



County Offices
Newland
Lincoln
LN1 1YL

3 December 2019

Council

A meeting of the Council will be held on **Wednesday, 11 December 2019 in the Council Chamber, County Offices, Newland, Lincoln LN1 1YL, commencing at 10.30 am** for the transaction of the business set out on the attached Agenda. The attendance of all Councillors is requested.

Yours sincerely

A handwritten signature in cursive script that reads 'Debbie Barnes'.

Debbie Barnes OBE
Head of Paid Service

Membership of the Council
(70 Members of the Council)

Councillors T Bridges (Chairman), M Brookes (Vice-Chairman), B Adams, W J Aron, T R Ashton, Mrs A M Austin, M D Boles, Mrs W Bowkett, Mrs P A Bradwell OBE, D Brailsford, C J T H Brewis, Mrs J Brockway, R D Butroid, L A Cawrey, K J Clarke, Mrs K Cook, Mrs P Cooper, P E Coupland, G E Cullen, C J Davie, R G Davies, B M Dobson, M T Fido, I G Fleetwood, R L Foulkes, M A Griggs, R Grocock, A G Hagues, M J Hill OBE, R J Kendrick, P M Key, Mrs J E Killey, S R Kirk, Mrs C J Lawton, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, Mrs M J Overton MBE, C R Oxby, R B Parker, S R Parkin, N H Pepper, Clio Perraton-Williams, E J Poll, Mrs S Rawlins, C E Reid, R P H Reid, R A Renshaw, S P Roe, P A Skinner, Mrs E J Sneath, A J Spencer, H Spratt, A N Stokes, M J Storer, C L Strange, E W Strengiel, Mrs C A Talbot, Dr M E Thompson, R H Trollope-Bellew, A H Turner MBE JP, M A Whittington, Mrs S Woolley, L Wootten, R Wootten, C N Worth and B Young

**COUNCIL AGENDA
WEDNESDAY, 11 DECEMBER 2019**

Item	Title	Pages
1	Apologies for Absence	
2	Declarations of Councillors' Interests	
3	Minutes of the meeting of the Council held on 13 September 2019	5 - 14
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5	Questions to the Chairman, the Leader, Executive Councillors, Chairman of Committees and Sub-Committees	
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12	Motions on Notice Submitted in accordance with the Council's Constitution	

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Please note: for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

Please note: This meeting will be broadcast live on the internet and access can be sought by accessing <http://www.lincolnshire.gov.uk/local-democracy/council-webcasts/>

All papers for council meetings are available on:
www.lincolnshire.gov.uk/committeerecords



**COUNCIL
13 SEPTEMBER 2019**

PRESENT: COUNCILLOR T BRIDGES (CHAIRMAN)

Councillors M Brookes (Vice-Chairman), B Adams, W J Aron, T R Ashton, Mrs A M Austin, M D Boles, Mrs W Bowkett, Mrs P A Bradwell OBE, D Brailsford, C J T H Brewis, Mrs J Brockway, R D Butroid, L A Cawrey, K J Clarke, Mrs K Cook, P E Coupland, G E Cullen, C J Davie, R G Davies, B M Dobson, M T Fido, I G Fleetwood, R L Foulkes, M A Griggs, R Grocock, A G Hagues, M J Hill OBE, R J Kendrick, P M Key, S R Kirk, Mrs C J Lawton, C S Macey, C E H Marfleet, C Matthews, A P Maughan, D McNally, Mrs A M Newton, Mrs M J Overton MBE, C R Oxby, R B Parker, S R Parkin, N H Pepper, Clio Perraton-Williams, E J Poll, Mrs S Rawlins, C E Reid, R P H Reid, R A Renshaw, S P Roe, P A Skinner, Mrs E J Sneath, A J Spencer, A N Stokes, M J Storer, C L Strange, E W Strengiel, Mrs C A Talbot, Dr M E Thompson, R H Trollope-Bellew, M A Whittington, Mrs S Woolley, L Wooten, R Wooten, C N Worth and B Young

17 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs P Cooper, Mrs J E Killey, H Spratt and A H Turner MBE JP.

18 DECLARATIONS OF COUNCILLORS' INTERESTS

There were no declarations of interest at this point in the meeting.

19 MINUTES OF THE MEETING OF THE COUNCIL HELD ON 17 MAY 2019

RESOLVED

That the minutes of the meeting held on 17 May 2019 be signed by the Chairman as a correct record.

20 CHAIRMAN'S ANNOUNCEMENTS

The Chairman stated that since the last meeting of the County Council he had continued to carry out his civic engagements with pride. He thanked the Vice-Chairman and Lady, Councillor Mike and Jackie Brookes for representing him and his Lady at civic functions when they had not been able to attend.

He was pleased to report that this year's Lincolnshire Show had been a huge success and attracted many visitors from far and wide with the County Council winning the award for the Best Non-Agricultural Stand.

The Chairman thanked all who attended the annual County Council Service of Dedication in Lincolnshire in Lincoln Cathedral, and was delighted that the Lincolnshire Youth Orchestra was able to play before and after the Service. It was a most pleasurable event for the Chairman and Lady and they received many positive comments following the Service.

The Chairman advised that during his term he would be focussing on the importance of skills, he had been delighted to see at first hand some of the important work the Council was doing to up skill its employees and residents, and meet some of the learners involved.

In June, the Chairman was privileged to attend the Council's Apprentice Graduation afternoon which took place in the Newland Room at County Offices, where he presented certificates to the 12 employees who had successfully completed a Business Administration Apprenticeship through the Business Support Administration Apprenticeship programme. At the Lincolnshire Show, he presented Learner of the Year awards to three adult learners, nominated by their tutors for their hard work and commitment to learning.

In July, the Chairman was guest of honour at St. Peter at Gowts Primary School, and also he and his Lady attended Bracebridge Nursery & Infants School in Lincoln and he presented certificates to parents who had been attending Family Learning Courses delivered by the Council.

He reported that the following week he would be attending as Guest of Honour, a Learning Celebration Event hosted by Community Learning in Practice (CLIP), in Market Rasen to celebrate learners' successes and present certificates and awards for the year 2018-2019.

On a sadder note, the Chairman reported the deaths of the following former county councillors:

- Graham Wheat who represented the Grantham North electoral division from May 1989 until June 2009 and served as Chairman of the Council from May 2002 to May 2003.
- Peter Bray who represented the Spalding Elloe electoral division from May 1989 until May 2005 and served as Chairman of the Council from May 2003 to May 2004.
- Graham Gooding who represented the Mablethorpe electoral division from June 2009 until May 2013.
- Mrs Heather Judge who represented the Boston Fishtoft electoral division from May 1992 until May 2005 and served as Chairman of the Council from June 2001 to May 2002.

- Air Commodore Nick Carter OBE who represented the Spalding South electoral division from 2001 until 2009 and served as Executive Councillor for Resources from May 2005 to June 2009.

The Chairman invited the Chamber to stand in silent tribute. A number of members paid tribute to the former county councillors.

The Chairman informed members that a complete itinerary of civic engagements since the last meeting were available from the Civic Officer on request.

21 STATEMENTS/ANNOUNCEMENTS BY THE LEADER AND MEMBERS OF THE EXECUTIVE

Statements by Members of the Executive had been circulated with the agenda.

The Leader reminded members that at the last meeting a debate on climate change had taken place, and he announced that from October the Executive would be going paperless as a step to moving towards paperless working. There would be training made available so that those members wishing to move to paperless working could use the Modern.gov app to access agenda packs. The Conservative Group would also be going paperless in regard to the Council agenda for the December meeting. New technology was being rolled out to enable officers to be much more efficient both in cost and carbon emissions.

22 QUESTIONS TO THE CHAIRMAN, THE LEADER, EXECUTIVE COUNCILLORS, CHAIRMAN OF COMMITTEES AND SUB-COMMITTEES

Questions pursuant to Council Procedure Rule 10.3 were asked and answered as follows:

<u>Question by</u>	<u>Answered by</u>	<u>Subject</u>
a) Dr M E Thompson	R G Davies	Lincoln Western Growth Corridor
b) K J Clarke	Mrs P A Bradwell OBE	Update on Health Visitors dispute
c) C J T H Brewis	R G Davies	Works on Cross Keys bridge
d) C R Oxby	R G Davies	Road closures due to Lincoln Eastern Bypass works
e) G E Cullen	R G Davies	Secondary school buses in Mablethorpe

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COUNCIL
13 SEPTEMBER 2019**

f) Mrs M J Overton MBE	M J Hill OBE	Additional funding from Government
g) R D Butroid	M J Hill OBE	Update on the Chancellor's announcement the previous week
h) R A Renshaw	Mrs P A Bradwell OBE	Health Visitors
i) P M Key	Mrs S Woolley	Consultation on Doctors surgery in Gainsborough
j) P A Skinner	C J Davie	Town deals for Lincoln, Boston and Skegness.
k) S R Parkin	M J Hill OBE	Carbon management plan
l) Mrs A M Austin	C J Davie	Tourism activities for 2030
m) T R Ashton	R G Davies	Improvements to the B1192 and B1183
n) R B Parker	Mrs P A Bradwell OBE	Care Quality Commission's report on Health Visitors
o) M T Fido	R G Davies	Update on the Lincoln Eastern Bypass

23 PROPOSED STATEMENT OF COMMUNITY INVOLVEMENT

A report by the Executive Director – Place had been circulated.

It was moved, seconded and

RESOLVED

That the Statement of Community Involvement (September 2019) attached as Appendix C to the report be adopted.

24 REVIEW OF FINANCIAL PERFORMANCE 2018/19

A report by the Executive Director – Resources had been circulated.

It was moved and seconded:

That the County Council:

1. Notes the carry forwards set out in paragraph 1.2 and 1.3 of the report, which are made in line with the Council's Financial Regulations;
2. Approves the use of carry forwards of under spending in excess of 1.0% as set out in paragraph 1.4 of the report;
3. Notes the transfers to and from reserves summarised in Table A of the report and the position of earmarked reserves as at 31 March 2019 also shown in Table A of the report;
4. Notes the position in relation to general reserves set out in paragraph 1.8 and Table B of the report;
5. Notes the Flexible Use of Capital Receipts in 2018/19 as set out in paragraph 1.9 to 1.14 and detailed in Appendix A of the report;
6. Approves the amended Flexible Use of Capital Receipts strategy as detailed in Appendix B to the report; and
7. Notes performance against the Prudential Indicators for 2018/19 as set out in Table C of the report.

An amendment was moved and seconded as follows:

To amend the amount recommended to be transferred to the Financial Volatility Fund by £1.350m to be allocated to expenditure in 2019/2020 on

Tackling Social Inequalities

Funding Children's Centres to raise attainment for children at the end of reception stage £250k
Funding Children's Centres as Maternity Hubs £500k
Sub Total £750k

Reducing Carbon Emissions

Commitment to Park and Ride in Lincoln for preliminary work in 2019/20 financial year £100k
Sub Total £100k

Tackling Climate Change

To fund some of these schemes so as to

- drive cultural change across the County Council

- investigate the opportunities to use a science based target to understand our contribution to regional and national emissions reductions to meet the 1.5°C target.
- support and champion the use of electric vehicles within Lincolnshire
- explore new and innovative projects that will save money, energy/emission and the environment (e.g. Verge Biomass to Green Energy project).
- work on a cross council basis to support more sustainable ways of working including:
 - Working with procurement on the social value framework
 - Working with property to deliver energy reduction measures such as street lighting, solar PV and LED lighting
- strengthen ties with other local authorities and agencies across Lincolnshire and regionally to generate opportunities for multi area projects
- ensure our services are able to adapt to the changing climate via risk assessment, workshops and events.
- implement the projects defined with Carbon Management Plan 3 –
 - Building fabric improvements
 - Heating/ cooling system upgrades
 - Improved building controls
 - Lighting and light control upgrades
 - Deployment of zero carbon technologies
- support the waste team to reduce the carbon footprint of waste services as they seek to implement the waste strategy.

Sub Total £500k

Combined Total £1.350m

If £1.350m is agreed by council to fund these proposals this would leave £8.824m of carry forward to be added to the Financial Volatility Reserve. The Financial Volatility Reserve would then have a balance of £54.419m rather than the £55.769m the Council paper proposes.

Debate took place and upon being put to the vote, the amendment was lost.

Debate then took place on the substantive motion, and upon being put to the vote, the motion was carried.

RESOLVED

That the County Council:

1. Notes the carry forwards set out in paragraph 1.2 and 1.3 of the report, which are made in line with the Council's Financial Regulations;
2. Approves the use of carry forwards of under spending in excess of 1.0% as set out in paragraph 1.4 of the report;

3. Notes the transfers to and from reserves summarised in Table A of the report and the position of earmarked reserves as at 31 March 2019 also shown in Table A of the report;
4. Notes the position in relation to general reserves set out in paragraph 1.8 and Table B of the report;
5. Notes the Flexible Use of Capital Receipts in 2018/19 as set out in paragraph 1.9 to 1.14 and detailed in Appendix A of the report;
6. Approves the amended Flexible Use of Capital Receipts strategy as detailed in Appendix B to the report; and
7. Notes performance against the Prudential Indicators for 2018/19 as set out in Table C of the report.

25 POLITICAL BALANCE ON COMMITTEES AND SUB-COMMITTEES,
ALLOCATION OF PLACES TO POLITICAL GROUPS AND APPOINTMENT
OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES

A report by the Executive Director responsible for Democratic Services had been circulated.

It was moved, seconded and

RESOLVED

That the Council notes the changed political balance of the Council and approves the allocation of places to political groups as set out in Appendix A of the report.

It was moved, seconded and

RESOLVED

That Councillor R J Kendrick be appointed Chairman of the Children and Young People Scrutiny Committee, and Councillor A P Maughan be appointed as Vice-Chairman of the Children and Young People Scrutiny Committee. Also, that Councillor M T Fido be appointed as the Vice-Chairman of Scrutiny Panel A.

26 LINCOLNSHIRE COUNTY COUNCIL CORPORATE PLAN 2019/29

A report by the Head of Paid Service had been circulated.

It was moved, seconded and

RESOLVED

That the Council:-

1. Approves the principle of a 10 year Corporate Plan to form part of the Policy Framework in place of the Business Plan
2. Approves the vision and strategic ambitions set out in Appendix A to the report as the basis for development of the Corporate Plan.
3. Approves the Corporate Leadership Team, working with the Executive, Overview and Scrutiny Management Board (OSMB) and other stakeholders to develop the details of the Corporate Plan to include the vision, the strategic ambitions, how success will be measured and the strategic changes needed to fulfil the aspirations and expectations of Lincolnshire's communities.
4. Agrees that the final version of the Corporate Plan be presented back to this Council in December 2019 for final approval and adoption.

An amendment was moved and seconded as follows:

Page 1 after Our vision for Lincolnshire delete next 5 lines of writing and replace with

A Great Place to Live: We want Lincolnshire to be a great place for everyone of all ages and backgrounds to be able to live life to the full in safe and supportive communities.

Enhancing Quality of Life: We want to create more well paid jobs, improve the health and well-being of all of our residents particularly those who are currently socially excluded by reason of age, gender, ethnic origin, sexual orientation, health or lack of mobility.

Looking after our Environment: We want Lincolnshire to respond positively to the Climate Change agenda in order to protect and enhance our natural environment for the benefit of today's and tomorrow's residents.

Resident Satisfaction: We want our services whether delivered by the County Council, by our contractors or in partnership with other organisations, to meet the needs of our residents and be second to none

Page 2 under Our Ambitions

Second Section Replace 'their best life' with '**enjoy life to the full**'

Replace 'Provide opportunities for a fulfilling life' - 5th bullet point – with '**Enable people as they grow older to remain active and independent for as long as possible**'

Debate took place and upon being put to the vote, the amendment was lost.

Debate took place and upon being put to the vote, the motion was carried.

It was

RESOLVED

That the Council:-

1. Approves the principle of a 10 year Corporate Plan to form part of the Policy Framework in place of the Business Plan
2. Approves the vision and strategic ambitions set out in Appendix A to the report as the basis for development of the Corporate Plan.
3. Approves the Corporate Leadership Team, working with the Executive, Overview and Scrutiny Management Board (OSMB) and other stakeholders to develop the details of the Corporate Plan to include the vision, the strategic ambitions, how success will be measured and the strategic changes needed to fulfil the aspirations and expectations of Lincolnshire's communities.
4. Agrees that the final version of the Corporate Plan be presented back to this Council in December 2019 for final approval and adoption.

27 EXECUTIVE DECISION - RULE 17 (SPECIAL URGENCY)

A report by the Leader of the Council had been circulated.

It was moved, seconded and

RESOLVED

That the Council note the report.

28 MOTIONS ON NOTICE SUBMITTED IN ACCORDANCE WITH THE COUNCIL'S CONSTITUTION

No motions had been submitted.

The meeting closed at 12.56 pm.

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Open Report on behalf of Councillor M J Hill OBE, Leader of the Council

Report to:	County Council
Date:	11 December 2019
Subject:	Lincolnshire County Council Corporate Plan 2020/30

Summary:

At the meeting of the County Council on 13 September 2019, the Council approved the vision and strategic ambitions for a new Corporate Plan for the Council.

It was further agreed that the Corporate Leadership Team would work with an Overview and Scrutiny Management Board (OSMB) working group and key stakeholders in the production of the final version of the Corporate Plan. The OSMB Working Group held three meetings and feedback has been received from external stakeholders. All feedback was considered by the Corporate Leadership Team and the Executive when it met informally on 26 November 2019 and by OSMB when it met on 28 November 2019.

All of the feedback received has informed the draft Corporate Plan in Appendix C, which the Council is now asked to consider and approve.

Performance measures will be developed through the next phase in organisational planning, to develop Directorate Plans with objectives and priority activities for each directorate in the Council, linked to the ambitions in the Corporate Plan. The Directorate Plans, and performance measures, will be completed by the end of May 2020. In order to maintain continuity of reporting of the Council's performance, it is recommended that the existing measures in the current Council Business Plan continue to be reported in the next financial year, beginning April 2020.

Recommendation(s):

That the Council:-

1. Approves the document attached to this Report at Appendix C as the Lincolnshire County Council Corporate Plan 2020/30 to take effect as part of the Council's Policy Framework from 1 April 2020.
2. Approves the continued reporting against existing measures in the current Council Business Plan in the next financial year, beginning 1 April 2020.

1. Background

- 1.1. The current Council Business Plan runs from April 2019 until March 2020 and was approved by this Council in February 2019. The current plan remains largely unchanged from previous years being based on outcomes and performance measures associated with the Council's commissioning strategies.
- 1.2 A new plan is now required for 2020 and beyond. The Council is uniquely placed to lead, with our partners, on delivering a vision and the strategic ambitions for the County. The Council takes its leadership role very seriously and is committed to a proactive leadership approach, locally, regionally and nationally, to make Lincolnshire an even better place to live, work and visit.
- 1.3 This Council therefore has an opportunity to set out its long term ambitions for the County and the strategic development needed to fulfil the expectations of our communities through a new Corporate Plan.
- 1.4 Our Corporate Plan will outline our vision, our strategic ambitions for our communities and for the place of Lincolnshire as well as detailing what we intend to do with our partners to achieve them.
- 1.5 Earlier in the year the Executive and the Corporate Leadership Team (CLT) attended a workshop to explore the vision and strategic ambitions for the County for the next 10 years. At this workshop a vision and a number of key strategic ambitions were identified to support the development of a 10 year Corporate Plan.
- 1.6 At the meeting of the County Council on 13 September 2019, the vision and strategic ambitions were agreed and it was further agreed that the Corporate Leadership Team would continue to develop the content of the Corporate Plan, working with an Overview and Scrutiny Management Board (OSMB) working group and key stakeholders.
- 1.7 The OSMB Working Group held three meetings and all feedback from OSMB and the OSMB Working Group is in Appendix A.
- 1.8 Stakeholder engagement included the following groups and sectors, in addition to Council staff. Engagement was being planned through existing mechanisms and meetings, where possible:
 - District Councils
 - Health and social care sector, including Clinical Commissioning Groups (CCGs)
 - Greater Lincolnshire Local Enterprise Partnership (GLLEP)
 - Unions
 - Public Protection partners
 - One Public Estate

- Safeguarding boards
- Education sector
- Voluntary and community sector
- Town and parish groups

- 1.9 The feedback from external stakeholders is in Appendix B.
- 1.10 All feedback was considered by the Corporate Leadership Team and the Executive when it met informally on 26 November 2019 and by OSMB when it met on 28 November 2019.
- 1.11 As a result of its consideration of the draft Corporate Plan and the feedback the Executive recommends for approval by the Council the draft Corporate Plan attached at Appendix C.
- 1.12 The draft Corporate Plan in Appendix C does not include performance measures. These will be developed through the next phase in organisational planning, to develop Directorate Plans with objectives and priority activities for each directorate in the Council, linked to the ambitions in the Corporate Plan. The Directorate Plans, and performance measures, will be completed by the end of May 2020.
- 1.13 It is likely that many of the measures in the current Council Business Plan will be incorporated into the Directorate Plans, and all statutory measures will be retained. In order to maintain continuity of reporting of the Council's performance, it is recommended that the existing measures in the current Council Business Plan continue to be reported in the next financial year, beginning April 2020.
- 1.14 An Equality Impact Analysis has been carried out and is provided in Appendix D.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

An Equality Impact Analysis has been undertaken and is attached at Appendix D. The Analysis identifies a number of areas where the contents of the Plan can be expected to impact positively on people with a protected characteristic. No negative impacts are identified as the Plan sets out the guiding vision and strategic ambitions of the Council. Specific initiatives designed to further that vision and those ambitions will have due regard to the Council's equality duties.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

The contents of the draft Corporate Plan have had due regard to both the JSNA and the JHWS and contain ambitions for the health and wellbeing of the Council's area and residents.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting

the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

Due regard has been had to crime and disorder matters and the draft Corporate Plan contains ambitions in relation to public protection.

3. Conclusion

- 3.1 The draft new Corporate Plan in Appendix C outlines the vision, the approach, the key strategic ambitions and the strategic developments the Executive considers we need to fulfil the aspirations and expectations of our communities.
- 3.2 Feedback from the OSMB working group and stakeholder engagement has been considered in developing the draft Corporate Plan.
- 3.3 Performance measures will be developed through the next phase in organisational planning, to develop Directorate Plans, linked to the ambitions in the Corporate Plan. In order to maintain continuity of reporting of the Council's performance, it is recommended that the existing measures in the current Council Business Plan continue to be reported in the next financial year, beginning April 2020.

4. Legal Comments:

The Report contains the recommendation of the Executive of a Corporate Plan which if approved will become a part of the Council's Policy Framework from 1 April 2020 which means that Executive decision-making must be consistent with it from that date.

Approval of any document that is to be part of the Council's Policy Framework is reserved to the full Council and is therefore within the remit of the full Council.

5. Resource Comments:

Accepting the recommendations in this report should have no direct impact on the budgets of the Council.

Adopting a Corporate Plan, will enable the Council to ensure its resources are aligned with delivering the strategic ambitions included in the plan.

6. Consultation

a) Has Local Member Been Consulted?

No

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

On 28 November 2019, the Overview and Scrutiny Management Board considered the Lincolnshire County Council Draft Corporate Plan 2020-2030 and agreed to make the following recommendations to the County Council:

- For all four ambitions, delete the word 'must' from the first line "This means that we must:"
- Amend the following bullet points under the "enable everyone to enjoy life to the full" ambition:
 - "Make sure housing feels like home" to "Promote safe and secure homes"
 - "Support all children to have a loving home" to "Aspire for all children to have a caring home"
- Amend the following bullet point under the "create thriving environments" ambition:
 - "Make sure families can live safely" to "Assist everyone to live safely"
- Amend the following bullet point under the "we will lead the way with others to..." section of the "provide good value council services" ambition:
 - "Be serious about innovation and making best use of our assets" to "Continue to innovate and make best use of our assets"

The Board also made the following comments on the design of the draft Corporate Plan to the Head of Communications for consideration:

- It was questioned whether the photos used were representative of the wider population of Lincolnshire.
- It was questioned whether the photos represented all areas of Lincolnshire. It was highlighted that there were no pictures of Grantham or Boston included in the draft document.
- Consideration should be given to the use of recycled paper when printing copies of the Corporate Plan and how many copies need to be printed. The Head of Communications confirmed that the printing of the Corporate Plan would be funded from the existing budget.
- It was questioned whether some of the lozenges were in the correct positions, for example, the lozenge relating to the Council's spending on county roads which was on the same page with Lincoln Castle on the "Our strengths and challenges" page; and the lozenges for low council tax and £10M shortfall were next to each other on the "Our approach" page which created a negative impression.

The Board also made the following general comment:

- The draft Corporate Plan made no reference to working with district

councils. Officers advised that the Council worked in partnership with numerous agencies and to highlight one section of the Council's highly valued partnerships would not be reflective of the wider strategic relationships which the Council has.

d) Have Risks and Impact Analysis been carried out?

Yes

e) Risks and Impact Analysis

See Appendix D.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Feedback from the OSMB working group
Appendix B	Stakeholder engagement feedback
Appendix C	Lincolnshire County Council Draft Corporate Plan 2020/30
Appendix D	Equality Impact Analysis

8. Background Papers

Document title	Where the document can be viewed
Council Business Plan (CBP) 2019/20	Link to CBP 19/20
Report to Council on Council Business Plan 2019/20	Link to Council Papers February 2019
Report to Council on Corporate Plan (September 2019)	Link to Council Papers September 2019
Report to OSMB on Corporate Plan (October 2019)	Link to OSMB Papers October 2019
Report to OSMB on Corporate Plan (November 2019)	Link to OSMB Papers November 2019

This report was written by Verity Druce, who can be contacted on 01522 553920 or verity.druce@lincolnshire.gov.uk.

