

Public Document Pack

Peak District National Park Authority

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



Our Ref: A.1142/1761

Date: 29 November 2018



NOTICE OF MEETING



Meeting: **National Park Authority**

Date: **Friday 7 December 2018**

Time: **10.00 am**

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

SARAH FOWLER
CHIEF EXECUTIVE

AGENDA

1. **Apologies for Absence**
2. **Chair's Announcements**
3. **Minutes of previous meeting of 5 October 2018** (*Pages 5 - 6*) 5 mins
4. **Urgent Business**
5. **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.
6. **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.
7. **Landscapes Review: Call for Evidence Peak District National Park - Consultation Response (SLF)** (*Pages 7 - 36*) 60 mins
Appendix 1

Appendix 2
8. **Corporate Strategy 2019-24 (SLF)** (*Pages 37 - 68*) 45 mins
Appendix 1

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| 9. | Proposed Governance Review - Brief and Member Working Group (SLF)
<i>(Pages 69 - 76)</i>
Appendix 1 | 30 mins |
| 10. | Derbyshire Armed Forces Covenant (SLF) <i>(Pages 77 - 90)</i>
Appendix 1 | 5 mins |
| 11. | Managing Performance of Officers (Capability) Procedures (TR) <i>(Pages 91 - 110)</i>
Appendix 1

Appendix A

Appendix B

Appendix C | 15 mins |
| 12. | Dismissal of Certain Officers (TR) <i>(Pages 111 - 146)</i>
Appendix 1

Annex A

Annex B | 15 mins |
| 13. | 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. 14 to avoid the disclosure of Exempt Information under S100 (A) (4) Local Government Act 1972, Schedule 12A, Paragraph 1 "Information relating to any individual". | |
| | PART B | |
| 14. | Appointment of Director of Commercial Development and Engagement (SLF) <i>(Pages 147 - 148)</i> | 10 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 362/352. 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.

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 or 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. From 3 February 2017 the recordings will be retained for three years after the date of the meeting.

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: National Park Authority Members

Constituent Authorities
Secretary of State for the Environment
Natural England

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MINUTES

Meeting: **National Park Authority**

Date: Friday 5 October 2018 at 10.00 am

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

Chair: Cllr A McCloy

Present: Cllr D Chapman, Mr P Ancell, Mrs P Anderson, Cllr J Atkin, Mr J W Berresford, Cllr C Carr, Cllr M Chaplin, Cllr C Furness, Mr Z Hamid, Cllr A Hart, Cllr Mrs G Heath, Cllr H Laws, Cllr J Macrae, Cllr C McLaren, Cllr J Perkins, Cllr Mrs K Potter, Cllr Mrs L C Roberts, Mr K Smith and Cllr B Woods

Apologies for absence: Cllr D Birkinshaw, Cllr P Brady, Cllr A R Favell, Mr R Helliwell, Cllr B Lewis, Cllr Mrs C Howe, Cllr R Walker and Cllr F J Walton.

33/18 CHAIR'S ANNOUNCEMENTS

Following his recent appointment by the Secretary of State, the Chair welcomed Mr Ken Smith to his first meeting of the Authority.

For information the Chair circulated a report following a recent meeting of National Parks England and emphasised the importance of the wider family of national parks working together.

34/18 MINUTES OF PREVIOUS MEETING HELD ON 6 JULY 2018

The minutes of the last meeting of the National Park Authority held on 6 July 2018 were approved as a correct record.

35/18 MEMBERS DECLARATIONS OF INTEREST

There were no declarations of interest.

36/18 MEMBER APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES

Following the recent announcement by the Secretary of State appointing Mr K Smith as a Member of the Authority, Members were asked to appoint Mr Smith to one of the Authority's Standing Committees. Because of his professional background and personal interests he had expressed an interest in being appointed to Planning Committee. However, as there were no vacancies on Planning Committee, it was proposed that the size of the Committee should be increased to 16 Members to accommodate his preference. A proposal to increase the size of Planning Committee and appoint Mr K

Smith to the arising vacancy was moved, seconded, put to the vote and carried. It was noted that the Committee would return to 15 Members at the 2019 Annual Meeting.

It was noted that, as it was unlikely that appointments would be made to the remaining two Secretary of State Vacancies before July 2019, there would be two vacancies on the Audit, Resources and Performance Committee. To help improve the balance between Local Authority and Secretary of State Members a proposal to appoint Cllr Mrs L Roberts to the Committee was moved, seconded, put to the vote and carried. It was noted that this would leave one Secretary of State vacancy on the Committee.

The Authority had previously approved the establishment of a Charity to be called the Peak District National Park Trust. As the Trust would be made up of at least seven Trustees the Authority was in the process of seeking expressions of interest from members of the public to become one of the four independent Trustees. In anticipation of registration with the Charity Commission the Authority were asked to appoint three Members to become Trustees of this new outside body and nominate a reserve so that, if needed, a replacement Trustee could be appointed under delegation should a vacancy occur between Authority meetings or the number of independent Trustees increased.

RESOLVED:

1. **To increase the size of Planning Committee to 16 until the Annual Meeting in July 2019 and appoint Mr K Smith to the vacant Secretary of State place arising from the increase.**
2. **To appoint Cllr Mrs L Roberts to one of the vacant Secretary of State positions on the Audit, Resources and Performance Committee until the Annual Meeting in July 2019.**
3. **To appoint Mr Z Hamid, Cllr C McLaren and Cllr Mrs L Roberts as trustees on the Peak District National Park Trust and nominate Cllr A McCloy as a reserve Trustee should it be required.**

37/18 MEMBER LEARNING AND DEVELOPMENT ANNUAL REPORT

Members considered a report setting out the Member Learning and Development Framework and the proposals for the next annual programme of Member learning and development events (January to December 2019).

RESOLVED:

1. **To agree the Member learning and development framework (Appendix 1 of the report) and the events programme for January to December 2019 (Appendix 2 of the report).**
2. **To continue to record Member learning and development activities in terms of hours and include personal learning and development by Members outside of events organised by the Authority, with the target of 20 hours per Member in every 12 months.**

The meeting ended at 10.35 am

7. **LANDSCAPES REVIEW: CALL FOR EVIDENCE**
PEAK DISTRICT NATIONAL PARK - CONSULTATION RESPONSE (SLF)

1. **Purpose of the report**

This report seeks Member approval to submit a response to the Landscapes Review – Call for Evidence.

Key Issues

- **The government has initiated an independent review of England's National Parks and Areas of Outstanding Natural Beauty (AONBs).**
- **The team undertaking the review have provided, through a call for evidence, individuals and organisations with the opportunity to contribute.**
- **Responses to the call for evidence must be submitted by 18 December 2018.**

2. **Recommendations(s)**

1. **That Members support the consultation response shown in Appendix 1.**
2. **That any changes needed to the consultation document as a result of the Authority meeting are delegated to the Chief Executive in consultation with Chair of the Authority.**

How does this contribute to our policies and legal obligations?

3. As Members will be aware, the recommendations arising from the review, if accepted and implemented by the government, could fundamentally change the policies and legal obligations of the Peak District National Park Authority.

Background Information

4. In January 2018 the government published a [25-Year Plan for the Environment](#). It set out an approach to protect landscapes and habitats in England and committed to undertaking a review National Parks and Areas of Outstanding Natural Beauty (AONBs).
5. The review, led by Julian Glover, was initiated in May 2018. The review aims not to diminish the character or independence of designated landscapes, or to impose new burdens on them and the people who live and work in the areas they cover. Instead, its purpose is to ask what might be done better, what changes could assist them, and whether definitions and systems - which in many cases date back to their original creation are still sufficient.
6. In the context of meeting both local and national priorities and wider environmental governance, the review will examine and make recommendations on:
- the existing statutory purposes for National Parks and AONBs and how effectively they are being met
 - the alignment of these purposes with the goals set out in the 25-Year Plan for the Environment

- the case for extension or creation of new designated areas
 - how to improve individual and collective governance of National Parks and AONBs, and how that governance interacts with other national assets
 - the financing of National Parks and AONBs
 - how to enhance the environment and biodiversity in existing designations
 - how to build on the existing eight-point plan for National Parks and to connect more people with the natural environment from all sections of society and improve health and wellbeing
 - how well National Parks and AONBs support communities
7. Weakening or undermining existing protections or geographic scope will not be part of the review, which will instead focus on how designated areas can boost wildlife, support the recovery of natural habitats and connect more people with nature.
8. The review team have carried out visits and meetings in many parts of England, and visited the Peak District National Park on 18-19 October 2018. It is hoped the team found the visit interesting and stimulating and took away lots of positive messages about the good work the Authority is doing in the Peak District, as well as registering the challenges we face and how there are opportunities to do even better.
9. The team undertaking the review has now provided an opportunity for individuals and organisations to contribute their views in response to a series of questions. The review team have not set a word length on answers, however, they have asked that where possible each individual answer is no more than 500 words. Responses must be submitted by 18 December 2018.
10. Members of the Authority were asked to submit their comments in response to the call for evidence questions by Monday 12 November. The comments received have helped to shape the draft consultation responses shown in Appendix 1.
11. In addition, all partners involved in the development and delivery of the Peak District National Park Management Plan have been encouraged to use the opportunity to submit a response to the call for evidence for their own organisation or network.
12. We have also worked with the 9 other National Park Authorities in England, through National Parks England, to draft a submission to the call for evidence from National Parks England (NPE). A draft of this NPE response is attached at appendix 2. This draft is being considered by Chairs of National Park Authorities at an NPE Board meeting on 29 November 2018.

Proposals

13. Responses to the questions contained in the Landscape review: call for evidence have been drafted and are shown in Appendix 1. The overall consultation response will be subject to a full discussion at the Authority meeting on 7 December 2018.

Are there any corporate implications members should be concerned about?

Financial:

14. None.

Risk Management:

15. None.

Sustainability:

16. None.

Equality:

17. There are no direct equality implications arising from preparing a response to the consultation. However in light of the current Member profile the Authority would like the Review to explore how Membership of National Park Authorities can be made more diverse by removing barriers that may restrict the appointment of more Members from underrepresented groups.

18. Where data is provided the Authority monitors its membership against the 9 protected characteristics set out in the Equality Act 2010. The current profile data suggests that younger people, women, people from BME communities and disabled people are underrepresented in the current Authority membership.

19. Background papers (not previously published)

None.

20. Appendices

Appendix 1 - Peak District National Park Authority:
Landscapes review: call for evidence – Draft consultation response
Appendix 2 – National Parks England (NPE) Draft Response

Report Author, Job Title and Publication Date

Sarah Fowler, Chief Executive, 29 November 2018

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Peak District National Park Authority

Landscapes review: call for evidence – Draft consultation response

Overview

The government has asked for an independent review of England's National Parks and Areas of Outstanding Natural Beauty (AONBs).

The team undertaking the review have provided, through a call for evidence, everyone a chance to contribute, whether they live in a National Park or AONB, run a business in them, enjoy visiting, care about landscapes and biodiversity, or represent an organisation with views that might shape and improve their findings.

[Note: The review team have not set a word length on answers, however, they have asked that where possible each individual answer is no more than 500 words. It is not necessary to reply to every question.]

Introduction

1. Are you replying as a member of the public or on behalf of an organisation?

- Organisation

2. If you are replying on behalf of an organisation or organisations

a) Which organisation(s)?

- Peak District National Park Authority

b) What is your name and position?

- Andrew McCloy (Chair – Peak District National Park Authority)

c) What is your email address?

- andrew.mccloy@peakdistrict.gov.uk

3. We would like to be able to use extracts from submissions in our final report. If you would not like them, potentially, to be made public, please tell us here. (Required)

- Yes, I'm content for you to use extracts of my response in the final report

4. We have obligations under freedom of information laws and there is more information below. For the purposes of these laws, would you like your response to be confidential? (Required)

- No

Before anything else

6. We would love to know what makes National Parks and AONBs special to you

We invite you to submit a recent picture which sums up what is special to you about our designated landscapes. It could be a place, a person, on a farm or of plants and wildlife. If you submit a photo, you must own its copyright and it may be used in the final report or online. Please tell us if that is OK.

[INSERT ONE PHOTOGRAPH – Suggestions ?]

- Yes, you can use my photo online or in the report

Part 1 - Opening thoughts

We would like any opening thoughts on the role played by National Parks and AONBs - you may want to make a more detailed suggestion further on.

It is no co-incidence national parks celebrate our 70th year anniversary just one year after the National Health Service. Both were born from a moment of societal change to re-build Britain after the war: to care for the health of the nation with the NHS; and, to retain our treasured landscapes for the well-being of the nation.

Our founding legislation was borne from two great campaigning movements from here in the Peak District. From people living in the industrial cities surrounding the Peak District campaigning for a right to access and enjoy the countryside; and, from a group founded by Ethel Haythornthwaite in Sheffield campaigning for the countryside to be fit for returning WWII war heroes (which was one of the founding groups that led to the formation of Campaign for the Protection of Rural England.)

There is much to celebrate from the past 70 years. We want to achieve so much more. We hope this review becomes the spark to re-awaken this sense of public support for National Parks to be accessible for all and to inspire care in everyone for the countryside. And in doing so create a care for the wider world.

It costs every person less than £1 each year to support the 10 English National Park Authorities to work in partnership to care for these finest landscapes for all to enjoy for ever.

Caring for these landscapes is so much more than what National Park Authorities do. How can we direct all the public money spent within these landscapes to the same purpose of inspiring care in everyone so our protected landscapes are a working model for a sustainable future?

7. What do you think works overall about the present system of National Parks and AONBs in England? Add any points that apply specifically to only National Parks or AONBs.

Designation of National Parks is because of their spectacular landscapes, wildlife and cultural heritage which offer a breathing space for learning, discovery and enjoyment for the nation. It is the special qualities of these landscapes that make them so important and part of a globally recognised designation.

The **7 special qualities** that make the Peak District National Park stand out are:

- Beautiful views created by contrasting landscapes and dramatic geology
- Internationally important and locally distinctive wildlife and habitats
- Undeveloped places of tranquillity and dark night skies within reach of millions
- Landscapes that tell a story of thousands of years of people, farming and industry
- Characteristic settlements with strong communities and traditions
- An inspiring space for escape, adventure, discovery and quiet reflection
- Vital benefits for millions of people that flow beyond the landscape boundary

The aim is not to preserve a landscape frozen in time, it is to conserve and enhance this distinctive sense of place for future generations to enjoy

The **dual purposes** of National Parks have stood the test of time because they create a virtuous cycle: by conserving and enhancing, we create opportunities for people to enjoy nature and the countryside; and by enjoying people will be inspired and moved to care for the landscape.

Our **duty to the communities who live and work** in the National Parks is a crucial part of this virtuous cycle – support for the sustainability of these communities will mean these landscapes have future custodians.

The **National Park Management Plan** provides the framework to encourage everyone to work together to achieve national park purposes. It is a plan for the place and its many people. The way National Park Authorities go about the development and implementation of these plans embodies how we work, as a convenor for the place working in partnership with people.

Our **skills** as National Park Authorities lie in how we:

- Look at the landscape scale, while valuing and caring for the detail
- Keep it a living place, while maintaining what gives the landscape its special qualities
- Care for a public asset, which is largely in private ownership
- Acknowledge often polarised views, while working to seek harmonious outcomes
- Focus on caring for the place, while looking beyond the boundaries of the landscape.

We deliver this through three **main roles**, as a regulator, an influencer and through delivery on the ground. Our challenge is how to maintain our role as independent convenors of the place (as peace-makers) and at the same time use our voice to achieve positive and active change (as change-makers).

The **legal & regulatory planning** framework that governs National Park Authority operations facilitates the delivery of our purposes and duty, in seeking to improve and do things better we wish to maintain what is good about this framework. By way of example, being the local planning authority enables us to develop and ensure a consistency of approach to planning policy and decision making across the whole of the National Park area.

8. What do you think does not work overall about the system and might be changed? Add any points that apply specifically to National Parks or AONBs.

As an organisation that is always seeking to learn and develop, we acknowledge there are areas for improvement in how we operate as a National Park Authority and how we are supported in the external policy and government framework that the protected landscapes operate within. These areas of improvement are picked up in our responses to all the questions below.

We highlight below three areas where we consider we and partners might work better together:

1. **Our governance** both in terms of representation and governance arrangements: On representation, we are keen to ensure the appointment processes, especially for Secretary of State appointees, can help deliver a greater diversity in our members to better represent wider society and for our boards can be smaller or more agile,. On governance processes, we have recently initiated a Governance Review explore ways in which the existing governance arrangements (systems and processes, culture and values) within the Peak District National Park Authority can be enhanced.
2. **Our relationship with constituent and neighbouring authorities**, including local authorities, combined authorities, local enterprise partnerships and strategic transport bodies. We are particularly keen to ensure the relationship is two-way, with a better understanding, appreciation from partners of national park purposes and to seek ways to work together to create of opportunities to support the deeply rural areas represented by national parks so they are thriving and sustainable.
3. **Working together across the national parks/protected landscapes network** – we seek to work more closely and collaboratively across the network of 15 national parks in the UK and with all protected landscapes to generate a sense of shared understanding, support and working together to common aims.

Part 2 - Views

We'd like to hear views on particular issues.

9. What views do you have about the role National Parks and AONBs play in nature conservation and biodiversity?

National Parks are reservoirs for biodiversity and without protection and financial resource these areas would have suffered biodiversity losses at a pace similar to areas in the wider countryside. However, National Parks have not been, and are not, immune to losses. Only a third of the Peak District National Park is protected by a nature conservation designation, most of which is the moorland of the Dark Peak and South West Peak. This leaves many of our grassland habitats of the White Peak unprotected and where habitats of quality are much more restricted with little or no connectivity between them.

There are no special tools or powers to succeed fully with protecting and enhancing biodiversity and the Peak District State of Nature Report 2016 shows major loss of habitats and species over recent decades especially for flower-rich grasslands, including lead rake grasslands and limestone heaths, plus dew ponds. These are all important for cultural

history and landscape too. These losses are generally lower than in surrounding counties but still significant.

The main tool for the conservation and enhancement of such priority habitats outside of nature conservation is the agri-environment schemes. Yet concerningly, we are seeing a progressive decline in coverage of such schemes in the White Peak from approximately 87% in March 2014, to 78% by March 2015 and 72% by March 2016, to a current level of around 50%.

Our only regulatory function is planning in relation to development that may affect nature conservation or biodiversity interests. Aside from removal of some Permitted Development Rights, National Parks do not have any additional planning protection for nature conservation and biodiversity compared to areas outside National Parks. The Agricultural Environmental Impact Assessment Regulations thresholds are lower in National Parks and are intended to prevent agricultural improvement of priority habitats. The regulations have been recently revised to better protect priority habitats and cultural heritage in protected areas, but are as yet untested. These regulations are enforced by Natural England, with limited resources to deal with potential breaches.

We work at the big scale - working in a wide geographical area and a strategic way bringing together organisations, specialists, farmers, land managers and land owners to work for the landscape as a whole so change is bigger, better and more joined up – and with the small details - providing an integrated conservation advisory service across the whole of the National Park through planning and farm advice.

We work closely with many partners at the landscape scale to enhance natural heritage. The best example is the highly successful Moors for the Future Partnership which for 15 years has been restoring one of the most degraded blanket bog in the UK turning back the clock on 200 years of degradation from industrial pollution to bring back life to the Dark Peak moors. These moors, which are also designated as SSSIs, SACs and SPAs, are critical for in helping our environment to be resilient to climate change, providing ecosystem services through carbon storage, slowing the flow of water from the moors, retaining soils, revegetating bare peat and encouraging biodiversity of flora and fauna. More recent partnerships include the South West Peak Landscape Partnership and White Peak partnership, which also provide a diverse range of ecosystem services and other public benefits.

Partnerships are also important in tackling polarised issues, such as the Birds of Prey Initiative which aims to address the continuing absence of healthy breeding populations of birds of prey in the moorlands of the Peak District National Park. Dealing with polarised issues takes an investment of time, trust and commitment between all partners to achieve sustained, not short-term, enhancements.

a) Could they do more to enhance our wildlife and support the recovery of our natural habitats?

Our new 5 year Corporate Strategy for 2019-24 sets out our ambition for a sustainable landscape that is conserved and enhanced, so we have distinctive landscapes which are sustainably managed, accessible and properly resourced and high quality habitats in better condition, better connected and wildlife rich. We are aware that despite our, and partners good work some valuable natural habitats and important species have been declining. National Parks have huge potential as key reservoirs for wildlife, but to realise this potential National Park Authorities need further tools to make sustained progress in the following key areas.

To help deliver more for nature conversation in our finest landscapes we need:

1. Continued government **funding for peatland restoration**.
2. A new **Environmental Land Management Scheme for all land managers** that is outcome led, simple, flexible, accessible, paying adequate rates to encourage uptake and based on the principle of public payment for delivery of the full range of public goods. It must be accompanied by a clear and central role for National Park Authorities in influencing how and where this money is spent to ensure that the best outcomes are achieved in National Parks. Please see response to question 11 below for more detail.
3. **More effective EIA regulations** for agriculture and forestry that are effectively enforced and so cannot be ignored and to have lower thresholds in National Parks to cover all boundary removal (walls and hedges) and small land parcels because these are often where the most interest lies.
4. **Rewilding in a new form** to re-establish naturally functioning ecosystems and nature recovery areas where people who have cared for the landscape have a place and with National Parks as demonstration sites to explore options and opportunities.
5. To consider a paradigm shift for **grouse moor management**, one which is less on number of grouse shot to a new moorland experience, where seeing birds of prey, enjoying heather in bloom are as important as shooting some grouse.
6. More **joined up working across our protected landscapes of National Parks and AONBs** to provide a more strategic approach to biodiversity networks and resilience. We already have working groups considering this across our professional officers and would welcome engagement of Natural England in considering the scope for National Parks and AONBs to be a key part of the Nature Recovery Network.
7. **Economic regulatory frameworks** that incorporate natural capital benefit to support natural solution. There is some recognition of this in Ofwat's economic regulatory framework for water companies and in flood risk management decision making, both of which support land management solution that restore high quality habitats because it is good for water quality and flood risk management. Ofgem also recognises customers are willing to pay for undergrounding high voltage lines to enhance the landscape. However, there is currently no effective economic regulatory regime that recognises the value of blank bog restoration to carbon sequestration which can fund this as a crucial activity to mitigate climate change.

10. What views do you have about the role National Parks and AONBs play in shaping landscape and beauty, or protecting cultural heritage?

The Peak District National Park is a lived-in landscape that has been shaped by people for thousands of years. Human activity can be traced back for more than 300,000 years, with caves revealing the tools used and animals hunted by our Palaeolithic ancestors. With one of the richest concentrations of prehistoric monuments in the country, with many stone circles, burial mounds and remains of hillforts. Our cultural heritage is of immense value to the national. Built heritage is also important, with nearly 3,000 listed buildings and over 100 Conservation Areas.

National Park Authorities hold a key role in shaping the landscape and natural beauty of these special areas. We do this primarily through our regulatory planning role, which provides a crucial "backstop" to our conservation and enhancement purpose, and through our advisory services from specialist officers. We also use our planning function in a positive and pro-active way, seeking to achieve enhancements to the landscape of the National Park

whenever possible through the development process. High quality design and attention to detail underpins the development management work of all National Park Authorities; our planning role is vital in this and should not be reduced or undermined in any way, particularly through further deregulation of planning. Ensuring that development is in the right place and is of the right scale and design is at the heart of the planning process in National Parks. This also ensures that we look after the cultural heritage of the National Park, which is rich in human history.

Our new 5 year Corporate Strategy for 2019-24 sets out our ambition for a sustainable landscape that is conserved and enhanced, so we have cherished cultural heritage that is better understood and looked after. The uniqueness of National Parks and the voice of National Park Authorities, is our ability to speak for natural capital and cultural capital – we care for landscape, cultural heritage and natural heritage. No other place-based public bodies embrace all three and seek to engage the public to enjoy and be inspired by their understanding of them and to pass this care onto others and to the wider world.

To deliver more for cultural heritage we would welcome:

1. An opportunity to work with Defra in the **promotion of a deeper understanding and appreciation of the cultural heritage** in our landscapes as a key in the delivery of the Government's 25 year environment plan - nationally and through the proposed local natural capital plans.
2. The proposed new **Environment Land Management Scheme** to deliver for the cultural capital as well as the natural capital of these special landscapes, such as protection of traditional dry stone walls. To prevent the removal of any wall the introduction of wall regulations could be considered. Maintenance of the walls and restoration could receive appropriate support through the new ELMs. National Park Authorities currently administer the Hedgerow Regulations and this role could be extended to cover the regulation of walls.

11. What views do you have about the role National Parks and AONBs play in working with farmers and land managers and how might this change as the current system of farm payments is reformed?

Around 84% of the total area of the Peak District National Park is farmed land. Farmers and land managers are essential for conserving and enhancing the special qualities of the National Park. Farms must be sustainable and resilient businesses to survive. Decision-making is mostly driven by economic pressures. If farmers are to be encouraged to deliver more environmental and public benefits than they do now, there needs to be an evaluation of the benefits. This will enable the creation of new types of support schemes.

As the Government reviews protected landscapes for their contribution for the next 70 year, we need to answer the question – if we want our National Parks to be the finest landscapes for the nation with enhanced beauty, natural heritage, cultural heritage and access then are National Parks the right place for intensive or productive agriculture or should National Parks be places that encourages land management that reflects the National Park status and purposes?

Farmers and land managers should be supported for reflecting national park purposes, enhancing the special qualities and increasing the ecosystem services from their land. We would like to see more trees, more native woodland to match soils and geology, more scrub and ponds restored, more wildflower grassland of various sorts, protected lead mining remains, more limestone heath, and our cherished drystone walls to be rebuilt and restored.

This would all enhance the ecosystem services (carbon capture, water quality protection, flood management, soil protection, amenity, cultural services and nature conservation values; a much better landscape for health and welfare because more bird song, butterflies and flowers have been shown to increase wellbeing for those using the landscape; and food production would not be the prime output.

A future land management support scheme that delivers public payment for public goods needs to underpin the whole future of farming and land management. We want to ensure land management in the Peak District National Park delivers the full range of benefits, encouraging farmers to protect and enhance the natural and cultural environment. It needs to be attractive to farmers to enter, current schemes are not due to complexity, increased recording requirements, inadequate and late payments. While there is uncertainty about the future level and type of funding support to farmers after our exit from the European Union, this is an opportunity in a lifetime to influence new schemes to pay farmers and land to conserve and enhance the special qualities of the Peak District National Park.

To help deliver more for our finest landscapes, we like:

1. The National Park should be a **test-bed for new and innovative support schemes** which care for and enhance the special qualities of the Peak District National Park
2. A clear and **central role for National Park Authorities in influencing how and where the new Environmental Land Management Scheme is directed** and spent to ensure that the best outcomes are achieved in National Parks; whilst the Authority need not be the “purse-holder”, it should have role in where and how public money is spent in the National Park.
3. The **2014/15 level of RDP funding in to the PDNP**, £30 million/year, will be needed and redirected in full for the delivery of public goods.
4. Currently annual payments are calculated on the basis of income forgone and additional cost which are nationally assessed and so often do not reflect local circumstance, actual productivity or indeed the public value of the public goods being delivered. This is particularly relevant in the White Peak. Our White Peak Pilot ideas submitted to Defra are an example of **new ways to deliver an ELMs to address the local circumstances and needs** whilst at the same time working in a complimentary way with other rural development support initiatives and we stand ready to work to deliver this pilot with partners.

12. What views do you have about the role National Parks and AONBs play in supporting and managing access and recreation?

Promoting opportunities for understanding and enjoying the Peak District is already at the heart of what we do. In response to Government directives (the 8 point plan for national parks and the 25 year environment plan) we are increasing our engagement efforts to ensure our National Park is loved and supported by diverse audiences.

We have the benefit of significant physical assets that help us to achieve our desired outcomes. Our multi-user trails, visitor centres and historic estates are enjoyed by more than 700,000 visitors every year. We're developing a suite of Miles without Stiles routes, with 20 routes published in 2018, a further 20 this time next year. There are many opportunities for creating and improving accessible routes and we work closely with the Peak District Local Access Forum to achieve this. Where appropriate we also use the Traffic Regulation Orders

to manage access and ensure impacts on routes are mitigated so they are available for all to enjoy safely for future generations.

We seek to work with the Highways Authorities who operate across the national park, but this is limited by funding and a lack of synergy between our aims and management of the Rights of Way (RoW) network by the Highway Authority.

With a loss in public transport services within, into and across the National Park has restricted the ability for people to access the national park via sustainable transport means, and we find resulting in more people accessing via the car, which limits ability of those without a car to enjoy these national treasures.

