

Policy and Procedures on Unacceptable Actions or Behaviour by Complainants

Report To:	Strategic Policy and Resources Committee
Date:	17 December 2015
File Ref:	AD/GA/16
Reporting Officer:	Alison Robb, Assistant Director Corporate Services (Administration)
Contact Officer:	Gerry McBride, Customer Relationship Manager Alison Robb, Assistant Director Corporate Services (Administration)

Decisions Required

Committee is asked to note the contents of the report and agree the Draft Policy and Procedures on Unacceptable Actions or Behaviour by Complainants.

1.0 Purpose and Background

The Policy and Procedures on Unacceptable Actions or Behaviour by Complainants is intended to provide a policy basis for Council on guidance to all staff for the approach to be taken in dealing with the relatively few complainants whose actions or behaviour the Council considers to be unacceptable.

The Policy and Procedures strive to achieve a balance between the rights of an individual to register a complaint with the rights of staff of the Council not to be subjected to unacceptable actions or behaviour.

2.0 Key Issues

The Policy sets out the general basis for dealing with Unacceptable Actions or Behaviour by Complainants whilst the Procedures provide more detailed guidance in this area for staff and is intended to sit behind and support the Policy.

The Policy and Procedures were approved by the Council's Senior Management Team at its Meeting on 1 December 2015.

3.0 Resource Implications

None.

4.0 Appendices

Appendix 1 – Policy and Procedures on Unacceptable Actions or Behaviour by Complainants.

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Policy on Unacceptable Actions or Behaviour by Complainants

1. Policy Statement

This Policy, adopted by Council, sets out the approach to be taken by staff of Newry, Mourne and Down District Council (the Council) in dealing with the relatively few complainants whose actions or behaviour the Council considers to be unacceptable.

Council will not tolerate deceitful, abusive, offensive, threatening or other forms of unacceptable behaviour from complainants. When it occurs, Council will take proportionate action to protect the wellbeing of our staff and the integrity of our services.

The policy should be read in conjunction with the Council's Complaints Compliments Comment Policy, and Health and Safety Policy documents which contains further general advice on personal health and safety issues.

2. Policy Aims

- a. To deal fairly, honestly, consistently and appropriately with all complainants, including those whose actions or behaviour it considers to be unacceptable.
- b. All complainants have the right to be heard, understood and respected. However, Council also believes that it must balance the rights of an individual to register a complaint with the rights of the staff of the Council not to be subjected to unacceptable actions or behaviour.
- c. Where it considers a complainant's actions or behaviour to be unacceptable, to restrict or change access to service.
- d. To ensure that complainants by their behaviour or conduct do not disadvantage other complainants or Council staff.

3. Scope

This policy applies to all Council employees and to employees and organisations who deliver services on behalf of the Council. It sets out how the Council manages and responds to unacceptable actions or behaviour by complainants.

4. Definitions

The Council does not view actions or behaviour as unacceptable simply because a complainant is assertive or determined. However, the actions or behaviour of complainants who are angry, demanding or persistent may result in unreasonable demands on the Council or unacceptable behaviour towards Council staff. It is these actions or behaviours that the Council considers unacceptable and that are addressed by this Policy. The Council has grouped these potentially unacceptable actions or behaviours under three broad headings:

- Aggressive or abusive behaviour
- Unreasonable demands
- Unreasonable persistence

5. Related Policies

This policy should be read in conjunction with the following policies,

- Complaints, Compliments Comment Policy
- Freedom of Information Policy
- Health and Safety Policy documents which contains further general advice on personal health and safety issues.

6. Dealing with Unacceptable Actions or Behaviour by Complainants

There are relatively few complainants whose actions or behaviour the Council will consider to be unacceptable. Where a complainant repeatedly phones, visits the Council, sends irrelevant documents or raises the same issues, the Council may decide to impose such restrictions as are deemed necessary to protect staff and maintain service.

How the Council aims to manage those actions or behaviour depends on its nature and extent. If it adversely affects the Council's ability to do its work and provide a service to others, the Council may need to restrict complainant contact with the Council in order to manage the unacceptable actions or behaviour. Council may restrict contact in person, by telephone, email, letter or electronically or by any combination of these.

The threat or use of physical violence, verbal abuse or harassment towards the staff of the Council is likely to result in the ending of all direct contact with the complainant.

7. Deciding to Restrict Complainant Contact

Staff of the Council who directly experience aggressive or abusive behaviour from a member of the public have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this Policy.

With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the Council are only taken after careful consideration of the situation by a member of the Council's Senior Management Team, usually in consultation with the Chief Executive.

This can be for example:

- Correspondence which contains language that is abusive to staff.
- Telephone calls where the caller is considered aggressive, abusive or offensive.
- Personal callers to the Council where there is a pattern of aggressive or abusive behaviour.
- Unreasonably persistent disputes regarding a decision made by Council
- Information from a third party regarding a complainant which suggests they have a history of aggressive behaviour, often towards staff in another public body.

A complainant can appeal a decision to restrict contact. A member of the Council's Senior Management Team who was not involved in the original decision should consider any such appeal.

8. Policy Owner

Assistant Director (Administration)

9. Procedures

Separate procedures and supporting material are available from Administration Office.

10. Equality Impact Assessment

This policy has been assessed under the Council's Equality Impact Assessment process and has been screened out as having no impact on any of the groups designated in Section 75 of the Northern Ireland Act 1998.

11. Contact details with regard to this policy

Assistant Director (Administration)

12. Policy Review Date

The Policy will be reviewed on or before 1 April 2017.

Policy Authorisation	
Management Team	2015
Newry Mourne and Down District Council	2015

13. Policy Effective Date

The Policy will come into effect on _____ 2015



Newry, Mourne and Down District Council

Procedures on Unacceptable Actions or Behaviour by Complainants

1. Introduction

This document sets out the procedure to be adopted by staff of Newry, Mourne and Down District Council (the Council) in dealing with the relatively few complainants whose actions or behaviour the Council considers to be unacceptable. In this document the term complainant includes anyone acting on behalf of a complainant or who contacts the Council in relation to a complaint.

These procedures should be read in conjunction with the Council's Complaints Compliments Comment Policy, and Health and Safety Policy documents which contains further general advice on personal health and safety issues.

2. Aims

- a. To deal fairly, honestly, consistently and appropriately with all complainants, including those whose actions or behaviour it considers to be unacceptable.
- b. The Council believes that all complainants have the right to be heard, understood and respected. However, the Council also believes that it must balance the rights of an individual to register a complaint and the recognition that, notwithstanding their actions or behaviour, they may have a legitimate complaint, with the rights of the staff of the Council not to be subjected to unacceptable actions or behaviour.
- c. To provide a service that is accessible to all complainants. However, the Council retains the right, where it considers a complainant's actions or behaviour to be unacceptable, to restrict or change access to that service.
- d. To ensure that complainants by their behaviour or conduct do not disadvantage other complainants or Council staff.

3. Defining Unacceptable Actions or Behaviour

The Council understands that individuals may act out of character in times of difficulty or distress. Indeed a complainant may have encountered upsetting or distressing circumstances prior to bringing a complaint to the Council. The Council does not therefore view actions or behaviour as unacceptable simply because a complainant is assertive or determined. However, the actions or behaviour of complainants who are angry, demanding or persistent may result in unreasonable demands on the Council or unacceptable behaviour towards Council staff. It is these actions or behaviours that the Council considers unacceptable and that are addressed by these procedures. The Council has grouped these potentially unacceptable actions or behaviours under three broad headings:

Aggressive or Abusive Behaviour

- Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened or abused.
- Examples of actions or behaviours grouped under this heading include threats, physical violence, personal verbal abuse, derogatory remarks and rudeness. The Council also considers that inflammatory statements and unsubstantiated allegations may be regarded as abusive behaviour.

- The Council expects its staff to be treated courteously and with respect. Violence or abuse towards staff is unacceptable. The staff of the Council understand that the anger felt by many complainants is directed towards the subject matter of their complaint. However, it is not acceptable when that anger escalates into aggression directed towards the staff of the Council.