Feedback from the OSMB working group

Feedback point	Response
Overarching feedback/query	
Requested agenda for the District Council meeting of Chief Executives and Leaders [Cllr Adams]	Regular meeting of all District Council and upper tier Leaders and Chief Executives across Greater Lincolnshire, with a focus on maximising collaborative working arrangements and sharing information. The specific meeting when the Draft Corporate Plan was presented by the Leader, it was discussed and all present were invited to send in their feedback and any received is included in the summary of stakeholder feedback. Debbie Barnes has confirmed that all of the authorities are being chased for feedback.
Requested agenda for parish and town groups collective and clarify who is represented, how often they meet/are communicated with and what the purpose/agenda is of the group [Cllr Adams]. OSMB Working Group highlighted that engagement should also include groups beneath the town and parish levels e.g. Carholme Residents Group, and groups based on interests as opposed to geography e.g. older people. OSMB Working Group requested that officers review how Grantham and Spalding areas are being engaged with.	All groups are separate, as opposed to there being one group of collective representatives. The timescales for engagement have not allowed for this but further engagement can be completed after the Plan's approval. The engagement relationship manager actioned this. Verity Druce to circulate list for Grantham and Spalding groups that were engaged with.
Suggestion for using members who are dual-hatters to engage with District Councils	The timescales for engagement have not allowed for this but further engagement can be completed after the Plan's approval.
Voluntary sector and communities groups – suggestion to use existing groups [Cllr Kendrick]	The engagement relationship manager ensured this was completed.
Legal status of document to be clarified due to commitments being made which are not necessarily achievable for every single citizen in Lincolnshire e.g. 'we must support all children to have a loving home'	Response from David Coleman, Chief Legal Officer: I understand the Overview and Scrutiny Management Board have asked for advice on the legal status of the Corporate Plan and the commitments made in it.
Language needs to help manage public expectations around what LCC can deliver and what is achievable e.g. 'improve' rather than 'achieve'.	The legal status of the Corporate Plan will be that it is part of the Council's Policy Framework in accordance with the Constitution. This means that executive decision-making needs to be consistent with it. If the executive, an Executive Councillor or an officer exercising executive functions is minded to

	<p>determine a matter in terms that are contrary to the Policy Framework (including the approved Corporate Plan) it would cease to be an executive function and would become a matter for the Council to decide.</p> <p>I don't consider these commitments to have legal force beyond this.</p> <p>In particular they are not in my view capable of being used legally to challenge the Council on the basis that it has failed to do something it said it would do. In particular they do not, as drafted, in my view raise a legitimate expectation that any particular action will be taken or that any individual could expect to enjoy any particular benefit or outcome.</p>
Fairer Funding is an issue in that the lack of it is likely to hinder LCC's delivery of the Corporate Plan	Point noted – no action needed Response in meeting (from Andrew Crookham) – Medium Term Financial Strategy will be aligned to Corporate Plan
Issue about whether the Corporate Plan articulates all that the Council will do to achieve the full ambitions.	Point noted. Verity Druce to ensure foreword of document highlights that the plan does not include all business as usual activity, including meeting our statutory obligations, and that it intends to be aspirational and developmental only.
Add examples where possible throughout the document	Point to be considered by Executive and CLT
Regarding Feedback from GLLEP – re: use of term 'customer'	Discussion held around the table but no suitable alternative agreed.
Highlight the key focus for LCC over the course of the plan e.g. digital agenda and climate change	Proposal for this to be included as part of the foreword for the document.
Not enough focus on 'people of all ages' as opposed to focusing on 'young people'	Point to be considered by Executive and CLT
There is a risk that the reader will assume that LCC is not currently doing any of the aspirational activity mentioned in the document, whereas LCC is already working towards a lot of the aspirations.	Point to be considered by Executive and CLT
There is a risk that undergoing significant change will destabilise the consolidation of activity and staff that LCC has, including its successful Business as usual activity.	James Drury, Executive Director Commercial, highlighted that LCC's approach to change management is important in this context and that it will be about building on our existing solid base and not negatively affecting existing service outcomes.
The 'Our Funding' section is not aligned to the 4 ambitions and would ideally reflect them	This level of planning will be achievable through the Directorate Plans.
Ambition 1 – People and communities have high aspirations	
Add point about needing more large businesses and more highly skilled roles.	Point to be considered by Executive and CLT
Add point about upskilling 40+ year olds (bullet 2)	Point to be considered by Executive and CLT

Issue not covered – education not reaching parents (social education as opposed to academic education e.g. 5 generations unemployed). Encouraging aspirational parents as well as aspirational young people. Is Lincolnshire providing jobs for all levels of aspirations and all attainment levels?	Point to be considered by Executive and CLT OSMB Working Group acknowledged that this point cannot be addressed in the Corporate Plan.
Ambition 2 – People and communities have the opportunity to enjoy life to the full	
Add point to include SEND children	Point to be considered by Executive and CLT
'Make sure housing feels like home' and 'Support all children to have a loving home' are not achievable by LCC and therefore suggest an unachievable ambition. Proposal made to change the verbs to be more achievable. Ambition 4 was felt to be a good example of verb usage in the 'we must' section.	<i>Point to be considered by Executive and CLT - suggested change to wording:</i> <ul style="list-style-type: none"> • <i>Support housing to feel like home</i> • <i>Enable children to have a loving home</i>
Ambition 3 – People and communities have thriving environments	
Add point re: promoting investment in communities (as opposed to housing, schools and health) for them to resolve community based issues including, specifically, making the environment look good e.g. hedges as opposed to broken fences	Point to be considered by Executive and CLT
Add point re cross-boundary public transport and connectivity needs to be improved – additional bullet point requested in LCC deliverables	Point to be considered by Executive and CLT
Add point re: needing to improve sustainability as a whole	Point to be considered by Executive and CLT OSMB Working Group recognised that this point had been addressed
Issue re: statement in narrative being significant and unachievable – text reads '...which will mean improving our infrastructure across the county...'	Point to be considered by Executive and CLT OSMB Working Group recognised that this point had been addressed
Add more detail to explain following bullet – 'Deliver 'clean growth' in the right place and at the right time' – including being specific about climate change	Point to be considered by Executive and CLT
'Make sure families can live safely' and 'Provide great choice and high quality education' are not achievable by LCC and therefore suggest an unachievable ambition. Proposal made to change the verb to 'help' or 'encourage'. Ambition 4 was felt to be a good example of verb usage in the 'we must' section.	Point to be considered by Executive and CLT- <i>suggested change to wording:</i> <ul style="list-style-type: none"> • <i>Assist families to live safely</i>

Ambition 4 – People and communities have good value council services	
<p>Issue re: 'Understanding our communities and customers' – LCC need to proactively do this</p> <p>There were mixed views as to LCC's current levels of success with this at an operational level e.g. customer relationship management approach, use of intelligence and data in a two-way approach.</p> <p>Suggested change to bullet point – 'Continue to proactively understand our communities and customers'</p>	Point to be considered by Executive and CLT
<p>Add more detail to explain following bullet – 'Design our processes and services to meet customer's needs'</p>	Point to be considered by Executive and CLT
<p>Re bullet on 'shared public estate' – suggestion for LCC using more buildings for community purposes</p>	Point noted by Executive Director Commercial, James Drury, as part of the strategy for LCC Property
<p>'Lincolnshire is a place where good value council Services are the norm.' – This is a statement about current status quo, rather than about future aspirations, and the whole narrative paragraph for this ambition needs reviewing in the same context.</p>	<i>Point to be considered by Executive and CLT</i>

Stakeholder engagement feedback

External Stakeholder	Feedback from engagement
Greater Lincolnshire Leaders and Chief Executives Meeting	Overall positive feedback.
System Executive Team (SET) and NHS/LCC Leaders	<p><u>JWEG – Initial responses</u></p> <ul style="list-style-type: none"> • Narrative could apply to anywhere • What is the single ambition? <p><u>SET Feedback</u></p> <ul style="list-style-type: none"> • (1) Delivering excellence in digital collaboration and record sharing to improve health and care outcomes and accessibility for all. • (2) Making best use of one public estate. • (3) I think we need to make more about workforce – attract, keep and grow our workforce and also link positively to the Lincoln University/medical school etc. We have the Lincolnshire attraction strategy which we are in partnership. • (4) Overall I found it pretty clear and simple to follow – felt an appropriate level of aspiration. • (5) In line with discussion in the room, our public are bombarded with info from us all the time, and if we can get some recognisable links in our language so that they hear the same message, consistently delivered, we will achieve more cut through. That doesn't mean we should adopt the complex and mystical NHS language universally, but where there is programme names that are set e.g. in technology or transport, we should reference them as they are if possible?
GLLEP (Greater Lincolnshire Local Enterprise Partnership)	<ul style="list-style-type: none"> • (1) Well received overall; positive feedback on language used and accessibility. Document was succinct. • (2) Although unusual, a 10 year plan is helpful to recognise long term ambitions. • (3) The term 'customer' is over-used and its appropriateness was questioned • (4) The 4 ambitions almost seem 'too' balanced and 2 items were suggested as needing moving from ambition 4 (good value council services) to ambition 2 (Enjoy life to the full) from the 'This means we must...' section: <i>Support those who need extra help, especially older residents;</i> and <i>Support during key life events</i>. This would maintain the focus on the Council's own organisational effectiveness and efficiency. • (5) Ambition 2 ('Enjoy life to the full') does not capture the ambition for good quality of life post-retirement • (6) Specific suggestion from Gary Headland was that LCC should invest more of it's 'levy' into this work • (7) There was disappointment at the lack of focus on climate change and the focus on the next generation
Trade Unions	The question raised was how a 10 year plan can be put in place when there is only a one year budget.

Public Protection	<p>Evonne Rogers (NKDC), vice chair of the Safer Lincolnshire Partnership:</p> <ul style="list-style-type: none"> • I think this is an excellent Corporate Plan, it's focused, clear and written in Plain English. • (1) Nothing further to add from me, unless LCC has any agreed Corporate Values that you could include (NKDC has a set of Values including Professionalism, Honesty etc. that we detail in our Corporate Plan. You have sort of covered this in part in the Approach section of the Plan, so just a thought, it really is a great Corporate Plan). <p>Graham Marsh, Councillor for Alford Ward Deputy Leader and Executive Councillor for Partnerships</p> <ul style="list-style-type: none"> • There is nothing I can see missing from the Corporate Plan, and nothing that I think should be included. • It clearly articulates the high line priorities, the devil will be in the detail, as in all such documents. <p><u>Lincolnshire Police</u></p> <ul style="list-style-type: none"> • It would be useful to include the strategy around partnership working and collaborations, not just with statutory partners, but with the 3rd sector and business partners too. • Strategies with regard to supporting and protecting the vulnerable, and providing longer term solutions to rehabilitate those that create harm or risk within our communities, could be considered for inclusion. • Apart from one line – "Everyone enjoys a safe and secure home and is protected from harm..." there is no other reference to crime and disorder. • An observation was made regarding the Thriving Environments section and the statement, "Make sure families can live safely". Over the ten year period the plan covers and with an ageing population, there may be an increasing amount of resident without families. <p>The consensus was that it is a welcome document, and in parts could influence, and be influenced by Lincolnshire Police's Distinctively Lincolnshire document, which sets out the force's strategic vision. Overall, favourable reviews received and the detail contained within the "What Success Looks Like" document was reassuring.</p>
LSCB (Lincolnshire Safeguarding Children's Board)	<ul style="list-style-type: none"> • (1) Under county statistics, there is no reference to Children and Young People and diversity. • (2) There is no reference to exploitation, homelessness, diversity, Could further consideration be given to these aspects? • (3) There is limited reference to vulnerability • (4) How will success be measured?
LSAB (Lincolnshire Safeguarding Adult's	<p><u>Context</u></p> <p>1. The national social, economic and environmental policy perspectives have a degree of uncertainty due to a potential change in</p>

Board)

- government and because of Brexit implications.
2. New & proposed legislation/regulation/strategies includes: Children & Social Work Act 2017; Homelessness Reduction Act 2017; Digital Economy Act 2017; Police & Crime Act 2017; Housing & Planning Act 2016; New Civil Society & Loneliness Strategies; further investment in MH Services – and on the horizon the Adult Social Care Green Paper.
3. Local policy perspectives are clearer:
- 3.1 GLLEP's growth priority sectors include: manufacturing; agri-food; low carbon; health & care; & port logistics.
- 3.2 These are set within a national Industrial Strategy which has 5 foundations of productivity as the building blocks for a transformed economy:
- **Ideas** – the world's most innovative economy
 - **People** – good jobs and greater earning power for all
 - **Infrastructure** – a major upgrade to the UK's infrastructure
 - **Business Environment** – the best place to start and grow a business
 - **Places** – prosperous communities across the UK
- 3.3 NHS In Lincolnshire, the Longer –Term Plan – the 4 core ambitions for starting, living and dying well include:
- **Prevention** – shifting the emphasis from treatment to prevention;
 - **Person Centred Care** – giving people choice and control over the way their care is planned and delivered, with a greater emphasis on self-management;
 - **Working Together** – aiming for more joined up and co-ordinated services across the health and care system and working with other partner agencies to connect care with transport, housing and the justice system to improve health and wellbeing;
 - **Care Close to Home** – providing services as far as possible in local communities with support from new technology developments.
- 3.4 Lincolnshire Police and Crime Commissioner [PCC] has 4 key priorities:
- **Community Safety and Prevention** working in partnership with others;
 - **Listening, Responding and being Accountable;**
 - **Protecting and Supporting** Victims and the Vulnerable;
 - **Policing that Works** – being responsive to different community needs.
- 3.5 City & District Councils – housing growth plans to provide an appropriate mix of sustainable housing, including social housing to meet the changing demographic profile across the County, including a closer relationship between health, care and housing.
4. The point being made in this section of the paper is that the LCC Corporate plan, can't be viewed in isolation, and needs to take into account the plans and strategies of other key public bodies.

General Comments

- (1) Suggest that a missions statement is required to complement the vision – Working for a Better Future [suggest include Together]; mission – To deliver high quality & cost effective services working with partner agencies and local communities.
- (2) Approach to include a clearer focus on ensuring the delivery high quality services which meet the needs of local communities.
- (3) Statistics – challenges arising from demographic changes with an increasing older population [of non-working age] and a decreasing working age population – explore job opportunities for older population as the retirement age increases, with a consequent economic benefit.
- (4) Business opportunities arising from a growing health, care and housing sector - Employs: 58,000 people; Value: £2bn per annum to the Greater Lincolnshire Economy.

Particular Comments

People and communities will have high aspirations

- (5) Promote vocational qualifications alongside academic qualifications to overcome skill shortages in key industries, including the health and care industry.
- (6) People and communities having the opportunity to participate in and enjoy life to the full – overcoming social isolation & loneliness – embracing the Governments strategies on Civil Society and Loneliness as part of an overall Wellbeing approach.

People & communities will have the opportunity to enjoy life to the full

- (7) Making adequate provision for affordable housing including housing for older people – retirement villages and extra care housing.
- (8) Supporting older people to work longer and to live active and healthy lifestyles & to contribute towards the decrease in the working age population.
- (9) Promoting volunteering opportunities as a way of accessing further education, training and employment
- (10) Provide public protection services which keep people safe from abuse, neglect and exploitation.

People and communities will have thriving environments

- (11) More effective promotion of Lincolnshire as a place where people want to come to work and enjoy leisure, heritage and tourism opportunities.
- (12) More effective public protection plans & services across urban and rural communities combating contemporary challenges such as MDS and County Lines.
- (13) Harnessing the strengths of rural communities to build social capital aimed at providing wellbeing and protection networks and overcoming social isolation.
- (14) Work with the agriculture sector to promote new innovations and carbon/environmentally friendly environments including

	<p>crop diversification for food and fuel purposes as the UK climate changes.</p> <ul style="list-style-type: none"> • (15) Greater investment in North/South & East/West road links with bypasses for the busiest towns. • (16) Greater emphasis on home working, sustainable park and ride schemes, accessible rail and bus services, and accessible locally based power supplies to meet the need of electric car development. • (17) Promoting accessible locally integrated services, with a focus on cohesive community networks aimed at self-help and self-management through a Community Champion approach working with Vol/Comm sector and Parish/Town Councils. <p>People and communities will have good value council services</p> <ul style="list-style-type: none"> • (18) This could read...People and communities will have good value services...per se. • (19) Adopt a more radical approach to achieve this by streamlining public sector bureaucracies and integrating services across LA's, NHS, & Public Protection Services, with resultant savings being invested into front-line services for the public. • (20) Greater investment into new technologies which focus on improving productivity and the skills base of the workforce. The plan should have a greater focus on new technology developments as a way supporting communities, developing new industries and providing new employment. <p><u>Conclusions</u></p> <ul style="list-style-type: none"> • (21) This feedback provides a rather broader sweep of comments in respect of LCC's Draft Corporate Plan, but it aims to provide some helpful ideas and suggestions to be considered in any future iteration of the plan.
LALC (Lincolnshire Association of Local Councils)	<p>Town and Parish council and LALC Networking day (10 T&PC representatives provided feedback at the face to face session held on the 27th November 2019 in Cranwell Village Hall)</p> <p>High Aspirations</p> <ol style="list-style-type: none"> 1) Infrastructure & roads are missing 2) In Kirton, people leave the village for work (creating a dormitory), there are no busses past a certain time so people have to rely on cars (often with no passengers as people work different times/shifts). It is big parish but contains nothing but homes and eateries (no shops). 3) There should be able restrictions in place to number of takeaway/restaurants via from the same customers to help them thrive. 4) People can't work from home in rural areas due to poor broadband, this needs to improve and better public transport needs to be available. 5) Rural areas and small town do not have the same infrastructure as the lager towns and city 6) Need to invest in better public transport or car share schemes to protect the environment 7) Large areas are being developed for housing, but new builds tend to have block paves with wooded fences, how does the

- rain water drain away and should plant shrubs not fences
 8) LCC own a lot of land – why not plant trees

The opportunities to enjoy life to the full

- 9) Give children the best possible start in life – lots of kids are through mental health issue, kids are being brought up as 'snowflakes' no life lessons can lead to mental health problems and stress
 10) Design as accessible and responsive health ad care system within local communities supporting families – will LCC be working with GPs on this point
 11) Can't get volunteers for car share schemes and Parish councils
 12) How can LCC communicate better with communities
 13) County news is good, but could be more regular and include update form Town and parish councils
 14) Not enough for kids to do outside of school

Thriving environments

- 15) Will LCC push for plastic free
 16) We need more police to ensure families can live safely and thrive
 17) Switch street light back on – did it save us any money anyway?
 18) It would be useful to know who is responsible for maintaining which lights
 19) Different coloured bins for recycling – why can't all districts have the same colour systems and the same recycling items – need to standardised

Good value council services

- 20) Public sector buildings are used flexibly to benefit communities – Will LCC declare what space is available & for what use, who could use and would there be a charge
 21) High quality public services are delivered in an effective way – is it better to contract out? Does it offer value for money? E.g. Serco
 22) Contractors need to be held accountable e.g. if the pot hole repairs fail, they should re do it free of charge
 23) Green spaces to be given more to improve them for people to enjoy
 24) Public services/transport needs to improve in rural area
 25) Need to promote Call Connect
 26) Why do all children in rural areas receive free taxi to school (even those with access to a car) could this be a min bus or even means tested
 27) Why do Blue Badge holders not pay for some parking?

OPE (One Public Estate)	<ul style="list-style-type: none"> • (1) Family references, suggestion that there be reference to family and the individual • (2) Should be a stronger reference to Climate change mitigation
LINCA (Lincolnshire Care Association)	<ul style="list-style-type: none"> • (1) When I first read the plan, I thought it was very generic, and could have been anywhere. On closer scrutiny, the "success for Lincolnshire" points seem more specific, and I wonder if the order is significant as the areas that are a big challenge in Lincolnshire are high on the list. • (2) My only detailed comment is that there is an aspiration to grow the workforce by retaining and attracting 16 – 40 year olds, but is there not also a need to encourage contribution to the economy beyond current retiring ages? • (3) Overall, it looks like a challenging and comprehensive, but achievable plan for the future
Carers First	<p><u>Page 1 Feedback</u></p> <ul style="list-style-type: none"> • Customer focused: All Carers FIRST staff have undertaken ‘strength based’ and ‘Person Centred’ training with Neighbourhood Teams – we are clear of expectations regarding person centred approaches and champion on behalf of the carers service ‘Think Local, Act Personal’ programme. • Connecting communities: CF has developed its digital offer to carers, through Lincolnshire BCF funding and external sources, offering online peer support / forums and self-serve / navigation. • Advocating for Lincolnshire: CF has raised the profile of LCC’ commitment to carers through 3 national awards in 2018/19. • Making your money go further: CFs benefits advisors (BCF and core contract funded) have brought £4 million to the Lincolnshire carers economy in 2018/19. Additionally, our grant fundraiser has secured £100,000 towards Lincolnshire Carer Wellbeing groups and Projects. • Working Creatively: Our Hospital ‘in reach team’ have worked creatively in linking both hospital admissions and discharge with enhanced Locality based support both directly through Carers FIRST and Assessment support, but also by working collaboratively with other locality partners in a more joined up way. <p><u>Other page 1 feedback included:</u></p> <ul style="list-style-type: none"> • Just a thought about the word ‘customer’. Would this be better as ‘client’ or ‘people’? • Working collaboratively – should there be more mention of health and social care working together to support communities / people? <p><u>Page 2 Feedback</u></p> <ul style="list-style-type: none"> • Aspirations: should these be ordered as per Maslow’s hierarchy? Health, safety and housing before work and aspirations? Should there be more specific mention of apprenticeships and of enabling and supporting vulnerable groups of children and adults?

- CF has built a close working relationship with the neighbourhood teams, has worked with young adult carers as part of the employment project (BCF funded)

Page 4 Feedback

- Housing: CF has worked closely with P3 and district councils to support the housing needs of carers.
- Carers assessment is used as a tool to encourage carers to seek opportunities to improve their wellbeing and reduce the impact of their caring role.
- Use of the word 'carers' - does this need to clarify unpaid carers?

Page 5 Feedback

- Education and learning for carers: The education and learning programme for Carers has been expanded by Carers FIRST, in collaboration with carers it now includes:
 - Confidently Caring Programme (four to five sessions for new carers and those requiring a refresh)
 - Mental Health and Mindfulness sessions
 - Wellbeing Tai Chi and Mindfulness sessions
 - Time for me workshops
 - Social Prescribing Workshops
 - Healthy Eating Programme
 - Avoiding cyber scams and buying online safely
 - Fire Safety
 - Laughter Yoga
- Opportunities to enjoy Free Time: Carer breaks is a key part of conversations with carers and it is important that carers are enabled to access time away from their caring role.

