

Public Document Pack

Peak District National Park Authority

Tel: 01629 816200

E-mail: customer.service@peakdistrict.gov.uk

Web: www.peakdistrict.gov.uk

Minicom: 01629 816319

Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



Our Ref: A.1142/1430

Date: 14 July 2016



NOTICE OF MEETING

Meeting: **Audit Resources & Performance Committee**

Date: **Friday 22 July 2016**

Time: **10.00 am**

Venue: **The Board Room, Aldern House, Baslow Road, Bakewell**

SARAH FOWLER
CHIEF EXECUTIVE

AGENDA

1. **Apologies for Absence**
2. **Minutes of previous meeting of 20 May 2016** (*Pages 1 - 4*) 5 mins
3. **Urgent Business**
4. **Public Participation**
To note any questions or to receive any statements, representations, deputations and petitions which relate to the published reports on Part A of the Agenda.
5. **Members Declarations of Interest**
Members are asked to declare any disclosable pecuniary, personal or prejudicial interests they may have in relation to items on the agenda for this meeting.
6. **Environmental Management Annual Performance Report 2015/16 (A595 / MF)** (*Pages 5 - 18*) Appendix 1 20 mins
7. **Internal Audit 2016/17 Annual Plan (A1362/7/ PN)** (*Pages 19 - 24*) Appendix 1 10 mins
8. **Proposal to Consult on Revision to the Peak District National Park Authority Managing Change Policy and Statement of Terms and** 30 mins

Conditions (SF/TR) (Pages 25 - 50)
Appendix A

9. Exempt Information S100 (A) Local Government Act 1972

The Committee is asked to consider, in respect of the exempt item, whether the public should be excluded from the meeting to avoid the disclosure of Exempt Information.

Draft Motion:

That the public be excluded from the meeting during consideration of Agenda Item No. 10 to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraph 3 "Information relating to the financial or business affairs of any particular person (including the authority holding that information)".

PART B

10. Exempt Minutes of previous meeting of 20 May 2016 (Pages 51 - 52) 5 mins

Duration of Meeting

In the event of not completing its business within 3 hours of the start of the meeting, in accordance with the Authority's Standing Orders, the Authority will decide whether or not to continue the meeting. If the Authority decides not to continue the meeting it will be adjourned and the remaining business considered at the next scheduled meeting.

If the Authority has not completed its business by 1.00pm and decides to continue the meeting the Chair will exercise discretion to adjourn the meeting at a suitable point for a 30 minute lunch break after which the committee will re-convene.

ACCESS TO INFORMATION - LOCAL GOVERNMENT ACT 1972 (as amended)

Agendas and reports

Copies of the Agenda and Part A reports are available for members of the public before and during the meeting. These are also available on the website www.peakdistrict.gov.uk.

Background Papers

The Local Government Act 1972 requires that the Authority shall list any unpublished Background Papers necessarily used in the preparation of the Reports. The Background Papers referred to in each report, PART A, excluding those papers that contain Exempt or Confidential Information, PART B, can be inspected by appointment at the National Park Office, Bakewell. Contact Democratic Services on 01629 816200, ext 362/382. E-mail address: democraticservices@peakdistrict.gov.uk.

Public Participation and Other Representations from third parties

Anyone wishing to participate at the meeting under the Authority's Public Participation Scheme is required to give notice to the Director of Corporate Strategy and Development to be received not later than 12.00 noon on the Wednesday preceding the Friday meeting. The Scheme is available on the website www.peakdistrict.gov.uk or on request from Democratic Services 01629 816362, email address: democraticservices@peakdistrict.gov.uk, fax number: 01629 816310.

Written Representations

Other written representations on items on the agenda, except those from formal consultees, will not be reported to the meeting if received after 12noon on the Wednesday preceding the Friday meeting.

Recording of Meetings

In accordance with the Local Audit and Accountability Act 2014 members of the public may record and report on our open meetings using sound, video, film, photograph or any other means this includes blogging or tweeting, posts on social media sites such as publishing on video sharing sites. If you intend to record or report on one of our meetings you are asked to contact the Democratic and Legal Support Team in advance of the meeting so we can make sure it will not disrupt the meeting and is carried out in accordance with any published protocols and guidance.

The Authority uses an audio sound system to make it easier to hear public speakers and discussions during the meeting and to make a digital sound recording available after the meeting. The recordings will usually be retained only until the minutes of this meeting have been confirmed.

General Information for Members of the Public Attending Meetings

Aldern House is situated on the A619 Bakewell to Baslow Road, the entrance to the drive is opposite the Ambulance Station. Car parking is available. Local Bus Services from Bakewell centre and from Chesterfield and Sheffield pick up and set down near Aldern House. Further information on Public transport from surrounding areas can be obtained from Traveline on 0871 200 2233 or on the Traveline website at www.travelineeastmidlands.co.uk.

Please note that there is no catering provision for members of the public during meal breaks. However, there are cafes, pubs and shops in Bakewell town centre, approximately 15 minutes walk away.

To: Members of Audit Resources & Performance Committee:

Chair: Cllr A McCloy
Vice Chair: Cllr F J Walton

Mrs P Anderson	Mrs F Beatty
Cllr A R Favell	Cllr C Furness
Cllr N Gibson	Cllr D Greenhalgh
Mr Z Hamid	Cllr Mrs G Heath
Ms S Leckie	Cllr S Marshall-Clarke
Cllr C McLaren	Mrs E Sayer
Cllr Mrs N Turner	

Other invited Members: (May speak but not vote)

Cllr Mrs L C Roberts	Mr P Ancell
Cllr D Chapman	Cllr D Birkinshaw

Constituent Authorities
Secretary of State for the Environment
Natural England

This page is intentionally left blank

Peak District National Park Authority

Tel: 01629 816200

E-mail: customer.service@peakdistrict.gov.uk

Web: www.peakdistrict.gov.uk

Minicom: 01629 816319

Aldern House, Baslow Road, Bakewell, Derbyshire. DE45 1AE



MINUTES

Meeting: **Audit Resources & Performance Committee**

Date: Friday 20 May 2016 at 10.00 am

Venue: The Board Room, Aldern House, Baslow Road, Bakewell

Chair: Cllr A McCloy

Present: Cllr C Furness, Mrs P Anderson, Cllr D Greenhalgh, Mr Z Hamid, Cllr Mrs G Heath, Ms S Leckie, Cllr S Marshall-Clarke, Cllr Mrs L C Roberts, Mrs E Sayer, Cllr F J Walton and Cllr D Williams

Apologies for absence: Mrs F Beatty, Cllr A R Favell, Cllr C McLaren, Cllr Mrs N Turner and Mr P Ancell.

22/16 MINUTES OF PREVIOUS MEETING - 4 MARCH 2016

The minutes of the last meeting of the Audit, Resources and Performance Committee held on 4 March 2016 were approved as a correct record.

23/16 PUBLIC PARTICIPATION

Three members of the public were present to make representations to the Committee.

24/16 MEMBERS DECLARATIONS OF INTEREST

Item 6

Cllr Andrew McCloy declared a personal interest as a member of the Ramblers and as a contributor to the organisation's magazine.

25/16 ACTION PLANS FOR THE MANAGEMENT OF RECREATIONAL MOTORISED VEHICLES IN THEIR USE OF UNSEALED HIGHWAYS AND OFF-ROAD (A7622/SAS)

The Rights of Way Officer introduced the report, which set out how the Authority's strategy for the management of recreational motorised vehicles would be implemented for the year 2016/17, and emphasised the main points.

The following spoke under the public participation at meetings scheme:

- Mr G Wolfe, Green Lanes Alliance
- Mrs Stoney, Resident of Bamford
- Ms C Farrell, Bamford Parish Council

The Chair stated that the staffing resources referred to by some of the speakers would be considered as part of a report being made to the Authority meeting on 27 May.

Cllr Marshall-Clarke, from Derbyshire County Council, stated that he would raise the issue of Hurstclough Lane with the County Council and pursue if funding was available. Cllr Mrs Heath, from Staffordshire County Council, stated that she kept up to date with the issues at Hollinsclough and prompted the County Council when necessary.

The recommendation as set out in the report was moved, seconded, voted on and carried.

The Chair thanked the Rights of Way Team and all staff involved in this work.

Cllr Marshall-Clarke stated that he would talk to the Police and Crime Commissioner for Derbyshire regarding the enforcement action.

RESOLVED:

That the action plans at Appendices 3, 4 and 8 of the report are approved, that progress is noted and that a follow-up report be brought to this Committee in March 2017.

26/16 2015-2016 OUTTURN (A.137/22/PN)

Members considered the report of the outturn for 2015/2016, which sought approval of the necessary appropriations to or from reserves, together with approval of unspent funds and overspends to be carried forward into the 2016/17 financial year.

In response to a Member query officers agreed to check the Local Nature Partnership funding that was shown as 'funds no longer required' in the 2015/16 variance analysis in Appendix A.

The recommendation as set out in the report was moved, seconded, voted on and carried.

RESOLVED:

That the outturn be noted, and the slippage requests and specific reserve appropriations shown in Appendix D of the report be approved.

27/16 INTERNAL AUDIT 2015/16 ANNUAL REPORT

Ian Morton, Audit Manager, Veritau internal auditors, was present at the meeting and introduced the report of the internal audit 2015/16 annual report.

The recommendation as set out in the report was moved, seconded, voted on and carried.

RESOLVED:

To note and accept the 2015/16 annual report from the internal auditors as set out in Appendix 1 of the report.

The meeting adjourned at 11.00am for a short break and reconvened at 11.10am.

28/16 2015/16 QUARTER 4 AND YEAR END CORPORATE PERFORMANCE REPORT (A91941/RMM/SN)

The Chair thanked the Director of Corporate Strategy and Development and the Performance Officer for all their hard work during the sickness absence of a member of the team. The Director of Corporate Strategy and Development in turn thanked the Performance Officer for her support.

The Director stated that managers had decided that the indicator target status would be shown green where a target had been met but would be red if not met. In response to Members' queries she stated that they would consider whether the practice elsewhere of showing target status as amber when the target was within 10% of being met should be adopted.

11.45am Ms Emma Sayer left the meeting.

The recommendation as set out in the report was moved, seconded, voted on and carried.

RESOLVED:

- 1. That the 2015/16 Quarter 4 and year end Corporate Performance Return, given in Appendix 2 of the report, which includes performance against indicator targets, is reviewed and the overall assessment of year end performance agreed.**
- 2. That the 2015/16 Quarter 4 and year end status and analysis of complaints and Freedom of Information/Environmental Information Requests, given in Appendix 4 of the report, be considered and received.**

29/16 CORPORATE RISK REGISTERS: 2015/16 YEAR END AND 2016/17 PROPOSED (A91941/RMM)

Members considered the report on the year end position for the 2015/16 Corporate Risk Register and the proposed Corporate Risk Register for 2016/17. It was noted that Members felt the presentation of the report was clear.

The recommendation as set out in the report was moved, seconded, voted on and carried.

RESOLVED:

That the Corporate Risk Register 2016/17, as given in Appendix 1 of the report, be reviewed and approved, taking account of the year end position on the 2015/16 Corporate Risk Register given in Appendix 2 of the report.

30/16 CORPORATE INDICATORS TO SUPPORT 2016-2019 CORPORATE STRATEGY (RMM/SN)

It was noted that the wrong Appendix 2 had been supplied with the report and that copies of the correct Appendix had been tabled.

Members considered the set of Corporate Indicators developed so far to measure progress against achieving the 2016-2019 Corporate Strategy. Members welcomed the reduction in indicators from 63 to 17.

The recommendation as set out in the report was moved, seconded, voted on and carried.

RESOLVED:

That the Corporate Indicators at Appendix 1 of the report be agreed in principle for further development as identified in the report and finalised in consultation with the Chair and Vice Chair of this committee

31/16 EXTERNAL AUDIT (KPMG) 2016/15 AUDIT FEE LETTER (A1362)

RESOLVED:

To note the letter from the External Auditor (KPMG) setting out details of the audit work and fee proposed for the 2016/17 financial year.

