

Cabinet (Resources) Panel

25 July 2017

Time 5.00 pm **Public Meeting?** YES **Type of meeting** Executive

Venue Committee Room 3 - Civic Centre, St Peter's Square, Wolverhampton WV1 1SH

Membership

Chair Cllr Andrew Johnson (Lab)

Vice-chair Cllr Roger Lawrence (Lab)

Labour

Cllr Peter Bilson

Cllr Claire Darke

Cllr Steve Evans

Cllr Val Gibson

Cllr Milkinderpal Jaspal

Cllr John Reynolds

Cllr Sandra Samuels OBE

Cllr Paul Sweet

Quorum for this meeting is five Councillors.

Information for the Public

If you have any queries about this meeting, please contact the democratic support team:

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Agenda

Part 1 – items open to the press and public

Item No. *Title*

MEETING BUSINESS ITEMS

- 1 **Apologies for absence**
- 2 **Declarations of interests**
- 3 **Minutes of the previous meeting - 27 June 2017** (Pages 5 - 14)
[To approve the minutes of the previous meeting as a correct record]
- 4 **Matters arising**
[To consider any matters arising from the minutes]

DECISION ITEMS (AMBER - DELEGATED TO THE CABINET (RESOURCES) PANEL)

- 5 **Revenue budget monitoring 2017/18** (Pages 15 - 52)
[To approve matters relating to the 2017/18 revenue budget as at the end of the first quarter]
- 6 **Extra statutory day - Christmas Eve** (Pages 53 - 56)
[To approve the inclusion of the extra statutory day for Christmas Eve in the basic annual leave entitlement]
- 7 **Probation policy** (Pages 57 - 72)
[To approve the revised probation policy]
- 8 **Performance management (capability) policy** (Pages 73 - 88)
[To approve the revised performance management (capability) policy]
- 9 **Grievance policy** (Pages 89 - 102)
[To approve a revised grievance policy]
- 10 **Removal of the bullying and harassment policy and the introduction of the dignity at work statement** (Pages 103 - 118)
[To approve the removal of the bullying and harassment policy and the introduction of the dignity at work statement]
- 11 **Disciplinary policy** (Pages 119 - 134)
[To approve the revised disciplinary policy]

- 12 **Lighting up the city phase 1 – showcasing the city using lighting and greenery** (Pages 135 - 146)
[To approve scheme proposals to introduce more lighting and greenery to the City Centre to create a more interesting and attractive environment throughout the night and day, and to create a greener and more inviting environment]
- 13 **Resilience of Civic Halls venue and operations** (Pages 147 - 150)
[To approve expenditure towards the cost of additional technical surveys to determine whether any additional public safety requirements should be included in the improvement scheme]
- 14 **Land forming part of un-adopted highway at Cross Street, East Park** (Pages 151 - 154)
[To grant easements/wayleaves to statutory undertakers to supply a new development constructed by Welsh Power/Wolverhampton Power Limited]
- 15 **Demolition of garages at Hilton Road, Lanesfield** (Pages 155 - 162)
[To approve the demolition of eight garages in Hilton Road, Lanesfield and the redevelopment of the area with secure parking for surrounding residents]
- 16 **Schedule of Individual Executive Decision Notices** (Pages 163 - 168)
[To note the summary of open and exempt individual decision notices as approved by the relevant cabinet members in consultation with the relevant employees]
- 17 **Exclusion of press and public**
[To pass the following resolution:

That in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business as they involve the likely disclosure of exempt information on the grounds shown below]

Part 2 - exempt items, closed to press and public

- 18 **FutureSpace update** (Pages 169 - 176)
[To provide an update on the FutureSpace programme; highlight issues identified by the programme activity; advise on the implications of these issues; and to seek approval on the implementation of actions related to these matters]
- Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)
- 19 **Procurement - award of contracts for works, goods and services** (Pages 177 - 206)
[To consider various delegations of authority and the award of contracts]
- Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)

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| 20 | <p>Update on debt refinancing for Highfields and Penn Building Schools for the Future Private Finance Initiate schemes (Pages 207 - 220)
[To approve a revised refinancing proposal]</p> | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)</p> |
| 21 | <p>Southside Markets update (Pages 221 - 226)
[To report on progress with the markets relocation project and to consider the budgetary implications following the tender process for the delivery of the scheme]</p> | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)</p> |
| 22 | <p>Facilities management delivery model - extension of contracts and status update (Pages 227 - 234)
[To approve the extension of contracts]</p> | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)</p> |
| 23 | <p>Corn Hill car park acquisition (Pages 235 - 242)
[To endorse the principle of the Council bidding on the Corn Hill site]</p> | <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information) Para (3)</p> |

Cabinet (Resources) Panel

Minutes - 27 June 2017

Attendance

Members of the Cabinet (Resources) Panel

Cllr Andrew Johnson (Chair)
Cllr Roger Lawrence (Vice-Chair)
Cllr Claire Darke
Cllr Steve Evans
Cllr Val Gibson
Cllr Milkinderpal Jaspal
Cllr John Reynolds
Cllr Sandra Samuels OBE
Cllr Paul Sweet

Employees

Robert Baldwin	Lead Lawyer
Dereck Francis	Democratic Services Officer
Keith Ireland	Managing Director
Tim Johnson	Strategic Director - Place
Claire Nye	Director of Finance
Linda Sanders	Strategic Director - People

Part 1 – items open to the press and public

Item No. Title

- 1 Apologies for absence**
An apology for absence was submitted on behalf of Cllr Peter Bilson.
- 2 Declarations of interests**
Tim Johnson, Strategic Director, Place and Claire Nye, Director of Finance both declared disclosable non pecuniary interests in agenda items 11, 12 and 13 in so far as they are Directors of City of Wolverhampton Housing Company Limited (trading as WV Living).
- 3 Minutes of the previous meeting - 23 May 2017**
Resolved:
That the minutes of the previous meeting held on 23 May 2017 be approved as a correct record and signed by the Chair.

4 **Matters arising**

Cllr Andrew Johnson stated that the report requested on 'Update on Debt Refinancing for Highfields and Penn Building Schools for the Future Private Finance Initiative Schemes' (Minute No. 9 refers) would be submitted to the additional meeting of the Panel scheduled for 25 July 2017.

5 **Capital Budget Outturn 2016/17 including Q1 Monitoring 2017/18**

Cllr Andrew Johnson presented the outturn report. He particularly highlighted the General Fund (GF) outturn position for 2016/17; the Housing Revenue Account (HRA) outturn position for 2016/17; the work of the Project Assurance Group to profile the current financial year expenditure to further enhance quarterly capital project forecasting and reporting; the Interchange - Phase 2; and measures put in place following the tragic fire at Grenfell Tower, London.

Cllr Johnson also informed the Panel that the capital report contained a request to increase the capital budget for the markets relocation scheme by £530,000 to a total of £3.03 million. This was based on cost estimates prior to commencing procurement. Following the procurement process it was now proposed that this be further increased to a total budget of £4.9 million. The tenders received have come back outside the agreed budget and employees were working with prospective contractors to value engineer the contract. This process would be completed over the coming weeks and the revised capital budget requirements for the scheme would be detailed in the report to Council on 19 July 2017. The capital budget required to instruct a contractor and commence the market relocation scheme would not be released until a further report is considered by Cabinet (Resources) Panel.

Resolved:

1. That Council be recommended to:
 - a. Approve the revised medium term General Fund capital programme of £327.7 million, an increase of £11.7 million from the previously approved programme, reflecting the latest projected expenditure for the medium term.
 - b. Approve the revised medium term Housing Revenue Account (HRA) capital programme of £261.7 million, a decrease of £1.9 million from the previously approved programme, reflecting the latest projected expenditure for the medium term.
 - c. Approve the net additional General Fund resources of £11.7 million identified for:
 - i. CCTV - Grant to Wolverhampton Homes, a new project, of £20,000
 - ii. Penn Kids, a new project of £325,000
 - iii. sixteen new projects totalling £11.8 million
 - iv. sixty six existing projects net reduction totalling £518,000
 - d. Award a grant of £20,000 to Wolverhampton Homes to procure and install CCTV equipment on the Glentworth Gardens estate.
 - e. Approve the receipt of grant of £325,000 awarded by Department of Education for Penn Kids to increase capacity in order to deliver 30 hours free childcare.

- f. Approve to passport the full grant awarded to the Council of £325,000 to the third party provider Penn Kids.
2. That the General Fund virements totalling £37.9 million detailed at appendix C be approved for;
 - i. existing projects totalling £33.0 million;
 - ii. new projects totalling £4.9 million.
3. That the HRA virements totalling £1.7 million for existing projects be approved.
4. That the updated schedules of works for the capital projects under the following directorates be approved.
 - i. Corporate: ICTS, WV Active – Leisure Centres and in relation to Education; Building Schools for the Future (BSF), Schools Capital Maintenance and Existing Primary School Expansion Programme.
 - ii. People: Sports Investment Strategy, Co-location Programme, Children in Need – Aiming High for Disabled Children, Community Hubs and Early Education – Two Year Education Pilot
 - iii. Place: Corporate Asset Management, Urban Parks Refurbishment, Disposals Programme, Accessing Growth Fund, Managing Short Trips, Street Lighting, Highway Structures (bridges, subways, retaining walls), Southside, Maintenance of unclassified roads, Non-Highway Structures, Highway Improvement Programme, Safety Programme, Maintenance of classified roads, Cycling – Cycle Route Improvements, Local Growth Fund (LGF) Feasibility and Energy Efficiency Measures.
5. That authority be delegated to the Cabinet Member for Resources in consultation with the Director of Finance to approve the allocation of the provision of the ‘Corporate Contingency’ to individual capital projects in order that corporate priorities may be addressed in a more agile and timely manner.
6. That authority be delegated to the Cabinet Member for Resources in consultation with the Director of Finance to approve the allocation of the provision of the ‘Transformation Development Efficiency Strategy’ to individual transformation projects in order to benefit from the capital receipts flexibility announced in the Autumn Statement 2015 and in line with the Medium Term Financial Strategy.
7. That authority be delegated to the Cabinet Member for Housing and City Assets in consultation with the Director of Governance to approve the allocation of the provision of the ‘Demolition of Former Schools’ to individual capital projects in order that they may be progressed in a timely manner.
8. That authority be delegated to the Cabinet Member for Resources in consultation with the Director of Finance to approve the allocation of the provision of the ‘Strategic Land Acquisitions’ to individual capital projects to ensure that the priority acquisitions can be progressed in a timely manner.

9. That authority be delegated to the Cabinet Member for Resources in consultations with the Director of Finance to approve the allocation of the provision of the 'Smart and Accessible City' to individual capital projects in order that they may be progressed in a timely manner.
10. That authority be delegated to the Cabinet Member for Resources in consultation with the Director of Finance to approve the allocation of the provision of the 'Lighting Up the City' to individual capital projects in order that they may be progressed in a timely manner.
11. That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Strategic Director for Place to approve urgent programmes of work to respond to health and safety issues and reprofile existing projects accordingly. Following on from the tragic fire at Grenfell Tower, whilst we are confident that the tower blocks within Wolverhampton are of the correct standard, it is recognised that there may be instances in the future where the Council is required to respond quickly to emerging health and safety issues.
12. That the General Fund outturn position for 2016/17 which stands at 72.1% of the approved capital budget be noted.
13. That the HRA outturn position for 2016/17 which stands at 78.1% of the approved capital budget be noted
14. That it be noted that there is one new project requiring internal resources included in the report which is subject to a separate detailed project report to this Cabinet (Resources) Panel meeting. The inclusion of this projects is for budget approval purposes and is on the assumption that the approval to progress with the project is given at this meeting. As the progression is dependent on that decision, if the project is not approved, the capital programme will be reduced accordingly. The names of the projects are:
 - Demolition of Former Schools
15. That it be noted that whilst the capital budget requirements of the markets relocation scheme would be included the report to Full Council on 19 July 2017, the capital budget required to instruct a contractor and commence the market relocation scheme would not be released until a further paper is considered by Cabinet (Resources) Panel.

6 **City of Wolverhampton Council Armed Forces Corporate Covenant**
Cllr John Reynolds highlight some of the significant successes since the Council signed the Armed Forces Community Covenant in 2012. Amongst the accomplishments were the work around employment for veterans; support to young people wishing to join the armed forces who might not meet the initial criteria, to help them get up to speed. Cllr Reynolds placed on record his thanks to the cadets, reservists and council employees who took part at the events in the run up to and during Armed Forces Day.

Moving forward Cllr John Reynolds now sought approval for the City of Wolverhampton Council to sign a Corporate Covenant, a written and publicised voluntary pledge from public bodies, businesses and charitable organisations who wish to demonstrate their concrete support for the armed forces community.

Resolved:

That the proposal for the City of Wolverhampton Council to sign a Corporate Covenant during Business Week in September 2017 be approved.

7 Schedule of Individual Executive Decision Notices

Resolved:

That the summary of open and exempt individual executive decisions approved by the appropriate Cabinet Members following consultation with the relevant employees be noted.

8 Exclusion of press and public

That in accordance with Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the remaining items of business as they involve the likely disclosure of exempt information falling within paragraph 3 of Schedule 12A of the Act.

Part 2 - exempt items, closed to press and public

9 Procurement - Award of Contracts for Works, Goods and Services

The Panel considered a report on proposals for the award of contracts for works, goods and services.

Resolved:

1. That authority be delegated to the Cabinet Member for City Assets and Housing, in consultation with the Strategic Director for Place, to approve the award of a contract for the Supply, Delivery and Installation of Office Furniture when the evaluation process is complete.
2. That authority be delegated to the Cabinet Member for City Environment, in consultation with the Strategic Director for Place, to approve the award of a contract for Supply and Fit of Vehicle Tyres and Tubes when the evaluation process is complete.
3. That authority be delegated to the Cabinet Member for Resources, in consultation with the Director of Finance, to approve the award of a contract for a Procurement Platform when the evaluation process is complete.
4. That authority be delegated to the Cabinet Member for City Assets and Housing, in consultation with the Strategic Director for Place, to approve the award of a contract for Heath Town Demolitions Phase 2 when the evaluation process is completed.

5. Delegated authority to the Cabinet Member for Adults, in consultation with the Strategic Director for People, to approve the award of contracts for Independent Sector Home Care Reablement when the evaluation process is complete.
6. That the Director of Governance be authorised to execute contracts in respect of the above as required.
7. That the award of the contracts for Direct Payments Support Service and Payroll be deferred to the meeting on 25 July 2017.

10

Appropriation of Sites from the General Fund to the Housing Revenue Account (HRA) and Approvals Required to Facilitate the Burton Crescent Development and Former Bilston Tennis Club Development

Cllr Andrew Johnson presented the report on proposals to facilitate the previously approved development of the site at Burton Crescent for housing, by putting into place some further detailed requirements.

Resolved:

1. That the following sites shown on the map attached at Appendix 1 and 2 to the report be declared surplus to General Fund requirements:
 - Site F at Burton Crescent, Heath Town Ward
 - Former Bilston Tennis Club, Villiers Avenue, Bilston North Ward
2. That the appropriation of the afore mentioned sites from the General Fund into the Housing Revenue Account (HRA) in order that they can be developed for new council housing, to include specialist supported housing be approved
3. That the Council enter into negotiations with the current owner occupiers of site referred to at E for the potential acquisition of their property in order to facilitate and to extend the scope of the development sites at Burton Crescent.
4. That the Council enter into negotiations with the Diocese of Lichfield to remove restrictive covenants listed under the land registry title of site E.
5. That the development of Sites E and F shown on the map attached at Appendix 2 for council housing upon successful negotiations with the owner of Site E be approved.
6. That the transfer of £40,000 from HRA capital funds to the General Fund to mitigate for the loss of the former tennis courts, which would be used to improve the tennis courts at East Park be approved.
7. That the redevelopment of the former Bilston Tennis Club following appropriation from the General Fund into the HRA for affordable council housing development be approved.

8. That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Strategic Director for Housing to approve any other agreements including deed of covenants, collateral warranties, assignments and such other ancillary agreements, including variations as may be deemed necessary to facilitate the above developments.
9. That it be noted that the development of council housing on these sites would be procured using a small to medium scale development contractor.

11

Disposal of the Former St Luke's School, Goldthorn Hill

Cllr Andrew Johnson presented the report on a proposal to declare the site of the former St Luke's School surplus to the Council's requirements and to dispose of the site for housing development. Approval was also requested to an exchange of land at the sites of the former and new St Luke's School the between the Council and the Diocese of Lichfield.

Resolved:

1. That the former St Luke's School site as shown edged red on the attached plan (Appendix A), be declared surplus to requirements, subject to the land coloured white on the Appendix A being transferred to the Council from the Diocese of Lichfield.
2. That the land coloured white on the plan be transferred to the Council from the Diocese of Lichfield, and that the freehold area shown edged red on the plan be subsequently disposed of, potentially to WV Living, at a market value to be determined by the District Valuer subject to a Section 111 and S106 Agreement.
3. That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Director of Governance to approve the Heads of Terms and ancillary agreements associated with the disposal of the asset.
4. That the land as shown coloured orange on the new St Luke's School on plan Appendix B be declared surplus to requirements.
5. That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Director of Governance to approve the Heads of Terms and ancillary agreements associated with the exchange of land between the Diocese of Lichfield and the Council including the transfer of the land shown coloured orange, and the Council shall provide reasonable assistance to the Diocese in respect of any claim for possessory title of the land shown coloured green on Appendix B.
6. That it be noted that the Council would undertake surveys and feasibilities of the site for development.
7. That it be noted that the disposal would be subject to the approval of the WV Living Board and would require approval of the Council to the revised Business Case that will include this site

8. That it be noted that the Council would as part of the arrangement between the Council and the Diocese of Lichfield exchange the land shown coloured white on Appendix A to the Council; and that the Diocese of Lichfield exchange the land coloured orange, green, and edged red on Appendix B.

12 **Disposal of Northicote School, Bushbury**

Cllr Andrew Johnson presented the report on a proposal to declare the Northicote site surplus to the Council's requirements and to dispose of the site for housing development. As part of the disposal strategy approval was also sought to the demolition of the school and associated buildings on the site.

Resolved:

1. That the former Northicote School site, along with the caretakers house and adjoining community buildings as shown edged red on the plan at Appendix A to the report, be declared surplus to requirements.
2. That the disposal of the freehold of the area edged red on the plan at Appendix A, potentially to WV Living, at a market value to be determined by the District Valuer, for the development of housing, subject to a Section 111 and Section 106 Agreement be approved.
3. That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Director of Governance to approve the Heads of Terms and any ancillary agreements associated with the disposal of the asset.
4. That it be noted that the Council, as part of the arrangements, would progress with the demolition of the site prior to the Council completing the surveys and feasibilities, subject to the budget being approved.
5. That it be noted that the tender acceptance process for the demolition would be considered in the procurement report to Cabinet (Resources) Panel.
6. That it be noted that the disposal is subject to WV Living Board approval and would require approval of the Council to the revised Business Case that would include this site.

13 **Disposal of the Former Wednesfield High School, Lakefield Road**

Cllr Andrew Johnson presented the report on a proposal to declare the former Wednesfield High School site surplus to the Council's requirements and to dispose of the site for housing development by WV Living. Approval was also sought to a grant agreement to allow shared ownership homes to be funded through the Homes and Communities Agency's (HCA's) grant programme.

Resolved:

1. That the former Wednesfield High School site as shown edged red on Appendix A to the report be declared surplus to requirements.
2. That the disposal of the freehold of the area as shown edged red on Appendix A, to WV Living, at a market value to be determined by the District Valuer, for the development of housing, subject to a Section 111 and Section 106 Agreement be approved.

3. That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Director of Governance to approve the Heads of Terms and ancillary agreements associated with the disposal of the asset.
4. That the signing of a grant agreement with the Homes and Communities Agency (HCA) for grant funding from the 2016-2021 Shared Ownership and Affordable Homes Programme awarded for the development of shared ownership units across residential development schemes in the city, be approved.
5. That authority be delegated to the Cabinet Member for City Assets and Housing in consultation with the Strategic Director of Housing to agree the details of their delivery.
6. That it be noted that the Council would undertake surveys and feasibilities for the site.
7. That it be noted that the disposal would be subject to the approval of the WV Living Board.
8. That it be noted that the Council had been awarded HCA grant funding of £300,000 under the 2016-2021 Shared Ownership and Affordable Homes Programme for the delivery of ten shared ownership homes.

14

Gatis Street Adventure Playground - Community Asset Transfer

Cllr Andrew Johnson presented the report on a proposal to declare Gatis Street Adventure Playground surplus to the Council's requirements and to lease it to the Directors of Acts of Random Caring Community Interest Company (ARCCIC) on a 25 year lease on the basis of a Community Asset Transfer (the transfer of public land to a community organisation for less than market value to achieve a local social, economic or environmental benefit). ARCCIC were keen to improve the centre's facilities and maximise its potential for bringing educational and environmental activities into the area whilst creating a thriving and sustainable social enterprise.

Resolved:

1. That Gatis Street Adventure Playground, Gatis Street, Whitmore Reans, Wolverhampton be declared surplus to requirements.
2. That a community asset transfer lease be granted to Acts of Random Caring Community Interest Company - Gatis Gardeners for a term of 25 years in accordance with the terms set out in the report.

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Cabinet (Resources) Panel

25 July 2017

Report title	Revenue Budget Monitoring 2017-2018	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Andrew Johnson Resources	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All	
Accountable director	Keith Ireland, Managing Director	
Originating service	Strategic Finance	
Accountable employee(s)	Claire Nye Tel Email	Director of Finance 01902 550478 claire.nye@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board Confident Capable Council	17 July 2017 27 September 2017

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the use of £28,000 from the Regeneration Reserve to fund various development works and schemes as detailed at paragraph 5.2.2.
2. Approve the use of £103,000 from the Library Equipment Reserve to support the Libraries transformation improvements following the consultation exercise as detailed at paragraph 5.2.3.
3. Approve the use of £351,000 from the Transformation Reserve to fund various development works and schemes as detailed at paragraph 5.2.4.
4. Approve the use of £1.7 million from the Budget Contingency Reserve to fund budget pressures within Contracts service in Public Health and Wellbeing as detailed at paragraph 5.2.5.

5. Approve the write off of two Non-Domestic Rates (NDR) debts totalling £12,252.96 as detailed in Appendix F.
6. Approve the write off of two housing benefit overpayments totalling £15,465.29 as detailed in Appendix G.
7. Approve the write off of three sundry debts totalling £37,393.22 as detailed in Appendix H.
8. Approve thirteen virements totalling £5.5 million, for transfers within directorates, as detailed in Appendix I.
9. Approve setting up of expenditure budgets within the 2017-2018 approved budget as detailed in paragraph 4.2 for grant funded expenditure.

Recommendations for noting:

The Cabinet (Resources) Panel is asked to note:

1. That the overall projected outturn for the General Fund for 2017-2018 is an overspend in the region of £2.1 million. All services will be asked to deliver further in year savings in order to address the projected overspend.
2. That projected redundancy costs, including the cost of pension strain, totalling £2.9 million are included in the forecast outturn. The projected costs are subject to change dependent upon the actual redundancies approved by year end. It is anticipated that Capital Receipts flexibility announced by the Secretary of State, will offset the cost of redundancies.
3. That 958 council tax accounts totalling £242,023.55 have been approved by for write off by Director of Finance in accordance with the Council's Financial Procedure Rules.
4. That 53 Non-Domestic Rates (NDR) debts totalling £469,803.06 have been approved by for write off by Director of Finance in accordance with the Council's Financial Procedure Rules.
5. That 58 sundry debt accounts totalling £62,890.87 have been approved by for write off by Director of Finance in accordance with the Council's Financial Procedure Rules.
6. That 34 housing benefit overpayments totalling £9,354.30 have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
7. That a £17.3 million surplus on the Housing Revenue Account (HRA) is projected compared with a budgeted surplus of £16.8 million as shown at Table 9 and in detail at Appendix J. The projected increased surplus of £458,000 will be used to redeem debt in line with the HRA Business Plan.

1.0 Purpose

- 1.1 The purpose of this report is to provide Cabinet (Resources) Panel with a projection of the likely revenue outturn position for the General Fund and Housing Revenue Accounts, compared with the Council's approved revenue budgets for 2017-2018.

