



October 11th, 2017

Notice Of Meeting

You are invited to attend the Strategy Policy and Resources Committee Meeting to be held on **Thursday, 12th October 2017 at 5:00 pm** in **Mourne Room, Downshire.**

The Members of the Strategy Policy and Resources Committee are:-

Chair: Councillor T Hearty

Vice Chair: Councillor A McMurray

Members: Councillor P Byrne Councillor R Burgess

Councillor M Carr Councillor S Doran

Councillor C Enright Councillor D Hyland

Councillor O McMahon Councillor M Murnin

Councillor B Ó'Muirí Councillor M Ruane

Councillor M Savage Councillor G Sharvin


Councillor W Walker

Agenda

1.0 Apologies

2.0 Declarations of Interest

3.0 Action Sheet of the Strategy, Policy and Resources Committee Meeting held on 14 September 2017 (copy attached)

 *SPR-14092017.pdf*

Page 1

Policies

4.0 Gifts and Hospitality Policy (copy attached)

Gerard Byrne

 *Gifts & Hospitality Cover Sheet.pdf*

Page 5

 *NMDDC Gifts and Hospitality Policy - FINAL.pdf*

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5.0 Risk Management Policy (copy attached)

 *Risk Management Policy Report.pdf*

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 *RM Policy - final.pdf*

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6.0 Safeguarding Policy (copy attached)

 *Safeguarding report.pdf*

Page 41

 *Revised Policy Safeguarding Following SMT Consultation.pdf*

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7.0 Treasury Management (copy attached)

 *Treasury Management report.pdf*

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 *Treasury Management Appendix 1.pdf*

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 *PI_Outturn_2016-17.pdf*

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For Consideration and/or Decision

8.0 Transition of Existing Emergency Preparedness Group Structures (to follow)

9.0 Acquisition of Land at Sugar Island, Newry (copy attached)

Acquisition of land at Sugar Island, Newry.pdf

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10.0 Sub-Lease of Boat House, Marine Parade, Warrenpoint to Carlingford Lough Currach Club (copy attached)

BoathouseSPR12102017.pdf

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11.0 Regulating Lease of Foreshore for Newry and Mourne (copy attached)

LeaseofForeshore12102017.pdf

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12.0 Proposed Carlingford Lough Greenway – Victoria Lock to the Border – Lease from Crown Estate (copy attached)

CarlingfordGreenway12102017.pdf

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For Noting

13.0 Section 75 Policy Screening Report - Quarterly Report for period July - September 2017 (copy attached)

Report on Section 75 Policy Screening Report - Quarterly Report for period July - September 2017 .pdf

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Quarterly Screening Report July - September 2017.pdf

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14.0 Local Authority Deed - Drumnakelly Landfill Site (copy attached)

Local Authority Deed.pdf

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15.0 Local Government Staff Commission (LGSC) Continuing Operation 2017/2018 (copy attached)

Local Government Staff Commission (LGSC) Continuing Operation 2017 2018.pdf

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LGSC Appendix Letter.pdf

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16.0 Surveillance & Monitoring of Town Centre CCTV (copy attached)

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

 *Town-Centre CCTV.pdf*


Not included

17.0 Management Accounts (copy attached)

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

 *9.10.17 Management accounts.pdf*

Not included

 *Income & Expenditure (By Director) 31.8.17 - All.pdf*

Not included

18.0 Newry Leisure Centre (copy attached)

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

 *NLC.pdf*

Not included

19.0 Update on Recruitment of RTS Director (verbal update)

Verbal update






This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

20.0 Action Sheet of the Strategic Projects Working Group held on 22 August 2017 (copy attached)

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

 *Strategic Projects Working Group Action Sheet - 22.08.17 - Final.pdf*

Not included

 <i>Newry Civic Centre- Strategic Projects Working Group 22.8.17.pdf</i>	<i>Not included</i>
 <i>Appx A - Map of Bus Station.pdf</i>	<i>Not included</i>
 <i>Paper for Strategic Projects Working Group 8.17 Newcastle.pdf</i>	<i>Not included</i>
 <i>Appendix 2 Donard Park Map.pdf</i>	<i>Not included</i>
 <i>01AUG2017 Presentation with TRC Input.pdf</i>	<i>Not included</i>

20.1 Replacement of Newcastle Leisure Centre Facilities and Proposals for Donard Park Sports Hub (copy attached)

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - Information relating to the financial or business affairs of any particular person (including the Council holding that information) and the public may, by resolution, be excluded during this item of business.

-  *SPWG Report - Replacement of Newcastle Leisure Centre Facilities and Proposals for Donard Park Sports Hub Aug 2017.pdf* *Not included*

Invitees

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ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 15 SEPTEMBER 2016 –

ITEMS STILL IN PROGRESS OR ON-GOING.

ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2015					
SPR/210/2016	Derelict Site- Daisy Hill, Newry	<p>Agreed to:</p> <p>Declare the land as surplus.</p> <p>Request LPS to provide a current market valuation and a recommendation on the most appropriate way to dispose of the land.</p>	<p>A Robb A McKay</p>	<p>Matter with Estates Department And further instructions awaited.</p>	

ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 13 OCTOBER 2016 – ITEMS STILL IN PROGRESS OR ON-GOING.

ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2015					
SPR/236/2016	Right of Way Proposal at Ballyedmond, Killowen, Rostrevor	<p>It was agreed to accept the officer's recommendations as follows:</p> <ul style="list-style-type: none"> • Approval of the details of the proposed Killowen Coastal Path around the Big Moat at Ballyedmond as per the presentation at the meeting, ie. the design drawings and technical specification. • A joint application for Planning Permission will be submitted by the Ballyedmond Estate and the Council for the creation of the proposed Coastal Path as per the approved details. 	<p>A Robb</p>	<p>On-going.</p> <p><i>Ballyedmond Estates Consultants updating the Ecological Impact Assessments and collating additional information. This matter is on-going.</i></p>	

ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 17 NOVEMBER 2016 – ITEMS STILL IN PROGRESS OR ON-GOING.

SPR/250/2016	Disposal of Land at Carnbane Road, Newry beside Carnbane Playing Fields	<ul style="list-style-type: none"> • Council to express an interest in the disposal of land at Carnbane Road, Newry as this land is important for the future management and development of Carnbane Playing Fields and the land is under Council control as present. The acquisition will also resolve any discrepancies in the Council boundary. • Council to seek a transfer at nominal value in the first instance. • If Council is successful in acquiring this land, the Council agree to re-imburse NIE for any costs incurred in the relocation of their equipment on this site in the event of development and also agree to enter into a Way leave Agreement with NIE for the equipment. • Easements may also be required for Transport NI, BT and NI Water. 	A Robb	Matter with LPS to provide a valuation.	
SPR/251/2016	Disposal of Land at Sugar Island, Newry	<p>Council to express an interest in the disposal of land at Sugar Island, Newry.</p> <p>Council to seek a transfer at nominal value in the first instance.</p>	B Magill	LPS valuation received. Report to be prepared by Alison Robb.	
SPR/257/2016	Peace IV	Application to be submitted to Shared Spaces and Services funding call for the John Doyle Peace Centre.	J McCabe	Application being assessed by SEUPB. Economic appraisal should be completed by the end of the year.	
SPR/282/2016	Correspondence from the Department for Communities Regeneration Bill	Council to write to the Minister for Communities asking him to reconsider the decision not to progress the Regeneration Bill.	L Hannaway	To be completed once a Minister for Communities is in place.	

ACTION SHEET – STRATEGY, POLICY AND RESOURCES COMMITTEE MEETING (SPR) – THURSDAY 14 SEPTEMBER 2017

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
SPR/156/2017	Alcohol Bye Laws	Council to adopt a uniform zero tolerance approach to any breach of the Alcohol Byelaws and that a warning letter to be sent out in the first instance to offenders before immediate referral for legal proceedings.	A Robb	Adopted.	Y
SPR/157/2017	NAC Membership of UK Executive Committee	Agreed to pay for Cllr Burgess to attend up to approx. 4 meetings per year of the UK NAC Executive Committee.	L Hannaway	Agreed.	Y
SPR/157/2017	Recording of Planning Committee Meetings	No decision. Report to be taken to full Council in October.	L Hannaway	Decision taken at Council mtg 2.10.17.	Y
SPR/159/2017	Assessment of Performance 2016/17	Assessment of Performance 2016/17 agreed.	J McBride.	Agreed.	Y
		Publication of the Assessment of Performance by 30 September 2017 before full Council ratification in order to meet the statutory deadlines agreed.		Agreed.	Y

ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2015

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
SPR/160/2017	NMDDC v Francis Hamill	Noted.	D Carville	Noted.	Y
SPR/161/2017	Redundancy Report	Approved.	C Miskelly.	Approved.	Y

SPR/162/2017	Down Leisure Centre Pool Drowning Detection System	Approved.	M Lipsett	Approved.	Y
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Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	12 October 2017
Subject:	Gifts and Hospitality Policy
Reporting Officer (Including Job Title):	Dorinnia Carville, Director of Corporate Services
Contact Officer (Including Job Title):	Dorinnia Carville, Director of Corporate Services

Decisions required:	
Members are asked to approve the new policies on Gifts and Hospitality	
1.0	Purpose and Background:
1.1	<p>The purpose of the policy is to: –</p> <ul style="list-style-type: none"> • Outline for all Council Staff and Elected Members the guidelines and fundamental principles for the provision and acceptance of gifts and hospitality; • Provide advice on how hospitality either provided by or accepted by Council Staff and Elected Members should be approved and recorded; • Outline roles and responsibilities for staff and Elected Members at all levels within the Council.
2.0	Key issues:
2.1	In accepting any gift or hospitality, the individual and, if applicable, his or her line manager, must exercise judgement about how acceptance might be perceived, recognising that what at first sight might appear to be reasonable might nevertheless become the subject of unreasonable comment or criticism by external parties. The judgement made therefore needs to include an assessment as to whether the benefits gained by the Council through the acceptance of a gift of hospitality might be outweighed by adverse third party criticism, even when that criticism is not reasonable.
3.0	Recommendations:
3.1	To approve the NMDDC Gifts and Hospitality Policy
4.0	Resource implications
4.1	Governance training will be rolled out to all staff within the Council in October and November 2017 to highlight the importance of the recent policies which have been introduced or amended.
5.0	Equality and good relations implications:
5.1	None
6.0	Appendices
	Appendix I: Gifts and Hospitality Policy
	Appendix II: Equality Screening template – Gifts and Hospitality Policy



Newry, Mourne and Down District Council

Gifts & Hospitality Policy



Effective Date: October 2017

Version 1.0



Policy Control

Policy Title	Gifts and Hospitality Policy
Departmental Ownership	Corporate Services
Document Owner	Dorinnia Carville, Director of Corporate Services
Officer Responsible	Gerard Byrne, Audit Services Manager
Date of Approval	SP&R – Council -
Date of Last update	October 2017
Updated by	Gerard Byrne, Audit Services Manager
Date of next Review	October 2021
Location where document is held and referenced	Shared Drive and NMDDC Website

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Statement

1. All Council Officers and Elected Members are expected to observe the highest standards of conduct and should at all times be guided by the Code of Conduct. The Council recognises that contractors, suppliers and other customers may extend from time to time offers of gifts and hospitality to staff and Elected Members for our services. The Council also recognises that employees and members have a responsibility, in the interests of public confidence, to exhibit high standards of propriety.
2. In accepting any gift or hospitality, the individual and, if applicable, his or her line manager, must exercise judgement about how acceptance might be perceived, recognising that what at first sight might appear to be reasonable might nevertheless become the subject of unreasonable comment or criticism by external parties. The judgement made therefore needs to include an assessment as to whether the benefits gained by the Council through the acceptance of a gift of hospitality might be outweighed by adverse third party criticism, even when that criticism is not reasonable.
3. The Council requires that its employees and Elected Members should not use their official position to receive gifts, hospitality or benefit of any kind which might reasonably be seen to compromise the Council's position or the employee's personal judgment and integrity.
4. The guidance set out in this document was prepared with reference to Northern Ireland Civil Service best practice as set out in the Department of Finance and Personnel DAO DFP 10/06 'Acceptance and Provision of Gifts and Hospitality'. The Dear Accounting Officer letter was revised again in 2009.
5. The purpose of the policy is to:-
 - Outline for all Council Staff and Elected Members the guidelines and fundamental principles for the provision and acceptance of gifts and hospitality;
 - Provide advice on how hospitality either provided by or accepted by Council Staff and Elected Members should be approved and recorded;
 - Outline roles and responsibilities for staff and Elected Members at all levels within the Council.

Aims of this Policy

6. The main aims of the Gifts and Hospitality Policy are to:
 - Ensure consistency of approach when dealing with gifts and hospitality;
 - Ensure compliance with the Bribery Act;
 - Comply with the Seven Principles of Public Life plus NI Assemblies Five Principles of Conduct (**Appendix 1**);
 - Establish guidance for all staff and Elected Members to follow to ensure that the Council can demonstrate that no undue influence has been applied by an external organisation dealing with the Council; and



- Protect Council Officers and Elected Members from criticism and misunderstanding and to protect the Council from allegations of impropriety. Compliance with the policy will help the Council demonstrate good governance and accountability.
7. In addition to complying with Council policy and guidance, where officers belong to a professional body, they should be guided by any rules of professional conduct set by that professional body.

Scope of the Policy

8. The fundamental principle is that no member of staff or Elected Member should do anything which might give rise to the impression that he or she has been, or might be influenced by a gift or hospitality, or other consideration to show bias for or against any person or organisation while carrying out official duties.
9. All Council Staff and Elected Members must therefore apply the following principles in the conduct of their employment:
- they must not accept gifts, hospitality or benefits of any kind from a third party which might be perceived as compromising their personal judgment or integrity;
 - they must not make use of their official position to further their private interests or those of others;
 - they must base all purchasing decisions and negotiations of contracts solely on achieving best value for money for the rate payer;
 - they must refer to their line manager when faced with a situation for which there is no adequate guidance;
 - if in any doubt, they must seek advice from their line manager, the Audit Services Manager or Director of Corporate Services. In the case of elected member advice can be sought from the Chief Executive.
10. Officers who fail to comply with this policy and guidance may be subject to **disciplinary action**. Elected Members who fail to comply with this policy may be investigated by the **NI Ombudsman**.

Related Policies

- 11. Anti-Fraud Policy
- 12. Fraud Response Plan
- 13. Whistleblowing Policy
- 14. Travel and Subsistence Policy



Acceptance of Gifts and Hospitality Offered

Staff receiving hospitality

15. Staff must exercise careful judgement when accepting hospitality and if there is a genuine need to impart information or represent the Council. All hospitality received in excess of **£25** should be recorded by the recipient on the Receipt of Hospitality form (**Appendix 2**) which must be signed and sent to the relevant Directorate Secretary for recording. Information must also be recorded in instances of decline of hospitality. The form must be sent within 30 days of receipt.
16. Elected members should record the receipt of hospitality in the Members' Hospitality Register held by Democratic Services Manager.
17. Invitations to Annual Conferences, formal lunches or dinners are acceptable where they are considered an integral element in maintaining and building relationships and it is clear that the hospitality is corporate in nature and not personal. This should be recorded on the register.
18. Attendance at training courses, conferences and workshops outside the Council where hospitality is provided as part of the booking fee is acceptable and does not need to be recorded on the register.
19. Hospitality which is not acceptable would include invitations to frequent social functions where there is no direct link to official business in a professional capacity.
20. When deciding whether to accept hospitality, the following should be considered:
 - the reason for accepting the hospitality;
 - whether acceptance could be satisfactorily defended to ratepayers;
 - the value / scale of the hospitality (frequent, lavish, prolonged);
 - the obligation that acceptance might appear to place on an Officer and Elected Members or the Council in terms of reciprocal hospitality, business dealings etc;
 - whether it provides benefits to the Council, which outweigh the risk of possible misrepresentation of the hospitality; and
 - the timing of the offer, bearing in mind decisions which the Council may be in the process of taking, affecting the provider of the hospitality, e.g. procurement, grant award, enforcement of regulations etc.
21. As in the case of gifts, it is recognised that refusal of an invitation or offer of hospitality may cause embarrassment or appear discourteous. **Appendix 6** illustrates a template for the return of an offer of a gift or Hospitality if considered necessary given the circumstances.



Staff and elected members receiving Gifts

22. All Council staff and Elected Members should conduct themselves with honesty and impartiality in the exercise of their duties. In this field, perception is as important as reality.
23. It is not possible to be precise as what constitutes an “acceptable” as opposed to “unacceptable” gift. Most gifts received of this type will have a modest pecuniary value and may, indeed, have no significant pecuniary value to another party.
24. Trade or discount cards, which permit employees and Elected Members to personally purchase goods or services at reduced cost, are also classified as gifts, and should therefore be refused and/or returned. Gifts of cash should not be accepted from private individuals or organisations that provide services or goods to, or are customers of, the Council. The Council is aware of the practice throughout the District of some ratepayers giving small monetary tokens of appreciation to some staff at certain times of the year e.g. Christmas. The Council does not wish to suspend this long standing practice, causing embarrassment to staff and ratepayers; however staff must in all circumstances satisfy themselves that such gifts do not compromise their integrity, result in them showing any bias and ultimately bring the Council into disrepute. If staff believe that accepting such gifts would compromise them they should tactfully and politely refuse the gift.
25. Employees and Elected Members should not accept significant personal gifts from contractors or members of the public and outside suppliers where this could be perceived as in anyway compromising the professional relationship. Gifts given as a ‘thank you’ over the estimated value of **£25** should be recorded by the recipient of the Hospitality/Gifts Form (Appendix 2) which must be signed and sent to the relevant Directorate Secretary for recording. Elected Members should record receipt of gifts estimated over **£25** in the Members’ Gifts and Hospitality Register held by Democratic Services Manager. When a gift has been declined this must also be recorded. Such items as pens, diaries, chocolates can be retained by the employee and not recorded on the register where the value is estimated at under **£25**.
26. When considering whether or not to accept gifts employees and Elected Members should be sensitive as to timing in relation to decisions which the Council may be taking e.g. Tender Process or funding applications and no hospitality or gifts should be accepted in these circumstances. This will ensure no criticism can be made regarding bias to a particular company or supplier.