32/16 EXEMPT INFORMATION S100(A) LOCAL GOVERNMENT ACT 1972

RESOLVED:

That the public be excluded from the meeting during consideration of Agenda Item Nos. 14 and 15 to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraph 3 "Information relating to the financial or business affairs of any particular person (including the authority holding that information)".

PART B

SUMMARY

The Committee determined the following items, full details of which are in the exempt minutes:

33/14 Exempt minutes of meeting - 4 March 2016

34/14 Renewal of Lease at Surprise View Car Park (PM6860/JRN)

The meeting ended at 12.20 pm

6. **ENVIRONMENTAL MANAGEMENT ANNUAL PERFORMANCE REPORT 2015/16
(A595 / MF)**

1. **Purpose of the report**

This report details the environmental performance data for the 2015/16 financial year and progress against performance in previous and baseline years. The data relates to the environmental impacts arising from the Authority's operations and reflects the scope and methodology of reporting as established in the Authority's Carbon Management Plan (CMP).

Key issues

- **Environmental Management performance continues to improve and the Authority has demonstrated a 24% reduction in carbon emissions since the 2009/10 baseline period. This is broadly in line with the overall target of achieving a 30% reduction by the end of the 2016/17 year**

2. **Recommendations**

1. **That the environmental performance data detailed in Appendix 1 be considered and adopted as the detail supporting the out turn position on the Authority's operational environmental performance over the 2015/16 reporting period.**

How does this contribute to our policies and legal obligations?

3.
 - PDNPA Cornerstone C2
C2a.2. reduce the Authority's overall Carbon footprint
 - JIG Indicators CD3 – CO2 reduction from NPA operations.
 - National Park Management Plan links:

Theme: A DIVERSE WORKING AND CHERISHED LANDSCAPE (DL)

Outcome: DL4 - Greenhouse gas emissions will be reduced and a healthy national park will adapt to the effects of climate change

Delivery Aim: 4.1. Encourage individuals, communities and businesses in their aspirations to reduce their green house gas emissions and adapt to the effects and impacts of climate change

Delivery Action: 4.1.1 Support projects, appropriate to a protected landscape and which follow the energy hierarchy to achieve GHG emission reductions

Reporting on environmental performance is either an implicit requirement of the above objectives or is essential to monitor progress and achieve further improvements.

Background

4. Appendix 1 fulfils the commitment to regular reporting established in Authority decision of 23rd January 2009 (Minute ref: 6/09) and the Authority's Environmental Management Policy.

Proposals

5. The report contained within Appendix 1 represents the Authority's environmental impacts over the 2015/16 financial year. The report details the progress made in the key areas of environmental impact but the key trends and points of note are:
 - A total decrease in Carbon Emissions of 24.2% since the baseline year, representing a 229 tonne reduction in emission against baseline and a 269 tonne reduction against a business as usual (BAU) scenario (27.3% against BAU emissions). This is a continuation of our steady progress in this area.
 - The reductions made include:
 - A 6% reduction in building energy use bringing the overall achieved reduction to 27% against baseline levels. Aldern House continues to show good performance with a total of 47.5% emissions reduction from baseline levels.
 - A 12% reduction in transport emissions over the reporting period. This has arisen across all types of business and fleet travel but most notably from field services fleet and air travel.
 - A small (5 tonne) increase in waste and water related emissions. This is due to significant and one off increases in skip waste from Aldern House due to accommodation improvements.
 - Emissions from tenanted properties remains static.
6. Financial savings from the measures associated with the Carbon Management Plan are broadly in line with those predicted in the revised profile. When anticipated increases are taken into consideration, the actual savings against the 'business as usual' scenario of continuing consumption at 2009/10 levels, are calculated to be approximately £125,000 to date.

Are there any corporate implications members should be concerned about?

7. **Financial:**

Resources are in place to fund the current Carbon Management Plan for the period of the target (up to 2016/17). The Authority has already benefited significantly from the reductions in travel, energy use and waste production. Many of the financial benefits are not directly attributable to particular cost centres (or they are offset by increases in fuel and energy costs), whereas a number of projects have directly contributed towards efficiency savings and future projects will continue to do so.
8. **Risk Management:**

The most significant risk is that actions in the Carbon Management Plan to improve the Authority's environmental performance do not achieve the anticipated level of reductions or that the projects are not implemented within the required timescales. It should be recognised that there will, in the case of some projects, be a lag between project implementation and benefiting from the reductions in emissions, particularly where projects are implemented late on in the reporting period.

Although the achievements made to date are in line with our overall aim to reduce emissions by 30% against baseline levels by 2016/17, further significant reductions will be hard to achieve without greater progress on carbon management plan projects which have stalled this year while the future and priorities of some key properties has been considered.

The monitoring of environmental performance will help this risk to be managed and will inform future proposals in an updated Carbon Management Plan beyond 2016/17 which will be developed over the remainder of the current year.

9. **Sustainability:**
Sustainability of the Authority's operations is implicit within this report

10. **Background papers** (not previously published)
None

Appendices

Appendix 1 - Environmental Management Annual Performance Report 2015/16

Report Author, Job Title and Publication Date

Matt Freestone, Environmental Management Officer, 14 July 2016

This page is intentionally left blank

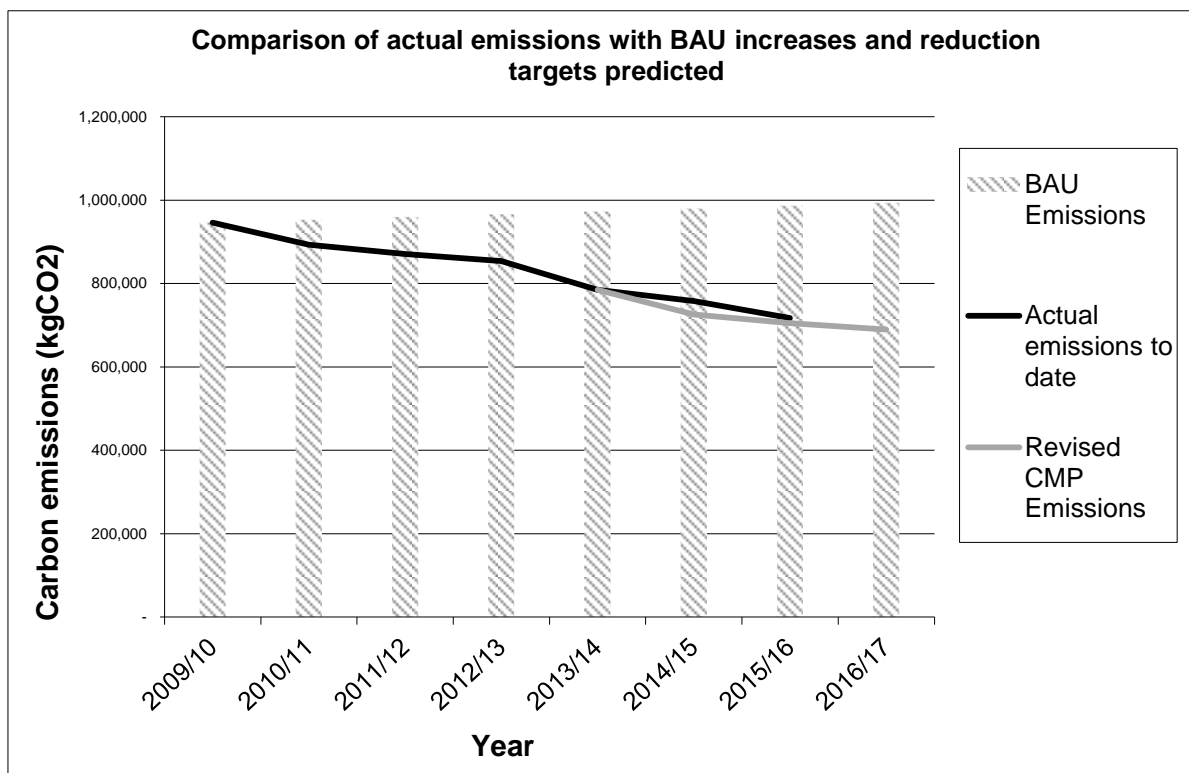
PEAK DISTRICT NATIONAL PARK AUTHORITY ENVIRONMENTAL MANAGEMENT ANNUAL PERFORMANCE REPORT 2015/2016

1. INTRODUCTION

Good environmental management has been central to how the Authority aims to conduct its operations for some time. A key element of this is that the Authority is transparent and accurate when describing the environmental impacts that are caused as a result of its activities, particularly when making statements concerning achievements and improvements we have made. This report establishes the data which will then be promoted and reported publically.

The scope and data contained within this document reflects that within the Authority's Carbon Management Plan (CMP) 2010 – 2015¹. This report serves not only as a performance reporting tool but also allows an annual review of progress against the CMP performance objectives in very practical terms. Importantly, this report provides an update on progress on the Authority's target to reduce its carbon emissions.

The Authority's aim is to reduce its carbon emission by 30% against baseline levels by the end of the 2016/17 year. A profile of the emissions if no action were taken (Business As Usual or BAU), anticipated reductions in the CMP and the reductions to date are shown in Figure 1, below.



¹ http://www.peakdistrict.gov.uk/__data/assets/pdf_file/0011/133400/carbon-management-plan-2010-2015.pdf

Figure 1. Emissions to date and forward predictions

1.1. Scope and definitions

We must recognise that the actual scope of our environmental impacts is much wider than can ever be effectively monitored. However, by focusing our efforts on areas that can present opportunities for significant, demonstrable improvements, we will progress towards achieving our carbon management vision.

The scope of our performance reporting is now limited to those impacts recognised within our carbon management plan. Emissions are included where they fit into one of the following categories:

- Scope 1: directly resulting from our operations (on-site fuel use, fleet vehicles)
- Scope 2: caused as a result of our operations (the generation of electricity for use on our sites)
- Scope 3: caused as a result of our operations and where we can have some influence but over which we have no direct control (waste disposal, the use of water, business travel in non-authority vehicles and emissions resulting from energy use in Authority tenanted properties)

This is represented in the figure below:

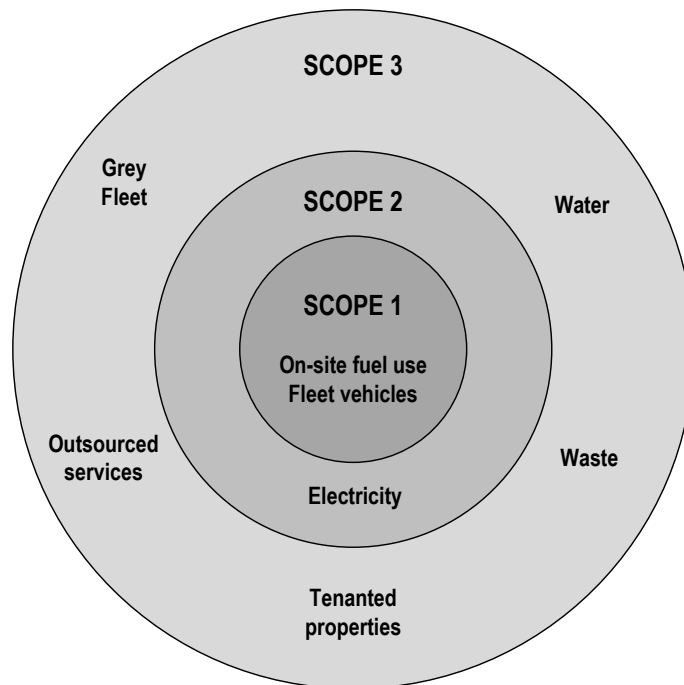


Figure 2. Overview of Authority carbon footprint scope

For more information and explanation of the scope of our reported emissions, please see the CMP.