To help deliver more for opening up access and opportunities for recreation:

1. **More jurisdiction over the infrastructure that supports great National Park experiences** is needed. The public rights of way network is the most popular element of the National Park visitor experience but responsibility rests with the Highway Authority. Transfer responsibility for the maintenance and improvement of this resource to the National Park, along with respective budget and legal powers, would enable us to make significant improvements with regard to accessibility.
2. **Support with the first/last mile transport challenges** – There are a number of key transport corridors across the National Park network, where the interchange experience could be significantly improved through greater partnership working between different transport operators, key visitor attractions and protected landscapes. For example, existing public transport options are available from Sheffield railway station to Chatsworth House and Bakewell, but it is confusing and difficult for the international visitor to follow successfully. There is an opportunity for Government to make it easier to create joint ticketing solutions to key attractions in National Parks, which can be promoted to international visitors upon arrival in the UK.

13. What views do you have about the way National Park and AONB authorities affect people who live and work in their areas?

The Peak District National Park is a living, working landscape with a resident population of around 38,000 and supporting 18,000 jobs. People are integral to the life and management of the National Park. They have lived, worked in and shaped the landscape for thousands of years.

A sustainable community relies on social, economic and environmental factors. Peak District National Park residents live in an outstanding landscape full of natural beauty, wildlife and cultural heritage which are all closely connected and interdependent. Combined with the relatively close proximity of large towns and cities around the Peak District, this makes the National Park an attractive place to live, exacerbating the issues of affordability seen in many rural areas. There are also difficulties of access to services, particularly given the limited availability and cost of public transport in the area.

To retain communities as vibrant and thriving places, such issues need to be addressed. Whilst unemployment rates are relatively low, the range and value of employment and access to jobs can be a problem. Added to these challenges is the expectation of an ageing

population, with a potential reduction in working age people and an increase in elderly people. Furthermore it is important to find opportunities for younger people, who wish to remain in their communities, to do so. The availability of affordable homes and suitable employment are important factors, along with the other elements that make up a sustainable community, such as the sense of community brought about by people sharing experiences. Whilst these problems are not unique to National Parks, they are made more acute by higher house prices and difficulties with accessibility.

Many of our villages have a range of thriving local facilities, but some find it difficult to retain their services, with health and social care being particularly affected. Many shops, post offices, healthcare facilities and pubs have closed. As our residents' age profile is increasing, many need access to these services now more than ever.

We are organisations who seek to be grounded in our local communities. We work from the ground up, as part of our communities, to bring to life our duty to foster the economic and social well-being of communities in our role to care for the special qualities of the national park. We seek to fulfil this duty through our planning policies, as a community enabler and in working with the District and County Councils who have the direct remit and resources to take action to promote and further the economic and social well-being of communities.

Our planning policies aim to retain community facilities and services and where it is no longer viable to do so we look for alternative community uses. We have permitted the use of former pubs to shops and the use of rooms in community buildings as community run shops and some communities are now delivering their own services, including running community shops and pubs. We support such innovation and will seek to help communities share and learn from each other. Yet these services often emerge after the loss of traditional means of accessing services, like doctors' surgeries and public transport.

a) Are they properly supporting them and what could be done differently?

The National Park Authority believes that building strong connections between local people and the area in which they live can help to foster thriving, vibrant and sustainable communities. The Authority is working with Parish councils and communities to develop our understanding of what makes a thriving, vibrant and sustainable community. We aim to support communities in a way that conserves and enhances the Peak District National Park's special qualities. Sustainable communities need suitable employment and services including schools, shops and health facilities but we need to continue to explore new ways of providing these services.

One way in which the Authority does this is through working with communities to provide a range of initiatives, from a statutory Neighbourhood Plan, through non-statutory village plans, to advice or financial assistance on small projects. In the last 3 years the Authority has put increased resources into working with communities, whether this be through Parish Councils or through community interest groups, to build understanding and capacity in these communities. This helped help build community cohesion and to develop and cement relationships between the Authority and our communities. The main asset the Authority has in this work is the expertise and advice it can offer to communities, sometimes bringing them together through events such as the annual Parishes Day.

For many people businesses form an essential part of their experience of the National Park, from large landed estates to small cafes and village shops. We are particularly supportive of businesses which promote opportunities for the understanding and enjoyment of the special qualities of the area by the public and see this as a vital component of the National Park's

performance. We welcome opportunities for high value, low impact employment within sustainable locations which supports National Park purposes. Due to the close proximity of neighbouring towns the Peak District National Park is a net exporter of commuters, with about twice as many people regularly leaving the area for work as entering it. Retaining an element of locally based employment is important to the provision of services and the character of local communities. Working with partners we are supportive of efforts to provide appropriate opportunities for local businesses within the National Park. To this end, the Authority supported the formation of Business Peak District, which now has over 700 members; this seeks to act as a single voice for businesses in and around the Peak District and as a representative of their interests. Its vision is for a Peak District with a distinctive, high quality rural environment and an enterprising, growing and sustainable rural economy. The Authority continues to support BPD and we aim to enable local businesses to thrive in a way that is compatible and, wherever possible, enhances the special qualities of the National Park on which so many livelihoods rely. We can provide an environment where new businesses can be established and existing businesses can modernise and evolve while conserving and enhancing the special qualities of the National Park and enriching the communities that live within it.

A Peak District National Park-wide enhanced broadband service delivered in innovative ways with communities has a role to play in accessing services as these services are still only available in a consistent way in the larger towns and villages. The Authority takes a positive approach to the provision of these services, whilst seeking to protect the special qualities of the area, but more needs to be done by the providers to cover the more remote areas, adopting more sensitive and innovative approaches where necessary

Over the past 5 years we've increased our capacity in this area and our 5 year corporate strategy for 2019-2024 sets out our ambition for thriving and sustainable communities that are part of this special place.

14. What views do you have on the role National Park and AONB authorities play on housing and transport in their areas?

Housing

Supporting National Park purposes and helping maintain the special qualities of the National Park does result in a unique constraint on development. This is why we need a proactive approach to addressing the housing needs of local communities in ways that add to the valued character of an area. The National Park Authority has long established and successful housing policies that aim to meet the Authorities statutory purposes and to support the provision of affordable local needs houses. Since 1994 the Authority's adopted planning policies have led to housing development that either conserve or enhance the special qualities of the National Park (through the conversion of traditional buildings or the redevelopment of brownfield sites) or that provide affordable local needs housing. The latter is achieved through an "exceptions" approach to housing, with 100% of houses on exceptions sites being affordable houses for local needs. The Authority considers this to be the most effective way of meeting these needs, particularly given the relative scarcity of suitable and available housing sites in the National Park.

We will continue to take a proactive approach to addressing the local need for appropriate housing in the Peak District National Park. We want to work together to grow our understanding of different housing products. We will support community-led housing initiatives that recognise the importance of delivering affordable homes with the community at the heart of the development process. Finally, we want to attract appropriate levels of inward investment from Government and others that reflects the cost of building affordable homes in the Peak District National Park.

Looking at the wider housing pressures, the Authority has been very concerned that constituent authorities' housing targets, driven by OAN (objectively assessed needs) estimates, have placed a burden of expectation on the National Park Authority to accommodate some of the wider housing needs within the National Park in order to relieve pressure on those areas outside the National Park. This has led to unnecessary tension between the National Park Authority and constituent authorities on this issue. Whilst the Authority has been sympathetic to the difficulties this has placed constituent authorities under, the answer is not to meet these wider housing pressures in the National Park but to acknowledge these constraints when the housing targets are being set for the constituent authority areas. The Authority welcomes the protection given to National Parks, in respect of housing and major development, in the revised National Planning Policy Framework (July 2018).

Future opportunities to assist local needed affordable housing:

1. Government support for this approach, through clear planning policy and guidance, and through **support for rurally focussed registered housing providers** is essential.
2. The **use of funds collected through section 106 agreements and New Homes Bonus** across the constituent authority boundaries areas of the National Park would also support this.
3. The National Park Authority does not seek to be a housing provider, but it does need **the support, tools and flexibility of approach** required to support the delivery of affordable housing in appropriate ways for the National Park.

Transport

Transport Infrastructure: The Authority is concerned that major transport infrastructure schemes may be proposed in and around the National Park without significant weight being given to National Park purposes and the duty under section 62 of the Environment Act at the strategic outline planning stage. As a result of pressure from the Authority we are now closely involved in the discussions on trans-Pennine road and rail proposals and are seeking to influence these at an early strategic development stage. The Authority's approach is to seek a clear justification for major proposals in the National Park and, if this can be demonstrated, to seek exemplar schemes that provide significant net environmental enhancement and to provide opportunities for sustainable transport options to promote enjoyment of the National Park. This approach should be understood and endorsed by all Highway Authorities and the Department for Transport. The same applies at the local level where there is a need for a greater recognition by local highway authorities of the significance and special qualities of National Parks and the design of schemes (road improvements, footways, signage, lighting) should be reflected in this.

Transport Services: A steady decline in commercial bus services over recent years has made access even harder for people without their own transport. This needs to be addressed in innovative ways, working with existing providers and looking at ways of combining users and services (for example, visitor focused services and local community transport or transport to hospitals and doctors). The Authority does not seek to be a transport provider, but it will work closely with providers and communities to seek and deliver innovative solutions. These can include off-road solutions, with a greater focus on sustainable means of transport, including cycling and walking, with improved networks and facilities for this. The Authority has already achieved much through the use of former railway lines as multi-user recreational routes, which are popular with local communities and visitors alike (such as the Monsal Trail, Tissington Trail, High Peak Trail, Longdendale Trail and the Manifold Trail).

We are developing the concept of a joined-up visitor and community bus service around Edale, to see how we might develop a new service. We have taken a look at the successful Devon Total Transport scheme and would like to explore if we can pilot a 'Devon plus' scheme here in the Peak District National Park. With the initial concept of how we might work with CCGs to support better provision of non-emergency patient transport services and increase local transport community services, with the Authority acting as a convenor of key stakeholders to pilot this.

Future opportunities to assist the right road schemes in the right place and enhance sustainable transport options are:

1. The Authority is willing to work with Highway Authorities at both a strategic and local level to achieve schemes and designs that are worthy of and appropriate for National Parks, but there is **a need for a clearer statement of responsibility for Highway Authorities**
2. The Authority is willing to **explore the concept of a total transport pilot, which takes the successful Devon model a step further** by helping CCGs deliver more efficient non-emergency patient transport services and increase local community transport provision. We'd welcome Department for Transport and Department for Health support for such a pilot.

Part 3 - Current ways of working

We'd like to ask some specific questions about the way National Parks and AONBs work at the moment.

15. What views do you have on the way they are governed individually at the moment? Is it effective or does it need to change, if so, how?

The Peak District National Park Authority works within a complex administrative structure covering three county councils, eight district, borough, city and metropolitan borough councils and 125 parishes. Our role as a convenor for the place that is the Peak District National Park enables us to have conversations, and take action forward, that works with and transcends geo-political boundaries and enables us to act in a way that is best for the place and the people who are connected with the place. We have decades of experience in testing answers to national and global questions at a local level. We aspire to be thought leaders, exemplars and inspirers.

The representation on the Authority reflects the reality of the geo-political nature of the local authorities and parish councils and of the national interest being a nationally designated protected landscapes. Our 30 members (16 council members, 6 parish members and 8 national members) allows us to represent this blend of local and national representation and allows different expertise to be available to the Authority. These 30 members provide an overview and governance oversight to 226 FTE officers of the Authority. This gives an oversight equivalent to one member per 7.5 officers.

On governance processes and systems, we are undertaking our own governance review, with the aim of improving our engagement, effectiveness and efficiency.

We would welcome the review of protected landscapes to consider what is the right size and make up of membership to be the most representative, effective and efficient:

1. We see a benefit in reviewing how our **governance reflects the size of the organisation and those we represent locally and nationally**. Three quarters of our membership are nominated by local authorities and parish councils with constituencies in the National Park boundary. One quarter of our members are appointed by the Secretary of State as national members. If we wish to harness local people to the good of the National Park an ownership is needed.
2. We are concerned the **current appointment process for members appointed through the Secretary of State (SoS) appointment process (administered directly by Defra) has resulted in the Authority holding two SoS vacancies for over three consecutive years**. The appointment of Parish and local authority members is relatively straight forward and has ensured no gap in representation of these members.
3. Our current member profile shows that younger people, women, people from BME communities and disabled people are underrepresented in our current Authority membership. The Peak District National Park Authority would like the review to **explore how membership of National Park Authorities can be made more diverse** by removing barriers that may restrict the appointment of more Members from underrepresented groups.

16. What views do you have on whether they work collectively at the moment, for instance to share goals, encourage interest and involvement by the public and other organisations?

As a collective network of National Parks we work together at the English level, through National Parks England, and at the UK level across the 15 National Park. We collaborate on informing public policy, public communications and promotion of National Parks, joint member training as well as opportunities to join up working together on support functions and develop income generating opportunities, through National Parks Partnerships.

We have ambitions to improve this working together, acknowledging the significant economies of scope and scale from working together nationally through the delivery of national programmes. For example there is scope for national work on:

- **Audience research and insight** – the audience data available to National Parks is limited due to significant costs, but there is greater scope for efforts to be combined across Government departments and agencies. There is an opportunity to create a centre of excellence nationally for audience insight in protected landscapes using the combined resources of National Park Authorities, Forestry Commission, Natural England and VisitEngland. This programme could commission and distribute new data sets and insights, and support Protected Landscapes in audience led decision making in their day-to-day activity.
- **Development of the UK National Parks brand** – There is scope for Government to further support and add value to national and international communications and brand development of National Parks throughout the UK, to raise awareness of their presence and the benefits they deliver.

17. What views do you have on their efforts to involve people from all parts of society, to encourage volunteering and improve health and well-being?

Promoting opportunities for understanding and enjoying the Peak District is already at the heart of what we do. In response to Government directives (the 8 point plan for national parks and the 25 year environment plan) we are increasing our engagement efforts to ensure our National Park is loved and supported by diverse audiences.

Through our current Corporate Strategy (2016-2019) we've shifted our direction to focus on connecting under-represented groups to the Park, particularly people under 25 and those living with a health inequality. We're on course to exceed our targets in those areas but we're anticipating a big gap between our audience diversity and the regional demographic.

We continue to work with the MOSAIC champions. This started as an HLF funded project to increase access to and understanding of the National Park by BAME communities. We've supported the Champions to set up as their own charity in order for their work to be sustainable. We've restructured to create Outreach hubs that are close to urban fringe so that we can connect more easily with a wider audience.

Our new 5 year corporate strategy (2019-2024) sets out our ambition for a National Park loved and supported by diverse audiences, and in doing so to generate active support in the form of volunteering, donations and commercial income; to increase our reach amongst under-represented groups so that is better represents regional demographics with regard to age, race and disability; to build a stronger identity and reputation so that people understand and feel connected to the Park

To achieve these outcomes we need to know who we're talking to and understand what people feel about the National Park now. Our brand must be developed with a clear story so that audiences can understand and believe in what we stand for. We've carried out some audience insight work to help us understand current levels of engagement with the Peak District National Park brand and how that engagement could be converted into support. We found that people already have a strong connection to the place and we are in the process of setting up a charity to allow us to actively raise funds to support our work. It is the relationship that we can develop and the benefits we can demonstrate that will inspire audiences to support us. Greater insight would enable us to tackle the barriers that currently

limit diversity but in order to be relevant our Membership, staff and volunteers also need to represent regional demographics more closely.

The development of our brand is long term, slow-burn piece of work. The benefits of brand development efforts, local and national, are not immediate and we need to recognise that long term investment of resources is required to make a real difference. It can be difficult to make that commitment to something that is less tangible than some other elements of our work and budget uncertainty makes that decision even more challenging.

We believe that National Park Authorities should have an increasing role in helping to deliver health and well-being benefits to our communities, both within and around the National Park. In the Peak District context there are many towns and communities close to the National Park with relatively high levels of health inequality and poor quality of life. Improved access to and awareness of the National Park, together with schemes to allow and encourage people to experience the National Park could bring wider public health and well-being benefits. Through initiatives such as health walks and green prescriptions, the National Park authority can work with public health authorities to deliver greater benefit to the nation. These benefits should also be accessible to communities within the National Park.

To help us deliver more in opening up access to enhance health and well-being and being a welcoming place for all, we suggest:

1. A facility for a **National Park resource (either physical or digital) to be embedded in urban communities outside our borders** would support our ambitions to be more accessible and representative of the communities we serve.
2. Better links with relevant Government Bodies such as the Department of Education and the NCS trust will **increase the impact of scope of our work with young people**. The National Curriculum should reflect the importance of Outdoor Learning more strongly. Knowledge of NP/AONB's should also form a part of the curriculum so that young people are inspired to understand and care for those protected landscapes.
3. The accord with PHE helped us to develop our offer around health and wellbeing but this work will have greater impact if we can **strengthen links with the wider NHS, facilitating social prescribing**.

18. What views do you have on the way they are funded and how this might change?

The National Park Grant (NPG) is an essential element of our core funding as National Park Authorities. This NPG supports delivery of our core functions and enables us to lever in further funding from grant bodies, trading income and donations to achieve even more. As a consequence we are able to deliver a lot with a limited core national park grant, for example our core national park grant has ranged between 45% - 55% of our total spend over the past few years.

Much of this additional income has been through securing major grants, in particular over the past 15 years we have secured c. £30mill from EU LIFE funding to restore the heavily degraded peat of the dark peak and South Pennines SACs. The ability to secure such level of funding from similar sources once we leave the EU will be important to continuing our restoration works of the landscape and natural heritage.

The Chancellor's Autumn Statement published on 25th November 2015 contained the welcome headline announcement that there would be "protection" for National Parks and Areas of Outstanding Natural Beauty over the Spending Review period. As a consequence of this announcement Defra issued a settlement letter on 21st January 2016 giving a four year settlement figure for our National Park Grant showing that the Grant would be protected in real terms over the Spending Review period. This protection in the current Spending Review settlement was welcomed. It, however, followed a period of year on year reductions in National Park Grant from 2010-11 up to 2015/16, leaving our National Park Grant at approximately 65% of its previous spending power in 2010/11.

The Peak District National Park Authority has ambitious targets for the protection and restoration of landscapes, to increase engagement from diverse audiences and support local communities. The current Defra grant is insufficient to meet our statutory purposes or to support the delivery of our ambitious targets in our corporate strategy. The Authority needs to be able to plan for the long-term, which in turn requires certainty of future funding levels. In light of the above, the Review is asked to consider recommending further long-term settlement agreements and the restoration of the 2010/11 spending powers to National Park Authorities. In addition, we are also looking at how we can diversify our own income streams, building on the valued government grant.

Remaining within the financial framework for local authorities offer National Park Authorities the opportunity to maintain end year flexibilities, reserves policies, a funded pension scheme and most importantly our borrowing powers.

Caring for these landscapes is so much more than what National Park Authorities do. We'd like the review to consider how we can direct all the public money spent within these landscapes to the same purpose of inspiring care in everyone so our protected landscapes are a working model for a sustainable future.

19. What views do you have on the process of designation - which means the way boundaries are defined and changed?

We operate within our boundary, and with communities and partners outside our boundary, such as Moors for the Future which covers the wider south Pennines, so our steer and influence goes way beyond our landscape and catalyses work and benefits for the nation.

20. What views do you have on whether areas should be given new designations? For instance, the creation of new National Parks or AONBs, or new types of designations for marine areas, urban landscapes or those near built-up areas

21. Are there lessons that might be learnt from the way designated landscapes work in other parts of the United Kingdom, or abroad?

Part 4 - Closing thoughts

22. Do you think the terms currently used are the right ones? Would you suggest an alternative title for AONBs, for instance and if so what?

23. The review has been asked to consider how designated landscapes work with other designations such as National Trails, Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), National Nature Reserves (NNRs) and Special Protected Areas (SPAs). Do you have any thoughts on how these relationships work and whether they could be improved?

These areas make up around a third of the Peak District National Park, and are our most protected areas of natural beauty and wildlife and form the backbone of our nature networks. They complement the National Park designation by preventing inappropriate activity and development of our most special landscapes and sites.

The National Park Authority works closely with Natural England to deliver positive land management in these designated areas, but relies on Defra bodies to administer the schemes. This co-operative working is key to ensuring these special sites reach favourable status. This is becoming increasingly difficult due to lack of resource available within DEFRA, Natural England and the National Park.

Buffering and connecting these designated habitats provides a focus for providing advice and allocating resource, but aside from the limited number of laws and duties indicated in our response to question 9, there is no extra protection to wildlife outside these sites.

The approach outlined in the 25 Year Environment Plan for the enhancement of these nature designations and the development of nature recovery networks is welcomed.

24. Do you have any other points you would like to make that are not covered above?

National Park Management Plan

Section 66 of 1995 Environment Act requires National Park Authorities to produce a National Park Management Plan which '*formulates policy for the management of the relevant Park and for the carrying out of its functions in relation to that Park*' and should reflect national park purposes. Each National Park Management Plan should be updated at least every 5 years.

The UK Government vision and circular 2010 for the English National Parks and the Broads states that 'Park Management Plans are the over-arching strategic document for the Parks and set the vision and objectives which will guide the future of the Park over the next 10 to 20 years. The Park Management Plans are for the Parks and not the Authorities. They should be supported by clear strategies with evidence of significant 'buy-in' from key partners and stakeholders, including communities, land owners and land managers. The Government expects public agencies and authorities' active within or bordering a Park to cooperate in the development of the Park Management Plan and the achievement of the Management Plan objectives.'

This means the National Park Management Plan is not a plan for the work of the National Park Authority, or of any one organisation, but about what can be achieved by everyone with an interest in the National Park and its future. The plan is therefore a partnership plan reflecting ambitions across the whole National Park. We seek to involve all the relevant local authorities, partners and other stakeholders in its development and update. It is the largest partnership plan in the Peak District in terms of the range of partners involved. The Peak District National Park National Park Management Plan 2018-23 involves partners such as

the local authorities within and bordering the National Park, statutory bodies like the Environment Agency and Natural England, destination management organisations, charities like the National Trust and Friends of the Peak District and parish councils.

The National Park Management Plan is therefore the key delivery mechanism for conserving and enhancing the Peak District National Park. Over time, much has been and continues to be delivered through our National Park Management Plan. At present, we rely on the goodwill of partners to cooperate in developing the Plan and then delivering the actions that have been identified. Therefore, there is the potential to increase the impact of the National Park Management Plan, and better conserve and enhance the National Park, by gaining further buy in and engagement from all potential partners with an interest in the Peak District National Park. The Authority already has good working relationships with many partners involved in the National Park Management Plan, but further guidance for existing and potentially new partners would assist in gaining increased participation, and make it clearer that although National Park Authorities coordinate the National Park Management Plan, they are not responsible for leading on and delivering the majority of the actions that have been identified. Further guidance around this would ensure that actions are led by a much wider range of partners, and provide further benefit to the National Park.

To assist this greater combined commitment to National Parks:

1. We would like to see a collective **requirement for public bodies “to further” National Park purposes** and to co-operate in the development and implementation of national Park Management Plans

The visitor economy

A more joined up approach between Government department and National Parks, locally and nationally, is the key to maximising the benefits of the National Parks to a wider audience. We know through a collective review of our respective visitor and non-visitor surveys that the 15 UK National Parks add value to the UK’s wealth and well-being. This data tells us that:

- The 15 UK National Parks have 104mill visitors/per year bringing a £6.9 billion value.
- Half of the population has visited a National Park within the past 12 months and four fifths of visitors have been to a National Park before.
- Each year we attract 33m visits by families and 20m new visitors and 9 m visitors from overseas
- People visit National Parks because of the scenery, to be outdoors and for peace and quiet.
- Satisfaction with a visit to a National Park was universally high.

The data also shows us how we might learn from each other, for example in general terms, England has the highest number of visitors, Scotland obtains the highest value from their visitors and Wales attracts a younger audience. The data also highlights those groups that are less well represented, younger people, those with a disability and from BME background and in a lower socio-economic class. As well as identifying the main barriers to access are indifference, awareness and transport.

The 15 National Park Authorities have instigated a programme of work create key messages for the public in order to raise their awareness of these most special landscapes and encourage more diverse communities to get out into who may not be aware of the existence of National Parks and what they have to offer.

The Peak District National Park Authority is acting as the accountable body for the new English National Park Experience Collection, as part of VisitEngland's Discover England Fund and on behalf of 9 of the 10 English National Parks. This programme is delivering the ambition set out in the Government's 8-Point Plan for National Parks to "promote National Parks as world-class destinations to visitors from overseas and the UK" by providing business support activities to private sector businesses to develop new experiential tourism products, develop skills in working with the travel trade and in welcoming international visitors. Each of the 65 new experiences within the Collection tells the stories of our protected landscapes and their people, to new audiences overseas. It is the first time National Park Authorities have delivered a national programme of work around tourism collectively, and it is developing an audience-led approach to our work.

This will help one of the challenges we and the other National Park's face which is dealing with high volume, low value patterns of visitation. We are, of course, an asset for all to enjoy but that very precious asset is at risk of being over-run by millions of visitors spending little more than the price of a small Bakewell pudding. The National Parks must have more authority/influence in helping both manage the pressure of visitors and in promoting enjoyment and understanding. We also have to be allowed to lead the challenge of securing revenue from visitors to support the local economy and our own activities. A tourism tax is frowned on by the hospitality industry but a more concerted and defined approach to visitor giving, supported by government, is needed.

This can be summed up as, the need to 'make the most of our visitors in order to make the most for our visitors'. If we succeed in this, then the National Parks are better supported in the delivery of their statutory purposes and the economic wellbeing of local communities would be greatly enhanced.

To help improve the visitor economy and reach of our opportunity for life changes experiences:

3. We seek a more **concerted and defined approach to visitor giving**, supported by government.
4. We seek continued recognition of the role National Parks can play in international and domestic tourism, recognising that as well as delivering significant economic benefits to rural communities, visits to our National Parks provide life changing and formative moments in people's lives through engagement with natural and cultural heritage. In practical terms **longer term support for the Discover England's National Parks Experience Collection**. The current Discover England Fund programme is expected to end in September 2019 after 18 months of initial investment. To date it has been very well received by tourism businesses and the international travel trade. Experience of successful tourism product development programmes in other countries (for example, the Wild Atlantic Way in the Republic of Ireland) shows it can take around 9-years of sustained public investment to fully realise the benefits of new product development work.

How to respond

Responses to this call for evidence must be submitted online via Citizen Space by 18 December 2018 at: <https://consult.defra.gov.uk/land-use/landscapes-review-call-for-evidence/>

If you are unable to submit online, please contact us at landscapes.review@defra.gsi.gov.uk and we will work with you to find a different way of responding.

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Submission by National Parks England to the Glover Review of Designated Landscapes

November 2018

There is much to celebrate from the past 70 years of designated landscapes and we want to achieve much more. National Parks England’s response provides a collective ambition following discussion amongst the ten Authorities and will be supplemented in greater detail by individual National Park Authority (NPA) responses and some All Park Working Groups.

Our Purposes and Vision

Our statutory purposes and duty have stood the test of time and remain just as relevant today. Indeed, protected landscapes are key to meeting many of the challenges of modern society, such as wildlife fragmentation, climate change, chronic health conditions, the need for beauty and spiritual enrichment in our lives, and achieving sustainable development.

The collective Vision for National Parks¹ sets out an ambitious agenda and long-term aspirations. Though we believe the Vision is broadly right, we want to work with Government and partners to update it to support the goals in the 25 Year Environment Plan; so it recognises the full value of National Parks to England; ensures their positive impact reaches beyond their boundaries, and addresses climate change.

If we are to realise our Vision and the public’s increasing expectations of National Parks then further action is needed. There are no shortage of ideas. National Parks England has focused on six key ones that we believe represent exciting opportunities to enhance the environment and people’s experience of it.

Six Big Opportunities

❶ **National Parks as bigger and better places for nature, that are connected through wildlife corridors to each other and resilient to climate change.** The public rightly expects wildlife to be at its best in National Parks. Yet the vast majority of land and water in National Parks is owned and managed by public organisations, businesses, charities and private individuals. National Parks are key reservoirs for wildlife, yet the NPAs have no powers (beyond planning) to manage or influence the decisions that affect wildlife within the Parks. To improve biodiversity in our National Parks, NPAs should have the necessary powers to help achieve this. A transfer of wildlife powers would enable NPAs to be in a

¹ See: *National Parks Vision and Circular 2010*

better position to stop harm to wildlife, and to promote actions to positively restore habitats and species. Coupled with landscape scale partnerships and farming policies (see below), NPE wants to see National Parks as bigger and better places for nature, that are connected through wildlife corridors to each other and AONBs, increasing resilience to climate change.