Page 6 Feedback

- Travel – this remains a challenge in Lincolnshire for carers and staff providing services
- Innovation: Carers FIRST have championed innovation within the Carers Service leading to:
 - Enhance Digital Offer for Carers
 - Whole system approach to collaborative working (combined use of Mosaic for Assessments and case recording)
 - Delegated responsibility for approval of Personal Budgets below £1k
 - Collaborative system processes to support Carers into Employment with DWP
 - Combining the Carers Star (Distance Travelled Measure) with the Mosaic Assessment

Supporting during key life events: Palliative and End of Life pathway in place to support Carers who need the service. Employment pathway for Carers in collaboration with DWP, working collaboratively with Neighbourhood Teams, especially around Frailty Carers

LPCF (Lincolnshire Parent Carer Forum)	<p>Very supportive of the plan. Felt it was clear to read and ambitious.</p> <ul style="list-style-type: none"> • (1) Would have liked to have seen the Climate agenda feature more strongly in our commitments. • (2) Some challenge around how generic it could be seen as – if you took 'Lincolnshire' off the title, would you know it was Lincolnshire?
Culture (includes: GLL and Friends of groups)	<p><u>Friends of Lincoln Museums and Gallery Committee</u></p> <ol style="list-style-type: none"> 1) Felt that when learning was highlighted, that heritage was often forgotten as being an important option, and that it should be an aspiration of LCC to think out of the box and do things in new and different ways, and to develop interactions that involves different services. 2) Would like more clarity on how ambitions would be measured. It was highlighted that we need to better understand our communities, and needed better technology to get both quantitative and qualitative information. In particular, how will we demonstrate to our communities that we meeting their needs? 3) It was felt that these are high aspirations for success – more people have skills for life, higher paid jobs etc. 4) It was felt that it should be a strong ambition for people to enjoy their free time. 5) It was felt that the ambitions sit within their own silos, and we need to demonstrate that we are more integrated in the delivery of services as they touch people's lives. 6) It is important that services are available at the right time in order to meet all needs. For example, different opening hours to meet the needs of those who work Mon-Fri 9 to 5 and evenings, and can't access our services. 7) There was little evidence of any ambition for different departments/services in LCC to work more closely together – needed greater inter-connectivity. 8) It was felt that the structure was very top-down, and that possibly we don't listen well enough to the communities we serve – it reads very much as 'management speak', and 'this is what we are going to do' and therefore communities are expected to participate. We need to listen more and demonstrate that I what we are doing. 9) The group also said that as the plan is updated following the feedback from stakeholders that they'd be happy to review it again. <p><u>Informal Meeting with Chair of Heritage Lincolnshire Forum</u></p> <ol style="list-style-type: none"> 1) Nothing significant missing 2) Heritage can play an important role in all the ambitions, particularly in the area of young people and skills (the Forum is setting up a student forum). This can also link to working with orgs like the University(ies) and businesses particularly to keep people in the area. 3) Strong heritage and heritage site links to local communities 4) Volunteering is very important- with both the volunteer and the orgs volunteered with benefitting. 5) Young people are really important. <p><u>Regular Management Meeting with Business Manager of Greenwich Leisure Limited</u></p>

	<ol style="list-style-type: none"> 1) Pride in heritage, culture and libraries – could be included. 2) A stronger connection to libraries – as many of the aspects could be achieved through library services. 3) Acknowledgement of the 'harder to reach' users/customers – especially as we have the mobile service which does help and support with this 4) Libraries fit best with the 'Thriving Environments' section – particularly around access to information and provision of a service that can be used in ones 'free time'. 5) Clearly there are also links to 'High Aspirations' with our community hub model and the opportunities this offers to develop skills/confidence in volunteering at sites and the whole ethos of giving communities more control/supporting them to succeed. 6) Again, community hubs support 'good value council services' as again it is about how we best utilise funds whilst ensuring service provision is maintained. Equally, how we have encouraged to multifaceted approach our hubs can take and the links there could be with other services.
Voluntary and community sector	<p><u>Healthwatch feedback</u></p> <p><u>Page 1</u></p> <ol style="list-style-type: none"> 1) (Re: bullet points) – If this document will be going into the public domain it would benefit from actual examples as to how LCC is committed to all of these 6 areas, for example, "Being customer focused" how will you actually find out what the key issue are (or do you already know) will this be through listening events, surveys, focus groups, face to face etc. I believe this would move the document from aspirational to achievable. 2) At the end or throughout the document it would be good to see some broad brush timescales and actions. <p><u>Page 2</u></p> <ol style="list-style-type: none"> 3) (Re: last sentence in narrative for ambition 1 "...enabling people to live longer in better health,...") – there is mention here about health and wellbeing, people living longer in better health etc. but nowhere below does the success or leading the way obviously refer to how this will happen. Would it also be prudent to refer to areas such as JHWS and how that impacts our overall health? 4) (Re: "<i>Design an accessible and responsive health and social care system within local communities which protects people and promotes wellbeing.</i>") – This section really needs a link to our health care/Integrated Care Systems/STP/Long Term Plan work and how systems will be working together. I am assuming here that LCC will not be designing a separate accessible and responsive health and care system. 5) In the first instance, I have focused on the area headings which have greater significance for the Health and Care Sector including Healthwatch. In this respect the Draft Plan highlights the following topic : "People and Communities will have the opportunity to enjoy life to the full". <p>The sub-headings at this section indicate a range of concerns and the emphasis is on Partnership working [Statutory/Voluntary Services] to achieve these objectives which span Health Services, Children's Services and Adult Social Care. However, there is</p>

	<p>no Prevention identified as part of the Corporate Plan at this Section or, indeed, any related Public Health initiatives. There is evidently less focus on the delivery or operational dimension and more emphasis on the broad aims or Strategy as a vision for a 10 year period. More realistically, should it be 2020-2025?</p> <p>In order to add more substance to the Corporate Plan as a whole, I would therefore suggest that hyperlinks could be provided at some point in the document to the structure of County Council Committee Meetings which have relevance including Adults /Community Wellbeing; Children and Young Persons; the Overview and Scrutiny Management Committee , Public Protection & Communities , Health and Wellbeing Board etc. This will provide the reader with an opportunity to gain a deeper insight into Service evolution and the ongoing issues which are being addressed month by month.</p> <p>Overall therefore, it is important that the Council should provide as much information to the reader by enabling them to become more informed about Economic and Social Policy developments in the County of Lincolnshire. The Corporate Plan could additionally provide references to the various themes and briefings, data and intelligence available on the Regional Research Observatory website [www.research-lincs.org.uk] and secondly, to the Greater Lincolnshire Local Enterprise Partnership [https://www.greaterlincolnshirelep.co.uk/priorities-and-plans/sectors/]. Clearly, the Council does not have sole Organisational responsibility for delivering on the Corporate Plan. There is a complex infrastructure of organisational inter-dependencies working collaboratively or in Partnership and this fact should not be simplified.</p>
Town and Parish Councils	<p><u>Welby Parish Council</u></p> <ul style="list-style-type: none"> • (1) Whilst you state what success will look like there are no measurable <i>[missing word]</i>. • (2) What are the KPIs? • (3) What is the start point (the baseline?) • (4) What is the measure of success – what increase on baseline denotes success? • (5) If you do not know the baseline and have a target you cannot measure what success is or what it looks like and by definition cannot report any value for money or return on investment. • (6) Is there more detail not included here? It would be helpful to understand that. <p><u>East Keal Parish Council</u></p> <ul style="list-style-type: none"> • (7) Not much to disagree with but came over as being from a textbook, and not relating to specific Lincolnshire issues. • (8) Please can you change it to include more road building, widening roads and changing A-roads to being dual carriageway? We are lagging way behind other counties on this and all friends as well as work people still joke about Lincolnshire still being cut off and living in the past regarding road communications. In particular, there should be a good dual carriageway trunk road up the east coast: Boston – Skegness – Grimsby

Hemswell Cliff Parish Council

- (9) Our Parish Council meets the first Monday of every month and the agenda for our next meeting went out last Monday. Your **deadline for comments** is 25 November before our December meeting. I will ask for comments by email but it may be worth allowing for a longer time to comment and some parishes do not meet monthly. We would have liked to have this on the agenda and speak with our County Councillor before submitting comments. I hope you can consider our request.

Stan Hall, Parish Clerk (Parish not specified)

- (10) As clerk to two parish councils the major area of complaint and discontent is the **failure of LCC to fix our crumbling roads and pavements.**
- (11) Fix My Street, the adopted LCC, on-line highway defect reporting tool shows 1,700,000 defects have been reported and 700,000 have been fixed. Also, the rate at which defects are reported exceeds the rate at which defects are fixed by 100%. For every two defects reported only 1 gets fixed. Either the reporting system is not being maintained properly, people wait that long a defect is fixed they report it again or the repairs are not being carried out. I have some evidence which makes me support the latter assertion.

Louth Town Council

(12) Further to your kind Louth Town Council (LTC) discussed your corporate plan on Tuesday 26th November and resolved that they are happy to accept the draft plan at face value but would comment that at present, the Draft Plan does not seem to include any provision for an evaluation or review of how it is working. LTC would like to see this included. LTC also noted that the plan does not include enough detail about how aims will be achieved. LTC wondered if it would be possible for someone from LCC to attend at a meeting to go through the plan in detail with them? Finally, LTC noted that the plan does not mention tourism and they wondered why this was.

Long-time Sutton Bridge Resident

(13) The **Sutton Bridge "marina"** is no such thing. Just muddy moorings which have cost just short of £1m for no discernible benefit to Sutton Bridge. Spending some £50,000 per berth to provide moorings for people already rich enough to own a boat is a financial scandal. Please ensure that no further funds are allocated to this pointless project

Caythorpe and Frieston Parish Council

- 1) As requested in the LACL newsletter, I have read the LCC corporate plan. It is full of great ambitions for the county, but I note that although connectivity, roads and travel are mentioned, there is **no specific mention of bus services**. Public transport is essential to meet the aims of access to schools, health services and employment. Perhaps you could include it in both the

document and your plans for Lincolnshire's future.

Horncastle Town Council

Please see below the comments from Horncastle Town Council to LCC's Draft Corporate Plan. Our **comments would be mainly directed to the approach** as the vision is a new initiative:

- 1) Being customer focused – understanding the key issues for Lincolnshire's people and places, to help shape services

In reality how is this going to be achieved? We have raised numerous times about the lack of communication from LCC in particular highways. Who do you class as your customers? There should be a thorough piece of engagement work from LCC to understand what your customer areas are, councils, businesses and residents and you should allow frank feedback as to what your customers want from you. Our residents and councillors have never been asked.

- 2) Working collaboratively – recognising our challenges and developing plans to deliver improvements together with communities and partners. This is a significant change from the reduction in contact with officers in the past few years. It is a welcome shift in direction but we would like to have an understanding as to how it is planned to be achieved.
- 3) Connecting our communities – using infrastructure to connect people and places, including digital communications, rail and road networks. What are the long term plans for solving some of the known infrastructure problems for the area, these being, A153/A158 junction. Lack of public transport services and frequency and long term plan for high speed broadband in the area.
- 4) Advocating for Lincolnshire – working with our partners to passionately advocate for Lincolnshire, attracting additional investment to strengthen our communities. Be transparent, who are these partners, how will this investment fit in to the other areas of the approach.
- 5) Making your money go further – providing cost effective, high quality services. Comments like this can be frustrating when repairs are dealt with in a singular way, a pothole is repaired on day for another nearby to be repaired the following week.
- 6) Working creatively – tackling our challenges and making the most of all opportunities and innovation.

Great Carlton Parish Council

1. General Views on the Plan

Wonderful high ideals but I suspect not realistically attainable. If you were able to put these proposals into practice, we would be the best county in Great Britain. This is “blue sky thinking” but what we next need to see are the details on how this plan would be achieved.

2. Anything Missing or Disagreed with

You talk about improvement in safety to local communities but there is no mention of the police force. In rural areas crime is on the increase and people are concerned about the lack of police presence in the areas.

There are some buzz words that need explaining. ie. Clean economic and social growth. Twice clean growth is mentioned. What does it mean? It would be clearer if standard English was used.

You have assumed that everyone has the opportunity to live their lives to the full. We know that this statement is untrue.

Most of your bullet points are concerned with children, quite rightly so, but there are a lot of senior citizens in this county who you have totally ignored. A lot of them contribute to local communities and businesses.

You want to champion educational excellence and enhance the skills of the population. So how do these high ideals equate to closing down a secondary school in Mablethorpe? Not a move that was helpful for the community.

3. Does the plan reflect the need of your area

We are a very small rural community which is 2 miles from the nearest shop, bus service and doctors. Most people have to rely on their own transport, so having the roads better maintained would be beneficial for us. Because of the poor state of the roads a lot of damage has been caused to tyres and car suspensions. The class A and B roads are not too bad, but the village access C roads are especially poor.

All your bullet points are to develop Lincolnshire as a thriving county, attracting more businesses and a young workforce, but you also need to respect the countryside and the inhabitants who do not wish to see green fields being turned into developments.

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CORPORATE PLAN

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OUR VISION: Working for a better future

Welcome to Lincolnshire County Council's Corporate Plan, which sets out what we want to achieve for local residents and communities.

Our ambitions go far beyond what we can deliver on our own, so you will find detailed here how we will work with public and private organisations to bring greater and lasting benefits to our county.

The Corporate Plan underpins our 'One Council' approach, which ensures all services are working towards shared goals and will help different areas of the council work together more effectively.

In 2019/20, the total cost of services Lincolnshire County Council provides will amount to £1,303m, inclusive of schools. The current capital programme encompasses planned spend of £119m in 2019/20 and a further £146m in future years.

We want to be a council that continues to offer our residents the services they need and the lifestyle they deserve, but that also shows strong leadership and speaks up proudly for Lincolnshire.

We are identifying key priorities for this council and for Lincolnshire. We are determined that in the coming years people and communities will have:

- High aspirations
- The opportunity to enjoy life to the full
- Thriving environments
- Good-value council services

Martin Hill

Cllr Martin Hill OBE
Leader of Lincolnshire County Council

Debbie Barnes

Debbie Barnes OBE
Head of Paid Service, Lincolnshire County Council

751,200 PEOPLE
is the current population and expected to increase by 10% by 2041 (2017 figures)

£1.5 BILLION
is the value of Lincolnshire's strong mixed economy (per year)

+30% OVER 65
is the projected increase of the county's over 65 population by 2041

127 PER SQ KM
Population density remains low compared with the national average 427 per sq km

OUR STRENGTHS and challenges

The local government sector is under unprecedented pressure particularly in large rural counties such as Lincolnshire, which is the fourth largest county in England and covers 5,921 square miles.

More than 50,000 people in Lincolnshire live in an area recognised as being in the 10% most deprived in the country. Four of the seven districts in the county are classed as either mainly or largely rural and the sparsity makes services more difficult and costly to deliver.

The current population in Lincolnshire is 751,200, but this figure is predicted to grow by 10% by 2041, with 30% of the population expected to be over 65. Over the past eight years our main Government grant has fallen by 90%, from £211m to £20m.

There is also much uncertainty over future government funding of local authorities and we are awaiting a national funding system that is fit for purpose.

However, despite the challenges, there have been great achievements:

- An expanding visitor economy that generated £1.5bn in 2017, attracting 20 million visitors. This can be attributed mainly to county heritage sites such as Lincoln Castle.
- In 2018/19, the council spent £61m on maintaining and improving more than 5,470 miles of the county's roads. We also improved the protection from flood risk for 33,084 homes, with £106m being invested in flood risk management.

- More than 80% of pupils in Lincolnshire are in a 'good' or 'outstanding' school as determined by Ofsted, while, at 12.9%, Lincolnshire has a higher number of pupils with SEND support than the England average.

The county council has achieved a considerable amount in many areas despite the challenges faced.

This includes:

- Children's Services being rated as outstanding and widely regarded as one of the best in the country
- Delivering innovative property projects that have made efficiency savings and benefited partnership working
- Being recognised as one of the highest-achieving highways authorities in the country
- Leading on the delivery of superfast broadband to 97% of residents

More widely, Lincolnshire has a strong mixed economy worth £13.5bn per year, with key sectors including agri-food, tourism and manufacturing. We recognise key challenges from:

- A huge increase in demand for social care, which is only predicted to grow
- Dealing with waste as national recycling targets rise and recycling markets remain volatile
- Current economic uncertainties requiring residents of all ages to be equipped with the skills of the future

- The scale of change required over the next 30 years to maintain our consistent and evidence-led approach to climate change and leave a positive environmental legacy
- The need for effective digital connectivity and technology across our rural county



£1.5 BILLION

is the revenue generated by the county's visitor economy, mainly from heritage sites such as Lincoln Castle (2017 figures)

£325 MILLION

is the value of nature based tourism and leisure activity in Greater Lincolnshire

LINCOLN CASTLE

Kings and Convicts • Power and Punishment

Medieval Wall Walk
Victorian Prison
Magna Carta

1,000 years of history - where it happened

TICKET PRICES	Adult	Children	Under 16	Family (2 Adults, 2 Children)
Medieval Wall Walk	£10.00	£5.00	£2.00	£20.00
Victorian Prison	£14.00	£7.00	£3.00	£28.00
Family (2 Adults, 2 Children)	£38.00	£19.00	£7.00	£74.00
Child & Family (1 Child, 2 Adults)	£18.00	£9.00	£3.00	£30.00
Family (2 Adults, 2 Children)	£38.00	£19.00	£7.00	£74.00

Since its £22 million restoration visitors to Lincoln Castle have boomed.

Sarah Jackson is starting her career as a Siemens apprentice.



SUPPORT high aspirations

We are working towards making Lincolnshire a place where everyone has high aspirations for their lives and their communities.

We know that we have to work with others to help create the environment for this to happen. Our role in supporting our businesses to succeed is essential, enabling them to provide high-quality jobs, skills and development opportunities for residents of all ages and to attract people into our county.

We want Lincolnshire to be a place where our young people achieve their full potential, which will only be possible if Lincolnshire is seen as a great place for starting and building a career.

This means that we:

- Help neighbourhoods flourish
- Support businesses to succeed
- Help our young people achieve
- Offer additional learning options to all
- Establish high-quality jobs, skills and development opportunities
- Protect the environment for the future

Success for Lincolnshire means:

- More people have the skills and attributes for work, enabling them to make a positive contribution to their community
- More people are in higher-paid and skilled jobs
- Increased economic productivity, driven by a flexible well-trained workforce
- Local employers have the skills they need in a diverse and successful environment
- More people leave education with better qualifications and skills
- Improved use and protection of our natural and built resources

We will lead the way with others to:

- Enhance the skills of our communities to meet the needs of our businesses and the economy
- Grow the workforce by retaining and attracting more highly-skilled 18-40 year olds
- Promote healthy, inclusive and accessible employment and learning opportunities

- Champion educational excellence so every child/young person has a high-quality education to succeed in life
- Deliver economic growth to create and sustain vibrant communities
- Manage the risks to our environment from climate change to protect our natural and built resources for future generations



ENABLE EVERYONE to enjoy life to the full

We want Lincolnshire to be a place where everyone has the opportunity to live their lives to the full, with independence and access to the right support at the right time.

We want children to have the best possible start in life and we know that having a safe and loving home and good-quality housing is essential. Collaborating and working with partners across the county, we want everyone in Lincolnshire to be given the opportunities that enable them to have a fulfilling life.

We have an important role in ensuring that carers are supported, helping all those who look after others, and that the county's health and care services are accessible and responsive.

This means that we:

- Promote safe and secure homes
- Help those who look after others
- Aspire for all children to have a caring home
- Give children the best possible start
- Provide opportunities for a fulfilling life

Success for Lincolnshire means:

- More people are able to live independently and positively contribute to their local community
- More opportunities for people to choose healthy lives
- Thriving communities, supporting people to enjoy life to the full
- Everyone enjoys a safe and secure home and is protected from harm



- Children thrive in their early years and are well prepared to start school
- Good quality, accessible services, including for those in need and their carers, that make a real and lasting difference
- Thriving voluntary community groups that drive collaboration and innovation

We will lead the way with others to:

- Create accommodation options for greater independence and wellbeing
- Intervene effectively to keep vulnerable people safe, making sure children in care and care leavers get the best opportunities
- Design an accessible and responsive health and care system within local communities, protecting people and promoting wellbeing
- Deliver quality children centres, which are at the heart of our communities supporting families so their children thrive
- Promote and enable better mental health for all
- Promote the support offer to our communities to enable them to be self-sufficient and thriving



School children enjoying an outing to Willoughby Farm.

The holiday resort of Skegness on the east coast.

4TH MOST POPULAR

Skegness is the UK's 4th most popular holiday resort

CREATE thriving environments

Lincolnshire is a thriving county and we want communities to feel empowered to continually improve all aspects of their environment.

We want to build on our ambition of high aspirations and enhance Lincolnshire's strengths, to sustain and develop a prosperous future.

We will work with others to enable the county to exceed its potential, making it an even better place to visit, live, relax, work and do business. A thriving county means making sure families can live safely and have access to great choice and high-quality education.

We want to enable everyone to have opportunities to enjoy their free time, which will mean improving our infrastructure across the county and looking after our places in a sustainable way.

We have an important role in advocating for Lincolnshire and in generating collective pride in our wonderful county.

This means that we:

- Look after our places in a sustainable way
- Develop our county for a prosperous future
- Assist everyone to live safely
- Provide great choice and high-quality education
- Enable opportunities to enjoy free time

Success for Lincolnshire means:

- All communities are benefitting from 'clean' economic and social growth
- Better digital infrastructure, providing improved connectivity
- More businesses are at the forefront of technology, research and development
- More people visit and enjoy Lincolnshire's leisure, tourism and cultural experiences
- Lincolnshire secures more investment for a prosperous future
- Roads and transport infrastructure continue to improve, with better maintenance and connectivity
- Communities have accessible and high-quality public services
- Safer, healthier, connected and resilient communities and businesses, working together to improve our neighbourhoods

We will lead the way with others to:

- Advocate for investment in our transport and energy infrastructure, digital connectivity and schools, championing active, sustainable travel
- Deliver 'clean' growth in the right place and at the right time
- Champion Lincolnshire as a destination of choice to visit, live, relax, work and do business
- Plan growth to benefit the whole community through connecting people, housing, employment, businesses and the natural environment
- Provide sufficient, high-quality and inclusive education places locally
- Improve the safety of local communities

£106M INVESTMENT

since 2016 in flood risk management across the county

4TH LARGEST

Lincolnshire is the 4th largest county in the UK covering 5,921 sq km

PROVIDE good value council services

Residents of Lincolnshire should be able to benefit from good-value council services and we are constantly working to make sure that is the norm.

We have maintained low Council Tax levels whilst continuing to deliver effective services and we intend to continue this approach. How we operate as an organisation must continually improve and be more customer-focused.

We want to focus on encouraging collaboration and innovation. This will help us make the best use of all our resources, particularly our buildings and funding.

This means that we:

- Support community spaces and travel
- Encourage innovation and are innovative ourselves
- Make the best use of buildings and funding
- Support those who need extra help, especially older residents
- Provide support during key life events

Success for Lincolnshire means:

- Understanding our communities and customers
- Innovative services making best use of technology to meet the needs of our customers
- Effective and efficient partnerships operate across Lincolnshire and are responsive to emerging opportunities
- People's needs are met in a timely, responsive and efficient way
- Public sector buildings are used flexibly to benefit communities



- Communities have a strong voice and are empowered to make a difference
- High-quality public services are delivered in a cost-effective way

We will lead the way with others to:

- Design our processes and services to meet customers' needs
- Shout loud and proud for Lincolnshire to achieve our ambitions
- Engage, listen and respond to our communities
- Maximise opportunities to work with others and improve service delivery
- Nurture and celebrate a forward-looking, high-performing, skilled and empowered workforce
- Continue to innovate and make best use of our assets
- Get the most out of our shared public estate, to provide more community opportunities, housing, employment and accessible services
- Put our customers first, so we respond with one voice, working effectively across teams
- Be there when communities need us most, responding collaboratively to emergencies



CallConnect provides public transport in the county where conventional bus services are limited or infrequent.

OUR approach

To make sure we continue to provide good services but also work towards meeting the wider needs of Lincolnshire. We are committed to:

- **Being customer-focused** – understanding the key issues for Lincolnshire’s people and places, to help shape services
- **Working collaboratively** – recognising our challenges and developing plans to deliver improvements, together with communities and partners
- **Connecting our communities** – using infrastructure to connect people and places, including digital communications, rail and road networks
- **Advocating for Lincolnshire** – working with our partners to passionately advocate for Lincolnshire, attracting additional investment to strengthen our communities
- **Making your money go further** – providing cost-effective, high-quality services
- **Working creatively** – tackling our challenges and making the most of all opportunities and innovation

i FOR MORE INFORMATION VISIT WWW.LINCOLNSHIRE.GOV.UK/CORPORATEPLAN

LOW COUNCIL TAX

Council tax is one of the lowest of the shire counties

£61M INVESTMENT

In 2018/19 the council spent £61m maintaining and improving the county’s 5,473 miles of roads

3RD HIGHEST

Lincolnshire has the 3rd highest number of farms of over 100ha in the country





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Equality Impact Analysis to enable informed decisions

The purpose of this document is to:-

- I. help decision makers fulfil their duties under the Equality Act 2010 and
- II. for you to evidence the positive and adverse impacts of the proposed change on people with protected characteristics and ways to mitigate or eliminate any adverse impacts.

Using this form

This form must be updated and reviewed as your evidence on a proposal for a project/service change/policy/commissioning of a service or decommissioning of a service evolves taking into account any consultation feedback, significant changes to the proposals and data to support impacts of proposed changes. The key findings of the most up to date version of the Equality Impact Analysis must be explained in the report to the decision maker and the Equality Impact Analysis must be attached to the decision making report.

****Please make sure you read the information below so that you understand what is required under the Equality Act 2010****

Equality Act 2010

The Equality Act 2010 applies to both our workforce and our customers. Under the Equality Act 2010, decision makers are under a personal duty, to have due (that is proportionate) regard to the need to protect and promote the interests of persons with protected characteristics.

Protected characteristics

The protected characteristics under the Act are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

Section 149 of the Equality Act 2010

Section 149 requires a public authority to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by/or under the Act
- Advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share those characteristics
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The purpose of Section 149 is to get decision makers to consider the impact their decisions may or will have on those with protected characteristics and by evidencing the impacts on people with protected characteristics decision makers should be able to demonstrate 'due regard'.

Decision makers duty under the Act

Having had careful regard to the Equality Impact Analysis, and also the consultation responses, decision makers are under a personal duty to have due regard to the need to protect and promote the interests of persons with protected characteristics (see above) and to:-

- (i) consider and analyse how the decision is likely to affect those with protected characteristics, in practical terms,
- (ii) remove any unlawful discrimination, harassment, victimisation and other prohibited conduct,
- (iii) consider whether practical steps should be taken to mitigate or avoid any adverse consequences that the decision is likely to have, for persons with protected characteristics and, indeed, to consider whether the decision should not be taken at all, in the interests of persons with protected characteristics,
- (iv) consider whether steps should be taken to advance equality, foster good relations and generally promote the interests of persons with protected characteristics, either by varying the recommended decision or by taking some other decision.

Conducting an Impact Analysis

The Equality Impact Analysis is a process to identify the impact or likely impact a project, proposed service change, commissioning, decommissioning or policy will have on people with protected characteristics listed above. It should be considered at the beginning of the decision making process.

The Lead Officer responsibility

This is the person writing the report for the decision maker. It is the responsibility of the Lead Officer to make sure that the Equality Impact Analysis is robust and proportionate to the decision being taken.

Summary of findings

You must provide a clear and concise summary of the key findings of this Equality Impact Analysis in the decision making report and attach this Equality Impact Analysis to the report.

Impact – definition

An impact is an intentional or unintentional lasting consequence or significant change to people's lives brought about by an action or series of actions.

How much detail to include?

The Equality Impact Analysis should be proportionate to the impact of proposed change. In deciding this asking simple questions “Who might be affected by this decision?” “Which protected characteristics might be affected?” and “How might they be affected?” will help you consider the extent to which you already have evidence, information and data, and where there are gaps that you will need to explore. Ensure the source and date of any existing data is referenced.

You must consider both obvious and any less obvious impacts. Engaging with people with the protected characteristics will help you to identify less obvious impacts as these groups share their perspectives with you.