1.2. Summary of Baseline

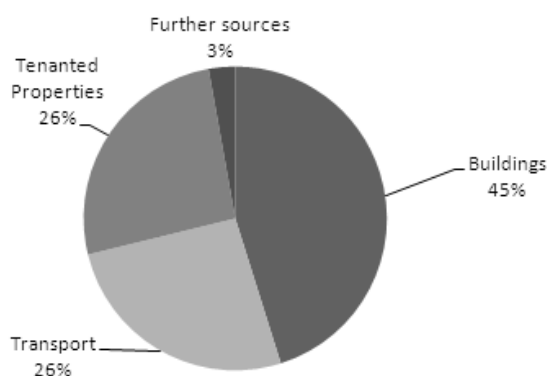
The data against which we now report is based on emissions resulting from our operations during the 2009/10 year as defined within the Carbon Management Plan². Emissions are broadly split in to 4 categories:

- Buildings: emissions resulting from electricity and gas consumption
- Transport: emissions resulting from all vehicle use including fleet vehicles, pool cars, private cars used for Authority business, public transport and air travel.
- Tenanted properties: emissions resulting from energy use within Authority owned tenanted properties
- Further sources: emissions resulting from the disposal of waste and the use of water at Authority sites.

An overview of the baseline emissions is given below.

Table 1. Data for 2009/10 baseline year

	CO₂ (tonnes)	%
Buildings	427	45%
Transport	246	26%
Tenanted Properties	246	26%
Further sources	27	3%
	946	100%



² The baseline emissions have been amended since the publication of the carbon management plan to reflect the availability of more accurate base data.

2. PERFORMANCE REPORT

Our overall performance has shown a significant level of improvement over the 6 years since the baseline was established. Our corporate objectives refer to the overall target within the CMP of a 30% reduction over the 7 year period of the plan with a target of a 25% reduction by the end of the 2015/16 year.

The total reduction in emissions has fallen from 946 tonnes CO₂ in the 2009/10 baseline year to 717 in this reporting period, representing a **24.3%** reduction against baseline and **27%** against the expected levels under a business as usual scenario accounting for a total reduction in emissions of 228 tonnes, 40 tonnes of which have been achieved in the 2015/16 year.

A summary of the sources of emissions each year is shown in Figure 2, below:

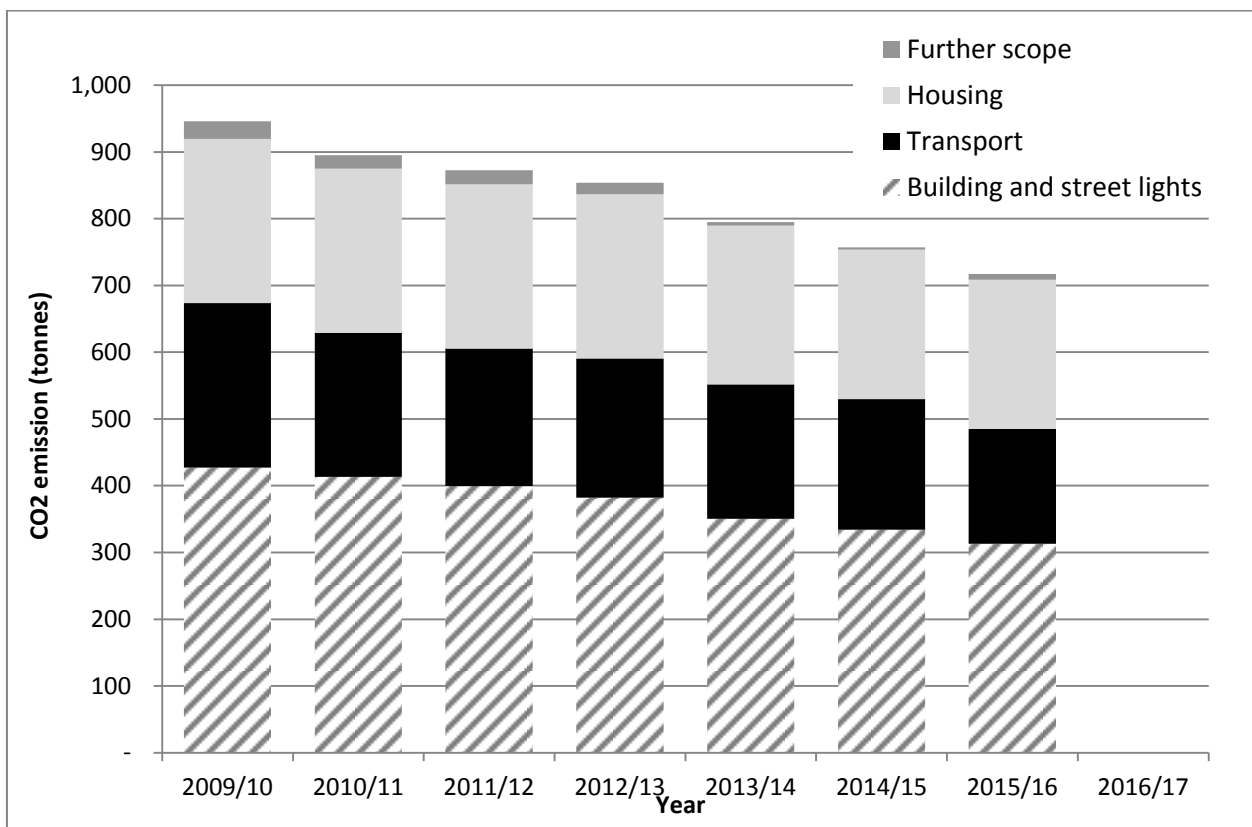


Figure 3. Graph showing total CO₂ emissions from all sources.

A more detailed breakdown of the sources of the emissions is given in the table below:

Category		tCO2 2009/10	tCO2 2010/11	tCO2 2011/12	tCO2 2012/13	tCO2 2012/13	tCO2 2014/15	tCO2 2015/16
Buildings and Street Lights	HQ	193	184	158	153	120	109	101
	Operational Bases	112	114	135	115	130	125	106
	Hostels	15	12	12	15	17	15	19
	Public Toilets	9	9	9	9	7	9	9
	Visitor/Cycle Hire Centres	97	94	86	90	77	76	78
Transport	Fleet	183	159	161	157	149	139	124
	Business	63	56	45	52	53	57	48
Further Sources	Waste	18	15	16	13	1	1	5
	Water	8	5	5	3	3	3	4
Housing	Tenanted properties	246	246	246	246	238	224	224
		946	895	873	854	794	758	717

A description of each key area of impact and further analysis of the data is provided in sections 2.1 to 2.3 below.

2.1. Buildings

Emissions from Authority buildings arise as a result of the consumption of energy in the form of fossil fuels and electricity. This category is limited to operational properties and does not include tenanted properties which are dealt with in the housing section below. Emissions resulting from buildings continue to show positive progress with a **27%** reduction from baseline levels with **6.2%** being achieved in the reporting year. A summary of the key sources of emissions each year is provided in figure 3 below:

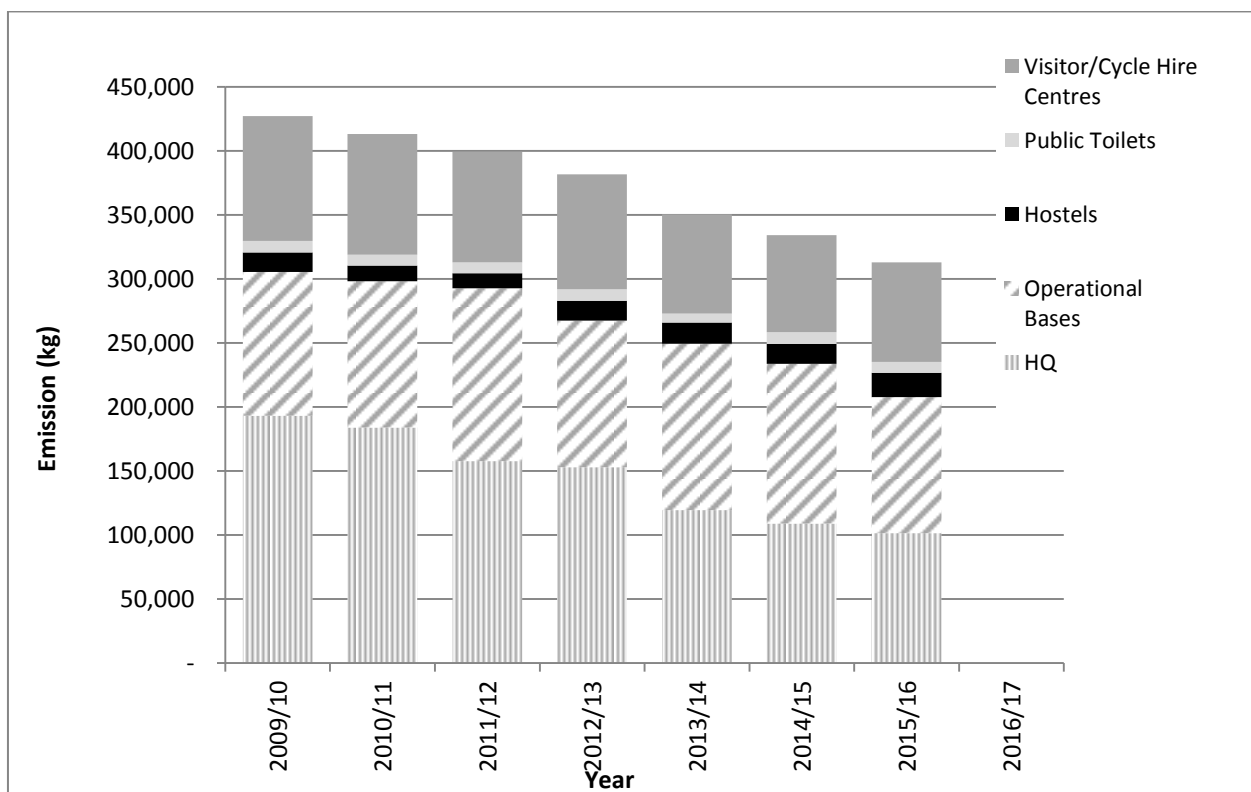


Figure 4. Graph showing building related CO₂ emissions

Gains have again been made across the property portfolio with the most significant reduction in emissions during the reporting period coming from improvements at operational bases. This is partly down to the disposal of Losehill Hall Bungalow but also due to reductions in energy use at other bases. The most significant overall reduction in building energy against baseline comes at Aldern House which shows a 47.5% reduction since 2009/10.

Work continues to progress on making improvements to our operational buildings and work is currently underway to integrate some of the remaining Carbon Management Plan projects within the wider schemes at Castleton, Edale and Millersdale.

The operation of the biomass boiler at Aldern House continues to be successful and work has progressed during the reporting period on reducing the electricity use through widespread installation of high efficiency lighting and the installation of solar panels to the roof of the property. Aldern House is now an excellent example of an efficiently managed building which utilises the latest technologies to reduce emissions while not impacting on the character of the building or surrounding landscape. This is reflected in the building’s Display Energy Certificate ‘B’ rating which is an excellent position for what is traditionally seen as a difficult to improve building type.

2.2. Transport

During the 2015/16 period we have achieved some of the largest reductions in travel related emissions for some years. The overall reduction against baseline levels is just over **30%** with a **12%** reduction over the last year.

The key sources of emissions in this area are shown in figure 5 below.