The Acceptance of Gifts and Hospitality

27. A table at **Appendix 3** provides details for acceptance of gifts and hospitality offered to Council staff and Elected Members. It also provides clear advice on the recording of all such offers within the ‘Register of Gifts and Hospitality Offered to Employees and Elected Members’ and any other action which may be required in relation to the offer of gifts and hospitality.
 - If any staff member or Elected Member is unsure as to whether to accept or reject an offer of hospitality or a gift they should seek **advice and guidance** from their Line



Manager, their relevant Director or the Audit Services Manager. In the case of elected member advice can be sought from the Chief Executive.

Provision of Gifts and Hospitality

Justification of Hospitality

28. The primary consideration for the justification of expenditure on gifts and hospitality is that the gift or hospitality should be in the direct interest of the Council. The scale of the gift or hospitality provided should be proportionate to the needs of the occasion and the status and number of guests.
29. Modest working lunches are regarded as acceptable practice and do not require formal approval to attend.

External Hospitality

30. The Council will normally meet expenditure for the provision of hospitality to visitors which has been given prior approval and should not generally exceed **£20** per head. **Appendix 4** should be completed in all cases of external hospitality.

Internal Hospitality

31. If morning or afternoon breaks are required, light refreshments (tea/coffee/biscuits/scones) may be provided at the discretion of the relevant officer and within available budgets. In such circumstances expenditure for this activity will be kept to a minimum.
32. Where an outside facilitator is requested to provide training for Council staff and Elected Members, hospitality may be provided. Costs should be kept to a minimum and generally should not exceed the **subsistence rates** set. Caterers should be booked in accordance with any policy considerations. Where possible first preference should be given to Council managed catering options.

Chairperson Business

33. The Chairpersons hospitality is not governed by this policy.

Gifts and Hospitality Register

34. Directorate Secretaries and Democratic Services will maintain a register to record all offers and acceptance of gifts and hospitality. The purpose of the register is to counter any possible accusations or suspicions of breach of the Code of Conduct by staff. The template at **Appendix 5** will be used in all cases. Completed forms will be submitted to the relevant



Directorate Secretary/Democratic Services who will file the relevant details and update the register. Elected Members hospitality register is held by the Democratic Services Manager.

35. The Audit Services Manager will annually review all registers and consolidate all the information into one spreadsheet for audit purposes.
36. In rare cases where refusal of a gift is likely to offend the donor, the Council may, based on the nature, value and origin of the gift concerned, exercise discretion as to its handling and retention. Guidance should be sought from Line Managers, the relevant Director or the Audit Services Manager once this policy has been considered. Where the gift is to be accepted, the form at **Appendix 2** should be completed and should be made clear to the donor that the gift is being accepted on behalf of the Council, not the individual.

Roles and Responsibilities

37. Elected members should:

- Familiarise themselves with the Code of Conduct for Elected Members, and any updates that are issued;
- Comply with this policy and guidance;
- Consult with the Chief Executive if in doubt as to the application of this policy and guidance; and
- Inform the Chief Executive if they suspect they have been offered an expensive gift or significant hospitality with corrupt intent.

38. Officers should:

- familiarise themselves with the Code of Conduct for Council Employees, and any updates that are issued;
- comply with this policy and guidance;
- consult with their line manager/Audit Services Manager/Director if in doubt as to the application of this policy and guidance; and
- inform their line manager if they suspect they have been offered an expensive gift or significant hospitality with corrupt intent.

39. Directors should:

- ensure that their staff are completing the register for gifts and hospitality; and
- carefully consider and where appropriate, advise on the acceptance and provision of gifts and hospitality in line with policy and guidance.

40. The Audit Services Manager will:

- Provide guidance to any member of staff on the suitability of accepting or declining a gift; and



- Undertake periodic reviews of the register and include a comment in the Annual Governance Statement.

Policy Review Date

41. The policy will be reviewed in line with the Council's agreed policy review cycle i.e. every 4 years (as per Council's Equality Scheme commitment 4.31), or sooner to ensure it remains reflective of legislative developments.
42. Staff wishing to receive clarification on this policy and/or suggest improvements should contact the Audit Services Manager.

Equality Screening

43. Having screened the Gifts and Hospitality Policy the decision is that it should not be subject to an Equality Impact Assessment (EQIA) with no mitigating measures required. A copy of the equality screening is available from the Head of Corporate Policy.

Version 1.0



Appendix 1

The Seven Principles of Public Life plus NI Assemblies Five Principles of Conduct

The Seven Principles of Public Life articulated by the Nolan Committee

Selflessness - Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office 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.

Leadership - Holders of public office should promote and support these principles by leadership and example.

The Northern Ireland Assembly Five Principles of Conduct

Public Duty – A duty to uphold the law and to act on all occasions in accordance with the public trust placed in them; act to the interests of the community as a whole.

Equality - You should promote equality of opportunity and not discriminate against any person by treating people with respect regardless of race, age, religion, gender, sexual orientation, disability, political opinion, marital status and whether or not a person has dependents.

Promoting Good Relations - You should act in a way that is conducive to promoting good relations by providing a positive example for the wider community to follow and that seeks to promote a culture of respect, equity and trust and embrace diversity in all its forms.

Respect - It is acknowledged that the exchange of ideas and opinions on policies may be robust but this should be kept in context and not extend to individuals being subjected to unreasonable and excessive personal attack.



Good Working Relationships - You should work responsibly with others for the benefit of the whole community. You must treat others and with courtesy and respect. You must abide by your council's standing orders and should promote an effective working environment within your council.

Appendix 2

Declaration of Gifts & Hospitality Offered to Employees/Elected Members (Receipt)

Reporting Declined Offers / Requesting Approval to Accept Gifts / Hospitality	
All sections must be completed	
Newry, Mourne & Down District Council	
Date of Offer:	
Name of person who received the offer of gift /hospitality:	
Department of person who received the offer:	
Description and estimated value (where known) of gift / hospitality offered:	
Name and address of person / organisation offering the gift / hospitality:	
Reason to accept / decline the gift / hospitality: (continue on separate sheet if necessary)	
Signature & date of person who received the offer:	

Copy of Declaration form to be sent to Directorate Secretary/Democratic Services.



Appendix 3

Guidance for the Acceptance of Gifts and Hospitality Offered to Us

Hospitality Offered	Appropriate to Accept?	Further Action Necessary
Modest conventional hospitality (e.g. Working Lunch).	Yes	None
More formal lunch or dinner, by prior invitation.	Yes	Record in Register of Gifts and Hospitality. A check should be made in advance to ensure that the Council will not be over-represented at the function concerned.
Hospitality offered to a team.	Yes	Record in Register of Gifts and Hospitality.
Commemorative event or trade promotion organised by contractor, consultant or supplier with a meal.	Yes	Record in Register of Gifts and Hospitality.
Annual dinner of Professional Institute or Association. Where officer is a guest of the Institute or An Association; and Where officer is the guest of a particular consultant, contractor or supplier.	Yes Yes Yes	Record in Register of Gifts and Hospitality
Cultural or sporting events as a guest.	No	Should be refused or returned. Record in Register of Gifts and Hospitality
Overseas visits to inspect manufacturers products.	Yes	Record in Register of Gifts and Hospitality
Occasional seasonal or modest gifts, (e.g. company	Yes	None

calendars, diaries, inexpensive pens or stationery sets. (Value should not exceed £25).		
Expensive gifts (Value of more than £25, including gifts of lottery tickets, cash, gift vouchers or gift cheques)	No	Record in Register of Gifts and Hospitality
Trade of Discount Cards, or Air Miles through which an individual Officer might personally benefit from the purchase of goods or services at a reduced rate.	No	Record in Register of Gifts and Hospitality
Gifts of alcohol from any source, including a contractor, or where a contractor relationship is being contemplated.	Yes	Record in Register of Gifts and Hospitality



Appendix 4

Provision of Hospitality

DESCRIPTION OF EVENT	
DATE OF EVENT/PROVISION OF HOSPITALITY	
DETAILS OF HOSPITALITY (e.g. when, where, time, how many and if Council approval given prior to Event)	
ESTIMATED COST TO COUNCIL FOR HOSPITALITY	

SIGNED: _____

DATE: _____

I confirm that I am satisfied that the receipt of the above described provision of Hospitality was appropriate for the reason stated and accorded with the requirements of this policy.



Appendix 5

Register of Gifts and Hospitality Offered to Employees and Elected Members (Receipt)

Directorate:								Year: 2017/18
Date of Offer	Offered To	Offered From	Type (either Provision of hospitality or gift)	Reason for offer	Details of Contracts – current or potential	Estimated Value	Accepted Refused Returned	Information received by Directorate Secretary / Democratic Services Manager



Appendix 6

Template for Return of Offer of Gift/Hospitality

(The content of this template should be tailored to suit each circumstance)

Contact Name Name of Company Address of Company	Date
<p>Dear</p> <p>Newry, Mourne and Down District Council operates a Gift and Hospitality Policy to ensure high standards of propriety in the conduct of its business.</p> <p>On account of public confidence, perception is as important as reality and because of this I am obliged to return your offer of INSERT: Name of gift / hospitality.</p> <p>This is not in any way meant to offend or to imply that your [gift/hospitality] was offered in anything but the utmost good faith, but is designed to protect both individual members of staff, Elected Members and the Ratepayers. I hope you will accept our response in that spirit and that we can look forward to continued effective working relationships.</p> <p>Yours</p>	

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	12 October 2017
Subject:	Risk Management Policy
Reporting Officer (Including Job Title):	Dorinnia Carville, Director of Corporate Services
Contact Officer (Including Job Title):	Gerard Byrne, Audit Services Manager

Decisions required:	
Members are asked to approve the new Risk Management Policy	
1.0	Purpose and Background:
1.1	<p>A recent Internal Audit report in April 2017 stated that the existing systems in place for Risk management can provide satisfactory assurance regarding the effective and efficient achievement of the Councils objectives in relation to risk management.</p> <p>However Internal Audit did highlight a number of improvements which could be incorporated within the Councils systems for Risk management. In particular, they noted there is a need to review and update the Risk Management Strategy.</p> <p>Internal Audit stated that the Councils Risk Management Strategy, agreed by Council in March 2016, appeared to be "over engineered" for the Council's needs and that some of the requirements within the Risk Management Strategy are not currently required by the Council.</p>
2.0	Key issues:
2.1	<p>Risk Management is about managing threats and opportunities so that the Council is in a stronger position to deliver its objectives and is an essential business tool that encourages innovation and enterprise, not risk adversity. Risk Management includes identifying and assessing risks and then responding to them to ensure effective controls are in place. Failure to manage risk effectively may result in financial losses, disruption to services, bad publicity or claims for compensation. All organisations face risk or obstacles to achieving their objectives. Risk can be defined as an uncertain event that, should it occur, will have an effect on the Council's objectives and/or reputation. It is the combination of the probability of an event (likelihood) and its effect (impact).</p>
3.0	Recommendations:
3.1	To approve the NMDDC Risk Management Policy
4.0	Resource implications
4.1	Risk Management training will be rolled out to CMT in October/November 2017 to highlight the importance of Risk Management and their role in addressing risk within the Council.

5.0	Equality and good relations implications:
5.1	None
6.0	Appendices
	Appendix I: Risk Management Policy



Newry, Mourne and Down District Council

Risk Management Policy



Effective Date: October 2017

Version 1.0



Policy Control

Policy Title	Risk Management Policy
Departmental Ownership	Corporate Services
Document Owner	Dorinnia Carville, Director of Corporate Services
Officer Responsible	Gerard Byrne, Audit Services Manager
Date of Approval	SP&R – Council –
Date of Last update	October 2017
Updated by	Gerard Byrne, Audit Services Manager
Date of next Review	October 2021
Location where document is held and referenced	Shared Drive and NMDDC Website

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Statement

1. Risk Management is about managing threats and opportunities so that the Council is in a stronger position to deliver its objectives and is an essential business tool that encourages innovation and enterprise, not risk adversity. Risk Management includes identifying and assessing risks and then responding to them to ensure effective controls are in place. Failure to manage risk effectively may result in financial losses, disruption to services, bad publicity or claims for compensation.
2. All organisations face risk or obstacles to achieving their objectives. In order for Newry, Mourne and Down District Council (NMDDC) to deliver its vision of serving and leading the people of the District it is vitally important to:
 - Understand the nature of the risks we face;
 - Be aware of the extent of these risks;
 - Identify the level of risk that we are willing to accept;
 - Assess our ability to control or reduce the risk; and
 - Implement corrective actions.
3. Risk can be defined as an uncertain event that, should it occur, will have an effect on the Council's objectives and/or reputation. It is the combination of the probability of an event (likelihood) and its effect (impact).

Aims

4. Risk management should be explicitly linked to the business planning process to ensure it is embedded across the Council. An effective risk management process will:
 - Improve service delivery;
 - Support business planning;
 - Improve decision making;
 - Improve performance and promote continuous improvement;
 - Enhance communication between Departments; and
 - Improve accountability and reassure stakeholders

Scope

5. This document defines NMDDC's Risk Management Policy, and describes the process for identifying and managing risk within the Council. It draws on the principles and approach set out in '[Orange Book, Management of Risk – Principles and Concepts](#)', issued by HM Treasury and the NIAO '[Good Practice in Risk Management](#)' (June 2011).



6. The Local Government Regulations (NI) 2006 (Accounts and Audit) requires the Council to have in place adequate and effective arrangements for the management of risk and to report on these arrangements within the annual governance statement, which forms part of the statutory accounts and which must be considered and approved by Council.
7. Risks will be managed at one of three levels:
 - Corporate Risks - High level risks which could have a major impact on the Council's corporate plan objectives. These risks will be managed primarily by the Senior Management Team (SMT) and will be subject to challenge by the Audit Committee.
 - Directorate Risks – Risks which could impact on the delivery or timescale of activities or deliverables at Directorate level. These risks will be managed by the Assistant Directors and may be escalated to corporate level as appropriate. The Audit Service Manager will contact Directors quarterly on whether they believe any of their directorate risks should be escalated to a corporate level. Directors can at any point bring forward a Directorate Risk which they feel has got to such a level that it should be Corporate Risk. This will then be discussed at SMT and if necessary brought onto the Corporate Risk Register.
 - Project Risks - will be managed by the appropriate Project Officer (s). The mechanisms in place for monitoring and reporting risk will vary according to the size and complexity of the project, ranging from the use of a risk register to the appointment of a risk manager.
8. NMDDC have decided that risk will be managed through the GRACE risk Management system. Corporate, Directorate and Project risk registers will be held and updated on GRACE by action and risk owners. The Audit Services Manager will be the administrator of GRACE.

Related Policies

9. This policy should be read in conjunction with the following NMDDC documents:
 - Code of Conduct for Local Government employees;
 - The Northern Ireland Local Government Code of Conduct for Councillors;
10. The policy applies and impacts on employees, agency staff, elected members, contractors, consultants, suppliers and service users.

Risk Management Process

11. The diagram below demonstrates the key elements of the risk management process.



Risk Identification

12. Risk identification is the process of identifying risks which may impact on the Council's ability to achieve its objectives. The aim is to identify what, when, where, why and how events could prevent, degrade, delay or enhance achievement of objectives. These objectives can be at a corporate, directorate or project level. All risks within the Council need to be linked back to objectives.
13. **Appendix 1** is drawn from a 2004 review (by Treasury) of main departments' risks and offers a summary of the most common categories or groupings of risk with examples of the nature of the source and effect issues; this table will help management within the Council to check if they have considered the range of potential risks which may arise.
14. Risks should be related to objectives as set out in the Corporate, Directorate and Project Plans as appropriate. Some risks may be relevant to more than one objective. However, risk identification and assessment should not be confined to the process of drawing up Plans.
15. In identifying risks, managers should not just consider threats to the achievement of their objectives but also consider, missed opportunities for improved performance and enhanced capacity.
16. Risk identification should be approached in a methodical way to ensure that all significant activities within the Council have been identified and all risks flowing from these activities defined. Risk should always be related to objectives. The Council can use a number of methods for identifying risks including facilitated workshops, brainstorming, using past experience, audit reports such as internal audit, NIAO and other audit institutions.

17. The standard format Risk Register is illustrated at **Appendix 2**. This is a template driven by the GRACE risk management system. Once identified all risks are recorded in a risk register. Included within the standard template is the title of the risk, the risk category, the risk description, the risk owner, the link to objectives, the gross risk, the controls currently in place, the residual risk, the actions to mitigate the risk, the net risk score and the monthly risk review.
18. A **risk owner** must be allocated and recorded against each risk on the risk register. Such accountability helps ensure 'ownership' of the risk is documented and recognised.
19. The following people are assigned Risk Owners:
 - Corporate Risks – Chief Executive and SMT;
 - Directorate Risks – Assistant Directors; and
 - Project Risks - Owners allocated by the Project Director/Manager
20. Risk Owners will have authority to assign resources to manage key risks. They are responsible for managing assigned risks by ensuring controls are in place and properly actioned at all levels throughout their section. They are also responsible for communicating progress, identifying control weaknesses and recommending remedial actions and ensuring that a suitable system of internal control operates in their area of responsibility.
21. The SMT and CMT will be responsible for ensuring that the risk management processes become embedded in the culture of the Council through provision of roll out training and facilitation by the Audit Services Manager.

