



St. Helens Council

**Town Hall, St. Helens, Merseyside, WA10 1HP**

**Telephone: (01744) 673219 (Joanne Griffiths MBE)**

# **Agenda CABINET**

**PUBLIC MEETINGS ARE AUDIO RECORDED.**

Date: Wednesday, 10 January 2018 Time: 4.00 pm Venue: Room 10

## **Membership**

**Councillors: J Banks, Fulham, Grunewald (Chairman), A Johnson, Long, Murphy, Neal, L Preston, Quinn and Shields**

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## CABINET

At a meeting of Cabinet held on  
6 December 2017

<b>(Present)</b>	<b>Councillor Grunewald (Chairman)</b> <b>Councillors J Banks, Fulham, Long, Murphy, Neal,</b> <b>and Quinn</b>
<b>(Not present)</b>	<b>Councillors A Johnson, L Preston and Shields</b>
<b>(Also Present)</b>	<b>Councillor McCauley (Chairman, Safer</b> <b>Communities Overview and Scrutiny Panel)</b>

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### 70 **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A Johnson, L Preston and Shields

### 71 **MINUTES**

- \* **Resolved that the minutes of the meeting of the Cabinet held on 15 November 2017 be approved and signed.**

### 72 **DECLARATIONS OF INTEREST FROM MEMBERS**

No declarations of interest from Members were made.

### 73 **ISSUES ARISING FROM OVERVIEW AND SCRUTINY**

A report was submitted by the Safer Communities Overview and Scrutiny Panel from a meeting held on 14 November 2017 and Overview and Scrutiny Commission held on 20 November 2017 which requested Cabinet to consider certain recommendations regarding the effectiveness of multi-agency partnership working.

As part of the Scrutiny Work Programme, Members had agreed that the Safer Communities Overview and Scrutiny Panel be tasked with looking at the effectiveness of multi- agency partnership working.

The Council had been operating a People's Board in shadow format since April 2016. In January 2017, Cabinet had agreed to establish the St Helens People's Board, subsuming the responsibilities of the Health and Wellbeing Board and the Community Safety Partnership. The Board brought together the necessary member responsibility and policy intentions of the St Helens Health and Wellbeing Board and the local Community Safety Partnership.

Since the formation of the People's Board, concerns had been expressed around the accountability and the amount of time available at these meetings to allow for full and thorough consideration of crime and disorder issues.

The People's Board membership and Terms of Reference were agreed in January 2017 and were to be evaluated in January 2018. The Panel would therefore

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welcome the opportunity to feed its findings/concerns into the evaluation process and any outcomes be reported back in due course.

Cabinet were informed that the Statutory responsibility for partnership structures was with the Chief Executive and he had already commenced consultation and would report back to Overview and Scrutiny.

\* **Resolved that:**

- (1) **the Safer Communities Overview and Scrutiny Panel be given opportunity to feed its findings/concerns into the evaluation of the People's Board; and**
- (2) **the outcomes from the evaluation be reported back to the Safer Communities Overview and Scrutiny Panel once completed.**

#### 74 **BUDGET AND PERFORMANCE MONITORING REPORT OCTOBER 2017**

A report was submitted which informed Cabinet of Budget and Performance Monitoring for October 2017.

Regular monitoring of both budgetary and performance information was provided in order to ensure the delivery of efficient, effective and value for money services that met the needs and expectations of the customers and communities that it serves.

The report also provided an analysis of budget and performance for each of the Council's Portfolios. The purpose of the report was to provide Cabinet Members with an overview of the budgetary position covering revenue and capital budgets along with key action being taken to ensure Portfolios remain within allocated cash limits. The performance section comments on significant issues around the delivery of services, the position of the Council's performance measures and action required to address any identified concerns in relation to performance or service delivery.

\* **Resolved that the financial and performance positions of the respective Portfolios be noted.**

#### 75 **ST HELENS BROWNFIELD REGISTER**

A report was submitted which informed Cabinet of the St Helens Brownfield Register in accordance with the Town and Country Planning (Brownfield Land Register) Regulations 2017.

The draft St Helens Brownfield Land Register 2017 was attached at Appendix 1 to the report. The form of the Register was prescribed by regulation. Part 1 included all the sites in the Borough which met the statutory criteria for inclusion in it based upon sites already identified within the updated Strategic Housing Land Availability Assessment (SHLAA). The SHLAA included all sites within the urban area, not just those that were previously developed, that would potentially meet housing needs over the next 5, 10 and 15 years.

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The sites identified in the Register were distributed through several of the urban areas in the Borough. Individual site maps and an overall map showing their locations in the Borough were attached at Appendices 2 and 3 respectively.

\* **Resolved that:**

- (1) the St Helens Brownfield Land Register 2017 be approved; and**
- (2) the register be made available for public inspection in accordance with the Town and Country Planning (Brownfield Land Register) Regulations 2017.**

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Cabinet  
10 January 2018

KEY DECISION <i>No</i>
DATE FIRST PUBLISHED

## BUDGET REPORT

### 1.0 INTRODUCTION

- 1.1 The Council agreed a three-year Budget covering 2017-2020 at its meeting on 1 March 2017.
- 1.2 This report highlights the key issues influencing the delivery of that budget and recommends an 'in principle' Council Tax increase, which will be subject to public and other stakeholder consultation.

### 2.0 AUTUMN BUDGET

- 2.1 The Government delivered its Autumn Budget on 16 November 2017. This was set against the impending exit from the European Union and the implications of this on the economy, public spending and growth forecasts.
- 2.2 The Autumn Budget included a move away from the strict Austerity measures of previous Budgets with additional spending in a number of areas, a planned move away from previous budget deficit targets and a removal of public sector pay constraints.
- 2.3 The additional spending areas were predominantly those which would support economic growth or were required as a direct response to 'Brexit', although there was additional funding for the NHS in a response to the demand pressures and to support the Health pay negotiations. However, no further additional funding was provided for any other sector, which included Local Government.
- 2.4 The Government's move away from pay constraint was highlighted in the Autumn Budget report with the following statement:

*'The Government will ensure that the overall pay award is fair to public sector workers, as well as to taxpayers, and reflects the vital contribution they make to delivering high quality public services.'*

However, the Government has made it clear that funding of any pay award will need to come from existing spending plans, with the exception of the NHS.

- 2.5 The Budget statement also made significant changes to the way Universal Credit was to be implemented in response to widespread criticism of the current measures, but reaffirmed its commitment to introducing this benefit change to all eligible claimants in the near future.

### 3.0 THE LOCAL GOVERNMENT PROVISIONAL FINANCE SETTLEMENT

- 3.1 The Government, in its previous Local Government settlement, included the offer of a fixed grant settlement for four years, subject to individual Councils publishing an efficiency plan for the same period. It was agreed that the Council would take up this offer and the DCLG has confirmed that our efficiency plan has been accepted and that the grant guarantee is now in place.
- 3.2 The Liverpool City Region was asked if it wished to participate in a pilot for the move to 100% Business Rates retention. This offer was accepted and this has now been implemented and will continue into 2019-20.

The position for the remaining two years of the agreed budget is given below:

<b>Central Government Support</b>	<b>2018-19</b>	<b>2019-20</b>
Reduction £m	£4.236m	£4.602m
Reduction %	10.7%	13.1%

- 3.3 The Secretary of State for Communities and Local Government announced a number of changes to future Local Government funding, which will be considered for implementation at the end of the current four-year settlement in 2020-21. There will be a move to 75% Business Rate Retention for all Councils. There will be a review of the needs element of the Revenue Support Grant and the transfer of some grants into the Business Rates Retention system. He also announced a change to the Council Tax referendum criteria to be implemented for 2018-19 and 2019-20. The maximum increase in Council Tax before requiring a local referendum has been increased to 3% from 2%. This does not include the Care Precept. The agreed three-year Budget assumes that the maximum general council tax increase will be taken and that the care precept will be 3% for 2018-19 and 0% for 2019-20. This meets the requirement of the Government to an overall 6% for the care precept increase over the three years 2017-18 to 2019-20. The change could mean an additional £669k in Council Tax for 2018-19 onwards and a further £732k in 2019-20.
- 3.4 The overall grant reductions faced by this Council since 2010 are very significant and have placed great pressure on the services provided by the Council. The overall reduction in General Support Grant from Central Government will total £90m by 2020. This equates to £510 grant loss for every person in St Helens.

Such reductions in resources have had significant impacts on the services the Council provides as it seeks to maintain its statutory duties and those services valued by the residents of the Borough.

### 3.5 Specific Grants

#### Dedicated Schools Grant (DSG)

The Government has announced the latest proposals to move to a national funding formula for schools. This will involve a phasing-in of changes up to 2019-20.

The key changes affecting the Council and schools are as follows:

- a national funding formula will be introduced for schools, high needs (SEN) and local authority services for the 2018-19 financial year;
- the Dedicated Schools Grant (DSG) will comprise 4 blocks: Schools, High Needs, Early Years and Central School Services;
- local authority DSG calculations for the financial years 2018-19 and 2019-20 will be calculated using the national formula, however Councils will continue to use their existing formulae to calculate school budgets for those years. The Government has not yet confirmed when the national formula will fully replace local authority school funding formulae;
- the national formula will comprise a basic amount of funding per pupil, additional needs funding (predominantly based on deprivation, low educational attainment and English as an additional language), school-led funding (eg. a lump sum, rates allocations and PFI costs) and an area cost adjustment;
- there will be a system of floors and caps to limit the amount a school may gain or lose per year as a result of the new formula;
- the funding changes will reduce the amount of DSG that local authorities can retain centrally. In addition, there will be limited scope to transfer funding from the Schools Block in order to manage pressures in other areas of the DSG eg. High Needs.

The indicative 2018-19 DSG position is given below:

<b>Dedicated Schools Grant</b>	<b>Funding</b>	<b>Overall Increase</b>	<b>Increase per Pupil</b>
<b>Year</b>	<b>£M</b>	<b>%</b>	<b>%</b>
2018-19	139.887	4.45	2.8

There is an overall increase in the DSG of approximately £6m, the increase comprising:

- £1m for the continued implementation of the free childcare and early education entitlement for the children of eligible working parents;

- £2.3m due to an increase in the total number of St Helens pupils compared with 2017-18;
- £2.7m due to the increase in the national level of the DSG.

#### Pupil Premium Grant

The per pupil rate of pupil premium grant in respect of Looked After Children and former Looked After Children will increase by £400 in 2018-19. Other rates will be unchanged. The 2018-19 rates are as follows:

Pupils in year groups reception to year 6	£1,320 per pupil
Pupils in year groups 7 to 11	£935
Looked After Children	£2,300
Former Looked After Children	£2,300
Service children	£300

#### Education Services Grant

The Education Services Grant will not continue in 2018-19. The value of the grant in 2017-18 was £589k.

#### Better Care Fund (BCF)

The Better Care Fund was increased nationally by £1.5bn, however 50% of this increase is being funded from a reduction in New Homes Bonus. The additional funding for St Helens' Adult Social Care was £0.825m in 2017-18, and will be £3.750m in 2018-19 and £3.280m in 2019-20.

Additional Improved Better Care Fund monies were announced in the Spring Budget; allocations for St Helens' Adult Social Care being £4.480m in 2017-18, £2.753m in 2018-19 and £1.363m in 2019-20. This funding is non-recurrent and there are no indications of continuation beyond March 2020.

The use of the BCF has been agreed with the Clinical Commissioning Group (CCG) for the area in question. St Helens Council has developed a strong working relationship with St Helens CCG to allow for the agreement of joint priorities as work towards closer integration continues.

#### Public Health Grant

It is expected that the Public Health Grant will be reduced by 2.6% for 2018-19 in line with similar reductions in previous years. However, local authority allocations are yet to be announced and there may be further re-distributional changes, which could worsen the St Helens position.

#### 4.0 THE COUNCIL BUDGET

4.1 The three-year Budget agreed in March 2017 set Cash Limits for the respective Departments and their Portfolios. Spending Plans were agreed for the three-year period of the budget and key actions required to stay within these cash limits were highlighted.

4.2 Departments and Portfolios have been identifying the key decisions required to stay within the resources available and continue to meet their statutory responsibilities.

4.3 There are a number of changes which have affected the overall budget which need to be taken into account. These are considered below.

#### 4.4 Council Tax Base

The Council Tax base for 2018-19 is affected by two factors – the number of houses within the Borough and the level of exemptions and discounts applicable to those properties. A significant element of the discounts given is from the local Council Tax Reduction scheme, which offers up to 80% reduction for households requiring financial support. There are minor amendments to the scheme which will be the subject to a separate report.

The number of Council Tax 'Band D' equivalent properties is expected to increase by 683 when compared to the 2017-18 Council Tax base and 559 more than budgeted for in 2018-19.

#### 4.5 Business Rates Collection

An estimate of the amount of Business Rates likely to be collected for 2018-19 has been undertaken, taking into account the following:

1. The current level of Business Rates;
2. The national increase in the Business Rate;
3. The effect of the small business rate relief scheme;
4. The prospects for growth in Business Rates;
5. The effect of rating revaluation appeals;
6. The collection rates achievable;
7. The number of empty properties;
8. The level of mandatory and discretionary reliefs;

Taking the above into account, the estimated Business Rates for the year is £46.852m. The localisation of Business Rates requires these receipts to be allocated as follows:

1% Fire Authority	£0.469m
99% Council	£46.383m

The Government requires the final estimates of Business Rates to be approved by Cabinet. However, the detailed guidance and instruction has still not been issued to Local Authorities at this stage. The timing of the deadline for

submission and the Cabinet meeting will be such that a delegation is sought to the Deputy Chief Executive, in consultation with the Cabinet Member for Corporate Services, to agree the final submission of the Non-Domestic Rate Return for 2018-19.

#### 4.6 Levying Bodies

The levying bodies are yet to finalise their budgets for 2018-19.

#### 4.7 Treasury Management

The Treasury Management costs for the Council have been reviewed to take account of the latest capital programme commitment and spend.

#### 4.8 Inflation

##### Prices

Provision has been made for price inflation to be at 3% for 2018-19 and then to drop to the Government's target rate of 2% for 2019-20.

##### Pay

A two-year pay offer has been made for non-teaching staff by the employers which is being considered by the employees. The pay award is based on a 2% basic offer for both years and an adjustment to the pay spine to reflect the implications of the National Living Wage.

This adds 2.9% to the pay bill for 2018-19 and 2.8% in 2019-20. This equates to an additional £688k in 2018-19 over that included in the agreed budget and a further £646k in 2019-20.

#### 4.9 Budget Position

The Budget position has been adjusted for the variations referred to in this report.

- (a) The Local Tax Base for both Council Tax and net Business Rates is forecast to grow more than estimated by £1.026m over the two-year period.
- (b) Cash Limits have been adjusted to take account of the additional costs of the pay offer for non-teaching staff in both 2018-19 and 2019-20.
- (c) Treasury Management costs have been amended to reflect the latest position.
- (d) Council Tax revenues have been adjusted to take account of the additional 1% increase allowed under the changed referendum rules for 2018-19 and 2019-20. This will generate £1.401m over the two years.

- 4.10 The departmental cash limits for both 2018-19 and 2019-20 have been adjusted to reflect the changes outlined in section 4.9 above.
- 4.11 The latest adjusted cash limits are included at Appendix 1.

Further adjustments will be required following confirmation of central recharges, final levying body amounts and the final Grant Settlement following consultation.

The revised summary budget position is shown:

	<b>2018-19 £000</b>	<b>2019-20 £000</b>
Total Spend	149,739	148,797
Formula Top-Up	22,778	19,271
Retained Business Rates/ Section 31 Grants	49,932	51,984
Council Tax (including Care Precept)	70,994	73,522
New Homes Bonus	2,415	1,707
PFI Grant	2,363	2,313
Collection Fund Surplus 2017-18	1,257	-
Total Income	149,739	148,797
Net Financial Position	0	0

## 5.0 TRANSFORMATION AND CHANGE AGENDA

- 5.1 The Council is committed to the modernisation of its form and function as it responds to the unprecedented challenges facing the whole of the public sector.
- 5.2 In supporting this agenda, the Council is leading major changes in the integration of Social Care, Housing, Health and other public services within an Accountable Care System, which will allow services to respond to the demand and funding challenges.
- 5.3 It is also supporting a Growth agenda aimed at providing the economic activity within the Borough, which will provide local jobs and skills and generate the local revenues to support services in the future.
- 5.4 A reserves strategy to support these two initiatives was put in place in March 2017.
- 5.5 The development of the City Region Combined Authority continues to provide both opportunities and challenges. The Council is attempting to maximise the benefits and mitigate the challenges by playing a full role in its development.

## 6.0 CAPITAL INVESTMENT PROGRAMME

- 6.1 The Council established specific principles for the use of prudential borrowing and the use of capital receipts. These are given below.

Prudential borrowing should only be used in the following areas:-

- (a) on the basis of invest-to-save where the income or savings are greater than the cost of borrowing;
- (b) where individual services can fund the costs of borrowing from their existing cash limits.

The use of Capital Receipts should be judged against the following criteria:-

- (a) they should be used to generate income or reduce expenditure which is greater than the loss of investment income;
- (b) they should generate an asset with equal or greater real terms value to the value of capital receipts being used;
- (c) they should be used to support schemes of a strategic nature;
- (d) they should be used to meet legislative requirements when no other source of funding is available.

These have been strengthened by the adoption of a Strategic Investment Policy which lays down the criteria and process making these types of decisions.

- 6.2 Under the Prudential system the Council, in making its capital investment decisions, must have explicit regard to option appraisal, asset management planning, strategic planning for the Authority and achievability of its forward plans. Potential new schemes have been subject to a robust appraisal and prioritisation process, taking into account a range of factors, including:-

- (i) statutory basis of scheme;
- (ii) benefits of the scheme;
- (iii) ability to lever in additional funds;
- (iv) risk assessment;
- (v) links to Delivery Plan objectives.

- 6.3 The Capital Programme for 2018-19 to 2020-21, therefore, consists of existing commitments plus new schemes to take up notified resources. This is attached at Appendix 2 and can be summarised as follows:

	<b>2018-19 £000</b>	<b>2019-20 £000</b>	<b>2020-21 £000</b>
Children, Families and Young People & Education	8,736	3,008	3,008
Community Safety (incl. Housing Services)	2,671	2,490	2,376
Green, Smart & Sustainable Borough	17,061	5,081	3,706
Growth (incl. Planning)	170	20	20
Libraries & Leisure	53	0	0
<b>TOTAL</b>	<b>28,691</b>	<b>10,599</b>	<b>9,110</b>
<b>Source of Funding</b>			
Unsupported Borrowing	5,403	706	700
Grant/Other Contributions	22,448	9,765	8,390
Revenue Contributions	840	0	0
Capital Receipts	0	128	20
<b>TOTAL</b>	<b>28,691</b>	<b>10,599</b>	<b>9,110</b>

#### 7.0 COUNCIL TAX 2018-19

- 7.1 It has been assumed in the three-year Budget that an “in principle” Council Tax increase of 5.99% is proposed. This includes the Care Precept of 3%.
- 7.2 The Council must, by law, determine its Council Tax Base for the forthcoming financial year and notify the figure to its precepting authorities by 31 January 2018. The actual calculation is performed in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended).
- 7.3 The basic information on the number of properties in the Borough is based on the Valuation List as at November 2017 and a summary of this information is attached at Appendix 3. Adjustments are required to this initial data in accordance with the Regulations, and a number of factors need to be taken into account, such as:-
- (i) Estimated additions/deletions to/from the Valuation List;
  - (ii) Exemptions and discounts to be applied;
  - (iii) Likely levels of non-collection.