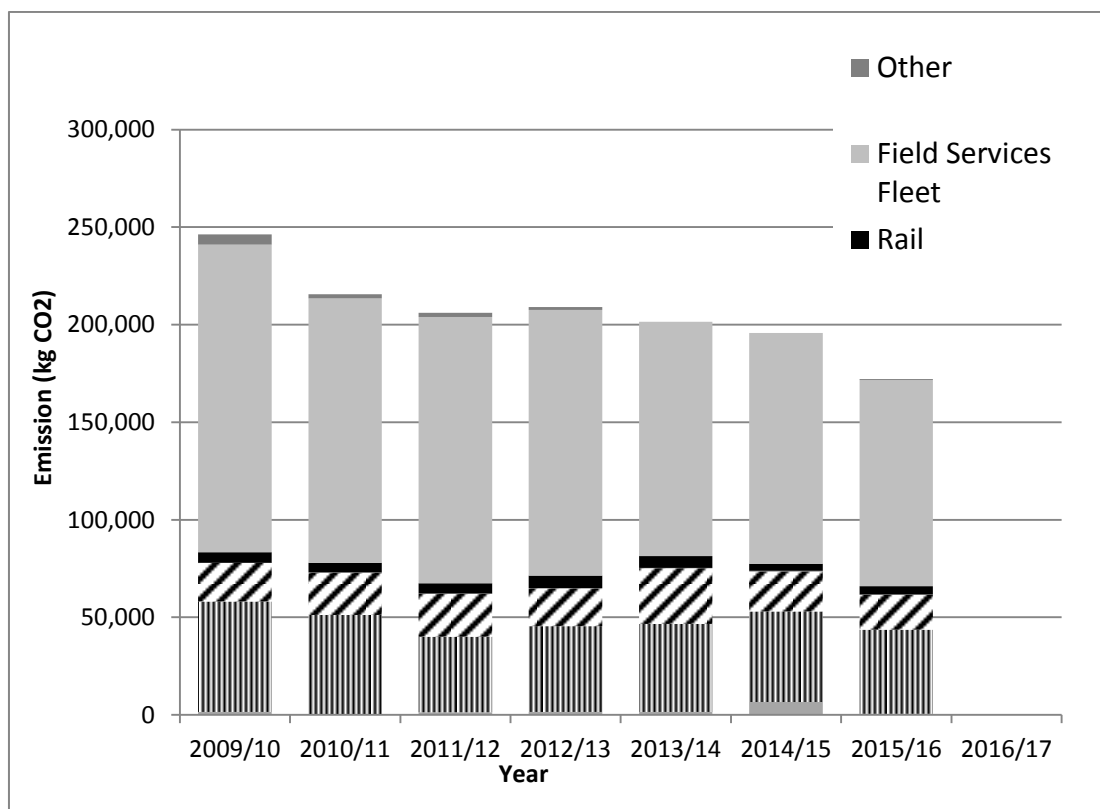


Figure 5. Graph showing travel related CO₂ emissions

Improvements in this area have been achieved across all elements of Authority travel during the period with the largest gains being made in field services fleet reductions and air travel. The reduction in field service fleet emissions reflects the reduced levels of activity in this area. Air travel is erratic from year to year and significant reductions reflect small changes in the number of flights undertaken; with less than 5 flights undertaken in any one year, 2 or 3 less can make a significant difference.

2.3. Housing and further sources

Emissions resulting from housing (Authority tenanted properties) are calculated using benchmarks provided by the Carbon Trust. The number of properties and their method of heating has largely remained constant with the exception of improvements made to a number of properties resulting in fossil fuel systems (both oil fired) being replaced with renewable energy systems. However, no improvements have been made over the reporting period and therefore the emissions remain constant.

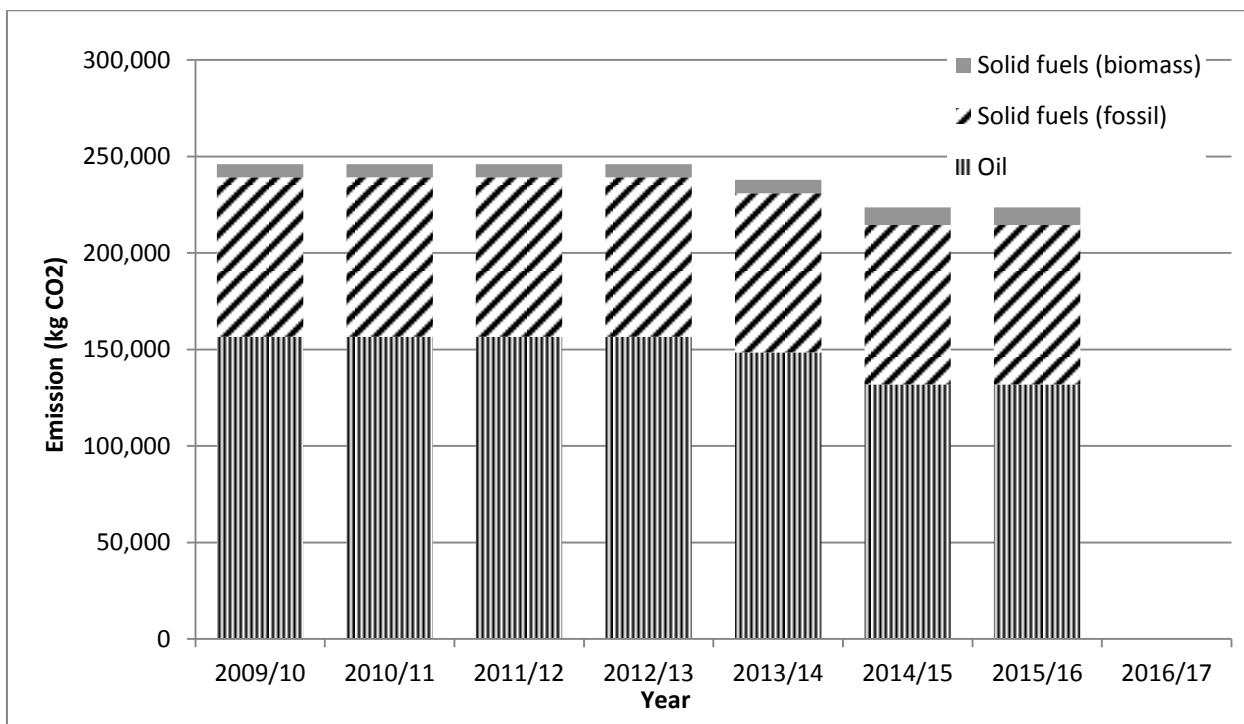


Figure 6. Emissions resulting from Authority tenanted properties

Also included within this category are emissions resulting from 'further sources' which includes water use and the production of waste. Waste that is recycled is considered to avoid the production of emissions and therefore offsets some of the emissions from the waste that is sent to landfill. The Authority has achieved a significant increase in the amount of waste collected for recycling over previous years which has offset the emissions created from the disposal of waste to landfill. There has been a significant increase in the volume of waste sent to landfill over the reporting period largely due to the accommodation changes at Aldern House which has produced 13 skips of waste materials removed from offices. This is a one off activity and should not continue into future years. A breakdown of the emissions from these sources is provided in figure 7 below:

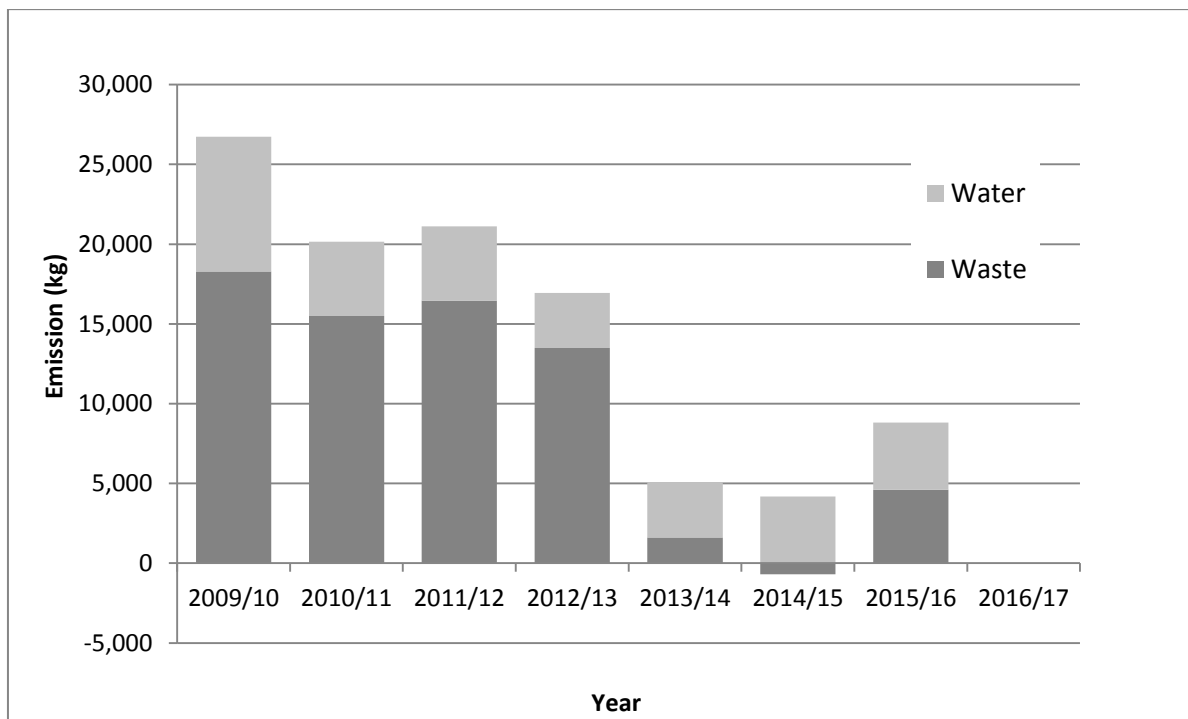


Figure 7. Emissions resulting from water use and waste production

2.4. Financial performance

An important element of the Authority's Carbon Management Plan are the savings that will be made from the measures within it. Over the course of the revised plan, a total of £160,000 savings have been recognised all of which are associated with the measures within the plan.

'Actual costs' have been calculated using the data within this report and all available information concerning energy and fuel unit prices; this has been compared against actual costs from the Authority financial system and is thought to be broadly accurate. Target costs are the predicted costs using target figures from the CMP and energy and fuel unit prices as above, the Business As Usual (BAU) cost predictions use Department for Energy and Climate Change predictions for energy price and fossil fuel retail price increases³ and assumptions made by the Carbon Trust relating to waste and water price increases. BAU figures have been updated with the most recent figures hence the slightly different cost predictions in figure 7 below to those within the CMP.

It is estimated that approximately £125,000 has been saved to date against the business as usual cost scenario from measure that result in emissions reductions. It should be noted that in some instances, the main driver behind improvements has been cost savings and that emissions reductions are a secondary consequence.

It is also worth noting that the performance of the biomass boiler at Aldern House has over the previous year overachieved against the predicted cost benefit set out in the business case with a total cost benefit (before debt repayment) of £22,000 compared to the £18,500 contained within the business plan.

³ <https://www.gov.uk/government/collections/energy-and-emissions-projections>

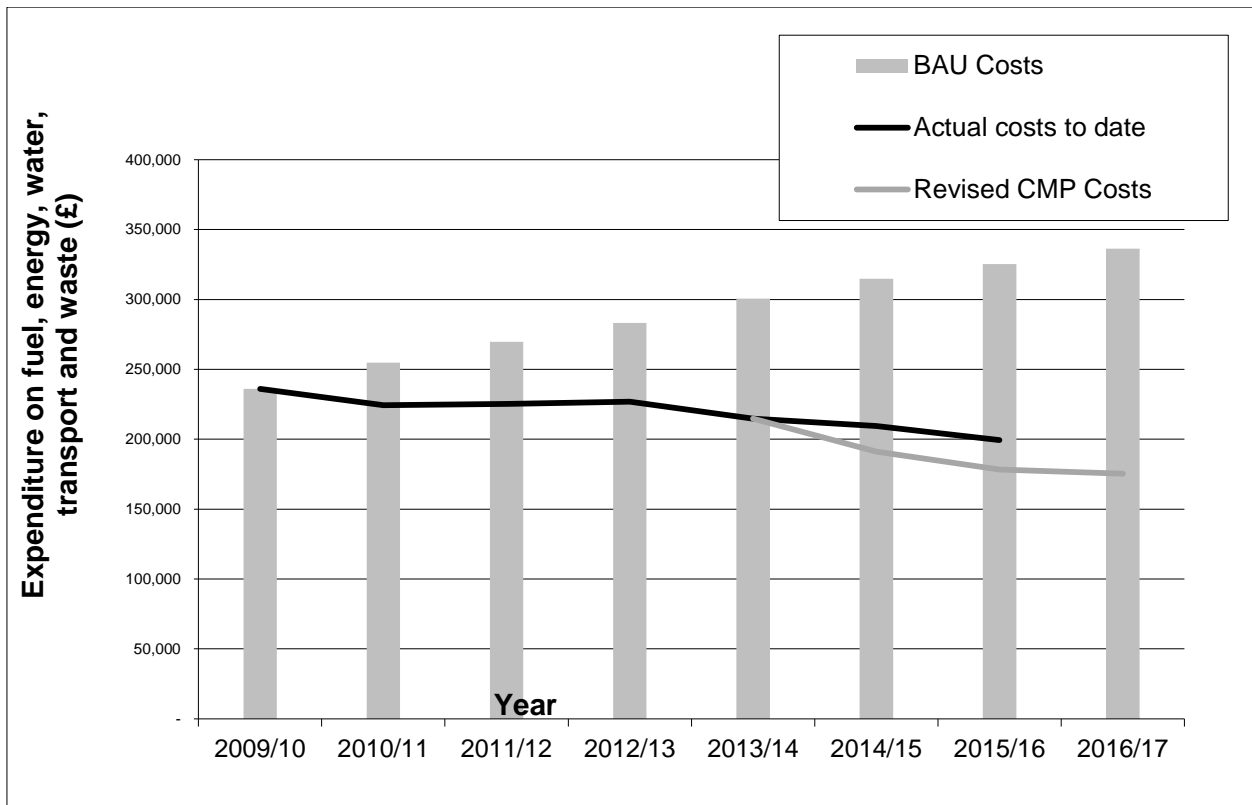


Figure 8. Comparison of Actual, target and BAU costs for expenditure related to the CMP scope.