2.0 Summary

- 2.1 Overall, the General Fund projected outturn is currently forecast to overspend against the net budget, as analysed in Table 1.

Table 1 – 2017-2018 General Fund Revenue Budget Projected Outturn

	Net Controllable Budget 2017-2018 £000	Projected Outturn 2017-2018 £000	Projected Variation Over/(Under)	
			£000	%
People	118,712	120,531	1,819	1.53%
Corporate	62,010	58,908	(3,102)	-5.00%
Place	39,071	40,944	1,873	4.79%
Education	2,788	4,962	2,174	77.95%
Net Budget Requirement	222,582	225,345	2,763	1.24%
Government Grant (General)	(59,378)	(60,010)	(632)	1.06%
Enterprise Zone Business Rates	(1,790)	(1,790)	-	0.00%
Council Tax	(90,937)	(90,937)	-	0.00%
Business Rates	(70,459)	(70,459)	-	0.00%
Collection Fund Deficit	2,886	2,886	-	0.00%
Business Rates Equalisation	(2,904)	(2,904)	-	0.00%
Reserves				
Total Resources	(222,582)	(223,214)	(632)	0.28%
Net Budget (Surplus) / Deficit	0	2,131	2,131	0.96%

- 2.2 It is currently forecast that the outturn position for 2017-2018 will be an overspend in the region of £2.1 million. Whilst there are variations across the directorates the forecast overspend primarily has arisen as a result of budget pressures on the Waste and Recycling service budget totalling £1.7 million. It is important to note that it is early in the financial year, and all services will be asked to deliver further in year savings in order to address the projected overspend.
- 2.3 The Council continues to be faced with a challenging projected financial position over the medium term, and significant budget reduction and income generation proposals are required in order to achieve a robust financial position. The Budget 2017-2018 and Medium Term Financial Strategy 2017-2018 to 2019-2020 approved by Full Council on 1 March 2017, identified that the Council would be faced with finding further budget reduction and income generation proposals totalling £20.5 million (£14.8 million for 2018-

2019) over the two year period to 2019-2020. It is important to note that the updated projected budget deficit assumes the achievement of prior year budget reduction and income generation proposals amounting to £33.8 million over the three-year period to 2019-2020.

- 2.4 A report was presented to Cabinet on 19 July 2017, which detailed the outcome of work that has been in progress across all areas of the Council to identify budget reduction and income generation targets to deliver the strategy of identifying £14.8 million for 2018-2019.
- 2.5 An update on the General Fund budget risks is provided at section 6. Overall the risk for 2017-2018 is currently assessed as Amber as the Council has significant budget reductions to deliver and income to achieve.
- 2.6 It is important to note that projected redundancy costs, including the cost of pension strain, totalling £2.9 million are included in the forecast outturn. It is anticipated that Capital Receipts flexibility announced by the Secretary of State, will offset the cost of redundancies.
- 2.7 In accordance with the Council's financial procedures rules, all virements in excess of £50,000, or those that result in a transfer between Employees and Other Controllable Expenditure headings, require the approval of this panel. There are thirteen virements that require approval in this report as detailed in Appendix I.
- 2.8 The most significant factors contributing towards the projected net overspend against the budget are reported on a service-by-service basis in section 3.
- 2.9 The forecast outturn position for the Housing Revenue Account is a surplus of £17.3 million, compared to a budgeted surplus of £16.8 million. The projected additional surplus of £458,000, which is mainly due to a forecast underspend on interest payable, will be used to redeem debt to comply with the Council's approved HRA Business Plan.

3.0 General Fund Revenue Budget Monitoring: Service Analysis

3.1 People

3.1.1 A summary of the projected outturn against the People 2017-2018 revenue budget is provided in Table 2, whilst a detailed analysis is provided in Appendix A.

Table 2 – 2017-2018 Revenue Budget Projected Outturn - People

	2017-2018 Controllable Budget £000	2017-2018 Forecast Outturn £000	Projected Variation Over/(Under)	
			£000	%
Strategic Director including Safeguarding and Strategic Commissioning	7,678	7,623	(55)	-0.71%
Adults Services	63,714	64,555	841	1.32%
Children & Young People	47,291	47,948	657	1.39%
Public Health & Wellbeing	29	405	376	1296.07%
People Total	118,712	120,531	1,819	1.53%

3.1.2 Overall a net overspend of £1.8 million (1.53%) is projected for the year. The main factors contributing towards this forecast overspend are:

1. **Strategic Director including Safeguarding and Strategic Commissioning** – There is a projected net underspend of £55,000 for this service directorate mainly due to a forecast underspend within Strategic Commissioning totalling £300,000 as a result of this service generating efficiencies across contracts. The underspend is offset by a forecast overspend within the Safeguarding service totalling £229,000 as a result of forecast overspends on staffing budgets along with cost pressures on Deprivation of Liberty Safeguards.
2. **Adult Services** - There is a net forecast overspend of £841,000 for Adult Services resulting from various factors including:
 - a. Forecast overspend within Learning Disabilities Care Purchasing totalling £904,000 as a result of cost pressures across care purchasing budgets due to increased demand for support. The forecast assumes that demographic growth funding will be received under a Section 75 agreement.
 - b. Forecast overspend within Physical Disabilities Care Purchasing as a result of cost pressures across care purchasing budgets due to increased demand for support (£538,000).

- c. Forecast overspend on care purchasing budgets due to increased demand for support for Older People Care Purchasing (£366,000). The forecast assumes that demographic growth funding will be received under a Section 75 agreement.

These forecast overspends are offset by projected underspends with the following three services:

- d. The Carer Support service is projecting an underspend of £434,000 as a result of support packages being coded against the individual rather than the carer, therefore the cost will be within other services across Adults, however still meets carers needs.
- e. The Learning Disability Provider is projecting an underspend due to the restructure of Outreach Service which is offset in part by cost pressures across the service (£123,000).
- f. The Assessment and Care Management service is projecting an underspend of £398,000 due to unfilled staff vacancies within the service as well as receiving additional income.

- 3. **Children & Young People** - There is a forecast overspend totalling £657,000 for this service directorate mainly due to forecast overspends within the following services:

- a. Looked After Children is forecasting an overspend on placement budgets totalling £852,000 based on the latest financial modelling, which is partially offset by efficiencies across staffing budgets. Looked After Children numbers are not currently reducing at the rate required to deliver the savings target, however, work is underway to rectify the situation by year end with the aim of delivering a balanced budget. However, due to the extremely challenging nature of this work, there is a sizeable risk that there will be an overspend at year end.
- b. The Child Protection service is forecasting an overspend totalling £181,000 which is due to increased Section 17 expenditure including No Recourse to Public Funds (NRPF), after taking into account reduction in general expenditure for items such as car allowances and short breaks within the Child Protection service.

The forecast overspends are offset by projected underspends due to one off savings projected on staffing costs within the Early Intervention service due to delays in recruitment (£105,000) and within the Specialist Support service (£118,000) after taking into account a forecast overspend in alternative provision.

4. **Public Health & Wellbeing** - There is a forecast overspend of £376,000 for this service directorate mainly due to a forecast overspend within the Contracts service totalling £376,000 as a result of pressures across contracts arising from slippage on budget reduction targets and reduction in grant allocations. The overspend of £376,000 includes the application of £1.7 million from the Budget Contingency Reserve, which has been created in part from previous underspends in public health, for which approval is sought at this meeting.

3.1.3 As stated in paragraph 2.2 all services across the Council will be asked to deliver further in year savings in order to address the forecast overspend.

3.2 Corporate

3.2.1 A summary of the projected outturn against the Corporate 2017-2018 revenue budget is provided in Table 3, whilst a detailed analysis is provided in Appendix B.

Table 3 – 2017-2018 Revenue Budget Projected Outturn - Corporate

	2017-2018 Controllable Budget £000	2017-2018 Forecast Outturn £000	Projected Variation Over/(Under)	
			£000	%
Managing Director including Corporate Business Support	1,840	1,592	(248)	-13.50%
Corporate Services	24,731	24,677	(54)	-0.22%
Governance	7,387	7,310	(77)	-1.04%
Corporate Budgets	28,051	25,329	(2,722)	-9.70%
Corporate Total	62,010	58,908	(3,102)	-5.00%

3.2.2 Overall a net underspend of £3.1 million (-5.00%) is projected for the year. The main factors contributing towards the projected underspend are:

1. **Managing Director** – There is a projected underspend totalling £248,000 due to unfilled staff vacancies held across the Corporate Business Support service.
2. **Corporate Services** – There is a projected underspend of £54,000 for this service directorate. A managed underspend is projected for Central Corporate Budgets totalling £223,000 to offset a forecast overspend particularly in Commercial Services totalling £222,000 which has arisen as a result of additional resources required to improve contract efficiency and commercialisation. It is anticipated that contract efficiencies will be obtained across the Council.
3. **Governance** – There is a net underspend of £77,000 projected against this service directorate primarily due to a projected underspend on Democratic

Services totalling £131,000. This is due to a combination of factors, including savings generated from the restructure of the Register Office, receipt of government grant and 2017-2018 being a fallow local election year.

4. **Corporate Budgets** - Overall there is a projected underspend of £2.7 million against this budget. There is a projected net underspend of £810,000 against the Treasury Management budget primarily due to changes in interest rates. Projected redundancy costs, including the cost of pension strain, totalling £2.9 million are included in the forecast outturn. It is anticipated that Capital Receipts flexibility announced by the Secretary of State, will offset the cost of redundancies.

3.2.3 As stated in paragraph 2.2 all services across the Council will be asked to deliver further in year savings in order to address the forecast overspend.

3.3 Place

3.3.1 A summary of the projected outturn against the Place 2017-2018 revenue budget is provided in Table 4, whilst a detailed analysis is provided in Appendix C.

Table 4 – 2017-2018 Revenue Budget Projected Outturn – Place

	2017-2018 Controllable Budget £000	2017-2018 Forecast Outturn £000	Projected Variation Over/(Under)	
			£000	%
Strategic Director	271	271	-	0.04%
City Economy	8,199	8,362	163	1.99%
Corporate Landlord	7,549	7,484	(65)	-0.86%
Housing	1,673	1,644	(29)	-1.74%
City Environment	21,379	23,183	1,804	8.44%
Place Total	39,071	40,944	1,873	4.79%

3.3.2 Overall a net overspend of £1.9 million (4.79%) is projected for the year. The main factors contributing towards this overspend are:

1. **City Economy** – A £163,000 overspend is forecast within this service directorate mainly due to a forecast overspend within Visitor Economy due to reduced income as a result of the Civic Halls closure for refurbishment (£214,000).
2. **Corporate Landlord** – A £65,000 underspend is projected within this service directorate as a result of projected underspends within:

- a. Estates and Valuations totalling £500,000 because of generation of additional rental income.
- b. Corporate Asset Management totalling £257,000 due to reduced expenditure anticipated on utilities.

These underspends are offset by a forecast overspend within the Catering service totalling £590,000 due to slippage in the delivery of budget reduction proposals and reduced income due to the loss of schools catering business (£590,000). The Capital Programmes service is forecasting an overspend due to the budget reflecting budget reduction proposals to be achieved across the Corporate Landlord directorate (£103,000).

3. **City Environment** – A £1.8 million overspend is forecast within this service directorate as a result of forecast overspends within:
 - a. Waste & Recycling Services totalling £1.7 million as a result of budget pressures relating to the delayed transformation of the service and as a result of ongoing contractual dispute with Amey which the Council has not been able to resolve by negotiation and therefore legal proceedings have been issued by the Council in the High Court.
 - b. The Fleet service due to the slippage in the delivery of budget reduction proposals. The overspend pressures are anticipated to be partly offset by planned underspends amounting to £500,000 across the City Environment service directorate.

3.3.3 As stated in paragraph 2.2 all services across the Council will be asked to deliver further in year savings in order to address the forecast overspend.

3.4 Education

3.4.1 A summary of the projected outturn against the Education 2017-2018 revenue budget is provided in Table 5, whilst a detailed analysis is provided in Appendix D.

Table 5 – 2017-2018 Revenue Budget Projected Outturn - Education

	2017-2018 Controllable Budget £000	2017-2018 Forecast Outturn £000	Projected Variation Over/(Under)	
			£000	%
Education	2,788	4,962	2,174	77.95%
Education Total	2,788	4,962	2,174	77.95%

3.4.2 Overall a net overspend of £2.2 million (77.95%) is projected for the year. This is largely due to a forecast overspend on the Standards and Vulnerable Pupils service totalling £1.6 million as a result of SEN Out of City educational costs increasing due to additional demand on the provision. Work will be undertaken during this financial year to review the provision and potential funding sources to mitigate the pressure on this service. The School Planning and Resources service is also forecasting an overspend of £586,000 due to an increase in the demand on Special Schools Home to School Transport budget for high need pupils.

3.4.3 As stated in paragraph 2.2 all services across the Council will be asked to deliver further in year savings in order to address the forecast overspend.

4.0 Changes to Grant Funded Expenditure

4.1 It is not always possible to reflect all grant-funded expenditure in the budget approved by Full Council prior to the start of the financial year. This is due to late notification from grant awarding bodies of grant amounts, and proactive grant applications during the year.

4.2 Approval is sought from the Panel to establish expenditure budgets within the 2017-2018 approved budget as set out in the table below, and in accordance with the grant's terms and conditions. This will have no effect on the Council's net revenue budget as the expenditure is fully funded from grant.

Table 6 – Grant Approval Sought from this Panel

Grant Name	Description of the Activities this Grant will Fund	Awarding body	Expenditure 2017-2018 £000
ACE Celebrating Age	Programme of visual arts activities, exhibitions and events to improve engagement with older people.	Arts Council England	91

5.0 Reserves and Balances

5.1.1 Overall a net underspend of £266,000 (-0.12%) was achieved against the General Fund net budget requirement of £217.4 million for 2016-2017, after meeting the net cost of redundancy and pension strain, after the use of capital receipt flexibility, and contributions to essential specific reserves. In the Reserves, Provisions and Balances 2016-2017 report presented to Cabinet on 19 July 2017, Cabinet approval is sought to make a contribution of £266,000 to Efficiency Reserve as a result of the General Fund net underspend. The General Fund Balance remains unchanged at £10.0 million.

5.1.2 In addition to the General Fund balance, the Council also holds a number of Specific Reserves. The total specific reserves balance at the end of 2016-2017 was £54.6 million which was a reduction of £7.3 million from the balance held at the end of 2015-2016.

5.2 Transfers to/from Specific Reserves

5.2.1 Approval is sought from this meeting for a number of transfers to/from specific reserves, as set out in the following paragraphs. In the event that the use of capital receipts replaces previously approved specific reserve drawdowns as a result of the new capital receipts flexibilities announced by central government, an update will be provided to Cabinet and Council.

5.2.2 Regeneration Reserve

Approval is sought from this meeting for the use of £28,000 from the Regeneration Reserve to fund:

1. A review of City Centre Broadband Infrastructure (£13,000);
2. The costs of a feasibility study in relation to the location of Bilston Library and Craft Gallery as part of the Libraries Transformation Programme (£15,000).

5.2.3 Library Equipment Reserve

Approval is sought from this meeting for the use of £103,000 from the Library Equipment Reserve to support the Libraries transformation improvements following the consultation exercise.

5.2.4 Transformation Reserve

Approval is sought from this meeting for the use of £351,000 from the Transformation Reserve to fund:

1. A Digital Development Officer (What's on Where Website) for 12 Months for Customer Services (£45,000);
2. Business Analyst roles supporting the Corporate Admin Review (£150,000);
3. Assets and Facilities Management Business Analyst for a period of three months for Corporate Business Support (£30,000).
4. Two posts to carry out a C3 project covering new ways of working for Corporate Business Support. The posts will co-ordinate, facilitate and drive the delivery of agile working transformation and culture change within the Council (£98,000).
5. The extension of Post 16 Managers post until the end of July 2017 for Enterprise Service (£28,000).

In the event that the use of capital receipts replaces previously approved specific reserve drawdowns as a result of the new capital receipts flexibilities announced by central government, an update will be provided to Cabinet and Council.

5.2.5 Budget Contingency Reserve

Approval is sought from this meeting to use £1.7 million from the Budget Contingency Reserve to fund budget pressures within Contracts service in Public Health and Wellbeing.

6.0 General Fund Budget Monitoring – Risk Management

6.1 The overall level of risk associated with the budget 2017-2018 is assessed as Amber, it is important to note, however, that the Council has significant budget reductions to deliver and income to achieve. The six main areas of risk are summarised in the table at Appendix E.

7.0 Revenue Budget Monitoring – Schools’ Budgets

7.1 Maintained schools are required to submit budget plans detailing their expected income and planned spending levels at two points in the year 31 May and 31 October. Returns submitted on 31 May estimated that overall balances would reduce by £6.2 million to £2.3 million as shown in Table 7 below.

Table 7 – Projected Movement on Schools’ Balances 2017-2018

Sector	Balances as at 31 March 2016 £m	Use of Balances in 2017-2018 £m	Balances as at 31 March 2017 £m
Secondary	(1.1)	0.1	(1.0)
Primary	4.7	(2.6)	2.1
Junior	0.4	(0.3)	0.1
Infant	0.3	(0.3)	-
Nursery	0.8	(0.5)	0.3
Special	1.3	(1.0)	0.3
Pupil Referral Units	2.1	(1.6)	0.5
Total	8.5	(6.2)	2.3

7.2 Schools with Surplus Balances

7.2.1 At the end of 2016-2017 maintained schools had balances of £8.5 million. 38 schools were identified as having balances above recognised thresholds detailed in the local scheme (5% for secondary schools and 8% for primary, special and nursery schools). Schools will be reporting their intended use of surplus balances over the coming months and this will be updated at Q3 reporting.

7.2.2 The Scheme for Financing Schools establishes an arbitration process to review the Authority’s decision and determine if, and to what level, any excess balances should be recovered. This process was invoked to review 2014-2015 surplus balances and 8 schools were subject to review with £85,000 being recovered from one school in 2016-

2017. The panel met again in March 2017 to review the position of a further 4 schools, and the decision was made to recover 50% of the excess balance from a single primary school. Based on the school's outturn, the recovery in respect of 2016-2017 was £26,000.

7.3 Schools in a deficit balance position.

7.3.1 As part of its overview of schools in deficit, a Schools under Notice of Concern Board (SuNC) chaired by the Director of Education has been established to review monthly financial information from schools in deficit to evaluate the financial position of the schools. The chair of Schools Forum is also a member of the board. The position currently on schools with anticipated deficits in 2017-2018 is as follows:

Table 7 – Schools with anticipated deficits in 2017-2018

Name	Balance at the end of 2016-2017 £	Anticipated balance at end of 2017-2018 £	Status
Woodfield Junior	104,826	106,904	School with approved licensed deficit and a plan to recover the deficit by March 2017. Expected to convert to Academy in September 2017.
Coppice	207,491	304,968	School with approved licensed deficit and a plan to recover the deficit within a 3 year time frame.
St Matthias	861,280	1,132,101	A deficit recovery plan and application are under discussion with the school.
Woodthorne	203,521	127,740	A licenced deficit budget has been approved.
Castlecroft Primary	(16,933)	66,958	Will require a licensed deficit application if outturn remains as planned.
Claregate Primary	37,571	32,487	Application for licensed deficit in progress.
Long Knowle Primary	(80,155)	23,549	Will require a licensed deficit application if outturn remains as planned.
Merridale Primary	(6,498)	9,760	Licensed deficit will not be required provided the forecast deficit remains below £10,000.
Wodensfield Primary	(10,450)	13,005	Will require a licensed deficit application if outturn remains as planned.

Name	Balance at the end of 2016-2017 £	Anticipated balance at end of 2017-2018 £	Status
Westacre Infant	(121,901)	31,185	Will require a licensed deficit application if outturn remains as planned.
Woodfield Infant	96,469	106,930	Expected to convert to Academy in September 2017.
Penn Hall Special School	(233,096)	54,587	Will require a licensed deficit application if outturn remains as planned.

7.4 Deficits Following Sponsored Academy Conversion

7.4.1 The schools surplus or deficit balance on conversion to academy status usually transfers at the same time. However, where the conversion is directed by Department for Education (DfE) through a sponsorship arrangement any deficit remains with the local authority. Such costs must be met from the Authority's General Fund.

The Local Government Association (LGA) has stated that this policy is unfair on local authorities. However, DfE have said that academies are a vital part of the plan for transforming education and that the accumulated deficits for sponsored academies must be met by local authorities.

8.0 Debt Write Offs

8.1 Debts are only written off as a last resort, when all feasible recovery action has been exhausted. If the situation surrounding an individual case changes in the future, steps would be taken to pursue the debt, despite the debt having been written off.

8.2 **Sundry Debtors** - Income is due to the Council for a wide range of services provided to individuals and businesses. To reflect the fact that, despite the Council's best efforts, not all of this income will actually be collected, the Council makes provision for bad and doubtful debts, which it charges directly to the General Fund.

8.3 Overall, 61 debt write offs totalling £100,284.09 have been incurred. All but three valued at £37,393.22 in total, which require the approval of this Panel (see Appendix H), have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedures Rules.

8.4 **The Collection Fund** - The City of Wolverhampton Council acts as billing and collecting authority for council tax and non-domestic rates income. The Council administers a separate Collection Fund account for this purpose. The Collection Fund accounts for the receipt of council tax and business rates (non-domestic rates) income and payments to precepting authorities such as the Fire Authority and the Police. Within this account,

provisions are made for bad and doubtful debts and any write offs are charged to the council tax or business rates provision as appropriate.

- 8.4.1 **Council Tax** – Overall, 958 debt write offs totalling £242,023.55 have been incurred. All have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedure Rules.
- 8.4.2 **Non-Domestic Rates (NDR)** – Overall, 55 debt write off totalling £482,056.02 have been incurred. All but two valued at £12,252.96 in total, which require the approval of this Panel (see Appendix F), have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedures Rules.
- 8.5 **Housing Benefits** - Housing benefit overpayments occur when rent rebate or rent allowance awards exceed a recalculated entitlement. Whilst the Council aims to limit the incidence of overpayments they may occur for a number of reasons including as a result of fraud or error. In general, overpaid benefit is written off in line with Government guidance where recovery would cause hardship, where the debtor has died or cannot be traced.
- 8.6 The Council receives Government subsidy in respect of overpaid housing benefit at rates of between 40% and 100% according to the circumstances in which the overpayment arose. The unsubsidised element of any overpayment is charged to the General Fund.
- 8.7 Overall, 36 overpayments totalling £24,819.59 have been incurred. All but two valued at £15,465.29 in total, which require the approval of this Panel (see Appendix G), have been approved for write off by the Director of Finance in accordance with the Council's Financial Procedures Rules.
- 9.0 Housing Revenue Budget Monitoring**
- 9.1 Table 9 shows the latest forecast revenue outturn against budget for the Housing Revenue account (HRA). The forecast outturn position for the year is a surplus of £17.3 million, compared to a budgeted surplus of £16.8 million. The projected additional surplus of £458,000 will be used to redeem debt to comply with the Council's approved HRA Business Plan.

Table 9 – Housing Revenue Account Projected Outturn 2017-2018

	Budget	Projected	Projected
	£000	Outturn	Variation
		£000	£000
Total income	(97,840)	(97,357)	483
Total expenditure	70,074	69,465	(609)
Net cost of HRA services	(27,766)	(27,892)	(126)
Interest payments etc.	10,938	10,606	(332)
(Surplus)/deficit before transfers to/from reserves and provision for redemption of debt	(16,828)	(17,286)	(458)
<i>Allocation of (surplus)/deficit</i>			
Provision for redemption of debt	16,828	17,286	458
Balance for the year	-	-	-

9.2 Rental income from dwellings is forecast to be lower than budgeted by £500,000, due to higher than anticipated right to buy sales. This is offset by forecast underspends on Repairs and Maintenance (£300,000) and Supervision and Management (£300,000).

9.3 Financing costs are forecast to underspend by £300,000, due to the reprofiling of capital schemes resulting in a reduced interest charge.

10.0 Financial Implications

10.1 The financial implications are discussed in the body of the report.
[MH/17072017/U]

11.0 Legal Implications

11.1 Section 151 of the Local Government Act 1972 requires local authorities to make arrangements for the proper administration of their financial affairs. It is a legal requirement under s25 of the Local Government Act 2003 to set a balanced budget and monitor the financial position throughout the year.
[RB/14072017/B]

12.0 Equality Implications

12.1 This report provides details of the projected outturn for 2017-2018. The necessary equalities analyses were carried out as part of the preparations for setting the 2017-2018 budgets, and will similarly form part of the requisite pre-work for 2018-2019.