② Bespoke farming and land management schemes that work for National Parks. Farming in our National Parks is fundamental to delivering many of their special qualities. Building on their close working relationship with farmers and land managers, NPAs and AONB Partnerships should be able to have the power to direct and co-design the delivery of the new Environmental Land Management System within their diverse landscapes. Land management is closely linked to the wider economies of national parks and sustaining the unique qualities of these areas often requires an integrated response involving land management, community and economic development. We look for Government to support a rural development growth deal for our National Parks – co-designed by NPAs with partners. The aim should be to provide a system that is responsive to the quality and variety of their landscapes and farming systems, that better integrates environmental and rural development objectives, and works alongside local farmers and land managers.

③ Awakening a passion for our National Parks. We know National Parks are loved by the public yet for many people they are poorly understood. We want the Glover Report to be the spark for a new movement that tells the story of what our National Parks are, the people who were instrumental in their formation, the values underpinning our National Parks, and celebrate what they have achieved. National Parks are for everyone and NPAs are proactively reaching out to communities who might not otherwise have the chance to visit the countryside and engage with new audiences who can enjoy and be inspired by these beautiful places. Crucial to this will be developing National Park's brand to ensure people are aware of National Parks, identify with them, and are passionate about them – as they are in other countries.

④ A strong new partnership with the NHS to improve people's health and recovery. The ability of everyone to access these glorious landscapes was a key motivator for the social movement that campaigned for National Parks. We want National Parks to be parks for healing; widely understood, valued and used by the public as places that inspire greater physical activity and mental harmony, with a strong partnership with the NHS to prevent ill-health.

⑤ A Government commitment that every child has the opportunity to visit a National Park to enjoy outstanding learning experiences during their time at school. We want to inspire the next generation to experience and appreciate the values of National Parks and champion responsible stewardship of the environment. NPAs, working with partner organisations already facilitate thousands of experiences in our National Parks that can be transformative for the young people involved. They enrich learning experiences, provide inspiration and build aspirations for young people. We want that opportunity to be a right of all, whatever their background or circumstance; and to lead from early experiences of a National Park to a deeper engagement with them throughout their lives.

⑥ Improved legislation to forge a new collective commitment to National Parks. NPAs work in partnership with a wide range of bodies to agree common aims and achieve amazing things with few resources. But nationally, we can do better. NPE wants to see a combined collective partnership by all

public bodies to National Parks. Existing legislation that requires such bodies to “have regard” to National Parks and AONBs is unambitious and focuses on procedures not outcomes. To better align with the 25 Year Environment Plan, NPE would like to see a collective requirement for public bodies to “further” National Park purposes, and to co-operate in the development and implementation of National Park Management Plans as the primary place shaping document for their area.

The maintenance of our National Parks, of which the nation is rightly proud, is the product of hard work by many people, communities and organisations. The network of NPAs provide expertise, facilitation, partnership, and act as convenors for the National Parks – linking English and local priorities. They are place-based bodies that bring people together and deliver. Our planning powers are vital to achieving our statutory purposes.

If NPAs are to continue this task, and capitalise on the six opportunities above, they need the necessary resources, levers, and modern governance to deliver. National Parks England would recommend that:

- Government needs to provide dedicated investment to deliver against these six priorities and ensure NPAs can achieve the wider ambitions in the 25 Year Environment Plan, including a demonstrable enhancement of our designated landscapes;
- Government departments – Defra and beyond - should proactively seek national park expertise in the development of English policy and recognise the National Parks as innovators for testing new ideas;
- NPAs need a Governance framework that is agile, able to respond flexibly and quickly to events, and that supports National Parks to simultaneously deliver national purposes and be grounded locally; and
- NPAs establish exciting new partnerships nationally and locally with public, private, and charitable organisations to deliver our shared ambitions.

Expertise is not the provenance of National Parks alone, and NPAs will work alongside AONBs in their locality - to provide mutual support, share and learn from our experiences, and to further shared objectives to achieve a wider landscape impact that benefits society into the next 70 years.

NPE is very happy to provide further information to support the Glover Review.

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8. **CORPORATE STRATEGY 2019-24 (SLF)**

1. **Purpose of the report**

The purpose of this report is to seek approval to adopt the Corporate Strategy 2019-24 from 1st April 2019.

2. **Key Issues**

- The Corporate Strategy builds on the National Park Management Plan agreed at Authority on 25 May 2018.
- The strategy is set in the context of the external environment and internal drivers.
- The strategy has been produced through a series of workshops and discussions involving Authority Members and staff, however, it will need further communication once approved.
- The strategy sets the direction for the Authority and identifies the outcomes that the Authority would like to achieve.
- The strategy is the Authority's position prior to the conclusion of the National Parks Landscape Review, which will report to government in 2019. Should the review identify new issues or commitments, the strategy may need to be updated to reflect these.

Recommendations

3. 1. **That from 1st April 2019 Members adopt the Corporate Strategy 2019-24 provided at Appendix 1.**
2. **That any changes needed in the final Corporate Strategy 2019-24 as a result of the Authority meeting are delegated to the Chief Executive.**
3. **That the Foreword will be revised to take account of the discussion at the Authority meeting, and the revisions are delegated to the Chief Executive in consultation with the Chair of the Authority.**

How does this contribute to our policies and legal obligations?

4. The Corporate Strategy sets the high-level direction of the Authority and identifies the outcomes that we wish to achieve over the longer-term, plus our targets for this five-year strategy. It sets out how the Authority will deliver its commitment to the National Park Management Plan and work to the purposes and duty of the National Park.

Background

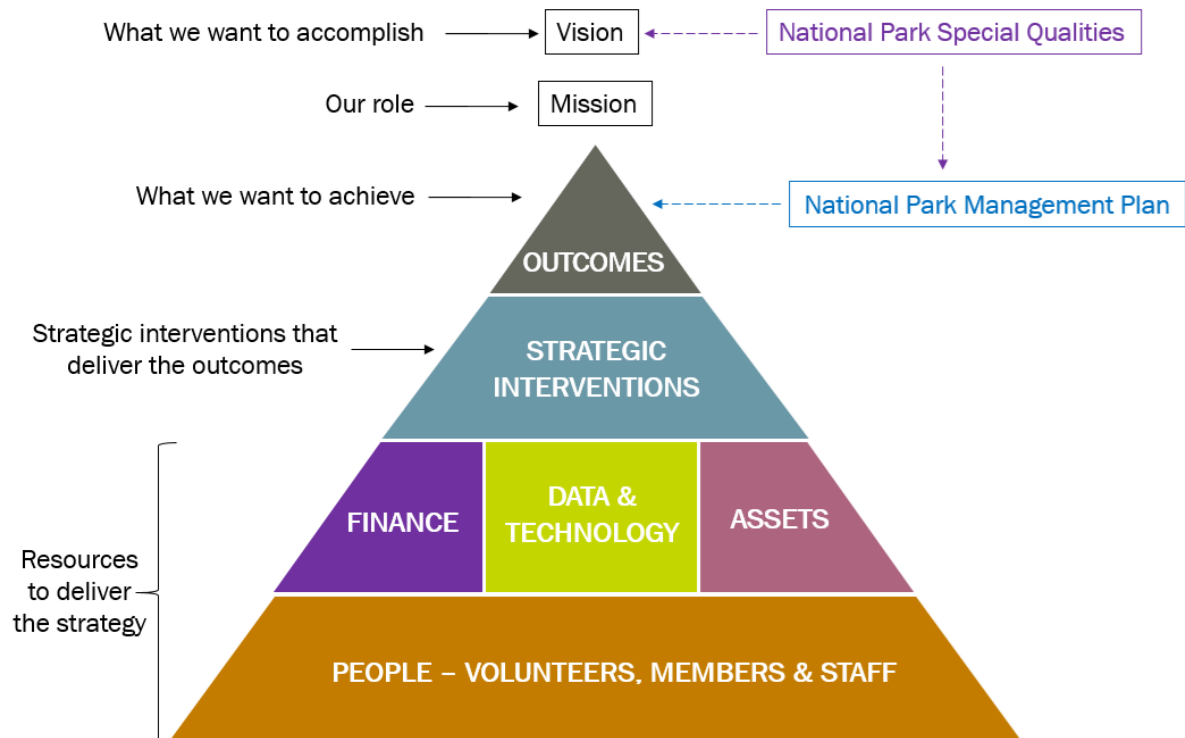
5. At the April 2018 Member corporate strategy workshop, it was agreed that the Corporate Strategy would be five years rather than three to better align with the timescales of the National Park Management Plan.
6. Since March, there have been several Senior Leadership Team, Operational Leadership Team (OLT) and Member discussions and workshops, plus staff engagement and consultation to prepare the strategy.

7. Members were invited to a workshop on the Corporate Strategy on 27 April 2018 where OLT gave presentations on the three themes that were proposed for development into outcomes. Many helpful views were expressed and noted and these have informed the Corporate Strategy that is attached at Appendix 1.
8. On 10 May 2018, a workshop on the proposed three outcomes was held with Member Representatives, Chairs and Vice Chairs ahead of a Members Forum for all Members on 25 May 2018. The three outcomes were revised following these meetings, further detail was developed and the performance measures and targets were developed.
9. On 21 September 2018, a further Members Forum provided Members with the opportunity to influence the draft outcomes, performance measures and targets. Following this, the Corporate Strategy document was developed.

Proposals

Our Corporate Strategy

10. Through the Corporate Strategy, we will deliver our contributions to the National Park Management Plan and work towards achieving our **vision**: “*For the Peak District to be loved and understood as the UK’s original national park*”. The strategy is also key to delivering our **mission** as an Authority: “*To speak up for and care for the Peak District National Park for all to enjoy forever.*”
11. The strategy is organised around three outcomes that reflect national park purposes and duty and the National Park Management Plan vision. The outcomes are:
 - A sustainable landscape that is conserved and enhanced
 - A National Park loved and supported by diverse audiences
 - Thriving and sustainable communities that are part of this special place.
12. The Corporate Strategy was developed using the framework in the following diagram.



13. The diagram demonstrates the relationship between our vision, mission, special qualities and National Park Management Plan. It also demonstrates how these have influenced the development of outcomes and strategic interventions within our Corporate Strategy. Our

outcomes are what we want to achieve and our strategic interventions are how we will deliver these outcomes.

14. The diagram also shows the need to align our resources to deliver the strategy. For the first year of the strategy, we have aligned our resources to the three outcomes to ensure our finances, people, data, technology and assets are used in the most efficient and effective way. Throughout the life of this strategy, we will at appropriate times bring forward a series of resource strategies and plans to provide the strategic resource framework for this strategy.
15. For each of the outcomes, a number of performance measures and associated targets have been identified for 2024, for each year within this corporate strategy period and for 2040. These are in Appendix 1. The 2040 target shows the bigger picture that our work over the next five years will contribute towards. This new corporate strategy represents a different approach, focusing on outcomes. In line with this, the performance measures and associated targets are the best measures that we have to date. We will continue to review these during the course of the corporate strategy and, if the opportunity arises to refine these or we identify better measures, we will seek to implement these changes with support from Members.
16. The strategy will be used to guide the detailed service and business planning and performance management for the Authority for the next five years.

Are there any corporate implications members should be concerned about?

17. **Financial:**
This Corporate Strategy sets out what the Authority has chosen to focus on and this is in direct response to the financial scenario planning for the Authority. Finances have already been aligned for Year 1 of the 2019-24 Corporate Strategy and alignment for other years will follow.
18. **Risk Management:**
The Authority's performance and risk management framework will be updated where required to reflect this Strategy and then monitored through quarterly reporting arrangements to the Audit Resource and Performance Committee.
19. **Sustainability:**
The Corporate Strategy seeks to steer a course through its three Outcomes to address the social, economic and environmental elements of sustainability, find a balance and mitigating risks.
20. **Equalities:**
The corporate strategy is a way of ensuring that we meet our equalities obligations and through the Performance and Business Plan we will report our performance against the Equality Act 2010.
21. **Background papers** (not previously published) – None

Appendices

1. Appendix 1: Our Corporate Strategy 2019-24

Report Author, Job Title and Publication Date

Sarah Fowler, Chief Executive, 29 November 2018

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Our Corporate Strategy 2019-2024

Foreword

UK national parks are a breathing space for millions of people, providing countless opportunities for learning, discovery and enjoyment. They were designated as protected areas for their mix of spectacular landscapes, wildlife and cultural heritage. These special qualities continue to make national parks just as important today as when they were first designated.

The Peak District National Park is the UK's original national park. It is a treasured landscape of exceptional natural beauty shaped by the interaction of people and nature over thousands of years. Lying at the heart of the country surrounded by urban areas, it is easily accessed by the 16 million people living within an hour's drive. The Peak District National Park's positive influence extends well beyond its borders, making it of local, national and international importance.

As the Peak District National Park Authority, our job is to speak up for and care for the Peak District National Park for all to enjoy forever. Our corporate strategy for 2019-24 outlines what we want to achieve for the Peak District National Park over this five-year period and provides the framework for us to align our resources to help achieve this. We have been ambitious in setting our desired outcomes, yet realistic in terms of our resources.

We remain mindful of the changing external environment and fresh challenges that could affect us and how we manage the Peak District National Park. In particular, Brexit will present us with both challenges and opportunities. Around 84% of the Peak District is farmed land, so an immediate key challenge is to secure future land management support schemes that help to conserve and enhance the National Park. Consequently, one of the ambitions in this strategy is to influence the development of a support system that properly rewards farmers and land managers for delivering a full range of public benefits.

The National Parks Landscape Review, which will report to government in 2019, is another external issue likely to affect us. During the first year of this corporate strategy, we will continue to influence the review to the benefit of the Peak District National Park. In future years, we will reflect on and react to the conclusions of the review.

This corporate strategy provides a framework for responding to these challenges and any others that may arise over the next five years. It enables us to make the case for the support and resources needed to conserve and enhance the Peak District National Park's special qualities in the face of future challenges. It also provides the flexibility to take advantage of opportunities as they emerge and to continue to speak up for and care for the Peak District National Park for all to enjoy forever.

Sarah Fowler
Chief Executive

Andrew McCloy
Chair

Introduction

National Parks

National parks were designated as protected landscapes because of their natural beauty, wildlife and cultural heritage – the special qualities that make them so important. The purposes of this designation, as outlined in the 1995 Environment Act, are to:

- Conserve and enhance the natural beauty, wildlife and cultural heritage; and
- Promote opportunities for understanding and enjoyment of the special qualities of the area by the public.

If there is a conflict between these two purposes, the Act states that conservation takes priority. It also makes clear that, in carrying out these purposes, the national park authority should seek to foster the economic and social wellbeing of local communities within the national park.

The Peak District National Park

Located at the heart of the country, the Peak District National Park is 555 square miles of accessible, world-class landscapes. It is the first upland reached when travelling from the majority of the South and is the watershed of three of England's major water catchments. It features geological contrasts of white peak limestone plateau and dark peak gritstone outcrops, providing a unique contrast between dramatic upland moors and more gentle lowland grassland, both supporting internationally important habitats and species. This is a landscape shaped by people and industry since prehistoric times, with a wealth of internationally significant historical features and cultural heritage. It is a living park, with 38,000 residents, numerous businesses and around 13.25 million visitor days that generate over £1.5 billion for the economy each year.

The Peak District National Park Authority

The Peak District National Park Authority's mission is to speak up for and care for the Peak District National Park for all to enjoy forever. This role is as important today as in 1951 when the Peak District was designated as a national park. Our knowledge and expertise is respected. We are an independent, reasoned voice caring for the whole of the Peak District National Park and the communities who enjoy, live and work in it. This work is not carried out alone, but in collaboration with partners and local communities to conserve and enhance the special qualities of the National Park. As the UK's original national park, we are pioneering, always seeking to be one step ahead and looking to the future. This helps to build and nurture public support for the Peak District and for our role in working to protect it.

As a national park authority, we make the biggest impact when our three main roles – as regulator, influencer and deliverer – work together. Throughout this corporate strategy period, we will use our mixture of funding to keep these roles in balance. Our government grant underpins our work as an independent statutory local authority with a core planning function and our regulatory work is funded by the Defra grant. We will continue to make the most efficient and effective use of these resources. The Defra grant will still support our influencing and delivery roles, but we will continue our programme of work to resource these roles effectively by securing funding from other sources such as income generation, external funding and donations. This will ensure our government funding will lever at least an equal investment from other sources. Through our active volunteering strategy, we will continue to attract a large volunteer workforce that complements our contracted workforce.

The National Park Management Plan

The National Park Management Plan provides the framework that encourages all Peak District stakeholders to work together to achieve national park purposes. Coordinated by the Authority, it is a partnership plan for the place to conserve and enhance the special qualities. It is the single most important strategic document for the Peak District National Park, outlining the main issues and priorities for the place and setting out how, together, these will be tackled.

Through our corporate strategy, the Authority delivers our contribution to the National Park Management Plan. For this reason, the strategy has been developed following adoption of the National Park Management Plan 2018-23. The outcomes within this strategy align with the focus of the National Park Management Plan and will guide the Authority's work for the next five years.

Our Corporate Strategy

Our corporate strategy is based on the understanding that national park landscapes are hugely important to the nation's health and wellbeing, making a significant contribution to the economy through tourism and farming and providing attractive places for people to live, work, visit and enjoy. National parks are a key mechanism for protecting our UK landscapes. The way that we think about landscape is evolving as we face new societal, environmental and economic threats and opportunities. This strategy recognises the need to respond to such changes. It also recognises that our role as a national park authority remains constant: to speak up for and care for the National Park as environmental pressures grow, and to offer inspiring and enjoyable experiences for the health, wealth and wellbeing of our nation.

Through this strategy, we will deliver our contributions to the National Park Management Plan and work towards achieving our **vision**:

For the Peak District to be loved and understood as the UK's original national park.

This strategy is also key to delivering the Authority's **mission**:

To speak up for and care for the Peak District National Park for all to enjoy forever.

To deliver our strategy, we are developing a culture capable of helping us to meet challenges and grasp opportunities. This will become our way of working, which is guided by the following **integrated values** to help us speak up for and care for the National Park's special qualities:

1. We always start with outcomes
2. We always ask what's possible
3. We always put the public first
4. We always work with efficiency

5. We always act with agility
6. We always value our colleagues
7. We always develop ourselves and others.

Outcomes

The strategy is organised around three outcomes that reflect national park purposes and duty and the National Park Management Plan vision. They should be read as an integrated set, rather than in isolation. The outcomes are:

- **A sustainable landscape that is conserved and enhanced.**
- **A National Park loved and supported by diverse audiences.**
- **Thriving and sustainable communities that are part of this special place.**

We have broken each outcome down to provide a more specific focus for our work over the next five years. Each outcome has a set of strategic interventions that will guide our work. Although the strategic interventions are written in tables for each outcome, a strategic intervention may contribute to more than one outcome, as the outcomes are integrated, and work flows across them. For presentational reasons, these are displayed in the outcome that they contribute the most to. The strategic interventions will be updated and implemented on an annual basis and will be delivered by actions in each service's annual delivery plan. Our strategic interventions are outlined in tables 1-3. These mainly focus on the first few years of the strategy and will be updated annually. Where a strategic intervention starts in the first year of the strategy, the column 'Year 1 start' has been shaded. All other strategic interventions start in future years of the strategy.

Table 1: 5 Year Plan – A sustainable landscape that is conserved and enhanced

Outcome: A sustainable landscape that is conserved and enhanced				
Key Performance Indicator (KPI) and 2024 target	Strategic interventions	Responsible	Accountable	Year 1 start
Distinctive landscapes which are sustainably managed, accessible and properly resourced				
KPI: Influence the development of a support system that properly rewards farmers and land managers for delivering a full range of public benefits	Influence the design of the future post-Brexit scheme for roll out in 2025. Influence and deliver tests, trials and pilots for the new scheme through to 2025	Director of Conservation and Planning	Head of Landscape and Conservation	

<p>2024 target: 10% increase in area of the Peak District National Park in environmental land management schemes</p>	<p>Make the case for and influence the design of transitional arrangements including further improvements to the current Countryside Stewardship scheme</p>	<p>Director of Conservation and Planning</p>	<p>Head of Landscape and Conservation</p>	
	<p>Continue to support land managers to access current and future schemes</p>	<p>Director of Conservation and Planning</p>	<p>Team Manager – Natural Environment and Rural Economy</p>	
<p>KPI: Natural beauty conserved and enhanced</p> <p>2024 target: Net enhancement as identified by landscape monitoring</p>	<p>Develop methodology for strategic sustainable landscape monitoring with partners, which: identifies interventions required to prevent/reduce/reverse/mitigate negative changes and enhance natural beauty and special qualities; and addresses any issues arising from the climate change vulnerability assessment</p>	<p>Director of Conservation and Planning</p>	<p>Head of Landscape and Conservation</p>	
	<p>Undertake an initial assessment of net enhancement to include repeating existing detailed vegetation photos, photographing special quality views and sample repeating the 1991 <i>Changes to National Parks Report</i> indicators</p>	<p>Director of Conservation and Planning</p>	<p>Team Manager – Natural Environment and Rural Economy</p>	
	<p>Ensure all planning decisions are in accordance with strategic policy</p>	<p>Director of Conservation and Planning</p>	<p>Head of Development Management</p>	
	<p>Explore and develop community and audience engagement through landscape monitoring including special quality views</p>	<p>Director of Conservation and Planning</p>	<p>Head of Policy and Communities</p>	
<p>KPI: Increase the amount of carbon captured and stored as part of routine land use and management</p> <p>2024 target: 3,650 tonnes net decrease in carbon emissions from moorland</p>	<p>Further develop our knowledge and insights of total carbon captured and stored to tell the carbon management story of our Peak District moorlands</p>	<p>Director of Conservation and Planning</p>	<p>Head of Programme Delivery (Moors For the Future Partnership) (MFFP)</p>	
	<p>Continue to carry out range of moorland restoration work to revegetate bare peat and reduce carbon emissions</p>	<p>Director of Conservation and Planning</p>	<p>Head of Programme Delivery (MFFP)</p>	
	<p>Expand our work to identify and develop carbon auditing methods for non-moorland land use and management techniques</p>	<p>Director of Conservation and Planning</p>	<p>Head of Landscape and Conservation</p>	

	Develop our climate change vulnerability assessment	Director of Corporate Strategy and Development	Head of Strategy and Performance	
High quality habitats in better condition, better connected and wildlife rich				
KPI: Area of moorland blanket bog moving towards favourable condition	Continue our restoration activities on degraded blanket bog to move it towards favourable condition with a focus on reducing amount of bare peat in years 1-3	Director of Conservation and Planning	Head of Programme Delivery (MFFP)	
2024 target: Restoration activities on 1,500 hectares of degraded blanket bog	Support the development of a resilient, sustainable moorland management model	Director of Conservation and Planning	Head of Programme Delivery (MFFP)	
KPI: Sustain the area of non-protected, species-rich grassland through retention, enhancement and creation	Use and share our data on non-protected species rich (priority habitat) grassland to inform our plans with a view to it becoming publically available and supporting the public payment for public goods approach	Director of Conservation and Planning	Head of Landscape and Conservation	
	Deliver annual assessment of net gain/loss of non-protected, species-rich grassland and use this to influence our future plans	Director of Conservation and Planning	Head of Landscape and Conservation	
2024 target: At least 5,000 hectares				
KPI: Area of new native woodland created	Create an opportunity map for new native woodland including details of the right trees in the right places	Director of Conservation and Planning	Team Manager – Natural Environment and Rural Economy	
	Prioritise new native woodland creation work	Director of Conservation and Planning	Team Manager – Natural Environment and Rural Economy	
2024 target: Create at least 400 hectares new native woodland				
KPI: Maintain and enhance populations of protected and distinctive species	Continue to have a clear voice on the outcomes we expect from our Peak District National Park moorlands	Director of Conservation and Planning	Head of Landscape and Conservation	

<p>2024 target: Restore breeding pairs of birds of prey in the moorlands to at least the levels present in the late 1990s</p>	<p>Work with moorland owners, land managers and partners to deliver resilient, sustainable moorlands that lead to increased numbers of birds of prey</p>	<p>Director of Conservation and Planning</p>	<p>Team Manager – Natural Environment and Rural Economy</p>	
	<p>Identify future priority species in key areas for enhancement and/or reintroduction</p>	<p>Director of Conservation and Planning</p>	<p>Head of Landscape and Conservation</p>	
<p>Cherished cultural heritage that is better understood and looked after</p>				
<p>KPI: Increased knowledge, understanding and active engagement with archaeology, historic structures and landscapes</p> <p>2024 target: 5% increase in audiences actively engaging with cultural heritage</p>	<p>Deliver baseline survey as part of our wider audience survey</p>	<p>Director of Conservation and Planning</p>	<p>Team Manager – Cultural Heritage</p>	
	<p>Work with partners towards making the Historic Buildings and Scheduled Monuments Record (both designated and undesignated assets) publically available</p>	<p>Director of Conservation and Planning</p>	<p>Team Manager – Cultural Heritage</p>	
	<p>Engage with a range of audiences to increase knowledge, understanding and engagement with archaeological sites, historic structures and landscapes</p>	<p>Director of Conservation and Planning</p>	<p>Team Manager – Cultural Heritage</p>	
<p>KPI: Percentage of Scheduled Monuments and Listed Buildings conserved and/or enhanced</p> <p>2024 target: 10%</p>	<p>Conservation and enhancement of scheduled monuments and listed buildings through our regulatory, advisory and partnership roles and our own property</p>	<p>Director of Conservation and Planning</p>	<p>Head of Landscape and Conservation</p>	
<p>KPI: Percentage of Conservation Areas conserved and/or enhanced</p> <p>2024 target: 100% (109) have adopted appraisals</p>	<p>Develop and adopt the remaining six Conservation Area appraisals</p>	<p>Director of Conservation and Planning</p>	<p>Team Manager – Cultural Heritage</p>	
	<p>Further develop the community engagement approach in Conservation Area appraisals</p>	<p>Director of Conservation and Planning</p>	<p>Team Manager – Cultural Heritage</p>	
	<p>Develop and deliver a risk-based, prioritised programme of updating/adopting Conservation Area appraisals, including engagement with communities</p>	<p>Director of Conservation and Planning</p>	<p>Team Manager – Cultural Heritage</p>	

Table 2: 5 Year Plan – A National Park loved and supported by diverse audiences

Outcome: A National Park loved and supported by diverse audiences				
Key Performance Indicator (KPI) and 2024 target	Strategic interventions	Responsible	Accountable	Year 1 start
Greater audience reach among under-represented groups				
KPI: Proportion of under-represented groups reached 2024 target: Peak District National Park Authority audience reach that is 30% closer to demographics of those within an hour's travel time of the National Park	Carry out data research to establish baseline audience demographics	Director of Commercial Development and Engagement	Head of Marketing and Fundraising Development	
	Prioritise gaps and establish plans by audience group (digital, supporters, visitors staff, volunteers) to close those gaps	Director of Commercial Development and Engagement	Head of Marketing and Fundraising Development	
	Implement plans to match our offer to audience needs including engagement opportunities for all young people within an hour's travel time of the Peak District National Park, recruiting volunteers from under-represented groups, providing inclusive health, education and accessibility activities and developing digital channels that better align with the audiences we want to reach	Director of Commercial Development and Engagement	Head of Outreach Development	
	Repeat data research in year 3 and year 5 to monitor against outcome and adjust plan as required	Director of Commercial Development and Engagement	Head of Marketing and Fundraising Development	
A strong identity and excellent reputation driving positive awareness and engagement				
KPI: Public connection with the Peak District National Park 2024 target: Peak	Use research to develop a plan to increase public connection with the place	Director of Commercial Development and Engagement	Head of Marketing and Fundraising Development	

District National Park connection is increased by 20%	Implement plans to increase public connection with the place through increasing audience reach (as above), quality touchpoints, encouraging responsible behaviours and growing our sustainable tourism products	Director of Commercial Development and Engagement	Director of Commercial Development and Engagement	
	Repeat data research in year 3 and year 5 to monitor against outcome and adjust plan as required	Director of Commercial Development and Engagement	Head of Marketing and Fundraising Development	
KPI: Public awareness of Peak District National Park Authority 2024 target: Peak District National Park Authority awareness is increased by 30%	Use existing research to develop a plan to increase awareness of the work of the Authority	Director of Commercial Development and Engagement	Head of Marketing and Fundraising Development	
	Implement plan to increase awareness of the work of the Authority by telling the story of our special qualities (both officers and Members), establishing a net promoter score (or similar) and applying for external awards for our visitor experience, outreach, volunteering, campaigns and fundraising	Director of Commercial Development and Engagement	Director of Commercial Development and Engagement	
	Repeat data research in year 3 and year 5 to monitor against outcome and adjust plan as required	Director of Commercial Development and Engagement	Head of Marketing and Fundraising Development	
Active support through National Park touchpoints to generate sustainable income				
KPI: Amount and sustainability of Peak District National Park Authority's income stream 2024 target: Generate an extra £500,000 sustainable	Implement and continue to develop the plan to maximise income without compromising our special qualities, including car park management, new visitor experiences at Millers Dale and Hulme End, maximising existing income and growing our commercial enterprises	Director of Commercial Development and Engagement	Head of Visitor Experience Development	

gross revenue income	Design and launch fundraising campaign in support of corporate strategy outcomes	Director of Commercial Development and Engagement	Head of Marketing and Fundraising Development	
KPI: Value of Peak District National Park Authority volunteer support	Review management and development of volunteers and roles to create an action plan to target increased volunteer support, diversity and efficiency	Director of Commercial Development and Engagement	Head of Outreach Development	
2024 target: Generate an extra £250,000 in volunteer support across the Peak District National Park Authority	Implement action plan to improve opportunities for volunteering and increase diversity amongst our volunteers	Director of Commercial Development and Engagement	Head of Outreach Development	

Table 3: 5 Year Plan – Thriving and sustainable communities that are part of this special place

Outcome: Thriving and sustainable communities that are part of this special place				
Key Performance Indicator (KPI) and 2024 target	Strategic interventions	Responsible	Accountable	Year 1 start
Influencing and shaping the place through strategic and community policy development				
KPI: Number and range of residents and other community stakeholders understanding and engaged in the development of strategic policies 2024 target: 50% increase in number 50% increase in range	Redesign engagement plan to increase number and range of stakeholders involved in Local Plan review. Coordinate with engagement planning work under audience reach strategic interventions	Director of Conservation and Planning	Head of Policy and Communities	
	Review resources by year 3. Local Plan review will gradually absorb more of team resources over 5 year period, plus fixed term post will terminate by 2022. Consider scope to draw in resources from specialists across the Directorates	Director of Conservation and Planning	Head of Policy and Communities	
	Engage 100% of Parishes on audit work to create a comprehensive set of Parish Statements and enable the drafting of a State of Communities Report	Director of Conservation and Planning	Head of Policy and Communities	
KPI: Number of communities shaping the place 2024 target: 20% of Parishes have helped shape their future	Review community initiatives and extend it to provide lighter touch plans/visions	Director of Conservation and Planning	Head of Policy and Communities	
	Review team resources by year 3. Local Plan review will gradually absorb more of team resources over 5 year period, plus fixed term post will terminate by 2022. Consider scope to draw in resources from specialists across the Directorates	Director of Conservation and Planning	Head of Policy and Communities	
Community development through building capacity, skills and engagement in local governance and community				

events				
KPI: Number of Peak District National Park Authority interventions facilitating community development 2024 target: 1,000	Review range and effectiveness of interventions provided and develop an action plan to focus attention on community development and to assist measurement of key performance measures	Director of Conservation and Planning	Head of Policy and Communities	
	Implement the action plan	Director of Conservation and Planning	Head of Policy and Communities	
KPI: Number of individuals and groups actively using Peak District National Park Authority digital channels for community development 2024 target: 100% increase	Develop tools for engaging resident communities using digital media channels towards the promotion of community development (e.g. sharing, promoting local events, commenting on policy development, encouraging and initiating local projects)	Director of Corporate Strategy and Development	Head of Policy and Communities	
	Embed within engagement plan and coordinate with engagement planning work under audience reach strategic interventions	Director of Conservation and Planning	Head of Policy and Communities	
Active participation through sustainable projects that connect people to place				
KPI: Number of residents involved in community life as a result of Peak District National Park Authority grants 2024 target: extra 500 residents involved	Review the outcomes from grant schemes and develop the future role of grants	Director of Conservation and Planning	Head of Policy and Communities	
	Promote and deliver grants	Director of Conservation and Planning	Head of Policy and Communities	

Key Performance Indicators

To track our progress in achieving the outcomes, we have developed a set of ambitious but realistic key performance indicators (KPIs) with 2024 targets. These have been broken down into annual targets that will track our progress each year and allow us to put in place any additional measures or actions needed to meet our 2024 targets.