The Authority has achieved savings as were expected within the original CMP and it is anticipated that the Authority will go on to benefit from further savings over the course of the coming period.

Financial savings form an important element of this area of work and robust business cases will continue to be provided to support the implementation of new projects.

This page is intentionally left blank

7. **INTERNAL AUDIT 2016/17 ANNUAL PLAN (A1362/7/ PN)**

Purpose of the report

1. This report asks Members to approve the proposed Internal Audit Plan for 2016/17.

Key issues include:

- The purpose of the Internal Audit Plan is to provide the Head of Internal Audit with sufficient evidence to give an opinion on the effectiveness of risk management, governance and internal control across the full range of activities of the organisation.

Recommendations

2. 1. **That the 2016/17 Internal Audit Plan be approved.**

How does this contribute to our policies and legal obligations?

3. As identified in the Annual Governance Statement, the Internal Audit process is regarded as an important part of the overall internal controls operated by the Authority contributing to corporate objective 11 “be a well run public body with proportionate and effective ways of working, delivering excellent customer service and living our values”.

Background

4. The Accounts and Audit Regulations 2015 require that the Authority undertakes an adequate and effective system of internal audit of its accounting records and its system of internal control in accordance with proper practices. Our Internal Audit Provider is Veritau Ltd and the Audit Manager is Ian Morton.

Proposals

5. Members are asked to consider and approve the internal audit 2016/17 audit plan.

Are there any corporate implications members should be concerned about?

6. **Financial:**

The cost of the Internal Audit contract is found from within the overall Finance budget.

7. **Risk Management:**

The Internal Audit process is regarded as an important part of the overall internal controls operated by the Authority.

8. **Sustainability:**

There are no implications to identify.

9. **Background papers** (not previously published) – None

Appendices -

Appendix 1: Internal Audit annual audit plan 2016-17

Report Author, Job Title and Publication Date

Philip Naylor, head of Finance, 14 July 2016

This page is intentionally left blank



**Peak District
National Park Authority**

Internal Audit Plan 2016/17

Audit Manager: Ian Morton
Head of Internal Audit: Max Thomas

Circulation List: Members of Audit Resources and Performance Committee
Director of Corporate Resources
Head of Finance

Date: 22 July 2016



Introduction

- 1 This document sets out the planned 2016/17 programme of work for internal audit, provided by Veritau for the Peak District National Park Authority.
- 2 The work of internal audit is governed by the Public Sector Internal Audit Standards. In accordance with those standards, the Head of Internal Audit is required to provide an annual internal audit opinion to the Authority based on an objective assessment of the framework of governance, risk management and control. Our planned audit work includes coverage of all three areas.
- 3 The internal audit plan has been prepared on the basis of a risk assessment. This is intended to ensure limited audit resources are prioritised towards those systems which are considered to be the most risky and/or which contribute the most to the achievement of the Authority's priorities and objectives. The content of the internal audit plan has been subject to consultation with senior officers.
- 4 The internal audit plan is submitted for formal approval by the Audit, Resources and Performance Committee who are responsible for monitoring progress against the plan and overseeing the work of internal audit. Changes to the plan will be agreed with the Director of Corporate Strategy and Development or Head of Finance (as appropriate) and will be notified to the Committee. Proposed work is also discussed with the Authority's external auditors to ensure there is no duplication of effort. We will provide regular updates on the scope and findings of our work to the Audit, Resources and Performance Committee throughout 2016/17
- 5 The plan is based on a total number of 35 days for 2016/17 which is the same as in 2015/16.

2016/17 Audit Plan

- 6 The plan includes the following:
 - **Strategic risks:** this work involves reviewing areas highlighted as specific risks in the Authority's corporate risk register.
 - **Financial systems:** to provide assurance on the key areas of financial risk. This work will help provide assurance that the controls for the key financial systems are adequate and effective. The work will also support the work of the external auditors.
 - **Regularity / Operational audits:** this work will cover a number of the Authority's operational systems and areas.
 - **Technical / Projects:** to provide assurance on specific processes or key projects.
 - **Client support, advice and follow up:** this is an allocation of time to support the delivery of the plan and provide assurance on ad-hoc matters.
- 7 Details of the 2016/17 plan are set out in Appendix A

Draft Internal Audit Plan for 2016/17

Current best practice suggests detailed audit plans should only cover a single year. This reflects the need for plans to adapt to changing priorities and new or emerging risks. The proposed plan for 2016/17 is shown in the table below:

Audit Area	Notes	Planned date	Days
IT Infrastructure project	To provide support to the Head of Information Management on the move from a fixed in-house IT infrastructure to an Infrastructure as a Service model provided by a 3 rd party supplier	Ongoing	2
Woodlands Management	A review of the management of woodlands within the Park including the options for the generation of income	September	4
Health and Safety	A review of health and safety procedures to ensure compliance with legislation, staff awareness of requirements and that suitable processes are in place to manage the safety of lone workers and volunteers	September	4
Vehicles and equipment	A review of processes in place to manage vehicles and equipment, including security of assets, usage, and fuel and maintenance costs	September	4
PCI DSS follow up	A follow up of the previous year's PCI DSS audit to review implementation of agreed actions.	September	1
Creditors	A review of the creditors system to ensure that appropriate controls are in place to ensure all payments made are accurate and to ensure that purchases are made in accordance with procurement rules	January	3
Information Governance Compliance check	A check of compliance with data security policies including a check of the clear desk policy within Aldern House	January	1
Main accounting	A review of the key controls of the General Ledger, including bank reconciliations, journals and control accounts. This will also include a review of capital accounting	January	5
Planning	A review of planning processes, to provide assurance following the Ombudsman report and the recommendations of the micro scrutiny	January	4

	panel		
Risk Management	A review of the risk management process in order to provide an opinion on the effectiveness of those arrangements (requirement of the PSIAS).	January	2
Management (including follow up)	Liaison with management and external auditors, provision of advice, attendance at Audit Committee etc. Follow up of agreed actions from previous year.		5
Total			35

8. **PROPOSAL TO CONSULT ON REVISIONS TO THE PEAK DISTRICT NATIONAL PARK AUTHORITY MANAGING CHANGE POLICY & STATEMENT OF TERMS AND CONDITIONS (SF/TR)**

Purpose of the report

1. To advise the Committee of the intention to start discussions with our recognised trade union, UNISON on a review of two elements of the Managing Change Policy and the current Statement of Terms and Conditions. The outcome of consultations and negotiations on proposals for amendments to the Policy will be brought to the Authority in October.

Key issues

- The Managing Change Policy was recently refreshed by the Head of Human Resources to offer clarity on current practice.
- Two elements within the Policy require review to:
 - reflect the lessons learned from previous re-organisations and restructuring,
 - reflect the external environment we are operating in
 - ensure fairness of practice for all staff
 - apply best practice by benchmarking with others
- At the same time the current Statement of Terms and Conditions requires updating

2. **Recommendations**

1. **To note and consider the Chief Executive's intention to begin consultation/negotiations with a view to making recommendations to the Authority on revisions to the Managing Change Policy to bring into line with best practice and ensure that it supports the on-going change agenda at the PDNPA.**
2. **To note the Chief Executive's intention to also consult about the simplification and updating of the Terms and Conditions of Employment (otherwise known as the contract of employment).**

How does this contribute to our policies and legal obligations?

3. An effective, fair suite of policies and procedures which help the organisation stay relevant for the times we are in and support organisational change are essential to the smooth running of the PDNPA, especially during periods of change. This is part of our work to ensure we build a solid foundation for the organisation into the future.

Background

4. The Peak District National Park Authority, like all National Park Authorities and the wider public sector, has and will continue to experience change as the Authority responds to funding challenges, changes to customer and stakeholder expectations, and to our new 2016-2019 corporate strategy. Continuous improvement to our services to achieve our strategy will mean the need to review working practices and skills needed and restructure the way we work. In some cases it may not be possible to avoid redundancies, although we will continue to seek ways to minimise this.
5. The Authority recognises that change creates significant uncertainty for staff. However, adopting a consistent framework to be used when managing all change

projects which addresses consultation arrangements, planning for implementation, and the related employment policies, is recognised as being effective in reducing levels of anxiety and disruption amongst staff and those managers who are required to implement the change.

6. The HR team developed the PDNPA Managing Change Policy, a copy of which is attached at Appendix A. Since its adoption some years ago it has served us well and following a recent refresh, to offer greater clarity on some aspects, much of the policy remains relevant and is consistent with both ACAS guidance and good practice elsewhere. However as part of ensuring our employment policies are fit to support the new Corporate Strategy, are fair for all staff and are sustainable into the future there are two individual elements, within the overall policy, which are no longer fit for purpose and following a review of best practice require reconsideration. These are:
 - a) Salary Protection – currently three years and with lack of guidance on what is a ‘reasonable’ decrease to protect
 - b) Redeployment period – currently 12 weeks in addition to any notice period
7. Separately, the current Statement of Terms and Conditions (otherwise known as the contract of employment) issued to all staff also requires considerable updating in order to reflect changes to legislation, for example the introduction of pensions auto enrolment and current operational practice. This will provide the opportunity to both tidy up and simplify some of the text.
8. The changes are intended to provide up-dated policies that will serve us well for any future change in the organisation.

Proposals

9. There is delegated authority to the Chief Executive to proceed with developing a case for change and carrying out consultations and negotiations with staff. Following consultation and negotiation, the final recommendations for changes to employment policies will need Authority consideration and approval. Recognising that the discussions and negotiations leading up to such a report in October may be sensitive it feels right to ask Members of this Committee, which has an HR remit, to note and consider the intention to proceed with discussions at this early stage.

Consultations

10. The issues which have contributed to the recommendations in this report have been the subject of discussion at Senior Leadership Team. UNISON and Staff Committee representatives have also been advised of the intention to develop a case for change and start discussions.

Financial issues

11. The proposals will not increase costs for the PDNPA and could over the longer term reduce the cost of change.

Risk Management

12. There is a risk that staff will feel aggrieved by proposals for amendments to the policy because of the impact on individuals going through change; the business case for change will need to be made carefully to help understanding and to mitigate the impact of this risk.