A given proposal may have a positive impact on one or more protected characteristics and have an adverse impact on others. You must capture these differences in this form to help decision makers to arrive at a view as to where the balance of advantage or disadvantage lies. If an adverse impact is unavoidable then it must be clearly justified and recorded as such, with an explanation as to why no steps can be taken to avoid the impact. Consequences must be included.

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Proposals for more than one option If more than one option is being proposed you must ensure that the Equality Impact Analysis covers all options. Depending on the circumstances, it may be more appropriate to complete an Equality Impact Analysis for each option.

The information you provide in this form must be sufficient to allow the decision maker to fulfil their role as above. You must include the latest version of the Equality Impact Analysis with the report to the decision maker. Please be aware that the information in this form must be able to stand up to legal challenge.

Background Information

Title of the policy / project / service being considered	Lincolnshire County Council's Corporate Plan 2020-2030	Person / people completing analysis	Verity Druce
Service Area	Corporate	Lead Officer	Debbie Barnes OBE, Head of Paid Service
Who is the decision maker?	County Council	How was the Equality Impact Analysis undertaken?	Desktop exercise
Date of meeting when decision will be made	11/12/2019	Version control	V1
Is this proposed change to an existing policy/service/project or is it new?	Existing policy/service/project	LCC directly delivered, commissioned, re-commissioned or de-commissioned?	Directly delivered
Describe the proposed change	<p>A new Corporate Plan is being drafted by the council to set out its long term ambitions for the county and the strategic development needed to fulfil the expectations of Lincolnshire communities for the next 10 years.</p> <p>The Corporate Plan is aiming to establish a high level and strategic perspective of developmental priorities and not a detailed operational delivery plan, therefore this EIA is an overarching one, highlighting who might be impacted and why. Directorate Plans derived from the Corporate Plan will evidence specific impacts on those with protected characteristics.</p>		

Evidencing the impacts

In this section you will explain the difference that proposed changes are likely to make on people with protected characteristics. To help you do this first consider the impacts the proposed changes may have on people without protected characteristics before then considering the impacts the proposed changes may have on people with protected characteristics.

You must evidence here who will benefit and how they will benefit. If there are no benefits that you can identify please state 'No perceived benefit' under the relevant protected characteristic. You can add sub categories under the protected characteristics to make clear the impacts. For example under Age you may have considered the impact on 0-5 year olds or people aged 65 and over, under Race you may have considered Eastern European migrants, under Sex you may have considered specific impacts on men.

Data to support impacts of proposed changes

When considering the equality impact of a decision it is important to know who the people are that will be affected by any change.

Population data and the Joint Strategic Needs Assessment

The Lincolnshire Research Observatory (LRO) holds a range of population data by the protected characteristics. This can help put a decision into context. Visit the LRO website and its population theme page by following this link: <http://www.research-lincs.org.uk> If you cannot find what you are looking for, or need more information, please contact the LRO team. You will also find information about the Joint Strategic Needs Assessment on the LRO website.

Workforce profiles

You can obtain information by many of the protected characteristics for the Council's workforce and comparisons with the labour market on the [Council's website](#). As of 1st April 2015, managers can obtain workforce profile data by the protected characteristics for their specific areas using Agresso.

Positive impacts

The proposed change may have the following positive impacts on persons with protected characteristics – If no positive impact, please state 'no positive impact'.

Age

Key strategic ambitions might positively impact young people and older people.

Ambition 1 – People and communities will have high aspirations

- Positive impact on young people by helping them leave education with better qualifications and skills and achieve full potential - the impact of this might be increased job opportunities, better health and wellbeing and financial inclusion
- Promote healthy, inclusive and accessible employment and learning opportunities
- Offer additional learning options to all (older people/lifelong learning?)

Ambition 2 – People and communities will have the opportunity to enjoy life to the full

- Support all children to have a loving home
- Give children the best possible start in life
- Children thrive in their early years and are well prepared to start school
- Intervene effectively to keep vulnerable people safe, making sure children in care and care leavers get the best opportunities
- Deliver quality children centres, which are at the heart of our communities supporting families so their children thrive
- Good quality, accessible services including for those in need and their carers, that make a real and lasting difference (older people)
- Create accommodation options for greater independence and wellbeing
- Design an accessible and responsive health and care system within local communities which protects people and promotes wellbeing (older people)

Ambition 3 – People and communities will have thriving environments

- Provide great choice and high-quality education

Ambition 4 – People and communities will have good value council services

- Support those who need extra help, especially older residents

Disability	<p>Key strategic ambitions might positively impact people with disabilities.</p> <p>Ambition 1 – People and communities will have high aspirations</p> <ul style="list-style-type: none"> • Promote healthy, inclusive and accessible employment and learning opportunities • Offer additional learning options to all (learning disability?) <p>Ambition 2 – People and communities will have the opportunity to enjoy life to the full</p> <ul style="list-style-type: none"> • More people are able to live independently and positively contribute to their local community • Good quality, accessible services including for those in need and their carers, that make a real and lasting difference • Create accommodation options for greater independence and wellbeing • Design an accessible and responsive health and care system within local communities which protects people and promotes wellbeing • Promote and enable better mental health for all <p>Ambition 3 – People and communities will have thriving environments</p> <ul style="list-style-type: none"> • Communities have accessible and high quality public services (services accessible to people with disabilities) <p>Ambition 4 – People and communities will have good value council services</p> <ul style="list-style-type: none"> • Support those who need extra help, especially older residents
Gender reassignment	<p>Key strategic ambitions might positively impact people due to gender reassignment.</p> <p>Ambition 1 – People and communities will have high aspirations</p> <ul style="list-style-type: none"> • Promote healthy, inclusive and accessible employment and learning opportunities
Marriage and civil partnership	<p>Key strategic ambitions might positively impact people due to marriage and civil partnership.</p> <p>Ambition 1 – People and communities will have high aspirations</p> <ul style="list-style-type: none"> • Promote healthy, inclusive and accessible employment and learning opportunities
Pregnancy and maternity	<p>Key strategic ambitions might positively impact people due to pregnancy and maternity.</p> <p>Ambition 1 – People and communities will have high aspirations</p> <ul style="list-style-type: none"> • Promote healthy, inclusive and accessible employment and learning opportunities

Race	<p>Key strategic ambitions might positively impact people due to race.</p> <p>Ambition 1 – People and communities will have high aspirations</p> <ul style="list-style-type: none"> • Promote healthy, inclusive and accessible employment and learning opportunities
Religion or belief	<p>Key strategic ambitions might positively impact people due to religion or belief.</p> <p>Ambition 1 – People and communities will have high aspirations</p> <ul style="list-style-type: none"> • Promote healthy, inclusive and accessible employment and learning opportunities
Sex	<p>Key strategic ambitions might positively impact people due to sex.</p> <p>Ambition 1 – People and communities will have high aspirations</p> <ul style="list-style-type: none"> • Promote healthy, inclusive and accessible employment and learning opportunities
Sexual orientation	<p>Key strategic ambitions might positively impact people due to sexual orientation.</p> <p>Ambition 1 – People and communities will have high aspirations</p> <ul style="list-style-type: none"> • Promote healthy, inclusive and accessible employment and learning opportunities

If you have identified positive impacts for other groups not specifically covered by the protected characteristics in the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

Key strategic ambitions might positively impact the following groups:

Rural isolation

- Better digital infrastructure, providing improved connectivity
- Road and transport infrastructure continue to improve with better maintenance and connectivity
- Communities have accessible and high quality public services (services accessible geographically?)
- Advocate for investment in our transport and energy infrastructure, digital connectivity and schools, championing active, sustainable travel
- Improve the safety of local communities
- Support community spaces and travel

Financial inclusion

- Establish high quality job, skills and development opportunities

Carers

- Help those who look after others
- Good quality, accessible services including for those in need and their carers, that make a real and lasting difference

Adverse/negative impacts

You must evidence how people with protected characteristics will be adversely impacted and any proposed mitigation to reduce or eliminate adverse impacts. An adverse impact causes disadvantage or exclusion. If such an impact is identified please state how, as far as possible, it is justified; eliminated; minimised or counter balanced by other measures.

If there are no adverse impacts that you can identify please state 'No perceived adverse impact' under the relevant protected characteristic.

Negative impacts of the proposed change and practical steps to mitigate or avoid any adverse consequences on people with protected characteristics are detailed below. If you have not identified any mitigating action to reduce an adverse impact please state 'No mitigating action identified'.

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Age	No perceived adverse impact at this moment in time.
Disability	No perceived adverse impact at this moment in time.
Gender reassignment	No perceived adverse impact at this moment in time.
Marriage and civil partnership	No perceived adverse impact at this moment in time.
Pregnancy and maternity	No perceived adverse impact at this moment in time.

Race	No perceived adverse impact at this moment in time.
Religion or belief	No perceived adverse impact at this moment in time.
Sex	No perceived adverse impact at this moment in time.
Sexual orientation	No perceived adverse impact at this moment in time.

If you have identified negative impacts for other groups not specifically covered by the protected characteristics under the Equality Act 2010 you can include them here if it will help the decision maker to make an informed decision.

Stakeholders

Stake holders are people or groups who may be directly affected (primary stakeholders) and indirectly affected (secondary stakeholders)

You must evidence here who you involved in gathering your evidence about benefits, adverse impacts and practical steps to mitigate or avoid any adverse consequences. You must be confident that any engagement was meaningful. The Community engagement team can help you to do this and you can contact them at consultation@lincolnshire.gov.uk

State clearly what (if any) consultation or engagement activity took place by stating who you involved when compiling this EIA under the protected characteristics. Include organisations you invited and organisations who attended, the date(s) they were involved and method of involvement i.e. Equality Impact Analysis workshop/email/telephone conversation/meeting/consultation. State clearly the objectives of the EIA consultation and findings from the EIA consultation under each of the protected characteristics. If you have not covered any of the protected characteristics please state the reasons why they were not consulted/engaged.

Objective(s) of the EIA consultation/engagement activity

The objective of the engagement planned is to give key stakeholders the opportunity to review the draft Corporate Plan and feedback on two main elements:

- What success for Lincolnshire looks like
- What the Council will deliver with our partners to achieve success for Lincolnshire

Who was involved in the EIA consultation/engagement activity? Detail any findings identified by the protected characteristic

Age	As the Corporate Plan is to establish a high level and strategic perspective of developmental priorities, engagement has not specifically targeted groups with protected characteristics.
Disability	As the Corporate Plan is to establish a high level and strategic perspective of developmental priorities, engagement has not specifically targeted groups with protected characteristics.
Gender reassignment	As the Corporate Plan is to establish a high level and strategic perspective of developmental priorities, engagement has not specifically targeted groups with protected characteristics.
Marriage and civil partnership	As the Corporate Plan is to establish a high level and strategic perspective of developmental priorities, engagement has not specifically targeted groups with protected characteristics.
Pregnancy and maternity	As the Corporate Plan is to establish a high level and strategic perspective of developmental priorities, engagement has not specifically targeted groups with protected characteristics.
Race	As the Corporate Plan is to establish a high level and strategic perspective of developmental priorities, engagement has not specifically targeted groups with protected characteristics.
Religion or belief	As the Corporate Plan is to establish a high level and strategic perspective of developmental priorities, engagement has not specifically targeted groups with protected characteristics.

Sex	<p>As the Corporate Plan is to establish a high level and strategic perspective of developmental priorities, engagement has not specifically targeted groups with protected characteristics.</p>
Sexual orientation	<p>As the Corporate Plan is to establish a high level and strategic perspective of developmental priorities, engagement has not specifically targeted groups with protected characteristics.</p>
<p>Are you confident that everyone who should have been involved in producing this version of the Equality Impact Analysis has been involved in a meaningful way? The purpose is to make sure you have got the perspective of all the protected characteristics.</p>	<p>Yes. Although engagement has not specifically targeted at groups with protected characteristics at this stage, countywide engagement for the Corporate Plan has been carried out amongst key groups and sectors as detailed below:</p> <ul style="list-style-type: none"> • District Councils • Health and social care sector, including Clinical Commissioning Groups (CCGs) • Greater Lincolnshire Local Enterprise Partnership (GLLEP) • Unions • Public Protection partners • One Public Estate • Safeguarding boards • Education sector • Voluntary and community sector • Town and parish groups
<p>Once the changes have been implemented how will you undertake evaluation of the benefits and how effective the actions to reduce adverse impacts have been?</p>	<p>Directorate Plans will be developed to sit under and aid in delivery of the Corporate Plan objectives: this will include success measures for each objective which will be reported on.</p>

Further Details

Are you handling personal data?	<p>No</p> <p>If yes, please give details.</p>
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Actions required	Action	Lead officer	Timescale
Include any actions identified in this analysis for on-going monitoring of impacts.	Debbie Barnes OBE to review and update as necessary to v2	Debbie Barnes OBE, Head of Paid Service	Ongoing

Version	Description	Created/amended by	Date created/amended	Approved by	Date approved
V1	Engagement team and Commercial Manager first draft	Engagement team	27/11/19	Debbie Barnes OBE, Head of Paid Service	29/11/19

Examples of a Description:
 'Version issued as part of procurement documentation'
 'Issued following discussion with community groups'
 'Issued following requirement for a service change; Issued following discussion with supplier'

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Open Report on behalf of Councillor E J Poll, Executive Councillor for Commercial and Environmental Management

Report to:	County Council
Date:	11 December 2019
Subject:	Climate Change Update

Summary:

This paper outlines Lincolnshire County Council's progress in reducing carbon emissions and contributing to managing the impacts of climate change since the debate at Full Council in May.

It specifies the programme of work identified to meet the Council's commitment to net zero carbon emissions by 2050.

Recommendation(s):

That the Council:

- 1) Notes the content of the Report; and
- 2) Agrees that future progress be reported to and monitored by the Environment and Economy Scrutiny Committee, alongside Carbon Management Plan reporting.

1. Background

At its meeting on 17 May 2019 the full Council passed the following resolution

"This Council therefore

1. Notes the progress this Council has made in reducing carbon emissions in response to climate issues,
2. Notes the declaration of a 'Climate Emergency'
3. Commits to make the Council's activities carbon neutral by 2050,
4. Commits to working in partnership with, but not exclusively, the LGA, District, Town and Parish Councils in Lincolnshire, local organisations, businesses and community groups with the aim of making Lincolnshire carbon neutral within the same time scale,

5. Calls on central government to provide the necessary powers and resources to make possible the 2050 target, and

6. Receives an update at the December 2019 full council meeting with the details of actions taken and with an action plan, including annual reviews, for the 10 year period from 2020-2030"

The motion passed by Full Council in May 2019 has resulted in science based targeting work which demonstrates the scale of change required over the next 30 years.

Based on this, the Council will produce a Green Masterplan in 2020. This will provide further details of the Authority's path to achieving net zero carbon emissions. It will complement Lincolnshire's plans to boost biodiversity and natural capital, leaving a positive environmental legacy for the future.

It is proposed that ongoing progress in developing and implementing the Green Masterplan should be reported to, and monitored by, the Environment and Economy Scrutiny Committee, alongside the Carbon Management Plan reporting that it is currently being undertaken.

Evidence-based change

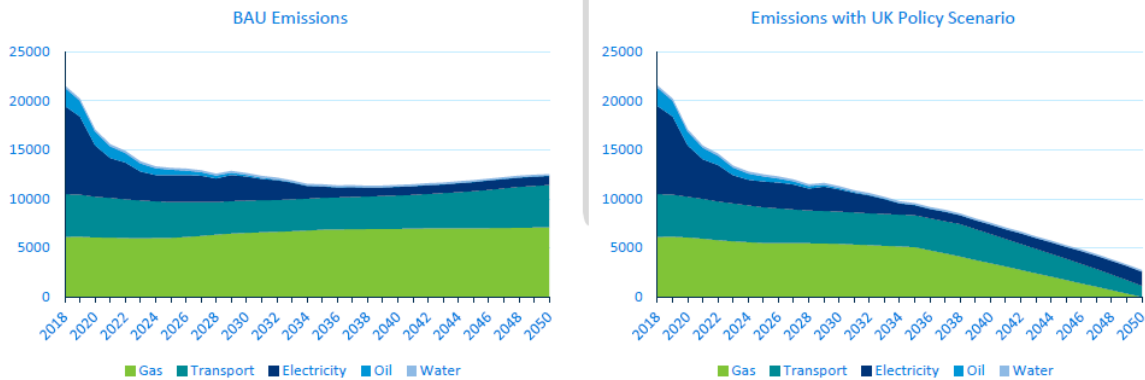
Lincolnshire County Council's first two Carbon Management Plans successfully delivered a 40% reduction in net CO² between 2008 and 2018. A further 20% reduction has already been achieved in 2019.

This record on delivering carbon reduction has been consistently evidence led. Since Full Council in May robust science-based targeting work has been undertaken in partnership with the Carbon Trust, giving 1990 as a baseline and projecting emissions forward to 2050.

The graphs below provide an indication of two future scenarios. The first scenario projects emission patterns to 2050 based on LCC's current behaviours – effectively 'business as usual'. The second takes into account current proposed government policy changes. Five of these are particularly relevant:

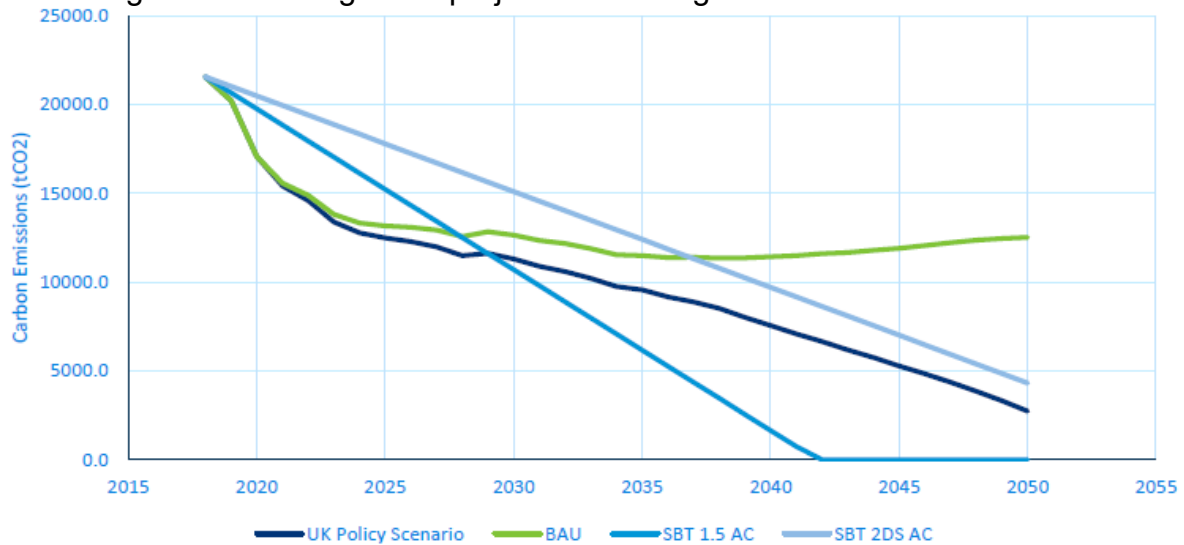
1. Low carbon power auctions
2. Retrofit to EPC band C by 2035
3. All new vehicles low carbon by 2040
4. 13% HGVs low carbon by 2040
5. No new builds to be connected to natural gas grid post 2025 and all replacement heating systems to be low carbon post 2035

LCC forecasted emission pathways from 2018 to 2050 in a BAU scenario (left) and that against a backdrop of reductions related to the 5 policies listed : above (right).



The diagram below builds on the above graphs – with the two blue lines demonstrating the two key measures committed to within the Paris Agreement.

The **Paris Agreement targets** seek to restrict global warming to 2°C and 1.5°C. A 2050 target of net zero gives a projected warming of 1.6°C.

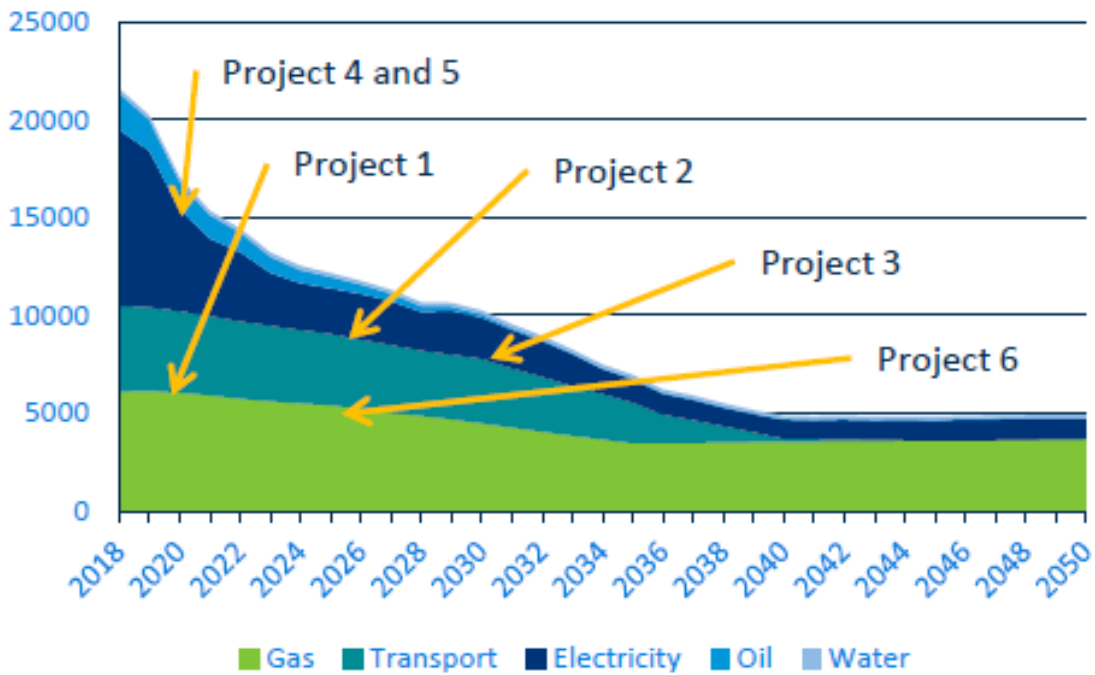


During 2020 Lincolnshire County Council will produce a Green Masterplan detailing the additional projects that will need to be implemented to close the gap to zero.

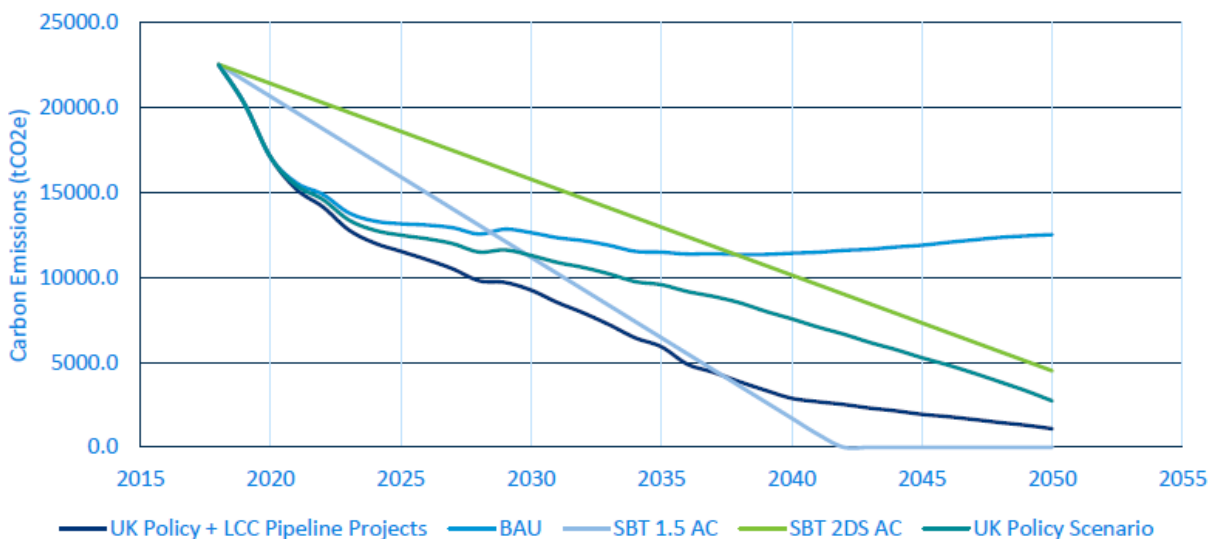
Initial calculations have been undertaken to consider 6 potential projects, focusing on decarbonisation of transport, property improvements, energy usage and energy generation.

Furthermore, projects with wide ranging benefits – including carbon reductions will be brought forward to ensure multiple benefits and best value.

Emissions with Projects



The Masterplan will provide greater detail for these projects including the additional work required to close the gap to target. One option to close the gap will be the generation of energy by the authority.



At Full Council in May Lincolnshire County Council committed to work collaboratively with partners. The Authority continues to work across sectors to ensure that all public bodies, as well as businesses and residents, are able to play a role in bringing forward change. Lincolnshire County Council is at the forefront of

local government carbon reduction in the county, and is currently supporting a number of district authorities to understand their own carbon baseline and activities that will help reduce emissions.

The County Council is working proactively with government departments as Whitehall develops policies to address the Paris Agreement targets. To this end, policy documents such as the Local Industrial Strategy can be developed to recognise the role of technology and innovation in the low carbon, energy and circular economies – all of which could see sustainable growth in Lincolnshire.