#### 8.0 RECOMMENDATIONS

It is recommended that:

- (a) the Capital Investment Programme for 2018-19 to 2020-21 is agreed;
- (b) an ‘in principle’ 5.99% increase in Council Tax is proposed, which includes a Care Precept of 3%;

- (c) the amount calculated by St Helens Borough Council as its tax base for the year 2018-19 shall be 50,563;
- (d) the amounts calculated by St Helens Borough Council as the tax base (after allowing for exemptions, discounts and collection rate) for each of its Parishes for the year 2018-19, shall be:

Bold	1,092
Rainford	2,912
Eccleston	3,859
Windle	978
Rainhill	3,703
Billinge	2,025
Seneley Green	1,372

- (e) delegation is provided, for the approval of the Non-Domestic Rate Return for 2018-19, to the Deputy Chief Executive and Strategic Director of Corporate Services, in consultation with the Cabinet Member for Corporate Services.

### **IAN ROBERTS**

Deputy Chief Executive and Strategic Director of Corporate Services

The Contact Officer for this report is Ian Roberts, Deputy Chief Executive and Strategic Director of Corporate Services, Town Hall.  
Telephone (01744) 673201

### **BACKGROUND PAPERS**

The following list of documents was used to complete this report and is available for public inspection, for four years from the date of the meeting, from the Contact Officer named above:

Budget Working Papers

## Cash Limits 2018/2020

	PREVIOUS 19/20 BUDGET	Pay & Pensions, Prices & Income Inflation (see 4.8) £000	*1 Capital Programme Borrowing (see 4.7) £000	*2 Other Treasury Mgmt (see 4.7) £000	*3 Improved Better Care Funding (see 3.5) £000	*4 Earmarked Reserves £000	*5 Local Tax Resources £000	Levies & NHB £000	*6 Capital Charges £000	REVISED 19/20 BUDGET £000
Corporate Services Leader's Corporate Services Liverpool City Region Engagement Change & Transition	5,348	86	-1			-251	149		87	5,418
People's Services Adult Social Care & Health Children, Families & Young People and Education Public Health & Wellbeing Community Safety (incl. Housing Services)	94,983	1,124			1,363	1,535	799		-3,553	96,251
Environmental & Trading Services Growth (incl. Planning) Green Smart and Sustainable Borough Libraries & Leisure	18,761	295	-1,192			146	453		-306	18,157
<b>TOTAL DIRECTORATE/PORTFOLIO BUDGETS</b>	<b>119,092</b>	<b>1,505</b>	<b>-1,193</b>	<b>0</b>	<b>1,363</b>	<b>1,430</b>	<b>1,401</b>	<b>0</b>	<b>-3,772</b>	<b>119,826</b>
Levies	22,093							-50		22,043
Treasury Management	9,942		1,193	-173						10,962
Restructure Costs	0									0
Pensions – Fixed Cost Element	5,170									5,170
Other contributions to (+)/from (-) Earmarked Balances	3,978					-1,430	653			3,201
Capital Charges	-16,177								3,772	-12,405

	PREVIOUS 19/20 BUDGET	Pay & Pensions, Prices & Income Inflation (see 4.8) £000	*1 Capital Programme Borrowing (see 4.7) £000	*2 Other Treasury Mgmt (see 4.7) £000	*3 Improved Better Care Funding (see 3.5) £000	*4 Earmarked Reserves £000	*5 Local Tax Resources £000	Levies & NHB £000	*6 Capital Charges £000	REVISED 19/20 BUDGET £000
TOTAL SPEND	144,098	1,505	0	-173	1,363	0	2,054	-50	0	148,797
New Homes Bonus	-1,847							140		-1,707
PFI (Interest) Grant	-2,313									-2,313
Formula 'Top Up'	-17,511				-1,363		-397			-19,271
Business Rates/Section 31 Grants	-50,972						-1,012			-51,984
Council Tax	-71,455						-2,067			-73,522
TOTAL INCOME	-144,098	0	0	0	-1,363	0	-3,476	0		-148,797
NET FINANCIAL POSITION	0	1,505	0	-173	0	0	-1,422	90	0	0

### Notes

- \*1 Additional Treasury Management costs arising from approved Capital Programme unsupported borrowing and the associated reduction in portfolio cash limits.
- \*2 Additional Savings generated through management of Treasury activities.
- \*3 Inclusion of additional improved Better Care Fund in the 100% Business Rates Retention pilot. The impact is neutral, but will result in the funds now being receivable as part of the 'Top Up' grant.
- \*4 Neutral budget adjustments to reflect the currently approved usage of earmarked reserves.
- \*5 Revised forecast for local taxation income. Includes:
- an increase to Formula Top Up to compensate for reductions in rateable values arising from the 2017 revaluation of Business Rates;
  - additional Council Tax revenue as a result of changes to Council Tax referendum criteria for 2018-19 and 2019-20, and a corresponding increase to portfolio cash limits (see 4.9(d));
  - revisions to Council Tax and Business Rates forecasts based on an analysis of current positions and medium term projections (see 4.9(b)); and
  - the earmarking of increased Business Rates arising from participation in the 100% Business Rates Retention Pilot as part of the 'no detriment' arrangements;
- \*6 Neutral budget adjustments in relation to depreciation and other capital charges.

REVISED BUDGET POSITION 2018/19 & 2019/20

	2018/19 £000	2019/20 £000
<u>Corporate Services</u> Leader's Corporate Services Liverpool City Region Engagement Change & Transition	5,778	5,418
<u>People's Services</u> Adult Social Care & Health Children, Families & Young People and Education Public Health & Wellbeing Community Safety (incl. Housing Services)	96,633	96,251
<u>Environmental &amp; Trading Services</u> Growth (incl. Planning) Green Smart and Sustainable Borough Libraries & Leisure	21,372	18,157
<b>TOTAL DIRECTORATE/PORTFOLIO BUDGETS</b>	<b>123,783</b>	<b>119,826</b>
Levies	21,371	22,043
Treasury Management	10,902	10,962
Restructure Costs	2,174	0
Pensions – Fixed Cost Element	4,986	5,170
Other contributions to (+)/from (-) Earmarked Balances	-1,072	3,201
Capital Charges	-12,405	-12,405
<b>TOTAL SPEND</b>	<b>149,739</b>	<b>148,797</b>
New Homes Bonus	-2,415	-1,707
PFI (Interest) Grant	-2,363	-2,313
Formula 'Top Up'	-22,778	-19,271
Business Rates/Section 31 Grants	-49,932	-51,984
Council Tax	-70,994	-73,522
Collection Fund Surplus	-1,257	0
<b>TOTAL INCOME</b>	<b>-149,739</b>	<b>-148,797</b>
<b>NET FINANCIAL POSITION</b>	<b>0</b>	<b>0</b>

2018/2019 CAPITAL PROGRAMMECOMMITMENTS AND CAPITAL ALLOCATIONS

2018/19 Commitments based on existing Programme

<u>Scheme</u>	<u>Total</u> <u>£000</u>	<u>Unsupported</u> <u>Borrowing</u> <u>£000</u>	<u>Capital</u> <u>Receipts</u> <u>£000</u>	<u>Designated</u> <u>Revenue</u> <u>Resources</u> <u>£000</u>	<u>Grants</u> <u>and</u> <u>Other</u> <u>£000</u>	<u>Total</u> <u>£000</u>
School Condition Funding Unallocated	556				556	556
Haydock High Rewire	100				100	100
Longton Lane - Windows / Cladding	110				110	110
The District - Safeguarding / DDA Works	100				100	100
Penkford Roof	290				290	290
Penkford Windows	185				185	185
Sutton Manor Re-Roof	100				100	100
Basic Need Unallocated	3,092				3,092	3,092
Ashurst Primary Remodel	630				630	630
Devolved Formula Capital	200				200	200
Early Education for 2 year Olds	150				150	150
Ashurst Roof Repairs	250				250	250
Haydock High DDA Repairs	100				100	100
Haydock High ROSLA Block	150				150	150
Lansbury Bridge Roof Repair	260				260	260
Grange Valley Roof Repair	150				150	150
Launchpad Roof Renewal	100				100	100
Legh Vale Roofing Repair	80				80	80
Longton Lane - General Conditions	150				150	150
Vehicle Replacement Programme	700	700				700
Air Quality Monitoring	7				7	7
Section 106 Arrangements	139				139	139
St. Helens Linkway & Inner Ring Road Phase 4	130	130				130
Junction Lane Bridge	93	93				93
Town Centre (Atlas Street)	82	82				82
Street Lighting Invest to Save Phase 2	1,300	1,300				1,300

<u>Scheme</u>	<u>Total</u> <u>£000</u>	<u>Unsupported</u> <u>Borrowing</u> <u>£000</u>	<u>Capital</u> <u>Receipts</u> <u>£000</u>	<u>Designated</u> <u>Revenue</u> <u>Resources</u> <u>£000</u>	<u>Grants</u> <u>and</u> <u>Other</u> <u>£000</u>	<u>Total</u> <u>£000</u>
Haydock Industrial Estate Access (STEP) Year 1 - 3	2,000				2,000	2,000
St Helens Active Travel East (STEP) Year 3 - 6	700				700	700
Windle Island Junction Development	5,209	2,180			3,029	5,209
A570 St Helens Linkway	3,300	550			2,750	3,300
A49 to M6 Junction 22 Link Road	840			840		840
Ground Conditions Survey	20	20				20
Bus Stop Langtree Park	10				10	10
Gypsy & Traveller Site	140				140	140
Housing (DFG's, Clearance, Enforcement, Insulation & Fuel Poverty and General Housing Assistance)	295	295				295
Libraries ICT Refresh	53	53				53
<b>Totals</b>	<b>21,771</b>	<b>5,403</b>	<b>0</b>	<b>840</b>	<b>15,528</b>	<b>21,771</b>

2018/19 Capital Allocations

<u>Scheme</u>	<u>Commitments B/fwd</u>	<u>2018/2019 Allocations</u>	<u>Total</u>	<u>Unsupported Borrowing</u>	<u>Capital Receipts</u>	<u>Designated Revenue Resources</u>	<u>Grants and Other</u>	<u>Total</u>
	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>
Commitments Carried Forward from Previous Years	21,771		21,771	5,403	0	840	15,528	21,771
<b>Capital Allocations 2018/2019</b>								
School Condition Funding		1,500	1,500				1,500	1,500
Devolved Formula Capital		300	300				300	300
Education Basic Need		16	16				16	16
SEND Special Provision Fund		167	167				167	167
Better Care Funding (Disabled Facilities Grant)		2,376	2,376				2,376	2,376
Local Transport Plan		2,561	2,561				2,561	2,561
Better Bus Fund								
<b>Totals</b>	<b>21,771</b>	<b>6,920</b>	<b>28,691</b>	<b>5,403</b>	<b>0</b>	<b>840</b>	<b>22,448</b>	<b>28,691</b>

2019/2020 CAPITAL PROGRAMME

COMMITMENTS AND CAPITAL ALLOCATIONS

2019/20 Commitments based on existing Programme

<u>Scheme</u>	<u>Total</u> <u>£000</u>	<u>Unsupported</u> <u>Borrowing</u> <u>£000</u>	<u>Capital</u> <u>Receipts</u> <u>£000</u>	<u>Grants</u> <u>and</u> <u>Other</u> <u>£000</u>	<u>Total</u> <u>£000</u>
Vehicle Replacement Programme	700	700			700
A570 St Helens Linkway	1,650			1,650	1,650
Ground Conditions Survey	20		20		20
Housing (DFG's, Clearance, Enforcement, insulation & Fuel Poverty and General Housing Assistance)	114	6	108		114
<b>Totals</b>	<b>2,484</b>	<b>706</b>	<b>128</b>	<b>1,650</b>	<b>2,484</b>

## 2019/20 Capital Allocations

<u>Scheme</u>	<u>Commitments B/fwd</u>	<u>2019/2020 Allocations</u>	<u>Total</u>	<u>Unsupported Borrowing</u>	<u>Capital Receipts</u>	<u>Grants and Other</u>	<u>Total</u>
	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>
Commitments Carried Forward from Previous Years	2,484		2,484	706	128	1,650	2,484
<b><u>Capital Allocations 2019/2020</u></b>							
School Condition Funding		1,500	1,500			1,500	1,500
Devolved Formula Capital		300	300			300	300
Education Basic Need		1,041	1,041			1,041	1,041
SEND Special Provision Fund		167	167			167	167
Better Care Funding (Disabled Facilities Grant )		2,376	2,376			2,376	2,376
Local Transport Plan		2,731	2,731			2,731	2,731
<b>Totals</b>	<b>2,484</b>	<b>8,115</b>	<b>10,599</b>	<b>706</b>	<b>128</b>	<b>9,765</b>	<b>10,599</b>

2020/2021 CAPITAL PROGRAMME  
COMMITMENTS AND CAPITAL ALLOCATIONS

## 2020/21 Commitments based on existing Programme

<u>Scheme</u>	<u>Total</u> <u>£000</u>	<u>Unsupported</u> <u>Borrowing</u> <u>£000</u>	<u>Capital</u> <u>Receipts</u> <u>£000</u>	<u>Grants</u> <u>and</u> <u>Other</u> <u>£000</u>	<u>Total</u> <u>£000</u>
Vehicle Replacement Programme	700	700			700
A58 Improvements (STEP) Year 3 - 6	275			275	275
Ground Conditions Survey	20		20		20
<b>Totals</b>	<b>995</b>	<b>700</b>	<b>20</b>	<b>275</b>	<b>995</b>

2020/21 Capital Allocations

<u>Scheme</u>	<u>Commitments B/fwd</u>	<u>2020/2021 Allocations</u>	<u>Total</u>	<u>Unsupported Borrowing</u>	<u>Capital Receipts</u>	<u>Grants and Other</u>	<u>Total</u>
	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>	<u>£000</u>
Commitments Carried Forward from Previous Years	995		995	700	20	275	995
<b>Capital Allocations 2020/2021</b>							
School Condition Funding		1,500	1,500			1,500	1,500
Devolved Formula Capital		300	300			300	300
Education Basic Need		1,041	1,041			1,041	1,041
SEND Special Provision Fund		167	167			167	167
Better Care Funding (Disabled Facilities Grant )		2,376	2,376			2,376	2,376
Local Transport Plan		2,731	2,731			2,731	2,731
<b>Totals</b>	<b>995</b>	<b>8,115</b>	<b>9,110</b>	<b>700</b>	<b>20</b>	<b>8,390</b>	<b>9,110</b>

## Valuation List (November 2017)

## No. of Dwellings

Parish	Band								Total
	A	B	C	D	E	F	G	H	
Bold	505	285	318	225	172	29	8	1	1,543
Rainford	375	686	1,308	537	408	235	80	7	3,636
Eccleston	483	366	1,331	1,276	534	396	155	6	4,547
Windle	8	14	538	336	106	60	37	0	1,099
Rainhill	805	1,121	1,873	551	285	229	125	4	4,993
Billinge	351	359	1,256	438	180	86	24	1	2,695
Seneley Green	593	315	860	177	43	18	13	0	2,019
All Other Areas	33,927	15,040	7,594	3,097	1,724	568	112	18	62,080
Total	37,047	18,186	15,078	6,637	3,452	1,621	554	37	82,612
% in each Band	44.84%	22.02%	18.26%	8.03%	4.18%	1.96%	0.67%	0.04%	100.00%

## Analysis of Council Tax Base

Parish	Total Properties	As Band D Equivalents	Exemptions and Discounts	Council Tax Reduction Discounts	Disability Allowance	Anticipated changes in year	Band D Equivalents after deductions	Tax Base at assumed collection rate (97.8%)
Bold	1,543	1,333	-120	-98	-1	3	1,117	1,092
Rainford	3,636	3,469	-283	-205	-4	0	2,977	2,912
Eccleston	4,547	4,561	-379	-235	-6	5	3,946	3,859
Windle	1,099	1,108	-87	-22	0	1	1,000	978
Rainhill	4,993	4,520	-417	-316	-4	3	3,786	3,703
Billinge	2,695	2,454	-200	-180	-3	0	2,071	2,025
Seneley Green	2,019	1,682	-133	-146	-1	1	1,403	1,372
All Other Areas	62,080	47,313	-5,294	-6,792	-44	217	35,400	34,622
Total	82,612	66,440	-6,913	-7,994	-63	230	51,700	50,563

Cabinet

10 January 2018

<u>Wards Affected</u> All
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**CORPORATE FINANCIAL REPORT**1.0 INTRODUCTION

1.1 This report reviews and updates Members on the latest financial position of the Council for the current financial year, 2017/18. The Corporate Financial Report is produced quarterly and this report provides an updated position for the 3<sup>rd</sup> quarter.

2.0 REPORT STRUCTURE

2.1 The main elements of the report are contained in the attached commentary on the Council's Financial Position.

<u>Section</u>	<u>Content</u>
1	Capital Programme 2017/18 to 2019/20
2	Revenue Budget 2017/18
3	Risks, Reserves and Balances
4	Treasury Management Position Statement
5	Corporate Risk Register

3.0 RECOMMENDATIONS

3.1 It is recommended that Cabinet recommends Council to:-

- (i) approve the latest Capital Programme as shown at Annex A;
- (ii) approve the revised Revenue Budget for 2017/18 as detailed in Section 2;
- (iii) note the latest Risks, Reserves and Balances position;
- (iv) note the Treasury Management Position Statement; and
- (v) note the Corporate Risk Register.

**Ian Roberts,**

Deputy Chief Executive and Strategic Director of Corporate Services.

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## COMMENTARY ON THE COUNCIL'S FINANCIAL POSITION

### SECTION 1: CAPITAL PROGRAMME 2017/18 to 2019/20

1.1 The table below represents a summary of the Council's current 3-year capital programme. The detailed programme is provided at Annex A.