Equality issues

13. Part of the case for change will be consideration of fairness for all staff

Background papers none

Appendices – Appendix A, current PDNPA Managing Change Policy

This page is intentionally left blank

MANAGING CHANGE POLICY



CONTENTS

1.	Introduction	1
2.	Aim	1
3.	The Authority's commitment	2
4.	Scope	2
5.	Responsibilities	2
6.	Planning	4
7.	Fixed Term Contract	5
8.	Variation of contract	5
9.	Consultation	6
10.	Steps to consider for the implementation of Change	6
11.	Redeployment	8
12.	Salary Protection	8
13.	Redundancy	9
14.	Appeals Procedure	12
15.	Relationship with other policies and relevant legislation	12
	Appendix 1	194
	Appendix 2	215

1. Introduction

- 1.1 The Peak District National Park Authority (the Authority) has developed a Managing Change policy to plan ahead as far as possible to provide secure employment for employees. However, it is recognised that the need to modernise and continually improve service delivery has brought, and will continue to bring, changes in the working of the Authority which make restructuring and contract variation possible and in some cases redundancies unavoidable.
- 1.2 ACAS advises that organisations undergo major change about once every three years, and within that cycle of major change there is also a constant swirl of minor change. Major change can include staff transfers or new working practices while minor change can mean the introduction of a new policy to office moves.
- 1.3 Although there is often a commitment to and recognition of the need for change, it can be disruptive and cause anxiety amongst employees. This policy and separate procedural guidance notes provide appropriate frameworks to facilitate and manage the implementation of change.
- 1.4 The Managing Change Policy has been developed to provide a consistent framework by which proposals for change are consulted, decided upon, and implemented.

2. Aim

- 2.1 The aim of this policy is to describe the Authority's commitment to the effective management of change acknowledging the link between organisational change and individual's health and well-being, setting out how the Authority fulfils its legal

obligations, the responsibilities of different functions and specialists, and describes the Authority's approach to given change situations. This policy should be read in conjunction with relevant guidance notes detailed under section 15.

2.2 Each change situation may be unique, but the principles and processes by which the Authority effectively manages change are fairly similar.

3. The Authority's commitment

3.1 The Authority is committed to:

- managing change effectively providing a transparent and consistent process to safeguard the interests of employees.
- meaningful consultation with employees, Staff Committee, and UNISON to encourage agreement of all parties regarding proposed change.
- supporting employees through periods of change and to minimise any negative impact.
- avoid redundancies through careful planning including vacancy control measures, voluntary leavers/redundancies/early retirement, suitable alternative employment, and retraining where possible. The aim is to ensure that the valuable skills, experience and knowledge of our employees are retained where reasonably possible.
- ensuring change is managed fairly, free from discrimination, direct or indirect.

3.2 The Authority will put in place measures to effectively manage change, together with appropriate line management training and individual support. It will also work to ensure that changes fall within accepted good practice, and manage risks to the health and safety of our employees.

4. Scope

4.1 This policy applies to all permanent employees and fixed term/temporary employees who have been employed on a number of successive temporary contracts for 24 months or more.

5. Responsibilities

5.1 *Authority Meeting*

- Where change affects the Chief Executive post the Chair and Deputy Chair of the Authority will manage the change in line with chief officer terms and conditions.
- Where change affects a Chief Officer post, the Chief Executive will manage the change with scrutiny and decision taken by Members.
- Members will determine if Voluntary Redundancy and Early Retirement (Employer's Release) can be offered to the Chief Officer given their cost. These schemes are not a right but may be offered to specific categories/pockets of staff or individuals in order to release opportunities and achieve objectives.

5.2 *Resource Management Team*

- Standing orders gives delegated authority to Resource Management Team (RMT) to manage staffing below Director including implementation of organisation restructure within the agreed staff budget.
- Resource Management Team will determine if Voluntary Redundancy and Early Retirement (Employer's Release) can be offered given their cost. These schemes are not a right but may be offered to specific categories/pockets of staff or individuals in order to release opportunities and to achieve objectives.

5.3 *Line managers*

- Develop the proposals for organisational change; seek approval in the appropriate forum (Strategic Management Team [SMT], Resource Management Team [RMT], Business Management Team [BMT]), and plan the process for change taking into account statutory or locally agreed timescales (see Appendix 1)).
- Seek Human Resources advice at an early stage in the process.
- Seek advice from Finance as proposals are developed.
- Produce business case outlining the cost implication (including financial and non-financial) and benefits (including analysis of equality impact). Changes to staffing should normally be fully funded from the existing or proposed staff budget.
- Consult employees and UNISON on proposed changes which will have staffing implications.
- Consult individual employees on changes to job descriptions, grade changes, and place of work or working methods as appropriate.
- Provide feedback on the outcome of consultation and prepare final recommendation report and seek approval from RMT.
- Implement a fair process for appointment to new staffing structures.
- Carry out the selection of employees for redeployment or redundancy where necessary.
- Advise Human Resources of changes to establishment and/or individual employee terms and conditions.

5.4 *Employees*

- Seek their own support from UNISON or Staff Committee member at any formal meetings.
- Co-operate with efforts to seek suitable alternative employment through the redeployment process.
- Confirm which post they wish to be considered for in the new structure where ring fence arrangements apply.

- Take part in selection processes for alternative employment as required.

5.5 *Human Resources*

- As 'owner' of the policy, provide advice and support in planning and implementing the staffing aspects of organisational change processes.
- Ensure consistency of corporate processes where changes are proposed, for example restructuring, disestablishment of posts, reallocation of duties with implications for job descriptions, or where organisational change will involve the transfer of staff under TUPE Regulations.

5.6 *UNISON and Staff Committee*

- Respond to management consultation on organisational changes.
- Support their members and colleagues collectively throughout the process as requested.
- Support individual trade union members and colleagues on request at informal and formal meetings to discuss changes to terms and conditions and/or potential redundancy.

5.7 *Finance*

- Provide advice and support in developing the financial aspects of the business case.

6. Planning

6.1 As soon as a potential organisational change is identified the manager will begin to prepare a proposal and timetable. (Organisational Change Process Flowchart - Appendix 1) The proposal is fundamental in the process and should include the following details:

- Background and context to the proposal.
- Nature and reason for change.
- Numbers and descriptions of jobs and employees affected.
- Timescale for decision making and implementation of change.

6.2 It may not be possible for the manager to complete the above fully at the outset. In order to achieve a co-ordinated approach, all proposals full or partial, should be discussed with Human Resources and Finance and submitted to the Management Team (at SMT, RMT or BMT) for first stage approval, prior to action being taken.

7. Fixed Term Contract

7.1 Employees of the Authority will, as the norm, be employed on permanent contracts of employment terminable on the giving of notice by either party. Where the need for a particular job to be done is clearly temporary, the contract of employment offered will be for a fixed term. Fixed-term contracts will generally be offered where:

- it is known in advance that a particular job will come to an end on a specific date;
- the employment is for the purpose of completing a particular task;
- the employment is for the purpose of replacing an employee who is to be absent from work for a period of time (for example on maternity or sick leave);
- the post is dependent on external funding and it is thought likely that the funding will be available for only a temporary period of time;
- there is a planned structural review of the directorate/service with the vacancy within next 12 months.

7.2 Any employee engaged on a fixed-term contract will be entitled to terms and conditions of employment that are not less favourable than the terms and conditions of a comparable permanent employee, unless there is an objective reason for offering different terms.

7.3 The Fixed term Employees (Prevention of Less Favourable Treatment) Regulations 2002 prohibit employers from treating fixed term employees less favourably than comparable permanent employees in respect of pay, conditions and general treatment at work. The Regulations also limit the use of successive fixed term contracts by imposing a cut-off of four years' continuity of service, after which the employee will automatically achieve permanent status, unless there is an objective reason that justifies further renewal for a fixed term.

7.4 Advice should be sought from Human Resources where there are fixed term/temporary employees involved in a redundancy situation, as they may have accrued equivalent employment rights as their comparative permanent employees.

8. Variation of contract

8.1 A contract of employment is a legally binding agreement. Once the contract is made, the employer and the employee are bound by its terms and neither party can alter the contract without the agreement of the other. However, during the course of employment, an employee's terms and conditions can change considerably. The Authority may wish to change employees' terms and conditions for a number of reasons, for example, it might be necessary to change the employee's duties to reflect the fact that the work has changed, or to reduce levels of benefits to find savings.

8.2 The Authority will give careful thought to the reasons for change and ensure there is a genuine business reason for doing so. It is important to be able to demonstrate to staff why the change is necessary to help achieve 'buy-in' from employees and their agreement to the change.

8.3 The Authority is aware that obtaining the employees' express consent will always be the most constructive way to make contractual changes. Where employees refuse to consent to a variation and the Authority wishes to go ahead with a variation there is the option of dismissing and re-engaging the employees.

8.4 After due consultation process and as a last resort, when faced with an employee who refuses to agree to a change, the Authority may choose to terminate the old contract with full contractual notice and offer the employee new terms and conditions. There will be no breach of contract in these circumstances provided the Authority demonstrates a fair reason for dismissal, usually 'some other substantial reason' (SOSR). The Authority must show there was reasonable belief that a good business reason existed, and acted reasonably in the all the circumstances, including full consultation.

9. Consultation

9.1 The Authority will consult with employees, UNISON and Staff Committee on organisational changes which have staffing implications such as will affect employee's pay, terms and conditions, or the number and types of jobs in the organisation.

9.2 Where organisational change gives rise to potential redundancies, statutory consultation requirements apply (see Communication and Consultation Guidance Notes).

9.3 Employees affected will be consulted at the earliest opportunity and will be involved in discussions and kept informed of developments.

9.4 Where the proposals include the transfer of business into or out of the organisation, the manager must seek advice as soon as possible from Human Resources to ensure that the statutory consultation requirements for TUPE transfers are adhered to.

9.5 It is recognised that any type of change will be achieved most effectively with the full understanding, co-operation and engagement of employees and therefore consultation with UNISON/Staff Committee and/or individual employees as appropriate will take place on all aspects of organisational change whether there is a potential redundancy situation and whether or not there is a statutory requirement.

10. Steps to consider for the implementation of Change

10.1 Managers might pursue structure change or change to an individual post requiring the employee(s) to take on new ways of working. Sometimes the need for change is generated by the employee themselves as they can see opportunities for performance improvement.

10.2 Where change is being considered, it is important to determine the extent of change to individual posts to ascertain if the change is significant and considered a variation of contract.

10.3 As policy lead, the Head of HR will advise the line manager on the appropriate process to determine the level of change, either job evaluation or job evaluation with assimilation. The movement of employees from the 'old' to the 'new' should be achieved as effectively as possible through a quick and fair process.

- 10.4 When an individual post remains substantially the same but with a modest element of change (either losing or gaining some duties) in the role it remains commensurate with the salary grade awarded, this is a minor change and not contractual.
- 10.5 Where the element of change to a role is likely to impact significantly on the job evaluation score and salary grade, this is a contractual change. The line manager is required to submit a business case to RMT for approval to implement the proposed change and ensure there is appropriate consultation with the affected employee.
- 10.6 If the job evaluation results in the post increasing by one grade the employee has a continuing contractual right to the changed post supported by an updated Learning & Development Plan. If the grade reduces, the Pay Protection Scheme will apply.
- 10.7 If the job evaluation increases the post by more than one grade, the employee will become a redeployee with first opportunity to be considered for the changed post.
- 10.8 The assimilation process is more likely to be used in a restructuring exercise which encompasses a number of roles and where the scale and nature of change needs to be determined. The job evaluation process can be used to support the assimilation process. Where a post is identified as new through an assimilation process it will be subject to job evaluation.
- 10.9 The assimilation panel will comprise of the line manager, a representative from UNISON and Staff Committee and the Head of HR.

The panel will compare the:

- Overall purpose/character of the proposed post;
- The main duties and responsibilities;
- Job size (people managed, budgets/costs controlled);
- Qualifications, experience and competencies required.

10.10 The range of outcomes from the assimilation will be:

- (i) Post 'matched' and post holder 'slotted-in' to the new post. Assimilation has determined that the post in is not significantly changed despite an element of change in functions/activities/ responsibilities.
- (ii) Post 'matched' but post holder will need to compete with other 'matched' employees for a reduced number of posts of a particular type and at a given level. All post holders will become 'redeployees'.
- (iii) Post 'not matched' because the proposed post is entirely new (given the functions/activities have not previously been undertaken) or the proposed post is a changed post because of the significant addition/deletion of different functions/activities/competencies, to the extent that it is, effectively, new. The existing post is deleted from the establishment and the post holder becomes a redeployee. Employees previously undertaking work that is allocated to new posts will be pooled for first consideration for new posts.