The Council is currently contributing to national discussions concerning future agriculture and land use policy, innovations in energy, resources and waste management alongside Defra's 25 Year Environment Plan.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

Effective carbon management is expected to have no adverse impacts on any group under the Equality Act 2010.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

A robust approach to carbon management will provide support for delivery of the JHWS, and will underpin key issues identified in the JSNA.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are no implications under s17 of the Crime and Disorder Act 1998 arising from carbon management.

3. Conclusion

4. Legal Comments:

The Report provides an update in relation to a motion on climate change passed at the Council meeting in May.

Actions to bring about the commitments made in the motion are executive functions and the Report informs full Council of actions taken and to be taken by the Executive.

Monitoring of progress by and reporting to the Environment and Economy Scrutiny Committee is lawful and appropriate.

5. Resource Comments:

There are no direct financial implications arising from the recommendations in this report, however, actions taken to implement commitments on climate change will have a financial impact. The funding and extent of these commitments will be set out in future reports and be considered as part of the budget setting process.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

The present paper has been developed on the basis of discussion at Environment and Economy Scrutiny Committee, arising from completion of the Council's third Carbon Management Plan.

d) Have Risks and Impact Analysis been carried out?

Yes

e) Risks and Impact Analysis

Impact analysis has been undertaken as part of the Carbon Management Plan.

7. Background Papers

The following Background Papers within the meaning of section 100D of the Local Government Act 1972 were used in the preparation of this Report

Background Paper	Where it can be found
Minutes of Council Meeting 17 May 2019	Democratic Services
Lincolnshire County Council Carbon Management Plan	Sustainability Service

This report was written by David Hickman, who can be contacted on (01522) 554809 or david.hickman@lincolnshire.gov.uk .

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Open Report on behalf of Councillor Mrs S Rawlins, Chairman of Audit Committee

Report to:	County Council
Date:	11 December 2019
Subject:	Members' Code of Conduct

Summary:

The Report presents the recommendations of the Audit Committee concerning changes to Part 5 of the Council's Constitution relating to the members' Code of Conduct and standards more generally.

It reflects the results of the deliberations of a Code of Conduct Working Group established by the Audit Committee at its meeting on 25 March 2019.

Recommendation(s):

That the full Council approves the following changes to the Council's Constitution

- The amendments to the Code of Conduct shown in Appendix A to this Report
- The inclusion in Part 5 of the Constitution of the Protocol on Gifts and Hospitality attached at Appendix B to this Report
- The replacement of the Local Arrangements for dealing with standards complaints set out in the Constitution with the Local Arrangements for dealing with standards complaints attached at Appendix C to this Report
- The amendments to the Protocol on Officer/Member Relationships shown in red in Appendix D to this Report
- The amendments to the Protocol on Councillor Involvement in Commercial Transactions shown in red in Appendix E to this Report
- The amendments to the Planning Development Control Process Document shown in red in Appendix F to this Report

1. Background

- 1 At its meeting on 25 March 2019 the Audit Committee approved the establishment of a Working Group of Members to consider the Committee on Standards in Public Life Report on Ethical Standards in Local Government ("the CSPL Report") published in January 2019.

- 2 The Working Group consisted of Cllr T Ashton, Cllr J Brockway, Cllr I Fleetwood, Cllr A Newton, Cllr R Parker Cllr P Skinner and Cllr B Young. Cllr Young was elected as the Chairman of the Group at its first meeting. As a result of substitution contributions were also made to the work of the Group by Councillor C Brewis.
- 3 The terms of reference of the Working Group were set by the Audit Committee as follows – to:-
 - 1) Consider the Committee on Standards in Public Life report on Local Government Ethical Standards.
 - 2) Consider whether changes to the Code and Local Arrangements should be made as a result of the Report or otherwise.
 - 3) Consider whether any changes should be made to any other elements of Part 5 of the Constitution which relate to standards.
- 4 The Working Group resolved to operate informally. It received reports from the Monitoring Officer to place the issues in context and prompt discussion and sought to reach consensus on the issues before it. It determined its own work plan with the assistance of the Monitoring Officer. That work plan considered the following issues in the following order
 - Code of Conduct
 - Interests, Gifts and Hospitality
 - Local Arrangements
 - Part 5 of the Constitution
- 5 The results of the Working Group's deliberations are set out in detail in a Report which can be found in the Appendix to a Report considered by the Audit Committee on 18 November 2019. This Report is referred to in the Background Documents section of this Report. It sets out the Working Group's response to various recommendations of the Committee on Standards in Public Life and sets out its own recommendations for amendments to various documents forming part of Part 5 of the Council's Constitution including the Member Code of Conduct and the Local Arrangements for dealing with Standards Complaints. It is summarised in this Report.

National and Lincolnshire County Council Context

- 6 The Council is under an obligation under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct by members and co-opted members of the authority. It must, in particular, adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity. That Code must be consistent with the Seven Principles of Public Life ("the Nolan Principles") of Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

- 7 Members are required by section 30 of the 2011 Act to register a defined list of statutory disclosable interests with the Monitoring Officer and required by section 31 of the Act not to participate in any discussion or vote in respect of any matter in which he or she has a disclosable pecuniary interest.
- 8 In January 2019 the Committee on Standards in Public Life issued the CSPL Report. That report considered the state of standards in local government. The CSPL Report recognised that the vast majority of councillors and officers maintain high standards of conduct but made a number of recommendations and best practice for both the government and local authorities to consider.
- 9 More locally the Working Group heard from the Monitoring Officer that in his first year in office September 2018 to September 2019 he had dealt with 9 complaints of breach of the Code of Conduct, none of which merited detailed investigation. This low level of activity is consistent with the findings of an Ethical Governance Audit reported to the Audit Committee also on 25 March 2019. This suggested to the Working Group that there were no grounds for immediate concerns in relation to the behaviours of Councillors or the Code but it was important to have regard to the work of the CSPL and to look to future-proof the Code of Conduct and Local Arrangements to ensure they reflect good practice should that position change.

Code of Conduct

- 10 The Working Group considered the Code of Conduct in some detail with regard to the CSPL Report and other examples of local authority codes, specifically Kent County Council. It noted that these codes read very differently from the Lincolnshire Code. They tended to be more negatively expressed, more legalistic in their language and more specific in their prohibitions.
- 11 Overall the Working Group's conclusion was that the existing Code of Conduct did form the basis for a workable Code but that it would benefit from amplification and clarification in specific respects. The Working Group has produced an amended Code of Conduct which is attached at Appendix A with the changes shown as tracked. A commentary on these changes is given below.

Integrity

- 12 A specific reference to compliance with the Council's requirements around Gifts and Hospitality has been added so that Gifts and Hospitality are clearly incorporated within the Code of Conduct. This is considered further in the separate section on Gifts and Hospitality below.

Accountability

- 13 It was considered that this should be expanded to specifically cover co-operation with the Monitoring Officer or Local Hearing Panel in the course of

consideration, investigation or determination of any complaint brought under the Code of Conduct. While there was no evidence of a lack of co-operation, this was recommended by the CSPL and the Working Group felt that the Code should be clarified to be clear that it covered this point.

Openness

- 14 The Working Group felt that this was the place to incorporate some provisions about confidentiality on which the Code is currently silent. The change to this section draws a distinction between information given to Councillors in reports which are exempt or confidential under the Local Government Act (LGA) 1972 and information that may be given to them in confidence in other circumstances.
- 15 It was felt that the need not to disclose exempt or confidential information under the LGA 1972 was well understood and there were ways in which any concerns could be raised within the Council. In other circumstances however Councillors may find themselves in possession of information that is purportedly given them in confidence but which they feel unable to keep confidential due to an overriding public interest for example.
- 16 The revised Code therefore permits disclosures that are in turn permitted by law. It was recognised that this is a very general statement and will need interpretation in specific circumstances. It was felt therefore that this bare statement can and should be supplemented by further guidance or training on when a confidentiality obligation might arise and the circumstances in which a public interest justification may allow disclosure.

Honesty

- 17 The Working Group gave consideration to whether the Code ought to contain a responsibility of truthfulness to reflect the wording of the corresponding Nolan Principle but overall determined that this was a matter which it would be very difficult for the Monitoring Officer or a Local Hearing Panel to make a determination about and that it had the potential to draw the Monitoring Officer and members through the Local Arrangements in particular into matters which were best left in the political arena.
- 18 However, the preamble to the Code of Conduct has been expanded to make it clear that the conduct of members should at all times be guided by the Nolan Principles including Honesty and not just in such a way as to avoid breaching the Code of Conduct.
- 19 In terms of interests a proposed change is made to the Code requiring Councillors to comply with the law relating to disclosable pecuniary interests (DPIs) which would make a failure to disclose a DPI a breach of the Code even if it was not something that the police would investigate as a criminal offence.

- 20 The Working Group considered whether to add any categories of interest which should be registered in addition to DPIs. However it was considered that the Code already required Councillors in particular circumstances to disclose interests other than DPIs and to refrain from taking part in debates and voting where that was necessary to ensure that conflicts involving those interests were resolved in the public interest. It was therefore decided that the Code of Conduct should remind Councillors of this wider responsibility.

Respect

- 21 The Working Group considered the wide definition of Respect already contains a requirement not to engage in harassment and bullying. However, the importance of this as an issue within the CSPL Report has led the Working Group to recommend that the Respect section is expanded to make specific reference to harassment and bullying including examples of what these may amount to.
- 22 The Working Group also noted the Protocol on Harassment Intimidation and Unacceptable Behaviour in Part 5 of the Constitution (see below) and felt that this still had value and should be referenced within the Code of Conduct.

Social Media

- 23 Social Media was another area where the CSPL Report went into some detail. The experience of the Monitoring Officer has been that social media use is not a significant issue in complaints in Lincolnshire. However the Working Group felt that social media was so easy of use and so public in its distribution that it introduced additional risks for Councillors in their use of it.
- 24 Therefore although the Working Group did not consider that the Code needed specific provisions to cover social media it would be prudent to include a paragraph reminding Councillors of this heightened risk.

Interests, Gifts and Hospitality

- 25 The Working Group's consideration of Interests is set out in paragraphs 19 and 20 above. Gifts and Hospitality is also referred to in paragraph 12 where it was noted that the Code of Conduct had been changed to incorporate compliance with the rules on Gifts and Hospitality.
- 26 The CSPL Report recommended that local authorities should be required to establish a register of gifts and hospitality with members required to record any gifts and hospitality which had been received over a value of £50 or totalling £100 over a year from a single source.
- 27 Although it was not clearly incorporated into the Council's Code of Conduct the Working Group noted that there was already provision for declaring gifts and hospitality in the Councillor Involvement in Commercial Transactions section of Part 5 of the Constitution.

- 28 The Working Group felt that a separate document setting out the expectation of Councillors in dealing with Gifts and Hospitality should be produced and recommend that the document attached at Appendix B to this Report be adopted as part of Part 5 of the Constitution. It is this document that members would be required to comply with as part of the Code of Conduct. Work is ongoing to review the necessary forms and provide the link referred to in paragraph 3 of the document.

Local Arrangements

- 29 The Council adopted Local arrangements for dealing with standards complaints at the same time that it adopted its Code of Conduct. It has not been reviewed since. The current process is straightforward but has difficulties in its operation. In particular:-

- There is little information on how to make a complaint and such issues as whether the identity of the complainant will be disclosed;
- There is very little detail about how a complaint might be screened on receipt. The only criterion is whether it engages the Code of Conduct
- The decision as to whether a complaint should proceed to an investigation requires consideration of the reputation of the Council rather than a more public interest-based test which the CSPL recommends
- There is no basis in the Local Arrangements themselves for informal resolution
- The formal stage requires the investigator to determine whether a breach of the Code has taken place rather than the Monitoring Officer

- 30 Attached at Appendix C is a revised set of Local Arrangements which is recommended by the Working Group. The yellow highlighted sections are sections which are common to the existing Local Arrangements and the new proposed Local Arrangements. The main differences can be summarised as follows:-

- Anonymous complaints and how identity will be dealt with are included (para 2.3);
- Introduction of a more detailed initial assessment stage with a number of criteria against which the Monitoring Officer can carry out an initial assessment of the complaint. This includes trivial and malicious complaints (paras 3.3 to 3.7 inclusive);
- Further drafting on when a member may be treated as acting in their capacity as a county councillor (para 3.4). This goes some way towards addressing comments by the CSPL;
- Inclusion of a number of actions the Monitoring Officer may take even where it is decided that further action should be taken (para 3.9);

- Criteria against which a judgement may be made about whether a complaint will progress to an investigation (para 4.3). At present the only criterion is whether the behaviour complained about presents a serious risk to the reputation of the Council. The new criteria seek to balance this approach with comments from the CSPL that there should be a public interest test by referring to public perception of the Council and trust in the Council and local democracy as public interest matters;
- Provision for informal resolution at a number of stages (paras 3.9 and 4.5);
- More detail as to the process to be undergone in the event of a formal investigation and hearing which also deals with publication of the results (the Appendix to the Local Arrangements); and
- Process for dealing with conflicts of interest as proposed by the Committee on Standards in Public Life (para 6.3).

31 The approach to sanctions is the same as in the existing process which involves the Local Hearing making recommendations to the Group Leaders as to how the matter should be dealt with unless it is so serious that the Local Hearing considers that a motion of censure should be proposed to the next meeting of the Council.

Part 5 of the Constitution

32 Part of the remit of the Working Group as set out by the Audit Committee was to review those parts of Part 5 of the Council's Constitution which relate to standards. The Working Group considered that the following sections of Part 5 should be reviewed

- Protocol on Officer/Member Relationships
- Councillor Involvement in Commercial Transactions
- Harassment Intimidation and Unacceptable Behaviour
- Planning Development Control Process

33 The Working Group felt that the Protocol on Officer/Member Relationships should remain as it is without only one minor clarification which amendment is shown in track changes in the revised Protocol at Appendix D.

34 The Protocol on Councillor Involvement in Commercial Transactions should also remain but the section on Gifts and Hospitality should be removed to be replaced by the Code of Conduct and the new free-standing Protocol on Gifts and Hospitality. This is reflected in an amended version of the Protocol attached at Appendix E.

35 The Harassment Intimidation and Unacceptable Behaviour document should also be retained unamended. This Protocol is now referred to in the Code of

Conduct to make clear the relationship between the Code of Conduct provisions relating to harassment and bullying and the Protocol.

- 36 The Planning Development Control Process document should also be retained as identifying specific considerations to be taken into account by Councillors dealing with planning matters. Again an amendment has been made to provide clarification of a specific point which is shown as a tracked change at Appendix F. In addition this document has also been referred to in a note to the Code of Conduct to indicate that the Code is supplemented by the Planning Development Control Process in matters relating to planning.

Conclusion

- 37 The Audit Committee considered the recommendations of the Working Group at its meeting on 18 November 2019 and adopted the recommendations as its own as a proportionate response to the findings and recommendations of the Committee on Standards in Public Life.

2. Legal Issues:

Equality Act 2010

- 38 Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:
- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
 - * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
 - * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 39 The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation
- 40 Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:
- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

- 41 The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities
- 42 Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding
- 43 Compliance with the duties in section 149 may involve treating some persons more favourably than others
- 44 The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

There are not considered to be any direct Equality Act implications of the recommendations in this Report. The Code applies without consideration to protected characteristics.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

- 45 The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

There are no direct implications in relation to either the JSNA or the JHWS arising out of the Report

Crime and Disorder

- 46 Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are no direct crime and disorder implications arising out of the Report

3. Conclusion

- 47 The Report sets out recommendations of the Audit Committee as to amendments to the standards provisions of the Council's Constitution in the light of recommendations made by the Committee on Standards in Public Life.

4. Legal Comments:

Changes to the Council's Constitution are reserved to the full Council.

The decision to make the recommended changes is lawful and within the remit of the full Council.

5. Resource Comments:

Accepting the recommendations within this report, should have no direct impact on the Council's budgets.

6. Consultation

a) Has Local Member Been Consulted?

n/a

b) Has Executive Councillor Been Consulted?

n/a

c) Scrutiny Comments

The decision has not been considered by a Scrutiny Committee

d) Have Risks and Impact Analysis been carried out?

Yes

e) Risks and Impact Analysis

See the body of the Report

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Amendments to the Code of Conduct
Appendix B	Protocol on Gifts and Hospitality
Appendix C	Local Arrangements for dealing with standards complaints
Appendix D	Amendments to the Protocol on Officer/Member Relationships
Appendix E	Amendments to the Protocol on Councillor Involvement in Commercial Transactions
Appendix F	Amendments to the Planning Development Control Process Document

8. Background Papers

Document title	Where the document can be viewed
Committee on Standards in Public Life Report – January 2019	Chief Legal Officer
Report to Audit Committee 25 March 2019	Democratic Services
Report to Audit Committee 18 November 2019	Democratic Services

This report was written by David Coleman, Chief Legal Officer, who can be contacted on 01522 552134 or David.Coleman@lincolnshire.gov.uk .

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SECTION B

MEMBERS CODE OF CONDUCT

Lincolnshire County Council Members' Code of Conduct

PREAMBLE

The activities of all in public life should be guided by the 7 principles of Public Life, also known as the Nolan Principles. These are set out below

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

The County Council has adopted this Code of Conduct setting out the expected behaviours required of its members and added members, acknowledging that they have a shared commitment to representing the community and working constructively and in a spirit of mutual respect and co-operation with each other, Council staff and partner organisations to secure better social, economic and environmental outcomes for all.

As the Nolan Principles are the standards expected of all in public life the Code is closely based on but not identical to the Nolan Principles. In particular compliance with the Code does not in itself guarantee that member conduct is consistent with the Nolan Principles. The Code does not therefore detract from the need for members always to have regard to the Principles in guiding their conduct

In accordance with the Localism Act provisions, when acting in their capacity as Councillors, all Councillors must be committed to behaving in a manner that is consistent/complies with the ~~(Lincolnshire County Council Values Statement and Good Practice Guide to Meeting the Values of the Authority and to the)~~ following principles Codeto achieve best value for Lincolnshire residents and maintain public confidence in the Council.

THE CODE

SELFLESSNESS:

Councillors must act solely in terms of the public interest. ~~They~~This means they must not act in order to gain financial or other material benefits for themselves, their family, or their friends. They must not use their position improperly to confer an advantage or disadvantage on any person.

INTEGRITY

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

Councillors must comply with the Gifts and Hospitality Protocol in Part 5 of the Constitution

OBJECTIVITY

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, Councillors must make choices on merit.

ACCOUNTABILITY

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

This means Councillors will co-operate with the Monitoring Officer or Local Hearing Panel in the course of consideration, investigation or determination of any complaint brought under this Code of Conduct.

OPENNESS:

Councillors must act and be as open as possible about all the decisions and actions that they take in an open and transparent manner. They must give reasons for their decisions and restrict information only when should not be withheld from the wider public interest unless there are clear and lawful reasons for doing so.

A councillor must not, without the consent of the Council or as required by law, disclose information which is

- contained within an exempt or confidential report within the meaning of the Local Government Act 1972; or
- which is otherwise confidential to the Council or shared with the Councillor under conditions of confidentiality

Councillors must not disclose any information given to them under conditions of confidentiality by any other person except to the extent that such disclosure is permitted by law – e.g. due to overriding public interest.

HONESTY:

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

This means Councillors:- will comply with the law relating to disclosable pecuniary interests

Councillors should be aware that the requirement to resolve conflicts arising in a way that protects the public interest may on occasion require them to disclose interests other than disclosable pecuniary interests and to take no part in debates or votes which engage those interests.

RESPECT:

Councillors must at all times show respect to each other, staff and members of the public and engage with them in an appropriate manner and one that underpins the mutual respect that is essential to good local government. Councillors may not always agree with the political views of their member colleagues, but they respect the right for those views to be held.

This means in particular that Councillors will not bully or harass any person. This means, for example, that they will not:-

- use offensive intimidating malicious or insulting behaviour or abuse or misuse power to undermine, humiliate, criticise unfairly or injure any person; or
- be guilty of unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for an individual.

Section D3 of Part 5 of the Constitution – Protocol on Harassment Intimidation and Unacceptable Behaviour gives more detail on these behaviours and applies between members and officers.

LEADERSHIP: Councillors promote and support these principles by leadership and example.

NOTE ON SOCIAL MEDIA

Councillors should note that this Code of Conduct governs their activities on social media in the same way that it governs other activities and councillors should be mindful that the ease of use and very public nature of social media may carry additional risks of breaches of the Code.

NOTE ON PLANNING DEVELOPMENT CONTROL

Section D4 of Part 5 of the Constitution – Planning Development Control Process sets out supplementary requirements in relation to Planning which shall form part of this Code of Conduct.

NOTE ON DISCLOSABLE PECUNIARY INTERESTS

The Localism Act 2011 further provides for registration and disclosure of interests and in Lincolnshire County Council this will be done as follows:

On taking up office a member or added member must, within 28 days of becoming such, notify the Monitoring Officer of any 'disclosable pecuniary interests', as prescribed by the Secretary of State.

On re-election or re-appointments, a member or added member must, within 28 days, notify the Monitoring Officer as if for the first time of any 'disclosable pecuniary interests' whether or not such 'disclosable pecuniary interests' were already included in his or her previous register of interests.

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If a member or added member is aware that they have a 'disclosable pecuniary interest' in a matter they must not participate in any discussion or vote on the matter at a meeting and if present at the meeting must leave the room during discussion of the matter.

If a member or added member is aware of a 'disclosable pecuniary interest' in a matter under consideration at a meeting but such an interest is not already on the Council's register of interests or in the process of entry onto the register having been notified to the Monitoring Officer, the member or added member must disclose the 'disclosable pecuniary interest' to the meeting and register it within 28 days of the meeting at which it was first disclosed.

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GIFTS AND HOSPITALITY PROTOCOL

Context

1. The Council's Members' Code of Conduct sets out the expected behaviours of its members and co-opted members. They are required to serve the public interest rather than act in order to gain financial or other benefits for themselves. They must not place themselves under any financial or other obligation to anyone who might seek to influence them in their official duties.

Can Gifts or Hospitality be accepted?

2. There may be occasions when members of the Council are offered gifts or hospitality during the course of Council business. Before accepting such gifts or hospitality members should consider whether this would put at risk the integrity and reputation of the member, or the Council.
3. If gifts or hospitality are offered and their value is £50 or over for a single gift/hospitality or £100 or over for all gifts/hospitality from a single source in any year, members and co-opted members must register this on the form found at the following link (provide link) within 28 days of receiving the offer of a gift or hospitality. The entry in the register should include the date, source and value of the gift or hospitality and whether or not the gift or hospitality was accepted. Any entries will be published on the Council's website.
4. The Monitoring Officer can advise on the matters to be taken into account in deciding whether a gift or hospitality can be accepted, taking into account any connection the member has with the person or organisation making the offer, but it will be a matter for the member to make the decision as to whether to accept or decline.
5. In deciding whether it is proper to accept any gift or hospitality members should:
 - **Never accept a gift or hospitality as an inducement or reward for anything they do as a Member**
Members must not be influenced in the discharge of their duties by the offer of a gift.
 - **Only accept a gift or hospitality if there is a commensurate benefit to the Council**
Unless the benefit to the Council is clear, and is commensurate with the value of the gift or hospitality, the presumption must be that the gift or hospitality is purely for the Member's benefit.
 - **Never accept a gift or hospitality if acceptance might be open to misinterpretation**
Perceived impropriety can be just as damaging as actual impropriety. Members should take care to ensure that the impression is not given that they or the Council are under any improper obligation because of the gift or hospitality.

- **Never accept a gift or hospitality that puts them under an improper obligation**
Members must not give the impression that commercial organisations and private individuals can buy influence.
- **Never solicit a gift or hospitality**
Members must not invite an offer of a gift or hospitality in connection with their position as a member and they should take care to avoid giving any indication that they might be open to such an improper offer.

Note: Regardless of the requirements of the Council in relation to gifts and hospitality, under the Bribery Act 2010 the acceptance of a gift or other advantage as an inducement to behave in a certain way in a Council transaction is a criminal offence, with a maximum sentence of ten years in jail.

Gifts

6. As a general rule gifts should be refused tactfully, this includes all such offers from organisations or persons who do, or might, provide work, goods or services to the Council, or who need some decision from the Council. These rules also apply to discounts offered to an individual member going beyond those offered to the general public (other than those available to **all** Members and Officers).
7. As general guidance, the following small gifts worth under £50 may occasionally be accepted (providing that they do not conflict with the General Principles listed in 5 above):
 - (a) office equipment or stationery given by way of trade advertisements or for use in the office. Examples would be pens, mugs, calendars or diaries. (NB: Members should take care not to display any such branded items when this might be taken as an endorsement or indication of favour to a particular supplier or contractor, for example in the course of a procurement exercise).
 - (b) gifts of only token value given on the conclusion of an official courtesy visit, for example, a commemorative plaque from a visiting delegation. A box of chocolates or flowers valued less than £50 could be accepted provided they are given as a genuine show of appreciation of work undertaken, but they should never be accepted if it could give rise to an appearance of influence or reward.

Hospitality

8. Offers of hospitality should always be approached with caution and offers of hospitality where any suggestion of improper influence is possible must be refused.
9. Where hospitality is accepted it must be on a scale appropriate to the occasion or the circumstances. Acceptance may make it difficult to avoid some obligation to the party offering it and may later be thought to have affected a member's impartiality in dealing with official matters.

10. Examples of hospitality that should always be refused include offers of holiday accommodation. Others will need to be considered on their facts. For example invitations to sporting events, evenings at the theatre or similar entertainment, should only be accepted when they are required for the conduct of Council business or can properly be considered to provide a commensurate benefit to the Council, **not the individual member**.
11. It will not always be possible to reject offers of hospitality. Acceptable hospitality is that not exceeding £50 in value, such as official hospitality at a function organised by a public authority; a drink and sandwich following a site visit; or a working lunch of modest standard to enable business discussions. Members should never accept hospitality that may give rise to an appearance of influence or reward.