Unreasonable Demands

- Complainants may make what the Council considers to be unreasonable demands through the amount of information they seek, the nature and scale of service they expect or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour and the seriousness of the issues raised by the complainant.
- Examples of actions grouped under this heading include vexatious complaints (see Annex), demanding responses within an unreasonable time-scale, insisting on seeing or speaking to a particular member of staff who is unavailable, continual phone calls or letters, repeatedly changing the substance and focus of the complaint or raising unrelated concerns.
- The Council may consider such demands as unacceptable and unreasonable if they start to impact substantially on the work of the Council, such as taking up an excessive amount of staff time to the disadvantage of other functions.

Unreasonable Persistence

- The Council recognises that some complainants will not or cannot accept that the Council is unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the Council persistently about the same issue. This may occur even after the matter has been referred to Commissioner for Complaints.
- Examples of actions grouped under this heading include vexatious complaints (see Annex), persistent refusal to accept a decision made in relation to a complaint, persistent refusal to accept explanations relating to what the Council can or cannot do and continuing to pursue a complaint without presenting any new information. The way in which these complainants approach the Council may be entirely reasonable, but it is their persistent behaviour in continuing to do so that is not.
- The Council considers the actions of persistent complainants to be unacceptable when they take up what the Council regards as being a disproportionate amount of time and resources.
- The Annex to this document contains guidance on the circumstances in which a persistent complainant may be regarded as a vexatious complainant.

4. Managing Unacceptable Actions or Behaviour

General

There are relatively few complainants whose actions or behaviour the Council will consider to be unacceptable. How the Council aims to manage those actions or behaviour depends on its nature and extent. If it adversely affects the Council's ability to do its work and provide a service to others, the Council may need to restrict complainant contact with the Council in order to manage the unacceptable actions or behaviour. The Council aims to do this in a way, wherever possible, that allows a complaint to progress to completion through the Council's normal complaints handling

process. The Council may restrict contact in person, by telephone, fax, letter or electronically or by any combination of these. The Council will endeavour to maintain at least one form of contact. In extreme situations, the Council may inform the complainant in writing that their name is on a "no personal contact" list. This means that they must restrict contact with the Council to either written communication or through a third party.

The threat or use of physical violence, verbal abuse or harassment towards the staff of the Council is likely to result in the ending of all direct contact with the complainant. Incidents may be reported to the police. This will normally be the case if physical violence is used or threatened.

Where a complainant repeatedly phones, visits the Council, sends irrelevant documents or raises the same issues, the Council may decide to:

- a. Only take telephone calls from the complainant at set times on set days or put an arrangement in place for only one member of staff to deal with calls or correspondence from the complainant in the future.
- b. Require the complainant to make an appointment to see a named member of staff before visiting the Council or that the complainant contacts the Council in writing only.
- c. Return the documents to the complainant or, in extreme cases, advise the complainant that further irrelevant documents will be destroyed.
- d. Take other action that the Council considers appropriate. The Council will, however, tell the complainant what action is being taken and why.

Where a complainant continues to correspond on a wide range of issues, and this action is considered excessive, then the complainant should be told that only a certain number of issues will be considered in a given period and asked to limit or focus their requests accordingly.

Where during the course of their work e.g. through phone calls or an interview, staff encounter individuals who are particularly aggressive, it should be reported to the relevant Director or the Chief Executive, as appropriate, immediately.

The Director, in consultation with Clerk and Chief Executive should normally decide the action to be taken in cases of unacceptable actions or behaviour by complainants. Where the matter is particularly urgent and neither the relevant Director nor Chief Executive is available, another member of the Senior Management Team should be consulted. That action may involve reporting the matter to the police, seeking specific advice in respect of security concerns or entering a specific "notification" on any relevant case file.

Correspondence

The Council will not normally deal with correspondence (letter, fax or electronic) that is abusive to staff. When such correspondence is received the Council will normally inform the complainant that it considers their language offensive, unnecessary and unhelpful. The Council should ask them to stop using such language and state that it will not respond to their correspondence if they do not stop. The Council may also inform the complainant that it will require future contact to be through a third party.

Telephone Calls

The staff of the Council may terminate telephone calls if the caller is considered aggressive, abusive or offensive. The staff member taking the call has the right to make this decision. However, before terminating a telephone call the caller should normally be warned that their behaviour is unacceptable and that the call will be terminated if the unacceptable behaviour does not stop. Where a call is terminated in such circumstances the member of staff should make a note of the action taken and the

reasons for it. The matter should also be brought to the attention of their line manager and their head of department.

Personal Callers in the Council

Where a caller at a Council venue appears, on arrival, to be aggressive or abusive they should be shown into a separate interview room where this is available. A senior member of staff should be informed immediately and any subsequent interview considered necessary should be conducted by a line manager who should be accompanied by a colleague.

During any such interview, the interview room should be kept under surveillance. The relevant Director should also be informed of the situation so that arrangements can be made for an authorised officer under the Public Order (NI) Order 1987 to be available or for police attendance if necessary.

Should a caller become aggressive during an interview, the interviewing officer should excuse themselves from the room and contact a senior member of staff immediately. If it is not possible to leave the room, an alarm button (if available) should be activated. Administration Section staff will then immediately alert other staff for assistance.

Persistent Disputes Regarding a Decision

Complainant action may be considered unreasonably persistent where the Council has responded in detail to an expression of dissatisfaction and the complainant continues to dispute the Council's decision relating to their complaint. The complainant should be told that no future phone calls will be accepted or interviews granted concerning this complaint. Any future contact by the complainant on this issue must be in writing. Future correspondence is read and filed, but only acknowledged or responded to if the complainant provides significant new information relating to the complaint.

Information from a Third Party Regarding a Complainant

From time to time the Council may be made aware that a complainant has a history of aggressive behaviour, often towards staff in another public body. Where such information is given to the Council, it should be reported to the relevant Director immediately and appropriate staff informed.

5. Deciding to Restrict Complainant Contact

Staff of the Council who directly experience aggressive or abusive behaviour from a member of the public have the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with these procedures.

With the exception of such immediate decisions taken at the time of an incident, decisions to restrict contact with the Council are only taken after careful consideration of the situation by a member of the Council's Senior Management Team, usually in consultation with the Chief Executive. Wherever possible, the Council will give the individual the opportunity to modify their behaviour or action before such a decision is taken. The person will be informed, in writing, why a decision has been made to restrict future contact, the restricted contact arrangements and, if relevant, the length of time that these restrictions will be in place.

6. Appealing a Decision to Restrict Contact

A complainant can appeal a decision to restrict contact. A member of the Council's Senior Management Team who was not involved in the original decision should consider any such appeal. Having considered the complainant's appeal, they should advise the complainant in writing that either the restricted contact arrangements continue to apply or a different course of action has been agreed.

7. Recording and Reviewing a Decision to Restrict Contact

The Council records all incidents of unacceptable actions by complainants. Where it is decided to restrict complainant contact, an entry noting this is made in the relevant file. A decision to restrict complainant contact may be reconsidered if the complainant demonstrates a more acceptable approach. The Director responsible for the complaint in question should review the status of all complainants with restricted contact arrangements on a regular basis.

8. 'Notification' of a Complainant's Unacceptable Actions or Behaviour

Where the Council regards a complainant's actions or behaviour as unacceptable a "notification" should normally be entered on the relevant file record. This will ensure that any member of staff opening that complainant's file will be aware of the nature and extent of their unacceptable actions or behaviour. The decision to 'notify' a complainant will normally be made by the relevant Director in consultation with the Chief Executive.

Where a complainant's file record has such a 'notification', no interviews or visits should take place without the specific prior agreement of the relevant Director. In such a case the presumption is that interviews will take place in the Council office and be undertaken by two officers. Where an interview has to be undertaken in another location specific arrangements in respect of staff security will be put in place through the relevant Director.