13.0 Environmental Implications

13.1 A range of services focused upon the Council's environmental policies is supported through revenue budgets reviewed in this report. Changes in levels of funding will be considered as such changes are proposed.

14.0 Background Papers

Reserves, Provisions and Balances 2016-2017, report to Cabinet, 19 July 2017.

Revenue Budget Outturn 2016-2017, report to Cabinet, 19 July 2017.

2017-2018 Budget and Medium Term Financial Strategy 2017-2018 to 2019-2020, report to Cabinet, 22 February 2017.

Draft Budget and Medium Term Financial Strategy 2017-2018 to 2019-2020, report to Cabinet, 19 October 2016.

Budget 2016-2017 and Medium Term Financial Strategy 2016-2017 to 2019-2020, report to Full Council, 2 March 2016.

Revenue Budget Monitoring – People

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
Strategic Director People including Safeguarding			-	
Strategic Director People	274	290	16	
Safeguarding	2,169	2,398	229	An overspend is forecast mainly due to cost pressures on staffing budgets of approximately £170,000 along with cost pressures on Deprivation of Liberty Safeguards (DoLS) totalling £60,000.
Strategic Commissioning	5,235	4,935	(300)	An underspend is forecast as a result of generating efficiencies across contracts
Total Strategic Director People including Safeguarding	7,678	7,623	(55)	

Revenue Budget Monitoring – People

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
Adult Services			-	
Better Care Fund	-	-	-	
Business Support	40	40	-	
Carer Support	1,247	813	(434)	The Carer Support service is projecting an underspend of £434,000 as a result of support packages being coded against the individual rather than the carer, therefore the cost will be within other services across Adults, however still meets carers needs.
Emergency Duty Team	412	458	46	
Welfare Rights & Financial Assessment	1,602	1,566	(36)	
Community Support	901	895	(6)	
Learning Disability Provider	5,078	4,955	(123)	A projected underspend of £200,000 is due to the restructure of Outreach Service which is offset in part by cost pressures across the service totalling £60,000.
Older People Provider Services	4,077	4,049	(28)	
Independent Living Service	2,899	2,887	(12)	
Quality Assurance and Policies	359	342	(17)	
Assessment and Care Management	1,465	1,067	(398)	A one-off underspend is projected due to unfilled staff vacancies within this service as well as receiving additional income.
Mental Health Assessment & Care Management	3,927	3,921	(6)	
Older People Care Purchasing	19,187	19,553	366	An overspend is forecast as a result of cost pressures across care purchasing budgets due to increased demand for support. The forecast assumes that Demographic growth funding will be received under a Section 75 agreement.
Learning Disabilities Care Purchasing	15,851	16,755	904	An overspend is forecast as a result of cost pressures across care purchasing budgets due to slippage on budget reduction targets. The forecast assumes that Demographic growth funding will be received under a Section 75 agreement.
Physical Disabilities Care Purchasing	4,396	4,934	538	An overspend is forecast as a result of cost pressures across care purchasing budgets due to increased demand for support.
Service Director Adults	2,273	2,320	47	
Total Adult Services	63,714	64,555	841	

APPENDIX A

Revenue Budget Monitoring – People

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
Children & Young People				
Service Director Children & Young People	972	920	(52)	Savings against external contracts budget of £103,000.
Child Protection	9,232	9,413	181	An overspend is forecast as a result of budget pressures due to increased Section 17 expenditure including No Recourse to Public Funds (NRPF) totalling £252,000. The forecast overspends are partially offset by reduction in general expenditure for items such as car allowances and short breaks.
Early Intervention	4,317	4,212	(105)	An underspend is projected mainly as a result of one-off savings on staffing costs due to delays in recruitment totalling £102,000.
Early Years	524	524	-	
Inclusion Support	578	554	(24)	
Looked After Children	27,630	28,482	852	Projected overspend against Looked After Children placement budget based on latest financial modelling, partially offset by efficiencies across staffing budgets. Looked After Children numbers are not currently reducing at the rate required to deliver the savings target, however, work is underway to rectify the budget situation by year end with the aim of delivering a balanced budget. However, due to extremely challenging nature of this work, there is a sizeable risk that there will be an overspend at year end.
Specialist Support	2,794	2,676	(118)	An underspend is projected as a result of one-off savings on staffing costs totalling £194,000. This underspend is offset by a forecast overspend within Alternative Provision totalling £80,000.
Youth Offending	1,244	1,167	(77)	
Total Children & Young People	47,291	47,948	657	

Revenue Budget Monitoring – People

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
Public Health & Wellbeing				
Service Director Public Health & Wellbeing	-		-	
Business Continuity & Emergency Planning	6	6	0	
Commissioning	-		-	
Community Safety	23	23	(0)	
Contracts	-	376	376	The overspend is forecast as a result of pressures across this service arising from slippage on budget reduction targets and due to reduction in grant allocation. The forecast overspend takes into account the application of £1.7 million from the Budget Contingency Reserve, which has been created in part from previous underspends in public health, for which approval is being sought from this meeting.
Health Protection & NHS Facing	-		-	
Healthier Places Service	-		-	
Intelligence & Evidence	-		-	
Management and Administration	-		-	
Sports Development	-		-	
Transformation - Public Health	-		-	
Total Public Health & Well Being	29	405	376	
Total People Directorate	118,712	120,531	1,819	

Revenue Budget Monitoring – Corporate

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
Managing Director				
Managing Director	209	209	(0)	
Corporate Business Support	1,631	1,383	(248)	The underspend is forecast due to unfilled staff vacancies held across the service.
Total Managing Director	1,840	1,592	(248)	

Revenue Budget Monitoring – Corporate

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
Corporate Services				
Finance Director	155	155	(0)	
Audit Services	2,012	1,957	(55)	
Central Corporate Budgets	4,713	4,490	(223)	A managed underspend is projected to offset forecast overspends within the Directorate.
Commercial Services	651	873	222	The forecast overspend within this service has arisen as a result of additional resources required to improve contract efficiency and commercialisation. It is anticipated that contract efficiencies will be obtained across the Council.
Corporate Communications	1,812	1,813	1	
Customer Services	3,025	3,025	0	
ICTS	4,915	4,915	(0)	The ICTS forecast includes revenue expenditure for the Digital Transformation Programme. It is anticipated that this expenditure will be capitalised under the capital receipt flexibility announced by the Secretary of State. The service is also seeking to generate additional income from recharges to external bodies.
Leisure Services	1,165	1,165	(0)	Early indications have shown that there is a potential pressure within this area, but it will be monitored closely throughout the financial year.
Revenues & Benefits	2,266	2,266	0	
Service Improvement	87	87	0	
Strategic Finance	2,384	2,384	0	
The Hub	1,547	1,547	0	
Total Corporate Services	24,731	24,677	(54)	

Revenue Budget Monitoring – Corporate

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
Governance				
Democratic Services	2,470	2,339	(131)	The underspend projected is due to a combination of factors, including savings generated from the restructure of the Register Office, receipt of government grant and 2017-2018 being a fallow local election year.
Director of Governance	201	201	0	
Governance Services	530	518	(12)	
Human Resources	3,094	3,094	0	
Legal Services	2,208	2,208	0	
Licensing	(423)	(423)	(0)	
Markets	(692)	(627)	65	
Total Governance	7,387	7,310	(77)	

Revenue Budget Monitoring – Corporate

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
Corporate Budgets				
Treasury Management Budgets	16,337	15,527	(810)	The underspend is projected due to change in interest rates.
Central Provision for Auto-enrolment and Pay Award Costs	2,759	2,759	-	
West Midlands Transport Levy	10,912	10,912	-	
Environment Agency Levy	71	71	-	
Provision for Bad Debts	-	-	-	
Birmingham Airport - Rent	(69)	(69)	-	
Gross Redundancy Costs	-	2,900	2,900	Projected redundancy payment due in 2017-2018 arising as a result of the voluntary redundancy programme.
Capital Receipts Flexibility - Redundancy Costs	-	(2,900)	(2,900)	In December 2015, the Secretary of State announced that from 1 April 2016 capital receipts may be used for revenue transformational projects. It is currently anticipated that capital receipts totalling £2.9 million will be used to offset reorganisation costs.
Apprenticeship Levy	800	800		
Other Corporate / Transformation Budgets and Contingencies	2,953	1,041	(1,912)	The underspend against this budget will help to offset overspends within other directorates.
Cross-cutting savings proposals	(2,601)	(2,601)	-	
Corporate Adjustments	439	439	-	
Contribution from the Budget Contingency Reserve re special dividend from Birmingham Airport	(3,550)	(3,550)	-	
Total Corporate Budgets	28,051	25,329	(2,722)	
Total Corporate Directorate	62,010	58,908	(3,102)	

Revenue Budget Monitoring – Place

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
Strategic Director Place				
Strategic Director Place	271	271	-	
Total Strategic Director Place	271	271	-	

Revenue Budget Monitoring – Place

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
City Economy				
Adult Education	(145)	(145)	0	
City Development	635	635	0	
Enterprise	858	858	0	
Library Services	1,685	1,662	(23)	
Planning	922	907	(15)	
Service Director City Economy	135	135	0	
Skills	2,837	2,824	(13)	
Visitor Economy	1,272	1,486	214	An overspend is forecast as it reflects reduced income as a result of Civic Halls closure for refurbishment.
Total City Economy	8,199	8,362	163	

Revenue Budget Monitoring – Place

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
Corporate Landlord				
Capital Programme	(86)	17	103	An overspend is forecast due to the budget reflecting budget reduction proposals to be achieved across Corporate Landlord.
Catering	(1,522)	(932)	590	An overspend is forecast due to the slippage in the delivery of budget reduction proposals and reduced income due to the loss of schools catering business.
Cleaning	939	939	-	
Corporate Asset Management	8,103	7,846	(257)	An underspend is projected due to the reduced expenditure anticipated on utilities.
Corporate Landlord Support	519	519	-	
Estates and Valuations	(3,063)	(3,563)	(500)	An underspend is projected as it is reflecting the generation of additional rental income.
Facilities Management	884	884	-	
Head of Corporate Landlord	107	107	-	
Maintenance Programme	1,667	1,667	-	
Total Corporate Landlord	7,549	7,484	(65)	

Revenue Budget Monitoring – Place

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
City Housing				
Housing	1,673	1,644	(29)	
Total City Housing	1,673	1,644	(29)	

Revenue Budget Monitoring – Place

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
City Environment				
Service Director City Environment	171	171	-	
Bereavement Services	(2,487)	(2,438)	49	
Environmental Maintenance	6,531	6,531	-	
Fleet Services	(901)	(468)	433	An overspend is forecast due to the slippage in the delivery of budget reduction proposals.
Highways Maintenance	2,035	2,035	-	
Landscape	26	26	-	
Operation & Maintenance of Existing Network	1,014	1,014	-	
Parking Services	(2,918)	(2,837)	81	
Public Protection	1,998	1,998	-	
Street Lighting	2,722	2,722	-	
Transportation	645	645	-	
Waste and Recycling Service	12,542	14,284	1,742	An overspend is forecast due to budget pressures relating to the delayed transformation of the service as a result of ongoing contractual dispute with Amey which the Council has not been able to resolve by negotiation and therefore legal proceedings have been issued by the Council in the High Court.
City Environment	-	(500)	(500)	Planned underspends to offset pressures in City Environment.
Total City Environment	21,379	23,183	1,804	
Total Place Directorate	39,071	40,944	1,873	

Revenue Budget Monitoring – Education

Service/Budget	2017-2018 Controllable Budget £000	2017-2018 Controllable Forecast £000	2017-2018 Forecast Variance £000 Q1	Reason For Variance
Director of Education	-			
Director of Education	240	240	-	
School Planning & Resources	3,395	3,981	586	An overspend is forecast due to an increase in demand on Special Schools Home to School Transport budget for high need pupils.
Schools	(1,630)	(1,630)	-	
Standards and Vulnerable Pupils	784	2,371	1,587	An overspend is forecast for SEN Out of City educational costs due to additional demand on the provision. Work will be undertaken during this financial year to review the provision and potential funding sources to mitigate the pressure on this service.
Total Director of Education	2,788	4,962	2,174	

APPENDIX E

General Fund Budget Risks 2017-2018

Risk	Description	Level of Risk
Medium Term Forecasting	Risks that might materialise as a result of the impact of non-pay inflation and pay awards, uptake of pension auto enrolment, Equal Pay.	Amber
Budget Management	Risks that might materialise as a result of loss of key personnel or loss of ICTS facilities	Green
Transformation Programme	Risks that might materialise as a result of not identifying budget reductions, not delivering the reductions incorporated into the budget and not having sufficient sums available to fund the upfront and one-off costs associated with delivering budget reductions and downsizing the workforce.	Amber
Income and Funding	Risks that might materialise as a result of income being below budgeted levels, claw back, reduction to government grant or increased levels of bad debts. The risk of successful appeals against business rates.	Amber
Service Demands	Risks that might materialise as a result of demands for services outstretching the available resources.	Amber
Third Parties	Risks that might materialise as a result of third parties and suppliers ceasing trading or withdrawing from the market.	Amber
Government Policy	Risks that might materialise as a result of changes to Government policy including changes in VAT and taxation rules and, in particular, from the Care Bill.	Red

APPENDIX F

NDR Write offs to be approved by Cabinet (Resources) Panel

Account number	Reason for write-off	Total
5109537	No Trace	£6,668.00
5111996	No Trace	£5,584.96
	Total	£12,252.96

APPENDIX G

Housing Benefit Write offs to be approved by Cabinet (Resources) Panel

Account Number	Write off reason	Amount
47244	Deceased (no estate)	£ 9,925.32
85175	Deceased (no estate)	£ 5,539.97
	Total	£ 15,465.29

APPENDIX H

Sundry Write offs to be approved by Cabinet (Resources) Panel

Account Number	Write off reason	Amount
16025290	Write off - Debtor deceased	£5,992.70
16015470	Write off - Final Settlement	£11,400.47
16038993	Write off - Uneconomic to pursue	£20,000.05
	Total	£37,393.22

General Fund Budget Virements

From		To		£000	Reason for Virement
Directorate	Service	Directorate	Service		
Adults	Service Director Adults	Adults	Older People Care Purchasing	1,768	Allocation of additional Adults Social Care monies
Adults	Service Director Adults	Adults	Learning Disabilities Care Purchasing	2,300	Allocation of additional Adults Social Care monies
Corporate	Governance Services	Corporate	Corporate Business Support	88	Transfer of posts between services.
Corporate	The Hub	Corporate	Customer Services	402	Transfer of posts to support Customer Services Transformation.
Corporate	Corporate Communications	Corporate	ICTS	203	Transfer of software budget and associated post.
Corporate	Corporate Communications	Corporate	Corporate Communications	16	Transfer of part of corporate marketing budget to support employee structure change.
Place	Bereavement Services	Corporate	Democratic Services	223	Transfer of part of Coroners budgets.
People	Service Director Adults	Corporate	Customer Services	92	Reallocation of Customer Services transformation programme savings target.
People	Service Director Children & Young People	Corporate	Customer Services	68	Reallocation of Customer Services transformation programme savings target.
Place	Strategic Director Place	Corporate	Customer Services	167	Reallocation of Customer Services transformation programme savings target.
Corporate	Central Corporate Budgets	Corporate	Customer Services	166	Reallocation of Customer Services transformation programme savings target.
People	Service Director - Children & Young People	Corporate	HR Advice	21	Transfer from non staffing (professional fees) budget to staffing budget to fund 18.5hours Recruitment and Retention Officer for Children's Social Care.
People	Children with Disabilities	People	Children with Disabilities	14	Transfer from non staffing (professional fees) budget to staffing budget to part fund Senior Practitioner post.
			Total	5,528	

Housing Revenue Account Budget Monitoring

	2017-2018 Budget £000	2017-2018 Forecast Outturn £000	2017-2018 Forecast Variance £000
Income			
Gross rents – dwellings	(91,261)	(90,918)	343
Gross rents – non dwellings	(923)	(911)	12
Charges to tenants for services and facilities	(5,656)	(5,528)	128
Total income	(97,840)	(97,357)	483
Expenditure			
Repairs and maintenance	26,104	25,773	(331)
Supervision and management	19,172	18,894	(278)
Rents, rates and taxes	435	435	-
Increase in provision for bad debts	2,250	2,250	-
Depreciation of fixed assets	22,113	22,113	-
Total expenditure	70,074	69,465	(609)
Net cost of HRA services	(27,766)	(27,892)	(126)
Interest payable	11,095	10,737	(358)
Interest and investment income	(37)	(11)	26
Adjustment for premiums and discounts	(120)	(120)	-
(Surplus)/deficit before transfers to/from reserves and provision for redemption of debt	(16,828)	(17,286)	(458)
Allocation of (surplus)/deficit			
Provision for redemption of debt	16,828	17,286	(458)
Balance for the year	-	-	-

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Cabinet (Resources) Panel

25 July 2017

Report title	Extra Statutory Day – Christmas Eve	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Milkinder Jaspal Governance	
Key decision	No	
In forward plan	No	
Wards affected	N/A	
Accountable director	Kevin O’Keefe, Director of Governance	
Originating service	Human Resources	
Accountable employee(s)	Denise Pearce	Head of Human Resources
	Tel	01902 554515
	Email	denise.pearce@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board	25 June 17
	Joint Consultative Panel	16 June 17

Recommendation for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. To approve the inclusion of the Extra Statutory Day for Christmas Eve in the basic annual leave entitlement.

1.0 Purpose

- 1.1 To approve the inclusion of the Extra Statutory Day for Christmas Eve in the basic annual leave entitlement.

2.0 Background

- 2.1 Employees on NJC terms and conditions are entitled to an Extra Statutory holiday in lieu of Christmas Eve in addition to 8 public (bank) holidays.

3.0 Progress, options, discussion, etc.

- 3.1 In accordance with the National Agreement on Pay and Conditions of Service the timing of the Extra Statutory day is a matter for local determination in consultation with the recognised trade unions.

It is proposed that the Extra Statutory Day is subsumed within the basic annual leave entitlement to promote minimal disruption to services and avoid building closures during the Christmas period.

Basic annual leave would increase to the following:-

Less 5 years	25 days
Five but less than 10 years	30 days
10 but less than 25 years	32 days
25 or more years	34 days

4.0 Financial implications

- 4.1 There are no financial implications associated with this policy proposal.
[GE/19062017/H]

5.0 Legal implications

- 5.1 There are no legal implications as a consequence of this proposal.
[JB/19062017/A]

6.0 Equalities implications

- 6.1 There are no equality implications as a consequence of this proposal.

7.0 Environmental implications

- 7.1 There are no environmental implications as a consequence of this policy.

8.0 Human resources implications

8.1 Consultation with trade unions in accordance with procedures for changes to employee terms and conditions.

9.0 Corporate landlord implications

9.1 There are no corporate landlord implications as a consequence of this policy.

10.0 Schedule of background papers

10.1 National Agreement on Pay and Conditions of Service

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Cabinet (Resources) Panel

25 July 2017

Report title	Probation Policy	
Decision designation	AMBER	
Cabinet member with lead responsibility	Cllr Milkinder Jaspal Governance	
Key decision	No	
In forward plan	No	
Wards affected	N/A	
Accountable director	Kevin O'Keefe, Director of Governance	
Originating service	Human Resources	
Accountable employee(s)	Denise Pearce Tel Email	Head of Human Resources 01902 554515 denise.pearce@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board Joint Consultative Panel	25 April 2017 16 June 2017

Recommendation for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the revised Probation Policy

1.0 Purpose

- 1.1 To seek Cabinet (Resources) Panel support for the proposed revisions to the Probation Policy to further support the Council's commitment to ensure employees suitability for new appointments and provide a framework for managers to assess performance and offer support.

2.0 Background

- 2.1 All new City of Wolverhampton Council's employees are required to satisfactorily complete a six month' probationary period. The probation period also extends to employees who have been recruited to posts within the City of Wolverhampton Council or from another local authority. The probation policy is intended to help new employees establish their suitability for the appointment and to provide a period for the employees to 'settle in'.
- 2.2 The policy review is part of the regular monitoring and evaluation of HR Policies.
- 2.3 The views of management and unions have been considered through the Joint Consultative Panel.

3.0 Policy Summary

- 3.1 The current Probation Policy was implemented on 1 May 2014. Human Resources have reviewed the policy and the following revisions are recommended;
- Completion of the Corporate Induction and mandatory training is a requirement of a successful probation period (4.2).
 - Employment can be terminated prior to the completion of the six month period in cases where the required standard cannot be obtained within a reasonable timescale (11.8).
 - Employees appointed following a ringfence interview or assimilation in accordance with the restructure policy are excluded from the probation policy (3.3).
 - A performance appraisal must be completed immediately following the successful completion of the six month review (9.4)
 - Employees have the right to representation at the three month and six month review meeting (7.1,8.1)
 - Termination of employment must be confirmed in consultation with a Service Director or nominee (11.3).

- The unsatisfactory performance of employees with continuous service must be managed under the capability policy (7.7)
- Appeals panel will be arranged within **15 working days** and shall consist of two senior managers, and a HR representative (12.1).
- Confirmation of manager's responsibility to issue invites and outcome letters and update Agresso (14)
- Clarification of the outcomes once the probationary period has been completed; satisfactory, extension of probation period or unsatisfactory (9,10,11)

4.0 Financial implications

- 4.1 There are no financial implications associated with the recommendation in this report.
[GE/12072017/L]

5.0 Legal implications

- 5.1 The policy takes into account requirements of employment legislation.
[RB/12072017/N]

6.0 Equalities implications

- 6.1 An Equality Impact Assessment has been completed. There are no equalities implications as a consequence of this policy.

7.0 Environmental implications

- 7.1 There are no environmental implications as a consequence of this policy.

8.0 Human resources implications

- 8.1 Consultation has been undertaken in accordance with HR procedures. The policy supports best practice in employment / Human Resources procedures.

9.0 Corporate landlord implications

- 9.1 This report has no implications for the Council's property portfolio.

10.0 Schedule of background papers

- 10.1 Probation Policy

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Probation Policy

Revised April 2017



**Stronger
Economy**



**Stronger
Communities**



**Stronger
Organisation**

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1. Policy Statement

- 1.1 This policy covers the City of Wolverhampton Council's practice on probationary periods for all employees.
- 1.2 Managers and employees are advised to familiarise themselves with the policy to ensure that they are aware of the expected standards of performance and conduct.

2. Scope

- 2.1 This policy and procedure applies to all employees of the Council including senior managers. It is designed to ensure prompt, reasonable and consistent treatment for all employees.
- 2.2 NJC employees and Teachers employed by Governing Bodies on behalf of the Local Authority are normally covered by Schools HR Policies (Grey Book). Where the Grey Book does not provide a policy or guidance on a particular matter, Schools may choose to adopt the good practice models available from CWC HR which are applicable to NJC employees.
- 2.3 There may be variations to the monitoring periods of employees who have additional professional requirements and who are appointed under terms and conditions for specific roles, such as Newly Qualified Social Workers or Teachers.

3. Principles

- 3.1 All City of Wolverhampton Council's employees are required to satisfactorily complete a six month' probationary period.
- 3.2 The probation period includes employees who have been recruited to posts within the City of Wolverhampton Council or from another local authority.
- 3.3 The probation policy excludes employees appointed following a ring-fenced interview or assimilation as part of a restructure.
- 3.4 The probation policy is intended to help new employees establish their suitability for the appointment and to provide a period for the employees to 'settle in'.
- 3.5 The probation period should be a constructive process that assists managers to determine whether the employee is suitable for their new post. It provides a framework that enables managers to assess the performance of new employees, and to provide any necessary support if needed.

4. Process and Procedure

- 4.1 The City of Wolverhampton Council's probation policy will work alongside the induction process with relevant support and guidance provided throughout the monitoring period. For further information on Induction refer to the Human Resources Intranet.
- 4.2 All employees must attend the Corporate Induction and complete mandatory training within the probationary period. Employees with contracted hours of less than 15 per week are required to complete the Corporate Induction on the Learning Hub.
- 4.3 Through one to one's and performance reviews managers will assess the employee's knowledge and skills in the new role and provide coaching, support and guidance throughout their probationary period to enable them to reach the required standards.
- 4.4 Managers should keep a record of all one to one meetings and should use the probationary period review form as a checklist to review the standards of performance of their employees (see Appendix A).