Wills and Bequests

12. If there is a connection between the work of a member and them being a beneficiary under a will they will need to consider that benefit carefully in accordance with the General Principles listed in 5 above. Members should discuss this matter fully with the Monitoring Officer before a decision is taken on acceptance or refusal.

Gifts to the Council

13. Members may be offered gifts for the Council rather than in their individual capacity as a member. In such cases the offer should be reported immediately to the Monitoring Officer who will determine in accordance with normal Council processes whether the Council should or should not accept the gift.
14. The Monitoring Officer will notify the person or organisation offering the gift whether it is accepted or not and will:
 - Record the acceptance or non-acceptance
 - Record the outcome for audit purposes
 - Ensure the gift, if accepted, is properly applied for the benefit of the Council.

Gifts to the Chairman

15. Gifts received by the Chairman of Council in his or her official capacity are deemed to be gifts to the Council. The Chairman should record the receipt of all such gifts in the Register and in consultation with the Monitoring Officer determine how best they could be used for the benefit of the Council.

Declarations at meetings

16. If a matter under consideration at a meeting is likely to affect a person or organisation who has given a member a gift or hospitality, the member must declare the existence and nature of the gift or hospitality, the source who gave it to them and how the business under consideration relates to that source.

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LOCAL ARRANGEMENTS FOR DEALING WITH COMPLAINTS ABOUT MEMBERS UNDER THE LOCALISM ACT 2011

1. Introduction

1.1 These "arrangements" set out how you may make a complaint that an elected or co-opted Member of Lincolnshire County Council (the Council) has failed to comply with the Council's Code of Conduct. They also set out how the Council will deal with any complaints of a failure to comply with the Code of Conduct.

1.2 The Council must appoint at least one Independent Person, whose views must be sought by the Council before it makes a decision on an allegation that it has decided to investigate. The Independent Person may also be consulted by the Monitoring Officer at any stage of these arrangements and may be consulted by a Member. References to the Independent Person in this document are references to any person appointed by the Council as an Independent Person at the given time.

1.3 These arrangements reflect the commitment of Group Leaders to maintaining high standards of conduct and their wish to demonstrate that commitment by playing a leading role.

2. Making a Complaint

2.1 A complaint must be made in writing by post or e-mail to:

The Monitoring Officer

County Offices

Newland

Lincoln

LN1 1YS

E-mail: monitoring.officer@lincolnshire.gov.uk

- 2.2 Any complaint must provide sufficient detail about why the person complaining (the Complainant) considers that there has been a failure to comply with the Code of Conduct.
- 2.3 The Council will not consider anonymous complaints unless there is a clear public interest in doing so. In the interests of transparency and fairness, the identity of the Complainant will be made known to the subject of the complaint (the Subject Councillor) and those who have to deal with the complaint. When a Complainant requests confidentiality, this will be considered by the Monitoring Officer who retains ultimate discretion as to whether to release details to the Subject Councillor or other officers.
- 2.4 The Monitoring Officer's decisions at all stages are final and there is no right of appeal or review of their decision.

3. Initial Assessment of a Complaint

- 3.1 On receipt of a complaint the Monitoring Officer will acknowledge receipt within five working days and inform the Complainant what will happen next. **The Monitoring Officer will also inform the Subject Councillor and relevant Group Leader that a complaint has been received.** The Monitoring Officer will keep the Complainant, Subject Councillor and relevant Group Leader informed of progress at regular intervals.
- 3.2 **The Monitoring Officer will then carry out an initial assessment of the complaint.** At this initial assessment stage, the Monitoring Officer will review the complaint and may consult the Independent Person before making a decision about whether to take any further action concerning the complaint. The Monitoring Officer may require further information from the Complainant or Subject Councillor before making a decision on the initial assessment.
- 3.3 No further action will be taken on any complaint if, in the opinion of the Monitoring Officer:-

- 3.3.1 the behaviour complained of falls outside of the Code of Conduct; or
- 3.3.2 the Subject Councillor was not acting in their capacity as a member of the County Council
- 3.4 Whether the Subject Councillor was acting in their capacity as a member of the County Council is a judgment to be made in individual cases. Relevant considerations will include the degree to which the behaviour was public including whether it involved the use of publicly available social media and whether the Subject Councillor claimed to act or gave the impression that they were acting in their capacity as a member or representative of the County Council.
- 3.5 A complaint will not normally progress beyond the initial assessment stage if it is considered by the Monitoring Officer to be within any of the following criteria:
- 3.5.1 If the complaint is the same or substantially the same as a previous complaint (regardless of whether it is the same Complainant)
- 3.5.2 If the time since the alleged behaviour is significant so as to be inequitable, unreasonable or otherwise not in the public interest to pursue
- 3.5.3 If the complaint (in the view of the Monitoring Officer) discloses only a minor or trivial breach of the Code of Conduct that it is not in the public interest to pursue
- 3.5.4 If the complaint is or appears to be (in the view of the Monitoring Officer) malicious or otherwise submitted with an improper motive and the complaint is not considered to disclose sufficiently serious potential breaches of the Code of Conduct to merit further consideration

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- 3.5.5 If the complaint is considered by the Monitoring Officer to be persistent and/or vexatious and is not considered (in the view of the Monitoring Officer) to disclose sufficiently serious potential breaches of the Code of Conduct to merit further consideration
- 3.5.6 If the Subject Councillor has remedied or made reasonable endeavours to remedy the subject matter of the complaint and the complaint does not (in the view of the Monitoring Officer) disclose sufficiently serious potential breaches of the Code of Conduct
- 3.5.7 If the complaint is about a person who is no longer a member of the Council and there is (in the view of the Monitoring Officer) no overriding public interest in pursuing the complaint further.
- 3.6 The standards complaints process does not exist to determine how well a Member or co-opted Member fulfils their role on the Council or determine dissatisfaction on the part of a resident as to the way a member has responded to their concerns. Examples would include delay or failure to respond. These are matters for the democratic process with which it would be inappropriate for the Monitoring Officer to become involved. If in the view of the Monitoring Officer a complaint relates to the Subject Councillor's fulfilment of their role they will refer the complaint to the relevant Group Leader to consider
- 3.7 These arrangements are not intended to apply to allegations of criminal offences or other regulatory breaches which will be referred by the Monitoring Officer to the Police or other regulatory body. If the matter is referred to the Police or other relevant regulatory body the Monitoring Officer will take no further action on the complaint.
- 3.8 If, following the initial assessment, the Monitoring Officer determines that no further action should be taken, the Monitoring Officer will notify the Complainant of this fact and the reasons for their decision. The Monitoring

Officer will also notify the Subject Councillor (copying the relevant Group Leader) with details of the decision made and the reasons for the same.

- 3.9 If, following the initial assessment, the Monitoring Officer determines that further action should be taken, the Monitoring Officer may
- 3.9.1 Arrange appropriate actions (e.g. mediation or training)
 - 3.9.2 Refer the complaint to the relevant Group Leader for informal action; or
 - 3.9.3 Arrange a formal investigation of the complaint.
- 3.10 The Monitoring Officer will inform the Complainant, the Subject Councillor and the relevant Group Leader of the result of the initial assessment within 15 working days of receipt of the complaint by the Monitoring Officer or if further information is required under paragraph 3.2 above, within 15 working days of receipt of all such further information.

4. Where further action is required

- 4.1 Where the Monitoring Officer (in consultation with the Independent Person) considers that the complaint should progress beyond the initial assessment stage and that some form of action should be taken, they will inform the Subject Councillor and relevant Group Leader of their decision. The Monitoring Officer will seek representations from the Subject Councillor, will consult with the relevant Group Leader and may consult with the Independent Person before determining the next steps.
- 4.2 In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Where the Subject Councillor makes a reasonable offer of informal resolution which the Complainant is not willing to accept, the Monitoring Officer will take this into account when deciding whether the complaint merits formal investigation.

4.3 In determining whether to proceed to a formal investigation the Monitoring Officer will consider:-

4.3.1 whether there is evidence to support the complaint;

4.3.2 whether the subject matter is something that it is possible to investigate;

4.3.3 whether an investigation would be proportionate; and

4.3.4 whether the behaviour complained of has a sufficiently significant impact on public perception of or trust in the Council or local democracy that an investigation would be in the public interest.

4.4 Where the Monitoring Officer determines that a formal investigation is required, they will appoint a suitable person to investigate the complaint.

4.5 Where the Monitoring Officer, in consultation with the Independent Person, on the basis of the results of the investigation finds that there has not been a breach of the Code of Conduct, the Monitoring Officer will notify the Subject Councillor, Group Leader and Complainant of the outcome.

4.6 Where the Monitoring Officer, in consultation with the Independent Person, on the basis of the investigation, finds that a breach of the Code of Conduct has occurred, the Monitoring Officer may seek to resolve the matter informally or make arrangements for a Local Hearing.

5. A Local Hearing

5.1 A Local Hearing will be conducted by at least three non-Executive members of the Council from at least two political groups, drawn from the Audit Committee of the Council as nominated by the Chairman of the Audit Committee. The Chairman of the Audit Committee will consult with Group Leaders on these nominations

5.2 The Local Hearing will be conducted in accordance with the Hearing Process attached at Appendix A to these arrangements.

5.3 Where the Local Hearing determines that a breach of the Code of Conduct has occurred they will, except in the circumstances described in paragraph 5.4, make recommendations to the relevant Group Leader who will decide the appropriate actions and notify the Subject Councillor and the Monitoring Officer. The Monitoring Officer will notify the Complainant.

5.4 Where the Local Hearing, having consulted with the Independent Person, decides that a breach has occurred and that the breach is of extreme seriousness the Local Hearing may determine that a motion of censure or reprimand of the Subject Councillor be referred to the next full Council meeting.

5.5 The Monitoring Officer or Local Hearing have no power to suspend or disqualify the Subject Councillor, to withdraw Member's basic or special responsibility allowances or to recommend other outcomes.

6. Special Applications

6.1 In cases where the Subject Councillor complained about is not part of a recognised political grouping, the Monitoring Officer will proceed as detailed above save from liaison with any Group Leader.

6.2 In cases where the complaint is against a Member who is a Group Leader, the Monitoring Officer will proceed as detailed above save that the Monitoring Officer will consult a Senior Member from outside the Council (nominated for that purpose in advance of any complaint by the Group Leader) in all cases where they would have consulted a Group Leader. In such cases, the Local Hearing will consult that Senior Member in addition to the Independent Person. In such cases the Local Hearing will make recommendations as to the action to be taken under paragraph 5.3 above to the relevant Deputy Group Leader who will decide the appropriate action to be taken.

- 6.3 Where the Monitoring Officer is unable to act in relation to these arrangements by reason of any conflict of interest or otherwise he may appoint a Deputy Monitoring Officer for the purpose from within the Council or appoint an independent Monitoring Officer from another authority to act as Monitoring Officer for the purposes of this arrangement

7. Revision of these Arrangements

- 7.1 The Council may by resolution agree to amend these arrangements and has delegated to the Monitoring Officer the right to depart from these arrangements where they consider that it is expedient to do so to secure the effective and fair consideration of any matter.

8. Appeals

- 8.1 There is no right of appeal for the Complainant or Subject Councillor against a decision of the Monitoring Officer or the decision or recommendations of the Local Hearing. If a Complainant believes that the Council has failed to deal with their complaint properly, they may submit a complaint to the Local Government Ombudsman.

APPENDIX

LOCAL HEARING UNDER THE MEMBERS CODE OF CONDUCT

HEARING PROCESS

Introduction

- 1 This document sets out the Procedure to be followed at meetings of a Local Hearing Panel constituted under paragraph 5 of the Local Arrangements for Dealing with Standards Complaints under the Council's Constitution.
- 2 The role of the Panel is to consider the Investigators Report and representations, the Subject Councillor's representations and to consult the Independent Person and decide whether there has been a breach of the Members Code of Conduct

Persons Attending

- 3 The following persons shall be in attendance at the Hearing which shall be conducted in private.
 - 3.1 the Panel;
 - 3.2 the Monitoring Officer;
 - 3.3 the Independent Person;
 - 3.4 a clerk to take notes of the Hearing
 - 3.5 the Subject Councillor";
 - 3.6 one person to accompany and assist the Subject Councillor; and

3.7 the investigator.

Notice of the Hearing

4 At least 7 days' notice of the Hearing will be given to the Panel, the Subject Councillor and the investigator unless a shorter time is agreed at the request of the Subject Councillor. The notice shall be accompanied by the investigator's report and accompanying documents and a copy of this Hearing Process.

Process at the Hearing

5 The process at the Hearing will be as follows:-

5.1 The Panel Chairman will make introduction and explain the process to be followed

5.2 The investigator will present their Report and conclusions and the evidence on which it is based

5.3 The Subject Councillor will have an opportunity to ask questions of the investigator

5.4 The Panel and Independent Person will have an opportunity to ask questions of the investigator

5.5 The Subject Councillor presents his or her case

5.6 The investigator will have an opportunity to ask questions of the Subject Councillor

5.7 The Panel and Independent Person will have an opportunity to ask questions of the Subject Councillor

5.8 The investigator summarises the results of their investigation

5.9 The Subject Councillor summarises his or her response including making any representations as to the steps he or she would wish the Panel to take if it decides that there has been a breach of the Members Code of Conduct

5.10 The Panel Chairman declares the Hearing to be closed

6 When the Panel Chairman declares the Hearing closed the Councillor and the investigator will withdraw.

7 The Panel will deliberate taking advice on issues from the Independent Person and on process from the Monitoring Officer.

- 8 On reaching a decision the Subject Councillor and the investigator will be called in and the Panel Chairman will inform the Subject Councillor of their decision and, where their decision is that there has been a breach of the Members Code of Conduct, whether they will make recommendations to the relevant Group Leader or put a motion of censure to the Council.

After the Hearing

- 9 As soon as reasonably practicable after the Hearing the Monitoring Officer will prepare a formal decision notice in consultation with the Panel Chairman and send a copy to the Subject Councillor and (where applicable) the Subject Councillor's Group Leader. The decision notice will include the reasons for the decision.
- 10 The Monitoring Officer will send the decision notice to the complainant and make the decision notice available for public inspection on the expiry of two working days after the formal decision notice was sent to the Subject Councillor and (where applicable) Group Leader and will report the decision to the next convenient meeting of the Audit Committee.

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SECTION D1

PROTOCOL ON MEMBER/OFFICER RELATIONS

1. GENERAL

1.1 Rationale

The purpose of this Protocol is to enhance working relationships between Members and Officers of the Council. Whilst the Protocol cannot be comprehensive, it sets out guidance on some of the key issues that arise in those relationships. The Protocol also seeks to reflect both the principles underlying the respective Codes of Conduct for Members and for Officers and the seven General Principles of Conduct in Public Life.

1.2 Remit

For the purposes of this Protocol, and unless stated otherwise, the term “Member” includes both elected members (i.e.- councillors) and added members (i.e.- non elected appointed or co-opted, voting or non-voting).

1.3 Fundamental Principles

- Members and Officers of the Council are obliged to act within the law and in compliance with relevant standards and codes of conduct.
- The role of a Member is defined in Statute. In law all Members are equal and have the responsibilities of trustees.
- The over-riding duty of a Member is to the whole community, with a special duty (if a councillor) to their constituents.
- Officers serve the whole Council ~~as a single statutory corporate body and all Councillors.~~
- Officers advise the Executive, the Council and its Committees and are responsible for ensuring that the decisions of the Council are effectively implemented.
- Officers are required to be politically neutral and, for some employees, this is enforced through the political restrictions imposed by the Local Government and Housing Act 1989.
- The interests of the Council are best served where there is mutual confidence and trust between all Members and Officers.
- Both Members and Officers have responsibility for decision making within the schemes of delegation for both Council and Executive functions as set out in the Council’s Constitution
- Members should understand and respect the roles of the Council’s main statutory officers (namely the Head of Paid Service, the Monitoring Officer and the Section 151 Officer).
- The Chief Executive and Chief Officers (and Senior Officers working to them) should work closely with members of the ruling group to ensure effective policy development and efficient executive decision making
- Officers will provide adequate support to all Members in their local or representational role

1.4 **Provision of Advice**

- (a) Members should recognise that Officers have the duty and right to provide appropriate professional advice, and the right to have that advice recorded, so that all Members are fully aware of the implications of their decisions.
- (b) Officers should recognise that it is the right of the Members to take the final decisions in the light of their advice.
- (c) The provision of that advice is the principal means by which Members can gain assurance that their decisions comply with the law and relevant standards or codes of conduct and are in accordance with Council policies and procedures.
- (d) The advice provided by the Officers should be factual, honest, objective and politically neutral and based on professional experience and expertise.
- (e) The advice should be sensitive to the political aspirations and constraints of Members but should not reflect, or be influenced by, those aspirations and constraints.
- (f) The advice given by Officers will have the ultimate aim of serving the interests of the Council as a whole, irrespective of whether the current emphasis of an Officer's role is Executive, Overview & Scrutiny or Regulatory.
- (g) It is improper for any Member to seek to influence Officer advice and /or recommendations by subjecting any Officer to undue pressure (see Paragraph 1.5 below). Such advice and recommendations must be those of the officer only.

1.5 **Respect and Courtesy**

- (a) For the effective conduct of Council business there must be mutual respect and courtesy in all meetings and contacts, both formal and informal, between Members and Officers. It is very important that both Members and Officers remember their respective obligations to enhance the Council's reputation and to do what they can to avoid criticism of Members or Officers.
- (b) If an officer is in breach of this requirement, some form of disciplinary action may result as a consequence of investigation by the Chief Officer.
- (c) If a Member is in breach, then the matter will be discussed, if appropriate, with the Head of Paid Service and/or Monitoring Officer, and will then be dealt with within their political group.

1.6 **Undue pressure**

- (a) In their dealings with Chief Officers and, more particularly, other Officers, Members must remain aware at all times that Officers have no discretion to act outside Council policies.

- (b) A Member should not apply undue pressure on an officer either to do anything that they are not empowered to do, or to undertake work outside normal duties, or outside normal hours. A Member should not seek to instruct, or direct the work of, individual employees, nor create a situation that places, or could place, any Officer in conflict with his or her Line Manager.
- (c) Similarly, an Officer must neither seek to use undue influence on an individual Member to make a decision in that Officer's favour or to his or her advantage, nor raise with a Member personal matters to do with their work. No Officer shall make claims or allegations to a Member about another Member or Officer except for a Chief Officer raising issues through proper channels as set out in the Constitution.

1.7 **Familiarity**

Close familiarity between Members and Officers must be avoided. It can damage the principle of mutual respect and could lead to passing of confidential information, or information which should not properly be passed between them. Such familiarity could also cause embarrassment to other Members and/or Officers or could give rise to a suspicion or perception of favouritism.

2. INFORMATION AND THE POLITICAL PERSPECTIVE

- 2.1 All information will be open and accessible, subject to legislative requirements on exempt and confidential information and relevant Data Protection law. ~~the Data Protection Act.~~
- 2.2 For the proper functioning of the County Council as a whole, Officers will normally be permitted to share information freely between themselves.
- 2.3 Where the information has been supplied/received subject to a request for party political confidentiality, an Officer will be permitted to share that information with other Officers if he/she believes that to be necessary - for example for the purpose of verifying the legality, financial probity or procedural regularity of any proposed course of action disclosed by that information. However, the request for party political confidentiality will be confirmed to, and honoured by, any Officers with whom the information is shared.
- 2.4 Appropriate and regular liaison between Members and Officers connected with the Executive and Overview & Scrutiny aspects of the County Council should avoid the relationship between Overview & Scrutiny and the Executive becoming adversarial and polarised. This liaison, combined with the politically balanced nature of Overview & Scrutiny, should reduce the number of occasions on which it is necessary for information to be supplied by Councillors to Officers on a party political confidential basis at the Executive/Overview & Scrutiny levels.
- 2.5 Officers can share with the appropriate Executive Member any factual information supplied to any other Member.
- 2.6 Where information is supplied to Officers on a party political confidential basis, the Officers will respect that confidentiality unless the Officers believe that the proposed course of action appears to be in conflict with the law, or any relevant

standards or codes of conduct, or would amount to an abuse of the processes of the County Council.

- 2.7 Where party political confidentiality would be maintained in accordance with the preceding sub-paragraph, the Officers may, nonetheless, seek to persuade the Members requesting the confidentiality to agree to that information being shared with the other political groups on the grounds that it would assist the more effective functioning of the County Council; however, in the absence of any such agreement to waive the confidentiality, the Officers would continue to respect it.
- 2.8 Where there is a change in Political Administration, the Officers will act in relation to the new Administration and Opposition party or parties in the same way as they did for the old; and will continue to respect any continuing party political confidentiality.

3. SUPPORT SERVICES TO MEMBERS

- 3.1 All Councillors have a right to receive information from the County Council that they need to carry out their role as a County Councillor.

4. OFFICERS AND WHOLE COUNCIL

- 4.1 The Constitution includes provision for a single party Executive, delegation of decisions to individual Executive Members and a clear division between the Executive, Overview & Scrutiny and Regulatory roles of Members.
- 4.2 However, Officers are required at all times to serve the whole Council and will need to exercise judgement in fulfilling this obligation, whilst maintaining the distinction between the Executive, Overview & Scrutiny and Regulatory functions.
- 4.3 Members must recognise this obligation on Officers.

5. OFFICERS AND THE EXECUTIVE

- 5.1 Any decision by an individual Executive Member or a collective decision by the Executive must be supported by written advice from the appropriate Officer.
- 5.2 An Officer's obligation to the whole Council requires that such advice is independent and Executive Members must not seek to suppress or amend any aspect of such professional advice.
- 5.3 Reports to the Executive will normally be produced by Officers but there may be occasions when an Executive Member produces such a report. In either situation, the appropriate Officer shall record his or her professional advice to the Executive and ensure that that advice is considered when a decision is taken.
- 5.4 When Officers have to carry out decisions of an individual Executive Member, Non-Executive members should recognise that these are still legitimate executive decisions of the Council

6. THE EXECUTIVE AND OVERVIEW AND SCRUTINY

- 6.1 Given the nature and purpose of the County Council and the respective roles of Members and Officers, it is accepted that the Officers, while remaining politically neutral, will inevitably give advice on a wider range of issues and on a more regular basis to the Executive. For their part, the Executive will continue to respect the political neutrality of the Officers and accept that Officers are obliged to respond positively to any requests from Overview & Scrutiny for appropriate information and advice relevant to the issue being considered by Overview & Scrutiny.
- 6.2 When an Officer requests it, the Executive will provide an appropriate Lead Member to attend an Overview & Scrutiny meeting to explain an Executive decision and the reasons for it.

7. OFFICERS AND INDIVIDUAL MEMBERS

- 7.1 Any Group Leader, Executive Member, Group Spokesman, Committee Chairman or Chief Whip/Group Whip or their nominated representative may request a private and confidential briefing from a Chief Officer on matters of policy which have already been or may be discussed by the Council or which are within its decision-making or advisory process. Briefings shall remain strictly confidential and are not to be shared with other Members without the express permission of the relevant Member(s).
- 7.2 Except for the confidential policy advice referred to above, where possible information will be shared among political group representatives. In particular, scrutiny is a cross party process involving all political groups represented on the Council. Information supplied to Scrutiny Chairmen will therefore be shared as a matter of course with each of the political groups.
- 7.3 Individual Members may request any Chief Officer (or another senior Officer of the Directorate concerned) to provide them with information. Where the Member has a right to information and can demonstrate his/her duties as a Member, such requests must be reasonable, and must recognise the need for Officers to maintain the distinction between Executive, Overview & Scrutiny and Regulatory processes.
- 7.4 If a Chief Officer considers the cost of providing the information requested - or the nature of the request - to be unreasonable, he/she shall seek guidance from the Head of Paid Service as to whether the information should be provided.
- 7.5 Confidential information relating, for example, to casework, should not normally be sought by a Member from an Officer. If, in exceptional circumstances, a Member wishes to discuss confidential aspects of an individual case, they should seek advice from the appropriate Chief Officer and follow any relevant guidance.
- 7.6 Any Council information provided to a Member must only be used by the Member for the purpose for which it was provided (i.e.- the proper performance of the Member's duties).
- 7.7 There will be quarterly informal meetings of all Group Leaders and the ruling group's Deputy Leaders with the Head of Paid Service. These meetings will be

confidential and minuted. Their objective is to help ensure the political management of the Council and build effective relationships.

7.8 Any Group Leader can request additional meetings to discuss urgent matters.

8. LOCAL MEMBERS

8.1 It is essential for the proper running of the Council that Local Members (i.e. - councillors) should be fully informed about matters on which they may be required to make decisions or which affect their electoral divisions.

8.2 It is the duty of each Chief Officer and Executive Member to ensure that all relevant staff are aware of the need to keep Local Members informed and that the timing of such information allows Local Members to contribute to those decisions.

8.3 Local Members shall also be kept informed about matters affecting their divisions during the formative stages of policy development and discussion.

8.4 Issues may affect a single electoral division but others may have a wider - even sub-regional - impact, in which case numerous Local Members will need to be kept informed.

8.5 Local Members have an important role to play in representing the County Council in their constituencies; responding to the concerns of their constituents; in meetings with partners and serving on outside organisations.

8.6 Whenever a public meeting is organised by the Council to consider a local issue, all the Local Members representing the electoral division(s) affected should as a matter of course be invited to attend the meeting.

8.7 Similarly, whenever the Council undertakes any form of consultative exercise, the Local Member(s) should be notified at the outset of the exercise.