Risk Assessment

22. The next step in the process is to assess the **"inherent"** risk to the Council's activity. Inherent risk can be described as the exposure arising from a specific risk before any action is taken to manage it. This involves assessing the 'likelihood' of a risk occurring and its potential 'impact' on the relevant business objective. The impact and likelihood of risks occurring will be reassessed later in the risk management process to reflect how the risk exposure has changed as a result of the risk response. This is referred to as **"residual"** risk and can be described as the exposure arising from a specific risk after action has been taken to manage it and making the assumption that the action is effective.
23. A risk matrix is used to evaluate the risks so that there is an understanding of the risk exposure faced, which in turn influences the level of risk treatment that should be applied to manage/reduce/prevent the risk from occurring. The matrix used for evaluating risk is shown in the diagram below. Risk analysis is primarily concerned with quantifying risk in terms of frequency and severity.
24. The Council will adopt a consistent approach to evaluating the likelihood and impact of key risks in terms of both:
 - Likelihood – The chance of the risk materialising
 - Impact – The effect of the risk should it materialise

25. The likelihood and impact of each risk should be evaluated on a scale of 1 to 5. The definitions agreed by Council are set out in **Appendix 3** (likelihood) and **Appendix 4** (impact) to arrive at the overall risk rating.

Risk Assessment Matrix			PROBABILITY				
		Score	Rare	Unlikely	Possible	Likely	V. Likely
			1	2	3	4	5
CONSEQUENCES	Fundamental	5	5	10	15	20	25
	Major	4	4	8	12	16	20
	Moderate	3	3	6	9	12	15
	Minor	2	2	4	6	8	10
	Not significant	1	1	2	3	4	5

Risk Appetite

26. The Council's risk appetite is the extent of exposure to risk that is judged tolerable for the Council.
27. Some risks are unavoidable and it is not always within the Council's ability to manage risk to a tolerable level – for example, the Council has to accept that there are risks arising from terrorist activities, extreme weather, industrial action etc which we cannot control. In this case the Council needs to make contingency plans to minimise any potential negative impact of a risk maturing.
28. The risk assessment should then be compared to the risk appetite for each risk type. While the Council deems any unacceptable risks intolerable it is envisaged that all other risks will be managed in accordance with the risk appetite.
29. The risk appetite sets out the level of risk that management is prepared to accept, tolerate or be exposed to at any point in time. The risk appetite may vary depending on the category of risk. In some areas the Council may take more risk in order to support innovative thinking, in other areas the Council may take less risk to ensure legal compliance or to maintain public confidence.
30. Our approach to risk taking will be dependent upon the nature of the risk. Particular care is needed in taking action that could:
- Impact on the reputation of the Council;
 - Impact on performance;
 - Results in censure/fines by regulatory bodies; and
 - Results in financial loss/fraud

31. The target level of risk score will depend on whether the Council is risk averse, risk neutral or risk open.

Risk Appetite	Definition
Risk Averse	Avoidance of risk and uncertainty or for safe options that have a low degree of inherent risk and may only have limited potential for reward is a key objective. Avoid mitigate its exposure to risk.
Risk Neutral	Willing to consider all options and choose the one that is most likely to result in successful delivery while also providing an acceptable level of reward. Moderate appetite to accept exposure to risk.
Risk Open	Eager to be innovative and to choose option based on potential higher rewards (despite greater inherent risk). Accepts the impact of potential risk in materialising.

32. Any risk that has a residual risk score assessed to be low will be considered to be acceptable and will require no further action other than to ensure that the existing controls are operating effectively.

Addressing the Risk

33. There are four standard traditional responses to addressing risk. The choice of approach taken will depend on factors such as cost, feasibility, probability and potential impact. By addressing the risks identified, the Council can constrain threats and take advantage of opportunities. The level and type of treatment for each risk will depend on the level of residual risk and the tolerance to the specific risk.

Terminate the Risk

34. Terminating the risk means ceasing the activity because modifying it or controlling it would not reduce the risk to an acceptable level. This is when the risk outweighs the possible benefits, the risk can be terminated by doing things differently and thus removing the risk, where it is feasible to do so.

Tolerate the Risk

35. It may be appropriate to tolerate or accept the risk without any further action for example due to either a limited ability to mitigate the risk or the cost of mitigation may be disproportionate to the benefit gained. This option may be supplemented by contingency planning for handling the impacts that will arise if the risk is realised.

Transfer the Risk

36. Transfer the risk means using an insurer or third party to cover the cost or losses and share the risk should a risk materialise. This is where another party can take on some or all of the risk more economically or more effectively. Not all risks are (fully) transferrable, in particular, reputational risk cannot be transferred out even if a service is contracted out.

Treat the risk

37. Treating the risk means identifying additional actions to be taken that will reduce the likelihood and/or the impact if the event occurred. This is when the risk is mitigated. It is anticipated that the greatest number of risks will fall into this category. See **Appendix 5** which demonstrates four different types of controls which can be used when mitigating risks.
38. HM Treasury's '[Orange Book](#)' emphasises that in designing controls, *"it is important that the control put in place is proportional to the risk. Apart from the most extreme undesirable outcome (such as loss of human life) it is normally sufficient to design controls to give reasonable assurance of confining likely loss within the risk appetite of the Council. Every control action has an associated cost and it is important that the control action offers value for money in relation to the risk that it is controlling. Generally speaking the purpose of control is to constrain risk rather than eliminate it."*
39. Taking account of the controls that have been put in place, the Council should repeat the earlier risk assessment in terms of likelihood and impact to identify the "residual" risk. This risk assessment will generally result in a lower rating for likelihood. The impact of a risk maturing can be reduced by putting in place a contingency plan that will address how the risk will be dealt with in the event of it maturing.
40. The selected risk response will be captured in the additional 'action' section of the risk register template. The Risk Owner should ensure that responsibility for each action in is assigned to a named individual along with realistic target dates. Additional actions highlighted in the risk register templates should link with the actions set out in the individual business plans.

Recording and reviewing risk

41. The Council's Risk Registers are an integral part of the Assurance Process and reporting thereof is the means by which the Council and Audit Committee can assess the effectiveness of the controls and assurances given for the management of the risks identified.
42. Risk management should be a continuous process which identifies new risks, changes in existing risks and risks which are no longer relevant. The Councils Risk Registers are therefore live documents.
43. The risk registers should be reviewed on a Quarterly basis and updated accordingly, taking cognisance of the outcome of completed risk actions and any resultant change in risk score or risk classification. Risk actions that have been completed should be transferred to controls.



- 44. A summary report of Directorate Risk Registers will be periodically reviewed by SMT as appropriate. This will help to promote consistency between risk registers and identify any risks that may need to be escalated to the Corporate Risk Register.
- 45. Evidence to assess effectiveness of controls should be detailed in the risk register template. This enables an opinion on the adequacy and effectiveness of the control and provides assurance on the management of these risks and highlights where additional control actions are required.
- 46. Risk Registers are created and maintained on the Councils Risk Management Software 'GRACE'. This enables the Council to create a corporate risk profile, record and manage any risks in a consistent way, map risks to objectives and risk types, monitor and review risks and produce meaningful management reports. GRACE is the software for facilitating risk management, however Council Officers will be responsible for recording the risk.

Assurance Statements

- 47. In order to assist the Chief Financial Officer in fulfilling his responsibilities, the Council have put in place a process for stewardship reporting. The assurance statements should reflect any significant internal control issues in the relevant Directorate or Service Area and is be timed to support the Accounting Officer in his preparation of the Annual Governance Statement.
- 48. It is essential that a sound system of internal control and governance is in place to support the achievement of NMDDC's policies, aims and objectives. At the end of each financial year the Chief Financial Officer of the Council is required to sign a governance statement providing a comprehensive explanation of how internal governance has worked and summarised how the Council has managed key risks.
- 49. Assurance Statements are intended to provide the Chief Financial Officer with an assurance that effective internal controls are in place within each Council Officers area and the key risks are being managed to enable the achievement of the Councils Strategic and Directorate objectives. They are also designed to provide a formal early warning system of what risks have crystallised or are expected to crystallise.
- 50. The Assurance Statement must be signed on a quarterly basis at both Director and Assistant Director level in relation to their Department and Service area respectively. This is providing assurance to the Chief Financial Officer that the public funds for which we are responsible for are safe guarded and have been managed with propriety and regularity.
- 51. Assurance statements should be completed, applying the thinking that **'hearing good news is nice, but we need to hear bad news quicker'**. However, Directors / Assistant Directors should immediately bring significant issues to the attention of the Chief Executive and or the Senior Management Team, rather than waiting to disclose in the quarterly Assurance Statement.
- 52. Assurance statements should be sent to the Chief Executive / Directors on a quarterly basis. The Audit Services Manager should will also require the Director and Assistant Directors Assurance Statements quarterly to help assist with the management of risk within NMDDC. The Director



will be a standing agenda item at SMT. The Assistant Director Assurance statements will be discussed quarterly at Directorate meetings and may be discussed at SMT on request.

53. Assistant Directors will need to complete their Assurance Statements within 10 Days of the quarter end. The Directors will complete their Assurance Statements within 30 days of period end as they will rely on the information from their Assistant Directors.

Roles and Responsibility

54. To ensure risk management is effectively implemented, all Council employees should have a level of understanding of the Councils risk management approach and regard risk management as part of their responsibilities. **Appendix 6** highlights the roles and responsibilities of different groups within Council.

Policy Review Date

55. The policy will be reviewed in line with the Council's agreed policy review cycle i.e. every 4 years (as per Council's Equality Scheme commitment 4.31), or sooner, to ensure it remains reflective of legislative developments."
56. Staff wishing to receive clarification on this policy and/or suggest improvements should contact the Audit Services Manager.

Equality Screening

57. Having screened the Risk Management Policy, the decision is that it should not be subject to an Equality Impact Assessment (EQIA) with no mitigating measures required. A copy of the equality screening is available from the Head of Corporate Policy.

Version 1.0

Checklist for Risk Identification

Appendix 1

CATEGORY OF RISK	Illustration / issues to consider
1. External (arising from the external environment, not wholly within the organisation's control, but where action can be taken to mitigate the risk)	
<i>[This analysis is based on the "PESTLE" model – see the Strategy Survival Guide at www.strategy.gov.uk]</i>	
1.1 Political	Change of government, cross cutting policy decisions (e.g. – the Euro); machinery of government changes
1.2 Economic	Ability to attract and retain staff in the labour market; exchange rates affect costs of international transactions; effect of global economy on UK economy
1.3 Socio cultural	Demographic change affects demand for services; stakeholder expectations change
1.4 Technological	Obsolescence of current systems; cost of procuring best technology available, opportunity arising from technological development
1.5 Legal/regulatory	EU requirements / laws which impose requirements (such as Health and Safety or employment legislation)
1.6 Environmental	Buildings need to comply with changing standards; disposal of rubbish and surplus equipment needs to comply with changing standards
2. Operational (relating to existing operations – both current delivery and building and maintaining capacity and capability)	
2.1 Delivery	
2.1.1 Service/product failure	Fail to deliver the service to the user within agreed / set terms
2.1.2 Project delivery	Fail to deliver on time / budget / specification
2.2 Capacity and capability	
2.2.1 Resources	Financial (insufficient funding, poor budget management, fraud) HR (staff capacity / skills / recruitment and retention) Information (adequacy for decision making; protection of privacy) Physical assets (loss / damage / theft)
2.2.2 Relationships	Delivery partners (threats to commitment to relationship / clarity of roles) Customers / Service users (satisfaction with delivery) Accountability (particularly to Parliament)
2.2.3 Operations	Overall capacity and capability to deliver
2.2.4 Reputation	Confidence and trust which stakeholders have in the organisation
2.3 Risk management performance and capability	
2.3.1 Governance	Regularity and propriety / compliance with relevant requirements / ethical considerations
2.3.2 Scanning	Failure to identify threats and opportunities
2.3.3 Resilience	Capacity of systems / accommodation / IT to withstand adverse impacts and crises (including war and terrorist attack). Disaster recovery / contingency planning
2.3.4 Security	Of physical assets and of information
3. Change (risks created by decisions to pursue new endeavours beyond current capability)	
3.1 PSA targets	New PSA targets challenge the organisation's capacity to deliver / ability to equip the organisation to deliver
3.2 Change programmes	Programmes for organisational or cultural change threaten current capacity to deliver as well as providing opportunity to enhance capacity
3.3 New projects	Making optimal investment decisions / prioritising between projects which are competing for resources
3.4 New policies	Policy decisions create expectations where the organisation has uncertainty about delivery

Appendix 2

13

Risk Type with Associated Impact

Appendix 3

		Risk Type (with associated impact)					
		Impact on individual(s) – staff or public.	Statutory Duty.	Business / Operational	Buildings/ Environmental	Engineering/ Quality of Service	Finance
Consequence	Score						
Fundamental	5	• Death	• Multiple breach of statutory legislation and prosecution.	• Litigation > £500k expected.	• Critical Environmental Impact.	• Severe impact on customer satisfaction.	• Significant financial impact (over 5% of total directorate budget)
				• National Media Interest	• Service closed for unacceptable period.	• Gross failure to meet professional / national standards	• Theft / loss >£250k
				• Severe loss of confidence and reputation			
Major	4	• Major injury/ill health (reportable)	• Multiple breach of statutory legislation and improvement notice issued.	• Litigation >£250k to <£500k expected.	• Major/significant environmental impact	• Major impact on customer satisfaction.	• Major financial impact (between 2% - 5% of total directorate budget).
		• Major clinical intervention		• Adverse publicity	• Severe disruption to service	• Failure to meet professional / national standards	• Theft / loss between £100k - £250k
		• Permanent incapacity		• Impact on reputation			
Moderate	3	• Temporary Incapacity	• Single breach of statutory legislation and Improvement Notice issued.	• Litigation >£50k - <£250k possible.	• Moderate environmental impact	• Formal complaint expected.	• Moderate financial impact (between 1% and 2% of total directorate budget)
		• Short term monitoring		• Potential for adverse publicity, avoidable with careful handling	• Moderate disruption to services	• Failure to meet internal standard	• Theft / loss between £50k - £100k
		• Additional medical treatment up to 1 year		• Potential to impact on reputation.			
Minor	2	• First Aid/ self treatment	• Breach of statutory legislation.	• Litigation <£50k	• Localised environmental impact	• Possible complaint	• Minor financial impact (up to 1% of total directorate budget)
		• Minor injury		• Impact on reputation – internal awareness.	• Disruption to service perceived as inconvenient	• Single failure to meet internal standard.	• Theft / loss between £1 - £50k
		• Minor ill health up to 1 month					
		• Near miss (small cluster)					
Not significant	1	• Near miss (single)	• Near breach of statutory legislation.	• Possible litigation due to settlement is <£5k.	• Minimal impact to environment.	• Customer initially unhappy.	
		• No adverse outcome.	• Minor breach of guidance or legislation.		• Minimal disruption.	• Minor non-compliance with internal standard.	
		• No injury or ill health.					

Qualitative Measures of Likelihood

Appendix 4

Likelihood of Event or Incident occurring		
Likelihood Descriptor	Score	Probability / Likelihood (of event or incident occurring over lifetime of Corporate Plan).
Almost Certain	5	<ul style="list-style-type: none"> The event is more likely than not to occur.
Likely	4	<ul style="list-style-type: none"> The event is likely to occur.
Possible	3	<ul style="list-style-type: none"> There is a reasonable chance of the event occurring.
Unlikely	2	<ul style="list-style-type: none"> The event is unlikely to occur.
Rare	1	<ul style="list-style-type: none"> The event will occur only in exceptional circumstances.

Appendix 5

Types of Control

Preventative controls are designed to limit the possibility of an undesirable outcome being realised. The majority of controls implemented belong to this category. Examples include password access to computers, supervisory checks and independent authorisations on payments made to suppliers.

Directive controls are designed to ensure that a particular outcome is achieved. Examples include a requirement that protective clothing be worn during the performance of dangerous duties, or that staff are trained before being allowed to work unsupervised.

Corrective controls (reversibility) are designed to correct undesirable outcomes which have been realised. Applied after the event, these may consist of contractual remedies to recover overpayments or obtain damages or a detailed contingency plan that will be triggered by an event (e.g. disaster recovery or business contingency plans).

Detective controls are designed to identify occasions of undesirable outcomes having been realised. By definition these are after the event, so they are only appropriate when it is possible to accept the loss or damage incurred. Examples of detective controls include stock or asset checks, reconciliations, post implementation reviews.