Where a complainant's actions or behaviour are modified to the extent that they are no longer considered to be unacceptable the 'notification' on the file record may be removed by the Director, in consultation with the Chief Executive.

9. Review

The Council will review these procedures as necessary to ensure that their aims continue to be achieved.

ANNEX 1: VEXATIOUS COMPLAINANTS

1. A complainant may fall into the category of habitual or vexatious where previous or current contact with them demonstrates any, but normally two or more, of the following criteria:

2. Where complainants:

- Change the substance of a complaint or continually raise new issues or seek to prolong contact by continually raising further concerns or questions upon receipt of a response whilst the complaint is being addressed. (Care must be taken not to discard new issues that are significantly different from the original complaint. These might need to be addressed as separate complaints.)
- Are unwilling to accept documented evidence as being factual; deny receipt of an adequate response in spite of correspondence specifically answering their questions; or do not accept that facts can sometimes be difficult to verify when a long period of time has elapsed.
- Do not clearly identify the precise issues which they wish to have investigated, despite reasonable efforts of staff and, where appropriate, third party advisors to help them specify their concerns; and/or where the concerns identified are not within the Council's remit to investigate.
- Focus on a trivial matter to an extent that is out of proportion to its significance and continues to focus on this point. It is recognised that determining what a "trivial" matter is can be subjective and careful judgement must be used in applying this criterion.
- Have in the course of their complaint had an excessive number of contacts with the Council placing unreasonable demands on staff. (A contact may be in person or by telephone, letter or email. Discretion must be used in determining the precise number of 'excessive contacts' applicable under this section, using judgement based on the specific circumstances of each individual case.)
- Have harassed or been personally abusive or verbally aggressive on more than one occasion towards staff dealing with their complaint. (Staff must recognise that complainants may sometimes act out of character at times of stress, anxiety, or distress and should make reasonable allowances for this. They should document all incidents of harassment.)
- Are known to have recorded meetings or face-to-face/telephone conversations without the prior knowledge and consent of other parties involved.
- Display unreasonable demands or expectations and fail to accept that these may be unreasonable (e.g. insist on responses to complaints or enquiries being provided more urgently than is reasonable or normal recognised practice).

Agenda Item:	
Report to:	Strategy Policy & Resources Committee
Subject:	Safeguarding - Photography and Council Use of Photographs of Children
Date:	17 December 2015
Reporting Officer:	Catrina Miskelly, Assistant Director Corporate Services (Human Resources)
Contact Officer:	Catrina Miskelly, Assistant Director Corporate Services (Human Resources)

Decisions Required

Members are asked to consider the contents of this report and agree to a revision of Part 6 of the Council's Safeguarding Policy to allow for the use of the consent form provided at Appendix 2. This will ensure Council acts in accordance with its Policy; pending the policy as a whole being up dated.

1.0 **Purpose & Background**

- 1.1 At its meeting on 9 December 2014, the Shadow Council Governance Committee agreed the Policy and Procedures for 'Safeguarding Children, Young People and Vulnerable Adults'. These were subsequently adopted by Council on 6 January 2015.
- 1.2 In the new Council structures, Human Resources has been assigned responsibility for safeguarding and following completion of the Generic Standards Audit under Section 12 of the Safeguarding Board (NI) Act 2011, work has commenced to consider the implications for Council Policy and Procedures.
- 1.3 On 28 September 2015, Council Officers met with Irene McCready who is the Senior Training and Development Consultant NSPCC regarding Part 6 of the Policy (Photography Equipment Use Background). A copy is provided at **Appendix 1**.

2.0 **Key Issues**

- 2.1 Referring specifically to Part 6, Section 4 (General Advice), Council Policy excludes disclosure of personal information and use of names. In reality, this is not practicable as parents and others often want to have the activities in which their children involved to be recognised.
- 2.2 The consent form provided at **Appendix 2** of this report will facilitate proper controls and measures when Council is responsible for any activities which involve the photography of children. This form may be subject to further changes pending the outcome of a revised Policy.

3.0 **Resource Implications**

3.1 Committee Members are asked to note that following appointment of a dedicated Safeguarding Officer, the Safeguarding Policy will need to be reviewed and updated to reflect the Council's corporate style, allow for clearer separation of policy and procedures and assist with on-going implementation, monitoring and training.

4.0 **Appendices**

- Appendix 1. Part 6 of the Safeguarding Policy – 'Photography Equipment Use Background'
- Appendix 2. Photography and Filming Consent Form (Child)

PART 6

1. PHOTOGRAPHY EQUIPMENT USE BACKGROUND

The following policy draws on a number of sources and is a response to the modern technology that facilitates recording of events etc via inconspicuous means such as mobile phones, miniature digital cameras or camcorders.

Nowadays it is a simple process to record images and transfer them to the Internet or other mobile phones.

Historically some photography and video use has always taken place in the Councils facilities to record events such as children's birthday party's concerts shows as well as sporting competitions. These are mainly in door events. The application of this policy also examines the use in parks and other outdoor council facilities and events. However any such attempt at being all embracing and comprehensive will pose particular difficulties with enforcement in such general outdoor areas.

Currently it is custom and practice that photography only takes places within services with managements permission. To date this has been adequate for equipment that was easily visible but the modern miniscule sophisticated technology has meant a complete rethink.

2. POLICY

The proposed policy will supersede any such arrangements and is driven by '**Allow only with Permission**' as a complete ban could not be enforced across such a diverse range of facilities and amenities within the Council.

3. GUIDELINES OUTLINED

Notices will be placed throughout all facilities clearly stating that photography and the recording of images of any kind is only allowed with the written authorisation of the Management. Individual services will determine if complete prohibition is required in certain areas.

A written request must be received at least 1 week prior to the event.

The detail required from the request letter is outlined in **Appendix 6**

It will be necessary to ban the use by the **general public** of such equipment in certain areas. These will be determined by service but the following in Leisure Services are typical.

- All changing areas including Swimming pool
- Sports facilities/Team changing facilities
- Health suite/Sauna areas/Steam rooms
- Fitness suite and gyms
- Toilet areas
- Aerobic/fitness classes
- Crèche/Play schemes
- Special events/Concerts /Shows etc.

The individual services will determine the areas in question and photography in such areas will only take place under the strict supervision of a Duty Officer/ Line Manager after written permission has been granted.

The member of public will be given a signed letter that must be presented to staff on duty. The letter will be clearly date/day/time bound.

Emergency services personnel, who are on call while using facilities, may be granted blanket approval for mobile phones etc via the same application procedure.

There will be a general requirement on the person given approval that if any customer complains or expresses concern they must respect the rights of other people and stop taking photographs, filming etc.

Appropriate signage will be set out in order to encourage assistance from the general public. They will be encouraged to alert staff of any suspicious activity, particularly where

children may be involved and encouraged to report any such incidents at the earliest opportunity to the duty manager/officer /staff member.

4. GENERAL ADVICE ON THE PHOTOGRAPHY OF UNDER AGE CHILDREN

- No personal detail of children to be listed in any promotional or editorial material or photography.
- Ensure content of the photo cannot be used or adapted for inappropriate use on child pornography sites.
- Avoid the use of the first name and surname of individuals in a photograph.
- Consider will be given to using models, illustrations, staff or Members if promoting an activity
- If the child sporting person is named, their photograph will not be used.
- If a photograph is used, the person will not be named.
- Permission must be obtained to use an image. This will ensure that they are aware of the way the image is to be used to represent the activity/ sport etc. Parental/Guardian permission must be obtained to use the image.
- Images of individuals in suitable dress only will be used to reduce the risk of inappropriate use.
- Some activities present the potential for easy misuse such as – swimming, gymnastics and athletics. With any such activity the content of the photograph will focus on the activity not on a particular child and should avoid full face and body shots. For example shots of children in a pool would be appropriate or if on poolside from the waist or shoulder up.

