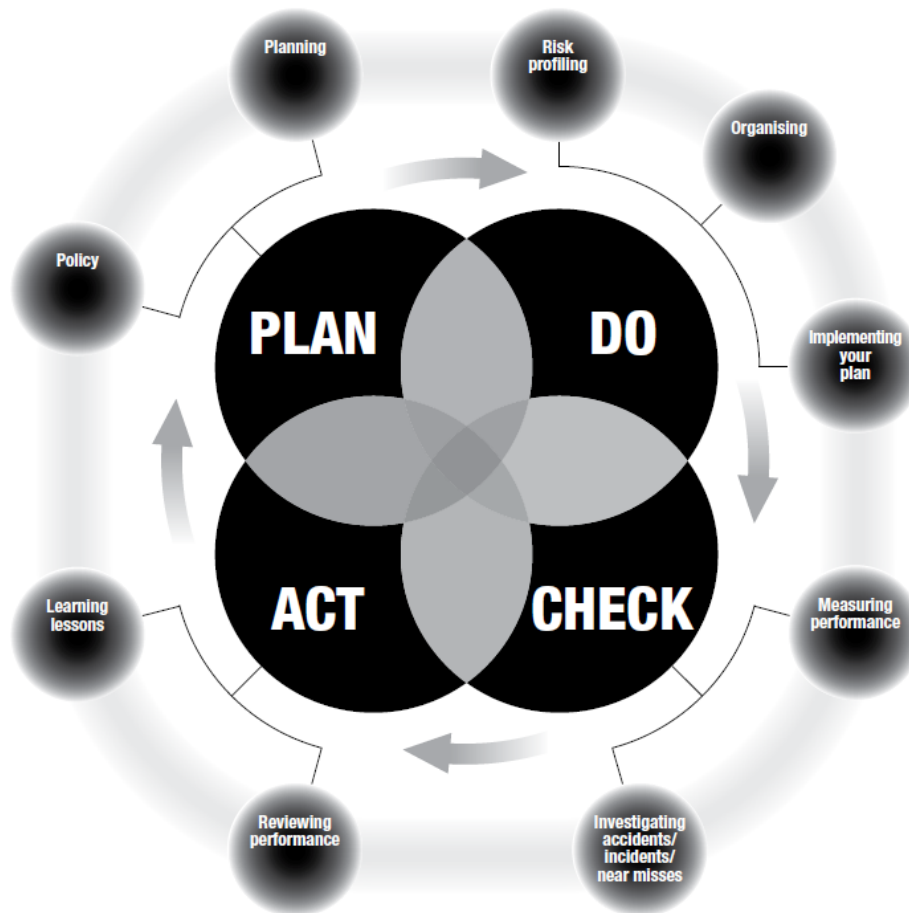
1. Maintain all health and safety training records.
2. Arrange and if required deliver health and safety training.

City of Wolverhampton Council Health and Safety Advisers shall

1. Be responsible to the Director of Governance for monitoring and improving the organisations health and safety standards.
2. Ensure that the organisations Corporate Health and Safety Policy is in line with legislative requirements and updated when necessary.
3. Maintain a system for the reporting of accidents, produce associated statistics and arrange a common procedure for the reporting and investigation of accidents.
4. Act as the recipient of, and be responsible for, the distribution of documentation and guidance on health and safety related matters.
5. Liaise with and advise the Elected Members, Directors, Assistant Directors, Managers, Supervisors and others on all aspects of health and safety legislation and precautions necessary to ensure good safety practice.
6. Give appropriate input to any health and safety training courses arranged.
7. Liaise with the Health and Safety Executive and other external bodies, with a direct interest in the health and safety of the City of Wolverhampton Council employees.
8. Be responsible for monitoring health and safety compliance in City of Wolverhampton Council by providing advice, training and support for operational managers.
9. Assist in any investigation necessary to determine the circumstances of all RIDDOR accidents and advise managers, supervisors and employees as necessary.
10. Undertake and review Workplace health and safety assessments and periodic inspections of working practices (office based and otherwise).
11. Undertake an annual programme of audits.
12. Undertake health and safety related training directly or via appropriate third parties.
13. Provide or commission advice on the impact of any legislative change in relation to health and safety and develop improvements in systems and working practices to meet the challenges of national policy initiatives.
14. To assist City of Wolverhampton Council officers to assess and evaluate the principal contractor's construction phase plan(s) and other CDM related documents and advise on any improvement or amendments required to meet these regulations.