- 10.11 The assimilation panel will report the outcome to the relevant Director for decision. Staff affected will be consulted on the papers for the panel and the decision of the Director. Affected staff may appeal the decision to the Chief Executive (or in her absence the chair of RMT). The appeal decision is final. (see Appeals Policy).
- 10.12 Where change affects a Director post the outcome of the assimilation panel will report to a Member panel. The assimilation panel will comprise of the Chief Executive, a representative from UNISON and Staff Committee and the Head of HR. The Member panel will comprise of the Chair of the Authority, the Chair of the relevant committee, and one other member ideally with relevant professional background. The affected Director(s) will be consulted on the papers for the assimilation panel and the decision of the Member panel. Appeals on the decision will be heard by the Appeals Panel. The appeal decision is final.
- 10.13 Where change affects the Chief Executive post the Chair and Deputy Chair of the Authority will manage the change in line with chief officer terms and conditions, with scrutiny and decision taken by the Members.

11. Redeployment

- 11.1 The purpose of redeployment is to ensure that all reasonable steps are taken to secure continued employment of employees to retain valuable skills and knowledge. The Authority has a statutory obligation to seek suitable alternative employment for any employee at risk of redundancy. (This process is set out in the Redeployment process Guidance Notes.)
- 11.2 Redeployment may also be an option for a number of other reasons such as ill health and performance capability.
- 11.3 Support for individual employees identified for redeployment should start as soon as reasonably practicable. This could include coaching and counselling. (See Facing Change Support Package).
- 11.4 Redeployment is a two way process and it is essential that staff participate in opportunities when these arise and are prepared to consider retraining and reskilling where they are able.
- 11.5 Redeployment will normally be to alternative employment commensurate with the employee's experience, skills and abilities and, where practicable and appropriate, at a status and level of remuneration comparable with the former position. An employee should not be advantaged by redeployment.
- 11.6 Termination of employment due to redundancy will be a last resort, with the aim being to retain valuable expertise within the Authority wherever possible and to minimise costs of redundancy.

12. Salary Protection

- 12.1 The primary aim is to achieve redeployment that reflects employee's current remuneration package. In cases where this is not possible time limited salary protection will apply. Any protection of pay and conditions of service afforded under this policy apply only to the post taken under the redeployment procedure. In the event that the employee subsequently leaves or moves voluntarily to an alternative

position within the Authority and within the protection period the protection arrangements shall cease (see Salary Protection Guidance Notes).

13. Redundancy

13.1 Where redundancies are a potential outcome of organisational change, they will be handled effectively, fairly and in accordance with statutory obligations and good practice.

13.2 The **definition of redundancy** set out in the Employment Rights Act 1996 states that an employee is taken to be dismissed by reason of redundancy if the dismissal is wholly or mainly attributable to:

- The fact that an employer has ceased, or intends to cease, to carry on the business for the purposes of which the employee was employed, or has ceased, or intends to cease, to carry out that business in the place where the employee was so employed, or
- The fact that the requirements of that business for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place they were so employed, have ceased or diminished, or are expected to cease or diminish.

13.3 No **notice of dismissal** on grounds of compulsory redundancy will be issued until:

- Full consultation has occurred with individual employees and UNISON/Staff Committee.
- All other options to avoid the need for compulsory redundancy have been exhausted.
- It has been clearly established, either through the deletion of specific posts, or through the outcome of ring fenced selection process, the individuals who will be affected.

13.4 An employee has the **right to be accompanied** at any formal change management meeting by a trade union or staff committee representative or a work colleague. An employee may not be accompanied by a solicitor or friend/relative from outside the Authority (unless required as a reasonable adjustment, for example, for a disability or to translate).

13.5 An employee does have the right to be accompanied by an official from an unrecognised trade union, as long as the official is certified by their union as having experience of, or as having received training in acting as a worker's companion at formal meetings (discipline, grievance, appeals).

13.6 The companion's role is to help the employee prepare for the meeting, take notes during the meeting for the employee and remind the employee of information/issues the employee wishes to discuss.

13.7 The Authority may, at its sole discretion, adopt the following **measures to avoid or minimise the need for compulsory redundancies**:

- Reduce the use of consultancy, contracting and/or agency services where appropriate to do so.
 - Non filling or deletion of vacant posts.
 - Limit external and internal recruitment to provide opportunities for affected employees.
 - Offer suitable alternative employment to affected employees.
 - Seek volunteers for redundancy, flexible retirement and/or early retirement only from those areas of employment where resources are being reduced or a problem needs to be resolved. (see – Policy on Retirement & Discretionary Pension Matters)
 - Where an application for voluntary redundancy is received from a post holder where the role is not redundant, consideration of ‘bumping’ will be undertaken by RMT on a case by case basis.
- 13.8 The opportunity for ‘bumping’ occurs when an employee in a key post applies for voluntary redundancy and an employee at risk of redundancy can be suitably redeployed into the key post. The RMT, or Members in the case of Chief Officers, will determine if the voluntary redundancy can be offered given their cost.
- 13.9 **Selection for redundancy** (compulsory and voluntary) will be on the basis of objective criteria which do not unfairly discriminate against individuals.
- 13.10 Where only an individual or whole work group is affected by redundancy, selection will not be required. Where there is a need to reduce the number of similar or overlapping jobs in a work area, all employees will form the ‘pool’ from which individuals will be selected for redundancy.
- 13.11 When considering selections for redundancy the underlying consideration will be the ongoing needs of the service. The Authority must maintain a balanced workforce able to meet service and customer needs. Determining the selection pool will be considered as part of the formal consultation process. Employees identified as falling within the pool will be advised in writing. Employees in the pool will be informed of the:
- selection criteria to be used and the weighting each is given;
 - method by which selection will be made;
 - process for validating relevant personal information;
 - selection process to be followed;
 - timescale for the selection process.
- 13.12 The following criteria may be used as a basis for consultation on selection with UNISON and Staff Committee.
1. Skills and competencies to meet future service and customer needs.
 2. Experience and qualifications relevant to future needs of the service.

3. Additional transferable skills and experience to be considered as evidence of flexibility and approach to work which may be a relevant service need.
 4. Attendance record.
 5. Disciplinary record.
 6. Length of service.
- 13.13 Failure to agree with UNISON and/or Staff Committee on criteria and weighting will not preclude the Authority from applying selection criteria which it considers fair and appropriate.
- 13.14 In cases where selection by interview is applied, it will comply with application of 1, 2, and 3 above.
- 13.15 **Records** must be kept throughout the selection process. Individual employees will be given feedback by the relevant manager as soon as possible after completing the exercise. Employees will receive details of their own results but not the results of other employees.
- 13.16 Once the consultation and selection is complete employees selected for redundancy will be notified in writing that they are individually at risk of redundancy and will become a redeployee on the redeployment register.
- 13.17 Employees who are dismissed on the grounds of redundancy and who have at least two years continuous local government service at the date of termination of employment will be entitled to a **redundancy payment**.
- 13.18 The redundancy payment due to each employee under the statutory redundancy payment depends on his or her age and length of service (up to twenty years). This determines the number of weeks pay due. For service within the Authority, redundancy payment is based on pensionable pay. Redundancy pay will be paid at the following rates:
- One and a half weeks' pay for each full year of employment in which the employee was aged 41 or over:
 - One weeks' pay for each full year of employment in which the employee was aged between 22 and 40; and
 - Half a week's pay for each full year of employment in which the employee was aged 21 and under.
 - A week's pay for this purpose will include all contractual allowances e.g. inconvenience allowance.
- 13.19 The Ready Reckoner at Appendix 2 is based on the current Statutory Scheme and gives the number of weeks pay which would be received.
- 13.20 There is no entitlement to pay if, prior to leaving, an employee receives an offer of employment in local government or with certain related bodies, which commences within four weeks of the last day of employment.

- 13.21 Where either a voluntary or compulsory redundancy is to take place, an employee will be given **formal written notice of redundancy**. Notice will be equivalent to their contractual notice or statutory notice, whichever is the greater. Where, in exceptional circumstances, this is not possible, the employee will receive payment 'in lieu' of notice for any shortfall of notice given.
- 13.22 It should be noted that notice of dismissal will not be extended due to sickness absence.
- 13.23 Efforts will continue during the notice period to seek opportunities for suitable alternative employment, receiving notification of vacancies before they are advertised and being given first opportunity to be considered for posts at or below their current post.
- 13.24 An employee who resigns prior to the formal notice period is not entitled to a redundancy payment.

14. Appeals Procedure

- 14.1 An employee who has been given notice of redundancy has a right to appeal against that selection to the Appeals Sub Committee. An employee wishing to appeal should do so, in writing to the Head of HR, giving reasons for the appeal as soon as possible and in any case within 10 working days of receiving formal notice of redundancy.
- 14.2 It should be noted that the Chief Officer National Conditions of Service (in the section headed 'Procedures relating to Discipline, Capability and Redundancy') state:

"The Chief Officer and a trade union representative should also be afforded an opportunity of making oral representations to the Committee Meeting concerned before a final decision is made." The 'Committee Meeting' for this Authority will be the Appeals Sub Committee.

15. Relationship with other policies and relevant legislation

- 15.1 This policy should be read in conjunction with the following:

- Equality in Employment Policy
- Retirement & Discretionary Pensions Matters Policy
- Well Being at Work Policy
- Communications and Consultation Guidance Notes
- Redeployment Guidance Notes
- Facing Change Support Package
- Salary Protection Guidance Notes

- 15.2 Relevant legislation:

- Employment Rights Act 1996 and 2002

- Fixed term Employees (Prevention of Less Favourable Treatment) Regulations 2002
- The Part-time Workers (Less Favourable Treatment) Regulations 2000
- Trade Union and Labour relations (Consolidation) Act 1992 as amended by Trade Union Reform and Employment Rights Act 1993
- Local Government (Early termination of Employment Discretionary Compensation (England and Wales) Regulations 2000
- Redundancy payments (Continuity of Employment in Local Government etc.(Modification) Order 1999)
- Collective Redundancies and Transfer of Undertakings (Protection of Employment)Amendment Regulations 2014
- Equality Act 2010

Redeployment Guidance Notes



1 Introduction

- 1.1 There will be occasions when the Authority will need to redeploy employees. These could be following the completion of organisational change, on medical advice, or other appropriate circumstances.
- 1.2 Redeployment is a positive act which can enable the Authority to maintain the skills and experience of valued employees, as well as meeting its legal obligations.
- 1.3 These procedures set out to ensure that all staff subject to redeployment are treated in a fair and consistent manner. It also provides a hierarchy of redeployment reasons with an explanation of what this will mean and when it would be appropriate to apply redeployment. This guidance should be read in conjunction with Salary Protection Guidance Notes.

2 Hierarchy

- 2.1 There are several categories of Redeployment. The first two reasons for redeployment must be considered first and all others considered equally after the first two. Of the first two reasons, an applicant with a disability who is covered by the Equality Act who is seeking redeployment must be considered before any other applicant, including those facing redundancy.

3 Organisational Change

- 3.1 Any employee who becomes a 'redeployee' as a result of **organisational change** will receive confirmation in writing giving the reasons and detailing the procedure to be following during the 12 week redeployment period. They may be offered counselling and retraining assistance appropriate to their circumstances. This may include specialist help with advice on job search techniques, self-marketing and interview skills and career counselling.
- 3.2 An employee on a fixed term or temporary contract will normally have no right to the redeployment period where their contract is reaching its fixed end date. However, an employee on a fixed term or temporary contract who has 4 years or more continuous service with the Authority will be entitled to the same protection (ie redeployment period) afforded to permanent employees. In addition, where a permanent employee (4 years or more) is proposed to be dismissed on the grounds of redundancy but obtains a fixed term position which is subsequently not renewed, they will be afforded the redeployment period.
- 3.3 An employee can only be a redeployee for a maximum 12-week period. If at the end of the redeployment period no alternative post has been secured then the employee will be notified that they are 'at risk of redundancy'. They will receive written confirmation of their contractual notice for termination of employment for reasons of redundancy and the date of their last day of service and a schedule of any redundancy payment due. During the notice period it is crucial to note that the employee 'at risk' will be considered for and actively encouraged to consider opportunities for suitable alternative employment.
- 3.4 Employees who unreasonably refuse an offer of suitable alternative employment or refuse to be considered for a potentially suitable alternative employment opportunity will be advised that they will lose any entitlement to a redundancy payment.