Risk Management Roles and Responsibilities

Appendix 6

Accounting Officer / Chief Executive	<ul style="list-style-type: none"> Retains ultimate responsibility for the organisation's system of internal control and ensures that an effective risk management process is in place and is regularly reviewed Provides clear direction to staff Establishes, promotes and embeds an organisational risk culture Reports to the Audit Committee
Audit Committee	<ul style="list-style-type: none"> Endorses the Council's risk management strategy/policy Takes responsibility for the oversight of the risk management process Reviews the Corporate risk register quarterly to provide challenge and advice Ensures appropriate monitoring and management of significant risks by management Challenges risk management to ensure that all key risks have been identified
SMT	<ul style="list-style-type: none"> Determine the Council's approach to risk management Implement policies on risk management and internal control Discuss and approve issues that significantly affect the Council's risk profile or exposure Continually monitor the identification and management of significant risks and ensure that actions to remedy control weakness are implemented Annually review the organisation's approach to risk management and approve changes or improvements to key elements of its processes and procedures Report to the Audit Committee on risk management matters Provides quarterly assurance statements to the Accounting Officer and Audit Services Manager. The Corporate Risk Register is discussed in detail bi-monthly at SMT. Bi-monthly SMT will review a Directorate Risk Register on a rotational basis.
CMT	<ul style="list-style-type: none"> Provides quarterly assurance statements to their relevant Director and Audit Services Manager.
Risk Owner	<ul style="list-style-type: none"> Identifies and assesses individual risks Decides whether a risk is sufficiently serious to be escalated to the next level of the organisation Ensures that actions to treat or control the risk are carried out and informs the risk manager of any consequent updates to the risk register Reviews the risk rating and the necessity to keep the risk on the register
Audit Services Manager	<ul style="list-style-type: none"> Maintains the risk register under the direction of risk owners and updates or amends the risk register as necessary Regularly reviews the content of risk registers with a view to ensuring that risk actions are being completed and that all details on the risk register are correct and comparable to detail listed in quarterly assurance statements Maintains the GRACE Risk Management system The Audit Service Manager can provide guidance to any staff member on how to identify risks or any part of the risk management process.
Staff	<ul style="list-style-type: none"> Carry out risk actions identified and delegated by the risk owners Maintains awareness of the organisation's risk management strategy and the key risks faced by the organisation Ensures that duties relating to controls are carried out
Internal Audit	<ul style="list-style-type: none"> Provides independent opinion on the overall adequacy and effectiveness of the Council's framework of governance, risk management and internal control to the Accounting Officer (and Audit Committee)

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	12 th October 2017
Subject:	Safeguarding Policy
Reporting Officer (Including Job Title):	Catrina Miskelly Assistant Director Corporate Services (HR & Safeguarding)
Contact Officer (Including Job Title):	Colleen Morrison Safeguarding Coordinator

Decisions required:	
<p>Members are asked to note the contents of this report and agree to adopt the new Policy for implementation.</p> <p>Attention is drawn to Appendix 6 of the Policy which sets out the proposed models for Designated Officers and Steering Groups. Members are asked to note this is the intended composition of both groups on implementation however; this is likely to change and be refined through on-going implementation and review of the Policy.</p>	
1.0	Purpose and Background:
1.1	Newry, Mourne and Down District Council is committed to safeguarding children and adults from all forms of abuse, neglect or exploitation. This policy aims to ensure that a holistic approach to safeguarding is embedded within all Council services, and that elected members, employees, casual workers, agency workers, contractors and volunteers understand their role and responsibilities in relation to safeguarding.
2.0	Key issues:
2.1	In order to align with new legislation and ensure all Council personnel are aware of the standards and responsibilities a new Safeguarding Policy has been prepared to replace that prepared during the Shadow Council period.
2.2	A number of the associated Procedures have been and are being updated and additional operational procedures will be developed which will be specific to the needs of each department where necessary; with overarching procedures such as reporting to be implemented as standard across all directorates.
2.3	Extensive consultation has taken place in developing this policy with existing Designated Safeguarding Officers, Steering Group representatives, as well as the Corporate and Senior Management Teams.
2.4	The new policy and operational procedures will require a coordinated launch process in order to ensure full understanding and implementation – which will include a variety of briefings, roadshows and training sessions in accordance with the needs of each directorate/service. Elected Members will receive a training session tailored to the requirements of their Council duties.
3.0	Recommendations:
3.1	It is recommended that this new policy be adopted.

4.0	Resource implications
4.1	Three members of staff (including the Safeguarding Coordinator) will be trained as 'Keeping Safe' Trainers who will be responsible for delivering all training and ensuring compliance with the policy. This Train the Trainer Cost applicable to "Keeping Safe Training" will be funded from the existing training budget.
4.2	Training will be developed in line with "Keeping Safe" standards and will be specifically created in order to meet the needs of each department. This will ensure that staff are equipped with the skills and knowledge needed to deal with safeguarding issues and implement appropriate standards within their service area.
4.3	The Chief Executive Foreword to the Policy will be included in both Irish and English Languages.
5.0	Equality and good relations implications:
5.1	<p>Equality and good relations screening has been undertaken and the results are as follows:</p> <p>Not to be subjected to an EQIA (with no mitigating measures required)</p> <p>The Rural Impact Assessment completed. No mitigating factors are to be considered as the policy does not distinguish between rural and urban areas.</p>
6.0	Appendices
	Safeguarding Policy and Accompanying Appendices (within policy)



Comhairle Ceantair
an Iúir, Mhúrn
agus an Dúin
Newry, Mourne
and Down
District Council

SAFEGUARDING POLICY

Children and Adults at Risk

A Council Wide Policy

“Promotion, Prevention and Protection”



CHIEF EXECUTIVE'S FOREWORD

OUR VISION

Newry, Mourne and Down is a place with strong, safe and vibrant communities where everyone has a good quality of life and access to opportunities, choices and high quality services which are sustainable, accessible and meet people's needs.

Newry, Mourne and Down District Council believes that everyone has the right to be safe from harm, feel valued and listened to, to fulfil their full potential and to have their human rights protected. The development and implementation of this policy is Council's commitment to this.

This Policy responds to our statutory duty to the fulfilment of a Programme for Government which is disseminated at a local level to ensure a meaningful collaboration between the public, private and voluntary sectors. The aim is to deliver measures that will protect children and adults at risk from harm and to tackle the issues that affect communities through everyone working together towards the same goals. As Chief Executive I wish to promote a culture where: ***"safeguarding is everyone's business"***.

This policy requires us to adopt a person-centred approach and to listen to all children and adults at risk who live in our communities and who engage in our services. It is essential we respond to their needs, promote their engagement, consult with them and work in partnership on an inter-agency basis to maintain Council's position, as an organisation which operates zero-tolerance of harm to the most vulnerable living in our society. Council understands the value of collaborative work and the need for robust safeguarding structures and so has representation on the Health and Social Care Trust Safeguarding Panels, Strategic Partnerships and the Safeguarding Board for Northern Ireland (SBNI). In no circumstances is harm caused to children and adults by abuse, exploitation or neglect acceptable.

This Policy sets out how we should all work together to safeguard and promote the welfare of children and adults at risk in accordance with Section 12 Duties of the Safeguarding Board (Northern Ireland) Act 2011. This Policy is also created in line with our Community Plan and responds to the following outcomes:

"All people in Newry, Mourne and Down get a good start in life and fulfil their life long potential" and "enjoy good health and well-being."

Council recognises that the Safeguarding Policy must be owned at all levels within the organisation and as such, **this policy is addressed to all elected members, employees, casual workers, agency workers, volunteers, hirers of facilities, contracted services and the general public.** It provides a clear statement of the Council's responsibilities towards children and adults at risk. We aspire to having safe and respectful experiences for all with the District.

I would request that everyone takes the time to familiarise themselves with this Policy and the accompanying procedures, so that they are fully aware of their responsibilities and duties. It is important that everyone safeguards children and adults at risk and understands their responsibilities and duties as set out in primary legislation and associated guidance.

Liam Hannaway
Chief Executive

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Appendices

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Appendix 7 - Map of the Health and Social Care Trust boundaries in the Newry, Mourne and Down District Council Area – **pg21**

Appendix 8 - Categories of Abuse (Children and Adults) – **pg22-26**

Appendix 9 – Recognizing abuse and Dealing with Disclosures – **pg27-28**

This Policy was created in partnership with the accompanying procedures. They provide the structures which uphold the policy and which through their implementation will aim to create a safe and supportive environment for all Council personnel and service users.

1. Title

Safeguarding Policy

2. Statement

Newry, Mourne and Down District Council is committed to **working in partnership** with others to **safeguard children and adults** from **all forms of abuse, neglect or exploitation**. This policy aims to ensure that a holistic approach to safeguarding is embedded within all Council services, and that elected members, employees, casual workers, agency workers, contractors and volunteers understand their role and responsibilities in relation to safeguarding.

The implementation of this Policy will create an organisational culture where the reporting of abuse, neglect and exploitation is encouraged and where all Council personnel feel supported and equipped with the skills to do so.

3. Aim

This policy will set out the framework for safeguarding and ensure that Council meets all its legal responsibilities to children, adults at risk and families that it **directly** or **indirectly** provides a service to.

This policy aims to:

- Promote **zero-tolerance** of harm to all children and adults at risk
- Influence the way the organisation thinks about harm to children and adults at risk by embedding a culture which recognises every person's right to respect and dignity, honesty, humanity and compassion in every aspect of their life
- Establish clear procedures for reporting and responding to concerns/incidents
- Ensure safe recruitment, selection and other relevant Human Resources procedures are integral in creating safe environments for children and adults at risk
- Ensure effective and co-ordinated multi-agency responses are provided
- Promote a continuous learning approach to safeguarding

Safeguarding Principles

Safeguarding and protecting children and adults at risk is the responsibility of every individual in Northern Ireland across all disciplines and sectors.

All children and adults have a fundamental right to be safeguarded from harm. Their welfare must be promoted and every opportunity given to develop to their full potential. The Council outlines the key principles of safeguarding as follows:

- The child's welfare is paramount
- Adults at risk must be empowered and involved in the decision making process
- Responses must be proportionate to the circumstances
- The individual involved, whether child or adult has a right to be heard
- Action taken should be reported and recorded (as per the procedures)
- Agencies should work together

Effective safeguarding will prevent harm occurring through early identification of risk and appropriate intervention and also implement adequate action when protection is required.

There is an expectation that all elected members, employees, casual workers, agency workers and volunteers will work in partnership to safeguard children and adults at risk, or in need of protection, whether the contact is **direct or indirect**. Effective safeguarding activity will:

- **Promote** the welfare for the child/adult at risk
- **Prevent** harm occurring through early identification of risk and appropriate, timely intervention
- **Protect** children and adults at risk from harm when this is required.

Child protection is the process of protecting children identified as either suffering, or likely to suffer, significant harm as a result of abuse or neglect. **Safeguarding, and promoting the welfare of children, is a broader term than child protection.** It encompasses protecting children from maltreatment, preventing impairment of children's health or development, and ensures children grow up in safe and nurturing circumstances. All children have a right to protection against abuse, neglect, exploitation and violence and the Council has a statutory duty to safeguard and promote the welfare of children and young people.

Adult safeguarding is based on fundamental human rights and on respecting the rights of adults as individuals, treating all adults with dignity and respecting their right to freedom of choice. It involves empowering and enabling all adults, including those at risk, to manage their own health, well-being and safety. It extends to intervening to protect where harm has occurred or is likely to occur and promoting access to justice. All adults at risk should be central to any actions and decisions affecting their lives. Safeguarding adults is complex and challenging. The focus of any intervention must be on promoting a proportionate, measured approach to balancing the risk of harm with respecting the adult's choices and preferred outcome for their own life circumstances. The right of a person with capacity to make decisions and remain in control of their life must be respected.

A successful approach to the safeguarding of children and adults at risk requires multi-agency collaboration and the recognition of individual's wellbeing and welfare at the heart of the organisation.

3.1 The diagram in figure 1 below outlines good practice in relation to safeguarding



3.2 The table in figure 2 identifies the key safeguarding principles for adults and children

SAFEGUARDING PRINCIPLES – ADULTS	SAFEGUARDING PRINCIPLES – CHILDREN
<p>Empowerment - People being supported and encouraged to make their own decisions and give informed consent.</p> <p>Prevention - It is better to take action before harm occurs.</p> <p>Proportionality - The least intrusive response appropriate to the risk presented.</p> <p>Protection - Support and representation for those in greatest need.</p> <p>Partnership - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.</p> <p>Accountability - Accountability and transparency in safeguarding practice</p>	<p>Paramountcy - The welfare and best interests of the child as paramount.</p> <p>Parental Responsibility - Parental responsibility means all the rights, duties, powers, responsibilities and authority which by law a parent of a child has in relation to the child and their property.</p> <p>Prevention - It is better to take action before harm occurs.</p> <p>Proportionality - The least intrusive response appropriate to the risk presented.</p> <p>Protection - Support and representation for those in greatest need.</p> <p>Partnership - Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse.</p>

4. Scope

This policy applies to all employees, elected members, casual workers, agency workers, volunteers, contractors and those using our facilities irrespective of their function, remit or role.

There is an expectation that all Council personnel will work in partnership as they apply this policy to children and adults at risk. Council will ensure that elected members, employees, casual workers, agency workers and volunteers are provided with the tools and knowledge to equip them to safeguard children and adults at risk and deal with situations that may cause them concern.

5. Related Policies

The policy provides assurance that the welfare of children and adults at risk is paramount. The policy has also been produced to support staff and volunteers by providing information and guidance to increase confidence in what they do. Council has developed this policy in line with the following legislation and good practice guidelines.

Legislation:

- UN Convention on the Rights of the Child 1989
- The Children's (NI) Order 1995
- Crime and Disorder Act 1998
- Section 75 NI Act 1998
- Human Rights Act 1998
- Immigration and Asylum Act 1999
- Every Child Matters 2003
- Children Act 2004
- Mental Capacity Act 2005
- The Safeguarding Vulnerable Groups (NI) Order 2007
- The Sexual Offences Order (NI) 2008
- Safeguarding Board Northern Ireland Act 2011
- Children Services Co-operation Act 2015
- Co-operating to Safeguard Children and Young People in Northern Ireland 2016

For further information on safeguarding legislation please visit www.opsi.gov.uk.

In addition to legal, policy and procedural guidance, The Council has framed this policy within the following human rights and values:

Article 2 "The Right to Life"

Article 3 "Freedom from Torture" (including humiliation and degrading treatment)

Article 8 "Right to Family Life" (one that sustains the individual)

Good Practice Guidelines:

- NIASP (NI Adult Safeguarding Partnership) - Adult Safeguarding Policy for NI
- SBNI – Safeguarding Board for NI - Policy standards
- Co-operating to Safeguard Children (DHSSPS) Guidance
- Our Duty to Care: Standards and Guidance for Keeping Children and Young People Safe (2014), Volunteer Now
- National Governing Body of Sport Guidelines
- Marshall Report – Report of the Inquiry into Child Sexual Exploitation in Northern Ireland 2014
- Sexting and the Law – Safeguarding Board for Northern Ireland
- National Crime Agency – CEOP (Child Exploitation and Online Protection)
- Adult Safeguarding: Prevention and Protection in Partnership 2015

This policy operates in parallel and is supported by the following council policies:

- Equality & Good Relations
- Training and Development
- Whistleblowing
- Social Media
- Health & Safety
- Fraud & Corruption
- Complaints, Comments and Compliments
- Data Protection
- Code of Conduct

6. Definitions

The following definitions have been obtained from www.nspcc.org.uk and www.hscboard.hscni.net (August 2017). Further information and detailed information in relation to recognising signs and symptoms can be found by using the links and will be complimented via training and the accompanying procedures.

6.1 Safeguarding

Within this Policy the term 'safeguarding' encompasses both activity which **prevents** harm from occurring in the first place (Council Safeguarding Procedures) and activity which **protects** children and adults at risk where harm has occurred or is likely to occur (Council Reporting Procedures).

6.2 Preventative Safeguarding

This includes a range of actions and measures. Council personnel may come into contact with children and adults who may be at risk and so must recognise the potential for harm and put in measures to prevent it. In practice Council supports elected members, employees, casual workers and volunteers by providing safeguarding procedures e.g.

- Recruitment, Selection and Vetting
- Code of Conduct for Councillors
- Employee Code of Conduct
- Photographic Guidance
- Role of Designated Safeguarding Champion, Designated Safeguarding Officers and Safeguarding Co-ordinator
- Membership of Leisurwatch
- Best Practice Supervision Ratios and Standards
- Work Experience Placement Guidance
- Guidance for Contractors
- Managing Challenging Behaviour/Anti-Bullying

Protective Safeguarding is targeted at children and adults at risk who are in need of protection, that is, when harm from abuse, exploitation or neglect is suspected, has occurred, or is likely to occur. The protection service is led by Health and Social Care Trusts and PSNI. This Policy highlights Council's reporting protocols for concerns regarding children and adults at risk, which may lead to referrals to these statutory agencies.

6.3 Protective Safeguarding

This is targeted at children and adults at risk when harm is suspected, has occurred or is likely to occur. The protection service is led by the Health and Social Care Trusts and the PSNI. In practice the council has internal systems for reporting concerns regarding children and adults which may lead to referrals to these statutory agencies.

6.4 Child/ Young Person

Refers to anyone under the age of 18.

6.5 Adult at Risk

It is not possible to definitively state when an adult is at risk as this will change on a case by case basis. The following definition is intended to provide guidance, as to when an adult may be at risk of harm:

An '**Adult at risk**' is a person aged 18 or over where there is an exposure to harm through abuse, exploitation or neglect. This may be increased by their:

- **personal characteristics** (which *may include, but are not limited to age, disability, illness, physical or mental infirmity and impairment of, or disturbance in, the functioning of the mind or brain*); **and/or**
- **life circumstances** (which *may include, but are not limited to, isolation, socio-economic factors and environmental living conditions*)

6.6 Adult in Need of Protection

A person aged 18 or over whose exposure to harm through abuse, exploitation or neglect maybe increased by their **personal characteristics** and/or **life circumstances**

And who is unable to protect their own well-being, property, assets, rights or other interests

And where the action or inaction of another person or persons is causing or likely to cause him/her to be harmed.

6.7 Abuse

Abuse can be a single or repeated act. Abuse and neglect is something that can occur within many situations including the home, school, communities, public places and all forms of clubs and societies. There are different types of abuse and a child or adult at risk can be abused in more than one way and by one or more perpetrators.