9. OFFICERS AND NON-COUNTY COUNCIL ELECTED REPRESENTATIVES

9.1 Officers may be requested to meet with councillors or elected representatives from other Councils or organisations to provide briefings and/or policy advice.

9.2 Any Officer requested to attend such a meeting which is not held on a cross political party basis must obtain the prior authorisation of the Head of Paid Service who shall inform all Group Leaders of the arrangements.

10. MEDIA RELATIONS

10.1 Advice to the Executive and Executive Members in relation to the media will be provided on a confidential basis if requested.

10.2 Executive Members will (through the Communications Team) be able to publicise issues prior to decisions being taken.

- 10.3 Overview & Scrutiny and Regulatory Chairmen shall ensure that all media statements relating to the scrutiny and regulatory functions have the support of the relevant Committee. Any such statements must be consistent with the Council's intent that the scrutiny and regulatory functions shall help to achieve a culture of continuous improvement and good governance throughout the Council.
- 10.4 The Communications Team and other Officers will also assist non-Executive Members (particularly Chairmen and Vice-Chairmen) in their media relations (on a confidential basis if requested).
- 10.5 Any Officer assisting a Member with media relations must act at all times in the interests of the whole Council and in a politically impartial manner. Other than factual statements, Members should not seek assistance from an Officer with the preparation or issue of any media statement that will adversely affect the reputation of the Council.

11. REDRESS

- 11.1 If a Member considers that they have not been treated properly by an Officer, they should first try to resolve the matter through direct discussion with that Officer.
- 11.2 The Member may raise the matter with the officer's Line Manager or Chief Officer if the matter cannot be resolved through such discussion. A Member may raise the issue with the Head of Paid Service if it remains unresolved. Where appropriate, disciplinary action may be taken against an Officer
- 11.3 Similarly, if an Officer feels that they have not been treated properly by a Member and they feel unable to resolve the matter directly with that Member, the Officer should raise the issue with the appropriate Chief Officer. In such circumstances the Chief Officer will take such action as is appropriate, including, if necessary, raising the matter with the relevant Group Leader.
- 11.4 The Chief Officer will inform the Head of Paid Service if the Group Leader becomes involved, and, in other cases, where appropriate.
- 11.5 If any matter covered by 11.3 above involves an actual or potential breach of the Code of Conduct for Members, it should be referred to the Monitoring Officer.

12. ARBITRATION

- 12.1 When necessary or appropriate, the Head of Paid Service will arbitrate on the interpretation of this Protocol.

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SECTION D2

PROTOCOL ON COUNCILLOR INVOLVEMENT IN COMMERCIAL TRANSACTIONS

BACKGROUND

This protocol is designed to support Councillors in their work within the community which is an invaluable part of explaining the intentions of the Council at a local level and which assists in maintaining the Council's responsiveness to legitimate interest groups.

PRINCIPLES

The protocol is based upon the following principles.-

- Protecting the personal integrity of Councillors and officers.
- Ensuring the financial and probity interests of the Council are protected.
- Ensuring decisions are based on complete and sound information and advice from appropriate professional staff.
- Ensuring decisions are in accordance with the Council's agreed processes and standards.
- Protecting the Council, its Councillors and officers from undue pressure or inappropriate contact from contractors and parties with a commercial interest in a transaction.

PROTOCOL

The Council is engaged at any one time in a large number of commercial transactions, which range from such matters as the procurement of goods, services and works, the purchase or sale of land or the disposal of surplus property to such matters as the provision of advice and/or grant aid to companies.

Councillors frequently have a constructive involvement in such commercial transactions. That involvement is not limited to taking the decision in Council, Committee or Executive as to whether to enter into such contracts and arrangements and in exercising their scrutiny functions to ensure that such arrangements complied with the Council's requirements in terms of propriety and are designed and managed so as to provide the Council with the best possible value for money. Such involvement also extends to their role within the community in making the public aware of the services which the Council can make available, and in effecting introductions between such interested parties and the officers who are responsible for administering and delivering those services.

Because of their very close involvement with the community which the Council serves, Councillors may also become aware of opportunities for the Council to act to benefit that community, opportunities to buy land, or commercial or voluntary organisations who could expand their activities if the Council were able to secure the opportunity for them to extend their premises, or local businesses who provide high quality goods or services of a sort which the Council requires, and who might benefit from an opportunity to compete to supply the Council.

However, such commercial transactions also carry significant responsibilities. These include:

- the obligation to secure the best possible value for money for the Council;
- the legal obligation on the Council to secure “best consideration” on the disposal of its land, unless it obtains the consent of the Secretary of State;
- the Best Value obligations to secure the continuous improvement in all Council services, whether delivered directly or externally procured;
- the need to comply with relevant law;
- the need to ensure that a commercial transaction is drafted and documented in such a manner that it can be enforced, for example if the other party defaults or under-performs, or if the goods supplied or the work carried out subsequently prove to be defective;
- the requirement that the transaction and all matters leading up to the final transaction, should be fully and clearly recorded, so that it can be audited to ensure propriety in the procurement process; and
- compliance with the requirements of the Council’s Local Code of Conduct for Councillors and the national code for officers.

In addition, there is the danger that an individual Councillor or officer will be misrepresented by the advocates or opponents of a particular proposal who may, innocently or otherwise, claim that the Councillor or officer has given incorrect information or advice or misrepresented the proposal, are biased or have shown favouritism.

Failure to comply with these requirements can result in serious penalties for the Council, for individual Councillors involved in the transaction and for officers. Such penalties include:

For the Council:

- direct financial loss from entering into contracts which are not good value for money for the Council;
- inability to enforce the contract or to recover damages for breach;
- liability to third parties;
- liabilities where a decision made by or on behalf of the Council is overturned on judicial review because it is held to have been unlawful or unreasonable; and

- the loss of the Council's reputation as an organisation dedicated to the interests of the community which it serves.

For individual Councillors:

- suspension or disqualification from office for breach of the Council's Code of Conduct;
- personal liability, in the event of a Councillor's negligence or reckless or deliberate misconduct causing loss to the Council; and
- prosecution for Misuse of Public Office. (Note that it is for the recipient of any gift or hospitality from a tenderer or contractor with the Council to prove that it was not an inducement or reward for anything which the recipient has done in their public position).

For an officer:

- disciplinary proceedings by the Council, possibly leading to dismissal;
- personal liability to the Council for any loss caused by their negligence or reckless or deliberate misconduct; and
- prosecution for Misconduct in a Public Office.

1. LOBBYING

It is a natural part of a political process that those who may be affected by a proposed decision of a local authority should seek to influence that decision. In many cases they will approach their local Councillor, as the interface between the Council and the local community, or the Chairman of the relevant Committee, as the person who is seen as being responsible for the processing of the decision, or a relevant officer.

Councillors must be seen to determine matters on their merits. A Councillor or officer who has given a personal commitment to support or oppose a particular proposal will have committed themselves before the full issues have been explored, which exploration occurs from discussion of the officer's report and recommendation in the Council or executive or Committee meeting. Accordingly, when approached by an advocate or opponent of a particular proposal, a Councillor has to decide whether:

- 1.1 They will remain impartial, in which case they must limit themselves to listening politely to the arguments put forward, declining to state a personal position and advising the person making the approach of the proper channel for making such representations. When they attend any Council, Executive, Committee or other meeting at which the proposal is considered, they should report to the meeting that they have received such representations.
- 1.2 They will take sides on the issue by declaring their support or opposition to the proposal. In that case, they are either an advocate or an opponent of the proposal and are no longer impartial. As a result, they should declare an interest and withdraw from any such meeting at which the matter is under consideration. The only exception to this rule is that, where a local Councillor has received and supports strong representations from local residents in his/her ward, it is customary for the Councillor to be allowed to report those

representations to the Committee or Panel in declaring an interest at the commencement of discussion of the matter and immediately before withdrawing from the meeting.

- 1.3 No officer should meet and hear advocates or opponents of a proposal on his/her own, but should wherever possible arrange that another officer is present and make a contemporaneous record of the meeting, which should be kept on the matter file and included as a background document, and should report the meeting to the Council, Executive or Committee or Panel meeting where any matter which is material to the determination of the proposal has arisen.
- 1.4 Where a Councillor is of the opinion that a person or organisation have legitimate representations to make, he/she should advise them that they may make those representations in writing to the relevant officer, and the officer should ensure that any relevant representations which he/she receives are fairly report to the meeting of the Council or Committee or Panel at which the matter is considered.
- 1.5 In some cases, it will be appropriate for the advocate or opponent to have a face-to-face meeting with the Council. Where a Councillor is of the view that such a meeting is appropriate, he/she should request the relevant officer to arrange such a meeting. The officer will consider, in consultation with the relevant Executive Councillor or Committee or Panel Chairman as appropriate, whether such a meeting will be constructive and whether it should be at officer or at Councillor level. Where it is at Councillor level, the officer will ensure that the relevant Councillors are invited to attend by the appropriate Chief Officer. All such meetings will be attended by the officer of the Council who is responsible for the matter, or his/her representative, and the officers attending shall make a contemporaneous note of the course of the meeting and ensure that the fact of the meeting and any material issues which came out of it are reported to the meeting of the Council, Executive or Committee or Panel at which the matter is considered.

2. GIFTS AND HOSPITALITY

~~Gifts and hospitality provide a particularly difficult area where local government rules are sharply at odds with private sector business practice. Recent events in national politics illustrate how careful local government Councillors and officers have to be to avoid the suspicion of impropriety, for their own protection as much as for the protection of their authority.~~

~~The best way to demonstrate such innocence is to be totally open about the matter, and it is for this reason that this local authority maintains a register of gifts and hospitality for Councillors and officers. That is not to say that Councillors and officers should never receive modest gifts or hospitality. A working lunch may be the most efficient way of transacting in a busy schedule. Equally, a contractor may reasonably wish to celebrate the completion of a project with a formal launch, and may wish to include some hospitality in such a launch. Whilst it is important not to offend by ungraciously refusing such an invitation, if innocently offered, it is more~~

~~important to ensure that the Council's reputation is protected and not to give the impression that a Councillor's or officer might be swayed in the performance of his/her public duties by such an offer.~~

~~The simple ground rules are as follows:~~

- ~~2.1 Always declare to the Monitoring Officer at the earliest opportunity any offer or receipt of a gift or hospitality from any person or organisation which has, or seeks to have, any commercial relationship with the Council.~~
- ~~2.2 If you have any suspicion that the offer of a gift or hospitality might have been made from improper motive, to influence you in, or to reward you for the performance of, your public duties you should politely but firmly decline the offer and advise the Monitoring Officer, or the Head of Paid Service in his absence, of your suspicions.~~
- ~~2.3 Any gift or hospitality offered should be appropriate in scale and nature to the occasion. In particular, any offer which is made at a time when an issue relating to the person offering the gift or hospitality is before the Council for determination should be viewed with particular care.~~
- ~~2.4 Where you accept a gift or hospitality has a commercial value, such as an invitation to a commercial sports event, you should always ensure that you pay the full commercial price (and not just the face value of the ticket) to the person providing the gift or hospitality, and that you declare this to the Monitoring Officer.~~
- ~~2.5 Whenever possible, you should put any invitation on an official footing by advising the Monitoring Officer of the offer and requesting an appropriate officer to accept or decline the offer on your behalf.~~

3.2. PROFESSIONAL ADVICE AND NEGOTIATIONS

One area of special sensitivity relates to commercial negotiations, where the Council's public service objectives may conflict with the profit motivation of the other party to the negotiation, and where it is accordingly essential to ensure that the end result of the negotiation secures value for money for the Council and does not leave it exposed to excessive liability or risk.

There will be occasions when Councillors can play an invaluable part in such negotiations, not least in expressing to the other party the commitment of the Council to a particular project, or the political constraints within which the transaction occurs. However, given the risks to Councillors from involvement in such negotiations, Councillors should never undertake any commercial negotiation alone directly but limit their role to setting the policy and political framework for approving the final deal.

Council officers will conduct all commercial negotiations and will keep Councillors aware of the progress and implications of their actions. In the exceptional circumstances that the negotiations may benefit from Councillor involvement it will be in accord with the following protocol:

- (a) The Councillor will discuss the transaction in advance with a Council officer of suitable seniority and agree a strategy to progress the transaction.
- (b) Having agreed the strategy, any discussions with interested parties would be organised by a senior officer and would only take place in the presence of an appropriate senior Council officer.
- (c) Only Council officers will make offers to or indicate acceptance of an offer from interested parties on behalf of the Council.
- (d) A record of the meeting involving Councillors with interested parties would be produced by the Council officer in attendance and kept on file for future reference.

43. CONFIDENTIALITY

Commercial transactions, by their nature, involve the commercial activities of one or more party other than the Council. They will involve the disclosure to the Council of matters of commercial confidentiality, such as the business plans, performance standards or pricing structures of commercial organisations, disclosure of which to a competitor or to the market could be very detrimental. This is all the more so as Best Value encourages the development of Partnership and Open Book transactions. The maintenance of confidentiality is essential both to maintain the integrity of a competitive procurement process and to ensure that those who have commercial dealings with the Council know that they can rely upon the Council to protect their commercial secrets, and are therefore able to be open with the Council.

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SECTION D4

PLANNING DEVELOPMENT CONTROL PROCESS

1. INTRODUCTION

1.1 Planning is not an exact science. It relies on informed judgement within a firm policy context. It is highly contentious because its decisions affect daily lives and private interests. The openness of the planning system invites participation. Planning decisions must be open, unbiased and transparent. These principles underpin good decision making, the planning system, the Local Government Act 2000 and the Human Rights Act 1998.

1.2 The planning system controls development in the public interest. The Council's role is to make the best decision (even if that takes a little time) taking into account the effect of the development on the environment and on the interests of the wider community. This, like many other decisions of the County Council involves balancing many, often conflicting, interests. Planning decisions must therefore be taken and be seen to be taken:

- openly;
- impartially;
- taking all relevant matters into account;
- ignoring any irrelevant matters;
- for justifiable and clearly stated reasons.

There must be no grounds for suggesting that a decision has been biased. Bias does not mean Councillors or Officers have been swayed by relevant factors. It means that an ordinary Member of the Public, with full knowledge of the facts, would reasonably conclude that Councillors or officers might have been swayed by irrelevant considerations, personal factors, or the manner in which the application had been dealt with.

1.3 Examples of circumstances in which a decision would be likely to be biased are:

- any voting member of the Committee has declared openly their position before the Committee meeting;
- either the applicant or supporters of the application or objectors have been given different levels of access to state their case to the Committee;
- the information provided to individual Committee members is not consistent;
- a member of the Committee has not declared a prejudicial interest;
- the Committee has not been made aware of all material considerations;
- the Committee or members of the Committee have not acted in the public interest;

- decisions, with respect to both conditions and reasons for refusal, are not supported by clear understandable reasons.

That is not an exhaustive list but illustrates the range of factors which can be seen as demonstrating bias.

- 1.4 A decision can be challenged for bias through a judicial review. The court could invalidate the decision, advising the Council to reconsider the matter properly. The costs of those affected in going through this process would fall on the Council. The Council may also be liable for the costs caused by delaying the decision. Delay may also severely affect the Council's own future plans.
- 1.5 Applicants for planning consent may appeal against a refusal or the content of conditions attached to an approval through planning appeal procedures. Similarly, appeals can also be lodged against enforcement action. The Council will incur its own costs of this process, and if it has acted unreasonably, may also have to pay the applicant's costs.
- 1.6 Bias could lead to a complaint to the Local Government Ombudsman, who might recommend payment of compensation; this would be recorded on the Council's Key Performance Indicators.
- 1.7 Bias caused by a breach of the Lincolnshire Code of Conduct could be dealt with under the agreed local arrangements for dealing with Standards complaints.
- 1.8 Dealing with such matters including appeals, Ombudsman's complaints and judicial reviews, is time consuming and costly. If challenges are upheld then the credibility of the County Council suffers.
- 1.9 The County Council has a code of conduct which deals with the issues that affect all Council business. Given the complexities, responsibilities and pressures of the planning system, it is sensible to have a code of practice, amplifying the code of conduct for dealing with planning issues. This code of practice is based on a national code, prepared by the Local Government Association and published as "Probity in Planning". It should protect Officers and Councillors from false allegations, and give the public confidence in the planning decisions of the Council.

2. THE GENERAL ROLE AND CONDUCT OF COUNCILLORS AND OFFICERS

- 2.1 Councillors and officers have different but complementary roles, both of which serve the public. Councillors are responsible to the electorate, while officers are responsible to the Council as a whole. Officers advise Councillors and the Council, and carry out the Council's work. They are employed by the Council, not by individual Councillors and instructions to officers come from the legally established decision taking mechanisms of the Council. Unless given clear delegations to act on behalf of the Council, Officers can only advise.

- 2.2 Both Councillors and Officers are guided by codes of conduct. The local Code of Conduct provides standards and guidance for Councillors. Employees are to be the subject of a statutory Employee's Code of Conduct. In addition, Chartered Town Planners are guided by the Royal Town Planning Institutes' Code of Professional Conduct.

3. GENERAL CODE OF CONDUCT FOR COUNCILLORS AND OFFICERS

3.1 Councillors:-

Code of Practice

- In making planning decisions, Councillors must make decisions on the basis of put the wider public interests of Lincolnshire as a whole as expressed in planning policy before those of their own locality and must be seen to do so;
- ~~And must be seen not to do so, remembering that "person" includes companies, and other organisations;~~
- Councillors should not try to persuade officers to alter their professional advice or put pressure on officers for a particular recommendation.
- Councillors must not put pressure on other Councillors for a particular recommendation;
- Councillors should receive training on how to approach planning matters: initial training when first serving on the Planning and Regulation Committee and regular updates to keep abreast of any changes which take place in legislation or procedures.

3.2 Planning Officers shall:-

- always act impartially, providing independent professional advice to the best of their skill and understanding;
- act with competence, honesty and integrity;
- advise and act in accordance with approved policies;
- observe the Officer's Code of Conduct (when adopted);
- observe the Code of Professional Conduct of the Royal Town Planning Institute.

4. HOSPITALITY

4.1

Code of Practice

- In making planning decisions, Councillors should refuse any gift and be extremely cautious about accepting hospitality. If the receipt of hospitality is unavoidable from persons with an interest in a planning proposal, it must be ensured it is of a minimum level.

5. DECLARATION OF INTERESTS

5.1

Lincolnshire County Council's Code of Conduct

Members must in all matters consider whether they have an interest, under the Council's code of conduct which they should register and declare.

6. LOBBYING OF AND BY COUNCILLORS

- 6.1 Lobbying is a normal and important part of the political process. However, such lobbying can, unless care and common sense are exercised by all parties concerned, lead to the impartiality and integrity of Councillors concerned being called into question.

Code of Practice

- Councillors on the Planning and Regulation Committee should restrict their advice to lobbyists to procedural matters and advise objectors and supporters of any proposal, to write to the relevant officer so they can be included in the officer's report;
- Councillors on the Planning and Regulation Committee must not openly declare which way they intend to vote in advance of the formal consideration of an application. If they have openly declared their position they shall properly declare their position at Committee and not vote on the application concerned;
- A decision on a planning application must not be taken before the Planning and Regulation Committee meeting, when all available information and views have been considered. Any group meeting before a committee meeting, must not be used to decide how Councillors should vote;
- Councillors on the Committee must avoid organising support for an opposition to a planning application, and avoid lobbying other Councillors (except when they are addressing the Committee).

Code of Practice

- Executive Councillors must not participate as members of the Planning and Regulation Committee in deciding applications by Executive or fellow Executive Members on behalf of the Council;
- Local Divisional Councillors who are not on the Committee are allowed to speak. Only members of the Committee shall be able to vote.

6.2 Opinions, which are relevant to the determination, made by the applicant, agent, objector, to any member must be made known to the relevant planning officer, in order that they can be included in the officer's report to committee and therefore properly considered.

7. PRE-APPLICATION DISCUSSIONS

- 7.1 Discussions between potential applicants and the council, prior to the submission of an application, can be of considerable benefit to both parties and is encouraged by central government. However, it can be easy for such discussions to become, or be seen to become, part of a lobbying process. Pre-application discussions should, therefore, take place within clear guidelines. The guidelines are:
- 7.2 At the outset, it will be made clear that the discussions will not bind the Council to making any particular decision.
- 7.3 Advice given will be consistent with the development plan, government guidance and material considerations.
- 7.4 Officers involved in the discussions shall make it clear whether or not they are the decision-maker or advising officer to the committee concerned.
- 7.5 Written notes will be taken of all meetings and potentially contentious telephone conversations with applicants.
- 7.6 Care must be taken to ensure that advice is not biased (nor seen to be).
- 7.7 Members of the Planning and Regulation Committee should preserve their impartiality as decision takers and avoid pre-application or post-application discussions with developers or other interested parties regarding development proposals.
- 7.8 Where a particular planning application gives rise to widespread concern, the Chairman of the Planning and Regulation Committee in consultation with the Executive Director for Environment and Economy may arrange a public meeting to which the applicants will be invited to outline their proposals and the objectors express their concerns. All members of the Committee together

with Local Councillor(s) will be invited to attend. Relevant officers will attend and detailed notes taken of the meeting. The Chairman will make it clear to the meeting that members are in attendance to obtain information not to discuss the proposal.

8. OFFICER REPORTS TO COMMITTEE

8.1 Officers will provide clear unbiased professional advice. Reports will:

- set out the relevant development plan policies, site and relevant planning history, material considerations and the substance of objections and the views of people and organisations which have been consulted. Written representations are open to inspection by Councillors and the public;
- contain a technical appraisal of the relevant provisions of the development plan and other material considerations in relation to the application;
- advise on any relevant issues relating to Human Rights legislation;
- contain recommendations; and
- may be supplemented by oral updates in special circumstances which will be minuted.

9. PUBLIC SPEAKING AT COMMITTEE

9.1 Applicants, agents and persons wishing to express a view about a planning application that is being reported to the Planning and Regulation Committee will have a right to speak at the Committee subject to the following rules. Details of the scheme will be included in the acknowledgement letter to agents/applicants and the notification letter/site notices to neighbours. Details will also be available on the Council's website and from Council offices:

- a) Anyone wishing to speak must register in writing (including e-mail or fax) with the planning officer at least 2 working days before the meeting.
- b) A list of persons wishing to speak arranged in order of the agenda will be produced for the Chairman and members of the Committee.
- c) Any person who has not given notice will only be allowed to speak at the discretion of the Chairman.
- d) The Committee may hear speakers either only for the applicant or only for objectors provided all parties have been given the opportunity to speak and one party chooses not to exercise his/her right.
- e) The number of speakers will be restricted to a maximum of 1 in favour of an application and 1 opposing an application chosen by order of

notification of a wish to speak. In addition to local Councillors who have a right to speak on a matter affecting their division and adjoining divisions, up to 2 other Councillors who are not members of the Committee may also address the Committee upon each application.

- f) Speakers will be limited to 3 minutes each in respect of each application.
- g) Members of the Committee may ask questions of speakers. Such questions will be put through the Chairman.

10. TAKING A DECISION AT COMMITTEE

- 10.1 Planning decisions must be taken in accordance with the adopted development plan, unless material considerations indicate otherwise. Reason must be given for all planning decisions.
- 10.2 If the Committee makes a decision contrary to the officer's recommendation (whether approval or refusal), the Committee must give the reasons for that decision and a detailed minute must be made and a copy placed on the application file. The reasons must be clear and convincing. If necessary, the Committee should pass a resolution that it is minded to take this course of action and request a further report on appropriate conditions or reasons.
- 10.3 If the committee wishes to add or amend conditions, officers shall draft the condition for approval by the Committee at its next meeting or by the Executive Director for Environment and Economy in consultation with the Chairman of the committee.
- 10.4 Every meeting of the Committee will be attended by a senior legal officer to ensure that procedures are properly followed.
- 10.5 If the Committee makes a decision contrary to an officer recommendation and there is an appeal against the decision, those Councillors who made the decision may be required to be available as a witness at any subsequent Planning Inquiry or Hearing.
- 10.6 Where Members of the Committee wish to raise a substantive issue, or require additional information, they should give at least one clear working day's notice to the Head of Planning to enable a considered response to be given at the meeting. Longer notice is desirable, to allow a supplementary note to be circulated at least two days prior to the meeting and for that note to be a public record of the response.

11. COMMITTEE SITE VISITS

- 11.1 Site visits can give rise to accusations of unfairness by the Committee unless a clear protocol is agreed and followed.

11.2 A site visit should be made if:

- the expected benefit to the Committee of understanding the site, its surroundings and the issues relating to the application is substantial;
- a formal committee report on the application has been presented;
- further supporting plans or photographs could not satisfactorily enable members of the Committee to visualise the impact of the proposal.

11.3 Members of the Committee shall not go unaccompanied onto land about which an application has been made, as this exposes them to accusations of bias by objectors.

11.4 The reasons for a site visit shall be minuted.

11.5 Site visits must include officer assistance. In exceptional circumstances, representatives from statutory bodies may be invited to attend where they can provide detailed technical advice, for example, on highway sight lines.

11.6 Site visits shall be carried out under the guidelines used by the Planning Inspectorate, namely the site visit is to view the site and salient features. Neither the applicant nor objectors should be allowed to accompany the Members of the Committee on the site visit, except for safety reasons. The owner or applicant will, however, not be allowed to participate in any discussion which should, in any case be limited to purely factual information.

11.7 The officer present will set out the main issues relating to the application and point out the salient features and points on the site and in the immediate area.

11.8 No formal decisions of the Council will be made on site and where a site visit is held only those members of the Committee who have attended the site visit will be entitled to participate in the decision relating to that application.

12. REVIEW OF DECISIONS

12.1 In order to review the quality of decisions a random selection of sites will be reviewed each year by the Head of Planning and an external 'critical friend'. Members of the Committee will be taken to visit these sites.