Our outcomes are long-term aspirations that will remain relevant into the future, as they reflect our ongoing national park purposes and duty. For this reason, we have also set aspirational targets for the year 2040, in line with the 25 Year Environment Plan. This longer-term trajectory of our work is crucial, as many of the challenges we face and much of our future work cannot be addressed or completed within a five year corporate strategy cycle.

Our 2019-24 key performance indicators and targets are outlined in the following tables.

Table 4: Annual KPIs – A sustainable landscape that is conserved and enhanced

Outcome: A sustainable landscape that is conserved and enhanced							
Key Performance Indicator (KPI) and 2024 target	Cumulative or annual target	2019/20	2020/21	2021/22	2022/23	2023/24	2040 target
Distinctive landscapes which are sustainably managed, accessible and properly resourced							
KPI: Influence the development of a support system that properly rewards farmers and land managers for delivering a full range of public benefits 2024 target: An additional 10% of Peak District National Park in environmental land	Cumulative total area (baseline 45%)	40%	40%	45%	50%	55%	95%

management schemes							
KPI: Natural beauty conserved and enhanced 2024 target: Net enhancement as identified by landscape monitoring	Annual	Develop methodology for strategic sustainable landscape monitoring with partners	Baseline	No target	No target	Net enhancement	Increased net enhancement as identified by landscape monitoring
		100% of planning decisions in accordance with strategic policy	100% of planning decisions in accordance with strategic policy	100% of planning decisions in accordance with strategic policy	100% of planning decisions in accordance with strategic policy	100% of planning decisions in accordance with strategic policy	
KPI: Increase the amount of carbon captured and stored as part of routine land use and management 2024 target: 3,650 tonnes net decrease in carbon emissions from moorland	Cumulative decrease	730 tonnes	1,460 tonnes	2,190 tonnes	2,920 tonnes	3,650 tonnes	Focus on a wider range of habitats to further reduce net carbon emissions and increase carbon storage
High quality habitats in better condition, better connected and wildlife rich							
KPI: Area of moorland blanket bog moving towards favourable condition	Cumulative area	300 hectares (27% of current bare peat)	600 hectares (54% of current bare peat)	900 hectares (81% of current bare peat)	1,200 hectares (90% of current bare peat)	1,500 hectares (90+% of current bare peat)	8,233 hectares (30% active blanket bog)

<p>2024 target: Restoration activities on 1,500 hectares of degraded blanket bog</p>							
<p>KPI: Sustain the area of non-protected, species-rich grassland through retention, enhancement and creation</p> <p>2024 target: 5,000 hectares</p>	<p>Cumulative area</p>	<p>5,000 hectares</p>	<p>5,000 hectares</p>	<p>5,000 hectares</p>	<p>5,000 hectares</p>	<p>5,000 hectares</p>	<p>Sustain 10,000 hectares through retention, enhancement and creation</p>
<p>KPI: Area of new native woodland created</p> <p>2024 target: Create 400 hectares new native woodland</p>	<p>Cumulative area</p>	<p>50 hectares</p>	<p>100 hectares</p>	<p>200 hectares</p>	<p>300 hectares</p>	<p>400 hectares</p>	<p>Create 2,000 hectares of new native woodland</p>
<p>KPI: Maintain and enhance populations of protected and distinctive species</p> <p>2024 target: Restore breeding pairs of birds of prey in the moorlands to at least the levels present in the late</p>	<p>Annual</p>	<p>17 Peregrine, 25 Short-eared owl, 37 Merlin, 5 Hen harrier</p>	<p>17 Peregrine, 25 Short-eared owl, 37 Merlin, 5 Hen harrier</p>	<p>17 Peregrine, 25 Short-eared owl, 37 Merlin, 5 Hen harrier</p>	<p>17 Peregrine, 25 Short-eared owl, 37 Merlin, 5 Hen harrier</p>	<p>17 Peregrine, 25 Short-eared owl, 37 Merlin, 5 Hen harrier</p>	<p>Enhance a number of different priority species in key areas</p>

1990s							
Cherished cultural heritage that is better understood and looked after							
KPI: Increased knowledge, understanding and active engagement with archaeology, historic structures and landscapes 2024 target: 5% increase in audiences actively engaging with cultural heritage	Cumulative increase	Baseline	No target	2.5%	No target	5%	25% increase in audiences actively engaging with cultural heritage
KPI: Percentage of Scheduled Monuments and Listed Buildings conserved and/or enhanced 2024 target: 10%	Cumulative	2% (66)	4% (132)	6% (198)	8% (264)	10% (330)	25% (825)
KPI: % of Conservation Areas conserved and/or enhanced 2024 target: 100% (109) have adopted appraisals	Cumulative	96%	97%	98%	99%	100%	15% (16) of appraisals reviewed and conservation areas enhanced

Table 5: Annual KPIs – A National Park loved and supported by diverse audiences

Outcome: A National Park loved and supported by diverse audiences							
KPI and Y5 target	Cumulative or annual target	2019/20 target	2020/21 target	2021/22 target	2022/23 target	2023/24 target	2040 target
Greater audience reach among under-represented groups							
KPI: Proportion of under-represented groups reached 2024 target: Peak District National Park Authority audience reach that is 30% closer to demographics of those within an hour’s travel time of the National Park	Cumulative closing of gap	Establish baseline demographics of our audience (age, ethnicity and health inequality) and develop activity plan and demographic targets to close baseline gaps in priority areas	Implement the plan	10% closer	20% closer	30% closer	Peak District National Park Authority audience that matches regional demographics
A strong identity and excellent reputation driving positive awareness and engagement							
KPI: Public connection with the Peak District National Park 2024 target: Peak District	Cumulative increase	Using existing research, develop, prioritise and start to implement plan to increase brand awareness, maximising Peak	2%	5%	10%	20%	40% increase in connection to Peak District National Park

National Park connection is increased by 20%		District National Park Authority brand touchpoints Agree survey protocol for following years to measure public connection					
KPI: Public awareness of Peak District National Park Authority 2024 target: Peak District National Park Authority awareness is increased by 30%	Cumulative increase	Using existing research, develop, prioritise and start to implement plan to increase brand awareness, maximising Peak District National Park Authority people and services Agree survey protocol for following years to measure awareness	5%	10%	20%	30%	50% increase in awareness of Peak District National Park Authority
Active support through National Park touchpoints to generate sustainable income							
KPI: Amount and sustainability of Peak District National Park Authority's income stream 2024 target:	Cumulative income	£140,000	£260,000	£390,000	£450,000	£500,000	£1 million

Generate an extra £500,000 sustainable gross revenue income							
<p>KPI: Value of Peak District National Park Authority volunteer support</p> <p>2024 target: Generate an extra £250,000 in volunteer support across the Peak District National Park Authority</p>	Cumulative increase	<p>Review volunteer performance and roles creating action plan to target increased value (money and support)</p> <p>Implement action plan and increase value of volunteer support by £50,000</p>	£100,000	£150,000	£200,000	£250,000	£500,000

Table 6: Annual KPIs – Thriving and sustainable communities that are part of this special place

Outcome: Thriving and sustainable communities that are part of this special place							
KPI and 2024 target	Cumulative or annual target	2019/20 target	2020/21 target	2021/22 target	2022/23 target	2023/24 target	2040 target
Influencing and shaping the place through strategic and community policy development							
KPI: Number and range of residents and other community stakeholders understanding and engaged in the development of strategic policies 2024 target: 50% increase in number 50% increase in range	Cumulative increase	10%	30%	40%	40%	50%	100%
		10%	30%	40%	40%	50%	100%
KPI: Number of communities shaping the place 2024 target: 20% of Parishes have helped shape their future	Cumulative increase	4%	8%	12%	16%	20%	50%

Community development through building capacity, skills and engagement in local governance and community events							
KPI: Number of Peak District National Park Authority interventions facilitating community development 2024 target: 1,000 interventions	Cumulative number	200	400	600	800	1,000	5,000
KPI: Number of individuals and groups actively using Peak District National Park Authority social media channels for community development 2024 target: 100% increase	Cumulative increase	20%	40%	60%	80%	100%	200%
Active participation through sustainable projects that connect people to place							
KPI: Number of residents involved in community life as a result of Peak District National Park Authority grants 2024 target: 500 residents involved	Cumulative number	100	200	300	400	500	2,000

Equality Duty Key Performance Indicators

The public sector Equality Duty came into force in 2011. It means that, as a public body, we have to consider all individuals when carrying out our day to day work – in relation to shaping policy, delivering services and our staff. It also requires us to have due regard to eliminating discrimination, advancing equality of opportunity and fostering good relations between different people when carrying out our activities.

To demonstrate compliance with the Equality Duty and ensure we are improving our performance, we have developed the following equality objectives. Some of these are key performance indicators for this strategy.

Key Performance Indicator: Proportion of under-represented groups reached.

Success factor: Peak District National Park Authority audience reach that is 30% closer to demographics of those within an hour's travel time of the National Park by 2024.

Key Performance Indicator: Number and range of residents and other community stakeholders understanding, and engaged in the development of strategic policies.

Success factors: 50% increase in number by 2024 and 50% increase in range by 2024.

Equality duty objective: Employee age – range and median.

Success factor: We will seek to reduce the median by 2024.

Equality duty objective: Gender pay gap – median.

Success factor: We aim to be closing the gap by 2024.

Resources

An important part of achieving any corporate strategy is ensuring that the right resources are in place. So, for the first year of the strategy, we have aligned our resources to the three outcomes to ensure our finances, people, data, technology and assets are used in the most efficient and effective way. Throughout the life of this strategy, we will at appropriate times bring forward a series of resource strategies and plans to provide the strategic resource framework for this strategy. These strategies include our medium term financial plan, capital strategy, workforce strategy and asset management plan. We also recognise that it may be necessary to develop further resource plans to enable us to guide how we use resources most effectively over the remainder of the strategy period.

Furthermore, we will continue to refine our resources according to the remaining four years of the strategy on an annual basis, so we can take account of progress made and further strategic interventions as they develop.

Our Organisational Performance

Our organisational performance ensures that: The Peak District National Park Authority is an agile and efficient organisation. By efficient we mean to work in a well-organised and competent way in order to achieve the maximum productivity with minimum wasted effort or expense. By agile we mean the ability for the Authority to rapidly respond to changes in our external environment in a productive and cost-effective way, whilst ensuring that the appropriate governance arrangements are in place. Please note that the business as usual / cyclical activity associated with each resource contributes significantly to the achievement of the outcomes identified below. The delivery plans for each service area provide details of these activities.

Table 7: Annual Key Performance Indicators and 5 Year Plan – The Peak District National Park Authority is an agile and efficient organisation

Our organisational performance: The Peak District National Park Authority is an agile and efficient organisation				
Key Performance Indicator (KPI) and 2024 target	Strategic interventions	Responsible	Accountable	Year 1 start
Our workforce is more diverse, healthy and highly engaged				
KPI: Maintain low sickness levels 2024 target: Under 6 days per full time equivalent per year	Further develop the Authority’s Workforce Strategy, to address the following key issues: <ul style="list-style-type: none"> • Staff wellbeing (e.g. initiatives such as Mental Health First Aiders) • Talent pipelines (including further development of apprenticeships) • Pay strategy (including a salary grade review and benchmarking) • Employer of choice (employer branding to attract and retain staff) 	Director of Corporate Strategy and Development	Head of Human Resources	
KPI: Increase response rates to workforce surveys (this is a proxy measure for staff engagement) 2024 target: 70% survey response rate (Investors In People /	Seek accreditation for the Authority against the new Investors in People (IIP) (Generation 6) standard	Director of Corporate Strategy and Development	Head of Human Resources	
	Develop a new competency framework that will be applicable to all staff	Director of Corporate Strategy and Development	Head of Human Resources	
	Ensure all our staff and Members understand and live our values	Director of Corporate Strategy and	Head of Human Resources	

staff surveys)		Development		
KPI: Increase the diversity of our workforce (which includes volunteers)	A strategic intervention has been identified in the Audience plan which will help to identify gaps in the diversity of our workforce (including volunteers) and establish plans to close those gaps	Director of Commercial Development and Engagement	Head of Outreach Development	
2024 target: Move towards the regional diversity profile				
We are financially resilient and provide value for money				
KPI: To have a medium term financial plan	Develop a medium term financial plan (MTFP) that covers years 2-5 of the new Corporate Strategy (Year 1 - 2019/20 falls within the current MTFP)	Director of Corporate Strategy and Development / Chief Finance Officer	Head of Finance	
2024 target: Plan developed in 2019/20 and then monitored and updated	Develop a new Capital Programme for the Authority (following the adoption of the corporate Asset Management Plan)	Director of Corporate Strategy and Development / Chief Finance Officer	Head of Finance	
KPI: To have arrangements in place to secure economy, efficiency and effectiveness in all our operations	Update our financial processes (regulations and standing orders) as a result of recommendations in the governance review	Director of Corporate Strategy and Development	Head of Finance	
2024 target: An unqualified value for money opinion (the best result possible) issued by External Audit	Introduce electronic purchase order, authorisation and invoice scanning and the implementation of an electronic travel and subsistence claims system	Director of Corporate Strategy and Development	Head of Finance	
Our well-maintained assets support the delivery of our landscape, audience and community outcomes				
KPI: To have a corporate Asset Management Plan	Develop a corporate Asset Management Plan	Director of Corporate Strategy and	Corporate Property Officer	

<p>2024 target: Plan to be adopted in 2019/20 and then implemented</p>		Development		
	Develop and implement a new Carbon Management Plan for the Authority	Director of Corporate Strategy and Development	Head of Strategy and Performance	
<p>Our data is high quality, securely managed, and supports decision making and delivery</p>				
<p>KPI: To achieve at least reasonable assurance rating for the way we look after our data in an ever changing environment</p> <p>2024 target: For data controls and security arrangements to be rated at least reasonable assurance in all Audit reports</p>	Ensure security services and control frameworks (e.g. anti-virus, encryption, disaster recovery, business continuity, server and client hardware and software etc.) are fit for purpose and reflect best practice and that staff awareness and preparedness is improved and measured	Director of Corporate Strategy and Development	Head of Information Management	
<p>KPI: More of our data is digitally accessible internally and externally and is used to inform our decision making</p>	Support the work of the Authority-wide group established to develop new and enhance existing services using data	Director of Conservation and Planning	Head of Information Management	
	Investigate and deploy further self-service capabilities (e.g. increased spatial mapping tools on the Authority's website etc)	Director of Corporate Strategy and Development	Head of Information Management	
<p>2024 target: All services, capture, store and access data in a consistent and efficient manner</p>	Lead business change programmes with internal teams and services to improve efficiency and effectiveness of business processes and associated data management practices to improve data and information availability both internally and externally	Director of Corporate Strategy and Development	Head of Information Management	
	Design and implement (with other NPAs) shared ICT services (including telephony, Active Directory, Exchange, Internet, cyber security, GIS, image/video/content management etc)	Director of Corporate Strategy and Development	Head of Information Management	
<p>The Authority is well managed to achieve its objectives and enhance its performance</p>				
<p>KPI: To have best</p>	Undertake a review of Governance arrangements, including the	Director of Corporate	Head of Law, Legal	

<p>practice governance, risk and performance management arrangements in place</p> <p>2024 target: All internal and external audits relating to governance, risk and performance management are rated as providing substantial assurance or equivalent</p>	delegations to committees and officers	Strategy and Development	and Democratic Services	
	Implement an online procurement portal, related processes and provide guidance and training for all relevant Authority staff	Director of Corporate Strategy and Development	Head of Law, Legal and Democratic Services	
	Coordinate the delivery of the corporate strategy and drive through delivery and business planning, performance and risk management processes	Director of Corporate Strategy and Development	Head of Strategy and Performance	
	Develop our Corporate Strategy 2025-2030	Director of Corporate Strategy and Development	Head of Strategy and Performance	
<p>KPI: Our Members are more representative of our audiences</p> <p>2024 target: Move towards greater diversity in our Members</p>	Identify and remove barriers that may restrict the appointment of Members from underrepresented groups (e.g. review our meeting format and dates/times of meetings)	Director of Corporate Strategy and Development	Head of Law, Legal and Democratic Services	
To have effective partnership arrangements in place				
<p>KPI: To identify all existing partnership arrangement and review their effectiveness</p> <p>2024 target: Complete review in 2019/20 and monitor effectiveness</p>	Identify our strategic partners and review the Authority's existing partnership protocol to ensure it is fit for purpose	Director of Corporate Strategy and Development	Head of Strategy and Performance	
	Monitor the implementation of the National Park Management Plan 2018-23 delivery plan	Director of Corporate Strategy and Development	Head of Strategy and Performance	
	Coordinate the development of the Peak District National Park Management Plan 2024-2029	Director of Corporate Strategy and Development	Head of Strategy and Performance	

Process for Developing our Corporate Strategy

This corporate strategy was developed using the framework illustrated in diagram 1. We began by defining what we wanted to achieve for the National Park and then streamlined this into three outcomes. We then developed a range of strategic interventions to guide our work against these outcomes and a set of key performance indicators to track our progress in achieving them. Our resources of finance, data, technology, assets and people have been aligned to enable us to deliver the strategic interventions and subsequently achieve the outcomes.

Diagram 1



Reporting on our Corporate Strategy

We will report progress against the corporate strategy on a quarterly basis to our Leadership and Operational Leadership teams, and then Members for approval. Key performance indicators will be reported as part of this. Most will be reported annually, but some will be reported quarterly where appropriate and some will be reported less than annually where changes can only be seen over a longer period of time. Equality Duty key performance indicators will be monitored annually and reported in our Performance and Business Plan.

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9. PROPOSED GOVERNANCE REVIEW: BRIEF AND MEMBER WORKING GROUP (SLF)

1. Purpose of the report

This report asks Members to approve the brief for the proposed governance review and appoint a Working Group to work with Officers in progressing this work.

2. Recommendations

- 1. To establish a Governance Review Working Group and appoint Members to the Group.**
- 2. To approve the terms of reference and scope as set out in Appendix 1.**
- 3. To confirm that attendance at meetings of the Working Group is an approved duty for the purpose of claiming travel and subsistence allowances.**

How does this contribute to our policies and legal obligations?

3. Our existing Code of Corporate Governance states that Governance is about how we ensure that we are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. It comprises of the systems and processes, and cultures and values, by which we are directed and controlled and through which we account to, engage with and, where appropriate, lead communities. Governance is more than making sure that things do not go wrong or fixing them if they do. Good governance adds value by ensuring effectiveness in ever changing circumstances.
4. The 2017/18 Annual Assurance report from our Internal Auditor stated “the overall opinion of the Head of Internal Audit on the framework of governance, risk management and control operating in the Authority is that it provides Substantial Assurance. There are no significant control weaknesses which in the opinion of the Head of Internal Audit need to be considered for inclusion in the Annual Governance Statement”.
5. In July this year the Authority’s External Auditors reviewed the Authority’s Annual Governance Statement, giving the highest assessment of a satisfactory conclusion with no issues and agreed that the Authority’s arrangements were fit for purpose and established in accordance with the principles of good governance as recommended by the CIPFA/SOLACE (Chartered Institute of Public Finance and Accountancy and Society of Local Authority Chief Executives and Senior Managers) framework ‘Delivering Good Governance in Local Government’.
6. However there is an expectation that the Authority will periodically review its Code of Corporate Governance and the review proposed in this report with contribute to this process. The review will be carried out in the context of our Vision and Mission and will follow the 7 key principles that underpin the Authority’s ways of working.

Background Information

7. The suggestion for this review has arisen from recent informal discussions between Members and Officers indicating a desire from Members for exploring ways in which the Authority’s existing governance arrangements can be enhanced.

8. A draft brief for the Working Group was discussed at a meeting of the Members' Forum held on 5 October 2018 where there was widespread support for the proposal. The proposals at Appendix 1 take account of comments made at that discussion.
9. Some of the issues that have been raised include:
 - Are the roles and responsibilities of Members and Officers clear?
 - Are the current delegations to Committees and the list of matters reserved to meetings of the Authority right?
 - Could the Authority have more effective and efficient ways of involving Members in developing policy and informing them of other decisions made? and do Standing Orders or Codes need amending to facilitate this?
 - How can Members be proactively involved in getting items discussed?
 - Is the current level of delegation to Officers right? and could the structure of the Scheme of Delegation be improved to make it clearer?
 - What are the aims of the current Member representative scheme? How effective is it in delivering its objectives?

Proposals

10. It is proposed that :
 - A Member Working Group is appointed to progress this work working with relevant Officers (the Leadership Team lead will be the Chief Executive). To date expressions of interest have been received from four Secretary of State Members, Mr J Berresford, Cllr P Brady, Cllr A McCloy and Mr K Smith, and two Local Authority Members Cllr C Furness and Cllr B Woods.
 - the brief for the task team as given in Appendix 1 is discussed and agreed.
11. The Working Group will project plan its work at its first meeting, but the timeline and key milestones will include:
 - Confirming how the Working Group will operate including the frequency of meetings.
 - Identifying what data needs to be collected to inform options including seeking ideas from all Members through the forthcoming Member survey.
 - Consideration on whether a Member workshop with an external facilitator would be an appropriate mechanism to engage all Members and the timing of this intervention.
 - A target date of reporting to the May 2019 Authority meeting on initial proposals with a view to implementation following the July 2019 Annual Meeting.

Are there any corporate implications members should be concerned about?

Financial:

12. As this significant piece of work was not part of the 2018/19 work programme additional resources will be required to support the review and the Working Group and to implement the recommendations following Authority approval. These additional costs

can be met from with the existing Corporate Strategy and Development Directorate budget. As well as the additional Officer support the Authority will also incur additional unplanned travel and subsistence costs of approximately £130 for each meeting of the Working Group if meetings are held on days when meetings or workshops are not already scheduled. As the Authority currently has two vacancies it is anticipated that this can be met within the existing budget. Additional funding would need to be identified if an external facilitator is appointed.

Risk Management:

13. The Working Group will identify risks to achieving expected outcomes and how to mitigate these as part of its work.

Sustainability:

14. There are no sustainability issues to highlight.

Equality:

15. There are no significant equality issues relating to setting up the working group. However in developing proposals the Working Group will need to consider how they may impact on the 9 protected characteristics set out in the Equality Act 2010.

Human Resources:

16. There are no significant Human Resources issues as, subject to the financial considerations set out above, the Working Group can be supported by existing employees.

17. **Background papers (not previously published)**

None

18. **Appendices**

Appendix 1 - Draft Terms of Reference and Scope of the Governance Review Working Group.

Report Author, Job Title and Publication Date

Sarah Fowler, Chief Executive, 29 November 2018

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PROPOSED MEMBER / OFFICER GOVERNANCE REVIEW WORKING GROUP

1. THE WORKING GROUP

- a) To comprise between 5-7 Members;
- b) Members to agree a Chairman;
- c) Either a formal or informal body, but its recommendations (albeit of a majority) to be reported direct to the Authority;
- d) If formal, its Members could still meet informally to keep bureaucracy to a minimum, only meeting formally when decisions are required;
- e) Should allow full participation from other Members and may consult the Members' Forum as it deems necessary;
- f) Should welcome input and advice from Officers as appropriate.
- g) Lead Officer is the Chief Executive and additional resources have been identified to support the work of the Group

2. TERMS OF REFERENCE

To undertake a review of the governance arrangements of the National Park Authority in so far as they relate to the making of decisions by both Members and Officers to ensure that they meet the present day needs of the organisation for responsive as well as efficient decision-making; and are presented in a clear, understandable and comprehensive manner; and to advise the Authority on any changes that may be required.

3. NEED FOR REVIEW

It is always healthy from time to time to review the internal working of an organisation to ensure that present practice is fit for purpose. Issues that are likely to arise include:

- a) The respective functions of the Planning and ARP Committees and their relationship to each other and to the Authority;
- b) The complex and duplicative nature of the Officer Delegation Scheme in its present form;
- c) The involvement of Members in policy and other decision making;
- d) The Members' role in monitoring and scrutiny, including.:
 - when and how Members are consulted about some proposed decisions by Officers;
 - when and how Members are informed of some decisions taken;
- e) How Members can get items discussed;
- f) Any new arrangements under the Officer Delegation Scheme consequent upon the new Officer structure.

4. INITIAL WORK PROGRAMME

Whilst a great deal can be done to present better the current arrangements, a radical and widespread change is neither sought nor expected, for example in the overall balance between Member and Officer decision-making. It is anticipated that the work will include an assessment of best practice elsewhere, such as governance arrangements in other National Park Authorities.