	2017/18 £000	2018/19 £000	2019/20 £000
<b>PORTFOLIO SPENDING:</b>			
Children, Families & Young People & Education	5,577	8,736	3,008
Adult Social Care & Health	465	0	0
Community Safety (including Housing Services)	2,915	2,671	2,490
Green, Smart & Sustainable Borough	11,368	17,061	5,081
Growth (including Planning)	29,569	170	20
Libraries & Leisure	647	53	0
Corporate Services	516	0	0
	<b>51,057</b>	<b>28,691</b>	<b>10,599</b>
<b>FINANCED BY:</b>			
Grants and Other Contributions	16,962	22,448	9,765
Capital Receipts	575	0	128
Revenue Contribution	1,159	840	0
Unsupported Borrowing	32,361	5,403	706
	<b>51,057</b>	<b>28,691</b>	<b>10,599</b>

1.2 A summary of the main variations to the programme during the quarter is contained in the following tables. A de-minimus level of £50k has been set for the purpose of this report:

**Table 1**

NEW CAPITAL SCHEMES	DETAILS	FUNDED BY
Children and Families Accommodation	Funding from Unallocated School Conditions Grant towards works at accommodation for Children and Families, as detailed in Delegated Executive Decision 0074 2017/18.	£50k Grant Funding.
Town Centre Acquisition	On the 26 <sup>th</sup> October 2016, Cabinet approved the Council to commence negotiations for the purchase of Church Square Shopping Centre. The acquisition was completed on 25 <sup>th</sup> October 2017, and Cabinet was updated at a meeting the same day. The cost of the acquisition and associated stamp duty land tax and fees will be funded from Unsupported Borrowing.	£28,300k Unsupported Borrowing.
Town Centre Car Park Lighting	Contribution of £250k for works to improve the lighting in two Town Centre Car Parks as detailed in the Cabinet Report of 25 <sup>th</sup> October 2017.	£250k Other Contributions.

Table 2

EXISTING SCHEMES Slippage	DETAILS	FUNDED BY
Longton Lane Windows / Cladding	Resources of £60k have been re-phased into 2018/19 to reflect the current planned programme of works.	£60k Grant Funding.
Early Education for 2 Year Olds	Resources of £150k have been re-phased into 2018/19 to reflect the current planned programme of works. Resources of £40k have been re-profiled to Free Early Years Entitlement at Rainhill Nursery to provide for a revised scheme as detailed in Delegated Executive Decision 0108 2017/18.	£190k Grant Funding.
Robins Lane Remodel	The scheme is complete and the cost of the scheme is less than the estimate and resources have been returned to unallocated basic need 2018/19.	£50k Grant Funding.
Legh Vale Primary Roofing Repairs	Resources of £80k have been re-phased into 2018/19 to reflect the current planned programme of works.	£80k Grant Funding.
Unallocated School Condition Funding	Resources of £245k have been re-phased into 2018/19 to reflect the current planned programme of works.	£245k Grant Funding.
Unallocated Basic Need	Resources of £800k have been re-phased into 2018/19 to reflect the current planned programme of works.	£800k Grant Funding.
Gypsy and Traveller Site	Resources will not be utilised in 2017/18, and have been re-phased into 2018/19.	£140k Grant Funding.
Section 106 Arrangements (Non Highway Schemes)	Resources of £56k have been re-phased into 2018/19 to reflect the current planned programme of works.	£56k Other Contributions.
Section 106 Arrangements (Highway Schemes)	Resources of £83k have been re-phased into 2018/19 to reflect the current planned programme of works, and £20k resources have been re-profiled to the Urban Traffic Control Scheme 2017/18.	£103k Other Contributions.
Libraries ICT Refresh	Resources of £53k have been re-phased into 2018/19 pending the outcome of the service review.	£53k Unsupported Borrowing.

Table 3

EXISTING 2017/18 SCHEMES Other Variations	DETAILS	FUNDED BY
Better Bus Fund	The resources available across 2017/18 and 2018/19 have been revised to reflect the available funding. Across the two years funding has reduced by £578k, as scheme estimates and work programmes have changed, but scheme outputs have been delivered.	£578k Other Contributions.
Housing Schemes	The Housing capital programme has been updated to reflect the approved allocation of resources as detailed in Delegated Executive Decision 0103 2017/18. Resources have been re-profiled up to 2019/20. The Decision incorporated new funding: <ul style="list-style-type: none"> <li>• £10k Grant from New Foundations Independent Living Trust;</li> <li>• £87k Grant from National Energy Action;</li> <li>• £3k Other Contributions; and</li> <li>• £108k Capital Receipts.</li> </ul>	Grant Funding, Other Contributions, Prudential Borrowing and Capital Receipts.

- 1.3 In the Autumn Budget, the Chancellor announced an additional £42m of Disabled Facilities Grants capital funding in 2017/18 for Local Authorities in England. The indicative allocation for St Helens is £222k, and is subject to the Council's confirmation that the full indicative allocation will be spent by 31<sup>st</sup> March 2018. The capital programme at Annex A includes this additional funding.
- 1.4 At a meeting on 17<sup>th</sup> November 2017, Liverpool City Region Combined Authority approved the allocation of the 2018/19 Transport Investment Fund. The allocations for St Helens are Capital Maintenance £1,921k and Integrated Transport Block £640k. The capital programme at Annex A includes the revised funding.

## **SECTION 2 : REVENUE BUDGET 2017/18**

- 2.1 The current year's Revised Estimate is shown below and has been updated to take account of changes during the quarter, including the effect of those issues contained as follows in Section 2.2.

A more detailed analysis of the gross expenditure and income for each service area within each Portfolio is provided at Annex B, whilst Annex C provides a summary of the movements in cash limits when compared to the Corporate Financial Report presented to Cabinet on 25<sup>th</sup> October 2017, and approved by Council on 1<sup>st</sup> November 2017.

	EXPENDITURE £000	INCOME £000	REVISED ESTIMATE £000
Corporate Services	22,832	-17,465	5,367
Leader's	1,719	-499	1,220
Liverpool City Region Engagement	0	0	0
<b>Total Corporate Services Directorate</b>	<b>24,551</b>	<b>-17,964</b>	<b>6,587</b>
Children, Families & Young People & Education	174,447	-131,862	42,585
Adult Social Care & Health	80,435	-37,633	42,802
Community Safety (including Housing Services)	73,290	-65,647	7,643
Public Health & Well-Being	19,540	-18,174	1,366
<b>Total People's Services Directorate</b>	<b>347,712</b>	<b>-253,316</b>	<b>94,396</b>
Green, Smart & Sustainable Borough	50,290	-30,873	19,417
Growth (including Planning)	15,045	--14,872	173
Libraries & Leisure	8,333	-4,344	3,989
<b>Total Environmental &amp; Trading Services Directorate</b>	<b>73,668</b>	<b>--50,089</b>	<b>23,579</b>
<b>TOTAL DIRECTORATE BUDGETS</b>			<b>124,562</b>
Levies			20,192
Investment Interest			-666
Servicing of Debt			10,514
Restructure Costs			1,785
Capital Charges			-15,758
Contribution to (+) /from (-) Earmarked Balances			-18,415
Pension Fixed Cost Element (Excluding Schools)			18,886
New Homes Bonus			-3,309
Section 31 Grants			-3,104
PFI (Interest) Grant			-2,417
Collection Fund Surplus			-868
Formula 'Top Up'			-20,555
Retained Business Rates			-44,582
Council Tax			-66,077
<b>NET POSITION 2017/18</b>			<b>188</b>
Balances Brought Forward			<b>-14,885</b>
<b>BALANCES CARRIED FORWARD</b>			<b>-14,697</b>

## 2.2 PORTFOLIO BUDGETS

2.2.1 There have been changes in Portfolio budgets in the period and the narrative below provides additional detail of these variations. The changes result from a number of factors including:

- (i) The effects of Delegated Executive/Administrative Decisions approved in the period which include the use of balances (section 2.2.2);
- (ii) The effect of (neutral) technical and accounting changes; and
- (iii) The effect of changes in grant and other resource funding.

Any changes arising from low-level virements under delegated authority or technical and accounting changes have not been highlighted below, but are reflected in the statements included at Annex B & C.

## Utilisation of Balances

2.2.2 The following table details decisions or proposals to utilise Earmarked Balances made during the period.

PORTFOLIO	DETAILS	2017/18 CASH LIMIT CHANGE £000
Children, Families & Young People & Education	Funding of £7k from the Children's Services Reserve, for the provision of training for Autism Diagnostic Observation Schedule (ADOS) assessors as detailed in Administrative Decision PEO000210.	+7
Public Health & Wellbeing	A report presented to Cabinet on the 15 <sup>th</sup> November 2017 approved funding of £730k from the Transformation Reserve to support the development of St Helens as a Centre of Excellence for Socially Engaged Arts Practice. The funding is cross cutting across three Portfolios and will be utilised during 2017/18 and 2018/19, £513k and £217k respectively.	+453
Corporate Services		+30
Growth (including Planning)		+30
Growth (including Planning)	Funding of £116k from the Transformation Reserve to develop a Transport Model and a Local Plan Transport Impact Assessment as detailed in Delegated Executive Decision 0082 2017/18.	+116
Growth (including Planning)	Funding of £4k from the Growth Reserve to undertake an economic viability assessment, as detailed in Administrative Decision ENVP000510.	+4
Growth (including Planning)	Funding of £43k from the Transformation Reserve to support the refurbishment of Town Hall Accommodation, which will facilitate the future use of the building for weddings, as detailed in Administrative Decision ENVP000525 and ENVP000592.	+43
Corporate Services	Funding from the Essential Equipment Replacement Fund of £33k to support the implementation of improved wireless access for visitors at various locations, as detailed in Administrative Decision CORP000214 2017/18.	+33
Libraries & Leisure	Replacement of swimming pool safety cameras at Queens Park Health and Fitness at a cost of £17k funded from the Essential Equipment Replacement Fund, as detailed in Administrative Decision ENVP000561.	+17

2.2.3 The following table details earmarked reserves previously approved for use during 2017/18 which have been re-profiled into 2018/19 and 2019/20.

PORTFOLIO	DETAILS	DECISION	2017/18 CASH LIMIT CHANGE £000
<b>TRANSFORMATION RESERVE</b>			
Children Families & Young People & Education	Implementation of a revised structure and approach to the Children's Safeguarding Unit.	Cabinet Report 20 <sup>th</sup> July 2016.	-213
Children Families & Young People & Education	Support the implementation of the Local Care System.	Delegated Executive Decision 0212 2016/17.	-30
Adult Social Care & Health	Support the implementation of the Local Care System.	Delegated Executive Decision 0212 2016/17.	-46
Growth (including Planning)	Replacement of Planweb mapping system.	Administrative Decision CEXC002303 2015/16.	-20
Growth (including Planning)	Funding for the startup costs of the Ambassador Programme	Administrative Decision CORP00101.	-15
Green, Smart & Sustainable Borough	Options to increase the recycling rate in the borough.	Administrative Decision EPR002022.	-12
<b>CHILDREN'S SERVICES RESERVE</b>			
Children Families & Young People & Education	Increased staffing in the Additional Needs Team.	Administrative Decision CYPS001878.	-24
Children Families & Young People & Education	Approval to explore the creation of a Learning Trust or partnership.	Delegated Executive Decision 0157 2015/16.	-40
Children Families & Young People & Education	Support the revised approach to Children's Services and Departmental Priorities.	Delegated Executive Decision 0155 2017/18.	-250
Children Families & Young People & Education	Additional resources to support the implementation of the Special Educational Needs reforms.	Administrative Decision PEOP000252.	-7
Children Families & Young People & Education	Extension to the Special Educational Needs and Disability Mediation Dispute Service.	Administrative Decision PEOP000407.	-2
Children Families & Young People & Education	Support Post 16 SEND Preparation for Employment.	Administrative Decision CYPS001804.	-3
Adult Social Care & Health	Support additional staffing resources and enhance data quality.	Administrative Decision PEOP000017.	-17
Adult Social Care & Health	Create additional capacity within the Systems Development Unit.	Administrative Decision PEOP000258.	-40
<b>GROWTH RESERVE</b>			
Growth (including Planning)	Funding for Private Sector Apprentices.	Delegated Executive Decision 0028 2014/15.	-111

PORTFOLIO	DETAILS	DECISION	2017/18 CASH LIMIT CHANGE £000
Growth (including Planning)	Funding for a borough narrative to support the promotion and development of the Town Centre.	Administrative Decision CEXC002862.	-23
Growth (including Planning)	Funding to support the Business Grants programme.	Delegated Executive Decision 0031 2014/15.	-338
Growth (including Planning)	Delivery of Liverpool City Region's Place Marketing Programme.	Delegated Executive Decision 0110 2016/17.	-16
Growth (including Planning)	Produce an Outline Business Case for improved transport networks to the A580 East Lancashire Road and surrounding area.	Administrative Decision ENVP000131	-38
Growth (including Planning)	Produce an option appraisal for the M6 Junction 22 and associated road access improvements.	Administrative Decision ENVP000168	-4
Growth (including Planning)	Undertake a study of Junction 23, M6 Motorway to identify capacity improvements at the junction.	Cabinet Report 19 <sup>th</sup> July 2017.	-14
Green, Smart & Sustainable Borough	Undertake a topographical and utilities survey at Hardshaw Brook.	Administrative Decision ENVP000174.	-5
Corporate Services	Funding for Graduate Placements.	Delegated Executive Decision 0215 2013/14.	-20
<b>COUNCILLOR IMPROVEMENT FUND</b>			
Green, Smart & Sustainable Borough	Councillor Improvement Fund	n/a	-100
<b>WASTE MANAGEMENT DEVELOPMENT FUND</b>			
Green, Smart & Sustainable Borough	Funding towards the Troliblocs programme.	Delegated Executive Decision 0050 2015/16.	-19
<b>ESSENTIAL EQUIPMENT REPLACEMENT FUND</b>			
Corporate Services	Food Bank	Cabinet Report of 30 <sup>th</sup> July 2014.	-10
	<b>Total</b>		<b>-1,417</b>
	Re-phased into 2018/19.		1,040
	Re-phased into 2019/20.		369
	Not Required and returned to balances.		8
	<b>Total</b>	<b>38</b>	<b>1,417</b>

## External Resources

- 2.2.4 During the year, the Council has been notified of the following resources for 2017/18 and beyond. A de-minimus level of £50k has been set for the purpose of this report.

### Homelessness Reduction Act

The Homelessness Reduction Act (HRA) was passed by Parliament in 2017, and will be implemented in April 2018. The Act requires Local Authorities to carry out additional duties to alleviate homelessness and intervene earlier to prevent homelessness. Additional new burdens funding in relation to the administering of HRA has been announced. The Local Authority's allocation for 2017/18 is £39k, with a further £37k and £47k in 2018/19 and 2019/20 respectively.

### PAUSE

The Local Authority has committed to working in partnership with PAUSE on a programme that works with women who have experienced, or are at risk of, repeat removals of children from their care. The programme being run by the Local Authority is for 18 months, with a contribution of £268k to be received from PAUSE over this period. The programme started in October 2017 and it is anticipated £89k of this funding will be claimed in 2017/18. Further details can be found in Delegated Executive Decision 0071 2017/18.

### Special Educational Needs Funding

The Department for Education have announced the allocation for 2018/19, will be brought forward and paid in 2017/18; with the intention Local Authorities carry forward this funding, if not utilised during 2017/18. As yet, individual Local Authority allocations are still to be confirmed.

In addition on the 30<sup>th</sup> November 2017, the Department for Education announced additional funding of £45m for Councils and organisations to provide additional help for children with special educational needs and disabilities (SEND). The package includes £29m to support Councils and their partners to continue the implementation of SEND reforms. At this juncture, the detail of individual Local Authority funding has not been released.

### Dedicated Schools Grant (DSG)

The DSG allocation for 2017/18 has been adjusted in respect of Academies recoupment, adjustment to the Early Years Access Fund and the Local Authority being awarded a Maintained Nursery School Supplement. The net reduction is £3.492m.

### Arts Council Funding to St Helens Library Service

In January 2017, approval was given, by way of Administrative Decision PEO000062, for the Library Service to submit an application to Arts Council England for funding to deliver a cultural hubs arts programme for the period 2018/19 to 2021/22. Subsequently, the Arts Council England has made a conditional offer of funding for £440k over the four years; acceptance of this funding will be approved by Delegated Executive Decision.

## **Budget Virements seeking Council Approval**

- 2.2.5 There are no virements in excess of £100k requiring Council approval during the period.

## **2.3 NON PORTFOLIO BUDGETS**

- 2.3.1 The Collection Fund Surplus has been revised to £868k, a reduction of £192k, due to a timing difference in the receipt of the funds, which will now be realised in 2018/19. There is a

contra entry in the restructuring budget. There is no overall impact on the Council's budget position.

## 2.4 OTHER ISSUES

- 2.4.1 On 25<sup>th</sup> October 2017, the Council purchased Church Square Shopping Centre, and as detailed in Section 1 (table1), the costs associated with the acquisition have been built into the capital programme. In addition, the revenue budget has been revised to reflect the running costs and additional income associated with the Centre to 31<sup>st</sup> March 2018.

## SECTION 3: RISKS, RESERVES AND BALANCES

- 3.1 The current position in terms of the Council's reserves and balances is detailed below.

### Usable Capital Receipts

- 3.2 Usable Capital Receipts are generated from the sale of surplus Council assets, the repayment of loans and a proportion of receipts from former Helena Housing under the "Right to Buy" initiative. These are generally available to support capital investment (in accordance with certain principles governing such use) or to invest. The current position in terms of available capital receipts is as follows:

	<b>£000</b>
Available Capital Receipts b/fwd at 1 April 2017	28,976
Receipts generated in year to date:	
- Preserved Right to Buy Receipts	406
- Sale of Council Assets	294
Required to fund Capital Programme 2017/18 to 2019/20 *	-703
<b>Available Balance (after taking commitments into account)</b>	<b>28,973</b>

\* This figure excludes any future contribution from capital receipts towards Single Investment Fund bid schemes, which are subject to approval by the Liverpool City Region Combined Authority, as referenced in the July 2017 Corporate Financial Report (section 1.3)

### General Balances

- 3.3 General Balances are held to protect the Council's financial position from unforeseen events; their level represents a prudent amount based on an ongoing risk assessment. The estimated balances position at 31 March 2018 is £14.7m as detailed in section 2.1.

### Schools Balances

- 3.4 Governors hold Schools Balances under delegated scheme arrangements. These can only be spent on Education services. School Balances are estimated to be £8.5m at the end of the current financial year. The projected position reflects schools' current spending plans for the financial year, as approved by the individual governing body.