6.9 Significant Harm

In relation to children:

The Children Act 1989 introduced Significant Harm as the threshold that justifies compulsory intervention in family life in the best interests of children. Physical Abuse, Sexual Abuse, Emotional Abuse and Neglect are all categories of Significant Harm.

Harm is defined as the ill treatment or impairment of health and development. This definition was clarified in section 120 of the Adoption and Children Act 2002 (implemented on 31 January 2005) so that it may include, "for example, impairment suffered from seeing or hearing the ill treatment of another". There are no absolute criteria on which to rely when judging what constitutes significant harm. Sometimes a single violent episode may constitute significant harm but more often it is an accumulation of significant events, both acute and longstanding, which interrupt, damage or change the child's development.

In relation to adults:

A key concept in adult safeguarding work is 'Significant Harm'. The impact of harm upon a person will be individual and depend upon each person's circumstances and the severity, degree and impact or effect of this upon that person. The concept of Significant Harm is therefore relative to each individual concerned.

7. Assessing and Managing Risk

Assessing and managing risks to children, young people and adults at risk should be integral to each department's risk management strategy. Assessment of risk is the process of examining what could possibly cause harm to a child, young person or adult, to the staff or volunteers or any other person in the context of the activities and services of the organisation. No endeavour or activity, or indeed interaction, is entirely risk free and even with good planning it may be impossible to completely eliminate risks from any activity, service or interaction. However, each Department should have in place risk assessment and management practice to reduce the likelihood of it occurring and to minimise the impacts of abuse by responding effectively when it does occur. All risks and risk-reducing measures are recorded in the form of a Risk Register. A section of this organisation's risk register deals specifically with safeguarding risks and this is kept under regular review. A risk review is carried out annually and additionally during any change management process.

Risk assessment is fundamental to the whole process of safeguarding and is specifically concerned with the identification of specific risks to a person covered by the Safeguarding policy and procedures.

Risk assessment will seek to determine:

- What the actual risks are – the harm that could be caused, the level of severity of the harm.
- Who or what has potential to cause harm.
- Factors that contribute to the risk, for example, personal, environmental, relationships, resulting in an increase or decrease to the risk;
- Implementation of procedures to minimise risk.

When unforeseen issues/risks arise it is essential that mechanisms are put in place to combat the likelihood of them reoccurring. This is a dynamic process that requires consistent vigilance and monitoring to promote robust practices.

8. Reporting

It is fundamentally important that if any elected members, employees, casual workers, agency workers, volunteers, contractors and service users, have concerns about a child or adult at risk that they seek to report these concerns to the Designated Safeguarding Officers and/or Safeguarding Coordinator and follow the steps laid out in the Procedures. No promises should be made to maintain confidentiality **(if someone is at risk you must report it)**.

Please note that a Standard Safeguarding Report Form for incidents, disclosures and concerns of abuse is contained in Appendix 1.

Investigating child/adult at risk of abuse is a very complex and detailed process.

REMEMBER you are NOT responsible for deciding whether or not abuse has taken place,

But are;

RESPONSIBLE FOR REPORTING your concerns to the relevant person and completing the recording form.

The flowchart in appendix 2 outlines the procedure for the reporting of safeguarding issues for workers/volunteers.

The flowchart in appendix 3 outlines the procedure for the reporting of safeguarding issues for Elected Members.

Please note the relevant contact details for all agencies in order to escalate safeguarding concerns are available in Appendix 4.

Appendix 5 is the form that should be completed when contact is made with a referral agency and should be attached to the initial report alongside any witness statements that may have been taken.

Appendix 6 outlines contact details for all of Council's Designated Safeguarding Officers.

In the event of the Safeguarding Coordinator and/or Designated Safeguarding Officers not being available, the individual reporting the incident/concern should proceed to the next stage of the reporting procedure. The Safeguarding Coordinator should be advised of such actions as soon as practicable.

9. The Role of Council's Safeguarding Coordinator and Designated Safeguarding Officers

Key to the Council's ability to safeguard children and adults at risk in its care and enable its elected members and employees to provide a safe environment, Council has identified a Safeguarding Coordinator and Designated Safeguarding Officers. The role of the Safeguarding Coordinator is to be the primary contact on safeguarding acting as a pivotal point for all safeguarding matters and the processing of relevant documentation.

10. Safeguarding Steering Group

The Safeguarding Steering Group is a cross-departmental group set up by Council to oversee the practical implementation of this Policy and to develop, monitor and review safeguarding procedures.

Its role includes:

- Identifying safeguarding training needs within services
- Developing supplementary safeguarding procedures as they are required
- Promoting good practice within Council services – to include procurement of services
- Discussing incidents and concerns raised in services to facilitate a Council-wide response if necessary

11. Policy Owner

Catrina Miskelly
Assistant Director Corporate Services

12. Contact Details in Regard of this Policy are:

Colleen Morrison
Safeguarding Coordinator
 colleen.morrison@nmandd.org

Oifig Dhún Pádraig | Downpatrick Office
Downshire Civic Centre | Downshire Estate | Ardglass Road | Downpatrick | BT30 6GQ
 Tel: 0300 013 2233/ 02844 610805
 Mobile: 07766923054

13. Policy Authorisation

SMT Authorised on:
3rd October 2017

Strategy, Policy and Resources Committee Authorised on:

Council Authorised on:

14. Policy Effective Date

Policy Launch 1/12/17

15. Policy Review Date

The policy will be reviewed in line with the Council's agreed policy review cycle i.e. every 4 years (as per Council's Equality Scheme commitment 4.31), or sooner to ensure it remains reflective of legislative developments.

16. Procedures and arrangements for monitoring the implementation and impact of the policy

This policy is accompanied by tailored operating procedures that will outline the standards required for appropriate safeguarding.

The Policy will be implemented via a series of briefings, roadshows and training sessions in accordance with the need of the relevant department.

Quality assurance visits will be undertaken periodically to ensure compliance with the policy and associated procedures.

The impact of the policy would be monitored via feedback from the Steering Group and Designated Safeguarding Officers from across the organisation regarding the effectiveness and suitability of the operating procedures.

17. Equality Screening

This policy has been equality screened and the following outcome determined:

1. Not be subject to an EQIA (with no mitigating measures required)

18. Rural Impact Assessment

The Rural Needs Act (Northern Ireland) 2016 requires the Council to have due regard to rural needs when: (a) developing, adopting, implementing or revising policies, strategies and plans, and (b) designing and delivering public services. Rural Needs Assessments has been completed (September 2017). No mitigating factors are to be considered as the policy does not distinguish between rural and urban areas.

19. Version Control

Version 1

To be completed by worker/volunteer

Name of person completing form: _____ Position: _____

[illegible]

Ensure all information is stored in accordance with Data protection procedures.

To be completed by Designated Officer when made aware of the incident/disclosure/concern

DISCLOSURE/ INCIDENT/ CONCERN

When were you made aware of the disclosure/incident/concern?

What action did you take? Guidance given to employee/volunteer?

SIGNS

Did the worker/volunteer note any physical injury/behavioural changes evident on the child or adult at risk

Has the child or adult at risk alleged that any particular person is the abuser?

(If so , please record the details below)

Was contact made with the parent/guardian/carer? (Name, relationship, Details of conversation)

TO BE SIGNED BY THE DESIGNATED SAFEGUARDING OFFICER

Referred to Social Services (contact name): _____ ref: _____

Referred to PSNI (contact name): _____ ref: _____

Referral Agency Contact Form Completed: YES / NO

Additional Evidence/Records Attached: YES / NO

Signed:

Date:

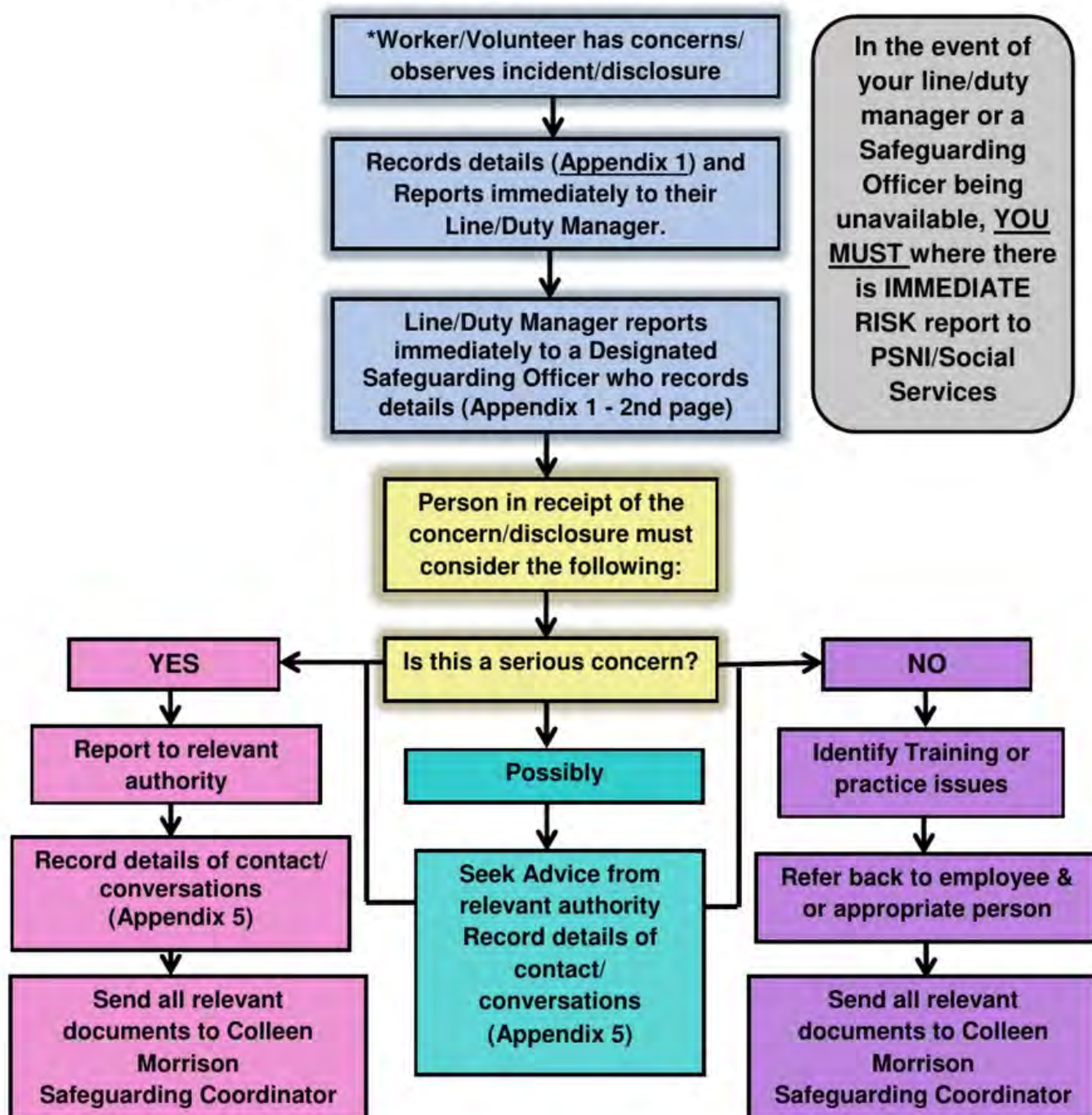
Received by the Safeguarding Coordinator:

Date:

APPENDIX 2

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REPORTING FLOWCHART FOR SAFEGUARDING ISSUES/INCIDENTS WORKER/VOLUNTEER



REMEMBER

It is not your job to judge or investigate however it is your job to report and refer on to a Designated Safeguarding Officer.

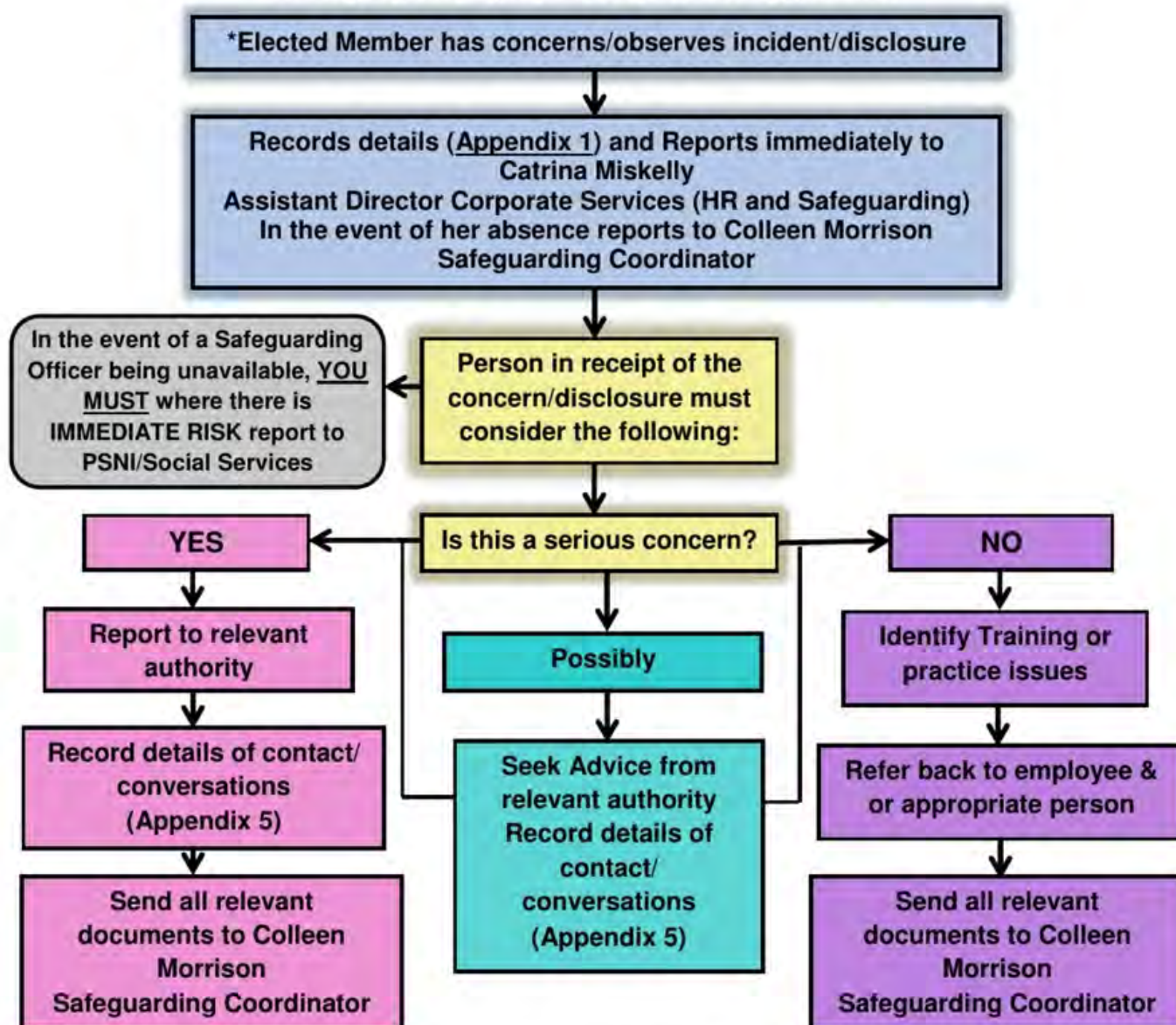
Sharing of information is on a need to know basis – Respect for those involved and confidentiality in line with safeguarding process is essential at all stages.

NB: *Worker, refers to full time, part time, casual, agency
All documentation must be sent to the Safeguarding Coordinator

APPENDIX 3

REPORTING FLOWCHART (ELECTED MEMBERS)

If whilst representing **Newry, Mourne and Down District Council** you become aware of any safeguarding concerns or incidents relating to either children or adults at risk of harm, you must report this via the following process.



REMEMBER

It is not your job to judge or investigate however it is your job to report and refer on to a Designated Safeguarding Officer.

Sharing of information is on a need to know basis – Respect for those involved and confidentiality in line with safeguarding process is essential at all stages.

If whilst representing your **political party/undertaking independent constituency duties** you become aware of any safeguarding concerns or incidents relating to either children or adults at risk of harm, Elected Members are required to process safeguarding concerns/incidents through their respective internal guidance/structures.