The suggestion is that the Working Group would undertake its role by focusing on discrete subject areas. For example:

Subject 1: Committee issues

1. Consideration of present committee delegation scheme;
 2. Light-touch review of the two main committees and their relationship to full Authority; and to other committees and bodies sponsored by the Authority to further its business and which have Member involvement;
 3. Look at other comparable national park authorities, including committee structures, meeting agendas, eg Lake District, South Downs, Yorkshire Dales, North York Moors.
- Issues that may arise could include the role of ARP; the role of committees in responding to consultation from Government; how scrutiny can be developed; and how Members/the public can raise questions at meetings.

Subject 2: The role and accountability of Members

1. Review the various statements that set out the role of Members of the Authority to ensure they meet present day expectations;
2. Look at the Member/Officer Protocol, the statement made on the website on the role of Members and any other internal document addressing this issue. Consider any external advice, eg from DEFRA.

Issues that may arise could include the role of members in policy making; as spokesmen and spokeswomen; in scrutiny and holding the executive to account; and as a sounding board.

Subject 3: Officer Delegation Scheme

1. An initial general look to see whether any specific questions should be addressed at this stage.

Issues that may arise could include the consultation of senior leadership team on the level that delegation should be set; whether delegations be grouped solely by subject matter or solely under the name of each officer named; a call for officer suggestions for changes to the scheme; and regarding senior staff appointments.

Subject 4: Member Representatives

1. Look at the stated purpose of Member Representatives and their briefs.

Issues that may arise could include the need for the specific role; whether the role as stated is achievable; when Member Reps should be consulted; how Member Reps should report; and the relationship to national Secretary of State Members appointed for their particular expertise who are not Member Reps.

5. OUTCOMES

The Working Group will be a cooperative and collaborative process involving Members and Officers that will explore more effective ways of working in order to achieve positive outcomes for the Authority and improve all-round governance. These outcomes will include:

- more effective Member engagement and greater ownership of the policies and decisions of the Authority;

- an improved relationship between Members and Officers with more mutual understanding and better communications;
- a well-run and responsive organisation that is fit for purpose and adopts best practice.

In carrying out its task, the Working Group should have regard to the seven key principles that underpin the ways of working at the PDNPA whilst ensuring proper accountability and ethical governance:

- We always start with outcomes
- We always ask what's possible
- We always put the public first
- We always look for efficiency
- We always act with agility
- We always value our colleagues
- We always develop ourselves and others.

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10. DERBYSHIRE ARMED FORCES COVENANT (SLF)

1. Purpose of the report

To consider a request from the Chair of the Derbyshire Armed Forces Covenant Board that the Authority becomes a signatory of the Derbyshire Armed Forces Covenant.

Key Issues

- **Along with other local authorities based in Derbyshire the Authority has been invited to sign up and support the Derbyshire Armed Forces Covenant.**
- **The purpose of the Covenant is to make sure that those in the Armed Forces Community are not disadvantaged compared to other citizens and recognise that special treatment may be appropriate in some circumstances.**

2. Recommendations(s)

- 1. To confirm that the Authority becomes a signatory of the Derbyshire Armed Forces Covenant.**
- 2. To authorise the Chair to attend the launch event in March 2019 and to sign the Covenant on behalf of the Authority.**
- 3. To note that the lead officer will produce a plan setting out how the Authority will honour the Covenant.**

How does this contribute to our policies and legal obligations?

3. This proposal contributes the directional shift Connecting People enabling everyone to connect with the National Park.

Background Information

4. The Authority has been recently invited to become a signatory of the Derbyshire Armed Forces Covenant along with 10 other Local Authorities in Derbyshire. A copy of the draft Covenant is set out in Appendix 1.
5. The Covenant recognises that when joining the Armed Forces individuals and their families sacrifice some of their civilian freedoms to expose themselves to dangerous situations which in many cases have resulted in serious injury or death.
6. In recognition of these sacrifices the Covenant sets out the following two key principles:
 - Those who serve in the Armed Forces, whether regular or reserve, those who have served in the past, and their families, should not face any disadvantage compared to other citizens in the provision of public and commercial services.
 - Special treatment is appropriate in some cases, especially for those who have given most such as the injured or the bereaved.
7. The Covenant encourages its signatories to take these principles into account when writing and implementing policies and make sure that they are integrated into all the services, support, engagement and work carried out by the local authorities in Derbyshire. A key element of this is making sure that service personnel, veterans and their families are integrated into civilian life and are able to engage with their local community.

8. The Covenant identifies ways in which local authorities can make an impact these include:
- Health Care and Wellbeing
 - Education
 - Mobility and Deployment
 - Housing
 - Social Isolation and a sense of community
 - Transition
 - Employment and Employers
 - Remembrance and Recognition.
 - Information Sharing
9. While it is recognised that in many of these areas the impact the Authority can make is limited compared to a County, Borough or District Council there are still opportunities to make a contribution.

Proposals

It is proposed that, in recognition of the sacrifices made by the armed forces community, the National Park Authority agrees to become a signatory to the Derbyshire Armed Forces Covenant and identifies a lead officer who will develop an action plan to identify ways in which the Authority can contribute to the key principles.

In March 2019 a special event will be held at County Hall in Matlock where the Covenant will be launched and representatives of the signatories will be asked to formally sign the document. It is proposed that the Chair of the Authority is nominated to attend the event and authorised to sign on behalf of the Authority.

Note that if the Authority becomes a signatory the branding in the final document will be updated.

Are there any corporate implications members should be concerned about?

Financial:

10. There are no direct financial implications arising from being a signatory to the Armed Forces Covenant.

Risk Management:

11. There are no significant risks. There may be a reputational risk should the Authority decide not to be a signatory.

Sustainability:

12. There are no sustainability issues

Equality:

13. As the Authority is already committed making sure that it does not discriminate against groups and individuals who fall within the nine protected characteristics identified in the Equality Act 2010, our existing policies and procedures and service delivery already recognise that alternative treatment is appropriate in some cases.

14. **Background papers (not previously published)**

None

15. Appendices

Appendix 1 - Draft Armed Forces Covenant

Report Author, Job Title and Publication Date

Sarah Fowler, Chief Executive, 29 November 2018

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Draft 3 - 26 Sep 18



An Armed Forces Covenant

Between

Local Authorities in Derbyshire

and

The Armed Forces Community

(Serving personnel, both regular and reservist, veterans and military families)

**We, the undersigned, agree to work and act together to honour the
Armed Forces Covenant.**

9 November 2018

The Armed Forces Covenant

An Enduring Covenant Between

The People of the United Kingdom

Her Majesty's Government

– and –

All those who serve or have served in the Armed Forces of the Crown and their
Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces.

In return, the whole nation has a moral obligation to the members of the Royal Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most, such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates the value of their contribution. This has no greater expression than in upholding this Covenant.

SECTION 1: PARTICIPANTS

1.1 This Armed Forces Covenant commitment for Derbyshire is made between:

Derbyshire County Council; Amber Valley Borough Council; Bolsover District Council; Chesterfield Borough Council; Derby City Council; Derbyshire Dales District Council; Erewash Borough Council; High Peak Borough Council; North East Derbyshire District Council; Peak District National Park Authority; South Derbyshire District Council;

and

The Armed Forces Community in Derbyshire (Serving personnel, Regulars & Reserves, veterans and their families)

SECTION 2: PRINCIPLES OF THE ARMED FORCES COVENANT

2.1 Life in the Armed Forces is different from the rest of society; Armed Forces personnel make sacrifices on behalf of the nation. They go where they are sent, when they are sent. So families will have to move, sometimes with little notice, to unfamiliar areas; or they may have to live apart for extended periods of time and they will face the stresses and challenges that arise when a loved one is deployed on operational duties.

2.2 This means that they can find themselves at a disadvantage in comparison with their civilian neighbours in accessing the goods and services that as citizens we should all expect. The Armed Forces Covenant aims to ensure that those who serve or have served, and their families are treated fairly and are not disadvantaged because of their Service.

2.3 The Armed Forces Covenant is based upon two key principles:

- no member of the Armed Forces community should face disadvantage in the provision of public and commercial services compared to any other citizen.
- in some circumstances, special treatment may be appropriate for the injured or bereaved.

2.4 These principles should be taken into account when writing and implementing policies that impact upon the local populations and should be integrated into all the services, support, engagement and work within the Local Authorities of Derbyshire.

2.5 For the purposes of this Covenant, the Armed Forces community includes Armed Forces personnel and members of the military sponsored cadet organisations. Armed Forces personnel include serving personnel (regulars and reserves), veterans and their families. Children of Armed Forces personnel, no matter the marital status of their parents, should be considered part of this community while still dependent.

2.6 The Covenant presents an opportunity for Local Authorities to bring knowledge, experience and expertise to bear on the provision of help and advice to members of the Armed Forces community.

2.7 For the Armed Forces community, the Covenant encourages the integration of Service personnel, Veterans and their families into civilian life and to engage with their local community.

SECTION 3: OBJECTIVES AND GENERAL INTENTIONS

- 3.1 This Armed Forces Covenant defines the enduring, general principles that should govern the relationship between the Nation, the Government and the Armed Forces community
- 3.2 The signatories to this Covenant will offer support and guidance to the local Armed Forces community and make it easier for serving personnel (regular and reserve), veterans and their families to access help and support from statutory providers.
- 3.3 The Covenant is intended to be a two-way arrangement; members of the Armed Forces community are encouraged to do as much as they can to support all aspects of their local community and promote activity which integrates serving personnel, veterans and their families into local community life.

SECTION 4: CORE INFRASTRUCTURE FOR COVENANT DELIVERY

- 4.1 The MOD publication *Armed Forces Covenant A Guide for Local Authorities* provides guidance on the core infrastructure for Covenant delivery, including the following recommendations.
 - a. **Armed Forces Champions & Lead Officers.** Each Local Authority will appoint an Armed Forces Champion and a Lead Officer, empowered to effect change across the LA.
 - b. **Action Plans.** Each Local Authority will produce and publish an Action Plan to underpin the Covenant commitment; this will help to set out the overall direction and to ensure that the authority keeps on track.
- 4.2 **NHS Trusts.** Local Authorities must be aware of the role of the NHS in the county with reference to the NHS online guide *How to support the Armed Forces in the NHS* that provides resources and information on the Armed Forces agenda within the NHS, including how to advocate and demonstrate support to the Armed Forces community.
 - a. **Armed Forces Network.** The NHS Employers' Armed Forces Network is an opportunity for NHS staff leading on the Armed Forces agenda to share and learn from each other.
 - b. **Step into Health.** The Step into Health programme connects employers in the NHS to people from the Armed Forces community, by offering an access route into employment and career development opportunities.
 - c. **Reserve Forces Champions.** The NHS Reserve Forces Champions Scheme aims to increase the awareness of reservists within the NHS and to highlight the benefits of employing reservists.
- 4.3 **Regular Stakeholder Engagement.** Representatives from each Local Authority will meet regularly through the **Derbyshire Armed Forces Covenant Partnership Board**. These meetings will act as a forum where emerging challenges can be discussed and action taken to resolve them; also providing ideal opportunities to share good practice and to network.
- 4.4 **Communications.** The commitments made in this Covenant will be publicised so that local communities are aware of what is being done to deliver them. This will be achieved through dedicated web-pages or newsletters. Local Authority staff who deal with members of the public will be trained so that they are aware of how specific commitments impact upon local services and delivery.

SECTION 5: ACTIONS AND OUTCOMES

5.1 **Derbyshire Armed Forces Covenant Partnership Board.** Each Local Authority will be represented on the Derbyshire Armed Forces Covenant Partnership Board.

5.2 **Armed Forces Covenant Fund.** The best possible use will be made of the Covenant Fund, an enduring government grant awarded to projects that will benefit the Armed Forces community

5.4 **Healthcare**

- a) Strive for equity of access to primary and secondary health care services for Service personnel and their dependents; Service family members should maintain their relative position on any NHS waiting list, if moved around the UK due to the Service person being posted.
- b) Veterans should receive priority treatment (subject to the clinical needs of others) in respect of NHS hospital treatment relating to a condition resulting from their service in the Armed Forces.
- c) Veterans should be able to access mental health professionals who have an understanding of Armed Forces culture.
- d) Ensure the Clinical Commissioning Groups (CCGs) are aware of the potential difficulties faced by members of the Armed Forces community and identify ways in which the CCGs can be involved in Covenant delivery.
- e) Provide appropriate information to local GPs to ensure that they are aware of the provisions offered to ex-Service personnel under the Covenant.

5.5 **Education**

- a) Work with the Department of Children and Young People (DCYP) to determine the numbers and location of the children of serving personnel (regular and reservist), as well as dependent young people, to include Early Years and Children's Centres.
- b) Ensure that schools are aware of the Service Pupil Premium and are claiming all that they are entitled to. Determine ways in which Pupil Premium is spent and identify and share areas of good practice.
- c) Work with schools and local providers to identify where Service personnel's children might require additional support to help them deal with a parent being away from home for long periods of time, often in conflict situations. Children in some Service families may be considered more vulnerable than the general population because of the pressures they face, including PTSD.
- d) Ensure that policies enable a smooth transition for children from Forces families, alleviating any issues that may be experienced finding a school place mid-term, when a serving parent has been transferred to a new area of the UK; assist when issues arise at any other time relating to finding a school place for a dependent child.

5.6 **Mobility and Deployment**

- a) Identify and share best practice regarding house purchase/rental, enabling service personnel to settle in local communities, working alongside mortgage providers etc. particularly those who have signed the Armed Forces Covenant for businesses.
- b) Ensure the Armed Forces community works closely with council and private housing teams in support of their role of providing advice and support to households leaving the Armed Forces or being re-located within the UK.

5.7 **Housing**

- a) Maintain strong relationships between Local Authorities and the Armed Forces community to ensure timely and accurate information is given and received regarding movement of Service personnel and their housing needs and aspirations.
- b) Ensure that Local Authorities are mindful and remain aware of the particular issues faced by Service personnel and their families. This includes identifying best practice in solving the most challenging of circumstances where a service family or household is settling in our region from another part of the UK or where the housing need is the result of separation or divorce within a Service family.
- c) Raise awareness of housing issues and develop solutions and support systems required to solve or prevent such issues; such as homelessness by Veterans.

5.8 **Social Isolation and sense of community**

- a) Promote best practice engagement in communities across Derbyshire, including support to those experiencing social isolation.
- b) Develop projects as identified by local communities, making use of the Covenant Fund as appropriate

5.9 **Transition**

- a) Raise awareness of the issues experienced by the Armed Forces community, including the challenge of career change, and offer support and information on issues arising during transition into civilian life.
- b) Raise awareness, during transition, and offer support to get involved in volunteering and community action as a pathway to health and wellbeing, developing personal interests, helping others and increasing employability
- c) Ensure that injured Service persons transitioning to the civilian world are able to access supported housing or support to enable their existing home to be modified to meet their needs and that they are quickly and compassionately assessed on their level of care requirements.

5.10 Employment and Employers

- a) Promote mutually beneficial relationships between employers and Defence, by advocating the transferable skills and attributes that Armed Forces personnel bring to the civilian workplace as an economic asset.
- b) Promote the Armed Forces Covenant for business, encouraging employers to sign the Covenant in order to pledge commitments to support Defence personnel by:
 - *promoting the fact that they are an Armed Forces-friendly organisation;*
 - **Veterans:** *seeking to support the employment of veterans and working with the Career Transition Partnership (CTP), in order to establish a tailored employment pathway for Service leavers;*
 - **Service Spouses & Partners:** *striving to support the employment of Service spouses and partners; including flexibility in granting leave before, during and after a partner's deployment;*
 - **Reserves:** *seeking to support employees who are members of the Reserve Forces, including granting special paid leave for training and supporting deployment;*
 - **Cadet Organisations:** *seeking to support employees who are volunteer leaders in military cadet organisations; supporting local cadet units.*
 - **Armed Forces Day:** *aiming to participate actively in Armed Forces Day and Reserves Day.*

5.11 **Remembrance and Recognition.** Promote participation in and support for events and functions to celebrate and remember the sacrifices of our Armed Forces Personnel, both past and present. This will include: Remembrance Sunday and Armistice Day; Armed Forces Day; Reserves Day.

5.12 Information sharing

- a) Raise awareness of the Armed Forces Covenant throughout Derbyshire and particularly to the Public Sector through development of resources and discussion.
- b) Identify good practice within communities which promote greater visibility of the Armed Forces, their contribution and needs.
- c) Promote the Armed Forces Covenant Fund to community groups and Forces personnel.

Section 6: Signatories

Derbyshire County Council

Signed:

Name:

Position:



Amber Valley Borough Council

Signed:

Name:

Position:



Bolsover District Council

Signed:

Name:

Position:



Chesterfield Borough Council

Signed:

Name:

Position:



Derby City Council

Signed:

Name:

Position:



Derbyshire Dales District Council

Signed:

Name:

Position:



Erewash Borough Council

Signed:

Name:

Position:



High Peak Borough Council

Signed:

Name:

Position:



North East Derbyshire District Council

Signed:

Name:

Position:



Peak District National Park Authority

Signed:

Name:

Position:



South Derbyshire District Council

Signed:

Name:

Position:



THE MINISTRY OF DEFENCE

Royal Navy

Signed:

Name: Commander Martin Clegg

Position: SO1 Reserves Engagement Eastern England



Army

Signed:

Name: Colonel Adam Fraser-Hitchen C Eng

Position: Dep Commander (Reserves) HQ 7 Inf Bde and East



Royal Air Force

Signed:

Name: Wing Commander Judith Hird

Position: SO1 Reserves Strategic Engagement



11. MANAGING PERFORMANCE OF OFFICERS (CAPABILITY) PROCEDURES (TR)

1. Purpose of the report

To approve the arrangements in place to manage poor performance of PDNPA employees. This includes officers, the Chief Executive, the Section 151 Officer, the Monitoring Officer and the three non-statutory Chief Officers.

Key Issues

- **The Authority currently deals with employee poor performance (capability) and poor behaviour (conduct) by following procedures outlined in the Disciplinary Policy.**
- **The key distinction between capability and conduct is that lack of capability will usually be outside of the employee's direct control, while the same employee obviously will have control over his or her conduct at work.**
- **For the above reason, good practice advises a separate capability procedure.**
- **The basic principles of fairness set out in the Discipline and grievance - ACAS Code of Practice, which would be tested at an Employment Tribunal, will be followed in both procedures.**

2. Recommendations(s)

- 1. To adopt the Managing Performance (Capability) Procedure and Guidance as set out in Appendix 1.**

How does this contribute to our policies and legal obligations?

3. The Employment Rights Act 1996 requires employers to provide employees with a Statement of Particulars (employment contract). A note in the statement should specify any procedure applicable to the taking of disciplinary decisions relating to the employee, or to a decision to dismiss the employee or referring the employee to the provisions of a document specifying such a procedure which is reasonably accessible to the employee.
4. The Managing Performance (Capability) Procedure, as above, outlines one of the Authority's procedures which could result in the dismissal of an employee.
5. It is anticipated a separate capability procedure will help managers by giving clearer guidance on the approach to managing unsatisfactory performance, and encourage employees subject to the procedure as they can see how they will be supported.

Background Information

6. There are five fair reasons for dismissal. Conduct (misconduct) and capability (poor performance) are two of the fair reasons and currently the procedure to follow for both is outlined in the Disciplinary Policy.
7. The Authority Disciplinary Policy and procedures are heavily weighted towards managing misconduct, and the terminology involved such as investigation, witnesses, evidence, hearing, can feel intimidating when reading it to an employee subject to unsatisfactory performance.

8. It is envisaged employees respond better to support offered under capability process rather than perception of a misconduct process.
9. With a capability procedure there is a requirement to demonstrate having provided ongoing training and support to improve performance before considering dismissal. A disciplinary procedure is designed to improve performance/conduct/behaviour through a series of warnings before considering dismissal. The two are therefore separate courses of action.
10. Before embarking on formal action, it must be established whether the employee is falling short of the standards because of their capability or conduct. Put simply, Capability is CAN'T and conduct is WON'T. For this reason, it is advisable to always have a separate disciplinary procedure and a capability procedure. Capability procedures would be invoked when even after appropriate training an employee CAN'T achieve or maintain the performance standards necessary for their job. Disciplinary or Conduct procedures are invoked when through carelessness, negligence or wilfulness the employee WON'T perform to the required standards of conduct.

Proposals

11. In principle it is for each organisation to determine its procedures for managing conduct and capability.
12. The ACAS statutory Code of Practice on discipline and grievance provides basic practical guidance to employers and sets out principles for handling disciplinary and grievance situations in the workplace.
13. The proposed Managing Performance (Capability) Procedures follows the principles set out in ACAS Code of Practice and incorporates best practice from the Chartered Institute of Personnel and Development.

Are there any corporate implications members should be concerned about?

Financial:

14. No direct cost related to implementing the procedures. Failure to address underperforming employees has a hidden cost.

Risk Management:

15. The procedure follows ACAS statutory Code of Practice

Sustainability:

16. There are no sustainability issues.

Equality:

17. This procedure makes sure that all employees are treated and fairly and equally regardless of their personal circumstances. It also recognises that reasonable adjustments need to be made where the circumstances relate to ill health or incapacity as well as changes to the health and wellbeing of the employee during the course of the process.

18. **Background papers (not previously published)**

None

19. Appendices

Appendix 1 - Managing Performance Procedure & Guidance

Report Author, Job Title and Publication Date

Theresa Reid , Head of Human Resources, 29 November 2018

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Managing Performance Procedure & Guidance

CONTENTS

1	Introduction
2	Meaning of capability
3	Behaviour and attitude problems
4	Managing performance – source of procedure and guidance
5	Stage one: The initial response to poor performance
6	Stage two: Action short of formal procedure
7	Stage three: Formal procedure
8	Stage four: Performance dismissal hearing
9	Appeal
10	Where performance issues have not been addressed in the past
11	Where an employee raises a grievance
12	Ongoing performance issues
13	Relevant employment law and key PDNPA policies

1 Introduction

- 1.1 This procedure and guidance is for all staff employed by the Authority. All employees have a contractual responsibility to be competent and perform their role in an acceptable way and to a satisfactory level, where this is not happening, the Authority is entitled to intervene with a view to improving the performance of an employee.
- 1.2 The purpose of managing unsatisfactory performance is to improve performance to an acceptable level. The aim is to avoid the need for warnings and potential dismissal. However, if performance does not improve and there are no mitigating factors, formal action may be taken.
- 1.3 The Authority has a responsibility in setting realistic and measurable standards of performance and for explaining these to staff. The Joint Performance and Achievement Review (JPAR) process should be used to set objectives, to make an employee aware of the activities and behaviours expected and address any developmental needs. Using this process effectively should reduce the risk of unsatisfactory performance.
- 1.4 The purpose of this guidance is to enable line managers to discuss with staff in an objective and systematic way any perceived failures to meet acceptable performance and identify actions for both parties in order to improve.
- 1.5 Further advice about the procedure may be obtained from line managers, HR, Unison representatives or a Staff Committee member.

2 Meaning of capability

- 2.1 'Capability' refers to an employee's skills, ability, aptitude and knowledge in relation to the job that he or she is employed to do. Lack of capability will in most cases lead to unsatisfactory performance which is likely to cause problems both for the line manager and work colleagues.
- 2.2 The feature to the lack of capability is that it is not always the employee's fault. Very few employees choose to perform their work badly, make mistakes, fail to complete tasks or have poor relationships with colleagues or customers. There is an element of personal responsibility required by the employee to keep their skills up to date or advise their line manager where support is required.
- 2.3 In the event that an employee is underperforming the manager should be prepared to examine the circumstances and give support to the employee to help him or her to improve to the standard of required competence, rather than disciplinary action.
- 2.4 Appropriate action should be taken promptly as soon as it is noticed that the employee is not performing certain aspects of his or her job satisfactorily. Delaying or worse doing nothing, may cause the performance problem to escalate.
- 2.5 One of the key distinctions between capability and conduct is that lack of capability will usually be outside the employee's direct control, while the same employee obviously will have control over his or her conduct at work. If an employee fails to come up to the required standard as a result of his or her own carelessness, negligence or idleness, this will not constitute incapability, but could be regarded as misconduct.
- 2.6 In the event of poor performance, it is important the manager try to identify the root cause of the problem and deal with it accordingly. Other possible causes of poor performance include:
- Inadequate or insufficient training
 - Poor systems of work or inadequate procedures
 - Tools or equipment that do not work properly or frequently break down
 - Poor quality supervision and/or support
 - Lack of understanding on the employee's part about his or her job duties and priorities
 - Unclear instructions
 - Work overload, causing stress and fatigue
 - Unrealistic targets or deadlines
 - Poor working relationships causing the employee worry and upset
 - Bullying and harassment
 - Physical or mental health
 - Personal problems that affect the employee's concentration

Clearly, other than the last two items on the above, they are within the control of the manager. The first step for the manager is to investigate the underlying cause of the employee's unsatisfactory performance through discussion with the employee.

- 2.7 If barriers to effective performance are identified, the manager will need to consider how these should be overcome or removed. The solution to the problem will flow from the cause, and may involve actions such as training the employee's manager in coaching the employee, instituting more effective two way communication, prioritising workload or rewriting procedures.
- 2.8 Where performance issues may be due to ill-health then a medical review should be progressed. It may be appropriate to refer the member of staff to Occupational Health or to the Authority's counselling service. This should be undertaken in liaison with the member of staff to assist in identifying any underlying health/welfare issues which may be contributing to poor performance
- 2.9 Where the employee has a disability as defined by the Equality Act 2010 that affects the performance of part of his or her job, the Authority may be under a duty to make reasonable adjustments that remove the disadvantage. This does not mean the Authority must tolerate poor performance. The purpose of a reasonable adjustment is to remove the barriers to satisfactory performance. Dismissal should only be contemplated when the cause of a poor performance cannot be mitigated by making reasonable adjustments.

3. Behaviour and attitude problems

- 3.1 Inadequacy in terms of behaviour and attitude is one of the most difficult issues a manager is likely to deal. Examples of this are where an employee regularly behaves in a way that is uncooperative, where their behaviour is antagonistic or where they display a lackadaisical attitude towards the work.
- 3.2 Such behaviour may be as a result of lack of capability or could be viewed as misconduct, depending on the circumstances. In either case, the manager must address the matter through a meeting with the employee.
- 3.3 In some cases it may be difficult to establish whether an employee's poor performance is due to inherent incapability or to lack of effort or negligence, and in some instances, there may be an element of both. The employee should be given the benefit of the doubt initially and line managers should opt to manage the performance of the employee rather than initiating disciplinary procedures.
- 3.4 It is important for the manager to focus on facts and actual examples of the employee's behaviour. The examples should be quoted in a neutral factual way with an explanation from the manager as to how the particular behaviour was perceived, or how it affected others, and why such behaviour is unacceptable.
- 3.5 The employee may not be aware that their attitude, manner or behaviour is perceived in a particular way and the manager will need to treat the matter with sensitivity and patience in order to succeed in persuading the employee to accept the need for change.

4. Managing performance – source of procedure and guidance

- 4.1 There is no statutory procedure for handling an underperforming employee; however this process complies with the basic principles of fairness set out in the ACAS Code of Practice on disciplinary and grievance procedures. The frameworks within the Joint Performance and Achievement Review (JPAR) process enable the manager to objectively assess the employee's performance.
- 4.2 It is not necessary to wait until the annual JPAR review to commence the performance process. Performance issues should always be addressed in a timely manner.
- 4.3 One of the five potentially fair reasons for dismissal permitted under the Employment Rights Act 1996. Capability may relate to the employee's physical or mental capability, or to their performance.

5. Stage One: The initial response to poor performance

- 5.1 Where poor performance from an employee is observed they should receive feedback on this promptly. Feedback is normally provided by the line manager and should be given in private.
- 5.2 Feedback should be as objective as the circumstances allow and wherever possible, should be based directly on what the manager has observed. It should be factual and related to the work, not the personality of the employee.
- 5.3 The employee should have the opportunity to respond to the feedback and either dispute it or agree with the assessment. Provided the employee's performance does not present a risk to the Authority or to health and safety, the employee should be allowed the opportunity to take the feedback on board and continue with his or her work.
- 5.4 Where the issue is ongoing, as opposed to a one-off incident, the manager should inform the employee their performance will be monitored in the relevant area for a specified time to ensure that the necessary improvement takes place. This is an informal process which should take place in the course of normal day-to-day management.
- 5.5 The manager should keep brief notes regarding the employee's underperformance and what has been done to address the underperformance. A record will be necessary in case performance continues to be unsatisfactory despite measures taken. In line with the General Data Protection Regulations (GDPR), these records should be held confidentially and kept for no longer than necessary.