5. Probation Review Meetings

- 5.1 Probation review meetings will need to be carried out when the employee has completed periods of one, three and six months. There may be further review meetings held for employees who have additional professional qualifications such as Newly Qualified Social Workers or Teachers.
- 5.2 During the employee's probation period the manager will provide continuous encouragement, praise, support and guidance, to enable the employee to reach their agreed objectives and performance targets.
- 5.3 The manager is expected to carry out regular one to one meetings throughout the employee's probation period. These meetings are an important part of the probation process as it provides both the manager and employee with the opportunity to meet regularly to discuss the employee's work performance achievements and areas for development.
- 5.4 The employee has the right to be accompanied by a trade union representative or work colleague at the six month' probationary review meeting. The manager must give the employee a minimum of 5 working days' notice of the requirement to attend a review meeting.

6. Probation Review Meeting – One Month

- 6.1 A review meeting will be held when an employee has been employed in their new post after a period of one month. The manager will write to the employee to invite them to attend the 'One Month' Probationary Review meeting.
- 6.2 The review meeting should be held between the manager and employee. The manager should discuss the following during the review meeting with the employee:
- The requirements of the role of the post
 - The required standards of performance, conduct and attendance
 - The objectives to be achieved
 - The desired outcomes
 - Timescales
 - How performance will be assessed and monitored
 - When the employee will know whether they have successfully passed their probation period.

Employees should be advised at the meeting whether they have met the required standards during this period of probation.

- 6.3 A Probationary Period Review form will need to be completed during the meeting and signed by both the manager and the employee.
- 6.4 If the manager establishes that the employee has not satisfactorily met the required standards a discussion with the employee should be held to:
- Identify the problems
 - Identify what improvements are required
 - Discuss with the employee what support can be given in regards to coaching and training.

The manager should advise the employee that improvement is required and that they will continue to receive support, training and guidance where necessary throughout their probationary period.

- 6.5 The outcome of the review meeting will be confirmed in writing by the manager within five working days of this meeting. The manager should use the appropriate template letter relating to the outcome of the meeting.
- 6.6 The manager must send copies of letters relating to the employee's review meeting and the completed Probationary Period form to the Hub Support Desk. The manager must also complete the Probation Tab on Agresso.

7. Probation Review Meeting – Three Months

- 7.1 A review meeting will be held when an employee has been employed in their new post after a period of three months. The manager will write to the employee to invite them to attend the 'Three Month' Probationary Review meeting. The employee should be notified that they may be accompanied by a trade union representative or work colleague at the meeting.
- 7.2 The review meeting should be held between the manager and employee. The manager should discuss the following during the review meeting with the employee:
- The requirements of the role of the post
 - The expected standards of performance, conduct and attendance
 - The objectives to be achieved
 - The desired outcomes
 - Timescales
 - How performance will be assessed and monitored
 - When the employee will know whether they have successfully passed their probation period.
 - Date for the Final Review Meeting.

Employees should be advised at the meeting whether they have met the required performance standards during the period of probation.

- 7.3 A Probationary Period Review form will need to be completed during the meeting and signed off by both the manager and the employee.
- 7.4 If the manager establishes that the employee has not satisfactorily met the required standards a discussion with the employee should be held to:
- Identify the problems
 - Identify what improvements are required
 - Discuss with the employee what support can be given in regards to coaching and training.

The manager should advise the employee that improvement is required and that they will continue to receive support, training and guidance where necessary throughout their probationary period.

- 7.5 The outcome of the review meeting will be confirmed in writing by the manager within five working days of this meeting. The manager should use the appropriate template letter relating to the outcome of the meeting.
- 7.6 The manager must send copies of letters relating to the employee's review meeting and the completed Probationary Period form to the Hub Support desk. The manager must also complete the Probation Tab on Agresso.

7.7 Performance concerns identified for employees' who have continuous service from a previous post or a different authority will be addressed under the appropriate management procedure i.e. disciplinary or capability process. The probation policy will cease to apply to the individual.

8. Final Review Meeting – Six Months

8.1 The final review meeting must be held when an employee is reaching the end of their 'Six Month' probationary period. The manager will write to the employee to invite them to attend the Final Review Meeting. The employee should be notified that they may be accompanied by a trade union representative or work colleague at the meeting.

8.2 The manager should discuss with the employee whether the employee has met the required standards of the post during the probation period.

8.3 A Probationary Period Review form will need to be completed during the meeting and signed by both the manager and the employee.

8.3 There are three possible outcomes relating to the Final Review Meeting:

- Satisfactory Completion of Probationary Period
- Extension to Probationary Period
- Termination of Employment – Unsuccessful Probationary Period

9. Satisfactory Completion of Probation Period

9.1 The manager will inform the employee that they have satisfactorily met the required standards to complete their probationary period.

9.2 The outcome of the final review meeting will be confirmed in writing by the manager within five working days of this meeting.

9.3 The manager must send copies of letters relating to the employee's final review meeting and the completed Probationary Period form to the Hub Support Desk. The manager must also complete the Probation Tab on Agresso.

9.4 Upon successful completion of the six month probationary period the manager must immediately ensure that an annual performance appraisals is completed, to ensure that employee's performance continues to be appropriately managed, that individual targets are set and met and contribute towards the Council achieving its objectives as set out in the Corporate Plan.

10. Extension to Probationary Period

- 10.1 Where a manager identifies that there has been some improvement in the employee's performance, but has still fallen short of the agreed improvement timescale, a decision will be made on whether to extend the probationary period up to a further three months (but not beyond).
- 10.2 The manager should consult with HR prior to extending the probationary period. Any decision made to extend the probationary period will be at the discretion of the employee's manager.
- 10.3 Where the probationary period has been extended the manager will explain to the employee at the final review meeting the reasons for the extension, agree an action plan and continue to have regular reviews with them detailing the additional support that will be given throughout the review process to enable them to reach the required standard.
- 10.4 A Probationary Period Review form will need to be completed during the meeting and signed off by both the manager and the employee. The employee must be advised that if they fail to improve to the required standards during the extension period, their employment will be terminated.
- 10.5 The outcome of the final review meeting will be confirmed in writing by the manager within five working days of this meeting. The manager should use the appropriate template letter relating to the outcome of the meeting.
- 10.6 The manager must send copies of letters relating to the employee's review meeting and the completed Probationary Review form to the Hub Support Desk. The manager must also complete the Probation Tab on Agresso.

11. Termination of Employment – Unsuccessful Probation Period

- 11.1 The manager will discuss with the employee their performance against the agreed objectives that have been set at the previous review meetings together with the training and support that has been provided through the probationary period.
- 11.2 A Probationary Period Review form will need to be completed during the meeting and signed off by both the manager and the employee.
- 11.3 Where the employee's work performance has remained unsatisfactory and it is considered that further training or support would not lead to them reaching the required standard, the manager will recommend that the employment is terminated. This must be agreed by the Service Director or their nominee.
- 11.4 The outcome of the review meeting will be confirmed in writing by the manager within five working days of this meeting. The manager should use the appropriate template letter relating to the outcome of the meeting.

- 11.5 The employee will be notified of their right to appeal in writing to their Strategic Director / Director.
- 11.6 Employees' who have continuous service from a previous post or a previous authority will need to be reviewed under the capability process.
- 11.7 Employees' who have additional professional or vocational probationary requirements cannot have their employment terminated until they have completed their specified probationary period.
- 11.8 If the manager feels that the employee is unable to reach the required standards at the early stages of the probationary period and they feel that further training will not help, they should seek further advice from Human Resources to determine whether the employees contract can be terminated prior to the completion of their probationary period.

12. Eligibility to Appeal

- 12.1 Employees have the right to appeal against the decision to dismiss. Any notice of intention to appeal against dismissal should be made by the employee in writing to the relevant Strategic Director/ Director within five working days of written confirmation of the dismissal detailing the grounds of their appeal. An appeal panel will be arranged within **15 working days** and shall consist of two senior managers, and a HR representative.

13. Roles and Responsibilities of Employees

- 13.1 During the probationary period the employee must demonstrate their suitability for the post in their conduct and behaviour. Agreed objectives must be met within the specified timescales. It is the employee's responsibility to inform their manager at the earliest opportunity if they are experiencing any difficulties.

14. Roles and Responsibilities of Managers

- 14.1 To establish and communicate the required standards of performance for the post to the employee.
- 14.2 Hold regular one to one meetings with the employee to form a good working relationship and to provide feedback to the employee on their progress.
- 14.3 Arrange and conduct formal Probationary Review Meetings at the required intervals as prescribed in the Probationary Policy.
- 14.4 Provide supervision to monitor progress of the employee or identify difficulties and provide opportunity for resolution by providing training and guidance as necessary.

- 14.5 Advise Human Resources if the intention is to extend an employees' probationary period, prior to the review meeting taking place.
- 14.6 Issue the employee with the relevant invite and outcome letters relating to the review meetings.
- 14.7 Complete a Probationary Period Review form at each of the meetings and ensure that the form is signed off by both the manager and the employee.
- 14.8 Send all letters and the Probationary Period Review forms to the Hub Support Desk.
- 14.9 Update Agresso with the dates and outcomes of Probation Review meetings.

15. Roles and Responsibility of Human Resources

- 15.1 Provide support and guidance to managers and employees on the policy.
- 15.2 Ensure the policy is communicated, reviewed and updated in line with legislation.
- 15.3 Advise on cases of unsatisfactory performance and progress and where appropriate support managers.

16. Role of Trade Union

- 16.1 The trade union will be able to attend the Probation Review Meeting – Three Months and the Final Review Meeting – 6 Months to support their members if requested.
- 16.2 Any review and revisions of this policy will be undertaken by Human Resources and this will be in consultation with the Council's recognised Trade Union.

17. Monitoring and Review

- 17.1 The Probation policy and procedure will be reviewed and updated annually and will be available to managers and employees via the Human Resources intranet.

18. Links to other Policies, Procedures and Term and Conditions

- 18.1 The probation policy cannot be seen in isolation as it is closely linked with the following policies:

- Induction
- Capability
- Grievance
- Appraisals
- Recruitment and Selection Policy and Procedure
- Disciplinary

19. Equality

19.1 This policy has been subject to an equality analysis.

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Cabinet (Resources) Panel

25 July 2017

Report title	Performance Management (Capability) Policy	
Decision designation	AMBER	
Cabinet member with lead responsibility	Cllr Milkinder Jaspal Governance	
Key decision	No	
In forward plan	No	
Wards affected	N/A	
Accountable director	Kevin O'Keefe, Director of Governance	
Originating service	Human Resources	
Accountable employee(s)	Denise Pearce	Head of Human Resources
	Tel	01902 554515
	Email	denise.pearce@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board	25 April 2017
	Joint Consultative Panel	16 June 2017

Recommendation for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the revised Performance Management (Capability) Policy.

1.0 Purpose

- 1.1 To seek Cabinet (Resources) Panel support for the proposed revisions to the Performance Management (Capability) Policy to further support the Council's commitment to help and encourage all employees to achieve and maintain standards of good performance.

2.0 Background

- 2.1 The policy review is part of the regular monitoring and evaluation of HR Policies. As part of this review the views of management and unions have been considered through the Joint Consultative Panel and Best practice guidance has been obtained from XpertHR, Chartered Institute of Personnel and Development (CIPD) and the Advisory, Conciliation and Arbitration Service (ACAS). Capability policies from other local authorities have also been benchmarked.

3.0 Policy Summary

- 3.1 It is proposed to amend and reduce the number of stages within the policy. The new stages will be as follows;

Informal Action

There is greater emphasis on ensuring that performance issues are dealt with promptly and through the normal managerial measures of one to ones, team meetings and appraisals

Formal Capability Meeting

First stage of the formal process; details of poor performance and support plan are recorded. At the end of the agreed review period progress is assessed with the following possible outcomes;

- No further action (employee has met required standard)
- Extension of review period (employee has made some improvement)
- Progress to Final Hearing (no improvement)

Final Capability Meeting

Final Stage of the formal process; manager presents to a panel chaired by a Service Director details of the areas of poor performance and support that has been provided with the following possible outcomes;

- No further action (employee has met the required standard)
- Extension of review period (employee has made some improvement)
- Alternative to dismissal
- Dismissal

- 3.2 The removal of a formal stage would enable performance management issues, particularly those where a sufficient improvement has not been achieved or sustained, to be escalated and dealt with in a more timely and effective manner.

4.0 Financial implications

- 4.1 There are no financial implications associated with the recommendation in this report.
[GE/12072017/L]

5.0 Legal implications

- 5.1 The policy takes into account requirements of employment legislation.
[RB/12072017/C]

6.0 Equalities implications

- 6.1 An Equality Impact Assessment has been completed. There are no equalities implications as a consequence of this policy.

7.0 Environmental implications

- 7.1 There are no environmental implications as a consequence of this policy.

8.0 Human resources implications

- 8.1 Consultation has been undertaken in accordance with HR procedures. The policy supports best practice in employment / Human Resources procedures.

9.0 Corporate landlord implications

- 9.1 This report has no implications for the Council's property portfolio.

10.0 Schedule of background papers

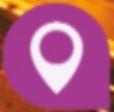
- 10.1 Performance Management (Capability) Policy

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Performance Management (Capability) Policy

Revised April 2017



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Organisation**

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1. Policy Statement

- 1.1 This policy is designed to help and encourage all employees to achieve and maintain standards of good performance. The formal process should be followed once all other informal avenues have been exhausted. It is the employee's manager's responsibility to follow the procedure where performance is shown to be below the standards required for the role.
- 1.2 The City of Wolverhampton Council has a commitment to assist employees to achieve and maintain a high standard of performance in their work. It will ensure that standards are clearly defined and communicated, performance is monitored and employees are given appropriate training and support to meet these standards.
- 1.3 Cases of poor performance should be identified and tackled promptly and the manager's focus and the employee's efforts must be to work together to meet the required standards.
- 1.4 The annual performance appraisal process is where objectives and development needs are discussed and agreed. Cases of poor performance should not be left to be dealt with under this process. The appraisal sets the standards for monitoring and reviewing the objective achievements.
- 1.5 Issues of poor performance should be identified at an employee's 1:1 meeting and tackled promptly.
- 1.6 Employees have a statutory right to be accompanied by a trade union representative, or work colleague, at any formal meeting or appeal hearing.
- 1.7 The Council will review this policy and procedure from time to time in line with statutory procedure and best practice.

2. Definition

- 2.1 Capability relates to the inability of an employee to meet the required standards of the role due to insufficient skill level or aptitudes.

3. Scope

- 3.1 This policy and procedure applies to all employees of the Council, excluding those employees directly employed by schools, JNC officers and employees who are within their probationary period, in which case, the probationary procedure applies.
- 3.2 From the point of approval, this policy will apply to any employee currently subject to performance management (capability) procedures.

4. Principles

4.1 The City of Wolverhampton Council recognises that its employees are essential to achieving its strategic objectives.

4.2 The policy aim is to help employees to perform competently in his/her job role.

4.3 In applying this policy, the Council will:

- Ensure that the agile workstyle is well suited to the role and the needs of the individual.
- Ensure that employees are competent and confident in their roles by encouraging a continuous cycle of personal development including:
 - Induction
 - 1:1 meetings
 - Group supervisory meetings – where appropriate
 - Performance appraisal
- Identify and tackle cases of poor performance promptly
- Establish the facts before taking action
- Not normally dismiss an employee for poor performance unless a chance to improve has been given
- Ensure that objectives and performance measurements are discussed at the annual appraisal meeting
- Ensure that matters of poor performance are addressed throughout the year through 1:1s or group supervisory meetings and that the annual appraisal process contains no surprises for employees or managers over performance levels
- Consider whether poor performance may be related to a disability and if so, whether there are any reasonable adjustments that can be made to overcome difficulties caused by workplace arrangements
- Assess each case on its merits.

4.4 Address issues relating to attendance and health through the Management of Attendance Policy/Procedure.

4.5 Address issues relating to misconduct through the disciplinary procedure.

4.6 Any refusal to comply with reasonable instructions relating to performance standards will be tackled under the disciplinary procedure.

- 4.7 Before taking any formal action, managers should first seek to establish the facts and decide whether a more positive approach is likely to be more effective.

5. Process and Procedure

- 5.1 The policy is written with the purpose of helping employees to improve their work performance. Managers will assess each capability issue on its merits providing support, guidance and the offer of any available training, where applicable, to enable the employee to reach the expected level to perform in his/her job role competently.
- 5.2 Human Resources will be involved in **all** formal review stages of the capability process to offer coaching, support and guidance to managers, enabling them to resolve performance issues at the earliest intervention.
- 5.3 Employees will have the right to be accompanied by a work colleague or trade union representative at any formal capability meetings or at an appeal hearing. Managers should keep records of all 1-1's and formal review meetings.

6. Informal Action

- 6.1 Cases of minor or unsatisfactory performance are usually best dealt with informally. A quiet word may be all that is necessary to improve an employee's performance. In some cases, additional support, coaching and advice may be necessary.
- 6.2 The cause of the poor performance should be discussed with the employee and the appropriate action to rectify the issues taken.
- 6.3 Where managers monitoring an employee's performance identify the cause for the underperformance is due to an ill-suited agile workstyle, the employee can be withdrawn from agile working arrangements as part of a performance action plan to support necessary improvements. The same applies if an agile worker's workspace appears to be disruptive or distracting.
- 6.4 Where managers monitoring an employee's performance identify the cause for the underperformance is due to the lack of skills required to do the job, the employee should be offered training, coaching or some other appropriate assistance, if applicable.
- 6.5 A reasonable timescale to achieve and maintain the required standard should also be agreed between the manager and employee. Managers should keep brief notes of any informal discussions held with the employee.
- 6.6 Options available at this stage may include:
- Training / Retraining

- Referral, where appropriate, to employees support services, such as Occupational Health and/or counselling support
- Mentoring / Coaching
- Closer supervision for a limited period
- Temporary alterations in duties which do not change the character of the job but allow the individual to develop at a slower pace

6.7 The objective of the informal stage is to alleviate or remove the problem after adequate time has been allowed for improvement. If, however, it becomes clear that acceptable performance in the post cannot be achieved within reasonable timescales, the matter should be progressed to the formal procedure.

7. Formal Action

Unable to attend meeting

Employees who are unable to attend the formal review meetings because their trade union representative or work colleague cannot attend may be offered a reasonable alternative date within five working days of the original date.

In instances where the employee becomes sick or has a stress related illness the review meeting can be re-scheduled once. If the employee remains sick, the hearing should go ahead and a decision made in his/her absence.

7.1 Formal Capability Meeting

Where an employee shows little (or insufficient) improvement following informal attempts to deal with the performance issues, the manager will write to the employee inviting him/her to attend a formal capability meeting.

Managers are responsible for setting realistic standards of performance, for explaining these standards to employees and for the provision of training, support and guidance, where applicable, so that the employee has the opportunity to perform well.

The employee should be given five working days' notice of the meeting. The letter should advise them of:

- The specific nature of the poor performance issue along with supporting documents, where appropriate
- Time and date of the formal review meeting
- The right to be accompanied by their trade union representative or work colleague.

At the formal capability meeting the manager will present evidence of the informal actions/support that has been given to assist the employee to reach and maintain the required standard of performance.

The employee will be encouraged to give his/her view of the performance issues raised and asked whether any further support is needed to improve.

The employee will be notified within five working days of the outcome of this meeting, unless it is not practicable to do so.

The outcome of the formal capability meeting may be one of the following:

- No further action is required and the employee will receive written notification confirming this decision.
- The finding of poor performance, for which a formal improvement letter is issued to the employee

The letter will cover the following:

- The performance issue
- The improvement required
- The timescales for achieving the improvement
- Review date
- Any support the manager will give to assist the employee
- Potential to progress to a final capability review hearing, which could potentially result in dismissal, if insufficient improvement or further evidence of poor performance is demonstrated during the improvement period.

The length of the improvement period will be dependent upon the performance issues identified. A reasonable length of time should be agreed for improvement to be made. The precise time for the improvement will depend upon the complexity of the issue and the potential adverse impact on the service delivery.

Managers should provide support, guidance and training as appropriate, throughout the review period to help enable employees to improve to the required level of competence.

A review meeting should be held at the end of the agreed improvement period. The outcome of this meeting may be one of the following:

- No further action is required and the employee will receive written notification confirming this decision.
- There has been some improvement but not to the expected level required, therefore the review period will be extended for a specific period.

- The manager will continue to monitor the employee's performance and will offer training, development, advice, guidance or other support to enable the employee to achieve to the required standard during this review period.
- The finding of insufficient improvement, or further evidence of poor performance, or where any improvement has not been maintained. The employee will be advised that they will now progress to a final capability review hearing in accordance with the formal procedure below.
 - The employee must be made aware that this is the final stage of the Capability procedure and their employment is at risk.

7.2 Final Capability Hearing (Dismissal or Other Action)

Where, after the agreed or extended period of time, improvement to the standard required has not taken place, the employee will be invited to a final capability hearing with a Service Director or their nominee.

Prior to this hearing taking place, the manager will gather all of the evidence and assemble all of the facts of the case in to a Case Summary Report.

The employee should be given ten working days' notice of the meeting, and the invite letter should include the following:

- Time and date of the hearing
- Right to be accompanied at the meeting by a trade union representative or a work colleague
- Their right to ask relevant witnesses to appear to support his/her case
- Issues of concern regarding performance during the review period along with supporting documents, if appropriate. Supporting documents may include notes of one to ones or supervisory meetings, the appraisal documentation showing agreed objectives and/or notes from appraisal meetings.

The following formal actions will be considered and the employee will be notified of the outcome of the hearing in writing:

- **Dismissal on Capability Grounds**
 - The employee will receive a formal failure to improve letter that explains that they are being dismissed on capability grounds and given the appropriate notice period as set out in their contract of employment.

OR

- **Alternative to dismissal** – this will only be considered with the employee's consent, where there are mitigating circumstances and clearly identified and agreed new actions which should lead to improvement within an agreed review period.
 - **Transfer** - A transfer to a single, specified and available post of the same grade which the employee would be competent to fill as an alternative to dismissal.
 - **Demotion** - Demotion to a lower graded, specified and available post. In this instance, there will be no protection of pay and the employee will automatically serve a 6 month probationary period in the new post. The recording of this sanction will remain on file for 24 months.
 - Should the Chair of the capability hearing be contemplating a transfer or demotion, then the hearing must be adjourned and the case discussed with the Head of Human Resources before any alternative job offer is made. If this sanction is approved and the employee agrees to this offer; the right of appeal will be removed. If the employee does not agree to an offer on these terms, as an alternative to dismissal, then dismissal will take place and he/she will be informed of his/her right of appeal.
 - **Extension of the improvement period** for a specific period. A clear timetable for support and supervision will be established, detailing any targets to be met.
 - The manager will continue to monitor the employee's performance and will offer training, development, advice, guidance or other support to enable the employee to achieve to the required standard during this review period.
 - If, at the end of an agreed extended improvement period, there is evidence of insufficient improvement, or further evidence of poor performance, or any improvement has not been maintained, the final capability review hearing will be reconvened and the employee will be advised that their employment remains at risk.

The decision should be communicated in writing to the employee within five working days of the date of the meeting.

8. Appeals against Dismissal (Appeal Hearing)

- 8.1 The right of appeal against dismissal will be to the Human Resources Appeal Panel. The notice of intention to appeal against dismissal should be made in writing to the relevant Strategic Director within **five working days** of written confirmation of dismissal.
- 8.2 The purpose of an appeal against dismissal is for an employee to have his/her case reviewed and for the Chair to decide whether or not the dismissal applied is fair, reasonable, consistent and soundly based.

9. Roles and Responsibilities

9.1 Roles and Responsibilities of Employees

Employees have a responsibility to comply with this policy adhering to its terms and conditions, and be responsible for their performance.

9.2 Roles and Responsibilities of Managers

Managers should ensure that this policy is applied within their own area. Any queries on the application or interpretation of this policy must be discussed with HR prior to any action being taken for poor performance.