5. GUIDELINES FOR THE USE OF PHOTOGRAPHIC FILMING EQUIPMENT AT EVENTS

- Every one attending such events will be given a clear brief about the expectations of them in relation to child protection and have obtained permission for photography in writing.
- Every one will be given a clear brief about what is considered appropriate in terms of content and behaviour.
- Everyone will be informed including parent's guardians etc concerned that a photographer will be in attendance at the event and ensure they consent to both the taking and publication of films or photographs.
- Unsupervised access to anyone or one to one photo sessions at events is strictly not allowed.
- No photography filming etc will take place at someone's home.
- Anyone wishing to take photographs etc must obtain permission in writing.

In the case of council photography of children, all care will be taken to ensure that the photography will not be used on websites and cannot be used for illegal or pornographic purposes.



**Appendix 2
 Photography and Filming Consent Form (Child)**

Guidance on the Use of Photographs of Children for Publication

Newry, Mourne and Down District Council takes the publication and distribution of personal information (including images) very seriously. We would never knowingly use an image of your child without your prior consent.

We would be grateful if you could give us your consent to your child being photographed or filmed by completing your contact details and signing below.

These images will be used in order to promote the work of the Council and its partners with the public through the mediums of advertising, marketing, public relations and digital communications. This may also result in images being issued to the Media/Press for publicity purposes only. The Media may print the details of your child's first name, surname and/or school/club/activity which the photograph has been taken to promote.

Newry, Mourne and Down District Council will take all steps to ensure images taken are used solely for the purposes they are intended. If you become aware that the images which you consented to are being used inappropriately you should inform the Council's Event Organiser immediately.

Consent Information:

To be completed by Parent/Guardian (please tick boxes below):

- I consent to Newry, Mourne and Down District Council photographing or filming my child
 Child's Name _____
- I understand that photographs / filming taken will be used to promote the work of the Council through various mediums of marketing and communications and may be featured in the media Yes No
- I also consent for the photographs / filming to be used in digital communications eg social media sites and websites run by Newry, Mourne and Down District Council Yes No
- I can confirm that I have read and agree to the above guidance.

Signature of Parent/Guardian:	
Print Name of Parent / Guardian:	
Date:	

Newry, Mourne and Down District Council Use only

Date image was taken:	Event:
Venue/Location:	Photographer:
Brief description of images for identification purposes:	
Photograph Reference:.....	

Report to:	Strategy Policy and Resources Committee Meeting – December 2015
Subject:	Treasury Management Contract
Date:	17 December 2015
Reporting Officer:	Mr Robert Dowey Head of Finance
Contact Officer:	Mr Robert Dowey Head of Finance

Decisions Required

Members please note a contract was awarded to Arlington Close at a figure of £4,750 pa.

1.0	<u>Purpose & Background</u>
1.1	This is a Treasury Management Contract. Members were advised of this being tendered at the SPR Committee Meeting in October 2015. The tendering body was the Armagh Banbridge & Craigavon Borough Council and 9 Councils were tendered for in total.
2.0	<u>Key Issues</u>
2.1	N/A
3.0	<u>Resource Implications</u>
3.1	An annual cost of £4,750.
4.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ None

Report to:	Strategy Policy & Resources Committee Meeting – December 2015
Subject:	Tenders Awarded up to 30 November 2015
Date:	17 December 2015
Reporting Officer:	Mr Robert Dowey Head of Finance
Contact Officer:	Mr David Barter Purchasing Department

<u>Decisions Required</u>	
For noting.	
1.0	<u>Purpose & Background</u>
1.1	The attached listing provides Councillors with an update of items tendered and the outcome of these tenders post notifying the suppliers involved.
2.0	<u>Key Issues</u>
2.1	NA
3.0	<u>Resource Implications</u>
3.1	N/A
4.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ Appendix I – Current Tenders anticipated over £30k up to 30 November 2015

Reference	OJEU	Close	End of Standstill /Award	Dept	Person	Description	Type	End of Standstill /Award	Returns In	Estimate	Award Value	Successful Tenderer/ Postion as of 30 November
Current Tenders anticipated over 30k upto 30 November 2015												
EU tenders placed with OJEU Notice in RED												
04/2015		12-Jun	03-Aug	ERT	Scrossey	Granite Materials for Cathedral Corridor Newry	ITT	03-Aug	3	160 k	£ 85,205.02	HARDSCAPE PRODUCTS LTD
05/2015		28-Sep	19-Oct	ERT	Scrossey	ITT Contractor Appointment for Newry Cathedral corridor	ITT	19-Oct	3	500 k	£ 381,764.50	DEANE PUBLIC WORKS LTD
06/2015		26-Jun		ERT	Scrossey	Contractor for Warrenpoint Public Realm Scheme - POQ Stage 1	POQ		13	1,800 k		RList Call - 10 Selected for POQ 2.10/2015
07/2015				ERT	EMcQuaid	Graphic Design and Print Management Service for Tourism	ITT					- Awaiting Issue
09/2015	Y	3-Aug	Cancelled	SPP	HMcKee	Datshub Tender	ITT/EU	Cancelled	3	400 k		Notice re: Intention to Rerun Published in OJEU
10/2015		5-Aug		ERT	Scrossey	POQ Stage 2 - Warrenpoint Public Realm	POQ		6	1,800 k		Reduced to 4
11/2015		21-Sep	19-Oct	ERT	Scrossey	Warrenpoint Public Realm ITT Contractor Appointment - Restictive List Call	ITT	19-Oct	4	1,800 k	£ 1,841,264.41	NORTHSTONE (NI) LTD
12/2015		31-Jul	22-Oct	ERT	Dice	Landscape Partnership Scheme Bullik Heritage Surveys	ITT	22-Oct	3	34 k	£ 34,122.00	CENTRE FOR ARCHAEOLOGICAL FIELDWORK (CAF)
13/2015		6-Nov		RTS	JGordan	Household Recycling Centre, Flying Horse Road, Downpatrick	ITT		4	33 k		- Awaiting award
14/2015	Y	29-Oct	Abandoned	SPP	HMcKee	Datshub Tender - Rerun	ITT/EU	Abandoned	9	500 k		Notice re: Abandonment of Process Published in OJEU
15/2015	Y	6-Nov		SPP	EMcManus	Downpatrick Leisure Centre with Quigg Golden	ITT/EU			15,500 k		- Awaiting award
16/2015		27-Nov		ERT	WWarburton	Destination Partnerships Web Data Managements Systems & Native Apps	ITT			100 k		- Awaiting award
17/2015		4-Nov		ERT	MBoyle	Facilitator to Assist in the Development of a Tourism Strategy to 2020	ITT			40 k		- Awaiting award
18/2015	Y	1-Dec		SPP	EMcManus	Leisure Centre Newry - Phase 2. (POQ 52-2014)	ITT/EU			9,800 k		- Awaiting award
19/2015		20-Nov		RTS	LDinsmore	Supply and Delivery of 4 No. Roll-on Roll-off, Open Top Containers	ITT			20 k		- Awaiting award
20/2015		30-Nov		RTS	LDinsmore	Compactor Units - Servicing & maintenance of	ITT			28 k		- Awaiting award
Tenders issued before 30 November but not closed yet												
21/2015		11-Dec		RTS	TDaly	Structural Repairs Canal Bank located at Middle Bank Newry	ITT			100 k		Tender Closes 11 December
22/2015		4-Dec		RTS	LDinsmore	Supply of 1 No X 7.5 Tonne Refuse Collection Vehicle c/w Bin-Lifting Device	ITT			65 k		Tender Closes 4 December
23/2015	Y	23-Dec		RTS	LDinsmore	Lot 1 - Supply & Delivery of 1no. 15 tonne Street Cleansing Vehicle	ITT/EU			120 k		Tender Closes 23 December
24/2015	Y	23-Dec		RTS	LDinsmore	Lot 2. Supply & Delivery of 1no. 10-12 tonne Street Sweeping Vehicle	ITT/EU			115 k		Tender Closes 23 December
25/2015	Y	23-Dec		RTS	LDinsmore	Lot 3. Supply & Delivery of 1no. 2.5t Multipurpose Street Cleansing Vehicle	ITT/EU			60 k		Tender Closes 23 December