6. Stage Two: Action short of formal procedure

- 6.1 Where the feedback has no effect and the employee continues to underperform, the manager should seek advice from HR and arrange to hold a meeting with the employee to discuss the issue. The purpose of the meeting is to discuss a Performance Improvement Plan. (For more detailed guidance see Appendix A – How to structure a performance improvement meeting)
- 6.2 The manager should encourage the employee to identify any external or internal factors that may be affecting his or her performance. (see paragraph 2.7) If barriers to effective

performance are identified, the manager will need to consider how these should be overcome or removed. Further guidance is available from HR.

- 6.1 The employee's underperformance may be a straightforward competence issue that can be addressed through training or additional support, or they may be underperforming because of an excessive workload. Alternatively the employee may need to be more organised in their work or make more effort to perform.
- 6.2 Where performance issues may be due to ill-health then a medical review should be progressed. It may be appropriate to refer the member of staff to Occupational Health or to the Authority's counselling service. This should be undertaken in liaison with the employee to assist in identifying any underlying health/welfare issues which may be contributing to poor performance
- 6.3 Where the employee has a disability as defined by the Equality Act 2010 that affects the performance of part of his or her job, the Authority may be under a duty to make reasonable adjustments that remove the disadvantage. This does not mean the Authority must tolerate poor performance. The purpose of a reasonable adjustment is to remove the barriers to satisfactory performance. The line manager in conjunction with Head of HR will decide what the Authority can reasonably accommodate. Progress to dismissal should only be contemplated when the cause of a poor performance cannot be mitigated by making reasonable adjustments.
- 6.4 At the meeting it is important the manager outlines an agreed standard for the employee to meet. The standard should be as measurable as possible, consistent with the standard achieved by comparable employees and justifiable in terms of business need. The manager should also agree a timescale with the employee in which the standard must be met. Normally 3 months.
- 6.5 The agreed actions will be recorded in a Performance Improvement Plan. (see Appendix B – Performance Improvement Plan template)
- 6.6 The manager should arrange regular feedback sessions which should be constructive and acknowledge any progress made by the employee, while being clear about any areas where the expected improvement is not being made.
- 6.7 At the end of the agreed timescale the manager in conjunction with HR should review the progress that the employee has made. The employee's performance may have improved sufficiently so that no further action is required. Alternatively, the manager may consider that an extension to the review period is likely to result in the employee reaching the required standard with a reasonable time frame.
- 6.8 If it is clear to the manager that the employee has failed to improve or has not made sufficient progress to achieve the required standard, it may be appropriate to advance to a more formal stage and invite the employee to a formal performance management hearing.

7. Stage Three: Formal procedure

- 7.1 The purpose of a formal performance management hearing is to decide whether or not the employee's performance is so poor that they should be warned that a failure to improve sufficiently will lead to their dismissal.
- 7.2 The letter inviting the employee to the hearing should explain clearly the aspects of the employee's performance which is considered unacceptable and set out the possible consequences of the hearing.
- 7.3 The letter will make it clear that the employee will be given an opportunity to challenge the assertions made by the employer and to argue either that their performance is of the required standard, or that a further opportunity for improvement should be given without the need for a formal warning.
- 7.4 The hearing will follow the structure of a disciplinary hearing (See Disciplinary Policy and Procedures). The employee has a statutory right to be accompanied at the hearing by a trade union official, member of Staff Committee or a work colleague.
- 7.5 The most senior manager who has a detailed understanding of the employee's work should chair the hearing. Unlike a disciplinary hearing, where the hearing is chaired by a manager who has not been involved in the allegation into alleged misconduct, there is no requirement for a performance management hearing to be chaired by someone independent of the issue. The employee's manager or Head of Service will usually be the best person to judge the employee's performance.
- 7.6 At the hearing, the chair should review the history of the performance management process and invite the employee to comment on whether or not they accept the fact of underperformance. The employee will be asked whether or not they have any explanation for their failure to improve.
- 7.7 The chair will listen carefully to the points made by the employee and may decide that further investigation of particular factors is required before a decision is taken. Where appropriate the hearing can be adjourned for further investigation.
- 7.8 An HR Officer will attend the hearing and keep notes. The employee will be provided notes of the hearing on request.
- 7.9 If an employee fails to attend a notified hearing without giving an acceptable reason, it may be reasonable to proceed without them. They may be represented by a work colleague, a member of Staff Committee, or trade union official in their absence. If ill-health prevents attendance, but ill-health capability is not the reason for the absence, reasonable adjustments may be considered or the case can be heard in the absence of the employee. Medical information should be sought to identify if the employee is fit to attend.

7.10 At the conclusion of the hearing the chair should decide an outcome appropriate to the circumstances. Potential outcomes include:

- i. Performance is at an acceptable level
- ii. Further time is needed to allow the employee to improve, in which case a new review period should be set with appropriate support and supervision.
- iii. Performance has not reached the required standard, and a reasonable opportunity for improvement has been given, therefore a warning that if a given level of performance is not reached in an appropriate time frame, the employee will be dismissed.

7.11 One warning is sufficient prior to dismissal, provided the employee has been given an adequate opportunity to improve and their performance is sufficiently poor to be unacceptable. However, it is usual for at least two warnings to be given before dismissal is contemplated.

7.12 The period of warning during which improvement must be made should be fixed. The timetable will depend both on the nature of the underperformance and the nature of the work.

7.13 Depending on the circumstances, the warning may also specify that the improved performance must be maintained for a period of time once the required standard has been met, usually 12 months.

7.14 Where the employee makes sufficient improvement, the manager should hold a meeting with the employee at the end of the time allocated for improvement and confirm that the matter is closed. A note should be made of the outcome and written confirmation given to the employee.

8. Stage 4: Performance dismissal hearing

8.1 Where the employee fails to reach or maintain the required standard in accordance with the period of time set out in the warning, the Authority should invite the employee to a further formal hearing.

8.2 In case of the Chief Officers and Statutory Officers, the Head of HR will make referral to the Investigating and Disciplinary Committee, in accordance with the Disciplinary Procedure and Guidance for the Chief Executive, Statutory Officers, and Non-Statutory Officers.

8.3 The purpose of this hearing is to decide whether or not to dismiss the employee, and should be chaired by the Head of Service or Director. Dismissal for unsatisfactory performance will be unfair if the manager has not taken appropriate steps to give the employee an opportunity, and sufficient time, to improve to the standard required.

8.4 The hearing should follow the same structure as the first formal performance management hearing, and the letter of invite should set out the possible consequence of the hearing (i.e. dismissal and right to be accompanied).

8.5 At the hearing the employee should be allowed a full opportunity to explain any issues around their performance that may lead the chair to decide that dismissal is not appropriate.

- 8.6 If the chair is satisfied the employee has still not met the required standard despite being given a reasonable opportunity to improve, including support when appropriate, and it was made clear to the employee that failure to improve would lead to dismissal, the chair can choose to dismiss the employee.
- 8.7 The chair may issue a further Final Written Warning where further time is needed to allow the employee to improve, and a new review period should be set with appropriate support and supervision. When this is completed, the manager will re-assess performance and decide whether there has been sufficient improvement. If there has not been improvement, a further dismissal hearing should be arranged.
- 8.8 Where the stage has been reached where a decision to dismiss would be fair, it will also be fair to offer the employee the opportunity to accept an alternative role (where such a vacancy is available).
- 8.9 Where the Authority dismisses an employee on capability, in many cases a payment in lieu of notice is appropriate.

9. Appeal

- 9.1 An employee has a right of appeal against a sanction issued under stages 3 or 4 of this procedure. A request for an appeal should be sent in writing to the Head of HR and set out the grounds on which the employee believes that the decision was flawed or unfair. The request should be sent within ten days of the employee receiving written confirmation of the sanction imposed on them by the Authority.
- 9.2 An appeal hearing will be convened to consider the matter. It will be chaired by a manager more senior than the manager who made the original decision, or it is equally acceptable for another Head of Service to hear the appeal together with an HR practitioner. The employee will be entitled to be accompanied by a work colleague, or a trade union official or a member of Staff Committee.
- 9.3 At the hearing, the decision to impose the sanction will be reviewed and the employee will be entitled to make representations about the appropriateness of that decision.
- 9.4 The result of the hearing will be either to confirm the sanction, or substitute any outcome that was available at the hearing at which the sanction was imposed on the employee.
- 9.5 The outcome of the appeal will be confirmed to the employee in writing, explaining the grounds on which the decision was reached. The outcome of the appeal will be final.

(see Appendix C – Flowchart of performance management process)

10. Where performance issues have not been addressed in the past

- 10.1 It is not uncommon for managers to fail to address performance issues for a considerable period before deciding that action needs to be taken. Often, a manager will work around the employee's shortcomings. However, at some stage this position will become unsustainable.
- 10.2 There may be changes to the structure or ways of working that may mean that it is not possible for the manager to work around the issue.
- 10.3 Alternatively, a new manager may be appointed who is unwilling to overlook the issue, or where the old manager had lower standards of performance.
- 10.4 The manager's inaction is likely to have made the poor performance more entrenched than if the poor performance had been dealt with promptly. The employee will have the impression that their performance was at least acceptable and management must take some responsibility for this mistaken impression.
- 10.5 A manager can still address the employee's underperformance in these circumstances using the process set out in stages 1-4. The manager must inform the employee their performance is not acceptable and also apologise for the fact that the employee has been given the impression that all was well with their performance. It is important the manager clearly communicates their commitment to helping the employee succeed by providing appropriate support and training, and a reasonable amount of time to improve.

11. Where the employee raises a grievance

- 11.1 A common reaction to the beginning of a performance management process is for the employee to raise a grievance about the way in which he or she is being treated by their manager.
- 11.2 Where the grievance and the performance management process are related, it will generally be appropriate to deal with the grievance concurrently with the performance management process (ie the manager can deal with the employee's concerns in the course of the performance management process).
- 11.3 In extreme cases, it may be necessary to postpone the performance management meetings and investigate the grievance first. This might be where the employee has made a particularly serious allegation about the conduct of the manager in question, which outweighs any concerns about performance.

12. Ongoing performance issues

- 12.1 It is important to revert promptly to the formal procedure where an improvement in performance is only temporary.
- 12.2 Where an employee shows marked signs of improvement when under the close scrutiny of the performance management process, only to suffer a relapse when the process comes to an end, it is not necessary for the manager to begin the whole process afresh.

12.3 The manager is able to move straight to the point of inviting the employee to a formal hearing, which may result in a formal warning (see Stage Three), based on the view that the employee can clearly reach the required standard but once again is failing to do so.

12.4 At the hearing, the employee will be given the opportunity to give an explanation for the reason for the deterioration in performance.

12.5 The result of this hearing could be that the employer reissues the warning that a failure by the employee to maintain adequate levels of performance may result in their dismissal.

13. Relevant employment law and key PDNPA policies

Employment Rights Act 1996

Employment Relations Act 1999

Data Protection Act 2018

General Data Protection Regulation (2016/679 EU)

Acas code of practice on disciplinary and grievance procedures

Discipline and grievances at work: the Acas guide

Disciplinary Policy

Disciplinary Procedure and Guidance for the Chief Executive, Statutory Officers, and Non-Statutory Officers.

Appeals Policy

Joint Performance and Achievement Review (JPAR) process



How to structure a performance improvement meeting

As outlined in the Managing Performance Procedures and Guidance document, the manager should move to investigate the possible cause or causes of the employee's unsatisfactory performance. This should be done at a meeting with the employee, which will have the additional aim of identifying and agreeing actions to achieve improvement.

Because the meeting is investigatory, and not disciplinary, there is technically no statutory right for the employee to be accompanied. Nevertheless, the manager may wish to allow this if the employee would like support and requests it.

The steps to follow at a performance management meeting:

1. Set up a meeting with the employee to discuss the possible cause or causes of the substandard job performance, making sure that they know that the meeting is investigatory in nature, and not part of the disciplinary procedure.
2. At the meeting, clearly state the nature of the problem and explain why it is a problem, for example the consequences for the service when the employee makes mistakes or misses deadlines.
3. Give the employee specific examples of instances where their performance has fallen below the required standard or where tasks have not been completed on time or satisfactorily.
4. Remind the employee this is a supportive process and that this meeting is to help them improve.
5. Ask the employee what they enjoy about their job. This may help to make the discussion easier and reduce any defensiveness on the employee's part.
6. Seek the employee's agreement that there is a problem with certain aspects of their performance.
7. Ask the employee what they think the root cause of the problem is.
8. Consider any mitigating factors put forward, for example problems in the employee's personal life.
9. Restate what is expected in terms of job duties, priorities and outcomes. Avoid assuming that the employee knows everything that is expected of them.
10. Ask the employee's opinion on what he or she can do to achieve improvement in performance.
11. Seek to agree specific action points with the employee, the details of which will depend on whether or not any specific cause of unsatisfactory performance has been identified.
12. Agree a timescale for the improvement to be achieved.
13. Arrange training and/or coaching where appropriate.
14. Schedule a follow-up meeting to review the employee's performance and make sure that the meeting takes place.
15. Keep a record of the meeting and what has been agreed. Complete a Performance Improvement Plan template (Appendix 2)

What communication skills to use

Conducting a meeting with an employee to discuss unsatisfactory performance is never an easy task and it is understandable that a manager may have doubts and worries over such a meeting. Open, honest and unambiguous communication will be essential if such a meeting is to succeed.

In terms of communication skills, the manager should:

- stick to facts and avoid expressing personal opinions;
- be specific, avoiding vague, woolly statements;
- avoid generalisations, for example "you're always late";
- ask open questions;
- listen actively to what the employee has to say and take it on board;
- ensure that the tone used is friendly and not accusatory;
- use positive words such as "improvement" and "achievement", rather than negative words such as "failure" or "weakness";
- focus the discussion on future improvement rather than on past inadequacies;
- always check for understanding, for example by asking the employee to state or summarise his or her understanding of what has been discussed.

What to say and what not to say

Don't say	Do say
You're always making mistakes	There are three mistakes in this piece of work
You tend to shout at people	I noticed at last week's meeting that you shouted somewhat aggressively at Jim when he....
You're hopeless – you never meet your deadlines.	You've missed the monthly deadline six times this year so far, on each occasion by at least two days.
You're very aggressive	I appreciate that you may not realise this, but sometimes your tone and manner come across to others as aggressive. For example ...
Your work is not up to scratch. You'll have to pull your socks up.	This piece of work falls short of the standard we require because ...
You have a lousy attitude towards the rest of the staff.	What do you think you could do to improve your working relationship with your colleagues?
You're lazy. I can't ever rely on you to complete a piece of work	It has been brought to my attention that you have not completed ...

Further learning with ELMS online training system modules:

- Managing Difficult Conversations in Performance
- Manage Others Effectively
- Supervising: Achieving Excellence



Performance Improvement Plan [template]

Employee:		
Manager:	Job:	Date PIP started:

Actions to be taken to improve performance	Level of competence to be demonstrated	Time frame for improvement	Evidence/documentation of improvement	Improvement achieved Y/N
1.				
2.				
3.				

4.				

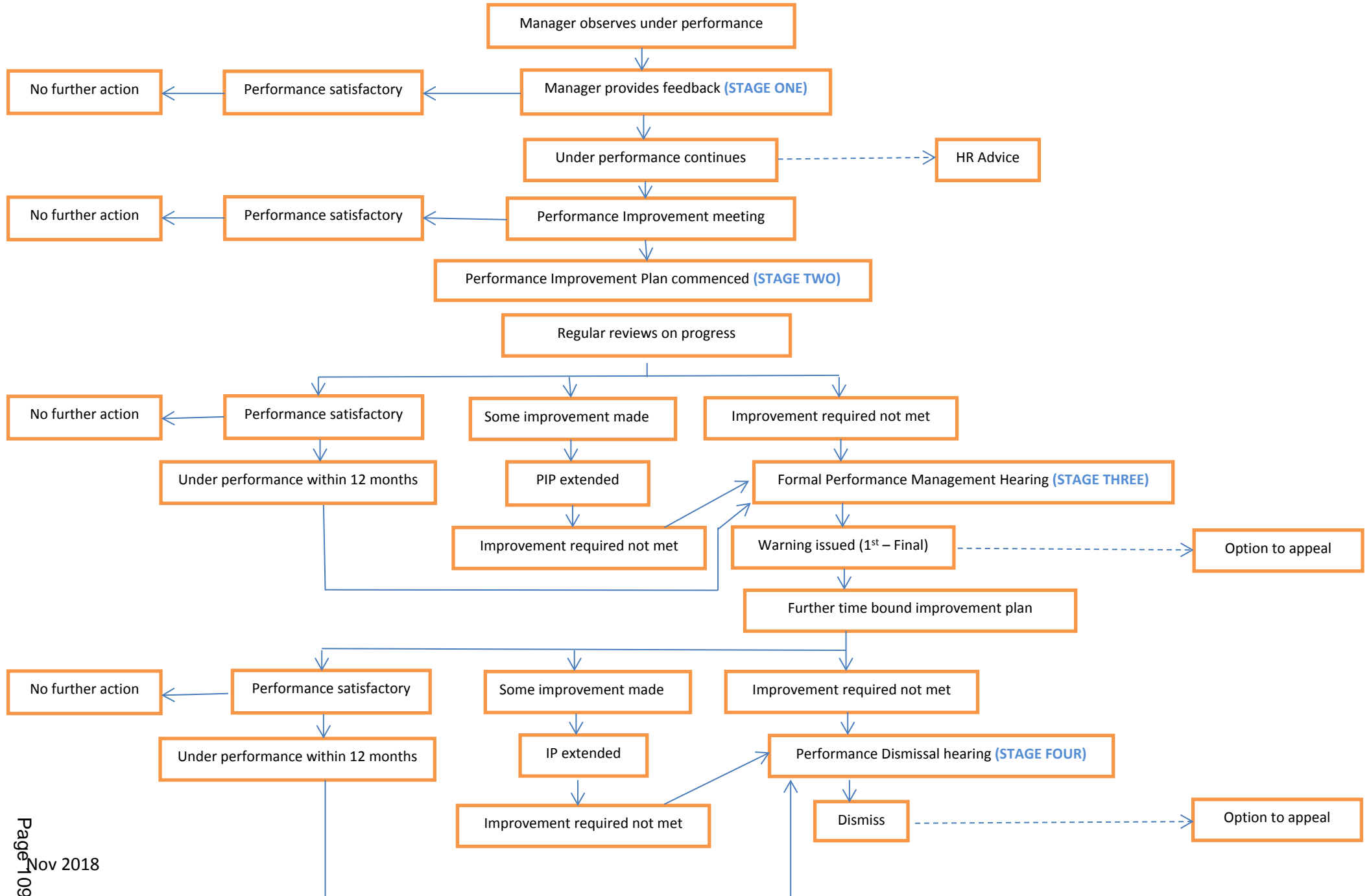
5.				

To be signed at commencement of period of performance management.

Line Manager's signature:	Dates for review:
Employee's signature:	Date:

Line Manager's comments at conclusion of review period:

Date:



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12. DISMISSAL OF CERTAIN OFFICERS (TR)

1. Purpose of the report

To approve the arrangements in place to deal with allegations regarding the conduct and behaviour of Chief Officers as defined in Part 5 of Standing Orders. This therefore includes the Chief Executive, the Section 151 Officer, the Monitoring Officer and the three non-statutory Chief Officers.

Key Issues

- **The Authority has previously amended its Standing Orders to reflect the Statutory requirements of the Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015. At that time it was recognised that further changes may be required once guidance had been issued by the Joint Negotiating Committee for Local Authority Chief Executives (JNC).**
- **The JNC has now issued a model procedure so the Authority is asked to adopt an amended version of the model that reflects local circumstances and the structural differences between a National Park Authority and a Local Authority.**
- **Although the JNC model procedure refers specifically to the Chief Executive it is proposed that this Authority's procedure applies to all post holders identified as Chief Officers in Part 5 of Standing Orders.**
- **The Authority is also asked to set up and agree the terms of references for an Investigating and Disciplinary Committee, an Appeals Committee and Independent Panel as identified in the procedure.**

2. Recommendations(s)

- 1. To adopt the Disciplinary Procedure and Guidance for the Chief Executive, Statutory Officers and Non-Statutory Chief Officers as set out in Appendix 1.**
- 2. To establish an Investigating and Disciplinary Committee comprising of six Members with the terms of reference set out in paragraph 14.**
- 3. To appoint 6 Members to the Investigating and Disciplinary Committee (3 Local Authority and 3 Secretary of State Members).**
- 4. To amend the Terms of Reference of the Appeals Panel as set out in paragraph 17.**
- 5. To establish an Independent Panel comprising of the Authority's two Independent Persons appointed in accordance with provisions within the Localism Act 2011 with the terms of reference set out in paragraph 20.**
- 6. To add the following paragraph to the Emergency Delegation in paragraph 7.A-3 of Part 7 of Standing Orders as set out in paragraph 26.**
- 7. To amend Standing Order 1.17 in Part 1 of Standing Orders as set out in paragraph 31.**
- 8. To amend paragraph 5.6 of Part 5 of Standing Orders as set out in paragraph 34.**

How does this contribute to our policies and legal obligations?

3. In accordance with the Local Authorities (Standing Orders)(England) Regulations 2001, amended by the Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015, the Authority must have measures in place to protect the Chief Executive and other statutory Chief Officers in the event of receiving allegations which if proved may result in the dismissal of a protected officer. The proposals in this report meet these requirements.
4. In the case of this Authority it is proposed that these measures are used for any allegation relating to an officer identified as a Chief Officer in part 5 of Standing Orders. It therefore includes the holders of statutory Chief Officer roles such as the Head of Paid Service, the Section 151 Officer and the Monitoring Officer as well as the three Directors identified as non-statutory Chief Officers. Throughout the report and procedure these post holders are referred to as Relevant Officers. In accordance with Standing Orders only a meeting of the Authority can make a decision to appoint or dismiss a Relevant Officer and this power cannot be delegated.

Background Information

5. On 5 June 2015 the Authority approved amendments to Part 5 of Standing Orders to reflect provisions within The Local Authorities (Standing Orders)(England)(Amendment) Regulations 2015. These 2015 Regulations required the Authority to amend its Standing Orders where they referred to the process for the dismissal of certain officers to make sure that they made reference to the involvement of a Panel which includes two independent persons. The amendments had to be agreed at the first ordinary meeting of the Authority after the regulations came into force and were mandatory so the Authority had no discretion on whether to approve the proposed changes.
6. The 2015 Regulations did not provide any detail on how the new process would work in practice. Therefore at the time of making the changes the Authority noted that, following the close of national negotiations on the conditions of employment for relevant officers, a further report would be brought to the Authority on the process to be followed when considering dismissal of a relevant officer and, if needed, make further changes to the terms of reference for the relevant committee and the job description for the Independent Persons. These negotiations have been completed and the revised conditions of service published, hence this report.

Proposals

7. In principle it is for each local authority to determine its procedures and practical arrangements for the handling of grievances, taking into account the relevant considerations in general employment law. However, in the case of a chief executive, there are particular factors which may need to be borne in mind in the case of a grievance against a chief executive or a grievance brought by a chief executive, so the Joint Negotiating Committee for Local Authority Chief Executives (JNC) has produced model procedures for use in such circumstances.
8. Best practice suggests that, even if the relevant authorities decide to use the model, it should be formally adopted so that all parties are clear about the composition, terms of reference, quorum of a Panel beforehand so that these decisions are not been made or revisited in the middle of dealing with a live case. It is recommended that to meet the requirements of the 2015 Regulations the Authority adopts the procedures and guidance document set out in Appendix 1. This document reproduces the model procedures and guidance with only minor amendments to make them relevant to the

Authority.

9. In its guidance the JNC make it clear that because of the potential adverse impact on the reputation of the Relevant Officers and the Authority, local authorities should try to resolve any issues relating to behaviour or capabilities of a Relevant Officer informally. The JNC have indicated that they are willing to facilitate requests for informal discussions from either party and act as impartial conciliators. However it is recognised that there will be circumstances where issues either cannot be resolved informally or due to the nature of the allegations the informal approach is not appropriate and in these circumstances the formal procedure proposed in this report would be used.
10. Under the new 2015 Regulations and the model procedures the Authority must have the following in place:
 - An Investigating & Disciplinary Committee (IDC)
 - An Appeals Committee
 - An Independent Panel

Investigating & Disciplinary Committee (IDC)

11. The purpose of the IDC is to consider and make decisions on matters which could result in disciplinary action against a Relevant Officer. In this context disciplinary action is defined as “any action occasioned by alleged misconduct which, if proved, would, according to the usual practice of the Authority, be recorded on the member of staff’s personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the authority has undertaken to renew such a contract.”
12. The 2015 Regulations state that the IDC should be politically balanced and able to take decisions and agree appropriate actions as a matter of urgency, having to meet at very short notice to consider allegations and to consider whether suspension of a Relevant Officer might be appropriate.
13. Although the responsibilities of the IDC can be delegated to an existing Committee that has delegated authority to deal with other matters it is proposed that a separate Committee be established to fulfil this role. It is suggested that when appointing Members to this Committee the Authority needs to consider whether it is appropriate to appoint the Chairs and Vice-Chairs of Standing Committees to avoid allegations that there is a conflict of interest if the allegations relate to an officer with whom they have an ongoing close working relationship.
14. It is proposed that the following terms of reference be added to Part 4 of Standing Orders:

“H. Investigating and Disciplinary Panel (IDC)

To act as the Investigating and Disciplinary Committee for considering and making decisions on allegations of misconduct relating to a Relevant Officer, defined as a Chief Officer in Part 5 of Standing Orders including;

- Considering allegations relating to the conduct or capability of the Relevant Officer, deciding whether there is a case to answer and determining whether further formal action is required.
- Considering whether to suspend the Relevant Officer while an investigation takes place and during the investigation reviewing whether this suspension

should continue.

- When deemed necessary, to appoint appropriate external consultant(s) able to represent, advise and support the Committee and the Authority during the process.
- Appointing an Independent Investigator to look into the allegations and agree the terms of reference for the investigation and the timescales involved.
- Appointing the Independent Panel to consider and comment on any proposal to dismiss the Relevant Officer.
- Considering the report of the Independent Investigator and, after the proposed action has been considered by an Independent Panel, making a recommendation to the Authority if there is evidence to support the allegations and they are serious enough to warrant dismissal.
- Where, following investigation, there is evidence to support the conduct or capability allegations but they are not deemed serious enough to warrant dismissal, the Committee may approve alternative disciplinary action.
- To consider proposals for a mutual termination of the Chief Executive's contract, initiate negotiations on the terms of that termination, consider proposals arising from the negotiations and make a recommendation to the Authority, having regard to any relevant legislation or regulations such as Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006.

As the IDC, the Committee can make most decisions relating to disciplinary issues arising as a result of investigations into the conduct of a Relevant Officer. But, as matters relating to the appointment and dismissal of a Chief Officer must be reserved to a meeting of the Authority, if it concludes that there is evidence to support the allegations and they are serious enough to warrant dismissal it can only make a recommendation to the Authority.”

Appeals Panel

15. In this context an appeals process must be in place to consider any appeals by a Relevant Officer against decisions of the Authority or the Committee. Where the Committee has made a recommendation to the Authority suggesting that dismissal is appropriate the JNC guidance states the Authority meeting will also fulfil the appeal function as the Authority will simply review the evidence presented and invite the Relevant Officer to make representations before making its decision.
16. With regard to any disciplinary action other than dismissal it is proposed that the terms of reference of the existing Appeals Panel be amended so that the pool of Members can be used to consider appeals against the decisions of the Committee relating to any disciplinary action other than dismissal. Having a pool to choose from avoids potential conflicts of interest and helps to arrange meetings in relatively short timescales.
17. To implement this it is proposed that the following be added to the terms of reference for the Appeals Panel:

“To hear appeals from the Chief Executive, Statutory Officers and Non-Statutory Officers against disciplinary action taken against them short of dismissal and decide either to confirm the action or to impose no sanction or a lesser sanction”

Independent Panel

18. Where, following receipt of the report of an Independent Investigator, the Committee intends to make a recommendation to the Authority that a Relevant Officer be dismissed the proposal must go before a meeting of the Independent Panel before the recommendation is made. In accordance with the model procedure the Authority's two Independent Persons appointed under the Localism Act 2011 to carry out this role.
19. The Independent Panel must be appointed at least 20 days before the meeting of the Authority at which the recommendation for dismissal is to be considered.
20. It is proposed that the terms of reference for the Independent Panel are as follows:

“I. INDEPENDENT PANEL

To offer any advice, views or recommendations it may have to the Authority on the conclusions of the Authority's Investigating and Disciplinary Committee where the Committee intends to make a recommendation to a meeting of the Authority that a Relevant Officer should be dismissed.

If the Panel is recommending any course of action other than that the Authority should approve the dismissal, then it should give clear reasons for its point of view.