9.3 Roles and Responsibilities of HR

HR will provide operational support and advice to the organisation to enable the effective management of capability issues under this policy.

Specifically, HR has a responsibility to:

- Ensure the communication, maintenance, regular review and up dating of this policy
- Monitor and review delivery and impact of this policy.
- Ensuring managers are sufficiently trained to implement this policy.

9.4 Role of Head of Human Resources

In consultation with the recognised Trade Unions, The Head of Human Resources will exercise delegated authority for and be responsible for the on-going review and updating of this Policy to ensure compliance with changes in statutory requirements and operational delivery, including responsibility for identifying the appropriate process for the regular evaluation of the effectiveness of this policy. Any fundamental changes to this policy will be brought before the Resources Panel for approval.

9.5 Role of Trade Unions

Any review and revisions of this policy will be undertaken by HR and will be in consultation with the Council's recognised trade unions.

10. Monitoring and Review

The Capability policy and procedure will be reviewed and updated annually and be available to managers and employees via the HR intranet.

11. Links to other Policies and Procedures

Performance Appraisal and Personal Development Review Policy and Procedure

Grievance Policy
Disciplinary Policy

12. Equality

12.1 An Equality Analysis has been carried out on this policy and procedure.

12.2 The Council has a duty to monitor the application of the policy in relation to protected characteristics under the Equality Act 2010. This is reported annually in the Council's Equality Monitoring Report.

12.3 If any aspect of the capability procedure causes you difficulty on account of any disability that you may have, or if you need assistance because English is not your first language, you should raise this issue with HR, who will make appropriate arrangements.

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Cabinet (Resources) Panel

25 July 2017

Report title	Grievance Policy	
Decision designation	AMBER	
Cabinet member with lead responsibility	Cllr Milkinder Jaspal Governance	
Key decision	No	
In forward plan	No	
Wards affected	N/A	
Accountable director	Kevin O'Keefe, Director of Governance	
Originating service	Human Resources	
Accountable employee(s)	Denise Pearce Tel Email	Head of Human Resources 01902 554515 denise.pearce@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board Joint Consultative Panel	30 May 2017 16 June 2017

Recommendation for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the revised Grievance Policy.

1.0 Purpose

- 1.1 To seek Cabinet (Resources) Panel support for the proposed revisions to the Grievance Policy to further ensure that the Council's policies are clear, relevant and can be effectively implemented within a timely manner.

2.0 Background

- 2.1 The policy review is part of the regular monitoring and evaluation of HR Policies. As part of this review the views of management and unions have been considered through the Joint Consultative Panel and best practice guidance has been obtained from XperthHR, the Chartered Institute of Personnel and Development (CIPD) and the Advisory, Conciliation and Arbitration Service (ACAS). Grievance policies from other local authorities have also been benchmarked.

3.0 Policy Summary

- 3.1 It is proposed to amend and reduce the number of stages within the policy. The new stages will be as follows;

Informal Grievance

There is greater emphasis on managers and employees to resolve a grievance at the informal stage, to encourage an environment which fosters good working relationships.

Formal Grievance Meeting

The formal procedure will only commence when the employee can evidence that attempts to resolve the issue informally have been exhausted. The manager of the aggrieved employee will be asked alongside an Investigating Officer and Human Resources Advisor to complete and agree terms of reference. The terms of reference will detail the scope of the investigation and clear timescales which will also be monitored.

Appeal

The final stage of the formal process; the manager presents to a panel chaired by a Service Director findings from the report and a rationale of the decision taken

- 3.2 The removal of a formal stage 2 of the grievance policy will enable grievances to be progressed and resolved in a more effective and timely manner.

4.0 Financial implications

- 4.1 There are no financial implications associated with the recommendation in this report.
[MK/13072017/S]

5.0 Legal implications

- 5.1 The policy takes into account requirements of employment legislation.
[TC/17072017/D]

6.0 Equalities implications

6.1 An Equality Impact Assessment has been completed. There are no equalities implications as a consequence of this policy.

7.0 Environmental implications

7.1 There are no environmental implications as a consequence of this policy.

8.0 Human resources implications

8.1 Consultation has been undertaken in accordance with HR procedures. The policy supports best practice in employment / Human Resources procedures.

9.0 Corporate landlord implications

9.1 This report has no implications for the Council's property portfolio.

10.0 Schedule of background papers

10.1 Grievance Policy

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Grievance Policy

Revised May 2017



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1.0 Policy Statement

- 1.1 The City of Wolverhampton Council (the Council) is committed to treating all employees fairly and with respect. Bullying, harassment, discrimination and victimisation are unlawful and will not be tolerated at any level.
- 1.2 This procedure provides a framework to be used by employees to raise concerns, and managers when seeking to work with employees to address and resolve concerns. It aims to ensure that any grievance raised is dealt with in a consistent, prompt and supportive manner; it has been developed with due regard to the Equality Act 2010 and the ACAS Code of Practice on Disciplinary and Grievance Procedures.
- 1.3 This policy and procedure underpins the Dignity at Work Policy for all employees of the Council, and is to be used to manage allegations in connection with that policy on a formal basis, unless the circumstances are such that allegations have been referred straight to be addressed under the Councils Disciplinary Procedures.

2.0 Scope

- 2.1 This policy and procedure applies to all employees of the Council, and shall be followed in respect of all grievances of individual employees, including Senior Management.
- 2.2 Grievances may be concerned with a wide range of employment issues, including terms and conditions of employment, health and safety, work relations, new working practices, the working environment, organisational change, bullying and harassment or discrimination.
- 2.3 If an employee wishes to make a complaint about disciplinary action taken against them, this will not be dealt with as a grievance but as an appeal under the disciplinary procedure.

2.4 Exclusions

Issues which are **excluded** from being dealt with under the Grievance Policy are:

- Matters dealt with under this policy during the preceding twelve months
- Salary gradings and differentials
- Matters connected with performance management or conduct
- Matters that are already covered by another policy, unless it is deemed discriminatory
- Matters over which the employer has no control
- Issues which are the subject of collective negotiation or consultation with the employer and the trade union

- 2.5 Grievances raised by former employees will not be dealt with by this policy.

2.6 Where an employee has concerns in respect of something that they may have witnessed at work, which does not amount to an individual grievance that is within the scope of this policy to address, it may be appropriate for them to consider raising their concerns under the Council's Whistleblowing Policy and Procedure.

3.0 Principles

3.1 In the first instance employees should seek to resolve any concerns informally and without delay. A formal grievance should only be raised where attempts to resolve a complaint informally have been unsuccessful.

3.2 Supporting and resourcing mediation should be encouraged to achieve an informal resolution.

3.3 Employees are encouraged to raise their grievance immediately as those that are not raised timely may prevent a satisfactory resolution and may limit the scope of action which could be taken under an investigation.

3.4 The formal procedure will normally commence when the employee can evidence that attempts to resolve the issue informally have been exhausted, and the complaint remains unresolved.

3.5 Employees who wish to raise a formal grievance must set out in writing the reasons for their grievance and the resolution they are seeking. Grievances cannot proceed to be considered under this procedure unless the grounds for the grievance and the resolution being sought are clear.

3.6 Aggrieved employees and those responsible for managing the process set out in this policy must ensure that there are no unreasonable delays. The timescales in the policy will be adhered to and only extended in exceptional circumstances, or in line with the requirements of any investigation taking place. In this event the employee will be notified in writing of any unavoidable delays and the revised timescales that will apply.

3.7 The concerns raised by the aggrieved will be shared at the earliest opportunity with all parties involved for the purpose of ensuring open and transparent communication.

3.8 Employees and the Council must observe their duties and responsibilities in respect of confidentiality at each stage of this policy. Throughout the process all colleagues will treat each other with dignity and respect and will act in accordance with the Council's Dignity at Work Policy Statement.

3.9 Employees who in good faith raise a grievance will be protected from victimisation.

- 3.10 Where an employee who is subject to other proceedings such as; management of attendance, disciplinary, capability etc., raises a grievance the grievance procedure will run concurrently. It will only be in exceptional circumstances that the procedure will be suspended in favour of the grievance procedure.
- 3.11 If an employee is found to have raised a **malicious** or **vexatious** grievance or gives evidence that he/she knows to be untrue, this will be considered a matter of conduct which will be managed in accordance with the Councils Disciplinary Procedure.

4.0 Procedure

Informal Grievance

- 4.1 Employees should seek to resolve any concerns informally and without delay. If this is not possible due to the nature of the grievance or failure to resolve the situation, the employee should discuss matters with their immediate line manager who will seek to resolve the concerns raised. If the grievance concerns the employee's line manager further advice can be sought from HR Advice.
- 4.2 It may be appropriate for the matter to be dealt with by way of mediation, depending on the nature of a grievance. This involves the appointment of a third-party mediator, who will discuss the issues raised by the aggrieved with all parties involved and seek to facilitate a resolution. Mediation will only be used where all parties involved in the grievance agree.

Formal Grievance

- 4.3 Following the outcome of the informal process the aggrieved employee must submit in writing an intention to move to a formal grievance including their required resolution.
- 4.4 Receipt of the formal grievance will be acknowledged within **5 working days** of submission.
- 4.5 On receipt of the written formal grievance an external Investigating Officer will be appointed and will arrange to meet with the aggrieved employees manager to agree the terms of reference for the investigation and then with the employee to discuss their grievance and the resolutions they are seeking.
- 4.6 The employee has the right to be accompanied by a work colleague or trade union representative and should be given at least **5 working days'** notice of the meeting. If arrangements can be mutually agreed for the meeting to take place within a shorter timescale the meeting should proceed without delay. Where an employee's trade union representative or work colleague is unavailable on the day scheduled for the meeting it will be rescheduled, providing that the employee proposes an alternative

time within **5 working days** of the scheduled date.

- 4.7 If an employee fails to attend a meeting, the meeting will be rescheduled only once. The employee will be required to provide valid reasons for non-attendance and confirm whether they wish for the investigation to continue. If the employee is still unable to attend a rescheduled meeting a decision will be made on the information available at the time, with guidance from HR Advice.
- 4.8 The purpose of the meeting will be to gather facts. Depending upon the nature and complexity of the case there are many potential outcomes that may result from the meeting. These may include:
- The grievance being upheld, rejected or a compromise agreed
 - An adjournment to enable a full investigation to take place and any witnesses to be interviewed
 - An adjournment to enable the individual/s of the grievance to be invited to join a reconvened meeting
 - A decision that the matter should be referred to be managed in accordance with the Council's Disciplinary Procedure
 - A decision that mediation will be explored as a way forward
- 4.9 The employee will receive written confirmation of the meeting notes within **5 working days** and will be advised of the applicable timescales for the actions agreed.
- 4.10 The Investigating Officer will commence the investigation into the matters raised. This includes meeting with identified individuals and collating any necessary documents referred to in the meeting.
- 4.11 The Investigating Officer will compile a report containing a summary of their findings. Investigations will normally be completed within **15 working days** of the initial meeting with the aggrieved employee, however, where this is not possible due to the nature of the case or delays beyond the Council's control, the employee will be notified in writing of the reasons for the delay and the revised anticipated timescale.
- 4.12 The outcome meeting will be conducted by the Manager and a HR Advisor.
- 4.13 The employee will be informed in writing of the outcome within **5 working days**.
- 4.14 If an employee is dissatisfied with the outcome, they have the right to appeal.

Appeal

- 4.15 Where an employee wishes to appeal against the outcome of the formal grievance they should do so in writing to their Strategic Director/ Director. The employee should clearly state the grounds of the appeal i.e. the basis on which they believe the outcome of the grievance to be wrong or the action taken as being inappropriate and the resolution that they are still seeking. This should be done within **5 working days** of

the employee's receipt of the written notification of the outcome of the formal grievance. (Unless there is a valid reason why this could not happen.)

4.16 If the nature of the appeal is unclear or insufficient information is provided, clarification will be sought before the Appeal Panel takes place.

4.17 The procedure to be followed at the Appeal Panel is set out in the Human Resources Appeals Panel Notes of Guidance.

5.0 Roles and Responsibilities

Employees are required to:

- provide full details of their grievance in writing
- co-operate and be willing to resolve their grievance informally at the earliest opportunity
- where the grievance cannot be resolved informally clearly state the grounds of their formal grievance including the outcome they are seeking
- have the right to be accompanied to a grievance meeting by a trade union representative or work colleague
- follow this policy
- not to knowingly take out a malicious or vexatious grievance against another employee (including agency workers), manager or contractor working for the Council

Managers are required to:

- Be aware of their responsibilities under this policy and seek to resolve any grievances informally
- Appoint an External Investigating Officer where the matter cannot be resolved informally
- Agree terms of reference with the Investigating Officer and Human Resources Advisor
- Receive the Investigating Officers report and decide the outcome based on the findings
- Advise the employee of the investigation outcome
- Present the rationale for the outcome decision to the Appeals Panel

External Investigating Officers are required to:

- Arrange the initial meeting with the aggrieved employee in line with the timescales specified in this policy
- Undertake an investigation including interviewing relevant witnesses
- Inform employees/witnesses that they have a right to be represented/accompanied at grievance meetings by either a trade union representative or work colleague
- Advise the manager of the aggrieved employee of the grievance outcome

Human Resources Advice are required to:

- Provide advice and support to enable the effective handling of grievances
- Provide support and guidance to managers, External Investigating Officers and employees throughout the stages of this policy
- Ensure the manager of the aggrieved has scoped the terms of reference for the Investigating Officer
- Ensure communication with all parties
- Assess compliance and effectiveness of this policy
- Monitor and review the delivery and impact of the grievance policy

The Head of HR is required to:

- In consultation with the recognised Trade Unions, exercise delegated authority for and be responsible for the ongoing review and updating of this Policy to ensure compliance with changes in statutory requirements and operational delivery, including responsibility for identifying the appropriate process for the regular evaluation of the effectiveness of this policy. Any fundamental changes to this policy will be brought before the Cabinet (Resources) Panel for approval

Trade Unions are required to:

- Work in consultation with HR Advice on any review and revisions of this policy
- Represent trade union members, if required

6.0 Monitoring and Review

- 6.1 The grievance policy and Managers Guidance notes will be reviewed and updated annually and be available to managers and employees via the HR intranet.

7.0 Links to Other Policies and Procedures

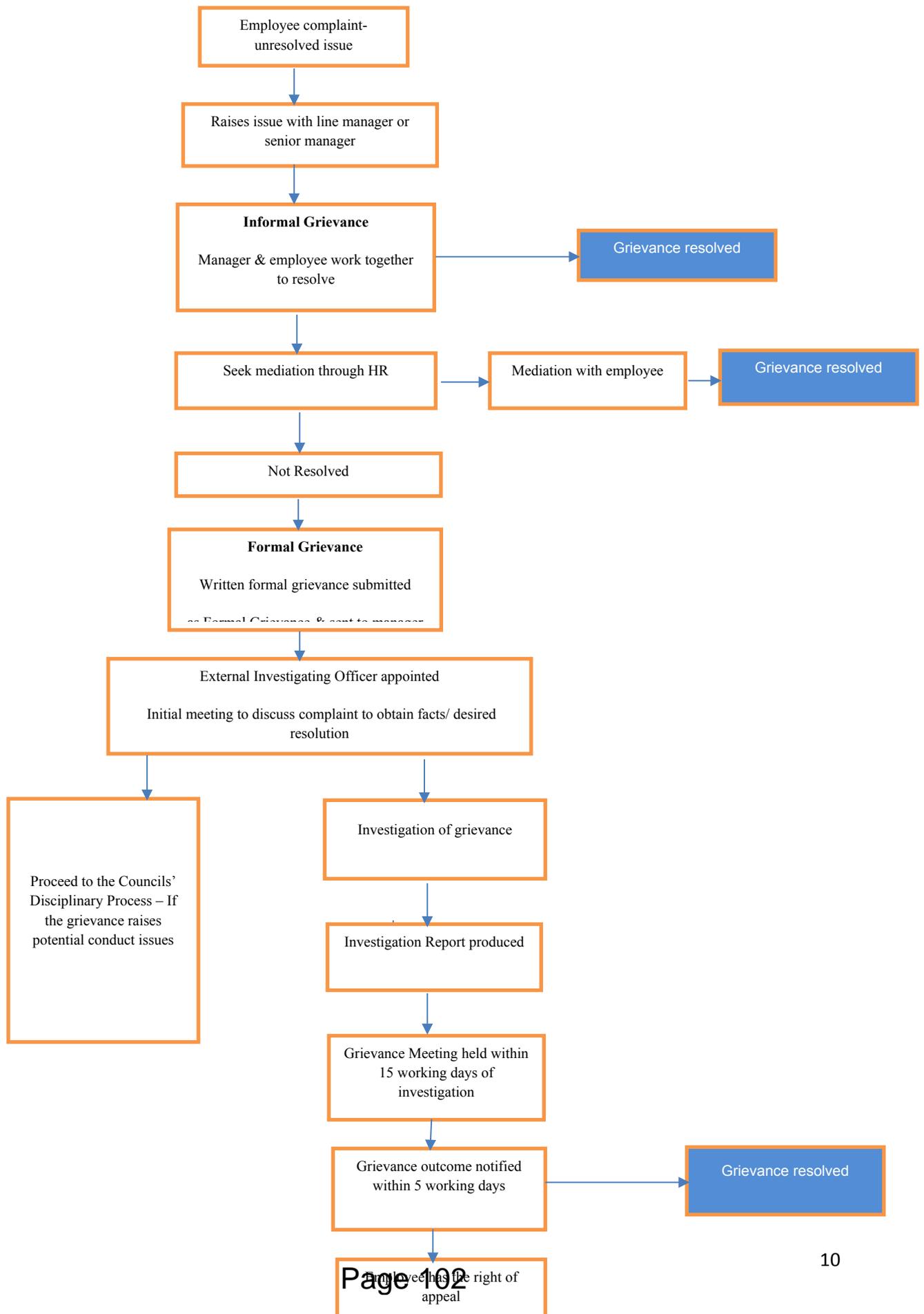
- Disciplinary Policy and Procedure
- Equal Opportunities Policy
- Dignity at Work Policy Statement
- Whistleblowing Policy and Procedures

8.0 Equality

- 8.1 An equality Analysis has been carried out on this policy.
- 8.2 The Council has a duty to monitor the application of the policy in relation to protected characteristics under the Equality Act 2010. This is reported annually in the Council's Equality Monitoring Report.

- 8.3 If any aspect of the grievance policy causes you difficulty on account of any disability that you may have, or if you need assistance because English is not your first language, you should raise this issue with HR, who will make appropriate arrangements.

GRIEVANCE PROCESS CHART Appendix 1



Cabinet (Resources) Panel

25 July 2017

Report title	Removal of the Bullying and Harassment Policy and Introduction of the Dignity at Work Policy statement	
Decision designation	AMBER	
Cabinet member with lead responsibility	Cllr Milkinder Jaspal Governance	
Key decision	No	
In forward plan	No	
Wards affected	N/A	
Accountable director	Kevin O'Keefe, Director of Governance	
Originating service	Human Resources	
Accountable employee(s)	Denise Pearce	Head of Human Resources
	Tel	01902 554515
	Email	denise.pearce@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board	30 May 2017
	Joint Consultative Panel	16 May 2017

Recommendation for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the removal of the Bullying and Harassment Policy and the implementation of the new Dignity at Work Policy statement

1.0 Purpose

- 1.1 To seek Cabinet (Resources) Panel support for the proposed removal of the Bullying and Harassment Policy and the implementation of the new Dignity at Work Policy statement. To further support the Council's commitment to diversity and equal opportunity for all.

2.0 Background

- 2.1 The policy review is part of the regular monitoring and evaluation of HR Policies. As part of this review the views of management and unions have been considered through the Joint Consultative Panel and best practice guidance has been obtained from XperthHR, the Chartered Institute of Personnel and Development (CIPD) and the Advisory, Conciliation and Arbitration Service (ACAS). Dignity at Work policies from other local authorities have also been benchmarked.

3.0 Policy Summary

- 3.1 It is proposed to amend the Bullying and Harassment policy as follows;

Remove the Bullying and Harassment Policy. Complaints will be raised using the Council's Grievance policy and procedure.

Implement the new Dignity at Work Policy statement

- 3.2 This policy statement aims to assist employees in preventing, recognising and stopping any behaviour which may amount to bullying, harassment, discrimination or victimisation, any of which can have serious consequences for employees and for the Council.

4.0 Financial implications

- 4.1 There are no financial implications associated with the recommendation in this report.
[MK/13072017/O]

5.0 Legal implications

- 5.1 The policy statement takes into account requirements of employment legislation.
[TC/17072017/O]

6.0 Equalities implications

- 6.1 An Equality Impact Assessment has been completed. There are no equalities implications as a consequence of this policy statement.

7.0 Environmental implications

- 7.1 There are no environmental implications as a consequence of this policy statement.

8.0 Human resources implications

8.1 Consultation has been undertaken in accordance with HR procedures. The policy statement supports best practice in employment / Human Resources procedures.

9.0 Corporate landlord implications

9.1 This report has no implications for the Council's property portfolio.

10.0 Schedule of background papers

10.1 Dignity at Work Policy statement

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Dignity at Work Policy Statement

May 2017



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1.0 Policy Statement

- 1.1 The City of Wolverhampton Council (the Council) is committed to adopting policies and procedures to encourage a positive working environment, and has a duty to create a safe work environment where everyone is treated with dignity and respect.
- 1.2 Bullying, harassment, discrimination and victimisation are unlawful, and will not be tolerated at any level in any shape or form. All people working for or with the Council are required to treat everyone they come into contact with, with dignity and respect, and they are entitled to expect this in return.
- 1.3 This policy statement aims to assist employees in preventing, recognising and stopping any behaviour which may amount to bullying, harassment, discrimination or victimisation, any of which can have serious consequences for employees and for the Council.

- 1.4 The Council recognise that these consequences can include a negative impact on people's health and wellbeing, on family and social relationships and their performance at work; which can in turn impact on the services the Council provides.
- 1.5 This policy statement has been developed with due regard to the Equality Act 2010, the Equality Duty and ACAS guidance.
- 1.6 The Council will ensure that employees receive appropriate training and information to help them to understand their rights and responsibilities in connection with this policy statement, including equality and diversity training and training in the implementation of the Council's relevant policies and procedures.

2.0 Scope

- 2.1 This policy statement applies to all employees of the Council including senior managers, but excludes all school based employees covered by the School's policy & procedures.
- 2.2 The application of this Policy statement and the standards of behaviour set extend to any work-related setting outside of the workplace, for example social gatherings, and any setting where an employee can be considered representative of the Council. This includes social networking / online contact with / about colleagues external to the work context.

3.0 Principles & Definitions

- 3.1 All allegations of bullying, harassment, discrimination and victimisation will be investigated, and if appropriate the disciplinary procedure will be followed. If proven, allegations of bullying, harassment, discrimination or victimisation could constitute gross misconduct leading to dismissal without notice. They may also constitute a criminal offence. A non-exhaustive list of examples of unacceptable behaviour which may result in disciplinary action is set out in Appendix 1.
- 3.2 Employees and the Council must observe their duties and responsibilities in respect of confidentiality at each stage of this policy. Throughout the process all colleagues will treat each other with dignity and respect and will act in accordance with this Policy Statement.

What is bullying and harassment?

Bullying

- 3.3 The impact of bullying on a person can be the same as harassment, and as such the words bullying and harassment are often used interchangeably, although the term harassment specifically refers to behaviour which relates to the nine protected characteristics. ACAS also defines bullying as behaviour which is unwelcome, unwarranted or causes a detrimental effect to an individual

Harassment

- 3.4 Harassment is defined by the effect that it has on the individual, not by the intention of the person responsible for the harassment, and is related to a protected characteristic or of a sexual nature.
- 3.5 Harassment is defined by the Equality Act 2010 as 'unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual'

Victimisation & Discrimination

- 3.6 Victimisation occurs when an employee is treated less favourably than others for:
- Making an allegation of discrimination, and/or
 - Supporting a complaint of discrimination, and/or
 - Giving evidence relating to a complaint about discrimination, and/or
 - Raising a grievance concerning equality or discrimination, and/or
 - Doing anything else for the purposes of (or in connection to) the Equality Act 2010
- 3.7 Employees who do any of the above in good faith will be protected from victimisation
- 3.8 An employee is not protected from disciplinary action if they have maliciously made or supported an untrue complaint, and may be subject to disciplinary action themselves.