APPENDIX 4

Emergency and Referral Contact Details

Organisation	Unit	Contact details
Health and Social Care Trust	Regional Centralised Out of Hours Service for NI	028 9504 9999
South Eastern Health and Social Care Trust	South Eastern Gateway Team (Children's)	Normal hours 0300 1000 300 Out of hours 028 9056 5444
South Eastern Health and Social Care Trust	Adult Safeguarding Gateway Team	Normal hours 028 9250 1227 Out of hours 028 9504 9999
Southern Health and Social Care Trust	Southern Gateway Team (Children's)	Normal hours 028 3741 5285 Out of Hours 028 9504 9999
Southern Health and Social Care Trust	Adult Safeguarding Gateway Team	Normal hours 028 3741 2354/028 3741 2335 Out of hours 028 9504 9999
PSNI	Central Referral Unit Children and Adults at risk	Immediate Risk - 999 028 9025 9299 cru@psni.pnn.police.uk (No immediate risk)
PSNI	Non-Emergency Call Handling	0845 600 8000/ 101
National Crime Agency (CEOP)	Child exploitation and Online Protection Team	Immediate risk – 999 Enquiries - 0370 496 7622
Leisure Watch	Central Team	Immediate risk – 999 All other concerns follow the online referral system via: www.tdi.org.uk/leisurewatch
Newry, Mourne and Down District Council	Colleen Morrison Safeguarding Coordinator	Normal hours (9am-5pm) 028 4461 0805 077 6692 3054



**an Iúir, Mhúrn
agus an Dúin**
**Newry, Mourne
and Down**
District Council

Referral Agency Recording Form

REFERENCE NO: _____ DATE: _____ TIME: _____

DETAILS OF THE CONVERSATION

ADVICE GIVEN/ ACTIONS

DATE:

APPENDIX 6



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Reviewed Model for Designated Officers

<u>Corporate Services</u> Catrina Miskelly Assistant Director HR & Safeguarding Colleen Morrison Safeguarding Coordinator	<u>Indoor Leisure</u> Newcastle (1) Downpatrick (1) Newry (1) Kilkeel (1)
<u>Refuse and Cleansing</u> Greenbank (1) Strangford (1)	<u>ERT</u> Museum (1) Arts Centre (1)
<u>Sports Development</u> (2)	<u>Outdoor Leisure</u> (1)
<u>Facilities Management & Maintenance</u> (1)	<u>Community Planning and Performance</u> (1)
<u>Enforcement Officer</u> (1)	<u>Environmental Health</u> (1)
<u>Safer Communities</u> (1)	

Proposed Safeguarding Steering Group Membership

Assistant Director Corporate Services (HR & Safeguarding)
 Safeguarding Coordinator
 Head of Compliance
 Head of Indoor Leisure
 Head of Outdoor Leisure
 Head of Refuse and Cleansing
 Assistant Director Community Engagement
 Assistant Director Tourism, Culture and Events
 Assistant Director Health and Well-being
 Assistant Director Facilities, Management and Maintenance

Once the Designated Officers have been identified, this page will become a table with the **location, job title and contact details** for each of the Designated Safeguarding Officers to make it easy for workers/volunteers to make contact when passing on referrals/concerns.

The membership of the steering group will remain as job titles.

APPENDIX 8**Categories of Abuse**

The following definitions have been obtained from www.nspcc.org.uk and www.hscboard.hscni.net (August 2017). Further information and detailed information in relation to recognising signs and symptoms can be found by using the links and will be complimented via training and the accompanying procedures.

CHILDREN**Physical Abuse**

Physical abuse is the deliberate physical injury to a child or the wilful or neglectful failure to prevent physical injury or suffering. This may include hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, confinement to a room or cot, or inappropriately giving drugs to control behaviour.

Emotional Abuse

Emotional abuse is the persistent emotional ill treatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Smothering a child's development through over-protection can also be a form of abuse. Some level of emotional abuse is involved in all types of ill treatment of a child, though it may occur alone. Domestic violence, adult mental health problems and parental substance misuse may expose children to emotional abuse.

Sexual Abuse

Sexual abuse involves forcing or enticing a child to take part in sexual activities, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at or the production of pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Neglect

Neglect is the persistent failure to meet a child's physical and/or psychological needs, likely to result in significant harm. It may involve a parent or carer failing to provide adequate foods, shelter and clothing, failing to protect a child from physical harm or danger, failing to ensure access to appropriate medical care or treatment, lack of stimulation or lack of supervision. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Domestic abuse

Domestic abuse is any type of controlling, bullying, threatening or violent behaviour between people in a relationship. But it isn't just physical violence – domestic abuse includes emotional, physical, sexual, financial or psychological abuse. Abusive behaviour can occur in

any relationship. It can continue even after the relationship has ended. Both men and women can be abused or abusers. Domestic abuse can seriously harm children and young people. Witnessing domestic abuse is child abuse, and teenagers can suffer domestic abuse in their relationships.

Child Sexual Exploitation (CSE)

CSE is a type of sexual abuse in which children are sexually exploited for money, power or status. Children or young people may be tricked into believing they are in a loving, consensual relationship. They might be invited to parties and given drugs and alcohol. They may also be groomed online. Some children and young people are trafficked into or within the UK for the purpose of sexual exploitation.

Child trafficking

Child trafficking and modern slavery are child abuse. Children are recruited, moved or transported and then exploited, forced to work or sold.

Children are trafficked for:

- Child sexual exploitation
- Benefit fraud
- Forced marriage
- Domestic servitude such as cleaning, childcare, cooking
- Forced labour in factories or agriculture
- Criminal activity such as pickpocketing, begging, transporting drugs, working on cannabis farms, selling pirated DVDs and bag theft.

Many children are trafficked into the UK from abroad, but children can also be trafficked from one part of the UK to another.

Female genital mutilation (FGM)

Female genital mutilation (FGM) is the partial or total removal of external female genitalia for non-medical reasons. It's also known as female circumcision or cutting. Religious, social or cultural reasons are sometimes given for FGM. However, FGM is child abuse. It's dangerous and a criminal offence. There are no medical reasons to carry out FGM. It doesn't enhance fertility and it doesn't make childbirth safer. It is used to control female sexuality and can cause severe and long-lasting damage to physical and emotional health.

Harmful Sexual Behaviour

Harmful sexual behaviour includes:

- Using sexual explicit words and phrases
- Inappropriate touching
- Using sexual violence or threats
- Full penetrative sex with children or adults

Children and young people who develop harmful sexual behaviour harm themselves and others. Sexual behaviour between children is also considered harmful if one of the children is much older – particularly if there is more than two years' difference in age or if one of the

children is pre-pubescent and the other isn't. However, a younger child can abuse an older child, particularly if they have power over them – for example, if the older child is disabled.

Bullying and Cyberbullying

Bullying is behaviour that hurts someone else – such as name calling, hitting, pushing, spreading rumours, threatening or undermining someone. It can happen anywhere – at school, at home or online. It's usually repeated over a long period of time and can hurt a child both physically and emotionally. Bullying that happens online, using social networks, games and mobile phones, is often called cyberbullying. A child can feel like there's no escape because it can happen wherever they are, at any time of day or night.

Cyber bullying is intentional and repeated cruel or hurtful behaviour that is carried out using technology, such as:

- SMS or text messages, Email
- Blogs, Chat rooms, Discussion boards, Instant messaging, Online games
- Photo sharing apps, i.e.; Snapchat and Instagram
- Social networking sites and apps like Facebook, Twitter and Ask.fm

Cyber bullying can include:

- Sending cruel and threatening messages or material
- Putting embarrassing photos of people on the web
- Creating fake profiles that are mean or hurtful
- Sending unwanted messages online, teasing and making of fun of others
- A cyber bully can be someone a young person knows or a stranger

Sexting

'Sexting' is when someone sends or receives a sexually explicit text, image or video on their mobile phone, computer or tablet. It can include sexual chat or requests for pictures/images of a sexual nature. Whether this is illegal or not depends on what the image is or what the chat involves and who it is sent between. However, it is a crime to possess, take, make, distribute or show anyone an indecent or abuse image of anyone under 18 years of age. Always remember that, while the age of consent is 16, the relevant age in relation to indecent images is 18.

A copy of leaflet 'Sexting and the Law' published by the Safeguarding Board for Northern Ireland (SBNI) can be obtained from www.safeguardingni.org

ADULTS

Physical Abuse

Physical abuse is the use of physical force or mistreatment of one person by another which may or may not result in actual physical injury. This may include hitting, pushing, rough handling, exposure to heat or cold, force feeding, improper administration of medication, denial of treatment, misuse or illegal use of restraint and deprivation of liberty.

Sexual violence and abuse

Sexual abuse is any behaviour perceived to be of a sexual nature which is unwanted or takes place without consent or understanding. Sexual violence and abuse can take many forms and may include non-contact sexual activities, such as indecent exposure, stalking, being made to look at or be involved in the production of sexually abusive material, or being made to watch sexual activities. It may involve physical contact, including non-consensual penetrative sexual activities or non-penetrative sexual activities, such as intentional touching (also known as groping). Sexual violence can be found across all sections of society, irrelevant of gender, age, ability, religion, race, ethnicity, personal circumstances, financial background or sexual orientation.

Psychological/Emotional abuse

Psychological/emotional abuse is behaviour that is psychologically harmful or inflicts mental distress by threat, humiliation or other verbal/non-verbal conduct. This may include threats, humiliation or ridicule, withholding security, love or support, provoking fear of violence, shouting, yelling, swearing, blaming, controlling, intimidation and coercion.

Financial abuse

Financial abuse is actual or attempted theft, fraud or burglary. It is the misappropriation or misuse of money, property, benefits, material goods or other asset transactions which the person did not or could not consent to, or which were invalidated by intimidation, coercion or deception. This may include exploitation, embezzlement, withholding pension or benefits or pressure exerted around wills, property or inheritance.

Institutional abuse

Institutional abuse is the mistreatment or neglect of an adult, by a regime or individuals, in settings within which adults who may be at risk reside or use. Institutional abuse may occur when the routines, systems and regimes result in poor standards of care, poor practice and behaviours, inflexible regimes and rigid routines which violate their dignity and human rights and place adults at risk of harm. Institutional abuse may occur within a culture that denies, restricts or curtails the privacy, dignity, choice and independence. It involves the collective failure of a service provider or an organisation to provide safe and appropriate services, and includes a failure to ensure that the necessary preventative and/or protective measures are in place.

Neglect

Neglect is the deliberate withholding, or failure through a lack of knowledge, understanding or awareness, to provide appropriate and adequate care and support, which is necessary for the adult to carry out daily living activities. It may include physical neglect to the extent that health or well-being is impaired, administering too much or too little medication, failure to provide access to appropriate health or social care, withholding the necessities of life, such as adequate nutrition, heating or clothing, failure to intervene in situations that are dangerous to the person concerned or to others particularly when the person lacks the capacity to assess risk. Note that self-neglect and self-harm do not fall within the scope of this definition.

Exploitation

Exploitation is the intentional maltreatment, manipulation or abuse of power and control over another person; to take selfish or unfair advantage of another person or situation usually but not always for personal gain from using them as a commodity. It may manifest itself in many forms including slavery, servitude, forced or compulsory labour, domestic violence and abuse, sexual violence and abuse, or human trafficking.

Domestic violence and abuse

Domestic violence and abuse is “threatening behaviour, violence or abuse (psychological, physical, verbal, sexual, financial or emotional) inflicted on one person by another where they are or have been intimate partners or family members, irrespective of gender or sexual orientation. Domestic violence and abuse is essentially a pattern of behaviour which is characterised by the exercise of control and the misuse of power by one person over another. It is usually frequent and persistent. It can include violence by a son, daughter, mother, father, husband, wife, life partner or any other person who has a close relationship with the victim. It occurs right across society, regardless of age, gender, race, ethnic or religious group, sexual orientation, wealth, disability or geography.

Human trafficking

Human trafficking involves the acquisition and movement of people by improper means, such as force, threat or deception, for the purposes of exploiting them. It can take many forms, such as domestic servitude, forced criminality, forced labour, sexual exploitation and organ harvesting. Victims of human trafficking can come from all walks of life; they can be **male or female; children or adults**; and they may come from migrant or indigenous communities.

Hate crime

Hate crime is any incident which constitutes a criminal offence perceived by the victim or any other person as being motivated by prejudice, discrimination or hate towards a person's actual or perceived race, religious belief, sexual orientation, disability, political opinion or gender identity.

APPENDIX 9

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Recognizing Abuse and Dealing with Disclosures

If you suspect a child or adult at risk is being abused and/or neglected it is essential that you recognize high risk situations and the signs and symptoms of maltreatment and exploitation. You report your suspicions when you are concerned someone is being harmed as this may ultimately protect them and ensure that relevant support/interventions are put in place.

The following list outlines some of the signs and symptoms of abuse, neglect and exploitation. This list is not exhaustive and so should be used as a guide only

- Physical signs of injury, such as bruises, sores, burns, cuts, or black eyes. Such injuries may be hidden
- Implausible excuses made for injuries or absences
- Displays personality changes (angry, depressed, moody, irritable, defensive, etc.)
- Becomes withdrawn, anxious or suddenly fearful
- Distracted and has difficulty concentrating.
- Has difficulty sleeping, or may display excessive tiredness (can be a symptom of depression)
- Low self-esteem/sudden changes in appetite
- Neglects personal hygiene (becomes smelly, goes unwashed; may be an attempt to ward off a sexual predator or as a consequence of depression).
- Changes in personal appearance or poor/unsettling condition of living environment.
- Complains of pain in the genital region (more common in children).
- For older children and adults, the victim 'acts out', becoming sexually promiscuous, and/or using drugs/alcohol
- Has not received help for medical or physical problems brought to the attention of parents/carers
- Reluctance to go home (arrives very early, stays late)
- Runs away from family home/ residence
- Frequent absences from school, work, activities
- Begs or steals for food or money
- Lacks needed medical or dental care, immunisation or glasses
- Consistently dirty and inappropriately dressed for weather conditions
- Behaves irrationally or in a bizarre manner/demonstrates inappropriate sexual knowledge of behaviour
- Reports lack of attachment/negative or hostile feeling towards parent/care giver
- Delayed physical/emotional development that is not related to medical conditions

Possible indicators for Human Trafficking/Exploitation/Modern day Slavery:

- Poor housing/living conditions (blinds closed, overcrowding, decrepit, unhygienic)
- Controlled Access
- Reluctance to engage with services/community

See below for general reporting guidelines



Do

- Stay calm
- Listen carefully and hear exactly what is being said to you
- Reassure the individual that they have done the right thing in telling you
- Explain that you will have to pass this information on as you are concerned about their safety and/or well-being
- Record what was said as soon as possible and keep this record with your report
- Report this to your line manager or a designated safeguarding officer as soon as possible



Don't

- Panic
- Ask leading questions (questions that influence someone to give a particular answer)
- Promise that you can keep the information a secret
- Ask for further details (this is not your job and will be undertaken by the PSNI/ Social Services)
- Advise the suspected abuser of your concerns or any of the information that you have received
- Do not introduce personal information from either your own experiences or those of others
- Require the child/ adult at risk to repeat the story unnecessarily
- Don't speculate or make assumptions

When responding to disclosures it is essential that the information is recorded accurately and that appropriate steps are put in place to reduce the harm where possible and especially where there is an immediate risk.

You must

- Make a note of what the person actually said, using the individuals own words and phrases,
- Describe the circumstance in which the disclosure came about.
- Note the setting and anyone else who was there at the time.
- When there are cuts, bruises or other marks on the skin use a body map to indicate their location, noting the colour of any bruising.
- Make sure the information you write is factual.
- Use a pen or biro with black ink so that the report can be photocopied. Try to keep your writing clear.
- Sign and date the report, noting the time and location.
- Inform a designated officer and send all documents to the Safeguarding Coordinator.

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	12 th October 2017
Subject:	Treasury Management
Reporting Officer (Including Job Title):	Ken Montgomery, Assistant Director of Finance
Contact Officer (Including Job Title):	Ken Montgomery, Assistant Director of Finance

Decisions required: Members are asked to approve the attached documents.	
1.0	Purpose and Background:
1.1	The Chartered Institute of Public Finance and Accountancy's <i>Treasury Management in the Public Services: Code of Practice 2011 Edition</i> (the CIPFA Code) requires Newry, Mourne and Down District Council to approve a treasury management annual report after the end of each financial year.
2.0	Key issues:
2.1	Attached at Appendix 1 is the Treasury Management Outturn Report 2016/17 Attached at Appendix 2 is the Prudential Indicator Outturn report 2016/17.
3.0	Recommendations:
3.1	Members are asked to approve the attached documents.
4.0	Resource implications
4.1	N/A
5.0	Equality and good relations implications:
5.1	None.
6.0	Appendices
	Appendix 1 – Treasury Management Outturn Report 2016/17 Appendix 2 – Prudential Indicator Outturn Report 2016/17

Treasury Management Outturn Report 2016/17

Introduction

In February 2017 the Authority adopted the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2011 Edition* (the CIPFA Code) which requires the Authority to approve a treasury management annual report after the end of each financial year.

This report fulfils the Authority's legal obligation to have regard to the CIPFA Code.

The Authority's treasury management strategy for 2016/17 was approved at a meeting of the Authority on the 10th February 2016. The Authority has borrowed substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk are therefore central to the Authority's treasury management strategy.

External Context

Economic background: Politically, 2016/17 was an extraordinary twelve month period which defied expectations when the UK voted to leave the European Union and Donald Trump was elected the 45th President of the USA. Uncertainty over the outcome of the US presidential election, the UK's future relationship with the EU and the slowdown witnessed in the Chinese economy in early 2016 all resulted in significant market volatility during the year. Article 50 of the Lisbon Treaty, which sets in motion the 2-year exit period from the EU, was triggered on 29th March 2017.

UK inflation had been subdued in the first half of 2016 as a consequence of weak global price pressures, past movements in sterling and restrained domestic price growth. However the sharp fall in the Sterling exchange rate following the referendum had an impact on import prices which, together with rising energy prices, resulted in CPI rising from 0.3% year/year in April 2016 to 2.3% year/year in March 2017.

In addition to the political fallout, the referendum's outcome also prompted a decline in household, business and investor sentiment. The repercussions on economic growth were judged by the Bank of England to be sufficiently severe to prompt its Monetary Policy Committee (MPC) to cut the Bank Rate to 0.25% in August and embark on further gilt and corporate bond purchases as well as provide cheap funding for banks via the Term Funding Scheme to maintain the supply of credit to the economy.

Despite growth forecasts being downgraded, economic activity was fairly buoyant and GDP grew 0.6%, 0.5% and 0.7% in the second, third and fourth calendar quarters of 2016. The labour market also proved resilient, with the ILO unemployment rate dropping to 4.7% in February, its lowest level in 11 years.

Following a strengthening labour market, in moves that were largely anticipated, the US Federal Reserve increased rates at its meetings in December 2016 and March 2017, taking the target range for official interest rates to between 0.75% and 1.00%.