### Earmarked Balances

- 3.5 These reserves are set aside and designated for specific purposes, with different processes governing their utilisation. The position in relation to Earmarked Balances is highlighted in the following table:

	Balance at 1.4.17	To be set aside 2017/18	To be utilised 2017/18	Balance at 31.3.18
	£000	£000	£000	£000
Transformation Reserve *	21,954	-	-15,967	5,987
Growth Reserve	3,619	-	-1,416	2,203
Children's Services Reserve **	8,689	-	-3,238	5,451
Essential Equipment Replacement Fund	2,573	-	-175	2,398
Councillor Improvement Fund	439	-	-250	189
Insurance Fund	4,993	-	-	4,993
Waste Management Development Fund	3,697	-	-153	3,544
<b>SUB-TOTAL</b>	<b>45,964</b>	<b>-</b>	<b>-21,199</b>	<b>24,765</b>
Inflation Reserve	-	1,000	-	1,000
Business Rates Pilot Reserve	-	1,584	-	1,584
<b>TOTAL</b>	<b>45,964</b>	<b>2,584</b>	<b>-21,199</b>	<b>27,349</b>

\* Includes payment of £14.078m to Merseyside Pension Fund in relation to Pensions Fixed Sum 2017/18, which is to be returned to the Transformation Reserve during 2018/19 and 2019/20.

\*\* Balance at 31.03.18 assumes that a further £200k ring-fenced for Children's Services and Departmental Priorities, per Cabinet Report 25<sup>th</sup> May 2016, will be drawn down during the year.

3.6 The following table details the earmarked reserve commitments to 2019/20.

Financial Year	Estimated Balance at 1 April £000	To be set aside £000	To be utilised in year £000	Estimated Balance at 31 March £000
2017/18	45,964	2,584	-21,199	27,349
2018/19***	27,349	11,878	-6,747	32,480
2019/20	32,480	12,204	-1,836	42,848

\*\*\* Balance at 31.03.19 assumes that a further £708k ring-fenced for Children's Services and Departmental Priorities, per Cabinet Report 25<sup>th</sup> May 2016, will be drawn down during the year.

The above is further analysed in Annex D.

## Financial Risks

3.7 The Council faced significant liabilities from the ongoing equal pay and equal value claims. Members have been updated on the position in regard to settlement of these claims in a series of Corporate Finance Reports presented to Cabinet. Without prejudice discussions have continued with the claimants' trade unions' legal advisors and the Remedy Hearing for all claims remains stayed, pending the outcome of these without prejudice discussions

The claimants representatives indicated acceptance of the Memorandum of Understanding on the 30<sup>th</sup> May 2017, which provided the basis of the settlements offered, and the Council offers were provided to them by the agreed deadline.

These offers were issued and the Council began to receive individually signed COT3 agreements to accept the offers made from 21<sup>st</sup> June 2017. As at 22<sup>nd</sup> December 2017, the Council had settled 92.63% of the claims lodged.

The Court of Appeal hearing scheduled for 24/25 May 2016 to resolve the catering COT 3 claims was stayed on a number of occasions pending ongoing settlement discussions. The Council has recently withdrawn the appeal given the significant progress in reaching agreement on individual settlements. As at 22<sup>nd</sup> December 2017, 128 of the 129 claims affected by this appeal had been settled.

- 3.8 The Council continues to face potential liabilities emanating from the insolvency of Municipal Mutual Insurance, as scheme administrators continue to review the level of levy needed to achieve a solvent run off of the company. At this juncture, there is nothing further for Members to note but updates will be provided as details become available which will be reported via the Corporate Financial Report.
- 3.9 Previous Corporate Financial Reports have reported the position with regard to the uncertainties around backdated business rates appeals and the matter of NHS Trusts seeking mandatory charitable relief based on their 'legal status'. At this time there is no further advice from the Local Government Association (LGA) or Counsel acting on behalf of the LGA on the specific matter of NHS Trusts. Members will be updated on developments in future Corporate Financial Reports.

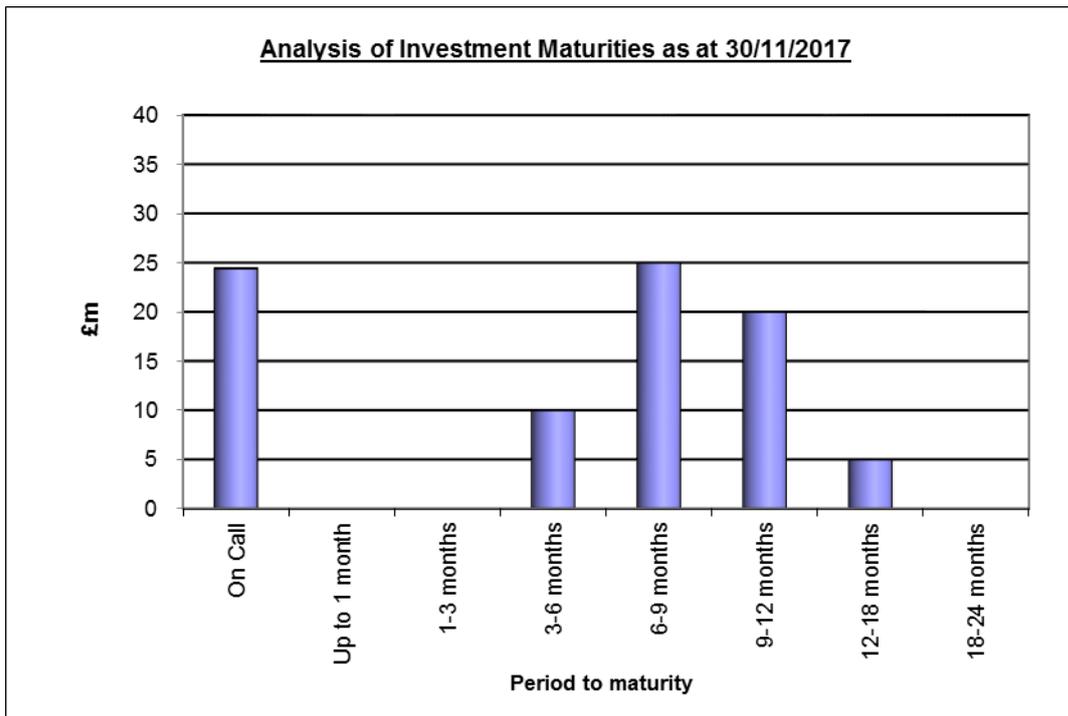
#### **SECTION 4: TREASURY MANAGEMENT POSITION STATEMENT**

- 4.1 The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management recommends that Members be updated on treasury management activities regularly. This Section therefore ensures the Council is implementing best practice in accordance with the Code.

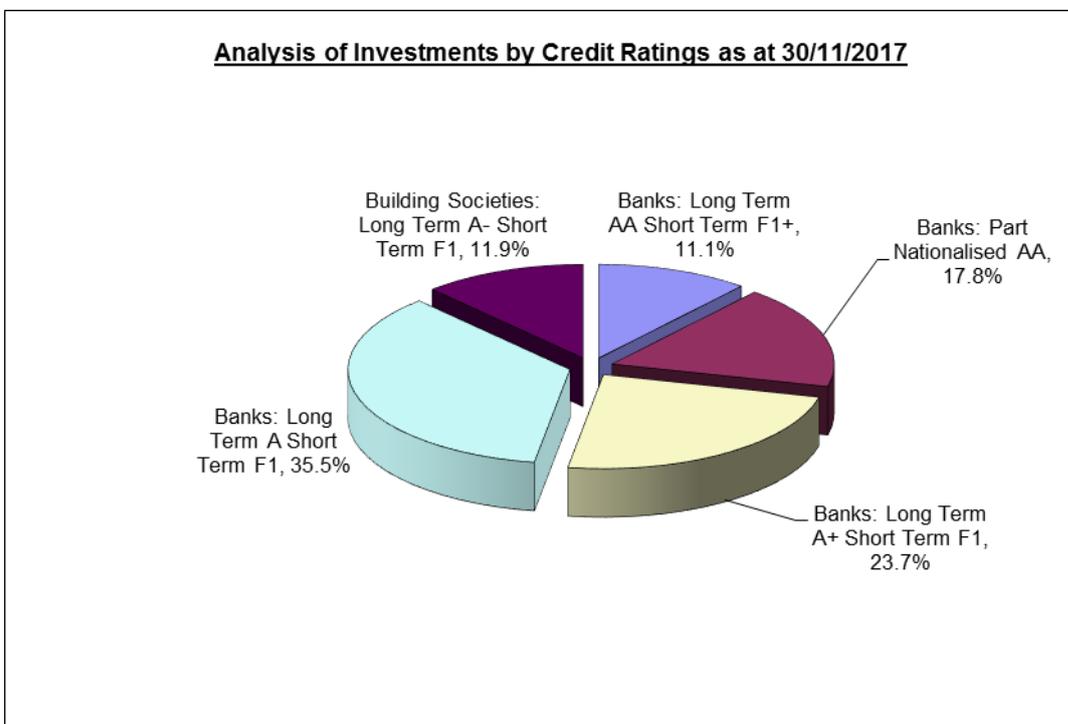
##### Investments

- 4.2 As detailed in the Council's Annual Investment Strategy (which is incorporated into the annual Treasury Management Strategy Statement) the Council's investment priorities are the security of capital and liquidity of funds. The Council's investment dealings in the period, therefore, have been undertaken in order to achieve the optimum return on its investments, commensurate with the proper levels of security and liquidity and having properly assessed all inherent risks.
- 4.3 In the current economic climate it is considered appropriate to ensure that all investments are placed with highly credit rated financial institutions in line with the Council's authorised Counterparty List (i.e. those institutions with whom we invest monies).
- 4.4 The Council actively monitors the creditworthiness of its counterparties utilising information provided by our Treasury Management advisors, Capita Asset Services. During the period April to November, the rating agency Fitch made no changes to institutions ratings that would impact on the Council's current counterparty criteria.
- 4.5 The Council has sought to maintain a mix of investments with the Counterparties who meet the Council's criteria. However, the profile of maturities have been influenced by a number of factors:
- i) the availability of advantageous call rates from some high quality Counterparties;
  - ii) limits on the duration of investments with certain counterparties;
  - iii) availability of investment opportunities in excess of one year with a number of Counterparties.

The chart below provides an overview of the split in the Authority's investment by maturity as at 30<sup>th</sup> November 2017.



4.6 At the time of drafting this report, the Council has investments of £84.415m; the chart below details the split of the Council's investment by type and the credit rating assigned to the different groups of Counterparties.



These investments include (circa. £9m) funds held in relation to Schools

4.7 Some 17.8% of funds are invested with part Nationalised Banks (which carry the UK Government's AA rating). Of the remaining investments, 70.3% are held with institutions with a Long Term credit rating of at least A, with the remaining 11.9% being held with institutions with a credit rating of A-.

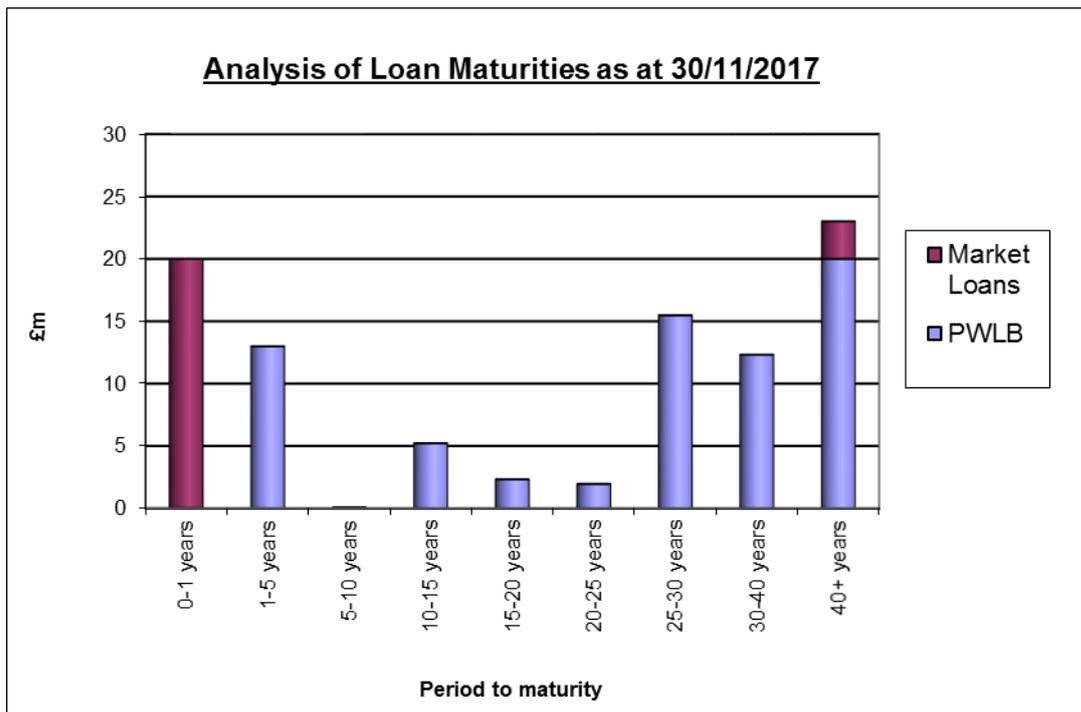
- 4.8 The average level of funds available, for investment purposes, from April to November in 2017/18 was £93.20m. Despite the fact that investment rates available in the market remain low, the Council has continued to outperform the benchmarks as detailed in the table below.

<b>Investment Returns 2017/18 up to 30/11/2017</b>									
<b>2017/18</b>	<b>Returns Achieved</b>			<b>Benchmark Returns</b>			<b>Performance relative to Benchmarks</b>		
<b>Month</b>	<b>Fixed Term Investments</b>	<b>Call Accounts</b>	<b>Combined Return</b>	<b>1 Year LIBID</b>	<b>7 Day LIBID</b>	<b>Combined LIBID</b>	<b>Fixed Term - 1 Year</b>	<b>Call - 7 Day</b>	<b>Overall +/- return</b>
April	0.87%	0.25%	<b>0.72%</b>	0.57%	0.11%	<b>0.46%</b>	0.30%	0.14%	<b>+0.26%</b>
May	0.84%	0.25%	<b>0.69%</b>	0.54%	0.11%	<b>0.43%</b>	0.30%	0.14%	<b>+0.26%</b>
June	0.79%	0.24%	<b>0.64%</b>	0.51%	0.11%	<b>0.41%</b>	0.28%	0.13%	<b>+0.23%</b>
July	0.76%	0.20%	<b>0.55%</b>	0.52%	0.11%	<b>0.37%</b>	0.24%	0.09%	<b>+0.18%</b>
August	0.72%	0.25%	<b>0.57%</b>	0.48%	0.11%	<b>0.36%</b>	0.24%	0.14%	<b>+0.21%</b>
September	0.72%	0.27%	<b>0.61%</b>	0.54%	0.11%	<b>0.44%</b>	0.18%	0.16%	<b>+0.17%</b>
October	0.72%	0.26%	<b>0.63%</b>	0.62%	0.12%	<b>0.53%</b>	0.10%	0.14%	<b>+0.10%</b>
November	0.73%	0.41%	<b>0.65%</b>	0.65%	0.36%	<b>0.58%</b>	0.08%	0.05%	<b>+0.07%</b>

- 4.9 As detailed in the Treasury Management Strategy Statement previously considered by Cabinet and Council, cash holdings are expected to remain fairly static during 2017/18.

#### Borrowing

- 4.10 The Council has outstanding debt of £93.341m. Two new loans of £10million each have been secured with PWLB in this financial year to finance capital programme activity. The loans have been taken during quarter 3 due to historic low rates and potential increases in the Bank Rate.
- 4.11 The chart below shows the maturity profile of the Council's loan portfolio as at 30<sup>th</sup> November 2017.



- 4.12 In accordance with the revised Prudential Code, the maturity of borrowing should be determined by reference to the earliest date on which the lender can require payment. If the lender does have the right to increase the interest rate payable (as is the case with a Market Loan (LOBO – Lender Option Borrower Option loan), then this should be treated as a right to require payment. In accordance with this guidance, the maturity dates of the Council's LOBO loans have been profiled as the next call date for each loan. This has made the Council's position look much more short term when all of these loans have maturity dates of 30+ years. In the current interest climate, it is unlikely that these loans will be called imminently.

## **SECTION 5 CORPORATE RISK REGISTER**

- 5.1 The Corporate Financial Report presented to Cabinet on 19th July 2017 identified 35 Corporate Risks. Since that report was presented, one new risk has been included in the Corporate Risk Register (Risk No 45) Further Development of a local care system for St Helens.
- 5.2 Improvements to the Corporate Risk Register have been carried out to include a linkage to Insurance allowing the risk owner to seek insurance advice on a particular risk. In addition it will allow for risk management processes to undertake a cyclic assessment and determine if there should be a recommendation to transfer any corporate risk, if it is assessed as value for money to do so.

In addition risk owners are able to attach documentation to the Corporate Risk Register Database to bring about a centralised point of reference for all the necessary risk management mitigation to a risk.

Additional risk reporting mechanisms are to be developed and improved to note the lifecycle of the risk through graphical rise and fall from month to month.