4.0 Procedure

Raising a concern or complaint

- 4.1 Employees may be able to resolve matters informally. The person may not know that his/her behaviour is unwelcome or upsetting.
- 4.2 An informal discussion may help him/her to understand the effects of their behaviour and agree to change it. Employees may feel able to approach the person themselves, or with the help of a colleague, a manager, trade union representative or HR Adviser. Alternatively, an initial approach could be made on an employee's behalf by one of these people.
- 4.3 Employees should tell the person what behaviour they find offensive and unwelcome, and say that they would like it to stop immediately. Employees may want to add that, if the behaviour continues, they intend to raise a formal grievance. Notes of the date and what was said and done should be kept. This will be useful if the unacceptable behaviour continues and an employee wishes to make a formal complaint.
- 4.4 There will be instances where an informal approach does not resolve matters, or the situation is deemed too serious to be dealt with informally. In these cases any concerns about alleged bullying, harassment, discrimination or victimisation, should be raised formally following the process set out in the Grievance Procedure.

5.0 Roles and Responsibilities

5.1 Employees are required to:

- Help create and maintain a work environment free of bullying, harassment, discrimination and victimisation
- Treat colleagues with dignity and respect
- Be aware of how their own behaviour may affect others and changing it, if necessary – employees can still cause offence even if they are "only joking"
- Take a stand where it is thought that inappropriate jokes or comments are being made
- Make it clear to others when employees find colleagues behaviour unacceptable (unless it should be obvious in advance that this would be the case)
- Make it clear that harassment and bullying is unacceptable
- Intervene if possible to stop bullying, harassment, discrimination or victimisation and to give support to victims

- Report harassment or bullying appropriately and supporting the Council in the investigation of complaints
- Not prejudice or victimise the complainant or alleged harasser, when a complaint is made
- Not knowingly make a malicious or vexatious allegation against another employee or person/s working for or with the Council

5.2 Managers are required to:

- Set a good example by their own behaviour
- Ensure that there is a supportive working environment
- Make sure employees and those working with or for the Council know what standards of behaviour are expected of them
- Intervene to stop bullying, harassment, discrimination or victimisation and to give support to victims
- Promptly report any complaint concerning these behaviours or any incident witnessed
- Manage any allegations in accordance with the requirements of the Council's Grievance or Disciplinary Policy and Procedures

5.3 Human Resources Advice are required to:

- Provide advice and support to enable the effective handling of complaints
- Provide support and guidance to managers and employees
- Ensure the communication, regular review and updating of this policy statement
- Assess compliance and effectiveness

5.4 The Head of HR is required to:

- In consultation with the recognised Trade Unions, exercise delegated authority for and be responsible for the ongoing review and updating of this Policy to ensure compliance with changes in statutory requirements and operational delivery, including responsibility for identifying the appropriate process for the regular evaluation of the effectiveness of this policy. Any fundamental changes to this policy will be brought before the Cabinet (Resources) Panel for approval.

5.5 Trade Unions are required to:

5.6 Support and advise members in circumstances where they witness, are the victim of, or are accused of bullying, harassment, discrimination or victimisation.

5.7 Represent trade union members, when requested.

6.0 Monitoring and Review

The Dignity at Work Policy Statement will be reviewed and updated annually and be available to managers and employees via the HR intranet.

7.0 Links to Other Policies and Procedures

- Disciplinary Policy and Procedure
- Equal Opportunities Policy
- Grievance Policy and Procedure
- Whistleblowing Policy and Procedures

8.0 Equality

8.1 An Equality Analysis has been carried out on this policy statement.

8.2 The Council has a duty to monitor the application of this policy statement in relation to protected characteristics under the Equality Act 2010. This is reported annually in the Council's Equality Monitoring Report.

8.3 If any aspect of the Dignity at Work Policy Statement causes you difficulty on account of any disability that you may have, or if you need assistance because English is not your first language, you should raise this issue with HR, who will make appropriate arrangements.

Discrimination

Employees should be aware that there is the potential for direct and indirect discrimination to arise in relation to many aspects of employment, including but not limited to, recruitment and selection, pay, promotion, leave of absence, training, flexible working and dismissal. Being mindful of this will help them to recognise and prevent unfair and unlawful discrimination.

Direct Discrimination

Direct discrimination occurs when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination below), or because they associate with or are connected to someone who has a protected characteristic.

Direct Discrimination Based on Perception

Direct discrimination may occur where a person does not have a protected characteristic, but is treated less favourably than another person on the basis of a perception that do, for example in relation to their sexual orientation or faith.

Direct Discrimination by Association

Direct discrimination may occur where a person does not have a protected characteristic, but is treated less favourably than another person on the basis that they are associated with or connected to someone that does, for example they may be the parent or carer of a child or adult who has a disability.

Indirect Discrimination

Indirect discrimination can occur where an organisation's practices, policies or procedures are applied to everyone, but have the effect of disadvantaging people who share certain protected characteristics.

In circumstances where an employer can show that there is an objective justification for indirect discrimination, and that it is a proportionate means of achieving a legitimate aim, it may not be unlawful. In order to demonstrate this the employer must be able to show that they have been fair and reasonable, and that they have considered less discriminatory alternatives.

Perceptive Discrimination

Perceptive Discrimination refers to discrimination based on a perception that an individual is a member of a relevant protected group.

Associative Discrimination

Associative Discrimination refers to discrimination based on an individual's association with another person belonging to a relevant protected group.

Third-Party Harassment

The law protecting staff from harassment has been extended to cover situations where a member of staff, is harassed by someone who is not an employee of the Council, because of his/her membership of a relevant protected group considers they have been bullied or harassed, discriminated against or victimised by a third party i.e. contractor/customer providing a service.

Protective Characteristics

Bullying or harassment will constitute unlawful discrimination where it relates to one of the nine protected characteristics defined in the Equality Act 2010. They are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (which includes colour, nationality and ethnic or national origins)
- Religion and belief (or lack of)
- Sex
- Sexual orientation

Bullying behaviour does not have to be related to one of the protected characteristics in order to be considered as such.

Harassment

Examples of unacceptable behaviour (This list is not exhaustive)

Bullying, harassment, discrimination and victimisation can occur during face to face interactions, but can also take place via written communication, visual images (for example pictures of a sexual nature or embarrassing photographs), e-mail and telephone. Examples of unacceptable behaviour which may result in disciplinary action include:

- verbal or physical threats and intimidation
- persistent negative comments
- humiliating / ridiculing someone in front of others
- unjustified, persistent criticism / picking on one person for criticism when there is a common problem
- offensive or abusive personal remarks
- setting unattainable, unreasonable targets
- constantly changing work targets or overloading in order to cause someone to fail
- reducing someone's effectiveness by withholding information
- intentionally blocking promotion or training opportunities
- ostracism / exclusion
- not giving credit where it is due / claiming credit for someone else's work
- belittling someone's opinion
- making false allegations
- monitoring work unnecessarily and intrusively / overbearing supervision or other misuse of power or position
- undervaluing work done
- removing areas of responsibility without justification
- imposing unfair sanctions
- making threats or comments about job security without foundation
- spreading malicious rumours or insulting someone, using words or behaviour
- sharing information that is confidential about someone to others

- unwelcome sexual advances – touching, standing too close, displaying offensive materials, asking for sexual favours, making decisions on the basis of sexual advances being accepted or rejected

VERSION 3

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Cabinet (Resources) Panel

25 July 2017

Report title	Disciplinary Policy	
Decision designation	AMBER	
Cabinet member with lead responsibility	Cllr Milkinder Jaspal Governance	
Key decision	No	
In forward plan	No	
Wards affected	N/A	
Accountable director	Kevin O'Keefe, Director of Governance	
Originating service	Human Resources	
Accountable employee(s)	Denise Pearce Tel Email	Head of Human Resources 01902 554515 denise.pearce@wolverhampton.gov.uk
Report to be/has been considered by	Strategic Executive Board Joint Consultative Panel	30 May 2017 16 June 2017

Recommendation for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the revised Disciplinary Policy.

1.0 Purpose

- 1.1 To seek Cabinet (Resources) Panel support for the proposed revisions to the Disciplinary Policy to further support the Council's commitment to ensure that this policy is clear, relevant and can be effectively implemented within a timely manner.

2.0 Background

- 2.1 The policy review is part of the regular monitoring and evaluation of HR Policies. As part of this review the views of management and unions have been considered through the Joint Consultative Panel and best practice guidance has been obtained from XpertHR, the Chartered Institute of Personnel and Development (CIPD) and the Advisory, Conciliation and Arbitration Service (ACAS). Disciplinary policies from other local authorities have also been benchmarked.

3.0 Policy Summary

- 3.1 It is proposed to amend the disciplinary policy as follows:

Introduce the option for employees to request a waiver of the need to conduct a formal investigation and disciplinary hearing if they admit immediately the allegation/s made against them. This does not remove the employees right of appeal.

Amend policy to allow employees to be accompanied at any formal meeting, including appeals.

Introduce Mediation as an option.

Introduce the requirement for Disciplinary Hearing Panel members to complete Unconscious Bias training.

4.0 Financial implications

- 4.1 There are no financial implications associated with the recommendation in this report.
[MK/13072017/O]

5.0 Legal implications

- 5.1 The policy takes into account requirements of employment legislation.
[TC/17072017/R]

6.0 Equalities implications

- 6.1 An Equality Impact Assessment has been completed. There are no equalities implications as a consequence of this policy.

7.0 Environmental implications

7.1 There are no environmental implications as a consequence of this policy.

8.0 Human resources implications

8.1 Consultation has been undertaken in accordance with HR procedures. The policy supports best practice in employment / Human Resources procedures.

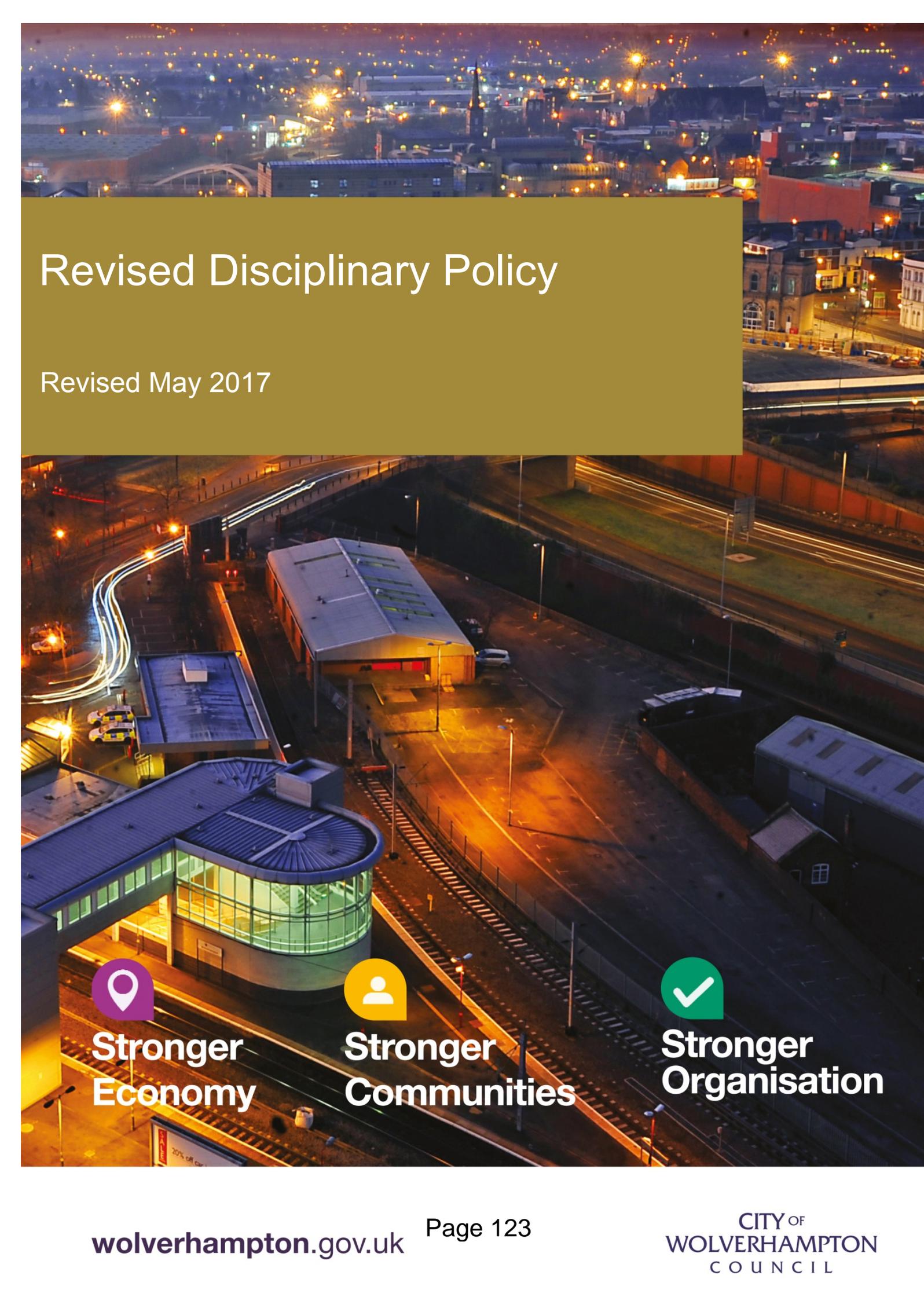
9.0 Corporate landlord implications

9.1 This report has no implications for the Council's property portfolio.

10.0 Schedule of background papers

10.1 Disciplinary Policy

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A nighttime aerial photograph of Wolverhampton, showing city lights, buildings, and a railway station with a prominent glass-enclosed structure.

Revised Disciplinary Policy

Revised May 2017



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1.0 Policy Statement

- 1.1 This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct. This procedure aims to ensure good practice by applying the standards set out in the relevant sections of the ACAS Code of Practice on Disciplinary and Grievance Procedures.
- 1.2 This procedure is used to deal with misconduct. It does not apply to cases involving genuine sickness absence, proposed redundancies or poor performance. In those cases reference should be made to the appropriate procedure.
- 1.3 The termination of an employees contract during a probationary period should be handled using the Probationary Procedure.
- 1.4 The disciplinary policy and procedure is necessary for ensuring a safe and efficient workplace and for maintaining good employment relations; and to ensure prompt, reasonable and consistent treatment for all employees.

2.0 Scope

- 2.1 This Policy and Procedure applies to all employees of the Council including Strategic Directors and employees based in schools (excluding Teachers covered by Schools' Disciplinary Policy).
- 2.2 The policy also applies to recognised trade union representatives; however, in the event of an allegation being made against an accredited representative the full time official will be notified immediately. In the event of suspension it may not always be possible give prior notice.

3.0 Principles

- 3.1 In applying this policy the Council will:
 - Raise and deal with issues promptly and not unreasonably delay meetings, decisions or confirmation of those decisions
 - Act consistently
 - Carry out a reasonable investigation, to establish the facts of the case
 - Inform employees of the specific allegations and give them an opportunity to put their case in response before any decisions are made
 - Allow employees to be accompanied at any formal meeting, including appeals
 - Allow an employee to appeal against any formal sanctions (warnings) made

- 3.2 If an employee is charged with or convicted of a criminal offence this is not necessarily a reason for disciplinary action. Consideration will be given to what effect the charge or conviction has on the employee's suitability to do the job and the relationship with their employer, work colleagues and customers.
- 3.3 No disciplinary action will be taken against an employee until the case has been fully investigated and the decision to proceed has been made by the Service Manager or their nominee following consideration of an investigation report. No sanction will be issued without a robust investigation and subsequent hearing.
- 3.4 The only exceptions to 3.3 above are as follows:
- a) where an employee fully accepts misconduct has occurred (having had the allegations presented to them at an initial investigation or fact-finding meeting) and requests that a sanction is applied without a full investigation and hearing. This must be agreed by all parties.
 - b) where finding of an initial investigation prove the allegations beyond reasonable doubt.
- 3.5 In all but exceptional cases, if gross misconduct (potentially resulting in dismissal) is alleged then the usual investigation process must apply.

4.0 Procedure

- 4.1 Employees have a statutory right to be accompanied by a trade union representative or work colleague at any formal meeting which could result in a sanction being issued or at an appeal hearing
- 4.2 There is no right to representation at informal meetings

Informal Action

- 4.3 Wherever possible cases of minor misconduct should be dealt with informally. Often a quiet word from the manager is all that is required to improve conduct or performance. In some cases additional support, coaching and advice may be necessary.
- 4.4 Managers should keep brief notes of any informal discussions within the supervision file. These should be shared with employees including any agreed actions and managers should ensure that any agreed progress reviews take place as specified.

- 4.5 After an allegation is made against an employee, the first step will normally be to hold an informal meeting as soon as possible.
- 4.6 The purpose of this is to get an initial version of events and/or explanation from the employee, before a decision is made to progress to a formal investigation
- 4.7 It may be appropriate to consider mediation at this stage, depending on the nature and seriousness of the allegations.
- 4.8 If informal action does not bring about an improvement or the misconduct is considered to be serious, it will be necessary to proceed to the formal stages of the Disciplinary Procedure.

Formal Action

- 4.9 This procedure is designed to establish the facts quickly and to deal consistently and fairly with disciplinary issues.

The Investigation

- 4.10 Any employee alleged to have committed a disciplinary offence will be advised of the allegation in writing, invited to a meeting to discuss the matter further and be given the right to be accompanied by a trade union representative or work colleague.
- 4.11 In cases of alleged gross misconduct, there may be circumstances that require an individual to be temporarily moved to an alternate location and/or duties or suspended while the investigation is being conducted. This decision will be taken in consultation with HR following an assessment of the information available at that time. The determining factors would be: the nature of the breach of discipline; the potential for harm or other detriment to the Council or its employees from the continued presence on site of the individual under investigation; or that the continued presence on site would prejudice the investigation.
- 4.12 An independent Investigating Officer must carry out a reasonably thorough investigation before any a decision is made to proceed to a hearing. Further advice on the investigation process is available from HR in Managers Guidance Notes.
- 4.13 The Service Director will review the findings of the investigation and decide whether the matter should now proceed to a disciplinary hearing.

The Disciplinary Hearing

- 4.14 The Disciplinary Hearing will be conducted by a Panel as soon as possible following a decision to proceed to a disciplinary hearing.
- 4.15 The Panel will be made up of 2 senior managers who have had no previous involvement in the case so far as is possible, and a HR Adviser. One manager

will chair the Panel. All panel member to have undergone Unconscious Bias training

- 4.16 At the hearing the Investigating Officer will present the findings of the investigation, go through the evidence that has been gathered and call any witnesses if required. The employee will respond to allegations, ask questions, present evidence and call any witnesses. Either party may request an adjournment at any time.
- 4.17 If the Panel decides that further information is needed before a decision can be made, a date to reconvene the hearing will be agreed.
- 4.18 The Chair of the Panel will notify the employee of the hearing outcome which will be confirmed in writing. The sanctions that may be decided upon are set out below.
- 4.19 Employees will be advised of their right of appeal against disciplinary sanctions and or outcomes of any sanction imposed. There is no right of appeal where the employee is given an opportunity to be transferred to another post (see 4.26 below) as an alternative to dismissal.
- 4.20 Except in cases of gross misconduct, no employee will be dismissed for a first breach of discipline.

Sanctions

- 4.21 Should allegations be proven at the disciplinary hearing, and a sanction deemed necessary, the following options will be considered.

First written warning

- 4.22 Generally issued for first or minor incidents of performance or conduct:
- A letter confirming the warning & setting out the nature of the misconduct, and the change in behaviour required will be issued. This will also confirm what the consequences of failure to improve could be.
 - This warning will remain on file for a period of 12 months after which time it will be disregarded for disciplinary purposes provided that there have been no further incidents

Final written warning

- 4.23 Issued for more serious breaches of discipline or where an employee's conduct does not meet the required standards despite all reasonable steps having been taken by their manager to help the employee improve following a First Written Warning.
- Contents of the letter similar to First Written Warning, but will remain on file for period of 2 years after which time it will be disregarded for disciplinary purposes provided that there have been no further incidents.

Dismissal or other penalty short of dismissal

- 4.24 For acts of gross misconduct or where, following a final written warning, there has been a further breach of discipline, the employee will be dismissed & normally be issued with the appropriate period of notice.
- 4.25 Summary Dismissal will take place where there is deemed to be gross misconduct serious enough to undermine the contract between the employer and employee and make any further working relationship and trust impossible, in which case the employee will be dismissed without notice.
- 4.26 In some cases, as an alternative to dismissal the employee may be offered a transfer to a single, specified and available post. This will usually be a demotion to a lower graded post and there will be no protection of pay and the employee will automatically serve a 6 month probationary period in the new post. Demotion to this post will remain in place for a minimum of 12 months and this sanction will remain on file for period of 2 years after which time it will be disregarded for disciplinary purposes provided that there have been no further incidents.

Gross Misconduct

- 4.27 It is not possible to provide an exhaustive list; however the following are examples of conduct or behaviour which may constitute gross misconduct;
- Theft, fraud or deliberate falsification of records, unauthorised removal of property not belonging to the employee or other dishonesty, including fabrication of expense claims and time sheets.
 - Physical violence, bullying or threatened violence, or behaviour which provokes violence.
 - Bullying, harassment, victimisation or discrimination on grounds of protected characteristics as defined in Equality Act 2010.
 - Deliberate and serious damage to property or the property of a colleague, contractor, customer or member of the public Repeated or serious failure to obey reasonable instructions, or any other serious act of insubordination; misuse of Council property, equipment or brand name/reputation.
 - Bringing the Council into serious disrepute.
 - Being under the influence of alcohol, illegal drugs or other substances. during working hours where decision making or performance impaired
 - negligence which causes or might cause unacceptable loss, damage or injury.
 - Serious infringement of Health and Safety rules.
 - Unauthorised use or disclosure of confidential information or failure to ensure that confidential information in an employee's possession is kept secure, or unauthorised use, processing or disclosure of personal data contrary to the Council's information governance rules and protocol Serious breach of confidence (subject to the Public Interest (Disclosure) Act 1998).

- Serious breach of the Council's policies which enforce its statutory obligations.
- Unsatisfactory work performance (if a wilful act).
- Deliberately accessing internet sites containing pornographic, offensive or obscene material.
- Unlawful discrimination, victimisation or harassment, or inciting others to discriminate unlawfully, victimise or harass others.

Safeguarding Allegations

- 4.28 In circumstances where there are allegations of abuse or neglect against children or adults in a vulnerable situation, before a decision is made to proceed with the disciplinary investigation the Head of Safeguarding must be informed.

Appeals Process

- 4.29 An employee is entitled to appeal against any formal sanction including dismissal (but excluding transfer to another post as an alternative to dismissal) in accordance with the disciplinary procedure, where they feel the disciplinary action taken against them is wrong or unjust.
- 4.30 The employee will need to follow the separate Appeals Procedure process and timetable detailed below.

Appeals against First and Final written warnings

- 4.31 These should be made in writing to the appropriate Strategic Director/Director of the employee's Directorate within **5 working days** of written confirmation of the sanction.
- 4.32 The Strategic Director/Director or nominee will nominate an appropriate senior manager, not previously involved in the case to hear the appeal, assisted by HR.

Outcome of Appeals Hearing

- 4.33 The following 3 options will be considered:
1. Disallowing the appeal and upholding the disciplinary sanction.
 2. Disallowing the appeal and applying a lesser sanction.
 3. Allowing the appeal, thereby overturning the decision and withdrawing the disciplinary sanction.
- 4.34 The decision may be made following an adjournment and will be confirmed in writing by HR within **5 working days** of the appeal hearing.

- 4.35 The decision of the Appeal Panel considering the appeal will be final and the employee will have no further internal right of appeal.

Appeals against Dismissal

- 4.36 The right of appeal against dismissal will be to the Human Resources Appeal Panel. The notice of intention to appeal against dismissal should be made in writing to the relevant Service Director within **5 working days** of written confirmation of dismissal.
- 4.37 The purpose of an appeal against dismissal is for an employee to have their case reviewed and to decide whether or not the sanction applied is fair, reasonable, consistent and soundly based.