Report to:	Strategy Policy & Resources Committee Meeting – December 2015
Subject:	Report from Procurement
Date:	17 December 2015
Reporting Officer:	Mr Robert Dowey Head of Finance
Contact Officer:	Mr David Barter Purchasing Department

<u>Decisions Required</u>	
For noting.	
1.0	<u>Purpose & Background</u>
1.1	The attached Tender Report is to ensure Members are aware of matters arising out of tendered items and also including Single Tender Actions (ie, no competitive process).
2.0	<u>Key Issues</u>
2.1	The attached report sets this out.
3.0	<u>Resource Implications</u>
3.1	N/A
4.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ Appendix I – Tender Report Covering (Reg 86 – Notice) Tenders Nov 2015

TENDER REPORT COVERING (Reg 86 - Notice) TENDERS – Nov 2015

Tender Challenges – All contained/managed and none, so far have escalated to a full legal challenge

Tender for “**Provision of Advertising Services**”, an EU/OJEU tender let by Down DC prior to amalgamation, the successful tenderer withdrew recently without warning. I have suggested we seek damages as we now are obliged to urgently retender, as we have no option as the original tender had been awarded. I have also asked for the Contract Award Notice advised to EU/OJEU as we should advise of the cancellation. It was proposed to use the second place company from the tender, this is not allowed and would be a clear breach of the Public Contract Regulations 2015 and a fundamental breach of the TFEU. We are currently issuing orders, which are STA's to a company while we await new documentation to tender the requirement, this is under emergency procedures as we must continue to function, but is only allowed as an interim and very short term measure and not without considerable risk.

15-2014 (EU – OJEU Tender) 28t RCVs - 2 for NMDC 2 for DDC - another vehicle was added during the process and all tenders and potential tenders were notified. This Vehicle tender for 5 RCV has been called into question following due diligence -operational test and cross referencing them against the tendered specs., potentially creating a ‘fundamental breach’ of the EU tender. Meeting with the Directors and technical staff of Mercedes (UK), Zoeller (Poland) and local agents has taken place and asked for the issues to be addressed or we will seek suitable remedies. Joe Parkes leading tech investigation.

– Still ongoing as payload cannot be attained as specified along with other smaller issues regarding Specifications vs Actual Vehicle delivered.

64-2014 Dredging at Victoria Sea Lock, Newry Canal & 65 -2014 Victoria Lock Sea Gates Refurbishment, Newry Canal. Lock Gates have possibly exceeded original tender value, under PCR 2015 Regulations we have severe restrictions on exceeding tender by 15% for works, thereafter various procurement steps have to be taken to protect the council to ensure one does not call the contract into question.

9 & 14 – 2015 (EU – OJEU Tender) Datahub, initially sought suppliers from Government Frameworks who deliver similar but were not able to deliver our requirement, so we sent to tender. The first competition only had 1 company passing the initial phase but they came in over twice the estimated value, several challenges to the process were raised but all addressed. The second stage attained considerably more interest, but none passed the first stage. Following seeking advice from Belfast City Council legal department, we were instructed to abandon the process. Both Cancellation of tender 9 and Abandonment of tender 14 Notices have been issued to suppliers and in the OJEU, as per legislation. Several potential challenges are currently being addressed by BCC.

17/2015 (Tourism Strategy to 2020), this is currently at standstill, and we have two complaints currently being addressed, including one from Italy, which is why we luckily ran a standstill. These queries have been addressed and the Italian company have withdrawn their proposed legal challenge, the other companies have not confirmed their intention but the standstill currently ends 7 December.

Update: Deloitte have just 3/12/15 requested further info on their tender with an intention to escalate if not content with the reasoning.

Note: A tender over threshold 170k approx., must follow the EU/PCR2015 tender process including issuing notices to OJEU and once awarded or modified must have a Contract Award Notice (CAN) or an Amendment Notice issued immediately after the award/agreement or potentially accept fines and investigation by EU if and when found we have breached this. This has potentially been overlooked historically especially when we are bypassed.

Quotations have also received challenges:

Q1774 - Home Secured - Lock & Bolts Scheme - Complaints and threat to escalate challenge now addressed and process awarded to Confederation of Community Groups.

Q1785 - Design Consultant for Cranfield Shoreline Protection and Amenity Site Upgrade Phase 2 - Challenge on award as questioning award criteria – now addressed and accepted.

STA's Orders recorded. – Actual price paid may differ, as most are 'genuine pre estimates'.

- 125k to NI Water to undertake a detailed site assessment survey and design re. Rehabilitation programme at Camlough lake.
- 20k to ASG over several orders for placing notices in papers following collapse of Tender for “Provision of Advertising Services” – since 1 Nov.
- 10k to JB Fireworks over 5 orders
- 7.1k to Rocket software over 3 invoices.
- 4.5k to Blanchere for additional Christmas lights

Awarding contracts, including using other public bodies (including Councils) that are not covered by a framework open to us, are STA's. Many authorities have been caught by this. See case law: Teckal and Hamburg Waste cases. Unfortunately we normally are unaware of such actions as would ensure the process would remain within legislative requirements, as per our remit.

Other tenders may have various issues but so far all the ones we are being kept advised and involved in we have been able to manage the issues, within legislative guidelines so as to minimise the risk to the individual and council, and been able to progress to award. It is essential we continue to be kept abreast of issues to do this.

Note: A Regulation 86 Notice now replaces the former Reg 32 Notice and is more prescriptive regarding potential cross border interest and is no longer just best practice rather a requirement.

Numerous FOI procurement requests have been addressed, one is still outstanding.

David Barter
Purchasing Department
3 December 2015

Agenda Item:	Decade of Centenaries Programme - 2016
Report to:	Strategic Planning and Resources Committee
Subject:	Decade of Centenaries Programme – 2016
Date:	17 December 2015
Reporting Officer:	Liam Hannaway, Chief Executive
Contact Officer(s):	Liam Hannaway, Chief Executive Colin Moffett, Equality Officer Sonya Burns, Programmes Manager Suzanne Rice, DEA Co-ordinator Noreen Cunningham, Newry and Mourne Museum Mike King, Down County Museum

Decisions Required

Members are asked to note the contents of the report outlining a current overview of Newry, Mourne and Down District Council proposed activities during 2016 in relation to the Decade of Centenaries 2016 (Easter Rising and Somme).

1.0 **Purpose & Background**

1.1 This is a developing programme which has been discussed and considered by the Councillors' Equality and Good Relations Reference Group.

The current programme of activity scheduled during 2016 in relation to the Decade of Centenaries 2016 (Easter Rising and Somme) is as follows:

1. Drama

- *'1916 A Hundred Years On'*, a play by Philip Orr
- 19 January 2016, Sean Hollywood Arts Centre

2. Schools initiative

- 2 interactive digital design and digital audio workshops looking at the Easter Rising and Somme.
- February 2016
- involving 100 schoolchildren
- delivered by the Nerve Centre's Creative Centenaries initiative

3. Conference

- *'Exploring the 1916 Rising'*
- Friday 29 April 2016, Down County Museum

4. Courses

- *'The 1916 Rising'*

- short course looking at the main drivers and driving forces that lay behind the 1916 Easter Rising.
- 18 – 22 April 2016, Newry and Mourne Museum, Bagenals Castle
- *'The Commemoration of Centenaries'*
 - short course looking specifically at Working Lives of people in Ireland 100 years ago; Battle of the Somme; Easter Rising; the lives of Women; Trade Unions.
 - 22-26 February 2016, Newry and Mourne Museum, Bagenals Castle
- *'History of Ireland: OCN Level 1/2 Home Rule to Partition in Ireland 1886-1922'*
 - 7-11 March 2016

5. Exhibitions

- *'1916 and After'*
 - 18 April - 1 May 2016, Down County Museum
 - 18 – 22 April 2016, Newry and Mourne Museum, Bagenals Castle
- *'Answer the Call'*
 - recruitment posters exhibition (on loan from NMNI)
 - 11 May - 30 October 2016, Down County Museum
- *Lives and achievements of local women*
 - June 2016 – May 2017, Newry and Mourne Museum, Bagenals Castle.
 - Themes explored will include local women who served as nurses in the First World War, women in business, women in politics and women at home

6. Event / lecture

- *'Remembering the Somme'*
- 24 June 2016, Down County Museum

7. Grant Scheme

- *Decade of Centenaries 2016*
- Funding of £40,000 set aside for initiatives taking place during period 1 March 2016 - 31 March 2017.