- 5.3 All risks are identified in the Corporate Risk Register Database and it is the responsibility of the Strategic Stakeholders to ensure all identified Corporate Risks are updated and reviewed in line with the risk assessment timeline parameters which are set out below:

Risk	Risk Score	Review Frequency
Low to Medium	0 - 4	12 months
Medium to High	5 - 9	6 months
High	10 - 16	3 month

- 5.4 There are currently 35 Corporate Risks, which are summarised below and detailed in Annex E

Risk Category	Number
High	15
Medium to High	19
Medium to Low	2

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Portfolio	2017/18			2018/19			2019/20		
	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Children, Families & Young People & Education	6,921	5,577	-1,344	7,381	8,736	1,355	3,008	3,008	0
Adult Social Care & Health	448	465	17	0	0	0	0	0	0
Community Safety (including Housing Services)	2,563	2,915	352	2,708	2,671	-37	2,376	2,490	114
Green Smart & Sustainable Borough	11,844	11,368	-476	17,092	17,061	-31	5,081	5,081	0
Growth (including Planning )	1,169	29,569	28,400	20	170	150	20	20	0
Libraries & Leisure	715	647	-68	0	53	53	0	0	0
Corporate Services	516	516	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>24,176</b>	<b>51,057</b>	<b>26,881</b>	<b>27,201</b>	<b>28,691</b>	<b>1,490</b>	<b>10,485</b>	<b>10,599</b>	<b>114</b>

Source of Funding	2017/18			2018/19			2019/20		
	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Unsupported Borrowing	4,083	32,361	28,278	5,387	5,403	16	700	706	6
Grant	13,028	11,835	-1,193	15,453	16,756	1,303	8,115	8,115	0
Other	5,359	5,127	-232	5,521	5,692	171	1,650	1,650	0
Capital Receipts	575	575	0	0	0	0	20	128	108
Revenue Contribution	1,131	1,159	28	840	840	0	0	0	0
<b>TOTAL</b>	<b>24,176</b>	<b>51,057</b>	<b>26,881</b>	<b>27,201</b>	<b>28,691</b>	<b>1,490</b>	<b>10,485</b>	<b>10,599</b>	<b>114</b>

## CAPITAL PROGRAMME 2017/18 TO 2019/20

CHILDREN,FAMILIES & YOUNG PEOPLE & EDUCATION	2017/18			2018/19			2019/20		
	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
School Condition Funding	137	137	0	0	0	0	0	0	0
School Condition Funding - UNALLOCATED	490	190	-300	1811	2,056	245	1,500	1,500	0
Haydock High Rewire	231	231	0	100	100	0	0	0	0
Eccleston Lane Ends - DDA works	259	259	0	0	0	0	0	0	0
Legh Vale DDA	10	0	-10	0	0	0	0	0	0
Rainford Brook Lodge Window Replacement	24	4	-20	0	0	0	0	0	0
Queens Park CE / URC - Remodel Foundation Stage	50	61	11	0	0	0	0	0	0
Longton Lane - Windows/Cladding	280	220	-60	50	110	60	0	0	0
The District - Safeguarding/DDA Works	0	0	0	100	100	0	0	0	0
Rainford CE - Windows	18	18	0	0	0	0	0	0	0
Penkford Roof	0	0	0	290	290	0	0	0	0
Penkford Windows	0	0	0	185	185	0	0	0	0
Sutton Manor - Reroof	0	0	0	100	100	0	0	0	0
Basic Need - UNALLOCATED	1000	200	-800	2258	3,108	850	1,041	1,041	0
Basic Need - Grange Valley	450	450	0	0	0	0	0	0	0
Basic Need - Longton Lane	50	50	0	0	0	0	0	0	0
Haydock English Martyrs	31	31	0	0	0	0	0	0	0
Ashurst Primary Remodel Works	0	30	30	660	630	-30	0	0	0
Broadoak Community Primary School - Extension	68	68	0	0	0	0	0	0	0
Lansbury Bridge - New MLD provision	522	522	0	0	0	0	0	0	0
Wargrave Primary - Extension	379	379	0	0	0	0	0	0	0
School Devolved Formula Capital	404	414	10	500	500	0	300	300	0
Harnessing Technology	73	73	0	0	0	0	0	0	0
Early Education for 2 year olds	286	96	-190	0	150	150	0	0	0
Willow Tree Remodel	83	83	0	0	0	0	0	0	0
Robins Lane Remodel	66	16	-50	0	0	0	0	0	0
Ashurst Roof Repairs	0	0	0	250	250	0	0	0	0
Eccleston Lane Ends Roof Repairs	111	111	0	0	0	0	0	0	0
Haydock High DDA Repairs	0	0	0	100	100	0	0	0	0
Haydock High ROSLA Block	0	0	0	150	150	0	0	0	0
Lansbury Bridge Roof Repairs	0	0	0	260	260	0	0	0	0
Basic Need Sutton Oak CE Primary Extension	250	250	0	0	0	0	0	0	0
Grange Valley Roof Repair	0	0	0	150	150	0	0	0	0
Oakdene Roof Replacement	100	100	0	0	0	0	0	0	0
Launchpad Roof Renewal	0	0	0	100	100	0	0	0	0
Pupil Referral Unit Condition and Suitability	150	150	0	0	0	0	0	0	0
Carr Mill Windows Window Replacement	21	21	0	0	0	0	0	0	0
Free Early Educational Entitlement (FEEE)	457	457	0	0	0	0	0	0	0
Free Early Educational Entitlement (FEEE) - Rainhill Nursery	136	176	40	0	0	0	0	0	0
SEND Special Provision Fund - Unallocated	0	0	0	167	167	0	167	167	0
Sutton Oak Primary Health & Safety	74	74	0	0	0	0	0	0	0
Legh Vale Primary Window Replacement	110	110	0	0	0	0	0	0	0
Merton Bank Primary Window Replacement	37	26	-11	0	0	0	0	0	0
Robins Lane Primary Window Replacement	105	111	6	0	0	0	0	0	0
Sutton Manor Primary Window Replacement	54	54	0	0	0	0	0	0	0
The District Primary Window Replacement	100	100	0	0	0	0	0	0	0
Legh Vale Primary Roofing Repairs	80	0	-80	0	80	80	0	0	0
Longton Lane Primary, General Conditions	100	100	0	150	150	0	0	0	0
Garswood Primary, Equality Act Compliance	35	42	7	0	0	0	0	0	0
Allanson Street Dampproofing	44	44	0	0	0	0	0	0	0
Queens Park CE / URC -Health & Safety Works	26	26	0	0	0	0	0	0	0
Penkford Condition & Suitability	20	20	0	0	0	0	0	0	0
Rivington Primary - Window Replacement	0	23	23	0	0	0	0	0	0
Children & Families Accommodation	0	50	50	0	0	0	0	0	0
<b>TOTAL</b>	<b>6,921</b>	<b>5,577</b>	<b>-1,344</b>	<b>7,381</b>	<b>8,736</b>	<b>1,355</b>	<b>3,008</b>	<b>3,008</b>	<b>0</b>

ADULT SOCIAL CARE & HEALTH	2017/18			2018/19			2019/20		
	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Brookfield Resource Centre	268	268	0	0	0	0	0	0	0
Integrated Activity	20	20	0	0	0	0	0	0	0
Supported Living Development	160	160	0	0	0	0	0	0	0
Mobile Equipment	0	17	17	0	0	0	0	0	0
<b>TOTAL</b>	<b>448</b>	<b>465</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

COMMUNITY SAFETY (INCLUDING HOUSING SERVICES)	2017/18			2018/19			2019/20		
	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
General Fund Housing (Housing Assistance)	65	20	-45	65	20	-45	0	0	0
Housing Clearance and Enforcement	50	50	0	50	50	0	0	48	48
Disabled Facilities Grants and Adaptations	2,168	2,513	345	2,443	2,376	-67	2,376	2,376	0
Insulation Measures and Fuel Poverty	237	289	52	150	225	75	0	66	66
Alley Gates - Extended Scheme	20	20	0	0	0	0	0	0	0
Extension of CCTV	23	23	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>2,563</b>	<b>2,915</b>	<b>352</b>	<b>2,708</b>	<b>2,671</b>	<b>-37</b>	<b>2,376</b>	<b>2,490</b>	<b>114</b>

GREEN, SMART & SUSTAINABLE BOROUGH	2017/18			2018/19			2019/20		
	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Vehicle Replacement Programme	850	850	0	700	700	0	700	700	0
Modifications to Recycling Vehicles	153	153	0	0	0	0	0	0	0
Air Quality Monitoring	7	0	-7	0	7	7	0	0	0
Victoria Park- Heritage Lottery Fund	46	46	0	0	0	0	0	0	0
Section 106 Arrangements (Non Highway Schemes)	56	0	-56	0	56	56	0	0	0
Taylor Park Play Area (S.106)	11	11	0	0	0	0	0	0	0
Taylor Park Footway Reconstruction	0	24	24	0	0	0	0	0	0
Ruskin Drive Sports Ground	610	610	0	0	0	0	0	0	0
Peasley Cross Lane Bridge-Install Vehicle Barriers	34	34	0	0	0	0	0	0	0
Sankey Catchment	19	19	0	0	0	0	0	0	0
Local Transport Plan Unallocated	11	0	-11	2,029	2,061	32	2,731	2,731	0
Bridge Strengthening & Maintenance	419	419	0	0	0	0	0	0	0
Pasture Lane Bridge	230	230	0	0	0	0	0	0	0
Carriageway Maintenance	1,574	1,574	0	0	0	0	0	0	0
Additional Highway Maintenance (Pothole Funding)	186	186	0	0	0	0	0	0	0
St. Helens Linkway & Inner Ring Road Phase 4	0	0	0	130	130	0	0	0	0
Junction Lane Bridge	0	0	0	93	93	0	0	0	0
Town Centre (Atlas Street)	0	0	0	82	82	0	0	0	0
Section 106 Arrangements (Highway Schemes)	103	0	-103	0	83	83	0	0	0
Street Lighting - Invest To Save Phase 2	1,016	1,016	0	1,300	1,300	0	0	0	0
Street Lighting	250	250	0	0	0	0	0	0	0
Accessibility Improvements Supporting Regeneration	30	30	0	0	0	0	0	0	0
Walking (Pedestrian Measures)	30	30	0	0	0	0	0	0	0
Accident Investigation & Prevention (AIP)	30	30	0	0	0	0	0	0	0
Traffic Calming & Restraint	20	20	0	0	0	0	0	0	0
Traffic Management & Signing	50	50	0	0	0	0	0	0	0
Urban Traffic Control	70	90	20	0	0	0	0	0	0
Safer Routes to School	20	20	0	0	0	0	0	0	0
Better Bus Fund	969	600	-369	209	0	-209	0	0	0
Sustainable Transport Enhancement Package (STEP) Year 1 -3	418	418	0	0	0	0	0	0	0
Haydock Industrial Estate Access (STEP) Year 3-6	856	856	0	2,000	2,000	0	0	0	0
St Helens Active Travel East (STEP) Year 3-6	305	305	0	700	700	0	0	0	0
Windle Island Junction Development	1,300	1,300	0	5,709	5,709	0	0	0	0
A570 St Helens Linkway	531	531	0	3,300	3,300	0	1,650	1,650	0
A58/A580/A572 Transport Connectivity (NPIF)	890	890	0	0	0	0	0	0	0
A49 to M6 Junction 22 Link Road	750	750	0	840	840	0	0	0	0
Queens Park Recreation Ground	15	15	0	0	0	0	0	0	0
Local Centres Phase 3	0	11	11	0	0	0	0	0	0
<b>TOTAL</b>	<b>11,859</b>	<b>11,368</b>	<b>-491</b>	<b>17,092</b>	<b>17,061</b>	<b>-31</b>	<b>5,081</b>	<b>5,081</b>	<b>0</b>

GROWTH (INCLUDING PLANNING)	2017/18			2018/19			2019/20		
	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Ground Conditions Survey	45	45	0	20	20	0	20	20	0
Bus Stop Langtree Park	10	0	-10	0	10	10	0	0	0
Gypsy and Traveller Sites	140	0	-140	0	140	140	0	0	0
WestPoint	350	350	0	0	0	0	0	0	0
Acquisition of the Liverpool Arms	54	54	0	0	0	0	0	0	0
Urban Skatepark	65	65	0	0	0	0	0	0	0
Land at Borough Road	505	505	0	0	0	0	0	0	0
Town Centre Acquisition	0	28,300	28,300	0	0	0	0	0	0
Town Centre - Car Park Lighting	0	250	250	0	0	0	0	0	0
<b>TOTAL</b>	<b>1,169</b>	<b>29,569</b>	<b>28,400</b>	<b>20</b>	<b>170</b>	<b>150</b>	<b>20</b>	<b>20</b>	<b>0</b>

LIBRARIES & LESIURE	2017/18			2018/19			2019/20		
	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance	Quarter 2 17/18	Quarter 3 17/18	Variance
	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Libraries ICT Refresh	53	0	-53	0	53	53	0	0	0
Refurbishment of Selwyn Jones Sports Centre & Equipment	647	647	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>700</b>	<b>647</b>	<b>-53</b>	<b>0</b>	<b>53</b>	<b>53</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>CORPORATE SERVICES</b>			
IP Telephony	11	11	0
Contact Centre	113	113	0
MFD Replacement	347	347	0
Data Centre Infrastructure Refresh	45	45	0
<b>TOTAL</b>	<b>516</b>	<b>516</b>	<b>0</b>

<b>2017/18</b>		
Quarter 2 17/18	Quarter 3 17/18	Variance
£000's	£000's	£000's
11	11	0
113	113	0
347	347	0
45	45	0
<b>516</b>	<b>516</b>	<b>0</b>

<b>2018/19</b>		
Quarter 2 17/18	Quarter 3 17/18	Variance
£000's	£000's	£000's
0	0	0
0	0	0
0	0	0
0	0	0
<b>0</b>	<b>0</b>	<b>0</b>

<b>2019/20</b>		
Quarter 2 17/18	Quarter 3 17/18	Variance
£000's	£000's	£000's
0	0	0
0	0	0
0	0	0
0	0	0
<b>0</b>	<b>0</b>	<b>0</b>

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## CORPORATE SERVICES QTR 3

Annex B

SERVICE AREA	Expenditure	Income	Revised Estimate
	2017/18 £000	2017/18 £000	2017/18 £000
<i>CORPORATE AND DEMOCRATIC CORE</i>			
DEMOCRATIC REPRESENTATION AND MANAGEMENT	1,544	0	1,544
<i>CENTRAL SERVICES TO THE PUBLIC:</i>			
CORONERS COURT SERVICES	220	0	220
COST OF COLLECTION - LOCAL TAXATION	1,993	-871	1,122
REGISTRAR OF BIRTHS DEATHS AND MARRIAGES	250	-149	101
EMERGENCY PLANNING	65	0	65
LOCAL WELFARE ASSISTANCE SCHEMES	401	0	401
ELECTIONS	726	-345	381
GRANTS AND DONATIONS	162	-70	92
NON DISTRIBUTED COSTS	1,441	0	1,441
MANAGEMENT AND SUPPORT SERVICES - FINANCE AND IT	10,812	-10,812	0
MANAGEMENT AND SUPPORT SERVICES - HUMAN RESOURCES	2,836	-2,836	0
MANAGEMENT AND SUPPORT SERVICES - LEGAL AND ADMIN	1,250	-1,250	0
MANAGEMENT AND SUPPORT SERVICES - GOVERNANCE	1,003	-1,003	0
MANAGEMENT AND SUPPORT SERVICES - OTHER	129	-129	0
<b>Net Expenditure</b>	<b>22,832</b>	<b>-17,465</b>	<b>5,367</b>

**LEADERS QTR 3**

Annex B

<b>SERVICE AREA</b>	<b>Expenditure 2017/18 £000</b>	<b>Income 2017/18 £000</b>	<b>Revised Estimate 2017/18 £000</b>
CORPORATE MANAGEMENT	1,220	0	1,220
PRESS AND PUBLIC AFFAIRS	499	-499	0
<b>Net Expenditure</b>	<b>1,719</b>	<b>-499</b>	<b>1,220</b>

## CHILDREN, FAMILIES AND YOUNG PEOPLE &amp; EDUCATION QTR 3

Annex B

SERVICE AREA	Expenditure	Income	Revised
	2017/18 £000	2017/18 £000	Estimate 2017/18 £000
EARLY YEARS - NURSERY	9,514	-7,202	2,312
PRIMARY SCHOOLS	71,375	-68,088	3,287
SECONDARY SCHOOLS	35,408	-31,777	3,631
SPECIAL SCHOOLS	9,042	-8,258	784
OTHER SERVICES TO YOUNG PEOPLE - LIFELONG LEARNING	1,368	-1,368	0
OTHER STRATEGIC FUNCTIONS	15,460	-11,328	4,132
SERVICE STRATEGY	255	-23	232
COMMISSIONING AND SOCIAL WORK	7,385	-642	6,743
CHILDREN LOOKED AFTER	16,194	-548	15,646
FAMILY SUPPORT SERVICES	2,301	-411	1,890
YOUTH JUSTICE	969	-448	521
CHILDREN AND YOUNG PEOPLE'S SAFETY	1,311	-146	1,165
OTHER CHILDRENS AND FAMILIES SERVICES	2,242	0	2,242
MANAGEMENT AND SUPPORT SERVICE COSTS	1,623	-1,623	0
<b>Net Expenditure</b>	<b>174,447</b>	<b>-131,862</b>	<b>42,585</b>

**ADULT SOCIAL CARE & HEALTH QTR 3**

Annex B

<b>SERVICE AREA</b>	<b>Expenditure</b>	<b>Income</b>	<b>Revised Estimate</b>
	<b>2017/18 £000</b>	<b>2017/18 £000</b>	<b>2017/18 £000</b>
PHYSICAL SUPPORT	25,805	-13,558	12,247
SENSORY SUPPORT	1,090	-206	884
SUPPORT WITH MEMORY AND COGNITION	11,829	-4,858	6,971
LEARNING DISABILITY SUPPORT	22,734	-7,867	14,867
MENTAL HEALTH SUPPORT	3,274	-732	2,542
SOCIAL SUPPORT -DRUGS AND ALCOHOL SERVICES	15	0	15
SUPPORT FOR CARERS	1,070	-1,048	22
ASSISTIVE EQUIPMENT AND TECHNOLOGY	2,119	-1,547	572
ASSESSMENT AND CARE MANAGEMENT	7,137	-2,455	4,682
TRANSPORT	1,120	-1,120	0
COMMISSIONING AND SERVICE DELIVERY	4,242	-4,242	0
<b>Net Expenditure</b>	<b>80,435</b>	<b>-37,633</b>	<b>42,802</b>

**COMMUNITY SAFETY (INCLUDING HOUSING SERVICES) QTR 3**

Annex B

<b>SERVICE AREA</b>	<b>Expenditure</b>	<b>Income</b>	<b>Revised Estimate</b>
	<b>2017/18 £000</b>	<b>2017/18 £000</b>	<b>2017/18 £000</b>
<i>RECREATION AND SPORT</i>			
COMMUNITY CENTRES	39	0	39
<i>HOUSING SERVICES</i>			
HOUSING STRATEGY	279	-8	271
HOUSING ADVICE	288	0	288
HOUSING ADVANCES	21	-1	20
HOMELESSNESS	274	-138	136
HOUSING BENEFIT ADMINISTRATION	63,440	-63,753	-313
PRIVATE SECTOR HOUSING RENEWAL	1,568	-1,111	457
OTHER COUNCIL PROPERTY	68	-93	-25
SUPPORTING PEOPLE	5,910	-50	5,860
ENABLING	160	-52	108
<i>ENVIRONMENTAL SERVICES</i>			
COMMUNITY SAFETY (CRIME REDUCTION)	705	-201	504
COMMUNITY SAFETY (CCTV)	224	0	224
<i>PLANNING AND DEVELOPMENT SERVICES</i>			
COMMUNITY DEVELOPMENT	74	0	74
MANAGEMENT AND SUPPORT SERVICES - MANAGEMENT	240	-240	0
<b>Net Expenditure</b>	<b>73,290</b>	<b>-65,647</b>	<b>7,643</b>