Financial markets: Following the referendum result, gilt yields fell sharply across the maturity spectrum on the view that Bank Rate would remain extremely low for the foreseeable future. After September there was a reversal in longer-dated gilt yields which moved higher, largely due to the MPC revising its earlier forecast that Bank Rate would be dropping to near 0% by the end of 2016. The yield

on the 10-year gilt rose from 0.75% at the end of September to 1.24% at the end of December, almost back at pre-referendum levels of 1.37% on 23rd June. 20- and 50-year gilt yields also rose in Q3 2017 to 1.76% and 1.70% respectively, however in Q4 yields remained flat at around 1.62% and 1.58% respectively.

After recovering from an initial sharp drop in Q2, equity markets rallied, although displaying some volatility at the beginning of November following the US presidential election result. The FTSE-100 and FTSE All Share indices closed at 7342 and 3996 respectively on 31st March, both up 18% over the year. Commercial property values fell around 5% after the referendum, but had mostly recovered by the end of March.

Money market rates for overnight and one week periods remained low since Bank Rate was cut in August. 1- and 3-month LIBID rates averaged 0.36% and 0.47% respectively during 2016-17. Rates for 6- and 12-months increased between August and November, only to gradually fall back to August levels in March, they averaged 0.6% and 0.79% respectively during 2016-17.

Credit background: Various indicators of credit risk reacted negatively to the result of the referendum on the UK's membership of the European Union. UK bank credit default swaps saw a modest rise but bank share prices fell sharply, on average by 20%, with UK-focused banks experiencing the largest falls. Non-UK bank share prices were not immune, although the fall in their share prices was less pronounced.

Fitch and Standard & Poor's downgraded the UK's sovereign rating to AA. Fitch, S&P and Moody's have a negative outlook on the UK. Moody's has a negative outlook on those banks and building societies that it perceives to be exposed to a more challenging operating environment arising from the 'leave' outcome.

None of the banks on the Authority's lending list failed the stress tests conducted by the European Banking Authority in July and by the Bank of England in November, the latter being designed with more challenging stress scenarios, although Royal Bank of Scotland was one of the weaker banks in both tests. The tests were based on banks' financials as at 31st December 2015, 11 months out of date for most. As part of its creditworthiness research and advice, the Authority's treasury advisor Arlingclose regularly undertakes analysis of relevant ratios - "total loss absorbing capacity" (TLAC) or "minimum requirement for eligible liabilities" (MREL) - to determine whether there would be a bail-in of senior investors, such as local authority unsecured investments, in a stressed scenario.

In July, following a review of unrated building societies' annual financial statements, Cumberland, Harpenden and Vernon building societies were removed from the Authority's list due to a deterioration in credit indicators. The maximum advised maturity was also lowered for eleven other societies from 6 months to 100 days due to the uncertainty facing the UK housing market following the EU referendum.

Local Context

On 31st March 2017, the Authority had net borrowing of £51.7m arising from its revenue and capital income and expenditure, an increase on 2016 of £6.4m. The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors and the year-on-year change are summarised in table 1 below.

Table 1: Balance Sheet Summary

	31.3.16 Actual £m	2016/17 Movement £m	31.3.17 Actual £m
Capital Financing Requirement	61.1	9.0	70.1
Less: Other debt liabilities *			
Borrowing CFR	61.1	9.0	70.1
Less: Usable reserves	-8.5	-1.7	-10.2
Less: Working capital	-2.8	5.3	2.5
Net Borrowing	49.8	12.6	62.4

* finance leases, PFI liabilities and transferred debt that form part of the Authority's total debt

Net borrowing has increased due to a rise in the CFR as new capital expenditure was higher than the financing applied including minimum revenue provision; together with an increase in usable reserves, especially due to a rise in the General Fund reserve; and a fall in working capital due to the timing of receipts and payments.

The Authority's current strategy is to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low. The treasury management position as at 31st March 2017 and the year-on-year change in show in table 2 below.

Table 2: Treasury Management Summary

	31.3.16 Balance £m	2016/17 Movement £m	31.3.17 Balance £m
Long-term borrowing	52.9	1.3	54.2
Short-term borrowing	5.2	0.1	5.3
Total borrowing	58.1	1.4	59.5
Long-term investments			
Short-term investments			
Cash and cash equivalents	12.9	-5.1	7.8
Total investments	12.9	-5.1	7.8
Net borrowing	45.2	6.5	51.7

Note: the figures in the table are from the balance sheet in the Authority's statement of accounts, but adjusted to exclude operational cash, accrued interest and other accounting adjustments

Borrowing Activity

At 31st March 2017, the Authority held £59.5m of loans, an increase of £1.3m on the previous year, as part of its strategy for funding previous years' capital programmes. The year-end borrowing position and the year-on-year change in show in table 3 below.

Table 3: Borrowing Position

	31.3.16 Balance £m	2016/17 Movement £m	31.3.17 Balance £m	31.3.17 Rate %
Public Works Loan Board	58.2	1.3	59.5	2.2%
Banks (LOBO)				
Banks (fixed-term)				
Local authorities (long-term)				
Local authorities (short-term)				
Total borrowing	58.2	1.3	59.5	2.2%

The Authority's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Authority's long-term plans change being a secondary objective.

In furtherance of these objectives, new borrowing was kept to a minimum in 2016/17, while existing loans were allowed to mature without replacement. This strategy enabled the Authority to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk.

The "cost of carry" analysis performed by the Authority's treasury management advisor Arlingclose did not indicate any value in borrowing in advance for future years' planned expenditure and therefore none was taken.

Investment Activity

The Authority holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. During 2016/17, the Authority's investment balance ranged between £12.9 and £7.8 million due to timing differences between income and expenditure. The year-end investment position and the year-on-year change in show in table 4 below.

Table 4: Investment Position

	31.3.16 Balance £m	2016/17 Movement £m	31.3.17 Balance £m	31.3.17 Rate %
Banks & building societies (unsecured)	12.9	-5.1	7.8	-39.5%
Covered bonds (secured)				
Government (incl. local authorities)				
Corporate bonds and loans				
Money Market Funds				
Other Pooled Funds				
Total investments	12.9	-5.1	7.8	-39.5%

Both the CIPFA Code and government guidance require the Authority to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Authority's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

Compliance Report

The Director of Corporate Services is pleased to report that all treasury management activities undertaken during 2016/17 complied fully with the CIPFA Code of Practice and the Authority's approved Treasury Management Strategy.

Table 5: Investment Limits

	2016/17 Maximum	31.3.17 Actual	2016/17 Limit	Complied
Any single organisation, except UK Government	£3m*	£1m	£3m*	✓
Any group of funds under the same management	£3m*	£1m	£3m*	✓

**Provided credit rating of AA and above (otherwise £2m for BBB and above)*

Compliance with the authorised limit and operational boundary for external debt is demonstrated in table 6 below.

Table 6: Debt Limits

	2016/17 Maximum	31.3.17 Actual	2016/17 Operational Boundary	2016/17 Authorised Limit	Complied
Borrowing	£79.2m	£59.5m	£79.2m	£81.2m	✓
PFI & finance leases	-	-	-	-	✓
Total debt	£79.2m	£59.5m	£79.2m	£81.2m	✓

Since the operational boundary is a management tool for in-year monitoring it is not significant if the operational boundary is breached on occasions due to variations in cash flow, and this is not counted as a compliance failure. Total debt did not go above the operational boundary during 2016/17.

Treasury Management Indicators

Maturity Structure of Borrowing: This indicator is set to control the Authority's exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate borrowing were:

	31.3.17 Actual	Upper Limit	Lower Limit	Complied
Under 12 months	£5.3m	£7.2m	£7.05m	✓
12 months and within 24 months	£5.3m	£7.2m	£7.05m	✓
24 months and within 5 years	£12.2m	£16.7m	£16.2m	✓
5 years and within 10 years	£15.6m	£21.3m	£20.8m	✓
10 years and above	£21.1m	£28.8m	£28.1m	✓

Principal Sums Invested for Periods Longer than 364 days: The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end were:

	2016/17	2017/18	2018/19
Actual principal invested beyond year end	N/A	N/A	N/A
Limit on principal invested beyond year end	N/A	N/A	N/A
Complied	✓	✓	✓

Prudential Indicator Outturn Report 2016/17

Introduction: The Local Government Finance Act (Northern-Ireland) 2011 requires the Authority to have regard to the Chartered Institute of Public Finance and Accountancy's *Prudential Code for Capital Finance in Local Authorities* (the Prudential Code) when determining how much money it can afford to borrow. The objectives of the Prudential Code are to ensure, within a clear framework, that the capital investment plans of local authorities are affordable, prudent and sustainable, and that treasury management decisions are taken in accordance with good professional practice. To demonstrate that the Authority has fulfilled these objectives, the Prudential Code sets out the following indicators that must be set and monitored each year.

This report compares the approved indicators with the outturn position for 2016/17. Actual figures have been taken from or prepared on a basis consistent with, the Authority's statement of accounts.

Capital Expenditure: The Authority's capital expenditure and financing may be summarised as follows.

Capital Expenditure and Financing	2016/17 Estimate £m	2016/17 Actual £m	Difference £m
General Fund	27.6	14.6	13.0
HRA	0.0	0.0	0.0
Total Expenditure	27.6	14.6	13.0
Capital Receipts	-	0.2	(0.2)
Government Grants	-	0.3	(0.3)
Reserves	-	-	-
Revenue	-	-	-
Borrowing	27.6	14.1	13.5
Leasing and PFI	-	-	-
Total Financing	27.6	14.6	13.0

Capital Financing Requirement: The Capital Financing Requirement (CFR) measures the Authority's underlying need to borrow for a capital purpose.

Capital Financing Requirement	31.03.17 Estimate £m	31.03.17 Actual £m	Difference £m
General Fund	84.3	70.1	14.2
HRA	0.0	0.0	0.0
Total CFR	84.3	70.1	14.2

The CFR fell by £14.2m as capital expenditure financed by debt was outweighed by resources put aside for debt repayment.

Actual Debt: The Authority's actual debt at 31st March 2017 was as follows:

Debt	31.03.17 Estimate £m	31.03.17 Actual £m	Difference £m
Borrowing	79.2	59.5	19.7
Finance leases	In above		
PFI liabilities	0.0	0.0	0.0
Total Debt	79.2	59.5	19.7

Gross Debt and the Capital Financing Requirement: In order to ensure that over the medium term debt will only be for a capital purpose, the Authority should ensure that debt does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years. This is a key indicator of prudence.

Debt and CFR	31.03.17 Estimate £m	31.03.17 Actual £m	Difference £m
Total debt	79.2	59.5	19.7
Capital financing requirement	84.3	70.1	14.2
Headroom	5.1	10.6	5.5

Total debt remained below the CFR during the forecast period.

Operational Boundary for External Debt: The operational boundary is based on the Authority's estimate of most likely (i.e. prudent but not worst case) scenario for external debt. It links directly to the Authority's estimates of capital expenditure, the capital financing requirement and cash flow requirements, and is a key management tool for in-year monitoring. Other long-term liabilities comprise finance lease, Private Finance Initiative and other liabilities that are not borrowing but form part of the Authority's debt.

Operational Boundary and Total Debt	31.03.17 Boundary £m	31.03.17 Actual Debt £m	Complied
Borrowing	79.2	59.5	✓
Other long-term liabilities	0.0	0.0	✓
Total Debt	79.2	59.5	✓

Authorised Limit for External Debt: The authorised limit is the affordable borrowing limit determined in compliance with the *Local Government Finance Act (Northern-Ireland) 2011*. It is the maximum

amount of debt that the Authority can legally owe. The authorised limit provides headroom over and above the operational boundary for unusual cash movements.

Authorised Limit and Total Debt	31.03.17 Boundary £m	31.03.17 Actual Debt £m	Complied
Borrowing	81.2	59.5	✓
Other long-term liabilities	0.0	0.0	✓
Total Debt	81.2	59.5	✓

Ratio of Financing Costs to Net Revenue Stream: This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs, net of investment income.

Ratio of Financing Costs to Net Revenue Stream	31.03.17 Estimate %	31.03.17 Actual %	Difference %
General Fund	15.27	13.04	2.23
HRA	-	-	-

Adoption of the CIPFA Treasury Management Code: The Authority adopted the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2011 Edition* in February 2017.

Report to:	SP&R Committee
Date of Meeting:	12 October 2017
Subject:	Transition of Existing Emergency Preparedness Group Structures from 5 existing areas to 3, Belfast, Northern & Southern Emergency Preparedness Areas
Reporting Officer (Including Job Title):	Conor Mallon, Assistant Director of Estates and Project Management
Contact Officer (Including Job Title):	Conor Mallon, Assistant Director of Estates and Project Management

Decisions required:	
Members are asked to note the attached proposal from the Executive Office outlining the Transition of the existing Emergency Preparedness Group (EPG) Structures from 5 areas to 3 ie Belfast, Northern & Southern Emergency Preparedness Areas	
1.0	Purpose and Background:
1.1	<p>The purpose of this paper is to advise members of the proposal to reduce the number of EPGs from 5 to 3.</p> <p>The existing 5 EPG areas are considering the issues related to the proposals and the transition process outlined in the attached correspondence issued by The Executive Office.</p> <p>This information will provide the basis for implementation of the arrangements required to be in place to facilitate the transition from 5 to 3 EPGs.</p>
2.0	Key issues:
2.1	<p>The possible move from a 5 Emergency Preparedness Group (EPG) model to a 3 EPG model remains subject to final agreement by the Civil Contingencies Group (NI) (CCG(NI)).</p> <p>The underlying principle of transition is that there can be no reduction in preparedness or response capability.</p> <p>NMDDC will be a member of the newly formed Southern Group, the Flooding and Severe Weather Working Group and the Humanitarian Assistance Working Group.</p> <p>An additional internal NMDC Emergency Planning, cross departmental working group may be required as part of the new EPG model.</p>
3.0	Recommendations:
3.1	It is recommended that the members note the proposals.

4.0	Resource implications
4.1	With the establishment of the Safety, Health and Emergency Planning Unit the existing Council resource will be sufficient to co-ordinate with the new EPG - Southern Group and provide necessary assistance in the event of an emergency.
5.0	Equality and good relations implications:
5.1	None
6.0	Appendices
	Appendix 1: Correspondence from The Executive Office, 31 st August 2017

Appendix 1

Correspondence from The Executive Office, 31st August 2017

Draft Transition Arrangements

Purpose

1. The possible move from a five Emergency Preparedness Group (EPG) model to a three EPG model remains subject to final agreement by the Civil Contingencies Group (NI) (CCG(NI)). However, without prejudice to, and in preparation for, any such agreement by CCG(NI) it would be useful for each EPG to consider the draft transition arrangements below.

Principle and Factors of Transition

2. The underlying principle of transition is that there can be no reduction in preparedness or response capability. The factors for transition are:
 - Co-Chairs to be nominated for the new EPGs, and SCEP and CCG(NI) to be advised accordingly;
 - Programme Manager responsibilities for the new EPGs to be determined by local government;
 - Existing generic Terms of Reference for EPGs to be used for the new EPGs – the new EPGs can then review in due course as they feel necessary however any revision must remain consistent with the original terms under which EPGs were established;
 - Existing membership of EPGs to be amalgamated to create new EPGs – the new EPGs can review and rationalise in due course as they feel necessary;
 - Existing body of sub-groups to remain under the new EPGs initially, new sub-group Chairs to be nominated and initially membership to be amalgamated from existing sub-groups - new EPGs can review and adapt based on their assessment of needs within their areas;
 - Existing EPG Plans, protocols and products will NOT fall but will be re-badged for use in the new EPGs with area specific information amalgamated to cover the new EPG area – this is important in the interests of maintaining the level of preparedness; and
 - Existing EPGs to hand over existing actions to the new EPGs so no workstreams are lost - this is important in the interest of continuity.

3. These factors were identified in conjunction with the EPCOs and the Belfast Programme Manager. The above principle and associated factors were also agreed by the CCG(NI) Sub-Group: Sub-Regional Civil Emergency Preparedness (SCEP) to support any transition to a three EPG model.

Timeline

4. Following any agreement by CCG(NI) to adopt the revised model in NI it is acknowledged that the move to three EPGs could not happen with immediate effect – there would be a lead in time of some months. A draft timetable to facilitate this is shown below:
 - **September 2017** – the existing five EPGs to consider transition arrangements during their planned September meetings and in particular to identify multi-agency issues and how these could be resolved for their respective EPGs.
 - **October 2017** – SCEP to meet as planned to oversee transition arrangements.
 - **November 2017** – CCG(NI) to meet as planned – to be updated on progress with transition.
 - **November 2017** – the five EPGs final meeting – to complete resolution of any transition issues and facilitate handover to the new EPGs (the new Co-Chairs to take receipt of the actions / workstreams from the outgoing EPGs).
 - **January 2017** – The three new EPGs to meet to implement the new arrangements.
 - **February 2018** - SCEP to meet (in accordance with existing battle rhythm) to oversee progress with implementation.
 - **March 2018** - CCG(NI) to meet (in accordance with existing battle rhythm) to fulfil the governance function for the policy workstream.

The Executive Office

31 August 2017

Report to:	Strategic Policy and Resources Committee
Date of Meeting:	12 October 2017
Subject:	Acquisition of Land at Sugar Island, Newry
Reporting Officer:	Alison Robb, Assistant Director Corporate Services (Administration)
Contact Officer:	Alison Robb, Assistant Director Corporate Services (Administration) Briege Magill, Administration Manager

Decision required:

A decision is required as to whether Council wishes to proceed with the proposed acquisition of land at Sugar Island, Newry, on the terms assessed by Land and Property Services.