2.0 **Key Issues**

- 2.1 As noted this is an emerging and developing programme for noting by Council. An updated report providing greater detail will be provided at the Strategic Planning and Resources Committee Meeting on 14 January 2016.

3.0 **Financial & Resource Implications**

- 3.1 The current Programme outlined within the report will be resourced through the Council's Good Relations Action Plan, Museum programming budgets and, in relation to the grant scheme, monies allocated and agreed to be allocated during the 2015/16 (£20,000) and 2016/17 (£20,000) financial years.

4.0	<u>Equality & Good Relations Implications</u>
4.1	The Council programme will be delivered taking account of the Council's statutory duties to have due regard towards the promotion of equality of opportunity and regard towards the promotion of good relations.
5.0	<u>Appendices</u>
N/A	

Report to:	Strategy, Policy & Resources Committee
Subject:	European Rural Network for Job Mobility – ERN4mob Project
Date:	17 December 2015
Reporting Officer:	Justyna McCabe, Diversity & Inclusion Projects Co-ordintaor
Contact Officer:	Justyna McCabe, Diversity & Inclusion Projects Co-ordintaor
<u>Decisions Required</u>	
<ul style="list-style-type: none"> • <i>Report is to inform members about project approval by the European Commission.</i> • <i>Approval is sought to attend project kick-off meeting in February 2016. Recommended to attend: Chair of SPR Committee, Director of SPP and Project Co-ordinator.</i> 	
1.0	<u>Purpose & Background</u>
1.1	<p>PROJECT TITLE: European Rural Network for Job Mobility (ERN4mob) PROGRAMME: Europe for Citizens 2014-2020 SUB-PROGRAMME: Strand 2. Democratic engagement and civic participation ACTION: 2.2 Network of Towns 2015 Project start date: 1 January 2016 Project end date: 31 December 2017</p>
1.2	<p>AIMS AND OBJECTIVES: The project aims to connect rural municipalities from 6 different EU countries (Spain, Poland, Portugal, United Kingdom, Italy and Greece) in order to lay down the foundations for the European Rural Network for Job Mobility.</p> <p>Specific Objectives:</p> <ul style="list-style-type: none"> • To develop sustainable cooperation among different European rural municipalities and its citizens of different nationalities living together in the same local communities, for a better integration, participation and interaction in the residence country. • To improve mutual understanding and learning about EU diversity and EU policies in terms of mobility (focused mainly on the labour market) and to promote opportunities for social and intercultural engagement. • To promote European citizenship and improve participation conditions of different EU nationals and immigrants who live in the same local community and to encourage their participation in the democratic and civic life of the Union and its social cohesion.
2.0	<u>Possible Future Issues for Consideration</u>
	The Lead Partner (Concello de Vimianzo, Spain) is currently awaiting guidance from the European Commission in relation to project implementation.
3.0	<u>Resource Implications</u>
	Project 100% funded. Total budget: 127,500 €. Newry, Mourne and Down budget: 22,000 €

Report to:	Strategic Policy & Resources Committee
Subject:	<i>Draft Terms of Reference for the proposed Newry, Mourne and Down Health Forum</i>
Date:	17 December 2015
Reporting Officer:	Heather McKee, Assistant Director Community Planning
Contact Officer:	Heather McKee, Assistant Director Community Planning

<u>Decisions Required</u>	
<i>Approval of Draft Terms of Reference for the Health Forum</i>	
<i>Approval of first Task and Finish Forum to advocate for continued A&E provision and Stroke Services at Daisy Hill Hospital.</i>	
1.0	<u>Purpose & Background</u>
1.1	Council agreed to establish a task and finish Health Forum to allow members to advocate on health related issues.
2.0	<u>Key Issues</u>
	<ul style="list-style-type: none"> • An outline Terms of Reference for the Health Forum has been drafted for approval by Council. • A supplemental terms of reference would be drawn up when Council agrees each specific Task and Finish issue to be addressed by the Forum. • The Daisy Hill Action Group has requested assistance from Council to advocate for continued A&E provision and Stroke Services at Daisy Hill Hospital
3.0	<u>Resource Implications</u>
	Staff time
4.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ Draft Terms of Reference

Newry, Mourne and Down Health Forum

Terms of Reference

The overarching aim of the Health Forum is to consult, involve, listen and respond to communities on key issues which impact the health of citizens.

Scope:

1. To meet as a task and finish, issue specific, group when key health issues arise which require Councillors to represent community views. For example the proposed closure of Slieve Roe House, Kilkeel. Each specific issue would have supplemental terms of reference to define the remit and actions of the task and finish group.
2. To communicate the community's views to the Health Sector and ensuring this does not conflict with community planning objectives and priorities.
3. To provide an environment for a facilitated conversation between the Community and Statutory sector in relation to a key identified health issues.
4. To assist in the prioritisation of local issues defined within a particular geographical area and convey these views to the relevant DEA Forum supporting the implementation of an agreed multi-agency plan of action towards developing sustainable communities.

STANDING ORDERS

The Chairman of each Health Forum shall ensure that the meetings and business shall be conducted in accordance with the requirements set out in the Forum Standing Orders.

ELECTION OF CHAIR AND VICE-CHAIR

Election of Chair & Vice Chair

The Chair and Vice-Chair of each Health Forum shall be appointed by the Fora from amongst the political Members. The period in office will be for the period of the task and shall not exceed 12 months.

The office of Chairman should be held in turn by each of the political parties and independent members represented on the council immediately after the last local general election.

ABSENCE OF CHAIR AND VICE-CHAIR

If the Chair and Vice-Chair are absent from a meeting, those present shall elect one of the Members of the Forum to act as Chairman.

RULING OF THE CHAIRMAN

The ruling of the Chairman upon all questions of order, and of matters arising in debate, shall be final and shall not be open to discussion.

MEETING AGENDA

The meeting agenda and supporting papers will be distributed to members in advance of the Forum meeting (preferably 7 days in advance). The agenda shall not include AOB; however should an urgent issue present itself the Chair, or in their absence Vice-Chair, may be consulted as to whether this matter should be tabled at the meeting or whether a Special meeting is required.

MEMBERSHIP

Each Health Forum shall be made up of Elected Members from a relevant DEA or adjoining DEAs if the issue impacts across more than one DEA, representatives from the community voluntary & statutory sector organisations (by invitation) and Officers of Council.

MEETINGS

The Health Forum does not have decision making powers, they make recommendations only. Recommendations arising will be tabled at the Strategic Policy and Resource Committee for consideration.

The Chair of the Health Forum shall also be provided with the opportunity to attend meetings of the Community Planning Partnership and/or Thematic Working Groups to raise issues agreed as critical by the Health Forum, to ensure effective co-operation and communication of matters relating to the Community Plan.

REMIT

The remit of each specific task and finish health forum will be defined in supplemental terms of reference to be agreed by Council, with a clear start and end date and shall not exceed 12 months.

ATTENDANCE AT MEETINGS

Attendance at meetings of the Forum will be restricted to Members and relevant partner organisations except as otherwise determined by the Members. Attendance at meetings of the Forum of invited organisations, groups or individuals shall be regulated by the Chairman of the Forum.