Outcome of Appeal against Dismissal

- 4.38 The following 3 options will be considered:
1. Disallowing the appeal and upholding the dismissal sanction.
 2. Disallowing the appeal and applying a lesser sanction.
 3. Allowing the appeal, thereby overturning the decision and withdrawing the dismissal sanction.

4.48 Confidentiality

- 4.49 Confidentiality should be maintained throughout the disciplinary process, and all parties involved in the disciplinary process should adhere to this principle.

5.0 Roles and Responsibilities

5.1 Employees are required to:

Employees have a responsibility to comply with all standards, codes and protocols which govern officers' conduct and behaviour. All those persons referred to within the Scope of this policy are required to adhere to its terms and conditions. Failure to comply with this policy will be treated as breach of discipline and measures will be taken to enforce this policy.

5.2 Managers are required to:

- 5.3 Managers have a responsibility to ensure that employees are aware of the Disciplinary Policy and sanctions for breaches.
- 5.4 Individual managers are responsible for ensuring that this policy is applied within their own area. Any queries on the application or interpretation of this policy must be discussed with HR Advice prior to any action being taken for alleged breaches.

5.5 Human Resources Advice are required to:

- Provide operational support to the organisation to enable the effective handling of allegations of misconduct under this policy
- Produce and maintain managers guidance notes
- Provide support and guidance to managers and employees throughout the stages of this policy
- Ensure the communication, maintenance, regular review and updating of this policy
- Monitor and review delivery and impact of this policy

5.6 The Head of HR is required to:

In consultation with the recognised Trade Unions, the Head of HR will exercise delegated authority for and be responsible for the ongoing review and updating of this Policy to ensure compliance with changes in statutory requirements and operational delivery, including responsibility for identifying the appropriate process for the regular evaluation of the effectiveness of this policy. Any fundamental changes to this policy will be brought before the Resources Panel for approval.

5.7 Trade Unions are required to:

- 5.8 Any review and revisions of this policy will be undertaken by HR Advice and will be in consultation with the Council's recognised trade unions.

6.0 Monitoring and Review

- 6.1 The disciplinary policy and procedure will reviewed and updated annually and be available to managers and employees via the HR intranet.

7.0 Links to other Policies and Procedures

- 7.1 The Disciplinary Policy cannot be seen in isolation as it plays a key part in corporate governance, performance and business management, it is closely linked with the following strategies and policies:

- Grievance Policy and Procedure
- Capability Policy and Procedure
- Dignity At Work Policy Statement
- Safeguarding Adults Policy and Procedure.
- Safeguarding Children Policy and Procedure.
- A breach of any code or policy specifying standards of conduct or behaviour for Council employees may result in disciplinary action.

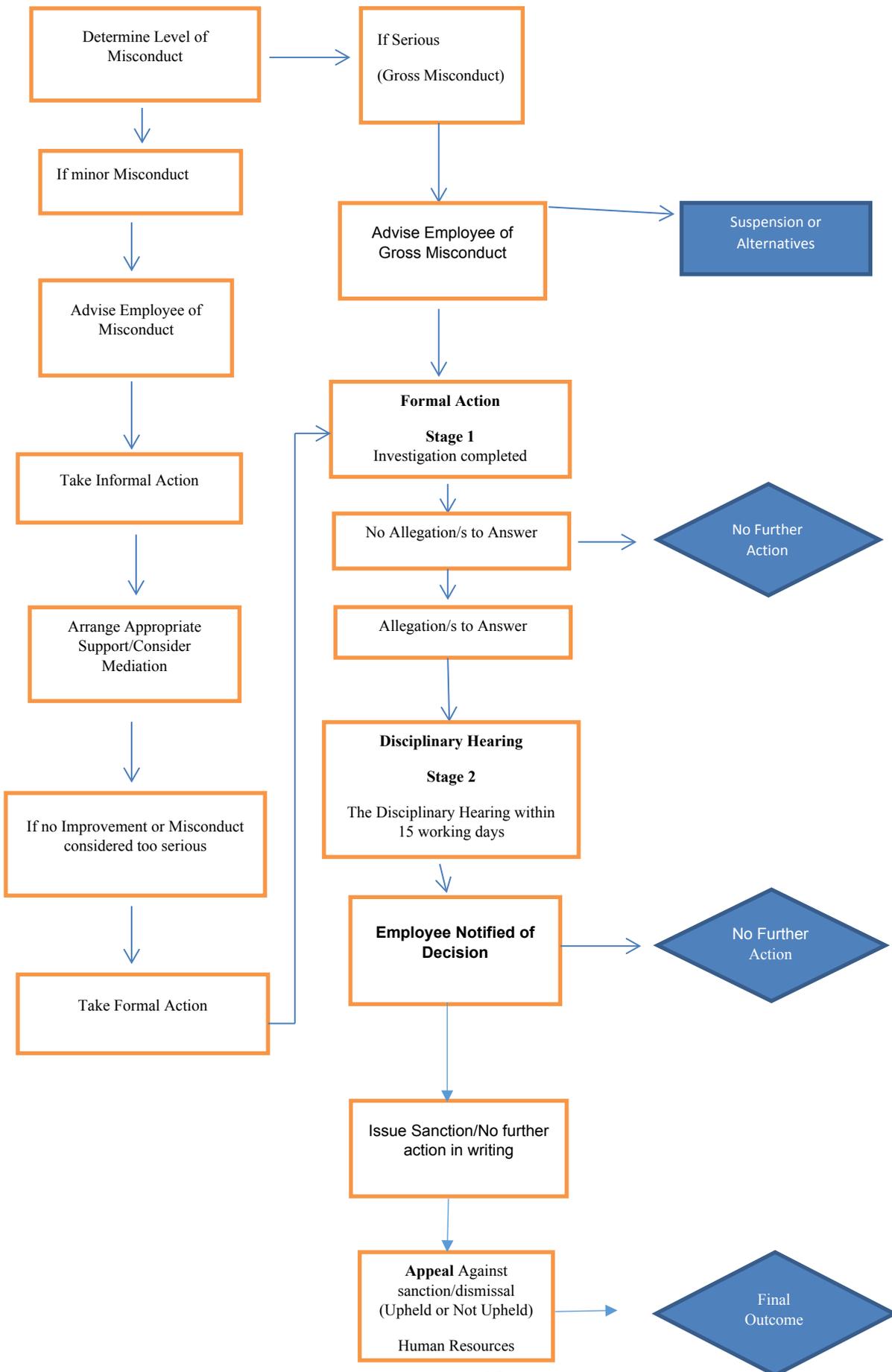
8. Equality

- 8.1 An Equality Analysis has been carried out on this policy and procedure.

- 8.2 The Council has a duty to monitor the application of the policy in relation to protected characteristics under the Equality Act 2010. This is reported annually in the Council's Equality Monitoring Report.
- 8.3 If any aspect of the disciplinary procedure causes you difficulty on account of any disability that you may have, or if you need assistance because English is not your first language, you should raise this issue with HR, who will make appropriate arrangements.

9. Disciplinary Process Chart

Appendix 1



Cabinet (Resources) Panel

25 July 2017

Report title	Lighting Up the City Phase 1 – Showcasing the City using Lighting and Greenery	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Steve Evans City Environment	
Key decision	Yes	
In forward plan	Yes	
Wards affected	St Peters	
Accountable director	Ross Cook, City Environment	
Originating service	City Environment	
Accountable employee(s)	Ross Cook Tel Email	Service Director – City Environment 01902 552368 Ross.Cook@wolverhampton.gov.uk
Report to be/has been considered by	Place Leadership Team Strategic Executive Board	19 June 2017 27 June 2017

Recommendations for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Agree to the introduction of the Lighting Up the City Scheme at a total cost of £520,000 (£330,000 capital and £190,000 one-off revenue).
2. Approve the allocation of the capital provision of the Lighting Up the City works programme, totalling £330,000, to individual projects as detailed in appendix 1.
3. Approve a one-off allocation of £190,000 from the Regeneration reserve to meet the revenue element of the scheme.

4. Welcome opportunities to work with a number of partners across the city so as to build on existing lighting schemes, and to create greater opportunities to bring life and vibrancy to the city centre.
5. Support further promotion of the Lighting Up the City programme as part of ongoing regeneration within the City Centre
6. Approve the City Council promoted schemes, i.e. City Art Gallery, subject to a detailed report being considered by a future Cabinet (Resources) Panel; and
7. Receive a further report on opportunities to expand the scheme with detailed costings and external funding opportunities.

1.0 Background

- 1.1 In December 2016 an initial proposal to introduce more lighting and greenery to the city centre was first presented as part of the developing Connected Places Strategy. The proposed scheme incorporated a 1.5 mile walking route (Appendix 2) in and around the city and aims to showcase some of the many architecturally interesting buildings in the city, to create a more interesting and attractive environment throughout the night and day, and to create a greener and more inviting environment.
- 1.2 There is a growing evidence base which suggests that green infrastructure can improve the Health and wellbeing of a population; buildings that feature and promote access to vegetation have been documented as having a greater positive human health impact than those without. Additional benefits of green infrastructure can include aesthetic and air quality improvements, noise reduction, and increased marketing potential. There is a clear association between good mental health and physical activity, and access to good quality green space can encourage people to take exercise (Department of Health, 2009). The inclusion of a walking route within the City is anticipated to contribute towards increasing physical activity participation levels within the City.
- 1.3 Similarly, national and local research indicates that well-lit areas can beneficially impact upon criminal activity with possible decreases in vandalism, street crimes and commercial burglaries (Fennelly, 1996). In creating a more inviting and safer environment it is anticipated that footfall will increase within the city resulting in economic benefits for the area. The experience of other cities has demonstrated that improvements to city lighting schemes can increase expenditure within the city centre and lead to a reinvigorated night time economy (Liverpool City Region LEP, 2005).
- 1.4 The Lighting Up the City scheme aims to create a more inviting city centre, that feels safe during both the day and night. These outcomes contribute to the corporate plan's objectives to 'developing a vibrant city' and 'promoting and enabling healthier lifestyles' respectively.

2.0 The Lighting Up the City Scheme

- 2.1 The Lighting Up the City Scheme aims to create a brighter and more inviting city centre environment by introducing improved lighting and greenery to the street scene. Various lighting schemes already exist within the city centre street scene and we will look to incorporate and enhance these into the wider project. As part of the first phase of the overall project, we will look to retro-fit some of the existing schemes, as well as introduce new lighting schemes at a cost of £320,000, as set out in Appendix 1. As part of this initial works, to be carried out between August 2017 and February 2018, we will also look to invest £100,000 to enhance green space and introduce "pocket-parks" to the street scene. Pocket Parks are a way of creating welcoming, temporary green "lungs" to the existing street scene. Pocket Parks can be any size or design and we will look to create a different look and feel at each location.

- 2.2 Work has already been undertaken to retrofit some existing lighting schemes within the city, including the Cenotaph at St Peter's Square and the Ionic Order at Wednesfield Road/Ring Road St Patricks as shown in Appendix 3 and 4. The schemes demonstrate how the application of even small scale lighting can significantly enhance the city centre environment.
- 2.3 To progress the overall project, it is proposed that we appoint a Project Manager for three days per week from 1 August 2017 at a cost of £40,000. The role of the Project Manager will be to engage partners within the city, to stimulate funding applications and to manage day to day project activity. A further £60,000 will be required to provide up to 100 days of technical support to confirm the feasibility of lighting enhancements and lead project delivery for the lighting aspect of the scheme. The pocket park and landscape features of the scheme will be managed with a combination of resources including Landscape Design architects, Public Health Practitioners, Regeneration project managers and the Lighting Up the City Project Manager. The Project Manager's role will be to fully develop the scheme and bring forward the final proposals and project delivery plan for approval.
- 2.4 Some buildings and structures that have been identified for enhanced lighting will require agreement and support from several different partners. We have had initial discussions with partners such as Wolverhampton University, Wolverhampton Wanderers FC, House of Fraser, the Mander Centre, and will continue these discussions as we develop the final proposal. There is also an aspiration to light St George's church where an innovative and kinetic lighting scheme using LED, projections and colour could make the listed church look spectacular. Based on a quote from Phillips for the Lighting Up the City scheme this would cost between £30,000 and £40,000.
- 2.5 It is envisaged that the final scheme will include a mixture of lighting and green space enhancements. We will work with all partners to create the most exciting and interesting scheme. As well as introducing lighting, we will look to include aspects of animation to various locations, and further details will be presented as part of the final proposals.
- 2.6 Since introducing some of the earlier lighting schemes, technology has improved and created opportunities for a more interactive and integrated lighting scheme across the city. We are aware of the possibilities of linking the entire lighting scheme together and using technology to create differing looks at different times. We will work with partners, such as the BID, to look at different lighting schemes that will include Christmas and Diwali celebrations.
- 2.7 As well as looking to use existing buildings as a focal point of enhancing the street scene, we will also be looking to introduce lighting schemes as part of new developments, including Westside, and within forthcoming public realm improvement and connectivity projects which are being developed as part of the Connected Places Strategy Delivery plan. Efforts will also be made to introduce Planning conditions that require developers to bring forward "lighting schemes" as part of any future city centre sites. This will provide the opportunity of incorporating lighting schemes as part of the planning application. To support this proposal, we will look to promote the Lighting Up the City programme through our own schemes. For example, we would look to

encourage the proposals to improve the City Art Gallery to include a specific lighting scheme to enhance the main entrance and to showcase the many architectural aspects of the building.

- 2.8 To enable the Westside project to come forward Cabinet approved the relocation of Wolverhampton Market from its existing site at Market Square to a new location at Snow Hill (the site of the former Netto building). The decision to move the market to this location has been well received as it positions traders in the core retail centre where footfall is significantly higher than in its current location. It is considered that this location allows a platform for the market to grow and diversify.
- 2.9 This part of the city is very hard with a poor evening environment due in part to the inadequacy of human-scale lighting. The provision of high-quality soft landscaping including street trees allows a softening of the market and a greater feeling of permanence to the market in its new location. Enhanced and innovative lighting solutions will make this part of the city more inviting (particularly in the winter) whilst allowing more flexibility around evening events and specialist markets aligned to an emerging new management model for the markets. The synergies with the Lighting Up the City programme are evident.
- 2.10 With a full professional team engaged, included architects Greig & Stephenson (one of the UK's leading specialists in markets design), the markets relocation project is ready to deliver. Deadlines for relocating the market are late 2017 / early 2018. This project therefore provides an early opportunity to embody the principles of the Lighting Up the City scheme. It is proposed to include the Markets lighting scheme as part of phase 1 of the Lighting Up the City programme.

3.0 Next Steps

- 3.1 Subject to approval, the first action will be to progress all the works as outlined in Appendix 1. These will be completed by the end of February 2018. At the same time, we will look to appoint a Project Manager to develop the final scheme for approval by Cabinet later this year. We will continue to work with partners across the city to identify locations for lighting schemes, as well as looking to deliver City Council promoted schemes.

4.0 Financial implications

- 4.1 The total estimated cost of the 'Lighting up the City' programme is £520,000 with a mixture of capital and revenue expenditure as set out in the table below.

Project elements	Capital £000	Revenue £000	Total £000
Phase one projects	250	70	320
Pocket parks and green space enhancements	-	100	100
Project management	20	20	40
Technical support	60	-	60
TOTAL	330	190	520

- 4.2 Cabinet (Resources) Panel on 27 June 2017, as part of the Capital Budget outturn 2016/17 including quarter one capital budget monitoring 2017/18 report, approved a capital virement of £330,000; from corporate contingency to meet the phase one capital elements of Lighting up the City.
- 4.3 Approval for the allocation of the £330,000 to individual capital projects is being sought from this meeting. Should the programme of works for Lighting up the City not be endorsed, the capital programme will be adjusted accordingly.
- 4.4 Approval is sought from this meeting for the one-off allocation of £190,000 from the Regeneration Reserve to fund the phase one revenue element of Lighting up the City.
- 4.5 Ongoing maintenance costs for the lighting schemes detailed in Appendix 1, excluding the lighting scheme at Wolverhampton Market, will be met from existing revenue budgets for Street Lighting. The ongoing maintenance cost for the Wolverhampton Market lighting scheme will be met through existing revenue budgets for the Markets. These costs are off-set by energy savings as a result of the upgrade to efficient LED lighting.
- 4.6 It is assumed that the lighting installations will have a useful life of at least 20 years after which time further capital investment will be required to fund replacement and will be the subject of future reports to Councillors for approval.
- 4.7 Where lighting schemes involve works to private land or buildings it will be necessary to reach agreement with the owners before any schemes are implemented and the arrangements for future maintenance and operational costs agreed. Until terms have been agreed it is not possible to provide an estimate of potential contributions to future maintenance costs. This income is not budgeted for but would reduce the net cost to the council of Lighting up the City.
- 4.8 Where lighting schemes are undertaken in conjunction with partners, funding may be given as a grant and the necessary approvals will be sought.

4.9 A city centre programme bid to the Black Country LEP is being developed which will incorporate several projects that are being developed as part of the Connected Places Strategy Delivery plan such as Molineux Subway improvements and Westside Link. These will be incorporated in a future report on the next phase of development which will identify the range of external funding opportunities to progress the programme over further areas of the city centre.
[TT/23052017/P]

5.0 Legal implications

5.1 Most of the lighting schemes will be on Council land or assets. However, where the schemes are part of private land or buildings, it will be necessary to reach agreement with the land owners before any schemes are installed and the arrangements for future maintenance and operational costs. Legal advice will be required on a case by case basis.
[TS/26052017/Q]

6.0 Environmental implications

6.1 The Lighting Up the City project looks to enhance the street scene and environment. By using LED lighting, there will be reduced energy demand and the ability to focus lighting direction. Consultation may be required with local residents where appropriate.

7.0 Human resources implications

7.1 There are no human resources implications.

8.0 Corporate landlord implications

8.1 The proposals will require us to update the asset register to ensure we can pinpoint the location of each individual lighting or landscape scheme, this may require the creation of new asset references or a variation to the detail linked with current asset references. This will help facilitate future maintenance of those installations, with details being held on our central asset database.

8.2 Corporate landlord will work with legal services where assets are not in council ownership to agree access for initial works and future maintenance arrangements. Where installations have a potential impact on the highway or street scape we will liaise with the appropriate internal departments. We will also involve our insurers and structural engineers given the potential loadings on those buildings utilised for installations. On-going revenue budgets will need to be agreed with finance and existing budget holders informed of those new repairing and maintenance obligations.

8.3 As the project is environmentally led, consideration to the incorporation of small photo voltaic arrays and the encouragement of these within the business areas should be given. The market area, could be a prime location for consideration of these, giving the

tenants pride and reducing some of their costs and those of the Council. By utilising LED lighting in combination with renewable energy and the incorporation of renewable energy sign posts into the scheme, will assist in delivering green energy visibly to the public and reducing the energy costs for the council.

9.0 Schedule of background papers

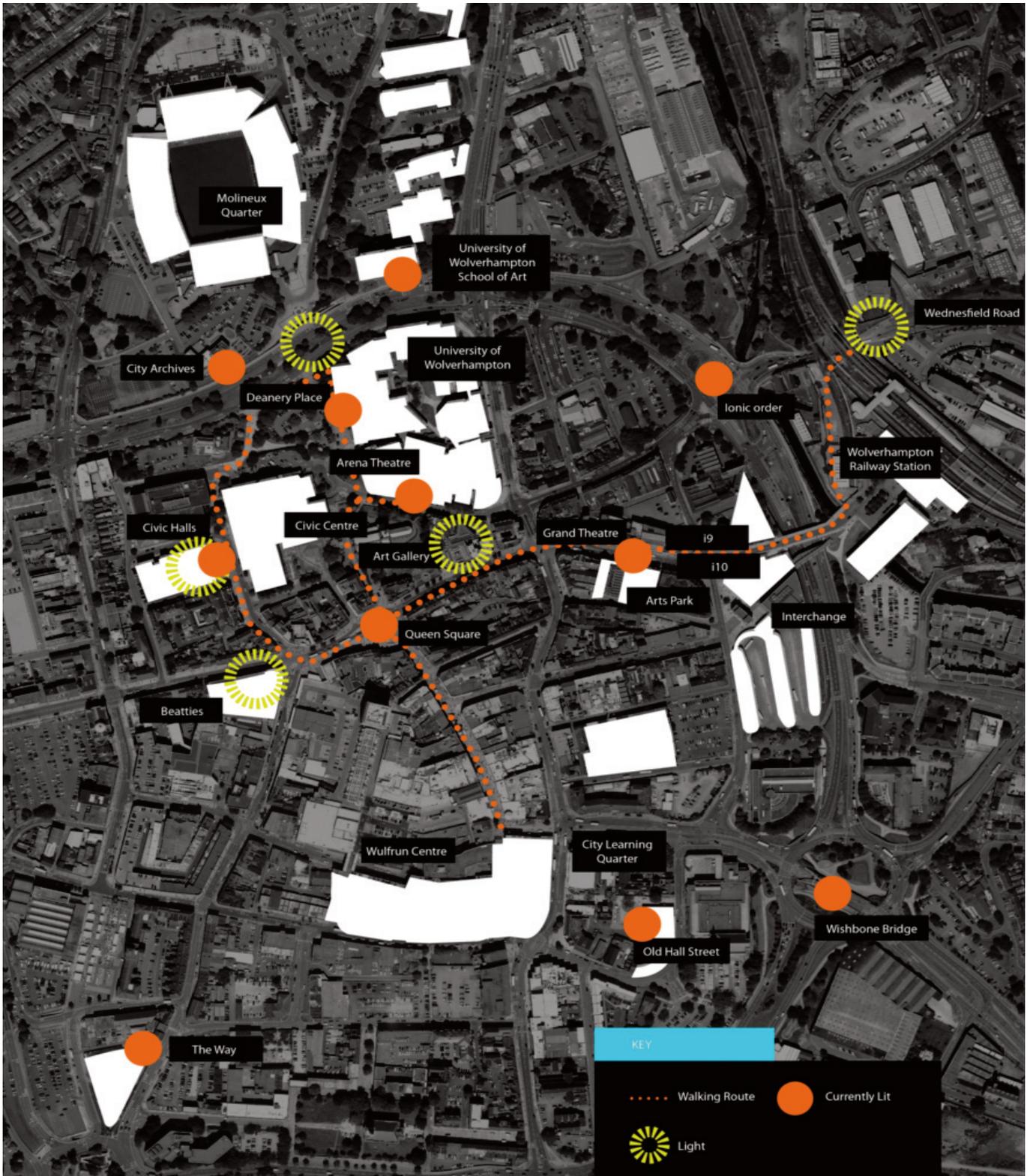
- 9.1 Capital Budget outturn 2016/17 including quarter one capital budget monitoring 2017/18 report - Cabinet (Resources) Panel on 27 June 2017.

Appendix 1

Phase 1 works, inclusive of Pocket Parks and management support costs	Cost £000	Capital £000	Revenue £000
Wolverhampton Markets Lighting (Feature lighting, containment and installation)	60	60	-
Bollards (indirect units £2,000)	5	5	-
Queen Square fountain lights and pumps (Lower Queen Square five trees)	44	44	-
Queens Square (strip light to steps)	15	15	-
Dudley Street Light stacks and five street trees	30	30	-
Lady Wulfruna Statue	1	1	-
University of Wolverhampton Scheme - Deanery Place (seven trees Wulfruna Street)	20	-	20
Lock Street Open Space	5	-	5
Sainsbury's wishbone bridge	20	20	-
Interchange handrail	15	15	-
St Peters gardens uplighters to Harris bust and memorial (One large cedar plus St Peters Close and five trees Lichfield Street)	5	-	5
Civic halls refurb (live project)	20	20	-
Other minor works:			
Cheapside - seven trees			
Princess Street / Market Street - seven trees	25	0	25
Garrick Street / George Street - five trees			
Skinner Street - two trees			
Project contingency (20%)	55	40	15
Total for Phase 1 works	320	250	70
Pocket Parks and green space enhancement	80	-	80
Project contingency (20%)	20	-	20
Total for Pocket Parks	100	0	100
Project Management costs	40	20	20
Technical Support costs	60	60	
Total Management support costs	100	80	20
Phase 1 works, inclusive of Pocket Parks and management support costs	520	330	190

Appendix 2 – A Leaves and Light journey through the city centre

A 1.5m walk through the city centre, burning approximately 350 calories



Appendix 3 – Cenotaph



Appendix 4 – Ionic Order



Cabinet (Resources) Panel

25 July 2017

Report title	Resilience of the Civic Halls Venue and Operations	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor John Reynolds City Economy	
	Councillor Peter Bilson City Assets and Housing	
Key Decision	Yes	
Forward Plan	Yes	
Wards affected	St Peter's	
Accountable director	Keren Jones, City Economy	
Originating service	City Economy	
Accountable employee(s)	Keren Jones Tel Email	Service Director 01902 554739 Keren.jones@wolverhampton.gov.uk
	Tim Pritchard Tel Email	Head of Corporate Landlord 01902 52904 Tim.pritchard@wolverhampton.gov.uk
Report to has been considered by	Strategic Executive Board	27 and 29 July 2017

Recommendations for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the £150,000 expenditure towards the estimated cost of additional technical surveys to identify if future maintenance and repairs can be minimised for the longer term and following recent national incidents, towards a review of the need for any additional public safety requirements that should be included in the improvement scheme.
2. Approve a draw down for the required funding from the Budget Contingency reserve, as additional unbudgeted expenditure is required.