1.0	Purpose and Background:
1.1	At a meeting of the Strategic Policy and Resources Committee on 17 November 2016 ratified by Council on 5 December 2016 it was agreed to express an interest in the disposal of land at Sugar Island, Newry and seek a transfer at a nominal value in the first instance.
1.2	The land had been declared surplus by Transport NI.
1.3	The land is currently leased by Council on a month to month licence basis. The land is planted out and maintained by Council – the only such site in this part of Newry City.
1.4	There are advertising hoardings at this location facing onto the subject plot which are currently rented out by Transport NI.
1.5	An expression of interest on behalf of Council was lodged with Land and Property Services on 7 December 2016.
2.0	Key issues:
2.1	Land and Property Services have now provided a full open market vacant possession value of this site at £7,000 which has been recommended for acceptance by Council as being a fair representation of the value of the property.
2.2	At present Transport NI rent the advertising hoarding to a third party but if Council were to acquire the site it would be in a position to set up a licence directly with interested parties and receive the income which could then be offset against the purchase price. This would be for Council to negotiate if it acquired the site.
3.0	Recommendations:
3.1	A decision is required as to whether Council wishes to proceed with the proposed acquisition of land at Sugar Island, Newry, on the terms assessed by Land and Property Services.

3.2	If Council decides to acquire the site then authority is sought to negotiate a let of the advertising hoardings in order to achieve a rental income.
4.0	Resource implications
4.1	Financial: £7,000 for purchase of site Income from rental of advertising hoarding – not known at this stage.
5.0	Equality and good relations implications:
5.1	None identified.
6.0	Appendices
	None.

Report to:	Strategy, Policy & Resources Committee
Subject:	Sub-Lease of Boat House, Marine Parade, Warrenpoint to Carlingford Lough Currach Club
Date:	12 October 2017
Reporting Officer:	Alison Robb, Assistant Director Corporate Services (Administration)
Contact Officers:	Kevin Scullion/ Briege Magill
<u>Decision Required</u>	
Members are asked to note the contents of this report, and make a decision as to whether or not an application should be made to the Department for Communities to permit Council to sub-let the Boat House, Warrenpoint, to Carlingford Lough Currach Club at a peppercorn rent.	
1.0 <u>Purpose & Background</u>	
1.1	In May 2017 Council agreed to enter into a new 5 year lease for the Boat House, Warrenpoint from the owner from 1 April 2016 at £4,000 per annum subject to a rent review at the end of the second year.
1.2	Following an Expressions of Interest exercise Council also agreed to sub-let the building to Carlingford Lough Currach Club to utilise the building to promote watersports in the area. It had been agreed at the Strategic Policy and Resources Committee in February 2016 that 2 local Sailing Clubs be contacted to ascertain their interest in sub-leasing the building. Both Clubs visited the site and inspected the building and they were asked to confirm their interest by a specified date. Written confirmation was subsequently received from one Club, Carlingford Lough Currach Club, that they wished to avail of a sub-lease. The expressions of interest did not require the Clubs to offer a rental as part of their submissions.
1.3	The Club, in accepting the opportunity, expressed a desire to maximise the potential use of the building for Council, the Club and wider community and indicated its success in expanding the Club, hosting community events and welcoming many international visitors.
1.4	This matter is an historical arrangement dating back a number of years whereby Council leased the Boathouse and then entered into an agreement with a Boat Club to manage it, promote watersports etc. Previously Warrenpoint Boat Club had managed the building but this Club is no longer in existence.
2.0 <u>Key Issues</u>	
2.1	Carlingford Lough Currach Club have requested that the sub-lease be at a peppercorn rental.
2.2	If Council agrees to this request an application will have to be made to the Department for Communities for approval.

2.3	Expressions of interest were not sought on the basis of a rental return rather the successful Club was to manage the building and promote this minority sport.
2.4	Historically the Council has met this relatively modest rental.
2.5	Council retains a strategic interest in this site without wishing to manage it operationally at the current time.
3.0	<u>Resource Implications</u>
3.1	Financial – nil rental achieved for the sub-lease.
4.0	<u>Equality and good relations implications</u>
4.1	None identified.
5.0	<u>Appendices</u>
5.1	None.

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	12 October 2017
Subject:	Regulating Lease of Foreshore for Newry and Mourne
Reporting Officer:	Alison Robb, Assistant Director Corporate Services (Administration)
Contact Officer:	Alison Robb, Assistant Director Corporate Services (Administration) Briege Magill, Administration Manager

Decision required:	
For information.	
1.0	Purpose and Background:
1.1	At a meeting of the Strategic Policy and Resources Committee on 17 August 2017 ratified by Council on 4 September 2017 it was agreed to finalise the new Head Regulating Foreshore Lease with the Crown Estate Commissioners as soon as possible.
2.0	Key issues:
2.1	The Crown Estate Commissioners Agent was advised of Council's decision by letter dated 12 September 2017.
2.2	The Agent has now advised of the terms of renewal which are as follows:-
2.3	The existing Lease expired in June 2012 and the initial proposal at that time was that the Lease would be renewed for a period of 15 years from 10 June 2012, at an initial rent of £2,500 p.a., with rent reviews on 10 June 2017 and in 2022.
2.4	In view of the delay in reaching agreement, it is considered Council has been in an overholding under the terms of the previous Lease and rent will be invoiced on that basis.
2.5	The renewal Lease will commence on 10th June 2017 at an initial rent of £2,815 per annum (to reflect RPI increase from 2012) for a term of 20 years subject to 5 yearly upward only rent reviews to the higher of Market Value or RPI increase.
2.6	Council is now in a position to complete renewal of the Lease.
3.0	Recommendation:
3.1	For information.
4.0	Resource implications
4.1	Financial: Rental of £2,815 per annum for first 5 year term and thereafter subject to 5 yearly rental reviews as per above.
5.0	Equality and good relations implications:
5.1	None identified.
6.0	Appendices
6.1	None.

Report to:	Strategy Policy and Resources Committee
Date of Meeting:	12 October 2017
Subject:	Proposed Carlingford Lough Greenway – Victoria Lock to the Border – Lease from Crown Estate
Reporting Officer:	Alison Robb, Assistant Director Corporate Services (Administration)
Contact Officer:	Alison Robb, Assistant Director Corporate Services (Administration) Briege Magill, Administration Manager

Decision required:	
For information.	
1.0	Purpose and Background:
1.1	At a meeting of the Strategic Policy and Resources Committee on 17 August 2017 ratified by Council on 4 September 2017 it was agreed to progress the Lease Agreement for Carlingford Lough Greenway with the Crown Estate Commissioners as a matter of urgency.
2.0	Key issues:
2.1	The Crown Estate Commissioners Agent was advised of Council's decision by letter dated 12 September 2017.
2.2	The Agent has now advised of the terms of Lease which are as follows:
2.3	Rental of £2,750 per annum based on a proposed term of 50 years payable yearly in advance. Proposed commencement October 2018 and 5 yearly rent reviews upwards only to higher of Market Value or RPI increase.
2.4	A direct comparison with a precedent agreement Lease relating to Dundrum would equate to a rent of £5,225 per annum but the Agent is prepared to recommend a discounted initial rental at the lower figure.
2.5	Council to be responsible for the Crown Estate Commissioners reasonable legal and agent fees.
3.0	Recommendation:
3.1	For information.
4.0	Resource implications
4.1	Financial: Rental of £2,750 per annum for first 5 year term and thereafter subject to 5 yearly rental reviews as per above. Crown Estate Commissioners reasonable legal and agent fees.
5.0	Equality and good relations implications:
5.1	None identified.
6.0	Appendices
6.1	None.

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	12 October 2017
Subject:	Section 75 Policy Screening Report – Quarterly Report for period July – September 2017
Reporting Officer (Including Job Title):	Regina Mackin, Assistant Director Corporate Planning and Policy
Contact Officer (Including Job Title):	Colin Moffett, Head of Corporate Policy

Decisions required:

Members are asked to note the contents of the report and to give consideration to agreement to the following:

- To note the Section 75 Policy Screening Report – Quarterly Report for period July – September 2017.

1.0 Purpose and Background:

- 1.1 In line with Council's Section 75 statutory duties and commitments within our approved Equality Scheme, policy screening reports are published quarterly.
- The Quarterly Report for the period July – September 2017, including screening reports, is available on Council's website www.newrymournedown.org. This information has also been forwarded to all equality consultees.

2.0 Key issues:

- 2.1 As per the Council's approved Equality Scheme:
- All policies Council proposes to adopt must be equality screened, prior to implementation, to assess the likely impact of the policy on the promotion of equality of opportunity and/or good relations.
 - Council must publish quarterly reports on equality screening which are available on Council's website and forwarded to equality scheme consultees.

3.0 Recommendations:

- 3.1 To note the Section 75 Policy Screening Report – Quarterly Report for period July – September 2017.

4.0 Resource implications

- 4.1 No financial or resources implications are anticipated.

5.0 Equality and good relations implications:

- 5.1 No equality and good relations implications are anticipated.
- Publishing quarterly reports, including screening reports, making them available on Council's website www.newrymournedown.org, and forwarding this information to all equality consultees is in accordance with the commitments contained within the Council's approved Equality Scheme.

6.0 Appendices

- Section 75 Policy Screening Report – Quarterly Report for period July - September 2017.

Newry, Mourne and Down District Council Section 75 Policy Screening Report
Quarterly Report July - September 2017

Policy Number	Policy	Details of policy	Screening Outcome
156	Temporary Road Closures on a Public Road for the purpose of holding a Special Event Policy	<p>The Roads (Miscellaneous Provisions) Act (Northern Ireland) 2010 amends the Road Traffic Regulation (Northern Ireland) 1997 Order to provide relevant authorities (district councils and DRD Road Service) the power to prohibit or restrict the use of a public road for the purpose of holding a special event on a public road. A 'special event' is defined as any sporting event, social event or entertainment which is held on a public road or the making of a film on a public road. Consent of the Department for Infrastructure (Roads Service) (DfI) is required. If the DfI Roads Service objects on the grounds of road safety issues or traffic management issues, then approval shall not be given.</p> <p>This Policy is intended to ensure that the District Council's Members and Officers are aware of those matters to be taken into consideration when determining if a street or part thereof should be to prohibited or restricted for the purpose of holding a special event on a public road.</p>	No EQIA considered necessary
157	Newry, Mourne and Down Local Biodiversity Action Plan	<p>The draft Newry, Mourne and Down Local Biodiversity Action Plan (LBAP) outlines a plan of action to:</p> <ul style="list-style-type: none"> • Conserve and enhance the rich biodiversity of the District for both current and future generations; • Educate and raise awareness of the importance and variety of biodiversity found within the Newry, Mourne and Down District, and; 	No EQIA considered necessary

		<ul style="list-style-type: none"> Encourage local ownership of Newry, Mourne and Down District's biodiversity. <p>The project strives to ensure that the biodiversity of Newry, Mourne and Down is maintained and enhanced through the preparation and implementation of individual action plans, covering a range of habitats and species, which reflect European, national and local priorities. It is based largely on the targets set out in the Northern Ireland Biodiversity Strategy, translating regional strategy into local action.</p>	
158	Smoke Free Policy	The policy sets out how Council will comply with the Smoking (NI) Order 2006 – smoke free environment (Council facilities and vehicles).	No EQIA considered necessary
161	Financial Regulations	<p>The Financial Regulations must comply with the Local Government Finance Act (Northern Ireland) 2011. They set out the overarching financial responsibilities of the Council and its staff and provide the framework within which the Council's financial affairs are to be managed. The Financial Regulations reflect best practice and provide a practical source of advice to assist all Officers in the discharge of their duties.</p> <p>Directorates within the Council should link the Financial Regulations with other internal regulatory frameworks which form part of the Council's Constitution. The Financial Regulations are supplemented by more detailed financial procedures included within the Standing Orders.</p> <p>The Financial Regulations provide clarity about the accountability of key individuals and groups including the Chief Executive, Directors and Committees.</p>	No EQIA considered necessary

Report to:	Strategy, Policy and Resources Committee
Subject:	<i>Local Authority Deed – Drumnakelly Landfill Site</i>
Date:	10 October 2017
Reporting Officer:	Dorinnia Carville, Director of Corporate Services
Contact Officer:	Lyndsey Moore, Head of Legal Administration

Decisions Required

Members are asked to note the contents of the report.

1.0 Purpose & Background

1.1 In May 2016 the Council made an application to the Northern Ireland Environment Agency (NIEA) for a Variation Permit in relation to its Drumnakelly Landfill Site in Seaforde. The permit is required in order to turn Drumnakelly Landfill Site from an active waste-accepting site to a closed and capped site.

1.2 In order to grant the Variation Permit, NIEA require the Council to enter into a Local Authority Deed showing that the Council has made and will maintain adequate financial provision arising from its duties under the Variation Permit. This requirement is set out in NIEA's policy and applies to all Councils in Northern Ireland, this Council has followed the same process previously in relation to its Aughnagun Landfill Site.

1.3 The Local Authority Deed has been drafted by the Council and approved by NIEA, the Council will proceed to sign and seal the Deed towards the end of this month.

2.0 Key Issues

2.1 A Local Authority Deed is required between the Council and NIEA in order to have the Variation Permit granted at the Drumnakelly site.

3.0 Recommendation

That the Committee notes the contents of this report.

3.1 Resource Implications

Financial – The Council is making an undertaking to maintain adequate financial provision arising from its obligations under the permit, however this had already been budgeted for.

4.0	<u>Appendices</u>
	None

Report to:	Strategy, Policy and Resources Committee
Date of Meeting:	12 October 2017
Subject:	Local Government Staff Commission (LGSC) Continuing Operation 2017/2018
Reporting Officer (Including Job Title):	Catrina Miskelly Assistant Director Corporate Services (HR & Safeguarding)
Contact Officer (Including Job Title):	Liam Hannaway, Chief Executive

Decisions required:	
None – for noting.	
1.0	Purpose and Background:
1.1	In May of this year, Members were advised that due to the difficulties encountered by the NI Assembly, the necessary Dissolution Order to wind up the LGSC was not in place.
1.2	On that basis, the LGSC has continued since 1 April 2017 and will do so until to dissolution.
2.0	Key issues:
2.1	The continuation of the LGSC into the current financial year has meant that Councils have had to contribute to the running costs.
2.2	Members previously agreed to make an initial six month payment with the provision for a second six month payment to be made in the event that the LGSC was not formally dissolved prior to October 2017.
2.3	Members should note that the second payment is now due and Council has been asked to pay £10625; (which represents a reduction on the original balance due of £14607 as notified to Members in May 2017).
3.0	Recommendations:
3.1	That members note the content of this report and the reduced payment which has been made to LGSC.
4.0	Resource implications
4.1	As advised in the May 2017 report, no financial provision was made in the 2017-2018 estimates for a contribution to the LGSC on the basis that the NI Executive had formally agreed that the LGSC would be wound up in March 2017.
5.0	Equality and good relations implications:
5.1	None.
6.0	Appendices
	Letter from LGSC dated 12 September 2017.



THE LOCAL GOVERNMENT STAFF COMMISSION FOR NORTHERN IRELAND

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Our Ref: AEK/ra

Your Ref:

Comhairle Ceantair an Iúir
 Míúim agus an Dúin
 Newry, Mourne and Down
 District Council

Date: 1 February 2017

Mr Liam Hannaway
 Chief Executive
 Newry, Mourne and Down District Council
 O'Hagan House
 Monaghan Row
 Newry
 BT35 8DJ

Date 02 FEB 2017

Chief Executive
 Liam Hannaway

Copy to Damien
 + Cathryn

Dear Mr Hannaway

LOCAL GOVERNMENT STAFF COMMISSION - DISSOLUTION FUNDING AND CONTINUING OPERATIONS 2017/18

I refer to my letter of 25 October 2016 alerting you to a potential dissolution funding request to close down the Commission in March 2017.

I can now confirm that I have received notification from the Department for Communities that they will take responsibility for the required funding in the sum of £1,996,101, and it will not now be necessary to request this funding from the Councils and the Northern Ireland Housing Executive (NIHE).

I have also been informed that due to difficulties at central government level, it will not be possible to have the necessary Dissolution Order in place by 31 March 2017. On this basis, the Department for Communities will be reconstituting the Commission with effect from 01 April 2017 and the resultant Commission Members will be appointed with effect from 01 April 2017 (up to the final Dissolution date).

As a consequence, a Commission sub group met on 01 February 2017 and agreed a phased dissolution plan which enables the statutory duties of the Commission to continue to be performed and for the majority of staff to be made compulsory redundant on a phased basis as the non-statutory work of the Commission is gradually passed to councils. This means that a reduced Financial Scheme can be agreed by the Commission for 2017/18.

You will be aware that in accordance with Schedule 3, paragraph 7 of the Local Government Act (NI) 1972, the budget for the operation of the Local Government Staff Commission is to be apportioned between all District Councils and the NIHE.

In line with the 2017-18 Management and Dissolution Plan, the Commission has estimated its total financial requirement to be £497,029 for the year ahead. Income from ongoing operations, which is offset against this figure is estimated at £60,000, leaving an amount of £437,029 to be raised from District Councils and the NIHE (the NIHE paying £88,077).

By virtue of the apportionment arrangements Newry, Mourne and Down District Council with a rateable value of £1,998,920 is required to pay 6.6849% of £437,029 namely £29,215 (£47,220 in 2016/17). I therefore attach an Account for this amount and would be grateful if it could be remitted to the Commission by 30 April 2017.

If you have any queries in relation to the work of the Commission or the services provided or require further information, please do not hesitate to contact me.

Yours sincerely

ADRIAN KERR
 Chief Executive
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