FREQUENCY OF MEETINGS

The Forum will meet once per quarter unless otherwise agreed by forum Members to address a specific issue or deadline.

IN PUBLIC

The Health Forum can hold a public meeting which will be publically advertised. The dates, times, venues and format of the meetings are to be agreed by the Forum and should facilitate engagement with the public and reflect local priorities relating to health and contribute to Community Plan activity.

NOTIFICATION OF PUBLIC MEETINGS OR EVENTS

At least fourteen days before the date on which a public meeting or event is due to be held, it shall be publicly advertised. The Members of the Forum shall determine the media to be utilised to publicly advertise the meeting or event and endeavour to publicise it through their respective community networks.

MODE OF ADDRESS

Council staff and Members of the Forum shall address and speak of one another at all times in a respectful and courteous manner.

OFFENSIVE EXPRESSION

A Member shall not impute motives or use offensive expression in reference to any Member of the Forum.

DISORDERLY CONDUCT

The Chair, or a Member acting in the role of Chair, may order the removal from the meeting of any member of the public whose behaviour represents a threat to the orderly conduct of the business to be transacted.

If at a meeting any Member, in the opinion of the Chair, misconducts themselves by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by wilfully obstructing business, the Chair or any other Member may move "That the Member named be not further heard", and the motion if seconded shall be put and determined without discussion.

If the Member named continues their misconduct after a motion under the foregoing paragraph has been carried:-

- (i) the Chairman or any other Member may move "That the Member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion); and
- (ii) the Chairman may adjourn the meeting for such period as they in their discretion shall consider expedient.

When the Chairman is of the opinion that the due and orderly dispatch of business is impossible, they, in addition to any other power vested in them, may, without question, adjourn the meeting at their discretion for such period as they shall consider expedient.

DECISION MAKING AND VOTING

The Forum should seek to make decisions by agreement and consensus and therefore no voting will take place or be recorded. The Health Forum does not have decision making powers, they make recommendations only. Recommendations arising will be tabled at the Strategic Policy and Resource Committee for consideration.

OFFICERS

???? Manager/Assistant Director, Committee Clerk

PRESS

Invitations to the press shall only be extended for invitation to public meetings

PUBLIC

Invitations to members of the public shall only be extended for attendance at public meetings

QUORUM

The quorum for meetings of the Forum, shall be one quarter of their membership. Upon the attention of the Chairman being called to the fact that there is not a quorum present, the Chairman shall declare the meeting at an end.

Report to:	Strategy, Policy and Resources
Subject:	Financial Assistance
Date:	17 December 2015
Reporting Officer:	Sonya Burns, Programmes Manager
Contact Officer(s):	Sonya Burns, Programmes Manager Colin Moffett, Equality Officer

Decisions Required

The following recommendations are made for approval:

1. Approval to fund 18 applications to the value of £39,416.90
2. Advances – 2 groups have requested additional assistance in terms of an advance. To enable the projects to proceed we have provided Safer Warrenpoint with 100% advance and Newtownhamilton Community Association with 75% advance payments. Retrospective approval is sought.

1.0 **Purpose & Background**

- 1.1 1. The third call for Financial Assistance opened 16 November 2015 and closed 4 December 2015 with 27 applications being received by the closing date. The call was specifically for the Decade of Commemorations - Easter Rising and Battle of the Somme and projects relating to this between 1 March 2016 and 31 March 2017. The primary purpose of the Decade of Centenaries Grant Programme was to assist organisations/ groups in relation to their projects which commemorate / mark anniversaries / remembering the past in relation to the centenaries of the Easter Rising and the Battle of the Somme.

The standard of the applications on this occasion was greatly improved and it was evident that many of the applicants had attended the capacity building workshops. Whilst this is welcomed we will have to be mindful of this for future calls and managing expectations.

Attached is a report which provides a breakdown of the number of applications, pass and fail at each stage of the process, geographical spread of the applications received and successful and a breakdown of the final allocations to successful applicants.

2. Advances – A request was sought from Safer Warrenpoint for 100% advance due to the level of funding involved and their cashflow availability. The group submitted their bank statement and invoices to support their case. Upon review of this to assist the group retrospective approval is sought for their advance of £2400. They will be required to submit a bank statement to the Council clearly demonstrating the funding has left the account.
Newtownhamilton Community Association have received £1800 towards Christmas Illuminations. Again due to cashflow the group are unable to meet this expenditure. It is recommended that a 75% advance of £1350 is provided to the group and the final amount will be released upon receipt of a claim and bank statement showing the advance has been fully utilised.

2.0	<u>Key Issues</u>
2.1	<p>There are potentially a number of issues:</p> <ul style="list-style-type: none"> ▪ The amount of funding requested was greater than the allocated budget to this call. As we move into the new calls for the 2016-2017 period we will have to be mindful of this as the competitiveness is greatly increasing.
3.0	<u>Financial & Resource Implications</u>
3.1	<ul style="list-style-type: none"> ▪ The total amount awarded for Decades of Centenaries grants is £39,416.90. ▪ Advance payments of £2400 to Safer Warrenpoint and £1350 to Newtownhamilton Community Association.
4.0	<u>Equality & Good Relations Implications</u>
4.1	There is an inclusion of equality and good relations within the applications and the process is underpinned by Equality and Good Relations principles.
5.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ Call 3 analysis.

Call 3 for Financial Assistance 2015 Newry, Mourne and Down District Council

Applications received 27

Applications received 27

Applications recommended for funding 18

Total applications awarded x 66.6%

Total amount requested £75,712.90

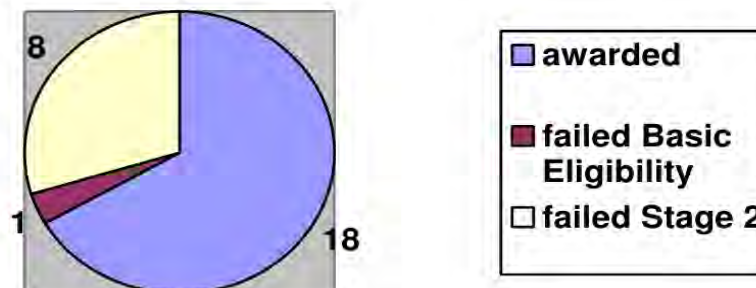
Total amount awarded £ 39,416.90

Of the 27 applications

18 were awarded

1 failed BE = 3.7%

8 failed stage 2 = 29.6%



Applications failed Stage 2 = 8



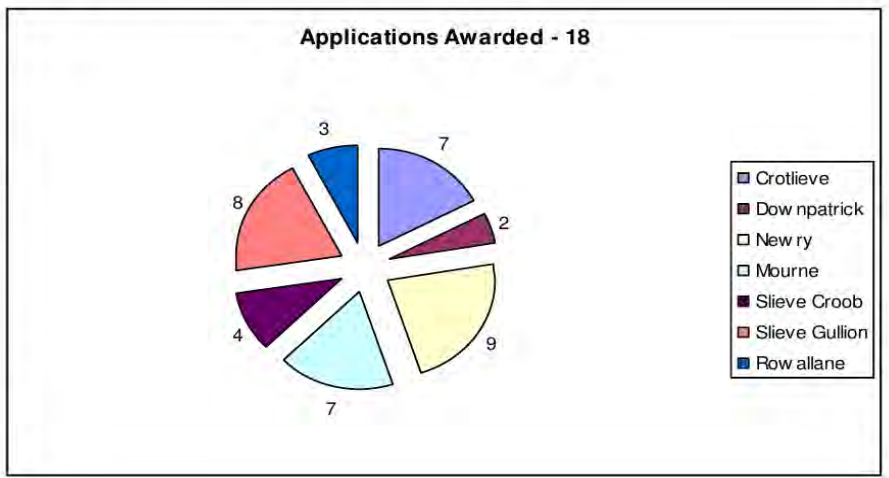
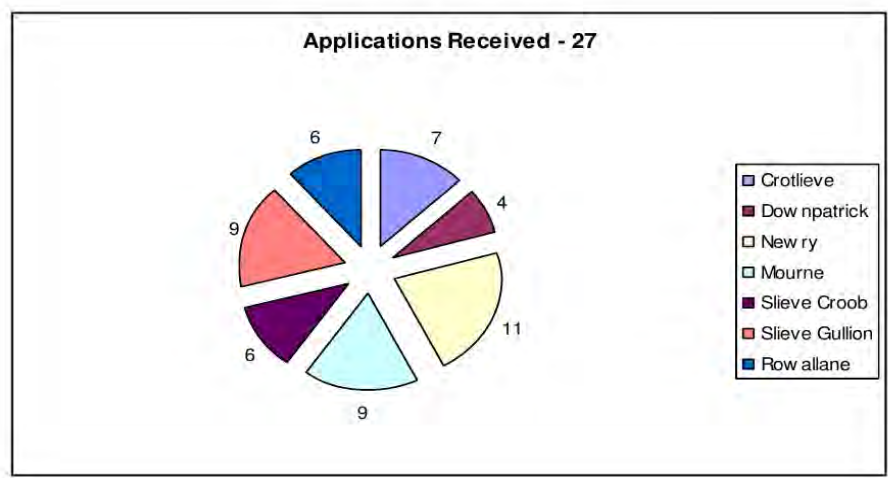
Of the 8 that failed Stage 2