4 Medical Condition when the redeployee is covered by the Equality Act

- 4.1 Redeployment may be necessary due to an underlying **medical condition**. Where the employee has been designated by Occupational Health as coming under the Equality Act legislation, the employee has been deemed unfit to return to their substantive post for a prolonged period, and there are no reasonable adjustments that can be put in place or it is not possible to make reasonable adjustments, then following medical advice from Occupational Health, that employee will have prior consideration for a post at the same or lower grade as their substantive post.

4.2 There is no salary protection associated with a medical redeployment. Managers in consultation with HR will set a time limit to this type of redeployment.

Some other reasons

- **Medical Capability – not covered by the Equality Act**
- **Discipline Capability**
- **Breakdown of working relationships**
- **Domestic Circumstances**

4.3 There is no salary protection associated with these types of redeployment.

5 Procedure

5.1 Details of employees who are redeployees are contained within the redeployment register.

5.2 Redeployees will be considered first for any vacancy that arises at the same grade or below. Human Resources will notify redeployees of all non casual vacancies before they are advertised in order to establish if a vacancy could be a redeployment opportunity. Redeployees will have 5 working days to express an interest in a vacancy with the HR office, and verify if it would be regarded as a reasonable redeployment to which pay protection would apply.

5.3 Redeployees should think widely about their skills and experience to see if they are transferable to a different type of work, indeed if a vacancy appears to be potentially suitable the redeployee will be asked to apply. Redeployees must take personal responsibility for liaising with HR to identify potential opportunities.

5.4 An appropriate selection process will be undertaken in accordance with the procedures agreed for the post. An offer will be made if there is a broad match of the redeployee and the post at essential person specification level. Where a formal qualification, or specific learning, is needed for a post and this can be obtained within a reasonable period of time, the potential of the redeployee to achieve this will be part of the decision over whether there is a broad match of the person and the post. Redeployees will be given support through a Learning & Development Plan to become established in their new post.

5.5 Where no redeployee is suitable for a vacancy then the post will be advertised internally and externally through normal recruitment procedures. Resource Management Team will consider if there are operational reasons to advertise internally first e.g. to create some movement and redeployment opportunities at a time of resource constraint.

5.6 For vacancies at a higher grade, redeployees will need to compete for the post in the normal manner given that the higher grade reflects increased responsibility/ knowledge/ skills are required.

5.7 Where a new post is created as a result of change and dis-establishment of a post and a proportion of the job content is derived from the disestablished post, the post holder, now a redeployee will have first opportunity to be considered for the changed post. Where the contents of the new post are derived from more than one disestablished post, the relevant redeployees will be ring-fenced and considered for the new post under competition. In general, an alternative post will be considered suitable if it:

- **provides similar earnings**
- **has similar status**
- **the terms and conditions are similar**
- **is within the employee's capability and there is a broad match between employee and the post at essential person specification level.**
- **any change of base is reasonable.**

- 5.8 If an employee does not want to be considered for, or accept a post which the Authority considers to be suitable, reasons must be given in writing to the Head of Human Resources for consideration with UNISON. If an employee wants to be considered for a post which the Authority considers to be unreasonable and pay protection will not apply, the request must be submitted in writing to the Head of Human Resources.

6 Trial Period

- 6.1 In some cases positions will be offered to employees who are redeployed on an initial four week trial basis, this will happen where there is uncertainty by the redeployee and/or the manager if this is the right appointment. After this period the manager will make a determination about the success of the redeployment and confirm this or otherwise. If the employee works beyond the end of the four-week trial, or a jointly agreed extended period, any redundancy entitlement will be lost because the employee will be deemed to have accepted the new employment.
- 6.2 If not successful the employee will return to their substantive post and remain a candidate for redeployment for whatever length of time has been determined. Advice should be sought from HR over any decision not to confirm appointment after a trial period. The employee preserves the right to a redundancy payment under the old contract. The redundancy will take effect from the date of the termination of the original contract.
- 6.3 If dismissal is due to a reason unconnected with redundancy e.g. gross misconduct, the employee will lose that entitlement.

Salary Protection Guidance Notes



1. Purpose

1.1 The purpose is to support organisational change by providing for employees basic pay to be protected where it is reduced as a result of:

- **Job evaluation**
- **Organisational restructuring**
- **Redeployment into alternative vacancy where the employee is displaced under notice of redundancy**

1.2 The primary aim is to achieve redeployment that reflects the employee's current remuneration package. In cases where this is not possible a time limited salary protection will apply. Any protection of pay and conditions of service afforded under the scheme will apply only to the post taken under redeployment procedure. In the event that the employee subsequently leaves or moves voluntarily to an alternative position within the Authority within the agreed protection period, the protection arrangement shall cease.

2. Salary protection will apply

- **Salary protection will apply on issue of a new contract of employment to the affected employee.**
- **Salary protection will be for a maximum of a 3 year period from the date of the new contract.**
- **The basic salary/hourly rate of pay will be protected for the contractual hours of the new redeployed post.**
- **Sick pay, holiday pay, maternity, paternity, shared parental or adoption pay will reflect the level of protected basic pay.**
- **An employee should not be advantaged contractually by redeployment.**
- **Protection excludes non contractual and incidental allowances attached to the previous post.**
- **All protected pay is pensionable.**

3. Salary protection will not

- **Apply where employees voluntarily move to another job.**
- **Apply where the reduction in pay is as a result of a reduction in hours.**
- **Apply where the difference in role and hence salary is considered unreasonable by RMT.**
- **Increased to cover additional hours, whether these are permanent or ad hoc.**
- **Be applied to overtime.**

4. Tenure – During the protection period:

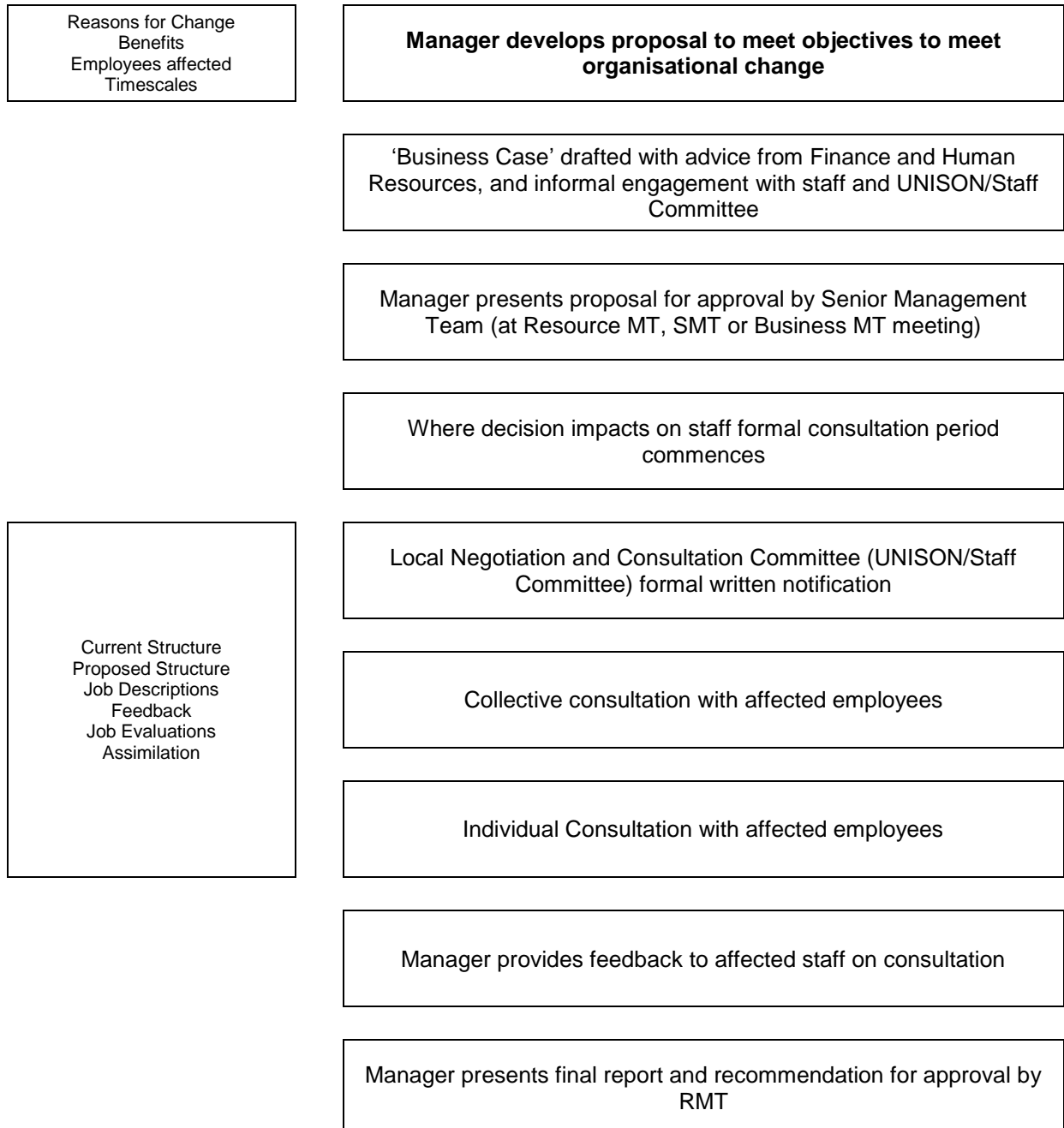
- **There will be no annual incremental progression on the protected grade**
- **Pay awards will not be applied until the substantive grade is equal to or greater than the protected salary**
- **Protection may end within the three year period where the new substantive grade catches up with the protected basic salary.**

4.1 At the end of the three year period, pay will be adjusted to the top point of the substantive grade. There is no right to appeal at the end of pay protection.



Appendix 1

Organisational Change Process Flowchart



Manager communicates decision to affected employees

Manager implements change

Appendix 2

		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
16	1	-																		
17	1	1½	-																	
18	1	1½	2	-																
19	1	1½	2	2½	-															
20	1	1½	2	2½	3	-														
21	1	1½	2	2½	3	3½	-													
22	1	1½	2	2½	3	3½	4	-												
23	1½	2	2½	3	3½	4	4½	5	-											
24	2	2½	3	3½	4	4½	5	5½	6	-										
25	2	3	3½	4	4½	5	5½	6	6½	7	-									
26	2	3	4	4½	5	5½	6	6½	7	7½	8	-								
27	2	3	4	5	5½	6	6½	7	7½	8	8½	9	-							
28	2	3	4	5	6	6½	7	7½	8	8½	9	9½	10	-						
29	2	3	4	5	6	7	7½	8	8½	9	9½	10	10½	11	-					
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11	11½	12	-				
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12	12½	13	-			
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13	13½	14	-		
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14	14½	15	-	
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15	15½	16	16½
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16	16½	17
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16½	17	17½
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17½	18
38	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16½	17	17½	18	18½
39	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½	19
40	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½	19
41	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19½	
42	2½	3½	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	
44	3	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	
45	3	4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
46	3	4½	6	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	
47	3	4½	6	7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
48	3	4½	6	7½	9	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	
49	3	4½	6	7½	9	10½	12	13	14	15	16	17	18	19	20	21	22	23	24	
50	3	4½	6	7½	9	10½	12	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½	
51	3	4½	6	7½	9	10½	12	13½	15	16	17	18	19	20	21	22	23	24	25	
52	3	4½	6	7½	9	10½	12	13½	15	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½	
53	3	4½	6	7½	9	10½	12	13½	15	16½	18	19	20	21	22	23	24	25	26	
54	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	20½	21½	22½	23½	24½	25½	26½	
55	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22	23	24	25	26	27	
56	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	23½	24½	25½	26½	27½	
57	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25	26	27	28	
58	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	26½	27½	28½	
59	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28	29	
60	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	29½	
61	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30	

This page is intentionally left blank