SERVICE AREA	Expenditure	Income	Revised Estimate
	2017/18 £000	2017/18 £000	2017/18 £000
<i>SERVICE TO YOUNG PEOPLE AND COMMUNITY LEARNERS</i>			
OTHER SERVICES TO YOUNG PEOPLE - EARLY YEARS	730	-210	520
<i>OTHER STRATEGIC FUNCTIONS</i>			
MUSIC SERVICE	471	-471	0
<i>SEXUAL HEALTH</i>			
STI TESTING AND TREATMENT	757	0	757
CONTRACEPTION	54	0	54
ADVICE, PREVENTION & PROMOTION	1,347	0	1,347
PRIMARY CARE	296	0	296
PUBLIC HEALTH ADVICE	600	0	600
<i>OBESITY</i>			
ADULT OBESITY	726	0	726
CHILD OBESITY	418	0	418
<i>PHYSICAL ACTIVITY</i>			
PHYSICAL ACTIVITY FOR ADULTS	853	-59	794
PHYSICAL ACTIVITY FOR CHILDREN	37	0	37
<i>SUBSTANCE MISUSE</i>			
DRUG MISUSE - ADULTS	2,427	0	2,427
SUBSTANCE MISUSE - YOUTH	269	0	269
ALCOHOL MISUSE - ADULTS	300	0	300
<i>SMOKING &amp; TOBACCO</i>			
STOP SMOKING SERVICES & INTERVENTIONS	773	0	773
<i>CHILDREN 5-19 PUBLIC HEALTH PROGRAMMES</i>			
HEALTHY CHILD PROGRAMME	4,708	-22	4,686
<i>MISCELLANEOUS PUBLIC HEALTH SERVICES</i>			
DENTAL PUBLIC HEALTH	114	0	114
NUTRITION INITIATIVES	139	-5	134
HEALTH AT WORK	44	0	44
ACCIDENT PREVENTION PROGRAMME	208	-100	108
PUBLIC MENTAL HEALTH	213	-19	194
GENERAL PREVENTION	173	-78	95
OTHER PUBLIC HEALTH SERVICES	611	0	611
<i>MANAGEMENT AND SUPPORT SERVICES</i>			
DIRECTORATE	561	-561	0
COMMISSIONING	1,605	-1,605	0
COLLABORATIVE COMMISSIONING	67	-67	0
<i>PUBLIC HEALTH GRANT</i>			
PUBLIC HEALTH GRANT	0	-14,785	-14,785
<i>CULTURE AND HERITAGE</i>			
ARTS DEVELOPMENT AND SUPPORT	776	-192	584
HERITAGE	263	0	263
<b>Net Expenditure</b>	<b>19,540</b>	<b>-18,174</b>	<b>1,366</b>

## GREEN, SMART &amp; SUSTAINABLE BOROUGH QTR 3

Annex B

SERVICE AREA	Expenditure	Income	Revised Estimate
	2017/18 £000	2017/18 £000	2017/18 £000
<i>HIGHWAYS AND TRANSPORT SERVICES</i>			
PARKING SERVICES	1,412	-1,700	-288
<i>ENVIRONMENTAL SERVICES</i>			
CEMETERIES	721	-581	140
CREMATORIUM	710	-1,633	-923
TRADING STANDARDS	457	-21	436
ENVIRONMENTAL HEALTH	1,403	-382	1,021
PUBLIC CONVENIENCES	29	0	29
WASTE COLLECTION	1,709	-245	1,464
RECYCLING	4,244	-2,447	1,797
STREET CLEANSING	1,973	-164	1,809
LICENCING	360	-492	-132
TRADE WASTE	213	-385	-172
COUNCILLOR IMPROVEMENT FUND	700	0	700
<i>HIGHWAYS ROADS AND TRANSPORT SERVICES</i>			
STRUCTURAL MAINTENANCE	2,338	-668	1,670
CONSTRUCTION PROJECTS CAPITAL CHARGES	4,911	0	4,911
ENVIRONMENTAL SAFETY AND ROUTINE MAINTENANCE	3,506	-1,209	2,297
STREET LIGHTING	1,949	-158	1,791
WINTER SERVICE	378	-73	305
TRAFFIC MANAGEMENT AND ROAD SAFETY	777	-204	573
<i>CULTURAL AND RELATED SERVICES</i>			
PARKS AND OPEN SPACE MANAGEMENT	2,363	-69	2,294
RANGER SERVICE	279	-2	277
ALLOTMENTS	107	-31	76
MANAGEMENT AND SUPPORT SERVICES	2,029	-2,029	0
DIRECT SERVICES	17,672	-18,265	-593
<i>CENTRAL SERVICES TO THE PUBLIC</i>			
LOCAL LAND CHARGES	50	-115	-65
<b>Net Expenditure</b>	<b>50,290</b>	<b>-30,873</b>	<b>19,417</b>

**GROWTH (INCLUDING PLANNING) QTR 3**

Annex B

<b>SERVICE AREA</b>	<b>Expenditure</b>	<b>Income</b>	<b>Revised Estimate</b>
	<b>2017/18 £000</b>	<b>2017/18 £000</b>	<b>2017/18 £000</b>
<i>CULTURE AND HERITAGE</i>			
TOURISM AND EVENTS	368	-70	298
<i>PLANNING AND DEVELOPMENT SERVICES</i>			
BUILDING CONTROL	483	-313	170
DEVELOPMENT CONTROL	988	-901	87
PLANNING POLICY	554	0	554
ECONOMIC DEVELOPMENT	3,345	-2,879	466
MARKET UNDERTAKINGS	692	-743	-51
PREMISES DEVELOPMENT	1,331	-3,227	-1,896
<i>HIGHWAYS AND TRANSPORT SERVICES</i>			
TRANSPORT PLANNING POLICY AND STRATEGY	826	-281	545
<i>MANAGEMENT AND SUPPORT SERVICES</i>			
MANAGEMENT	248	-248	0
PROPERTY SERVICES	349	-349	0
BUILDING SUPPORT	5,861	-5,861	0
<b>Net Expenditure</b>	<b>15,045</b>	<b>-14,872</b>	<b>173</b>

**LIBRARIES AND LEISURE QTR 3**

Annex B

<b>SERVICE AREA</b>	<b>Expenditure</b>	<b>Income</b>	<b>Revised Estimate</b>
	<b>2017/18 £000</b>	<b>2017/18 £000</b>	<b>2017/18 £000</b>
<i>RECREATION AND SPORT</i>			
SPORTS DEVELOPMENT	446	-344	102
INDOOR SPORTS AND RECREATION FACILITIES	3,927	-2,711	1,216
GOLF COURSE	397	-397	0
OUTDOOR SPORTS AND RECREATION FACILITIES	257	-118	139
<i>SERVICE TO YOUNG PEOPLE AND COMMUNITY LEARNERS</i>			
ADULT AND COMMUNITY LEARNING	510	-507	3
<i>CULTURE AND HERITAGE</i>			0
ARCHIVING	229	-68	161
<i>LIBRARY SERVICE</i>			
LIBRARY BUILDINGS	2,534	-199	2,335
MOBILE AND HOUSEBOUND LIBRARY SERVICE	33	0	33
<b>Net Expenditure</b>	<b>8,333</b>	<b>-4,344</b>	<b>3,989</b>

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	REVISED ESTIMATE	Use of Earmarked Reserves	Capital Charges Adjustments	Technical and Recharge Adjustments	REVISED ESTIMATE
	Oct-17	2.2.2 & 2.2.3			Jan-18
	£000	£000	£000	£000	£000
Corporate Services	5,330	33		4	5,367
Leader's	1,220				1,220
Liverpool City Region Engagement	0				0
<b>Total Corporate Services Directorate</b>	<b>6,550</b>	<b>33</b>	<b>0</b>	<b>4</b>	<b>6,587</b>
Children, Families & Young People & Education	43,083	-562	61	3	42,585
Adult Social Care & Health	42,902	-103		3	42,802
Community Safety (including Housing Services)	7,610		33		7,643
Public Health & Well-Being	883	453		30	1,366
<b>Total People's Services Directorate</b>	<b>94,478</b>	<b>-212</b>	<b>94</b>	<b>36</b>	<b>94,396</b>
Green, Smart & Sustainable Borough	19,550	-136		3	19,417
Growth (including Planning)	602	-386		-43	173
Libraries & Leisure	3,972	17			3,989
<b>Total Environmental &amp; Trading Services Directorate</b>	<b>24,124</b>	<b>-505</b>	<b>0</b>	<b>-40</b>	<b>23,579</b>
<b>TOTAL DEPARTMENTAL BUDGETS</b>	<b>125,152</b>	<b>-684</b>	<b>94</b>	<b>0</b>	<b>124,562</b>
Levies and Precepts	20,192				20,192
Investment Interest	-666				-666
Servicing of Debt	10,514				10,514
Restructure Costs	1,977			-192	1,785
Capital Charges	-15,664		-94		-15,758
Contribution to (+) /from (-) Earmarked Balances	-19,099	684			-18,415
Pension Fixed Cost Element (Excluding Schools)	18,886				18,886
New Homes Bonus	-3,309				-3,309
Section 31 Grants	-3,104				-3,104
PFI (Interest) Grant	-2,417				-2,417
Collection Fund Surplus	-1,060			192	-868
Formula 'Top Up'	-20,555				-20,555
Retained Business Rates	-44,582				-44,582
Council Tax	-66,077				-66,077
	<b>188</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>188</b>
<b>BALANCES BROUGHT FORWARD</b>	<b>-14,885</b>				<b>-14,885</b>
<b>BALANCES CARRIED FORWARD</b>	<b>-14,697</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>-14,697</b>

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**EARMARKED BALANCES 2017/18 TO 2019/20**

ANNEX D

	Balance 31.03.17 £000	To £000	From £000	Balance 31.03.18 £000	To £000	From £000	Balance 31.03.19 £000	To £000	From £000	Balance 31.03.20 £000
Transformation Reserve *	21,954		-15,967	5,987	7,711	-1,199	12,499	7,967	-503	19,963
Growth Reserve	3,619		-1,416	2,203		-1,484	719		-68	651
Children's Services Reserve	8,689		-3,238	5,451		-3,935	1,516		-1,265	251
Essential Equipment Fund	2,573		-175	2,398		-10	2,388			2,388
Councilor Improvement Fund	439		-250	189		-100	89			89
Insurance Fund	4,994		0	4,994			4,994			4,994
Waste Management Fund	3,697		-153	3,544		-19	3,525			3,525
<b>SUB - TOTAL</b>	<b>45,964</b>	<b>0</b>	<b>-21,199</b>	<b>24,765</b>	<b>7,711</b>	<b>-6,747</b>	<b>25,729</b>	<b>7,967</b>	<b>-1,836</b>	<b>31,860</b>
Inflationary Reserve **	0	1,000		1,000	2,000		3,000	2,000		5,000
Business Rates Pilot Reserve **	0	1,584		1,584	2,167		3,751	2,237		5,988
<b>TOTAL</b>	<b>45,964</b>	<b>2,584</b>	<b>-21,199</b>	<b>27,349</b>	<b>11,878</b>	<b>-6,747</b>	<b>32,480</b>	<b>12,204</b>	<b>-1,836</b>	<b>42,848</b>

\* Transfers to the Reserve to reflect funding to be returned from the CCG, as detailed in Administrative Decision PEO000154 and Pensions Fixed Sum Repayments

\*\* Earmarking of Funds as detailed in The Revenue and Capital Budget 2017/18 Report presented to Cabinet on 22nd February 2017.

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## Annex E

### Corporate Risks

	Likelihood	Consequence	Review Date
<u>Brendan Farrell</u>			
<b>High</b>			
31, Industrial Dispute	3	4	24/01/2018
33, Equal Value Claims	4	4	24/01/2018
<b>Medium High</b>			
32, Workforce planning	3	3	24/01/2018
34, Discrimination Litigation	2	4	24/04/2018
<u>Caroline Barlow</u>			
<b>High</b>			
8, Economic conditions slow improvements in health and increase inequalities	4	3	26/01/2018
21, Threat from Judicial Review, Litigation, Ombudsman ruling against the Dept.	3	4	14/03/2018
22, Spikes in Demand / Demographics	4	4	20/03/2018
25, Failure of a Social Care provider	3	4	05/03/2018
26, Significant failure of Social Care Practice – serious abuse/harm of service user	3	4	22/03/2018
27, Ineffective School Improvement Service	3	4	20/03/2018
29, Ineffective Placement Commissioning	4	4	20/03/2018
45, Further Development of a local care system for St Helens	3	4	18/03/2018
<b>Medium High</b>			
6, Commissioning within a significantly reducing financial envelope	4	2	26/01/2018
9, Access to NHS Data	4	2	26/01/2018
24, Challenge to Effective Future Departmental Budget Management	3	3	20/06/2018

# 7

## Cath Fogarty

### High

15, Cyber Security	3	4	23/02/2018
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### Medium High

2, Health & Safety - Fatality or Serious Injury	2	3	31/01/2018
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3, Maximise value for money through effective procurement practices	2	3	21/02/2018
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4, Fraud Prevention	3	3	08/06/2018
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7, IT Failure of Key Systems and Services	2	4	23/02/2018
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10, Information Governance	3	3	08/06/2018
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11, Failure to respond to Emergency Events	3	3	07/06/2018
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### Medium Low

1, To ensure effective Business Continuity Plans are in place	2	2	27/06/2018
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## Ian Roberts

### High

16, Management of Budget Pressures	4	3	07/03/2018
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36, Impact of exit from the European Union	4	3	07/03/2018
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### Medium High

13, Loss of Contact Centre Services	2	4	07/06/2018
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35, Failure to ensure the quality of performance data	3	3	07/06/2018
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### Medium Low

12, Failure of Core Financial Systems, Processes or Controls	1	4	07/12/2018
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## Paul Sanderson

### High

14, Diesel Stock Levels	3	4	17/02/2018
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### Medium High

5, Loss of transport fleet/operator's licence	3	2	17/05/2018
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17, Procurement of Outlet for Recyclate	2	4	07/06/2018
18, Failure to Provide Sufficient Information to Contractors	2	4	21/06/2018
19, Flooding of Properties and Infrastructure within St Helens	3	2	19/03/2018
20, Failure to Maintain Infrastructure.	3	3	21/06/2018
39, Land contamination within the borough	3	2	19/06/2018

### Stephen Tracey

High

28, Failure to safeguard children from significant harm	3	4	20/03/2018
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Cabinet  
10 January 2018

<u>KEY DECISION</u> No
<u>DATE FIRST PUBLISHED</u> NA

**ST HELENS COUNCIL'S COMPREHENSIVE EQUALITY POLICY 2018-21 AND ACCESSIBILITY CHARTER**

WARDS AFFECTED

All

EXEMPT/CONFIDENTIAL ITEM

NO

1. PROPOSED DECISION

- 1.1 To recommend Cabinet approves the Council's Comprehensive Equality Policy 2018-21 and adopts the St Helens Council Accessibility Charter

2. RATIONALE FOR THE DECISION

- 2.1 The Council has had a Comprehensive Equality Policy in place since 2003. The current version of the Policy has been in place since 2014 and due for review as part of the regular policy review cycle. There have been no major changes to equality legislation since the Equality Act 2010. However, a number of amendments have been made to the Policy as a result of review process. These are listed in section 3.4 of this report.

- 2.2 St.Helens Council's Accessibility Charter is a set of principles which St Helens Council will adopt in recognition of the 150-year anniversary of the Borough. It will act as a legacy and a commitment to create an environment based on equality of access, fair entitlement, concern for the wellbeing of others, and respect for individual dignity. It sets out what Council Members, people who work for the council and people who make use of council services should expect as a minimum standard.

3. FACTS SUPPORTING THE PROPOSED DECISION

- 3.1 **The Comprehensive Equality Policy 2018-21** (Appendix 1) sets out how St.Helens Council gives 'due regard' to the Public Sector Equality Duties of the Equality Act 2010 within functions, policies and decisions.
- 3.2 The policy objectives of the Comprehensive Equality Policy remain unaltered, and continue to mirror the Public Sector Equality Duty: to eliminate

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discrimination, harassment and victimisation; to advance equality of opportunity, and to foster good community relations.

- 3.3 The Comprehensive Equality Policy will continue to be implemented through the existing mechanisms of: equality impact assessments, equality monitoring, the procurement equality standard, and equality training.
- 3.4 The following amendments and additions were made to the Comprehensive Equality Policy as a result of the review. **NB** the Comprehensive Equality Policy 2017-21 Consultation Feedback report is attached as Appendix 2.
- 3.4.1 The Council's Accessibility Charter is included as the first section of the Comprehensive Equality Policy.
- 3.4.2 Improvement in the detail of the different types of discrimination prohibited under the Equality 2010, as set out in Section 3, Definitions from the Public Sector Equality Duty. These are notably:
- Combined discrimination, dual discrimination
  - Gender reassignment discrimination: cases of absence from work
  - Pregnancy and maternity discrimination: non-work cases
  - Pregnancy and maternity discrimination: work cases
- 3.4.3 Section 4, The Implementation Responsibilities, has been revised to reflect the current Council Structure.
- 3.4.4 Section 6, the Carer Equality Policy Statement, has been updated to make appropriate reference to the Care Act 2014, and the Care and Support (Eligibility Criteria) Regulations 2014.
- 3.4.5 An Education Accessibility Strategy Statement has been included as Section 9. This sets out how the Council meets the Equality Act 2010 duty on Local Authorities to prepare and maintain an Education Accessibility Strategy.
- 3.4.6 Section 10, the Fair Employment and Equal Pay Policy Statement, has been updated to refer to the Council's Baby Welcome Policy.
- 3.4.7 Section 12, the Hate Crime Policy Statement, now includes non-legally binding working definitions of Islamophobia and Antisemitism, which clearly state the Council's position regarding these forms of religious discrimination.
- 3.5 **The Accessibility Charter** (Appendix 3) sets out 13 principles that people should expect as a minimum standard when accessing employment with, or services from, St.Helens Council.
- 3.5.1 The principles of the Accessibility Charter are based on General Duty of the Equality Act 2010: to eliminate discrimination (less favourable treatment), Harassment (unwanted behaviour) and victimisation (being made to suffer for standing up for one's rights)
- 3.5.2 The principles of the Accessibility Charter focus on
- i. equality of access

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- ii. fair entitlement
- iii. concern for the wellbeing of others
- iv. respect for individual dignity

3.5.3 As such, the Accessibility Charter could be adopted by any Public, Private and Voluntary Sector organisations operating in St.Helens without placing any extra burden upon them.

3.5.4 The Accessibility Charter adds value by highlighting some basic actions organisation could take to demonstrate "due regard" to the Equality Act 2010.

4. IMPLICATIONS/RELEVANCE TO MEETING SAVINGS TARGETS/PLANNING FOR 2020

4.1 Failure to implement the Council's Comprehensive Equality Policy, and to ensure that Council Members and Staff follow the policy consistently, runs the risk of litigation and claims of discrimination, harassment or victimisation, which can be costly. The consistent application of the Comprehensive Equality Policy reduces the risk of litigation, which supports budget saving targets.

5. RISKS

5.1 Risks Associated with the Proposed Decision

5.1.1 The Equality Act 2010 (Specific Duties) Regulations 2011 require public authorities to publish sufficient information to demonstrate compliance with Public Sector Equality Duties. To this end, the maintenance of the Comprehensive Equality Policy reduces the risk of failing to discharge this duty.