2 failed meet threshold on section 1 = 25%

5 failed to meet threshold on section 2 = 62.5%

8 failed to meet threshold on section 3 = 100%

Area Breakdown



Breakdown of Applications per stage & Final Amount Recommended for Award

Stage 1 ~ Fail

Ref	Passed basic eligibility
DC23	no

Stage 2 ~ Fail

Ref	Passed basic eligibility	Stage 2
DC5	yes	no
DC8	yes	no
DC10	yes	no
DC12	yes	no
DC16	yes	no
DC22	yes	no
DC24	yes	no
DC25	yes	no

Stage 1 & 2 ~ Pass & Amount Recommended for Awarded

Ref	Passed basic eligibility	Stage 2	Recommended Amount Awarded
DC1	yes	yes	1500
DC2	yes	yes	1500
DC3	yes	yes	2400
DC4	yes	yes	2600
DC6	yes	yes	1940
DC7	yes	yes	2510
DC9	yes	yes	2100
DC11	yes	yes	2000
DC13	yes	yes	2416.90
DC14	yes	yes	2230
DC15	yes	yes	1300
DC17	yes	yes	2150
DC18	yes	yes	2400
DC19	yes	yes	3000
DC20	yes	yes	2050
DC21	yes	yes	1770
DC26	yes	yes	2600
DC27	yes	yes	2950

Report to:	Strategy Policy and Resources
Subject:	Social Investment Fund
Date:	17 December 2015
Reporting Officer:	Sonya Burns, Programmes Manager
Contact Officer(s):	Sonya Burns, Programmes Manager
<u>Decisions Required</u>	
<ul style="list-style-type: none"> ▪ Report is to for update and noting. 	
1.0	<u>Purpose & Background</u>
1.1	<p>The Council is covered by two Social Investment Zones – Southern (legacy Newry and Mourne) and South Eastern (legacy Down). The projects which are being delivered by the Council are split as follows:</p> <p>Southern Zone Revenue Project – Work It. The project is now underway and on target in relation to the number of participants engaged across the Zone. There are teambuilding, accredited training and training and development sessions planned in the coming month. There is a high target of under 18’s (96 out of the 160 total) and this has been slow to commence. The spend target has not been achieved however with the increase in participants this will also increase. There are community projects within this programme being sought from the designated Super Output Areas. For further information contact Ciara Burns on 30313024.</p> <p>South Easter Zone Capital Projects At the recent South Eastern Steering group meeting it was agreed to include the 3 pitches by raising their priority level to 8. The Economic Appraisals are currently being finalised by the Department prior to being submitted to DFP for final approval to proceed. The total value of the Community Operated Sports Facilities is £2,645,648. There is additional match funding for these projects from the Council as outlined in Section 3.1 below.</p> <p>Council will then have to complete a project initiation document and the appointment of a design team prior to the tendering process commencing. We are currently in the process of finalising the management fee with the Department. Meetings will also be set up with the recipient groups in the New Year to establish working relationships with the Management Team.</p>
2.0	<u>Key Issues</u>
2.1	<p>There are potentially a number of issues:</p> <ul style="list-style-type: none"> ▪ Revenue projects – due to the delay in recruitment of participants we will have to negotiate the transfer of under spend from the first year into the second year.
3.0	<u>Financial & Resource Implications</u>
3.1	Revenue projects – all eligible expenditure is claimable from OFMDFM.

	Capital projects – the following commitments have been made by Council to OFMDFM for the following projects: Downpatrick Race Club - £150,000 Ballyhornan - £25,000
4.0	<u>Equality & Good Relations Implications</u>
4.1	There is an inclusion of equality and good relations within the submission and Economic Appraisals.
5.0	<u>Appendices</u>
	<ul style="list-style-type: none"> ▪ None.

TEMPLATE

Report to:	Strategy, Policy and Resources
Subject:	PEACE IV
Date:	17 December 2015
Reporting Officer:	Sonya Burns, Programmes Manager
Contact Officer(s):	Sonya Burns, Programmes Manager
<u>Decisions Required</u>	
The following is recommended: <ul style="list-style-type: none"> Officers proceed with the consultation process and submit the application to Council for approval prior to submission. 	
1.0	<u>Purpose & Background</u>
1.1	<p>The new PEACE IV programme has been announced and the first workshop has been hosted in relation to Local Authority applications. The total amount available is £269million across all four themes. The Local Authority Peace Action Plans are due for submission into the Stage 1 process between March and May 2016 with a decision due by June/July 2016. There is then a Stage 2 process which will be presented to the Steering Committee no later than December 2016. Therefore we cannot expect a Letter of Offer until early 2017. Attached is a timetable of all the themes and their timeframes for submission.</p> <p>To ensure we have a timely submission it is recommended that Officers proceed with the application process and commence the required consultation.</p>
2.0	<u>Key Issues</u>
2.1	<p>There are potentially a number of issues:</p> <ul style="list-style-type: none"> This is a new 2 stage process and therefore is not a tested means of applying to SEUPB. It would be reasonable to expect delays. The management of community expectation on what the Peace Action Plan can deliver.
3.0	<u>Financial & Resource Implications</u>
3.1	Officer time for submitting the application.
4.0	<u>Equality & Good Relations Implications</u>
4.1	This will be included as part of the Stage 1 and 2 applications.
5.0	<u>Appendices</u>
	<ul style="list-style-type: none"> Timetable of calls.



INDICATIVE PEACE IV Timetable of Calls for Applications

(SUBJECT TO TIMING OF PROGRAMME APPROVAL)

Outlined below is the proposed indicative timetable for calls for applications to the new PEACE IV Programme for 2014-2020. The timetable for Steering Committee stage 1 and stage 2 dates is the latest date a decision would be sought from the Steering Committee.

Specific Objective*	Call Opens	Stage 1 Application due to be received	Sector Workshop	Stage 1 Steering Committee no later than	Stage 2 Steering Committee no later than
Objective 4: Building Positive Relations- Peace Action Plans (3 elements)	January 2016	March – May 2016	Thursday 3 December 2015	June/July 2016	December 2016
Objective 4: Building Positive Relations - Regional	February 2016	April 2016	February 2016	June 2016	December 2016
Objective 1: Shared Education	April 2016	June 2016	April 2016	August 2016	February 2017
Objective 4: Building Positive Relations at a Local Level – Victims Service	April 2016	June 2016	April 2016	August 2016	February 2017
Objective 3: Shared Spaces & Services	June 2016	September – December 2016	June 2016	November 2016/February 2017	May 2017/August 2017
Objective 2: Children & Young People	September 2016	October 2016	September 2016	December 2016	June 2017