1.0 Purpose

- 1.1 To request funding to undertake a range of investigative surveys necessary to address lifecycle repairs and maintenance works required at the Civic and Wulfrun Halls.

2.0 Background

2.1 On 19 July 2016, Cabinet (Resources) Panel approved the capital budget of £14.4 million for the Civic Halls Improvement scheme, of which £6.6 million was a contribution from the Black Country Local Enterprise Partnership, and the remaining £7.8 million was a contribution from the Council, of which £2.6 million will be as a contribution from the uplift income generated from the improved venue.

2.2 The aim of the project is to improve the overall entertainment offer in the Civic Halls and the venue's ability to attract more popular acts, increase visitor numbers and secondary spend. These are principally:

- Increased seating capacity in both Civic and Wulfrun Halls
- An improved hospitality offer that includes new bar and hospitality spaces and conference breakout areas
- Improved accessibility
- Modernisation of staging and supporting technologies for performers

2.3 The following essential repair items were also identified as integral to the improvement scheme, based on information provided by Property Services for the options appraisal at project inception stage. These were:

- Catch up repairs and maintenance
- Renewal of the heating and ventilation system
- Structural items requiring replacement

2.4 At Cabinet (Resources) Panel meeting of 19 July, a separate report by Corporate Finance, also approved the procurement route for the main construction contract. Delegated Authority was awarded to the Cabinet Member for City Economy, in consultation with the Strategic Director for Place, to award the contract following the completion of the tender process. Based on the evaluation, Shaylor Group Plc were awarded the contract in December 2016. Delivery of the project is to be phased to ensure that there is continuity for major events such as the Grand Slam of Darts during 2017 and 2018, with the period up to October 2017 to be mainly comprised of enabling works.

2.5 In June 2017, an independent high level review by Project Managers UK Ltd was commissioned by the Corporate Landlord to advise on concurrent activities that should be carried out to minimise future maintenance and repairs can be minimised for the longer term. Following recent national incidences, it was also considered advisable to review the need for any additional public safety requirements that should be included in the improvement scheme.

2.6 The timeline and cost associated with carrying out these additional surveys and studies is currently estimated at 15 weeks and £150,000. The scope of the work includes:

- Building structure and condition requires further assessment, including backlog maintenance and repair over, and beyond essential items included by property services in the original options appraisal.
- Resilience of operation to be further considered in respect to electrics, heating, ventilation and air conditioning.
- Management, safety and security systems of building, including any additional items that are required to support the health and safety operations post completion.

2.7 Additional surveys and studies that are required:

- **Full structural survey:** to clarify and confirm that building design is suitably aligned with the outputs of the surveys. This will include all items of backlog maintenance.
- **Electrical system assessment:** with consideration to be given to the resilience of the building systems, and the need for warranties to be provided for electrical installations. To result in the capability of a 25 year lifespan following completion.
- **Additional heating and ventilation assessment:** including a re-run thermal model to confirm the operational temperatures during the various operational activities and to ensure warranties are in place for mechanical services. To result in the capability of a 25 year lifespan following completion.
- **Retained services assessment:** This includes IT, lighting, access control, intruder alarm, voice alarm, induction loop etc. The outcome will be the design, specification and quantification of any additional works to retained services necessary to make systems operate at optimum levels, have resilience, and be capable of a 25-year lifespan following completion with warranties.
- **Management, safety and security of building:** A full assessment of the building; operation/ management /control / security / fire systems, etc. are required in light of recent events in the UK. This will include the design, specification and quantification of any additional works to management, safety and security of building necessary to make systems operate at optimum levels, have resilience, and be capable of a 25-year lifespan following completion with warranties.

2.8 Additional surveys and studies will be commissioned, with a view to completion by October 2017.

3.0 Financial implications

3.1 The estimated cost of these surveys / studies is in the order of £150,000, as an unexpected occurrence of additional costs it is proposed that this funding, up to £150,000 is made available from the Budget Contingency reserve. [HM/10072017/P]

4.0 Legal implications

- 4.1 The additional surveys and studies will ensure that the Civic Halls complies with statutory regulations and guidelines.
[RB/03072017/P]

5.0 Equalities implications

- 5.1 The designs for improvement for the Civic Halls will promote equalities as they include making the venue more accessible to disabled people and will also create a more family friendly environment, particularly in the smaller Wulfrun Hall.

6.0 Environmental implications

- 6.1 This proposal will significantly improve the internal environment of the Civic Halls for the benefit and comfort of the audience, as well as comply with the standards required by English Heritage for a Grade 2 listed building.

7.0 Human resources implications

- 7.1 This proposal seeks additional one off findings to procure specialist technical advice.

8.0 Corporate landlord implications

- 8.1 Corporate Landlord are responsible for ensuring the main construction work is designed, procured and delivered on site within the agreed budget and timescale. This includes enabling works and surveys, as well as ensuring the design and construction work is carried out in compliance with statutory regulations. Corporate Landlord are responsible for the construction contract management and site supervision of the construction works.
- 8.2 This proposal is in response to a recent review commissioned by corporate landlord in June 2017, which advises on concurrent activities that should be carried out to bring the overarching facilities up to an acceptable current standard across the building, and to prevent any built-in obsolescence that will necessitate further closures in operation to manage end of life failures, and unmanaged backlog maintenance.

9.0 Schedule of background papers

- 9.1 Cabinet (Resources) Panel Report 19 July 2016: Civic Halls Improvement Programme

Cabinet (Resources) Panel

25 July 2017

Report title	Land forming part of Un-Adopted Highway at Cross Street, East Park, WV1 2HS	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Peter Bilson City Assets and Housing	
Key decision	No	
In forward plan	No	
Wards affected	East Park	
Accountable director	Tim Pritchard, Head of Corporate Landlord	
Originating service	Corporate Landlord (Estates Valuation and Disposals).	
Accountable employee(s)	Head of Assets, Julia Nock Tel 01902 550316 Julia.Nock@wolverhampton.gov.uk	
Report to be/has been considered by	Place Leadership Team.	15 May 2017

Recommendation for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Authorise that the Council grant easements/wayleaves to statutory undertakers to supply a new development constructed by Welsh Power/Wolverhampton Power Limited.

Recommendation for noting:

The Cabinet (Resources) Panel is asked to note:

1. That the Council has granted a Licence to Wolverhampton Power Limited to carry out works to lay a duct in preparation for the laying of Service Media, within an un-adopted Highway in the ownership of the Council.

1.0 Purpose

- 1.1 Wolverhampton Power Limited has been granted a Licence to construct underground ducting under land at present owned by City of Wolverhampton Council (CWC). The land at present forms part of an un-adopted highway. If granted the Council will enter into separate agreements with Western Power Distribution; British Telecom; and Fulcrum to allow its services to be carried through the underground ducting.

2.0 Background

- 2.1 Welsh Power agreed to construct an electricity generating plant on behalf of Wolverhampton Power Ltd. Unfortunately, Welsh Power did not appreciate that any Services to the site had to be accessed by land in the ownership of the Council and not an adopted highway. If it had been an adopted highway statutory powers could have been used for access. Welsh Power needed the Council's permission to access the site to lay its duct as it is the best option for access.

3.0 Progress, options, discussion, etc.

- 3.1 The Council has entered negotiations with the interested Service Providers to agree the appropriate easements/licences/wayleaves to facilitate access for the services required by the electricity generating plant.

4.0 Financial implications

- 4.1 The grant of a licence to Wolverhampton Power Limited, to conduct works on land forming part of an un-adopted highway at Cross Street, East Park, will generate one off revenue income of £80,000, once wayleaves are granted and a payment notice has been served. Wayleaves to be agreed by Corporate Landlord at a nominal sum. This income is not budgeted for and will reduce the Council's net expenditure, contributing to a budget underspend or reducing a budget overspend as appropriate.
[TT/15052017/J]

5.0 Legal implications

- 5.1 The Council must have regard to the requirement of section 123 of the Local Government Act 1972 to obtain best consideration for the disposals envisaged by the grant of the wayleaves and/or easements. If the Council opts to deal directly with third parties it must be able to demonstrate that it has acted reasonably in agreeing to grant the rights over the land and be in a position to respond to any potential challenge that a better bargain could have been struck elsewhere. All legal requirements will be documented as advised by Corporate Landlord (Estates).
[CTI011451/28062017/SL/A]

6.0 Equalities implications

- 6.1 None

7.0 Environmental implications

7.1 Planning Permission has been granted for the development.

8.0 Human resources implications

8.1 None

9.0 Corporate landlord implications

9.1 Corporate Landlord confirms that best consideration has been obtained for Licence and Wayleaves in accordance with Section 123 Local Government Act 1972.

10.0 Schedule of background papers

10.1 None

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Cabinet (Resources) Panel

25 July 2017

Report title	Demolition of Garages at Hilton Road, Lanesfield	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Peter Bilson City Assets and Housing	
Key decision	No	
In forward plan	No	
Wards affected	Spring Vale;	
Accountable Director	Lesley Roberts (Strategic Director: City Housing)	
Originating service	Housing Strategy & Development	
Accountable employee	Karen James	Housing Development Project Manager
	Tel	01902 551414
	Email	karen.james@wolverhampton.gov.uk
Report to be/has been considered by	Place Leadership Team	10 July 2017
	Strategic Executive Board	11 July 2017

Recommendation for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the demolition of the eight garages at Hilton Road, Wolverhampton, as recommended by the joint Asset Management Group with Wolverhampton Homes. The resultant vacant site to be laid out as secure parking for the residents of adjacent blocks.

Recommendation for noting:

The Cabinet (Resources) Panel is asked to note:

1. As well as removing an ongoing maintenance issue and area for fly tipping, the removal of the garages will provide additional, secure off road parking.

1.0 Purpose

- 1.1 This report seeks approval for the demolition of eight garages in Hilton Road, Lanesfield and the redevelopment of the area with secure parking for surrounding residents. The parking will provide off road spaces. Appendix A shows the site as it is and Appendix B shows the proposed secure parking area.

2.0 Background

- 2.1 Garage sites can be contentious, as they are often targets for vandalism and other anti-social behaviour. Wolverhampton Homes is assessing each site on future viability, based on condition, demand and management issues.
- 2.2 The eight garages at Hilton Road, Lanesfield are adjacent to residential blocks where Wolverhampton Homes are undertaking sustainability estates work. These eight concrete garages have now reached the end of their useful life and are increasingly uneconomical to maintain. The area is also subject to fly tipping. (Appendix A.)

3.0 Progress and Proposals

- 3.1 The remaining occupants of the garages have already been relocated and no objections were received to the proposed demolition and parking redevelopment. Ward Councillors were also informed of the proposed works and no objections were received.
- 3.2 Residents in the adjacent flats have been consulted regarding the future of the garages and the site, should demolition be approved. Following those consultations, it is proposed that the eight garages be demolished and the resultant vacant space, together with an existing paved area to the rear, be turned into secure, off street parking for approximately twenty cars. (Appendix B.) Work would be undertaken by Wates Construction, one of the appointed Strategic Construction Partners. The work will be undertaken subject to any necessary permissions from Planning or Building Control.
- 3.3 The work to construct the secure car parking area is expected to have a life in excess of 20 years. Should the need for maintenance arise, it will be funded from the HRA (Housing Revenue Account).

4.0 Evaluation of alternative options

- 4.1 The option of retaining the existing garages is not viable due to their poor condition. Their construction consists of asbestos roofs, concrete section walls and wooden doors. To demolish and replace the eight garages would cost in the region of £27,000. The current rental income (seven out of the eight are let) is £1,634 per annum, giving a recovery of cost for the demolition and re-provision option of sixteen years.
- 4.2 A further option is to demolish the garages at a cost of £12,000, and grass the site over. However, it is considered that residents are likely to then use the resultant vacant space and beyond for unofficial parking, making the area unsightly and adding to future maintenance requirements.

5.0 Reasons for decision

- 5.1 The demolition of the garages will remove an increasingly costly maintenance responsibility; it will remove an eyesore and area which has been a target for fly tipping; the properly constructed secure parking area will prevent the whole area between the residential blocks being used for unauthorised parking; the parking area will take cars off the adjacent roads.

6.0 Financial implications

- 6.1 The cost of the demolition of the garages and the construction of the new parking area is estimated to be in the region of £30,000. The Cost will be met from the Sustainable Estates Budget of £800,000 a capital scheme included within the Housing Revenue Account Capital Programme.
[JM/07042017/K]

7.0 Legal implications

- 7.1 The vacated site will remain within the HRA (Housing Revenue Account).
- 7.2 Work would be undertaken by Wates Construction, appointed under Strategic Construction Partnership.
- 7.3 Given that the demolition is an operational matter, there are no other legal implications for the Council at this time.
[RB/04072017/I]

8.0 Equalities implications

- 8.1 There are no Equalities Implications resulting from this report.

9.0 Environmental implications

- 9.1 The eight garages have fallen into a state of disrepair and Wolverhampton Homes are concerned of the risks for the safety of those who use them or those who go near the site. The demolition will remove this concern and the proposed parking works will improve the area.

10.0 Human resources implications

- 10.1 There are no Human Resource implications resulting from this report.

11.0 Corporate landlord implications

- 11.1 As the properties are held within the HRA and managed by Wolverhampton Homes there are no Corporate Landlord implications.

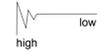
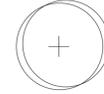
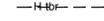
12.0 Schedule of background papers

- 12.1 None.

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LEGEND

-  Turf
-  Existing tarmac paths and drives
-  Existing paved areas
1375m2
-  Existing boundary brickwork walls
Existing gates to remain
-  Gradient changes within the ground
high low
-  Existing tree
-  Hedgerow
-  Existing High timber fence
-  Existing steel pallisade fence
-  Existing Bow Top steel fence

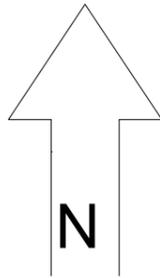
Phase 1

- Laurels - 239-245 Birmingham New Road
- Ashcroft - 1-23 Genthorn Close
- Holmcroft - 2-24 Genthorn Close
- Lyndhurst - 215-237 Birmingham New Road
- Fircroft - 2-24 Needwood Drive
- Avoncroft - 1-23 Needwood Drive
- Rycroft - 102-124 Hilton Road
- Warwick Court - 191-213 Birmingham New Road
- 2-16 Hackford Road

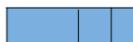
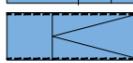
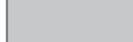
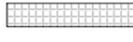
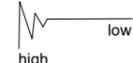
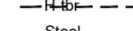
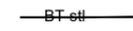
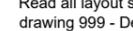
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REV	DATE	AMENDMENT
 Wolverhampton Homes Hickman Avenue Chillington Fields Wolverhampton WV1 2BY		
PROJECT		
SUSTAINABLE ESTATES		
DRAWING		
EXISTING EXTERNAL WORKS		
PHASE 1 - Birmingham New Road, Lanesfield		
DATE	SCALE	DRAWN BY
04.07.16	1:500 @ A1	pwc
Buzzsaw Location	DWG	REV
SCP4 - W - 1007	001	

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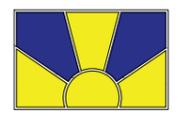


Legend

-  New 600x600x50mm concrete paving slabs, all paths to be 1200mm wide
Area : 60.2m²
 -  New paving area with steps
 -  New ramp and level access with handrails, 'dk' indicates new drop kerb
Area : 16m² per entrance
 -  Turf - Remove hardstandings including sub-base, replace with min 300mm good quality topsoil, pick stones. Topsoil to be affected by works
 -  Existing tarmac paths and drives
 -  Proposed tarmac footpaths
Area : 366m²
 -  Proposed tarmac roadways
Area : 741m²
 -  Existing concrete to perimeter of buildings
 -  Existing boundary brickwork walls
Existing gates to remain
 -  **GENERAL WASTE**
PBM2 double bin metroSTOR wasteSTOR enclosures for 770ltr eurobin. Include for large feet fixing plates
 -  **RECYCLING WASTE**
PBM1/2/3 bin metroSTOR wasteSTOR enclosures for 770ltr eurobin with recycling fronts/doors
Include for large feet fixing plates
 -  **HEAVY DUTY ROTARY LINE AND BASE**
Erect heavy duty rotary clothes line with loose socket, excavate for and including concrete base and remove waste and debris and reinstate garden areas.
Hills Rotary 7 Hoist as by Travis Perkins
 -  Gradient changes within the ground
low
high
 -  Existing tree to be kept
 -  Hedgerow
 -  Existing High timber fence
 -  Existing steel pallsade fence
 -  Existing Bow Top steel fence
- Read all layout sheets in conjunction with drawing 999 - Detail Sheet
- Fencing as per WH's standard fence specification

PHASE 1

191 to 213 Birmingham New Road, 1 to 23 Needwood Drive, 102 to 124 Hilton Road

B	22.05.17	Amendment to bin store / footpaths FOR CONSTRUCTION
REV	DATE	AMENDMENT
		
Wolverhampton Homes		
Hickman Avenue Chillington Fields Wolverhampton WV1 2BY		
PROJECT SUSTAINABLE ESTATES		
DRAWING PROPOSED EXTERNAL WORKS PHASE 1 - Birmingham New Road		
DATE	SCALE	DRAWN BY
27.07.16	1:500@A3	pwc
DATE	SCALE	DRAWN BY
27.07.16	1:500@A3	pwc
DATE	SCALE	DRAWN BY
27.07.16	1:500@A3	pwc
DATE	SCALE	DRAWN BY
27.07.16	1:500@A3	pwc

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Cabinet (Resources) Panel

25 July 2017

Report title	Schedule of Individual Executive Decision Notices	
Decision designation	AMBER	
Cabinet member with lead responsibility	All	
Key decision	No	
In forward plan	No	
Wards affected	All	
Accountable director	Kevin O'Keefe, Governance	
Originating service	Democratic Support	
Accountable employee(s)	Dereck Francis Tel Email	Democratic Services Officer 01902 555835 dereck.francis@wolverhampton.gov.uk
Report to be/has been considered by	N/A	

Recommendation for noting:

The Cabinet (Resources) Panel is asked to note the summary of open and exempt individual executive decisions approved by the appropriate Cabinet Members following consultation with the relevant employees.

Schedule of Individual Executive Decision Notices

Part 1 – Open Items

1. Corporate

None

2. People

None

3. Place

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor John Reynolds	Service Director, City Economy	19 June 2017	Simon Lucas Tel 01902 555618
Title and summary of decision			
<p>Grant Easement to the Electricity Network Company at Carder Crescent, Bilston Approved the granting of an easement in favour of the Electricity Network Company over council land from an existing electricity substation within the garage court at Carder Crescent, Bilston to the new housing development on Bilston Urban Village (Plots F and N) currently being developed.</p>			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor John Reynolds	Service Director, City Economy	10 June 2017	Charlotte Johns 01902 554240
Title and decision summary			
<p>Bilston Library and Gallery - Feasibility Study Approved the commissioning of a feasibility study in relation to the location of Bilston Library and Gallery.</p>			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Steve Evans	Service Director, City Environment	16 June 2017	Gwyn James 01902 555755
Title and decision summary			
<p>Highways Maintenance Programme 2017/18</p> <ol style="list-style-type: none"> Approved the change in expenditure on the Bilston Road (Ring Road to Cullwick Street) Highway Capital Maintenance Project, subject to discussions with Transport for West Midlands and Midland Metro Alliance. Approved that the Council proceeds on further highlighted Highway Capital Maintenance Projects contained in the Transportation Capital Programme 2017/18 report. 			

Part 2 – Exempt Items

1. Corporate

None

2. People

None

3. Place

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Peter Bilson	Head of Corporate Landlord and Director of Governance	22 June 2017	Marc Webb Tel 01902 551368
Title and summary of decision			
Variation to the original terms of conversion for South Wolverhampton and Bilston Academy Approved the revised terms of the academy transfer for South Wolverhampton and Bilston, including novation of the existing Design and Build Contract and Development Agreement associated with building works undertaken as part of the council's previous Building Schools for the Future programme together with assignment of Collateral Warranties.			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor Peter Bilson	Head of Corporate Landlord	20 June 2017	Julia Nock 01902 550316
Title and summary of decision			
Land and Property Transactions Approved the completion of the land sales, lease and other agreement transactions summarised as follows: Disposals: 1. Land at Beach Avenue, Wolverhampton Leases, Easements, Notices, Surrenders and other Deeds: 1. Letting — Unit 44 Fordhouse Industrial Estate, Steel Drive, Wolverhampton WV10 9XF 2. Letting — 100 Childs Avenue, Woodcross 3. Letting — 330 Glentworth Gardens, Dunstall 4. Letting — 128-130 Rocket Pool Drive, Bilston			

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor John Reynolds	Service Director, City Economy	23 June 2017	Jay Patel 01902 323803
Title and summary of decision			
Black Country Transformational GOLD payment of grants to SMEs			
Approved the payment of grants to SME's under Black Country Transformational GOLD (a European Regional Development Fund funded grant scheme).			
Dudley SME's		Grant Award £000	
Beacon Roadways Ltd		9	
Howells Patent Glazing Ltd		5	
Concept Covers Ltd		3	
C J Tooling & Mouldings Ltd		9	
The Foil Specialist Co Ltd		9	
Total Dudley		35	
Sandwell SME's			
AI Powder Coaters Ltd		8	
Kenya Tea Industries Ltd		9	
L A Metals Ltd		9	
Mituson Ltd		9	
Gotronic Ltd		5	
S & D (Non Ferrous S/H) Ltd		9	
Trouser Master Ltd		8	
Mahirs Experience Ltd		9	
Bywell Springs & Pressings Ltd		9	
Total Sandwell		75	
Walsall SME's			
Chicken Joes Ltd		9	
M-Data Ltd		9	
Vale Brothers Ltd		8	
Blue Chilli Ltd		3	
Total Walsall		29	
Wolverhampton SME's			
MO Media Ltd		9	
Thompson AV Ltd		9	
Airguard Filters Ltd		9	
Khalil Opticians		20	
Shankars (UK) LLP		10	
Crestwood Environmental Ltd		4	
NYC Ltd		6	
NDT (Midlands) Ltd		9	
Total Wolverhampton		76	
Grand Total		215	

Decision maker	In consultation with	Date Approved	Contact Officer
Councillor John Reynolds	Service Director, City Economy	19 June 2017	Kevin Moore 01902 555570
Title and summary of decision			
Disposals of the former Heath Town baths Approved the heads of terms provisionally agreed for the grant of a lease and option to purchase the former heath Town baths to Gaddu Associates Limited.			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor John Reynolds	Strategic Director Place	29 June 2017	Peter Taylor 01902 555851
Title and summary of decision			
Award of contract for Demolition of 1-5 Bell Street, Wolverhampton Awarded the contract for the demolition of 1-5 Bell Street to City Demolition Contractors (Birmingham) Limited of Blews Street, Aston Birmingham, B6 4EP for a duration of three months from 26 June to 22 September 2017 for a total contract value of £224,000.			
Decision maker	In consultation with	Date Approved	Contact Officer
Councillor John Reynolds	Strategic Director Place	22 June 2017	01902 555851
Title and summary of decision			
I54 Western Extension – Consultant Team Appointment Agreed that the Council enter into a contract with Perfect Circle Consultants to undertake Phase 1 master planning for the proposed i54 Western Extension and to prepare and submit a planning application for these proposals.			

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