5.2 Should this Risk be added to the Corporate Risk Register?

5.2.1 No

6. OTHER IMPLICATIONS

6.1 Legal – The report assists with meeting the Council's statutory equality duties

6.2 Financial – The implications are indirect in relation to eliminating discrimination, harassment and victimisation, advancing equality of opportunity and fostering good relations through equality impact assessment, the provision of translation and interpretation, policy amendments and reasonable adjustments that make information, services and employment accessible to a diverse community.

6.3 Human Resources – In the absence of an effective Comprehensive Equality Policy, there is a risk that the Council delivers its employment services in a manner, which potentially excludes marginalised, hard to reach, vulnerable and / or specific groups with characteristics protected under equality legislation.

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- 6.4 Land and Property – The implications are linked to the Equality Act 2010 duties to ensure equality of opportunity, and eliminate discrimination by ensuring that land and property are accessible.
- 6.5 Anti-Poverty – The Equality Impact Assessments process which form part of the implementation of the Comprehensive Equality Policy, helps to ensure policies and services support the most vulnerable people in the community, such as older people, younger families, disabled people and carers. These protected groups are often over-represented in the demographic disadvantaged by deprivation.
- 6.5.1 The Accessibility Charter recognises the impact of poverty upon those disadvantaged by deprivation. The first commitment of the Accessibility Charter is that the needs of the most vulnerable will come first.
- 6.6 Effects on existing Council Policy – All existing and new policies and decisions must be informed by an Equality Impact Assessment.
- 6.7 Effects on other Council Activities – All Council functions whether delivered in-house, in partnership, through service level agreement or commissioned via contracts will be subject to Equality Impact Assessment.
- 6.8 Human Rights – A Human Rights Equality Policy Statement forms part of the Comprehensive Equality Policy. The use of Equality Impact Assessments to inform policies and decisions will help to ensure that all Council policies and functions give due regard to human rights.
- 6.9 Equalities – The Comprehensive Equality Policy is the only Council Policy that does not require an Equality Impact Assessment. The lack of a Comprehensive Equality Policy would result in the Council having an increased risk of failing to discharge its duties under the Equality Act 2010.
- 6.10 Asset Management – The implications are linked to the Equality Act 2010 duties to ensure equality of opportunity, and eliminate discrimination by ensuring that council assets, where appropriate, are accessible
- 6.11 Health – The Council’s policy on disability equality is set out in the Comprehensive Equality Policy. Disability includes the areas of mental health. Equality Impact Assessments include disability issues which will help to ensure that all Council policies and functions give ‘due regard’ to mental health and wellbeing.
7. PREVIOUS APPROVAL/CONSULTATION
- 7.1 The Policy will affect all people living and working within the borough. It will be of specific interest to the following groups; service users, individuals and groups that represent people with protected characteristics, Council Members and Council employees.

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- 7.2 The Council has consulted with relevant community and voluntary sector stakeholder groups, council departments and senior management. Further details of the consultation and responses are set out in Appendix 2.

8. ALTERNATIVE OPTIONS AND IMPLICATIONS THEREOF

- 8.1 None

9. APPENDICES

- 9.1 Appendix 1: St.Helens Council Comprehensive Equality Policy 2018/21  
Appendix 2: Comprehensive Equality Policy 2018/21 Consultation Report  
Appendix 3: St.Helens Council Accessibility Charter  
Appendix 4: Comprehensive Equality Policy Staff Summary

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BACKGROUND PAPERS

The following list of documents was used to complete this report and they are available for public inspection for four years from the date of the meeting, from the Contact Officer named above:

None

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# St.Helens Council Comprehensive Equality Policy

**Eliminate discrimination,  
harassment and victimisation  
Advance equality of opportunity  
Foster good relations between  
people in a diverse community**



St.Helens  
Council



**EQUALITY**  
FRAMEWORK  
FOR LOCAL  
GOVERNMENT  
ACHIEVING



## 1. St.Helens Council Accessibility Charter 2018

St Helens Council recognises its obligations under the Equality Act 2010, which legally protects people from discrimination, harassment and victimisation in the workplace and in wider society on the grounds of the following protected characteristics: age, disability, gender, gender reassignment, pregnancy and maternity, race including ethnic origin, religion or belief, sexual orientation, and marriage and civil partnership. We also recognise that poverty, while not one of the protected characteristics, means that equality of access to basic human rights is not a given for some.

The Public Sector Equality Duty requires St Helens Council when carrying out its functions and policies to have due regard to the need to:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunity, and
- foster good relations between different people

This Accessibility Charter is a set of principles which St Helens Council will adopt in recognition of the 150-year anniversary of this Borough. It will act as a legacy to our commitment to establish an environment based on equality of access, fair entitlement, concern for the wellbeing of others, and respect for individual dignity. Council Members, people who work for the council and people who make use of council services should expect as a minimum standard:

- That the needs of the most vulnerable will come first
- Access to clear and easy to follow information about council job opportunities, council services and service entitlements
- The right to access the services to which they are entitled
- 'Reasonable adjustments' to remove or lessen barriers for disabled people (i) in access to employment with the council, and (ii) in access to service information, and the services to which they are entitled
- Individuals must behave with respect towards the protected characteristics of others
- The right to be treated with respect in relation to protected characteristics
- The right to experience an environment where dignity is valued
- The right to experience an environment that is not harmful, hostile, threatening, degrading, offensive or abusive
- Action will be taken against those who do not respect the dignity of others
- Action will be taken against those who exhibit harmful, hostile, threatening, degrading, offensive or abusive behaviour
- To know that decisions will be based on merit and not influenced by prejudice or bias towards protected characteristics
- The right to challenge decisions or make a complaint
- Information is easily accessible on how to challenge a decision or make a complaint

Dignity is wellbeing based on that which a person feels worthy of value and respect in themselves  
Respect is concern for the feelings and dignity of others

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**This document replaces:** St.Helens Council's Comprehensive Equality Policy 2014-2018

**Department of Origin:** Corporate Services

**Section:** Governance and City Liaison

**Author:** Equalities Officer

**Post Holder (responsible for keeping Policy updated):** Equalities Officer

**Related policies:**

**Date adopted by Council Cabinet:** 10<sup>th</sup> January 2018

**Date first published:** 10<sup>th</sup> January 2018

**Version:** 1<sup>th</sup> edition

**Policy Review cycle:** to be reviewed by May 2021

**Date of last update:** NA

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## 2. St.Helens Council's Equality Policy Statement, Legal Duties and Objectives

### St.Helens Council Equality Policy Statement

St.Helens Council recognises that disadvantage and discrimination exist in society and that people may experience more than one form of discrimination. The Council is committed to striving to eliminate these inequalities and aims to be fair, reasonable and just in its responsibilities. St.Helens Council values the diversity of its workforce and the people and communities both resident and visiting the Borough. The Council is working towards ensuring that service delivery and employment practices are of the highest possible equality standard.

The Council commits itself to make its services, facilities and resources accessible and responsive to residents and visitors to St.Helens. The Council will work towards ensuring that individual human rights are supported within its decisions, policies and practices.

Under this Policy, the term St.Helens Council will mean Council Members, staff, employees, agents and any organisation delivering goods, works, services or carrying out public functions on behalf of St.Helens Council.

### Partnerships

St.Helens Council is involved in a number of local, sub regional and regional partnerships through which the needs of services users are identified and service delivery is planned. St.Helens Council is committed to using its leadership role in the community to promote equality through these partnerships, through partnership agreements, commissioning, procurement, and service level agreements.

### Scope of the Policy

This Policy covers all of St.Helens Council functions (commissioning, procurement, employment, service delivery, events, projects, processes and practices) and policies (policy documents, strategies, plans, decisions, guidelines and rules).

This Policy applies to Council employees and candidates for employment, with the exception of teaching staff, who are subject to the equality policies of their specific schools.

The principles of this Policy apply to the provision and use of all services. It also applies to contractors and partners who are commissioned to provide public services on behalf of the Council.

The Comprehensive Equality Policy provides a clear framework within which Council Members, employees, managers, partners, contract providers and trade unions must work.

The Policy is holistic: structured to be read, understood and worked with as a whole.

### Legal duties

This document sets out St.Helens Council's policy in relation to

- The Human Rights Act 1998
- The Equality Act 2010
- The Public Sector Equality Duties 2011
- The Care Act 2014

The Care Act 2014 and the Human Rights Act 1998 have separate policy statements on pages 15 and 26 respectively.

### Equality Act 2010 Public Sector Duty

The Public Sector Duty of the Equality Act 2010 requires public authorities, in the exercise of their functions and decisions, to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation (known as the General Duty of the Equality Act 2010)
- Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it
- Foster good relations between persons who share a protected characteristic and persons who do not share it.

### Protected Characteristics

The Equality Act 2010 covers nine characteristics

- Age
- Disability
- Gender
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion
- Sexual Orientation

In addition, this Policy also sets out St.Helens Council's policy on the following related areas

- Carers
- Community Cohesion
- Education Accessibility
- Fair Employment and Equal Pay
- Hate Crime
- Human Rights

### **Equality Act 2010, Accessibility for Disabled Pupils**

Schedule 10 of the Equality Act 2010 requires Local Authorities to prepare and maintain an Accessibility Strategy with the outcome over a prescribed period of:

- a) Increasing the extent to which disabled pupils can participate in the schools' curriculums;
- b) Improving the physical environment of the schools for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the schools;
- c) Improving the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled.  
The delivery of information must be:
  1. within a reasonable time;
  2. in ways which are determined after taking account of the pupils' disabilities and any preferences expressed by them or their parents.

St.Helens Council's Education Accessibility Strategy Statement is set out on page 20 of this policy

### **Equality Act 2010, Specific Duty 2011**

The Specific Public Sector Equality Duty requires public bodies to set measurable equality objectives and to publish information about their performance on equality, so that the public can hold them to account.

In order to meet the Specific Public Sector Duty, St.Helens Council will

1. Publish sufficient information to demonstrate compliance with the general equality duty across its functions annually from the first date of publication.

2. Prepare and publish equality objectives to demonstrate how the general equality duty will be met.

### **Corporate Equality Objectives**

The Corporate Equality Objectives of this Policy are based on the Public Sector Duty of the Equality Act 2010:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations between people within a diverse community

Since 2003, St.Helens Council has worked to achieve Corporate Equality Objectives based on the duties of equality legislation.

In this way, any actions that contribute to achieving Corporate Equality Objectives will also provide evidence to demonstrate that the Council is meeting its Equality Duties.

St.Helens Council uses the challenges of Community Engagement, Complaints and Equality Impact Assessments to identify improvements to policies and to make services fair and accessible. Service Equality Monitoring can be used to measure equality of access, quality and outcome for different equality groups.

### **Measurable Equality Objectives**

St.Helens Council has set the following Measureable Equality Objectives

- To ensure Equality Impact Assessments inform 100% of Delegated Executive Decisions and Key Decisions.
- To maintain a 90% achievement rate in service equality access targets for protected characteristics.
- To publish information relating to employees and customers who share protected characteristics.

The outcomes of the measurable equality objectives are published in the Council's Annual Equality Monitoring Report.

### **Implementing the Comprehensive Equality Policy**

Since 2003, St.Helens Council has complied with the duties of equality legislation by using the following three mechanisms through which its equality objectives are implemented within its business and management processes.

1. Equality Impact Assessments: must be used to demonstrate that St.Helens Council has given “due regard” to the general equality duty within its decision-making, commissioning, employment, procurement and service delivery functions.
2. Equality Monitoring: equality profiles must be used appropriately within consultation, complaints and other monitoring process to demonstrate equality of opportunity in access, quality and outcome across service delivery and employment.
3. Procurement Equality Standard: must be used within the Council's procurement functions to ensure that contract bidders demonstrate that they give “due regard” to the general equality duty within their employment practices.

St.Helens Council uses training, published corporate standards and one to one support to ensure that staff, management and elected members understand the Comprehensive Equality Policy and their responsibilities.

The outcomes of the equality impact assessments and equality monitoring are published in the Council's Annual Equality Monitoring Report.

### **Annual Equality Monitoring Reports**

Since 2003 St.Helens Council has produced Annual Equality Monitoring Reports. These demonstrate the effect that the Council's policies and practices have had on different sections of the community through analysis of:

- Consultation, satisfaction and complaints
- Workforce equality profile monitoring
- Service access equality profile monitoring
- Equality impact assessments of decisions
- Equality impact assessments of policies
- Equality training
- Support for schools
- Improvements and awards

Annual Equality Monitoring Reports are published on the Council's website and shared with local voluntary and community group that represent people who share different protected characteristics.

Through this process, St.Helens Council makes evident the progress that has been made towards

- Publishing sufficient information to demonstrate compliance with the general equality duty across its functions annually.
- Publishing the outcomes of its measurable equality objectives to demonstrate how the general equality duty is being met.

### 3. Definitions from the Public Sector Duty

#### Eliminating Discrimination

Discrimination in its simplest terms means being subject to “less favourable treatment”

Discrimination under the Equality Act 2010:

- Direct discrimination
- Discrimination by association
- Discrimination by perception
- Combined discrimination: dual discrimination
- Gender reassignment discrimination: cases of absence from work
- Pregnancy and maternity discrimination: non-work cases
- Pregnancy and maternity discrimination: work cases
- Indirect discrimination
- Discrimination arising from disability
- Failure to make a reasonable adjustment

Unlawful discrimination is unacceptable to St.Helens Council and it is our policy to eliminate it whether it occurs in relation to policy, service delivery or employment.

All discrimination is unlawful unless there is a justified reason for it; based on legal, moral or health and safety requirements; like a genuine occupational requirement in employment.

For example, it is justifiable to restrict applications for a Ladies Toilet Attendant's job to women, on the grounds of decency, even though this directly discriminates against men.

Likewise, it is justifiable to add “proficient British Sign Language Skills” to a job description for a member of staff who is likely to deal with deaf customers, even though this prevents a larger proportion of people from applying.

#### Direct Discrimination

Direct discrimination occurs when a person treats another less favourably than they treat (or would treat) others, and this treatment is because of a protected characteristic e.g. age, disability, gender, gender reassignment, race, religion, sexual orientation, marriage and civil partnership or pregnancy and maternity.

Under the provisions of the Equality Act 2010, it is not discrimination to treat a disabled person more favourably than a non-disabled person. Under certain circumstances, St.Helens Council may provide services on terms that are

more favourable to a disabled person compared to a non-disabled person.

St.Helens Council will not discriminate by deliberately segregating employees or services users by race or ethnicity. To be discriminatory, racial segregation must be a deliberate act or policy rather than a situation that has occurred inadvertently

#### Discrimination by association

St.Helens Council will not discriminate against a person because of their association with another person who possesses a protected characteristic. NB pregnancy and maternity is not protected from discrimination by association

#### Discrimination by perception

St.Helens Council will not tolerate or ignore discrimination against an individual because of a perception or assumption that the individual possesses particular protected characteristics. NB pregnancy and maternity is not protected from discrimination by perception.

#### Combined discrimination: dual discrimination

St.Helens Council will not discriminate against an individual because of a combination of two protected characteristics. NB marriage and civil partnership, and pregnancy and maternity, are not protected from dual discrimination

#### Gender reassignment discrimination: cases of absence from work

St.Helens Council will not discriminate against transsexual staff in relation to work absence that arises because they propose to undergo, are undergoing or have undergone the process (or part of the process) of gender reassignment

#### Pregnancy and maternity discrimination: non-work cases

St.Helens Council, will not treat a woman less favourably because:

- She is, or has been, pregnant;
- She has given birth, and the unfavourable treatment occurs within a period of 26 weeks beginning with the day on which she gave birth; or
- She is breastfeeding, and the unfavourable treatment occurs within the period of 26 weeks beginning with the day on which she gave birth.

### **Pregnancy and maternity discrimination: work cases**

St.Helens Council will not discriminate against a female member of staff because:

- Of a pregnancy of hers
- Of illness suffered by her as a result of it
- She is on compulsory maternity leave,
- She is exercising or seeking to exercise, or has exercised or sought to exercise, the right to ordinary or additional maternity leave.

St.Helens Council will not discriminate against a female member of staff during the protected period of her pregnancy and maternity, through taking or implementing a decision that has a less favourable outcome for that member of staff.

St.Helens Council will not discriminate against a female member of staff by taking into account any period of absence due to pregnancy-related illness when making a decision about her employment

NB The protected period, in relation to a woman's pregnancy, begins when the pregnancy begins, and ends

- (i) if she has the right to ordinary and additional maternity leave, at the end of the additional maternity leave period or (if earlier) when she returns to work after the pregnancy, or
- (ii) if she does not have that right, at the end of the period of 2 weeks beginning with the end of the pregnancy.

### **Indirect Discrimination**

Indirect discrimination is unacceptable to St.Helens Council.

Indirect Discrimination occurs when a rule, provision, criterion, practice or condition that is applied equally to everyone

- Puts or would put people who share a protected characteristic at a particular disadvantage when compared with people who do not have that characteristic
- Is or would be to the disadvantage of that group
- Cannot be justified as a proportionate means of achieving a legitimate aim.

An example of indirect discrimination: A blanket policy requiring all job applicants to hold a full

driving licence, even jobs where no driving is required, will result in an indirect discrimination against disabled people. This is because:

1. A considerably smaller proportion of disabled people hold driving licences compared to non-disabled people,
2. It is to the disadvantage of disabled people as they cannot apply for employment, and
3. It cannot be justified if there is not a genuine occupational requirement to hold a driving licence for a particular job.

Examples of legitimate aims include:

- Ensuring that services and benefits are targeted at those who most need them
- The fair exercise of powers
- To maintain a standard, such as an academic, musical, sporting or other standard, merited given the circumstances
- Ensuring the health and safety of those using the service provider's service or others, provided risks are clearly specified
- Preventing fraud or other forms of abuse or inappropriate use of services provided by the service provider
- Ensuring the wellbeing or dignity of those using the service

### **Discrimination Arising From Disability**

Discrimination arising from disability is unacceptable to St.Helens Council.

Discrimination arising from disability occurs when:

- A disabled person is treated unfavourably;
- That treatment is because of something arising in consequence of the disabled person's disability; and
- It cannot be shown that the treatment is a proportionate means of achieving a legitimate aim

...unless the employer or service provider does not know, and could not reasonably be expected to know, that the person has the disability.

St.Helens Council will not deliberately treat disabled employees or service users unfavourably because of something arising in consequence of their disability.

If St.Helens Council knows that a service user or employee is disabled it will make reasonable adjustments to eliminate the risk of discrimination arising from a disability.

### Reasonable Adjustments

A reasonable adjustment removes or avoids as far as possible, by reasonable means, the substantial disadvantage which a disabled individual experiences because of their disability where:

- A provision, criterion or practice; or
- A physical feature; or
- The lack of an auxiliary aid or service, or
- The lack of accessible information on how to access Council employment or services ...is shown to put disabled people at a substantial disadvantage compared with non-disabled people.