The Membership of the Panel will be made up of the Authority's two Independent Persons appointed under the Localism Act 2011. Where one or both of the Authority's Independent Persons are unable to act an independent person who has been appointed by another Local Authority or National Park Authority may be invited to join the Authority's Panel.

The Independent Panel must be appointed at least 20 days before the meeting of the Authority Council at which the recommendation for dismissal is to be considered.”

21. It is likely that Independent Panel members will be unfamiliar with their role under the 2015 Regulations and with matters relating to the working environment of a Relevant Officer. Accordingly, Panel members will be given appropriate training for the role the Panel is to fulfil where it is likely that they will be asked to become involved in a proposal to dismiss a Relevant Officer.
22. The role of the Panel is to offer any advice, views or recommendations it may have to the Authority on the proposal for dismissal. The Panel will receive the IDC proposal and the reasons in support of the proposal, the report of the Independent Investigator and any oral and/or written representations from the Relevant Officer. The Independent Investigator may be invited to attend to provide clarification if required. The Panel will be at liberty to ask questions of either party.
23. The Panel will then formulate any advice, views or recommendations it wishes to present to the Authority. If the Panel is recommending any course of action other than that the Authority should approve the dismissal, then it should give clear reasons for its point of view.
24. The job description for the Independent Persons has previously been amended to reflect this additional role.

Suspension of the a Relevant Officer

25. Section 3 of Appendix 1 provides guidance on the suspension of a Relevant Officer before or during an investigation into allegations. The procedure emphasises that suspension is not always appropriate and suggests that, based on the potential

reputational damage to the Authority and the post-holder, there may be alternative way of managing an investigation that avoids suspension. However the procedure does recognise that there will be circumstances where it is in the best interests of the Authority to suspend the Relevant Officer pending an investigation.

26. The procedure and the terms of reference of the IDC give it the power to suspend and it is suggested that in most cases it should make the decision. However the procedure recognises that suspension may be necessary in an emergency when an exceptional situation arises whereby allegations of misconduct are such that the Relevant Officer's remaining presence at work poses a serious risk to the health and safety of others or the resources, information or reputation of the Authority. For such events it is suggested that delegation be given to an officer. Therefore it is proposed that the existing urgency delegation in Part 7 of Standing Orders be amended to include an additional paragraph as follows:

“(d) The Head of Human Resources, in consultation with the Chair of the Authority and (as appropriate) the Chief Executive or the Monitoring Officer, will be authorised to act where the urgent decision relates to the immediate suspension of the Chief Executive, a statutory officer or non-statutory chief officer following receipt of allegations of misconduct by the Relevant Officer which are such that his/her remaining presence at work poses a serious risk to the health and safety of others or the resources, information or reputation of the Authority and it is not possible to delay that decision until a meeting of the Investigating and Disciplinary Committee can take place. Any decision to suspend under this delegation should be reviewed by the Investigating and Disciplinary Committee on the earliest date on which a quorate meeting of the Committee can be convened.”

Appointment of an Independent Investigator

27. While the decision to appoint an Internal Investigator and the terms of reference for the investigation rests with the Committee, the model procedure requires that the investigator is selected from the list maintained by the National Joint Secretaries. These potential investigators will have been selected for their suitability and experience for this area of work. They will be offered on a 'taxi-rank' basis subject to their availability within the desired timescales, and should have not have material connections with the Authority or the Relevant Officer or any connection to the allegations.
28. When approached the National Joint Secretaries will provide the Authority with the top three names from the list (if in exceptional circumstances three names are not available, both local parties will agree to choose from a shorter list). If these are acceptable to the Authority, the Relevant Officer will be invited to select one of the names. The only acceptable reason for not selecting from the names supplied being conflict of interest. If an appointment is not agreed by the Relevant Officer within 14 days of the date of the names being supplied, the Authority will be at liberty to select an Investigator from the names supplied.

Notice of Motion

29. Standing Order 1.14 gives all Members the opportunity to give notice in writing at least 10 days before an Authority meeting that they wish to move a motion at the meeting. There are currently no restrictions on the scope of a motion other than it being relevant to some matter in relation to which the Authority has powers or duties, or which affects the Peak District National Park.
30. In light of the model procedure and the risks of prejudicing a live investigation it is suggested that Standing Order 1.17, Scope of Motions be amended as set out below to allow the Director of Corporate Strategy and Development or their Deputy to reject a motion if it relates to an ongoing investigation relating to the conduct or capability of an

employee of the Authority.

31. It is proposed the following paragraph be added:

“The Director of Corporate Strategy and Development, or their Deputy, may reject a motion if it relates to an ongoing investigation relating to the conduct or capability of an employee of the Authority.”

Chief Officers and Statutory Officers

32. In making amendments to Part 5 of Standing Orders (Chief Officers) in June 2015 the section on Disciplinary action was amended to reflect the 2015 Regulations.

33. Although the model procedures issued by the Joint Negotiating Committee for Local Authority Chief Executives only refer to the Chief Executive and Head of Paid Service in the case of the Authority the definition of a Chief Officer extends to Statutory Officers such as the Head of Paid Service, Section 151 Officer, Monitoring Officer and non-statutory Chief Officers. As mentioned previously the proposals in this report therefore apply to all these post holders.

34. On the basis of these proposals is also suggested that paragraph 5.6 of Part 5 of Standing Orders itself be further amended to read as follows:

- (1) Any allegations made relating to the conduct or capability of the Chief Executive, Monitoring Officer, Chief Finance Officer or other non-statutory Chief Officer should be referred to a Committee or Sub Committee which has been given delegated authority to act as the Investigating & Disciplinary Committee (IDC). This Committee will determine whether the allegations warrant further investigation and if appropriate appoint an Independent Investigator to look into the allegations and make recommendations.
- (2) At the time of considering the allegations the IDC may make a decision to suspend the officer during the investigation. Any such suspension shall be on full pay and shall be reviewed by the IDC no more than two months after the day on which the suspension takes effect.
- (3) Any decision to take disciplinary action (within the meaning of Part II of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) which would result in the dismissal of the Authority's Head of Paid Service, Monitoring Officer or Chief Finance Officer or non-statutory Chief Officer may only be taken by the Authority, and only after the allegations have been investigated by an Independent Investigator and the proposed action considered by an Independent Panel appointed by the Authority including at least 2 Independent Persons appointed under section 28(7) of the Localism Act 2011. The Independent Panel must be appointed at least 20 working days before the meeting of the Authority which is to consider whether or not to approve a proposal to dismiss a Relevant Officer.
- (4) Before the taking of a vote at a relevant meeting on whether or not to approve such a dismissal, the Authority must take into account:
 - (a) any advice, views or recommendations of the Independent Panel
 - (b) the conclusions of the Independent Investigation into the proposed dismissal
 - (c) any representations from the Relevant Officer.
- (5) Any decision to take disciplinary action short of dismissal may be made by the

Committee or Sub Committee designated as the IDC and does not have to be considered by the Independent Panel. In this case the Relevant Officer has the right to appeal against the decision by referring it to the Authority's Appeals Panel

Are there any corporate implications members should be concerned about?

Financial:

35. No direct costs relating to these proposals. If an allegation is received funding would need to be identified to meet the costs of appointing an Independent Investigator, any external advice and expenses incurred by Members and the Independent Persons.

Risk Management:

36. Although the Authority could have adopted the model procedure without amendment this report sets out proposals to modify the procedure to reflect the Authority's local circumstances and structures and therefore should avoid any ambiguity should the procedure and guidance be used.

Sustainability:

37. No significant issues

Equality:

38. This procedure makes sure that all Relevant Officers are treated and fairly and equally regardless of their personal circumstances. It also recognises that reasonable adjustments need to be made where the circumstances around an investigation relate to ill health or incapacity as well as changes to the health and wellbeing of the Relevant Officer during the course of an investigation

39. Background papers (not previously published)

None

40. Appendices

Appendix 1 - Disciplinary Procedure and Guidance for the Chief Executive, Statutory Officers and Non-Statutory Chief Officers. (Includes appendix A and B)

Report Author, Job Title and Publication Date

Theresa Reid, Head of Human Resources, 29 November 2018
Jason Spencer, Democratic Service Manager, 29 November 2018



Disciplinary Procedure and Guidance for the Chief Executive, Statutory Officers, and Non-Statutory Officers.

(Based on model procedure for England issued by Joint Negotiating Committee for Local Authority Chief Executives)

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Introduction

Guidance issued by the Joint Negotiating Committee (“JNC”) for Local Authority Chief Executives suggest that their model procedures should be followed except in so far as the parties locally agree to vary them. Whilst the Authority therefore has some discretion in how far to follow the agreed guidance this procedure follows the model with minor amendments to make it relevant to a National Park Authority. The Local Government Association (LGA) and the Association of Local Authority Chief Executives and Senior Managers (ALACE) through the JNC for Chief Executives commend the model procedure because:

- The procedure and guidance have been drawn up in light of the experience of the Joint Secretaries in their involvement with individual cases;
- Its variants apply to constitutions with council leader/Cabinet executives, mayor/cabinet executives and councils and other authorities operating a committee system;

Local authority chief executives are protected under specific regulations that make distinctive provisions, compared to other employees. The Local Authorities (Standing Orders) (England) Regulations 2001 (as amended by the Local Authorities (Standing Orders) (England) (Amendment)

Regulations 2015) (“the 2015”) and the Local Authorities (Standing Orders) (Wales) Regulations 2006 aim to protect the chief executive from unwarranted political interference in their role as head of paid service of the Authority. High levels of accountability work most effectively within clear criteria for responsibilities. Even with the distinctive role of Head of Paid Service, disciplinary action will need to be based on clear evidence.

In accordance with Part 5 of the Authority’s Standing Orders the three Directors, the Section 151 Officer and the Monitoring Officer are directly appointed by the Authority; therefore this procedure and guidance should also be used for any Disciplinary relating to these post holders. To reflect this, they and the Chief Executive are referred to as “Relevant Officers” throughout the following procedure and supporting guidance.

The Discipline Policy applies to all employees covered by the National Agreement on Pay and Conditions of Service for Local Government Services and should be used for any disciplinary relating to the role and responsibilities of the Head of Law and the Head of Finance.

This procedure and guidance has been prepared so that Authority Members can make sure that they:

- Understand the procedure to be used;
- Seek appropriate advice at every stage;
- Do not compromise the outcome of any proceedings;
- Allow every opportunity for fair procedures to operate.

This guidance outlines the key elements of procedures for disciplining a Relevant Officer.

The elements of what is procedure and what is guidance to the procedure is arranged in such a way as to present each element of the model procedure immediately followed by the relevant part of the guidance for ease of reference.

The Head of Human Resources with support from Democratic Services is responsible for the management of these procedures.

1. Issues requiring investigation

Procedure

Where an allegation is made relating to the conduct or capability of a Relevant Officer or there is some other substantial issue that requires investigation, the matter will be considered by the Investigating & Disciplinary Committee (“Committee”).

Other structures necessary to manage the whole process are in place, including an Independent Panel should there be a proposal for the dismissal of a Relevant Officer. This is comprised of the Authority’s Independent Persons, appointed in accordance with The Local Authorities (Standing Orders) (England) Regulations 2001 as amended.

Guidance

1.1 *The Local Authorities (Standing Orders) (England) Regulations 2001 as amended*

- 1.1.1. The Local Authorities (Standing Orders) (England) Regulations 2001 (the Regulations) (as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) provide that the dismissal of a chief executive in cases of disciplinary action (as defined in the Regulations) may only take place if the proposal to dismiss is approved by way of a vote at a meeting of the Authority, after they have taken into account:
- any advice, views or recommendations of a panel (the Independent Panel)
 - the conclusions of any investigation into the proposed dismissal and
 - any representations from the Relevant Officer concerned
- 1.1.2 Disciplinary action: in relation to a member of staff of the National Park Authority is defined in the Regulations as “any action occasioned by alleged misconduct which, if proved, would, according to the usual practice of the Authority, be recorded on the member of staff’s personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the Authority has undertaken to renew such a contract”.
- 1.1.3 The definition of disciplinary action would therefore include other reasons for dismissal such as capability or some other substantial reason including a breakdown in trust and confidence between the Relevant Officer and the Authority.
- 1.1.4 The attached Appendix A (potential reasons for termination table) sets out those circumstances that could potentially result in dismissal and whether or not they are covered by this procedure.

1.2 Structures to manage the procedure

- 1.2.1 A key feature of the model procedure is the specific roles envisaged by the Committee, the Appeals Committee, the Independent Panel and the Authority. The Authority has agreed a number of important issues around the composition of committees and the delegation of appropriate powers.
- 1.2.2 The Committee that performs the Investigating and Disciplinary function will be known as the Investigating and Disciplinary Committee (IDC). The Authority has agreed to establish a Committee made up of 6 Members and balanced in accordance with the provisions in the Environment Act 1995. This Committee is in a position to take decisions and appropriate actions as a matter of urgency, and is able to meet at very short notice to consider allegations and decide whether there is a case to answer and to consider whether suspension of the Relevant Officer might be appropriate. As it is possible that in some circumstances Members of the Committee may find themselves in a position where they have a conflict of interest the quorum is set at three Members with at least one Secretary of State and one Local Authority Member present. The Authority does not appoint substitutes. The Committee has an important role in considering the report of an Independent Investigator. The role of the Committee is explained further at appropriate stages in the guidance.
- 1.2.3 The Appeals Committee must be a balanced committee of five Members who are not Members of the Committee. The Authority has agreed that, if an Appeals Committee is required, five Members will be appointed from the Authority’s existing Appeals Panel with at

least one Secretary of State and one Local Authority Member present. In this context the Appeals Committee has a limited role and will only hear appeals against action taken short of dismissal and then make a decision either to confirm the action or to impose no sanction or a lesser sanction.

1.2.4 The JNC has agreed that the Independent Panel should comprise of Independent Persons (at least two in number) who have been appointed by the Authority, or by another Local Authority or National Park Authority, for the purposes of the Members' conduct regime under section 28(7) of the Localism Act 2011. The Authority will issue invitations for membership of the Panel of two in accordance with the following priority order:

- (a) an Independent Person who has been appointed by the Authority and who is a local government elector in the Authority's area
- (b) any other independent person who has been appointed by the Authority-and
- (c) an Independent Person who has been appointed by another Local Authority or National Park Authority.

1.2.5 Appropriate training will be provided for Independent Panel members by Human Resources and Democratic Services.

1.2.6 It should be noted that any remuneration paid to members of an Independent Panel may not exceed that payable in respect of their role under the Localism Act.

1.2.7 A requirement for any disciplinary process is to carry out an investigation of the allegations to establish the facts of the case and to collate evidence for use in the disciplinary hearing. In the case of a Relevant Officer, it will normally be necessary to engage an independent person for this purpose, and this person is referred to here as the Independent Investigator. Arrangements have been agreed to enable the speedy appointment of a competent and experienced person to perform this role, with the assistance of the Joint Secretaries.

1.3 *Managing access to the procedure (See also Paragraph 5 of this guidance) – considering the allegations or other issues under investigation*

1.3.1 The procedure itself does not require that every single issue which implies some fault or potential error on the part of the Relevant Officer be investigated using this process. It is for the Authority to decide the issues that will engage the formal process.

1.3.2 The Authority will therefore need to consider what constitutes an 'allegation' made relating to the conduct or capability of a Relevant Officer and what it considers are other substantial issues requiring investigation. Clearly the route for complaints against the Authority and a Relevant Officer and for issues that might be substantial and require some form of investigation, and possibly formal resolution, is varied. Procedures are in place which can filter out and deal with 'allegations' against a Relevant Officer which are clearly unfounded or trivial or can best be dealt with under some other procedure.

1.3.3 For example, allegations and complaints that are directed at a Relevant Officer, but are actually complaints about a particular service, should be dealt with through the Authority's general complaints procedure. If the matter is a grievance from a member of staff directed against a Relevant Officer, it may be appropriate to first deal with it through the Authority's grievance procedure. Of course if the matter were a serious complaint against a Relevant

Officer's personal behaviour such as sexual or racial harassment, the matter would be one that would be suitable for an investigation under the disciplinary procedure.

- 1.3.4 The Authority has put into place arrangements that can manage the process so that records are kept of allegations and investigations and that there is a clear route into the disciplinary procedure. In the case of allegations against a Relevant Officer, the Monitoring Officer or the Chief Executive (as appropriate), the Head of Human Resources and the Chair of the Authority would oversee referrals to the Committee.
- 1.3.5 Where the issue to be investigated is related to the sickness absence or capability of a Relevant Officer in terms of performance, there is likely to be a link with the Authority's Absence Management procedure or appraisal/managing performance procedure.
- 1.3.6 Where management action is required in respect of the normal sickness of a Relevant Officer, the Authority needs to be clear about who takes appropriate actions. Initially the Head of Human Resources will follow the Authority's normal absence management procedures. The Head of Human Resources will report to the Monitoring Officer or the Chief Executive (as appropriate), and the Chair of the Authority as appropriate to the matter being investigated – in particular where procedures have been followed to the point where dismissal appears to be a possibility likely at the point where a final warning has been given.
- 1.3.6 As, in accordance with the JNC agreement, an objective performance appraisal system is in place where any shortcomings in a Relevant Officer's performance should be identified, and therefore remedied, at an early stage.

2. Timescales

Procedure

It is in the interests of all parties that proceedings be conducted expeditiously.

It is recognised that it would be inappropriate to impose timescales that could in practical terms be difficult to achieve.

Guidance

- 2.1 An important principle when taking disciplinary action is that the process should be conducted expeditiously but fairly. There is, therefore, a need to conduct investigations with appropriate thoroughness, to arrange hearings and allow for representation. It is not in the interests of the Authority, or a Relevant Officer, that proceedings are allowed to drag on without making progress towards a conclusion.

2.2 *Statutory and indicative timescales*

- 2.2.1 The procedure does not set out explicit timescales except the specific requirement in the Local Authority (Standing Orders) (England) Regulations 2001 for the appointment of the Independent Panel at least 20 working days before the meeting of the Authority at which

consideration as to whether to approve a proposal to dismiss is to be given. This guidance refers to other statutory timescales and restrictions which are applicable to disciplinary procedures more generally, such as those contained in the Employment Relations Act 1999 (in connection with the right to be accompanied).

2.3 *Avoiding delays in the procedure*

One cause of delay in the procedure is the availability of the key people necessary to manage and control the process.

2.3.1 *Availability of Independent Investigator*

An Independent Investigator should only be formally appointed once the Committee has determined that there is a case that requires further investigation. However to minimise delays in any potential investigation, steps will be taken to identify a shortlist of three potential Independent Investigators from the list held by the JNC Joint Secretaries (see paras 6.3 and 6.4) concurrently with arrangements for the initial meeting of the Committee. This is not pre-judging whether an Independent Investigator will be needed, but a practical step to assist in minimising any delays.

2.3.2 *Availability of the Relevant Officer in case of sickness*

- (a) It is possible that the sickness of the Relevant Officer could impact on the ability to follow the disciplinary procedure. This may be because:
- the issue under investigation is the Relevant Officer's sickness in itself (ie a capability – ill health issue); or alternatively,
 - while during an investigation relating to a Relevant Officer's conduct, the Relevant Officer commences sickness absence during the disciplinary process.
- (b) In principle, the sickness of a Relevant Officer will invoke the Authority's normal absence management procedures. The nature of the investigation and facts surrounding the sickness will dictate the appropriate way of dealing with the issue. It is worth noting (see paragraph 10.) that a proposed dismissal on the grounds of permanent ill-health, does not require the involvement of an Independent Investigator or Independent Panel.
- (c) If the investigation is about the long-term sickness or frequent ill-health problems experienced by a Relevant Officer the Authority should obtain appropriate medical information and advice by following the Absence Management Policy. However, the Committee or Independent Investigator may feel there is a need for further or more up-to-date advice and again they should use the Authority's normal processes and procedures to obtain this. If the Relevant Officer's absence or problems at work are as a result of a disability which places him/her at a substantial disadvantage compared to others without the disability, then the Authority must consider and undertake reasonable adjustments in order to remove the disadvantage. The Committee must satisfy itself that this has been fully considered and that no further reasonable adjustments could be made which would remedy the situation.
- (d) Where the issue under investigation is not health-related and is, for example, the conduct of a Relevant Officer and he/she then commences sickness absence then

the approach will depend on the type and length of the illness and exactly when it occurs during the process.

- (e) A short period of illness should not normally create a major problem although the timing of the illness can create difficulties if it coincides with scheduled meetings for investigating or hearing aspects of the case. If this occurs then reasonable efforts should be made to rearrange the meeting. However, if the sickness becomes more persistent or is likely to become longer term then the Authority will take steps to identify whether the Relevant Officer, although possibly not fit to perform the full range of duties, is fit enough to take part in the investigation or disciplinary hearing.
- (f) If it appears that there will be a long period of ill health which will prevent the Relevant Officer taking part in the process, the Authority and possibly the Independent Investigator will have to make a judgement as to how long to wait before proceeding. In some cases it may be appropriate to wait a little longer where a prognosis indicates a likely return within a reasonable timescale.
- (g) However, where this is not the case, the Authority will in most cases need to press ahead given the importance of resolving issues which can have a significant impact on both parties due to the nature and high profile of the role of a Relevant Officer. If this is the case the Authority will make sure that the Relevant Officer is given the opportunity to attend any meetings or hearings. However, the Relevant Officer should be informed that if they cannot attend the meetings or hearings then they would proceed without them. If this is the case the Relevant Officer may make written submissions to be considered and may also send their representative to speak on their behalf before a decision is taken.

2.3.3 Availability of representative

The availability of a Relevant Officer's representative can also be a possible cause of delay. Reasonable account should be taken of the availability of all relevant parties when setting dates and times of meetings. Where it is simply not possible to agree dates to suit everybody the Authority should be aware of the statutory right to be accompanied at disciplinary hearings and to take this into account when setting dates (see Paragraph 4).

2.3.4 Availability of witnesses

If the Independent Investigator or the Committee allows either party to call witnesses and the witnesses are unable to attend, their evidence should not be discounted and should still be considered. Alternatives may include written statements or minutes/records where individuals have been interviewed as part of the investigation. However, such evidence may not carry the same weight as evidence that can be subjected to cross-examination.

2.3.5 Availability of Committee Members

- (a) In establishing the Committee and setting up an Appeals Panel Committee, the Authority has taken availability issues into account and has an operational quorum in place as set out in Part 1 of Standing Orders.

- (b) In establishing the IDC the Authority has recognised that the Committee may need to be able to meet at short notice to consider serious allegations against a Relevant Officer.

2.3.6 Availability of Independent Panel members

The Independent Panel must be appointed at least 20 days before the Authority meeting at which consideration whether or not to approve a proposal to dismiss is to be given. The appointment of Independent Panel members will, therefore, take into account their availability to undertake their role within that timescale.

3. Suspension

Procedure

Suspension will not always be appropriate as there may be alternative ways of managing the investigation.

However, the Committee needs to consider whether it is appropriate to suspend a Relevant Officer. This may be necessary if an allegation is such that if proven it would amount to gross misconduct. It may also be necessary in other cases if the continuing presence at work of a Relevant Officer might compromise the investigation or impair the efficient exercise of the Authority's functions.

In any case, the Relevant Officer shall be informed of the reason for the proposed suspension and have the right to present information before such a decision is taken.

The Authority's, Head of Human Resources, in consultation with Chair of the Authority and the Chief Executive or the Monitoring Officer (as appropriate), has the delegated authority to suspend a Relevant Officer immediately in an emergency if an exceptional situation arises whereby allegations of misconduct by the Relevant Officer are such that his/her remaining presence at work poses a serious risk to the health and safety of others or the resources, information or reputation of the Authority. This power should only be used in exceptional circumstances in most cases a meeting of the Committee should make the decision to suspend. Any decision to suspend under this delegation should be reviewed by the Committee on the earliest date on which a quorate meeting of the Committee can be convened.

The continuance of a suspension should be reviewed after it has been in place for two months.

Guidance

- 3.1 Although suspension in order to investigate an allegation or a serious issue is not disciplinary action in itself, it is a serious step in the process that should be managed well. Unlike with most other posts, the suspension of a Relevant Officer may come immediately to the attention of the local and perhaps national media with potentially damaging consequences for the reputation of the Relevant Officer and the Authority.

3.2 Where a Relevant Officer is suspended and facing allegations this is potentially stressful for the individual and disruptive to the Authority. It is therefore in the interests of all parties that such cases are dealt with as expeditiously as possible.

3.3 Alternatives to suspension

(a) Suspension will not be appropriate in every case, as this will depend on the nature of the allegation or seriousness of the issue. Before suspending a Relevant Officer, careful consideration should be given to whether it is necessary and whether there are any other suitable alternative ways of managing arrangements such as working from home for a period or for example by agreeing particular working in another way that protects the Relevant Officer and Authority from further allegations of a similar nature.

3.4 Power to suspend

(a) The Chief Executive is the Head of Paid Service and normally bears the delegated responsibility for implementing Authority policy on staffing matters. However, when it is the Chief Executive who is the subject of an allegation or investigation, the Authority needs to be clear about who has the power to suspend the Chief Executive and in what circumstances. This has been captured in the delegation to the Committee and the Officer Delegation scheme both set out in the Authority's Standing Orders.

(b) The point at which it may become clear that suspension is an appropriate action is likely to be at the stage where the Committee has conducted its initial assessment. The Authority has therefore given the Committee the power to suspend a Relevant Officer.

3.5 Short notice suspension

(a) The procedure also recognises that in exceptional circumstances it may be necessary to suspend at very short notice and before the Committee can meet, e.g. because the remaining presence of the Relevant Officer could be a serious danger to the health and safety of others, or a serious risk to the resources, information or reputation of the Authority. The Head of Human Resources, in consultation with the Authority's Monitoring Officer or the Chief Executive (as appropriate), and the Chair of the Authority, has the delegated power to suspend a Relevant Officer immediately.

3.6 Suspension conditions

(a) If suspension were deemed appropriate, the Committee (or in exceptional circumstances, The Head of Human Resources, in consultation with the Authority's Monitoring Officer or the Chief Executive (as appropriate), or their Deputy, and the Chair of the Authority) would agree conditions which are necessary to manage the suspension and the investigation. For example, a Relevant Officer might request access to workplace materials and even witnesses. Arrangements should be made to manage such requests and facilitate appropriate access. Another general principle would be that whilst suspended, the Relevant Officer would remain available to participate in the investigation and to attend any necessary meetings. Therefore other important issues would include communication channels for day-to-day

communication and any stipulations for reporting any scheduled or unscheduled absence from the area, e.g. pre-arranged holiday.

3.7 Review of suspension

- (a) Where a Relevant Officer is suspended, the suspension should be reviewed after two months, and only continued following consultation with the Independent Investigator and after taking into account any representations made by the Relevant Officer.
- (b) If it becomes clear during the suspension that the allegation is not as serious as first thought, the IDC should review the suspension on the earliest date on which a quorate meeting of the IDC can be convened, with a view to the Relevant Officer be returned to their normal duties.

4. Right to be accompanied

Procedure

Other than in circumstances where there is an urgent requirement to suspend a Relevant Officer, he or she will be entitled to be accompanied at all stages.

Guidance

- 4.1 Although the statutory right to be accompanied applies only at a disciplinary hearing, the JNC procedure provides the opportunity for a Relevant Officer to be accompanied at all stages by their trade union representative or some other person of their choice, at their own cost “the Relevant Officer’s Representative”).
- 4.2 The procedure recognises that there may be, in exceptional circumstances, a need to suspend the Relevant Officer at short notice, when it is not possible to arrange for the Relevant Officer’s Representative to be present. These circumstances might include for example where there is a serious risk to the health and safety of others or serious risk to the resources, information, or reputation of the Authority.
- 4.3 Although it would be beneficial to agree dates for the necessary meetings required, the procedure cannot be allowed to be delayed owing to the unavailability of a Relevant Officer’s Representative. The statutory right to be accompanied in a disciplinary hearing contained in s.10 of the Employment Relations Act 1999 applies only to hearings where disciplinary action might be taken or be confirmed, that is to say when a decision may be taken on the sanction, or a decision may be confirmed during an appeal. In this procedure the statutory entitlement to be accompanied would arise:
 - where the Committee considers the report of the Independent Investigator and provides the Relevant Officer with the opportunity to state their case before making its decision.

- during any appeal against the decision taken by the Committee
- at an Authority meeting considering a proposal for dismissal and also fulfilling the requirement relating to a right of appeal.

4.4 At these important stages, if the Relevant Officer's Representative is unavailable for the date set then the Relevant Officer will have the right under the provisions of the Employment Relations Act 1999, to postpone the meeting for a period of up to one week.

4.5 If the Relevant Officer's Representative is unable to attend within that period the Authority will have the right to go ahead with the hearing without further delay, although reasonable consideration should be given to arranging an alternative date.