HEALTH AND SAFETY ARRANGEMENTS

The Senior Team of City of Wolverhampton Council have adopted the Health and Safety Executive Guidance HS (G) 65 Health and Management Framework System.



They recognise that the management of health and safety requires the same degree of expertise and standards as any other core business activity, if it is to effectively control risk and prevent harm to people.

Planning for Health and Safety

Planning is the essential to ensure that our health and safety procedures really work in practice. Planning involves identifying priorities and setting key objectives, identifying hazards, assessing risks, implementing standards of performance and developing a positive culture. City of Wolverhampton Council will:

- ✓ produce an annual health and safety plan that identifies objectives that are realistic measurable and achievable
- ✓ establish management arrangements, risk control systems and workplace precautions
- ✓ set performance indicators where appropriate
- ✓ utilise appropriate compliance standards in the plan
- ✓ ensure the participation and involvement of employees and their representatives

Measuring our Health and Safety Performance

Measurement is essential to maintain and improve health and safety performance. We need to know where we are, where we want to be and identify the differences and why.

We will measure our performance by having both active monitoring (checking before things go wrong) and reactive monitoring (checking when things didn't go as planned and understanding why.)

This will be achieved by:

- ✓ setting appropriate standards
- ✓ having in place good risk control strategies
- ✓ monitoring that City of Wolverhampton Council is complying with health and safety requirements that are relevant to its activities
- ✓ maintaining accurate records and investigating near misses, work related ill-health, incidents and accidents and identifying their causes
- ✓ benchmarking our performance against similar public sector organisations.

The agreed performance indicators measure Health and Safety compliance as set out in health and safety regulatory requirements.

Performance is reported to the Strategic Health, Safety and Wellbeing Board.

Auditing and Reviewing

Health and safety management audits are used to check that our policy, organisation and systems are effective and relevant.

We use audits and reviews to improve our ability to manage risk, especially by:

- ✓ checking levels of compliance with our health and safety performance indicators against legislation and good practice
- ✓ analysing near misses, work-related ill-health and injuries for causes and trends
- ✓ identifying areas where performance can be improved
- ✓ feeding audit findings into a management action plans with a timetable for implementation
- ✓ checking that agreed objectives are achieved within a given time scale
- ✓ communicating audit outcomes to relevant meetings and committees

Consulting on Health and Safety

Effective consultation is essential if City of Wolverhampton Council is to satisfy its commitment to promote a collaborative approach to health and safety.

City of Wolverhampton Council will consult on the introduction and modification of policies and procedures in respect of health and safety. The consultation will take place through working groups and the following formal consultation machinery.

Statutory Safety Representatives

Safety Representatives are statutory representatives of employees. City of Wolverhampton Council has adopted a system whereby these are nominated by recognised Trade Unions. They are recognised by the organisation in order that they may keep under review measures taken to ensure the health and safety at work of employees, and to consult with management on the development of health and safety policy.

In particular Statutory Safety Representatives may:-

- 1) Investigate hazards, dangerous occurrences and accidents occurring in the workplace.
- 2) Make representation on matters affecting the health, safety and welfare of employees.
- 3) Make workplace inspections, as they consider necessary.
- 4) Consult with Health and Safety Executive Inspectors.
- 5) Be given time off work with pay in order to pursue their function or undertake training necessary to effectively fulfil their role.

Strategic Health, Safety and Wellbeing Board

Purpose

The Strategic Health, Safety and Wellbeing Board has been established to take a strategic overview of health, safety and wellbeing issues affecting City of Wolverhampton Council.