12.2 An annual report will be produced on which permissions have been implemented and the quality of the development that has been carried out.

13. COMPLAINTS AND RECORD KEEPING

13.1 The Council has a robust system for dealing with complaints. The public will be made aware of the complaints system through the corporate complaint system. The Local Planning Charter sets out the system for investigating alleged breaches of planning control with respect to planning enforcement matters. The planning enforcement system will ensure:

- complaints are acknowledged within 3 clear working days;

- complaints are initially investigated within 5 clear working days;
- complaints are replied to within 15 clear working days.

13.2 The performance of the Council's development control function is monitored on a quarterly basis.

14. PLANNING OBLIGATIONS

14.1 Officers will negotiate with developers with regard to Legal Agreements.

14.2 Reports to the Planning and Regulation Committee may include Heads of Terms of Agreements.

14.3 Copies of any concluded Legal Agreements (Planning Obligations and Agreements under the Highways Acts) will be available for public inspection and placed on the statutory register.

14.4 Copies of Agreements will be forwarded to the relevant district and parish councils with the decision notice for the application.

15. REVIEW OF THE CODE OF CONDUCT

15.1 The operation of this Code of Conduct shall be reviewed annually by the Audit Committee.

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Open Report on behalf of Councillor Mrs S Rawlins, Chairman of the Audit Committee

Report to:	County Council
Date:	11 December 2019
Subject:	Audit Committee Annual Report 2018/19

Summary:

The purpose of this report is to present to the Council the Annual Report of its Audit Committee. The Annual Report helps show how the Audit Committee provides a vital role in promoting good governance and accountability in the Council.

The report also gives key headlines of results of work completed during the year.

Recommendation(s):

That the Council notes the Audit Committee's Annual Report for 2018/19

1. Background

Audit committees are a key component of an authority's governance framework – they provide independent assurance on the adequacy of:

- the risk management framework
- the internal control environment
- integrity of financial reporting
- annual governance statement processes'

Our Audit Committee has undertaken a self-assessment against good practice and provides an annual report to show how the Committee has discharged its responsibilities.

A copy of the Annual Report is at Appendix A of this report.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

There are not any Equality implications relating to any recommendations set out in the report.

Joint Strategic Needs Analysis (JSNA) and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

There are not any JSNA and JHWS implications relating to any recommendations set out in the report.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are not any crime and disorder implications relating to any recommendations set out in the report.

3. Conclusion

The Audit Committee has worked well with Officers to maintain effective governance arrangements. It has provided independent insight and challenge on the Council's strategic risks and key activities. This has, in our view, helped effective decision making, accountability and transparency.

4. Legal Comments:

The Audit Committee Annual Report will provide assurance to the Council as to whether the Audit Committee is fulfilling its Terms of Reference as laid down by the Council. The recommendation is lawful and within the remit of the full Council.

5. Resource Comments:

There are no financial implications arising from acceptance of the recommendation in the report.

6. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

N/A

d) Have Risks and Impact Analysis been carried out?

No

e) Risks and Impact Analysis

The Audit Committee Annual Report is a key part of the Council's overall risk management and internal control processes. The Committee objectively examines and evaluates the adequacy of the control environment through the reports it receives - seeking assurance around improvement actions.

7. Appendices

These are listed below and attached at the back of the report	
Appendix A	Audit Committee Annual Report - 2019

8. Background Papers

No Background Papers within the meaning of section 100D of the Local Government Act 1972 have been used in the preparation of this Report.

This report was written by Lucy Pledge, who can be contacted on 01522 553692 or lucy.pledge@lincolnshire.gov.uk.

Audit Committee Annual Report 2019



“Audit Committees are a key component of corporate governance and are an important source of independent assurance about the Council’s arrangements for managing risk, maintaining an effective control environment, and reporting on financial and other performance”



The 10 General Principles of Public Life

<p>Selflessness Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.</p>	<p>Personal Judgement Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.</p>
<p>Honesty and Integrity Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.</p>	<p>Respect for Others Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.</p>
<p>Objectivity Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefit.</p>	<p>Duty to Uphold the Law Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.</p>
<p>Accountability Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should cooperate fully and honestly with any scrutiny appropriate to their particular office.</p>	<p>Stewardship Members should do whatever they are able to do to ensure that their authorities use their resources prudently, and in accordance with the law.</p>
<p>Openness Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.</p>	<p>Leadership Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.</p>

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Appendix 2 - Audit Committee terms of reference

Appendix 3 - Audit Committee activities

This report has been prepared solely for the use of Members and Management of Lincolnshire County Council. Details may be made available to specified external organisations, including external auditors, but otherwise the report should not be used or referred to in whole or in part without prior consent. No responsibility to any third party is accepted as the report has not been prepared, and is not intended for any other purpose.

The matters raised in this report are only those that came to our attention during the course of our work – there may be weaknesses in governance, risk management and the system of internal control that we are not aware of because they did not form part of our work plan or not brought to our attention. The opinion is based solely on the work undertaken as part of the Audit Committee work plan.



The Audit Committee is the Council's vital "watchdog" promoting and ensuring good governance and accountability



I am pleased to present the Annual Report of the Audit Committee which describes our achievements, the issues handled and the focus of the Audit Committee during 2018/19.

The report helps to demonstrate the vital role that is carried out by the Audit Committee and the contribution that it makes to the how well the Council is run – its governance arrangements.

We look at areas such as governance, audit, risk management and measures to tackle fraud – as well as reviewing financial reporting.

In all these areas, the status and independence of the Committee allow it to challenge how things are done and confirm that appropriate processes are in place. Where we identified shortcomings, we acted swiftly to ensure that they were rectified or have an improvement plan in place.

It added value by maintaining open and professional relationships with internal and external audit, our counter-fraud team and Executive Directors / Senior Management. It carried out its work diligently, discussed issues openly and robustly, and kept the Executive apprised of any possible issues or risks.

We have developed the Council's Annual Governance Statement for 2018/19, with specific attention given to topics we considered particularly significant – including the Council's financial resilience, value for money, the production of our financial statements and IT Governance. These are discussed in more detail later in this report together with how we addressed them.

Finally, I should like to thank my Vice Chairman, other members of the Committee and the officers for their contribution to its work.

Cllr Sue Rawlins
Chairman of the Audit Committee
August 2019



Overall Opinion & Key Issues



Overall Opinion

Based on the information presented during 2018/19, it is the view of the Audit Committee that the Council does, for the most part, have adequate financial controls and governance arrangements in place that generally work well.

The Strategic Risks represent the challenges facing the Council and are well captured and reviewed on a regular basis by Senior Management.

The Council's Annual Governance Statement provides an open and honest account on how well the Council is being run.

During the year the Audit Committee assessed the following key issues and were satisfied that management were taking action to address the issue. As part of this assessment, the Audit Committee received reports, requested and received clarification from Management and sought assurance from the internal and external auditors.

The Chairman briefed the Chief Executive and Leader of the Council as necessary.

Financial Control – Payroll System

We are pleased to report that the assurance over the Council's payroll system has reached **substantial**.

Our oversight involved reviewing management updates on progress in implementing improvement actions and sought further independent assurance from internal audit.

We would like to acknowledge the hard work to improve the controls in the payroll processes. We look forward to these being integrated in the next phase of the system and expect the control environment to remain **substantial**.

IT Governance and Assurance

IT Governance and Cyber Security has been identified as a key risk and issue for the Council. We received assurances and information on how this high profile risk is being managed and the steps being taken to improve the Council's IMT arrangements. This area remains on the Audit Committee forward plan for 2019/20.

Financial Resilience

The financial problems at Northamptonshire County Council have been widely publicised. The Council's Audit Committee and Overview and Scrutiny Management Board, together with officers from Finance and Audit have identified what lessons could be learnt – improving our financial governance and internal controls as appropriate.



Financial Reporting

The Council has little discretion to influence the content of the statements as they are prepared in accordance with proper accounting practices.

We reviewed and had the opportunity to comment on the statements of accounts and the narrative that accompanies them during the drafting process to ensure that the key messages in the narrative clearly gave fair and balanced information so that people could understand the Council's financial position.

We received and considered the External Auditor's report and opinion.

The closedown timetable was achieved and we are pleased to say that the Council's External Auditors reported the following on our:

£25K

The decrease in financial recoveries from fraud since 2018/19



Counter Fraud

The Council has a **zero tolerance** to fraud.

Any instances of fraud or misconduct reported through the Council's whistleblowing arrangements should be reported to our Internal Audit function, who then evaluate each incident for action / investigation.

The Audit Committee plays a key role in monitoring the effectiveness of counter fraud and whistleblowing arrangements. We have assessed the overall effectiveness and the progress made to implement policy as **good**.

We had lower amounts recovered in 2018/19 although counter fraud controls directly contributed to preventing several other frauds being perpetrated – including stopping a £1.5m mandate fraud.

Cllr A Maughan acts as our counter fraud champion.

Financial statements	Issued an unqualified opinion on both the Council's and Pension Fund financial statements – 2018/19.
Control Environment	Determined the overall control environment was adequate.
Accounts Production	Stated that they did not encounter any significant difficulties during the audit and had the full co-operation of management and staff.
Value for Money arrangements	That the Council has made proper arrangements to secure economy, efficiency and effective use of its resources. This is about the arrangements to ensure properly informed decisions are taken and resources are deployed to achieve planned and sustainable outcomes for the taxpayer and local people.



Governance & Risk



Governance

The Audit Committee reviewed and discussed regular reports on risk, controls and assurance, including the:

- Executive Directors annual assurance reports – reviewed in January 2019.
- The Head of Internal Audit Annual Report and Opinion on the Council's Governance, Risk and Control Environment – reviewed June 2019.
- Updates on outcomes from Internal Audit & External Audit work throughout the year.
- Governance review of culture and values which showed that the Council's core values were at the heart of what the Council does – being open, transparent and inclusive. The report provided the Council with suggested improvements to help embed good governance across the organisation.

During the year the Council's governance arrangements were assessed as **performing well**.

Risk & Internal Control

The role of the Audit Committee on risk management covers 3 key areas:

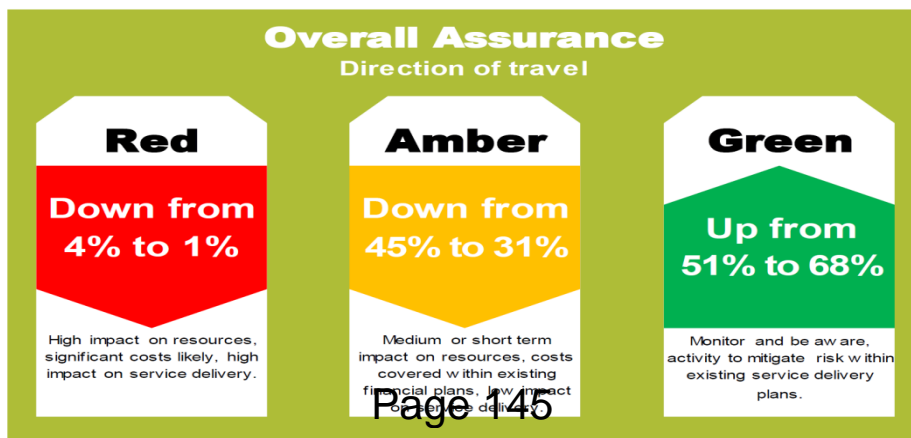
- Assurance over the governance of risk.
- Keeping up to date with the risk profile of the Council and the effectiveness of risk management.
- Supporting the development and embedding of good practice in risk management.

Senior Leadership changes provided the Council with the opportunity to review its risk and control arrangements. Oversight of these changes will be included on our forward plan.

The Council's risk appetite and update of the Strategic Risk Register was completed during 2018/19 .

There continues to be **Limited Assurance** over some of the Council's Strategic Risks.

During the year the Council's risk and internal control arrangements were assessed as **performing adequately – some improvements required**.





External and Internal Audit



Audit quality is a key requirement

External Audit

The Audit Committee has responsibility for overseeing the Council's relationship with the external auditor, including reviewing the quality of their performance, their external audit plan and process, their independence and fees.

This first year audit carried out by Mazars has been challenging - given the tight timescale to complete the work and for management to respond to audit queries.

The Audit Committee fully reviewed the draft financial statements but had very little time to consider the External Auditors report as their work was still being completed at the date of the July 2019 Committee. We have requested that a debrief is held to learn lessons and minimise the risk of this happening again.

Prior to the statutory audit - Mazars presented their strategy, key risks and scope of the audit. On completion of their work they provided an opinion on the Council's financial statements and its arrangements for securing value for money.

They also provided an opinion on the Pension Fund financial statements.

The Chairman of the Audit Committee and the Executive Director – Resources confirmed to the Auditors that:

- the financial statements give a true and fair view of the Council's financial position; and
- have been properly prepared on a going concern basis.
- all necessary information has been provided.

Internal Audit

The Audit Committee reviewed and agreed the internal audit plan, which we believe is appropriate for the Council - in terms of focus and resources. The internal audit plan is risk based.

We reviewed reports from the Head of Internal Audit at our quarterly meetings. These reports enable us to monitor progress against the internal audit plan, discuss any key findings with the auditor and senior management - securing improvement actions.

The Audit Committee reviewed the effectiveness of the internal audit function and confirmed that its professional practice conforms to the Public Sector Internal Audit Standards.



In 2019/20 the Audit Committee aims to continue to build on its role and will set out to seek assurance on the following:

- Commercialism – transparency and accountability.
- IT Governance.
- The Council's ERP system – Business World On.
- The Council's Strategic Risk Register is updated following the publication of the new Corporate Plan and its risk appetite is clearly understood and applied throughout the Council.
- We will meet with the Corporate Leadership Team to fully understand the updated accountability and assurance framework.
- Financial management – seeking assurance around the implementation of agreed actions following our review of the lessons learnt at Northamptonshire County Council.
- Oversight of any changes to the risk management framework of the Council.

We will continue to develop a strong working relationship with **Overview and Scrutiny Management Board** – setting up regular liaison meetings and sharing work plans as appropriate.

The **Lincolnshire Audit Committee Forum** is a networking group which enables the sharing of good practice, emerging governance and risk issues and hot topics for public sector audit committees. It is designed to help and support the effectiveness of audit committees. We will be hosting the forum in October 2019.

We have already felt the benefits of the knowledge, expertise and keen interest of our two independent members who have joined the Committee this year.



Your Audit Committee

The Audit Committee is a regulatory committee made up of 7 councillors and 2 independent members. The composition and attendance of the Committee during the year can be found in **Appendix 1**.

The importance of the Audit Committee remains vital in looking forward to 2019/20 and beyond – in the context of continued financial pressures, reshaping of services, new models of service delivery and the growing demand for public services. Our role is to increase public confidence about how well the Council is run – providing independent assurance and challenge to the Executive – over governance, risk management and control processes. Our terms of reference can be found in **Appendix 2**.

The Committee met 6 times up to 22nd July 2019.

Our work plan can be split into two areas - core items of business reviewed regularly and special interest areas where the Committee requires further assurance. The activities of the Audit Committee are noted in **Appendix 3**.

Effectiveness

In June 2019 the Committee held a self assessment workshop, where our performance was reviewed against a CIPFA best practice framework.

We will review our terms of reference in light of this guidance.

Effectiveness (cont)

Our self assessment provided a good level of assurance over the delivery of the Committees core role and function. It also identified some actions for us, namely:

- Improving attendance – Chairman to meet with each member to obtain feedback on the Committee.
- Meeting with the Corporate Leadership Team to gain an understanding of the revised accountability and assurance framework – following the publications of the Corporate Plan, strategies etc.
- Obtaining greater awareness of key partnership assurance.
- Exploring integrated assurance with the NHS (working within the existing governance framework).
- Looking at better ways to feedback the outcome of our meetings eg key points from the meeting briefly summarised at the end of meeting to help inform the update to CEX / Leader.
- Diarise meeting between Chairman and CEX / Leader.
- Re-look at venue and time of meetings.



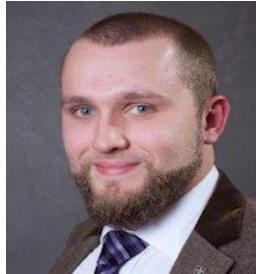
Appendix 1

Audit Committee Composition & Attendance



Chairman

**Councillor
Mrs S Rawlins**



Vice Chairman

**Councillor A
Spencer**

Name	Audit Committee Attendance (Out of 6 possible Meetings)
Councillor S Rawlins	6
Councillor A Spencer	5
Councillor P Coupland	3
Councillor A Maughan	3
Councillor P Skinner	5
Councillor R Parker	3
Councillor A Stokes	3
Mr Ian Haldenby*	2 of 3
Mr A Middleton*	2 of 3



**Councillor
P Coupland**



**Councillor
A Maughan**



**Councillor
P Skinner**



**Councillor
R Parker**



**Councillor
A Stokes**



**Mr A Middleton
(independent
Added Person)**



**Mr I Haldenby
(Independent
Added Person)**

*** Independent Added
Person since March
2019**



Audit Committee Terms of Reference

There will be an Audit Committee consisting of nine members. Seven of the members will be Non-Executive Councillors and reflect the political balance overall. Two members shall be an independent person who is not a Councillor or Officer of the Council.

Role

- to fulfil the role of an Audit Committee in respect of the work of the Council.
- ❖ The Audit Committee is a key component of Lincolnshire County Council's corporate governance. It provides an independent and high-level focus on the audit, assurance and reporting arrangements that underpin good governance and financial standards.
- ❖ The purpose of the Audit Committee is to provide independent assurance to the members of the adequacy of the risk management framework and the internal control environment. It provides independent review of Lincolnshire County Council's governance, risk management and control frameworks and oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.

Functions

Internal Audit

- ❖ Approve the internal audit charter
 - ❖ To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendation
 - ❖ To consider the Head of Internal Audit's annual report and opinion.
- a) The statement of the level of conformance with the Public Sector Internal Audit Standards and Local Government Application Note and the results of the Quality Assurance and Improvement Programme that supports the statement – these will indicate the reliability of the conclusions of internal audit.



Audit Committee Terms of Reference

- b) To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
- ❖ To approve significant interim changes to the risk-based internal audit plan and resource requirements
- ❖ To make appropriate enquiries of both management and the Head of Internal Audit to determine if there are any inappropriate scope or resource limitations.
- ❖ To consider reports from the Head of Internal Audit on internal audit's performance during the year. These will include:-
 - a) Updates on the work of internal audit including key findings, issues of concern and action in hand as a result of internal audit work
 - b) Regular reports on the results of the Quality Assurance and Improvement Programme.
 - c) Reports on instances where the internal audit function does not conform to the Public Sector Internal Audit Standards and Local Government Application Note, considering whether the non-conformance is significant enough that it must be included in the Annual Governance Statement.
- ❖ To consider summaries of specific internal audit reports of significance or as requested
- ❖ To contribute to the Quality Assurance and Improvement Programme and in particular, to the external quality assessment of internal audit that takes place at least once every five years.
- ❖ To support the development of effective communication with the Head of Internal Audit.



Audit Committee Terms of Reference

External Audit

- ❖ To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.
- ❖ To consider specific reports as agreed with the external auditor
- ❖ To comment on the scope and depth of external audit work and to ensure it gives value for money
- ❖ To liaise with the appropriate body over the appointment of the Council's external auditor
- ❖ To commission work from internal and external audit
- ❖ To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies

Regulatory Framework – Governance, Risk and Control

- ❖ To maintain an overview of the Council's Constitution
- ❖ To review any issues referred to it by the Chief Executive, Director or any Council body.
- ❖ To monitor the effective development and operation of risk management and corporate governance in the Council.
- ❖ To monitor progress in addressing risk-related issues reported to the committee.
- ❖ To review the assessment of fraud risks and potential harm to the council from fraud and corruption.



Audit Committee Terms of Reference

- ❖ To monitor the counter-fraud strategy, actions and resources.
- ❖ To review the Annual Governance Statement prior to approval and consider whether it properly reflects the risk environment and supporting assurances, taking into account internal audit's opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control.
- ❖ To review the council's corporate governance arrangements against the good governance framework and consider annual governance reports and assurances
- ❖ To consider the Council's framework of assurance and ensure that it adequately addresses the risks and priorities of the Council.
- ❖ To consider the Council's compliance with its own and other published standards and controls.
- ❖ To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.

Accounts

- ❖ To review the annual statement of accounts. Specifically to consider whether appropriate accounting policies have been followed and whether there are any concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
- ❖ To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.
- ❖ Duty of approve the authority's statement of accounts, income and expenditure and balance sheet.



Appendix 2

Audit Committee Terms of Reference

Standards

- ❖ Promoting and maintaining high ethical standards by Councillors and non-elected members;
- ❖ Assisting the Councillors and added members to observe the Members' Code of Conduct;
- ❖ Advising the Council on the adoption or revision of the Members' Code of Conduct;
- ❖ Monitoring the operation of the Members' Code of Conduct;
- ❖ Advising, training or arranging to train Councillors and added members on matters relating to the Members' Code of Conduct;
- ❖ Determining complaints of breaches of the Code of Conduct for Members referred for hearing by the Monitoring Officer.



Audit Committee Activities

Audit Committee activities	Sept	Nov	Jan	March	June	July
Financial Reporting						
Consider Accounting Policies				x		
Draft Statement of Accounts 2018/19					x	x
International Audit Standard – Response to Management Processes Questions				x		
Statement of Accounts for Lincolnshire County Council & Lincolnshire Pension Fund for the year ending 31 March 2019						x
External Auditors						
Progress Reports			x			
External Audit Strategies – Lincolnshire County Council and Pension Fund 2018/19				x		
Audit Completion report on the financial statements and value for money conclusion						x
Internal Audit						
Annual Report 2019					x	
Progress Reports	x	x	x	x	x	
Draft Annual Plan 2019/20				x		



Appendix 3

Audit Committee Activities

Audit Committee activities	Sept	Nov	Jan	March	June	July
Governance and Risk Management						
Draft/approval of Annual Governance Statement 2019				x	x	
Risk Management update on Strategic Risk Register	x		x			
Annual Report on the Corporate and Statutory Complaints and Compliments						x
Governance Review – Culture and Values Report				x		
Members Standard Arrangements				x		
Counter Fraud						
Counter Fraud Plan 2019/20				x		
Annual Report on the Council's Whistleblowing Service		x				
Counter Fraud Risks Register	x					
Counter Fraud Progress Report		x				
Counter Fraud Annual Report 2018/19					x	



Appendix 3

Audit Committee Activities

Audit Committee activities	Sept	Nov	Jan	March	June	July
Special Interest Items						
Payroll Control Environment Update	x					
Combined Assurance Reports			x			
Audit Committee work plan	x	x	x	x	x	x
Update on actions arising from audits in Adult Care	x					
Payroll Progress Report		x				
IMT ICT Governance Update		x				
IMT Assurance / Cyber Security Update		x		x		
Northamptonshire County Council Best Value Inspection – Lessons Learned			x			
Changes to contract regulations				x		

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**Open Report on behalf of Andrew Crookham, Executive Director
responsible for Democratic Services**

Report to:	County Council
Date:	11 December 2019
Subject:	Members' Allowances Scheme 2020/21

Summary:

The Council has to agree its Members' Allowances Scheme every year. This report presents the recommendations of the Independent Remuneration Panel (IRP) convened in September 2019 and proposes no changes to the Scheme of Members' Allowances for 2019/20 other than indexation in accordance with the Scheme.

Recommendation(s):

1. To note the IRP recommendations.
2. To agree that the Scheme of Members' Allowances for 2020/21 be the same as the Scheme of Members' Allowances for 2019/20 subject only to indexation in accordance with the Scheme.

1. Background

The County Council sets a Scheme of Members' Allowances and expenses in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 ('the 2003 Regulations') and other relevant legislation.

The 2003 Regulations require that an Independent Remuneration Panel (IRP) is convened to make recommendations to the Council. The Council is required to consider any IRP recommendations before setting a scheme but is not required to accept their recommendations.

The IRP was convened in September 2019 and recommended that no changes to the scheme be made, save for the previously agreed annual increase in line with the average % increase in pay for employees covered by the National Joint Council for Local Government Services for the last 12 months (usually referred to as 'Green Book' employees).

The increase for this year amounts to 2.44%.

2. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process

The decision to adopt the Members' Allowances Scheme enhances equality of opportunity, as it enables more people to stand as councillors.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision

There are no implications for the JSNA or JHWS in relation to approval of this Scheme

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area

There are no implications in relation to Crime and Disorder from approval of this Scheme

3. Conclusion

The Council is required to convene the IRP and has done so. The IRP has made recommendations that the Council must take into account when setting a Scheme of Members' Allowances.

4. Legal Comments:

Regulation 10 of the Local Authorities (Members' Allowances) (England) Regulations 2003 requires the Council to make a Scheme of Members' Allowances prior to April 1 in every year.

Before making such a Scheme the Council must have regard to the recommendations made in relation to the Scheme by the Independent Remuneration Panel.

Approval of the Scheme of Members' Allowances is reserved to full Council.

5. Resource Comments:

The costs arising from acceptance of the recommendations in this report can be funded from within the existing budget provision.

6. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

N/A

c) Scrutiny Comments

N/A

d) Have Risks and Impact Analysis been carried out?

No

e) Risks and Impact Analysis

N/A

8. Background Papers

Document name	Where it can be viewed
Report to Council 22 February, 2019 entitled Members' Allowances Scheme 2019/20	Democratic Services and Council website
Members' Allowances Scheme 2019/20	Democratic Services and Council website

This report was written by Nigel West, who can be contacted on 01522 552840 or nigel.west@lincolnshire.gov.uk .