5. Considering the allegations or other issues under investigation

Procedure

The Committee will, as soon as is practicable inform the Relevant Officer in writing of the allegations or other issues under investigation and provide him / her with any evidence that the Committee is to consider, and of his / her right to present oral evidence.

The Relevant Officer will be invited to put forward written representations and any evidence including written evidence from witnesses he / she wishes the Committee to consider. The Committee will also provide the opportunity for the Relevant Officer to make oral representations. At this initial consideration of the need to investigate further, it is not anticipated that witnesses will be called. The discretion to call witnesses lies solely with the Committee.

The Committee will give careful consideration to the allegations or other issues, supporting evidence and the case put forward by the Relevant Officer before taking further action.

The Committee, with advice from the Head of Human Resources, shall decide whether:

- the issue requires no further formal action under this procedure or
- the issue should be referred to an Independent Investigator

The Committee shall inform the Relevant Officer of its decision without delay.

Guidance

5.1 The range of issues and to some extent the seriousness of the issues, which come before the Committee, will depend on the filter that the Authority adopts. Issues such as those relating to sickness absence and performance are likely to arise at the Committee having followed the Authority's absence management or managing performance / appraisal procedures (see Paragraph 1.3).

5.2 It is possible in some cases that with some minimal investigation the Committee can dismiss the allegation without even the need to meet with the Relevant Officer. However, this procedure is aimed at dealing with situations where the matter is not so easily disposed of. It

therefore provides a process whereby the Relevant Officer is made aware of the allegations and provided with the opportunity to challenge the allegations or to make their response.

5.3 When an issue comes before the Committee it, with advice from the Head of Human Resources, needs to make a judgement (see paragraph 5.4.1) as to whether the allegation can be dismissed or whether it requires more detailed investigation, in which case this will be undertaken by an Independent Investigator. If the Committee is of the opinion that the allegations do not warrant an investigation, this should be immediately notified to the Relevant Officer without delay, and, if necessary, the complainant informed accordingly. If the Committee is of the opinion that the matter is not serious but there is some minor fault or error, then it can issue an unrecorded oral warning in accordance with its standard procedures.

5.4 The appointment of an Independent Investigator is a serious step but does not mean that the Relevant Officer is guilty of some misdemeanour. In some cases the eventual result of the investigation will be to absolve the Relevant Officer of any fault or wrongdoing. The appointment of an Independent Investigator operates so that both the Authority and the Relevant Officer can see that matters are dealt with fairly and openly. However, the matter still needs to be handled carefully in public relations terms due to the potential damage to the reputation of the Relevant Officer or the Authority.

5.4.1 Threshold test for the appointment of an Independent Investigator

- (a) Cases will vary in complexity but the threshold test for the Committee in deciding whether to appoint an Independent Investigator is to consider the allegation or matter and assess whether:
- if it were to be proved, it would be such as to lead to the dismissal or other action which would be recorded on the Relevant Officer's personal file and
 - there is evidence in support of the allegation sufficient to require further investigation

5.4.2 Conducting the initial Committee investigation

- (a) It is intended that this stage is conducted as expeditiously as possible with due regard to the facts of the case. At this stage it is not necessarily a fully detailed investigation of every aspect of the case as that will be the responsibility of the Independent Investigator (if appointed). In order to avoid delay the Committee will want to explore the availability of potential Independent Investigators on the list maintained by the JNC Joint Secretaries at an early stage (see Paragraphs 6.3 and 6.4). However, it is important that before any decision is taken to formally appoint an Independent Investigator, the Relevant Officer is aware of the allegations that have been made against him / her (or the issue to be addressed) and given the opportunity to respond.
- (b) This will be achieved by:
- The Committee Chair writing to the Relevant Officer on behalf of the Committee setting out the allegations / issues and providing any evidence to be considered

- Providing the opportunity for the Relevant Officer to respond to the allegations in writing and to provide personal evidence or witness statements. The calling of witnesses at this stage is at the discretion of the Committee
 - Providing the opportunity for the Relevant Officer to respond to the allegations and appear before the Committee
- (c) Fair notice should be given to enable the Relevant Officer adequate time to prepare a response to the allegations or issues under investigation. During the initial hearing by the Committee, the Relevant Officer is entitled to attend and can be accompanied by a Relevant Officer's Representative (subject to Paragraphs 2.3.3 and 4).

5.4.3 Treatment of witness evidence

In general, if the Authority has witness evidence relating to an allegation this should be presented in written form to the Relevant Officer, although in exceptional cases it might be appropriate to anonymise the evidence in order to protect the identity of a witness. However, it remains important that the detail of the allegation is put to the Relevant Officer in order that he/she understands the case against him/her.

5.4.4 Conflicts of interest

- (a) As envisaged in the model procedure the Authority has established a standing Investigating and Disciplinary Committee. Paragraph 1.2 indicates the basic rules concerning its membership. However, because the Committee will comprise named Members, there may be occasions when this presents problems of conflict of interest, for example where a Member of the Committee is a witness to an alleged event, or is the person who makes the original complaint or allegation. Members in this position should take no part in the role of the Committee, although they will of course be able to give evidence, if required. The Authority has established a quorum in Standing Orders that will minimise the likelihood of an individual conflict of interest delaying the procedure. Where a number of Members find themselves in a prejudiced position, there may be no alternative but for the Authority to establish a new Committee to perform the function of the IDC.
- (b) Declarations of interest are matters for individual Members who are required to follow the Authority's Members' Code of Conduct and can seek advice from the Monitoring Officer or their Deputy. Problems could follow for the speed at which the case is conducted if a Relevant Officer considers there are valid grounds for making a formal complaint to the Authority about the involvement of a Member in a case.

5.4.5 Maintaining the fairness and integrity of the procedure

- (a) Where there is a matter that requires investigation it is important that a fair and correct procedure is followed. Allegations against a Relevant Officer or serious issues that require resolution should follow this procedure. It is important that Members do not undermine the fairness of the procedure by for example putting motions to a meeting of the Authority about the case as there is a serious risk that it could prejudice the disciplinary procedure. Additionally, such actions will not only create adverse publicity for the Authority and the Relevant Officer but may create conflicts

of interest and could limit the role that those Members can then take as the case progresses.

5.4.6 Other appropriate actions

- (a) It could be that when faced with an issue, whether it be an allegation of misconduct, or connected with the capability of a Relevant Officer, or some other substantial issue, the Committee might be in a position to consider alternatives to immediately moving to the appointment of an Independent Investigator or alternatively to dismiss the allegation or issue.
- (b) Clearly this will depend on the facts of the matters being investigated. It could be that the Authority has another more appropriate policy or procedure to follow. Alternatively, it could be that the issue is one which might benefit from some mediation or attempts to resolve the particular issue in dispute prior to moving formally to appointing an Independent Investigator.
- (c) It is possible at any stage to consider the mutual termination of the contract and sometimes this will be a suitable alternative for all concerned. This might particularly be the case where relationships are breaking down but there is no evidence of misconduct attached to the Relevant Officer. The Joint Secretaries could be available to assist.
- (d) If any financial settlements are considered, it is important that such an arrangement:
 - Falls within the Authority's discretions under The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 ("the 2006 Regulations"), or
 - Is a payment in consideration of an agreement that compromises a genuine legal claim that a Relevant Officer might have at a Court or Employment Tribunal

In both cases the settlement must also comply with any other restrictions on exit payments, such as the £95,000 cap on such payments, including the circumstances in which the Authority may exercise powers to waive the cap.

- (e) The 2006 Regulations are designed to enable the Authority to compensate employees whose employment terminates on grounds of redundancy or in the interests of the efficient exercise of the Authority's functions. It is therefore possible that a payment will be legitimate in certain circumstances. However, where there is an obvious case requiring disciplinary action and the allegation is such that dismissal is a likely outcome, it is not likely that an external auditor will sanction a deal under the current regulations.
- (f) The Authority must take appropriate legal advice when attempting to reach a financial settlement to ensure that any payment is justified and lawful. Relevant considerations will include the likelihood of the claim succeeding and the amount of compensation that could be awarded by a Court or an Employment Tribunal.

5.4.7 Power to agree financial settlements

When considering its delegation of power the Authority must include consideration of which Committee or Office holder has the authority to negotiate a settlement and also a process by which any settlement would be sanctioned including liaison with the external auditor. It is anticipated that under these circumstances the Committee would authorise the Head of Human Resources to negotiate a settlement in consultation with the Committee and the Head of Finance or their deputy but the final decision would be made by a full meeting of the Authority.

5.4.8 Access to appropriate professional / independent advice

- (a) Conducting an investigation into allegations or serious issues involving a Relevant Officer can be demanding on the individuals involved. The Committee (and the Appeals Panel and the Authority) will have access to the Authority's Officers, but given the closeness of relationships between the Relevant Officer and other Senior Officers this can be a difficult time for those required to advise the Committee, to conduct investigations internally, or to source advice from outside the Authority.
- (b) The Authority has given the Committee the power to appoint external advisers as appropriate. Useful sources of general advice on the operation of the procedure and assistance with conducting investigations include the Local Government Association by contacting the Employers' Secretary or from the East Midlands Council or ALACE. In addition to this general advice and assistance, given the potential complexity of the issue, the Authority may choose to obtain external legal advice in consultation with the Head of Law or his/her deputy.

5.4.9 Ill-health - medical advice

In cases of capability related to sickness or where during the course of any other investigation, the ill-health of a Relevant Officer, results in their unavailability it will be important that the Committee has access to appropriate medical advice from the Authority's Occupational Health advisor (see Paragraph 2.3.2)

5.4.10 Performance

- (a) Where the issue is one of capability in terms of performance or competence, other than ill-health, the Authority will need to be in a position to establish or demonstrate the nature of the concerns. Evidence will be necessary in order to justify a further investigation.
- (b) This might come from a variety of sources, e.g. Joint Performance and Achievement Review, inspection reports, etc. As the Authority follows an established appraisal / managing performance process, this can also provide an appropriate route to establishing issues suitable for referral to the Committee.
- (c) Where the issue is breakdown of trust and confidence, the Authority will need to be able to establish that the fault for the breakdown could reasonably be regarded as resting solely or substantially with a Relevant Officer.

6. Appointment of an Independent Investigator

Procedure

The Committee will be responsible for appointing an Independent Investigator, providing the necessary facilities, paying the remuneration and providing all available information about the allegations.

The Independent Investigator should be selected from the list maintained by the National Joint Secretaries.

Guidance

- 6.1 When the Committee has made a decision to appoint an Independent Investigator, it is important that the Authority moves quickly to take this forward. This is particularly important if the Relevant Officer has been suspended. This can be assisted if the availability of potential Independent Investigators is explored at an early stage.
- 6.2 In accordance with the model procedure the Committee will be responsible for the appointment of the Independent Investigator, agree the terms of remuneration and working methods but for expediency the Committee may choose to delegate these decisions to an Officer subject to consultation with the Chair of the Committee.
- 6.3 It is in the interests of the Authority and the Relevant Officer that both sides have confidence in the independence and relevant competence of the Independent Investigator, not least to avoid, or at least minimise, argument later in the process about the quality or credibility of the investigation. To this end, it has been agreed that the National Joint Secretaries will maintain a list of potential Independent Investigators, who have been selected for their suitability and experience for this work. Independent Investigators on that list will be offered on a 'taxi-rank' basis subject to their availability within the desired timescales, and no material connections with the Authority or the Relevant Officer nor any connection to the allegations.
- 6.4 The Authority will approach the National Joint Secretaries and will be supplied with the top three names from the list (if in exceptional circumstances three names are not available, both local parties will agree to choose from a shorter list). If these are acceptable to the Authority, the Relevant Officer will be invited to select one of the names. The only acceptable reason for not selecting from the names supplied being conflict of interest. If an appointment is not agreed by the Relevant Officer within 14 days of the date of the names being supplied, the Authority will be at liberty to select an Investigator from the names supplied.
- 6.5 Terms of reference – allegations or issues to be investigated**
- (a) When appointing an Independent Investigator they will be provided with terms of reference. The Investigator will need to be:
- aware of the precise allegation(s) or issue(s) to be investigated
 - provided with access to sources of information and people identified as relevant to the case

- aware of expectations regarding timescales and any known factors which could hinder their investigation, e.g. the availability of key people
- (b) The Committee will be responsible for agreeing this information. It will also be in a position to discuss timescales for the investigation.

6.6 Remuneration

Remuneration for the Independent Investigator will be set at the Local Government Association's normal consultancy rate for external consultancy work.

7. The Independent investigation

Procedure

The ACAS Code of Practice on Discipline and Grievance requires there to be an investigation to establish the facts of the case before proceeding to the disciplinary hearing. The JNC believes that, for Relevant Officers, this should be carried out by an Independent Investigator. In practice it is for the Independent Investigator to determine the process they will follow. However, the JNC's preferred process is 'Evidence Collection and Investigation'. Alternatively the Independent Investigator may hear the case including evidence provided by witnesses. Irrespective of the manner in which the Independent Investigator investigates the case on completion of their investigation, the Independent Investigator must prepare a report with recommendations and rationale for submission to the IDC. Once appointed it will be the responsibility of the Independent Investigator to investigate the issue/allegation and to prepare a report stating in his/her opinion whether (and, if so, the extent to which) the evidence he/she has obtained supports any allegation of misconduct or incapability or supports a need for action under this procedure for some other substantial reason; and recommending any disciplinary action (if any is appropriate) or range of actions which appear to him/her to be appropriate for the Authority to take against the Relevant Officer.

Guidance

7.1 Resources

7.1.1 The amount of time required to be spent on the investigation will depend on the case. Due to the demands on their time, the Independent Investigator could decide to delegate some of the investigation work to an assistant. This should be agreed with the Committee and the Relevant Officer should be informed. If the work is delegated to someone else outside of the Authority this might also require further discussion on any difference in the terms of remuneration for the assistant to the Independent Investigator.

7.2 Working arrangements

7.2.1 Once appointed it will be the responsibility of the Independent Investigator to investigate the issue/allegation and to prepare a report:

- stating in his/her opinion whether (and, if so, the extent to which) the evidence he/she has obtained supports any allegation of misconduct or other issue under investigation; and
- to recommend any disciplinary action (if any is appropriate) or range of actions which appear to him/her to be appropriate for the Authority to take against the Relevant Officer.

7.2.2 The methodology adopted by the Independent Investigator should be confirmed with the parties. However, the JNC believes that the Independent Investigator should operate on the basis either of a process of evidence gathering, hearing submissions etc or a formal hearing, at which both parties will have the usual opportunities to present evidence, cross-examine witnesses etc. Both parties can be represented by an individual of their choice (the Relevant Officer's representation should be obtained at his/her own expense). While the recommended procedure allows for either option, on balance the JNC's preference is for the 'evidence collection and investigation' model, but the decision on this remains with the Independent Investigator.

7.3 Suspension .

7.3.1 The Independent Investigator does not have the power to suspend a Relevant Officer, but if the Relevant Officer has been suspended for two months, the Committee is required to review the suspension (see Paragraph 3.2.5).

7.4 Confidential contact at the Authority

7.4.1 Although the Independent Investigator has a degree of independence, it is advisable to agree some conditions for his/her investigation in order that disruption to the Authority's work is kept to a minimum at what can be a difficult time. The Independent Investigator will also require agreed contact and reporting arrangements with the parties. The Committee will therefore designate an Officer to administer the arrangements.

7.4.2 During the investigation the Independent Investigator will as a matter of principle, make every attempt to ensure the appropriate confidentiality of any information obtained and discussed.

8. Receipt and consideration of the Independent Investigator's report by the Committee

Procedure

The Committee will consider the report of the Independent Investigator, and also give the Relevant Officer the opportunity to state his/her case and, to question witnesses, where relevant, before making a decision.

Having considered any other associated factors the Committee may:

- Take no further action
- Recommend informal resolution or other appropriate procedures
- Refer back to the Independent Investigator for further investigation and report
- Recommend informal resolution or other appropriate procedures

- Take disciplinary action against the Relevant Officer short of dismissal
 - Propose dismissal of the Relevant Officer to a meeting of the Authority.
-

Guidance

8.1 Report of the Independent Investigator

8.1.1 The report of the Independent Investigator is made to the Committee which has delegated powers from the Authority to receive the report and take a decision on the outcome. Unless the Relevant Officer is exonerated by the report then at this stage the Relevant Officer should be given the opportunity to state his/her case before the Committee makes its decision.

8.1.2 This may be done in one of two ways, according to the process followed by the Independent Investigator: Report of the Independent Investigator.

- If the Independent Investigator has proceeded by way of an evidence- gathering process, the Committee should hold a hearing, giving both the Independent Investigator and the Relevant Officer the right to call and question each other's witnesses
- If the Independent Investigator has held a full hearing, the Committee may choose to limit their meeting to a consideration of the Independent Investigator's report. However, the Committee will need to consider whether to call witnesses for clarification, bearing in mind the ACAS Code of Practice requirement that the employee should be given a reasonable opportunity to call relevant witnesses. The Independent Investigator and the Relevant Officer should both attend the meeting and be given an opportunity to summarise their case.

Under both options the Committee hearing should be conducted in accordance with the ACAS Code of Practice.

8.2 New material evidence

8.2.1 Where there is, at this stage, new evidence produced which is material to the allegation/issue and may alter the outcome, the Committee may:

- take this into account in making their decision or
- request that the Independent Investigator undertake some further investigation and incorporate the impact of the new evidence into an amended report

8.3 Recommendations by the Independent Investigator – outcomes or options

8.3.1 The Independent Investigator is expected to recommend any disciplinary action that appears to be appropriate. At this stage clarity is to be welcomed and a clear reasoned recommendation should be given. However, it could be that there is not one obvious action and it may be that the Independent Investigator recommends a range of alternative actions.

8.3.2 Whilst the Independent Investigator's role is to make recommendations on disciplinary action, he/she may wish to comment on potential options for the way forward following the investigation process.

8.4 Decision by the Committee

- 8.4.1 The Committee should take its decision on the basis of the Independent Investigator's report, and its own findings. It is open to the Committee to impose a lesser or greater sanction than that recommended and it is obviously important for later stages of the procedure that the reasons for doing so are recorded.

9. Action short of dismissal

Procedure

The Committee may agree to impose no sanction, or to take action short of dismissal, in which case the Committee will impose an appropriate penalty / take other appropriate action.

Guidance

- 9.1 Where a Relevant Officer is found to have no case to answer, appropriate communication should be prepared with the Relevant Officer to ensure as far as possible that there is no damage to their reputation.
- 9.2 Where the decision taken by the Committee is action short of dismissal, the action will be taken by the Committee itself. There is no requirement to seek confirmation by a meeting of the Authority. The constitution of the Committee includes the delegated power to take disciplinary action in these circumstances.
- 9.3 The Relevant Officer has a right of appeal against the decision (see Paragraph 11).
-

10. Where dismissal is proposed

Procedure

Proposal to dismiss on the grounds of misconduct and for other reasons such as capability or some other substantial reason

The National Park Authority operates a committee system, and therefore the Committee will inform the Relevant Officer of the decision and put that proposal to the Independent Panel along with the Independent Investigator's report and any other necessary material. This is not a full re-hearing and will not involve the calling of witnesses

The role of the Independent Panel

Where the Committee is proposing dismissal, this proposal needs to go before a meeting of the Independent Panel.

Both parties should be present or represented (the Committee might be represented by its Chair or other nominated person at the meeting). The Panel should receive any oral representations from the Relevant Officer, in which case it should invite any response on behalf of the Committee to the points made, and may ask questions of either party. The Independent Panel should review the decision and prepare a report for a meeting of the Authority. This report should contain a clear rationale if the Panel disagrees with the recommendation to dismiss.

The role of the Authority

A meeting of the Authority will consider the proposal that the Relevant Officer should be dismissed, and must take into account:

- Any advice, views or recommendations of the Independent Panel
- The conclusions of the investigations into the proposed dismissal
- Any representations from the Relevant Officer
- The Relevant Officer will have the opportunity to appear before the Authority and put his or her case to the Authority before a decision is taken.

Redundancy, Permanent Ill-Health and the expiry of Fixed Term Contracts

Proposed dismissals on the grounds of redundancy, permanent ill-health and the expiry of a fixed term contract where there has been no commitment to renew it, do not require the involvement of an Independent Investigator or Independent Panel.

However, the Authority will follow appropriate and fair procedures in these cases and has mechanisms in place, including appropriate delegated authorities, to manage such eventualities. In addition, dismissals for all reasons including those set out in this paragraph must be approved by the Authority itself.

Guidance

10.1 Where the Committee proposes dismissal, the 2005 Regulations require that the Authority must approve the dismissal before notice of dismissal is issued.

10.2 The role of the Independent Panel

10.2.1 The Independent Panel must be appointed at least 20 days before the meeting of the Authority at which the recommendation for dismissal is to be considered.

10.2.2 It is likely that Independent Panel members will be unfamiliar with their role under the 2005 Regulations and with matters relating to the working environment of the Relevant Officer. Accordingly, it is important for Independent Panel members to be offered appropriate training for the role the Panel is to fulfil.

10.2.3 The role of the Independent Panel is to offer any advice, views or recommendations it may have to the Authority on the proposal for dismissal. The Panel will receive the Committee proposal and the reasons in support of the proposal, the report of the Independent Investigator and any oral and/or written representations from the Relevant Officer. The Independent Investigator may be invited to attend to provide clarification if required. The Panel will be at liberty to ask questions of either party.

10.2.4 The Panel should then formulate any advice, views or recommendations it wishes to present to the Authority. If the Panel is recommending any course of action other than that the Authority should approve the dismissal, then it should give clear reasons for its point of view.

10.3 The role of the Authority

10.3.1 The 2005 Regulations require that, where there is a proposal to dismiss a Relevant Officer, the Authority must approve the dismissal before notice of dismissal is issued. The Authority must therefore consider the proposal and reach a decision before the Relevant Officer can be dismissed.

10.3.2 Given the thoroughness and independence of the previous stages, in particular, the investigation of the Independent Investigator (where applicable), it will not be appropriate to undertake a full re-hearing of the case. Instead, consideration by the Authority will take the form of a review of the case and the proposal to dismiss, and any advice, views or recommendations of the Independent Panel.

10.3.3 The Relevant Officer will have the opportunity to attend and be accompanied by the Relevant Officer's Representative and to put forward his/her case before a decision is reached.

10.3.4 The Authority is at liberty to reject the proposal to dismiss. It can then decide on the appropriate course of action which could include substituting a lesser sanction or, in a case of misconduct or other reasons such as capability or some other substantial reason, referring it back to the Committee to determine that sanction.

11. Appeals

Procedure

Appeals against dismissal

Where the Committee has made a proposal to dismiss; the hearing by the Authority will also fulfil the appeal function.

Appeals against action short of dismissal

If the Committee takes action short of dismissal, the Relevant Officer may appeal to the Appeals Panel. The Appeals Panel will consider the report of the Independent Investigator and any other relevant information considered by the Committee, e.g. new information, outcome of any further

investigation, etc. The Relevant Officer will have the opportunity to appear at the meeting and state his/her case.

The Appeals Panel will give careful consideration to these matters and conduct any further investigation it considers necessary to reach a decision.

The decision of the Appeals Panel will be final.

Guidance

11.1 Appeals against dismissal

11.1.1 Discipline and Grievance – ACAS Code of Practice requires that an employee who has been dismissed is provided the opportunity to appeal against the decision.

11.1.2 As the Standing Orders Regulations require that the Authority approves the dismissal before notice of dismissal is issued, there may be some concerns about the ability to offer a fair appeal if the whole Authority was already familiar with the issues and had already taken the decision to dismiss. The model procedure therefore envisages that the Authority meeting fulfils the requirement for an appeal. Before the Authority takes a decision on the recommendation to dismiss a Relevant Officer it will take representations from a Relevant Officer. Those representations will constitute the appeals process.

11.2 Appeals against action short of dismissal

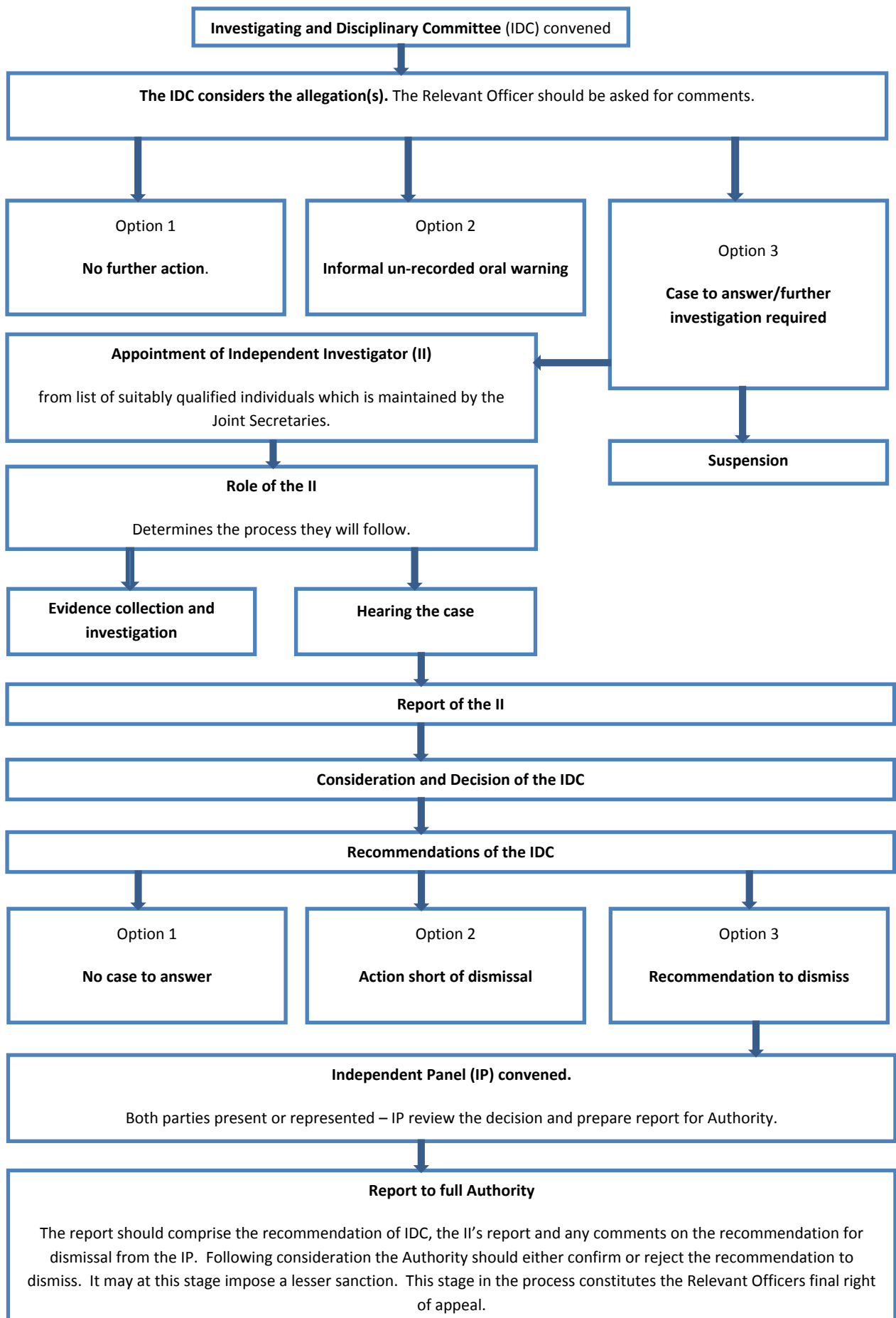
11.2.1 Appeals against actions short of dismissal will be heard by the Appeals Panel. The appeal hearing will take the form of a review of the case and the decision that was taken by the Committee.

11.2.2 This process will follow the procedure that the Authority applies generally to its other employees.

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Peak District National Park Authority
 Potential Reasons for Termination of a relevant officer

ACTION	Reason for termination						
	Misconduct	Capability – Performance	Capability – Ill health (Long Term or frequent intermittent absence)	Some other substantial reason	Capability – permanent Ill Health	Redundancy	Expiry of Fixed Term Contract
Dismissal	Yes	Yes	Yes	Yes	Maybe – could be mutual termination	Yes	Yes
Independent Panel Required	Yes	Yes	Yes	Yes	No	No	Yes – If authority has given commitment to renew
Required to follow ACAS code of practice	Yes	Yes	Yes	Yes	Maybe- If dismissal	No	No
Appropriate Procedure to follow	JNC (This policy)	JNC (This policy)	JNC (This policy)	JNC (This policy)	Local (with full Authority approval)	Local (with full Authority approval)	Local (with full Authority approval)



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