Functions of the Strategic Health, Safety and Wellbeing Board

1. To agree the implementation of Policy to ensure compliance with statutory obligations and Approved Codes of Practice regarding Health, Safety and Welfare.
2. To review measures taken to promote health, safety and welfare within the organisation.
3. To monitor the provision and effectiveness of safety training.
4. To consider relevant reports submitted by management and/or recognised safety representatives.
5. To receive reports of visits made by the Health and Safety Executive.
6. Consider the implementation of health and safety legislation, HSE alerts, and good practice guides and recommend appropriate action.
7. Receive health and safety inspection and audit reports and recommend appropriate action to address any issues identified.
8. Receive reports on near misses, work related ill health, incident and accident reports and recommend appropriate action.
9. Provide a means for communication to employees about the implementation of City of Wolverhampton Council's health and safety management system including the planning, organising, monitoring and reviewing of company measures to ensure the health and safety and welfare of its employees.
10. Play a key role in actively monitoring and driving improvements in the health and safety performance of the organisation.
11. Provide City of Wolverhampton Council with a means of sharing ideas, highlighting examples of good practice and promoting a positive Health and safety culture.

Membership

1. Membership will consist of a sufficient number of team representatives to ensure that as far as possible all employee groups are represented on the committee in addition to eligible Trade Union representatives.
2. It is the responsibility of the Directors to ensure that each section within their service is adequately represented.
3. In addition, any other person may be invited on an ad-hoc basis for the purpose of presenting reports or advice as appropriate.
4. There is a standing invitation for the Cabinet Member with responsibility for health and safety to attend as an observer.
5. The Strategic Health, Safety and Wellbeing Board is chaired by the Director of Governance.
6. The Strategic Health, Safety and Wellbeing Board members will undergo any necessary training for them to be able to undertake their roles effectively.

Meetings

1. The Strategic Health, Safety and Wellbeing Board will meet at least quarterly and these will be scheduled annually in advance.
2. Minutes of the meetings will be taken by a member of the health and safety team and agenda and papers distributed to members a minimum of 5 working days in advance of meetings.
3. Action points and minutes from meetings will be distributed to members within 10 working days of the meeting.

Other arrangements

Supporting continuous improvement

We believe that continuous improvement is an important part of effective health and safety management. To achieve this, we will:

- maintain an effective health and safety management system
- systematically review and refine our policies, procedures and arrangements
- set minimum standards and performance indicators for health and safety
- measure our performance and benchmark it with similar organisations
- publish regular reports on our findings
- use the information positively to improve performance.

Communicating on Health and Safety

City of Wolverhampton Council will provide effective communication channels in respect of health, safety and wellbeing. Communication will be supported by:

1. Publishing the health and safety policy and distributing to managers.
2. Providing copies on the management system and the staff web home page in health and safety.
3. Providing health and safety briefings on relevant health and safety issues.
4. Undertaking tool box talks, team briefings and including health and safety as a standing agenda item at meetings.
5. Utilising the e-mail system to provide information on health and safety.

6. Meetings with partners and contractors
7. Informing residents and members of the public of relevant health, safety and wellbeing information via newsletters and attending meetings

Delegated Corporate Landlord Responsibilities

Hazard	Responsible Person	Technical Expert
Management of Asbestos	Julia Nock	Neal Shore
Management of Water Hygiene	Julie Bell - Barker	Richard Jones
Management of Gas Safety	Julie Bell - Barker	Richard Jones
Management of Fire Safety	Managed Corporate Buildings - Julia Nock Schools - Head Teacher	Neal Shore Fire Alarms and Emergency Lighting — John Sherrard
Management of Electrical	Managed Corporate Buildings — Julie Bell Barker Schools - Head Teacher	John Sherrard
Management of Passenger Carrying Lifts	Managed Corporate Buildings — Julie Bell Barker	Richard Jones via Zurich Engineering (inspection service attached to the current insurance policy)

Site Duty Holders

A site duty holder is appointed at each corporate building to monitor health and safety arrangements including but not limited to:

- Asbestos
- Fire
- First Aid
- General Environment
- Electrical
- Gas
- Passenger Carrying Lifts
- Legionella