In meeting this duty the Council will:

- Making changes to a provision, criterion or practice.
  - This applies to Council policies and rules as well as the way in which services, information and other Council functions are delivered.
  - Provide translation and interpretation in different formats for the purpose of promoting access to employment and services for disabled people
  - Promote a positive attitude towards disability or disabled people, through such means as staff training and staff/service user awareness-raising.
- Providing extra aids, adaptations and services.
  - This includes equipment and support, such as a specific piece of computer software, or extra staff assistance.
  - Ensuring that any auxiliary aid provided is properly maintained.
  - Where reasonable make contingency arrangements in case of an unexpected failure of an auxiliary aid.
- Making changes to overcome barriers created by the physical features of the service environment.
  - This applies to entrances, exits, fixtures, fittings furnishings, furniture, equipment and material in the Council's premises, in any extended grounds and car-parks, and open spaces such as cemeteries, parks and leisure areas.
  - Seek written consent from the Landlord if the duty requires it to make reasonable adjustment to a buildings leased from a third party.

In meeting the duty to make reasonable adjustments St.Helens Council will not take any steps that are beyond its powers to take, or would fundamentally alter the nature of a service, or a job description

### Discrimination through a failure to make a Reasonable Adjustment

A failure to comply with a duty to make reasonable adjustments is discriminates against a disabled person requiring it

Under the Equality Act 2010 a failure to make a reasonable adjustment cannot be justified.

If an adjustment is reasonable then it must be made and there can be no justification for why it is not made.

### Harassment

Harassment in its simplest terms means being subject to "unwanted behaviour"

Unlawful harassment is unacceptable to St.Helens Council. It is our policy to eliminate harassment whether it occurs in policy, service delivery or employment.

Harassment occurs when a person is subject to unwanted conduct that is related to a relevant protected characteristic and which has the purpose or the effect of:

- Violating the person's dignity; or
- Creating an intimidating, hostile, degrading, humiliating or offensive environment for the person.

Unwanted conduct covers a wide range of behaviour, including spoken or written words or abuse, imagery, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings or other physical behaviour.

The unwanted conduct does not have to be directed at any particular person and a person does not have to share the protected characteristic order to find the unwanted conduct intimidating, hostile, degrading, humiliating or offensive.

'Unwanted' does not mean that express objection must be made to the conduct before it is deemed unwanted. A serious one-off incident can amount to harassment.

The following types of harassment are covered under this Policy:

- Harassment of staff by other staff
- Harassment of service users
- Sexual harassment

Age, religion and belief, gender, race, sexual orientation, disability and gender reassignment are protected from harassment.

Marriage and civil partnership, pregnancy and maternity are not protected directly under the harassment provisions. However, pregnancy and maternity harassment would amount to harassment related to gender.

### **Sexual Harassment**

Sexual harassment, where a person engages in unwanted conduct that is of a sexual nature, which is related to sex (gender), or gender reassignment, and the unwanted conduct creates intimidating, hostile, degrading, humiliating or offensive environment, is unacceptable and will not be tolerated by St.Helens Council.

Conduct 'of a sexual nature' can cover verbal, non-verbal or physical conduct including unwelcome sexual advances, touching, forms of sexual assault, sexual jokes, displaying pornographic photographs or drawings or sending emails with material of a sexual nature.

### **Victimisation**

Victimisation in the simplest terms means subjecting another person to detrimental treatment because they have made allegations or given evidence in relation to unlawful discrimination or harassment.

Victimisation also covers the situation where no allegation or evidence has been given, but a person is subject to detrimental treatment because it is believed they have done so or may do so in the future.

Under this Policy an individual need not have a particular protected characteristic in order to be protected against victimisation. However, to be unlawful, victimisation must be linked to a "protected act" as stated in the Equality Act 2010.

A "protected act" is any of the following:

- Bringing proceedings under the 2010 Equality Act;
- Giving evidence or information in connection with proceedings brought under the 2010 Equality Act;
- Doing anything which is related to the provisions of the 2010 Equality Act;
- Making an allegation (whether or not express) that another person has done something in breach of the 2010 Equality Act.

### **Instructing, Aiding, Causing or Inducing Discrimination**

St.Helens Council will not tolerate any circumstances where elected members, employees or service users instruct, aid or help, induce or persuade a person or persons, to discriminate, harass or victimise another because of a protected characteristic. Nor to instruct, aid or help induce or persuade a person to help another person to do an unlawful act. Such an instruction would be unlawful even if it were not acted on.

### **Preventing Discrimination, Harassment and Victimisation**

St.Helens Council will take all possible reasonable steps to eliminate discrimination, harassment and victimisation.

This includes training staff and members on the duties and responsibilities of the Equality Act 2010, and informing staff and service users of the Council's relevant policies.

- Codes of Conduct
- Bullying and Harassment Policy
- Assaults at Work Policy
- Disciplinary Procedures
- Grievance Procedure
- Complaints Policy
- Hate Crime Policy
- Comprehensive Equality Policy

Discrimination, harassment and victimisation of employees by other employees will be dealt with under the Council's Grievance Procedure.

Discrimination, harassment or victimisation of Service Users will be dealt with under the Council's Complaints Policy.

Discrimination, harassment or victimisation of staff from someone outside of the Council e.g. a service user, resident, or member of the public, will be dealt with under the Council's Assaults at Work Policy.

Discrimination, harassment or victimisation by staff may result in disciplinary proceedings.

Discrimination, harassment and victimisation by elected members may result in conduct proceedings.

Discrimination, harassment and victimisation against staff, elected members or the public may be reported to the Police, which may lead to prosecution.

### Advancing Equality of Opportunity

Equality of opportunity is set out under the Equality Act 2010 as having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:

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

Where necessary to advance equality of opportunity St.Helens Council will provide assistance or make changes to policy and practice in order that people who share a relevant protected characteristic may achieve an equal level of service or employment opportunity. For example

- Making reasonable adjustments
- Providing translation and interpretation
- Providing service information in easy read or pictorial formats

The relevant protected characteristics for equality of opportunity are: age; disability; gender, gender reassignment; pregnancy and maternity; race; religion; and sexual orientation.

### Monitoring outcomes with Equality Profiles

St.Helens Council will monitor the following areas in order to demonstrate that its policies and practices advance equality of opportunity in employment and service delivery:

- Equality of access - can I get in?
- Equality of quality – once in, will I be respected as an individual?
- Equality of outcomes - will decision about me be based on merit?

St.Helens Council monitors equality of opportunity in access, quality and outcome through the collection and analysis of equality profiles within employment and service user monitoring processes.

The Corporate Standard for Equality Monitoring sets out the guidance by which services successfully and effectively integrate and use equality profiles to demonstrate equality of opportunity.

Equality of Opportunity does not necessarily mean that all individuals should or can be treated the same. It may be necessary for some people to receive information or support in a different way to others in order to achieve an equal level of service or employment opportunity.

Where there is evidence of under representation of a particular protected characteristic, St.Helens Council may take “positive action” to improve representation.

### Fostering Good Relations – The Cohesion Objective

Good relations exist in a community where people from diverse and different backgrounds have a sense of belonging, are valued and appreciated and have similar life opportunities.

St.Helens Council works with its partners to promote cohesion by using Equality Impact Assessments to identify opportunities for people from different background to develop strong and positive relationships; be it in the workplace through a diverse workforce, through inclusive education in schools and colleges or through neighbourhood partnerships. For a definition of cohesion, see the Community Cohesion Policy Statement on page 16.

#### 4. Policy Implementation Responsibilities

##### ELECTED MEMBERS

###### All Council Members

Council Members must comply with the Council's Comprehensive Equality Policy whilst acting on behalf of St.Helens Council.

Members must deal with constituents' enquiries and representations fairly, without discrimination. Members must behave without discrimination, harassment or victimisation towards fellow Members, staff or service users, and ensure they treat others fairly and with respect. All Members must attend appropriate equality training.

**NB** If any Council Member knows or suspects that discrimination, harassment or victimisation is happening they must inform the Council's Monitoring Officer.

###### The Council Leader

The Leader has the portfolio responsibility for equality within St.Helens Council and will ensure that resources and leadership challenge are available to implement the Comprehensive Equality Policy.

###### The Cabinet

Cabinet Members are responsible for applying the Comprehensive Equality Policy to the setting of strategic direction and decisions on funding prioritisation. Cabinet Members will ensure that all proposed decisions, policies and strategies within their portfolio have undergone an equality impact assessment.

###### Overview & Scrutiny Commission Members

Overview & Scrutiny Commission Members will ensure that they take into consideration the equality implications of items on their work programmes and their 'called-in' items.

###### Chairs of Regulatory Committees

Chairs of Regulatory Committees will ensure that all committee decisions are free from discrimination, harassment and victimisation.

##### COUNCIL OFFICERS AND STAFF

###### All Staff

All staff must comply with the Council's Comprehensive Equality Policy whilst acting on behalf of St.Helens Council. Staff must behave without discrimination, harassment or victimisation towards elected members, fellow staff or service users, and treat people fairly and with a respect for other's dignity. All staff must attend appropriate equality training.

###### All Staff continued...

**NB** If any member of staff knows or suspects that discrimination, harassment or victimisation is happening they must inform their Line Manager, Human Resources or the Council's Equalities Officer.

###### The Chief Executive

Has ultimate responsibility for equal opportunities within St.Helens Council and will ensure that adequate resources and leadership challenge are available to fully implement the Comprehensive Equality Policy.

###### Head of Governance and City Region Liaison

Has lead responsibility for equal opportunities within St.Helens Council and will ensure that the objectives of the Comprehensive Equality Policy are integrated within the Council's Business and Planning processes.

###### Strategic Directors, Senior Assistant Directors, Assistant Directors, and Heads of Service

Are responsible and accountable for ensuring Services are accessible and delivered in an environment free from discrimination, harassment and victimisation. They are expected to lead by example and follow St.Helens Council's Comprehensive Equality Policy. They must ensure that

- All reasonable adjustments for disabled staff and services users are authorised and implemented
- Equality impact assessments inform all decisions, policies, service functions and commissioning undertaken by their department, division, services or sections

###### Service Managers, Line Managers, Team Leaders and Officers in Charge

Service Managers, Line Managers, Team Leaders and Officers in Charge must ensure that

- All reasonable adjustments for disabled staff and services users are implemented
- Staff have received appropriate equality training

###### Equalities Officer

The Equalities Officer must develop and oversee the implementation and maintenance of the Council's Comprehensive Equality Policy and ensure that it is compatible with statutory Equality Duties.

## 5. Age Equality Policy Statement

### Legislation

The implications for age in relation to the Equality Act 2010 are set out in the "Definitions of the General Equality Duty" section of this Policy.

### Employment

#### Recruitment and Selection

Age and date of birth details do not appear on the main application form but are included in the diversity monitoring form, which is retained by the HR Section in line with data protection duties.

All job descriptions and specifications are reviewed to ensure that they do not include criteria that would discriminate against a candidate on the grounds of age.

#### Pay and Benefits

In general, entitlement to benefit and annual leave are not based on service criteria that extend beyond the 5-year continuous service criteria that are permissible under law.

Exemptions to this rule are allowed where it is possible to show that the exemption fulfils a reasonable business need, e.g. encouraging loyalty.

Under this exemption, St.Helens Council retains a Long Service Award open to any employee who retires after completing 20 years continuous service.

#### Redundancy

Selection for redundancy in accordance with St.Helens Council's Redundancy Policy is not based on age related criteria.

St.Helens Council's redundancy payments are based on age and length of service criteria. This is not 'unlawful' as the criteria mirror the payments that are set out in the statutory scheme and are therefore exempt from age discrimination legislation.

### Retirement

Retirement is a matter of employee choice, as St.Helens Council does not have a set retirement age.

### External Agencies and Suppliers

Through its Procurement Policy, St.Helens Council ensures that any external agency or supplier that it engages to provide services, goods or works complies with the requirements of age legislation.

### Service Delivery

St.Helens Council makes every effort to promote equality in service delivery for people of all ages.

St.Helens Council does restrict certain services by age, however this is only where services are legally designated for a particular group, such as with Children's, Adults' or Older People's Health or Social Care Functions.

St.Helens Council includes children, young people and older people as specific groups within its Equality Impact Assessment process. This means that it considers the needs of these groups within its policies, decisions and when delivering its services.

St.Helens Council monitors service access, satisfaction and complaints by age and it ensures appropriate age representation in all consultations. Any identified age related issues are fed back into service planning processes, helping to improve services to meet the needs of people of all ages.

## 6. Carers' Equality Policy Statement

### Legislation

The Care Act 2014 Section 10 places a duty on local authorities to carry out Carer Assessments to identify if the Carer has needs for support (or is likely to do so in the future), and, if the Carer does, what those needs are (or are likely to be in the future).

“Carer” means an adult who provides or intends to provide care for another adult (aged 18 +). A person is not to be regarded as a Carer if they provide or intend to provide care under or by virtue of a contract or as voluntary work.

The Carer's Assessment must include:

1. Whether the Carer is able, and is likely to continue to be able, to provide care for the adult needing care
2. Whether the Carer is willing, and is likely to continue to be willing, to do so
3. The impact of the Carer's needs for support on their wellbeing
4. The outcomes that the Carer wishes to achieve in day-to-day life, and
5. Whether, and if so to what extent, the provision of support could contribute to the achievement of those outcomes

St.Helens Council, in carrying out a Carer's assessment will,

- Take account of whether the Carer works or wishes to do so, and whether the Carer is participating in or wishes to participate in education, training or recreation
- Involve the Carer, and any person whom the Carer asks to be involved
- Consider whether, and if so to what extent, matters other than the provision of support could contribute to the achievement of the outcomes that the Carer wishes to achieve in day-to-day life
- Consider whether the Carer would benefit from any provision in place to reduce, prevent or delay the development of support needs
- Consider whether the Carer support needs may be best met by providing care to the adult they support, or support to the Carer directly

The national eligibility threshold for Carers is set out in the Care and Support (Eligibility Criteria) Regulations 2014.

This national eligibility threshold is based on the impact that caring for another adult has on the Carer's wellbeing.

Under the legislation, “Well-being” means any of the following:

- personal dignity (including treatment of the individual with respect)
- physical and mental health and emotional well-being
- protection from abuse and neglect
- control by the individual over day-to-day life (including over care and support, or support, provided to the individual and the way in which it is provided)
- participation in work, education, training or recreation
- social and economic well-being
- domestic, family and personal relationships
- suitability of living accommodation
- the individual's contribution to society

Key benefits from the legislation

- Increased employability of Carers who wish to return to work
- Improved work life balance enabling Carers to remain in employment
- More opportunities for Carers to access learning and training opportunities
- More opportunities for Carers to lead a more fulfilled life

### Employment

St.Helens Council employees who are carers are supported through the Council's flexible working policies.

### Service Delivery

St.Helens Council includes Carers as a specific group within its Equality Impact Assessment process. This means that the Council considers the needs of carers

- When developing or reviewing its policies
- In every decision it takes, and
- When assessing its service functions.

The Council promotes the needs of Carers by:

- Working with partners to identify Carers
- Producing information and holding events to raise awareness of Carer rights
- Ensuring that Council staff receive appropriate training and information to be able to inform Carers of their rights and signpost people to appropriate support.

### Young Carers

St.Helens Council also recognises that children and young people can be left with the role of carer for family members and will act to ensure that Young Carers are identified so that their families receive appropriate support.

## 7. Community Cohesion Policy Statement

### Legislation

The Equality Act 2010 places a general duty on local authorities to foster good relations between persons who share a protected characteristic and persons who do not share it.

The Education and Inspections Act 2006 places a duty on governing bodies of schools in England to promote community cohesion.

St.Helens Council recognises that an integrated and cohesive community is one where:

1. There is a clearly defined and widely shared sense of the contribution of different individuals and different communities to a future vision for a neighbourhood, city, region or country
2. There is a strong sense of an individual's rights and responsibilities when living in a particular place – people know what everyone expects of them and what they can expect in turn
3. Those from different backgrounds have similar life opportunities, access to services and treatment
4. There is a strong sense of trust in institutions locally to act fairly in arbitrating between different interests and for their role and justifications to be subject to public scrutiny
5. There is a strong recognition of the contribution of both those who have newly arrived and those who already have deep attachments to a particular place, with a focus on what they have in common
6. There are strong and positive relationships between people from different backgrounds in the workplace, in schools and other institutions within neighbourhoods.

St.Helens Council has set a specific Community Cohesion Objective within this Policy, to foster good relations between people in a diverse community.

St.Helens Council recognises that communities are not homogenous. Different communities and individuals in the communities have different needs. Needs should not be defined by stereotyping or presumptions.

### Employment

St.Helens Council supports community cohesion through the employment of a diverse workforce, which reflects the diversity of the community it provides services to.

Working with a diverse range of colleagues helps to challenge discriminatory values by giving staff and members the opportunity to learn about different cultures, lifestyles, and experiences whilst coming to recognise that each individual, although they belong to wider communities or group, is unique a person.

Training programmes are designed to be reflective of the diversity of the community and seek to challenge stereotypical beliefs, ignorance, prejudice and discriminatory attitudes by the use of non-discriminatory language, images and information.

Homophobia, disablism, sexism, transphobia, racism and religious bigotry may result in disciplinary proceedings under this Policy.

### Service Delivery

St.Helens Council works with partners to identify and address areas of tension in the community.

The Council will promote cohesion, through its departments and partnership, by identifying opportunities to bring people from different backgrounds together to contribute to improvements in the social, economic and natural environment, and thus promote inclusion and wellbeing.

The Council "Equality Offer" to schools includes support in meeting the duty to promote Community Cohesion and encourage schools to follow government guidelines and codes of practice.

## 8. Disability Equality Policy Statement

### Disability Charter

This Council is committed to the employment, retention and advancement of disabled people within our workplace.

We undertake to work with Trade Union Disability Champions and disabled employees, in our workplaces to ensure that we maintain and maximise our commitment as a Disability Confident Employer.

We will actively involve our employees and their representatives in maintaining the goals of the Disability Confident Employer commitment.

We will encourage our entire workforce, using the appropriate training at all levels, to be supportive of disabled people.

We will seek to use suppliers and services that are also supportive of disabled people.

### Legislation

The implications for disabled people in relation to the Equality Act 2010 are set out in the "Definitions of the General Equality Duty" section of this Policy.

The Children and Families Act 2014 and the associated Special Educational Needs (SEN) Code of Practice introduce changes to how children with SEN and their families are supported. Some of the key changes include:

- Replacing Statements of SEN and learning difficulty assessments with a new "birth to 25" Education, Health and Care Plan (EHC Plan), extending rights and protections to young people in further education and training, and offering families personal budgets so that they have more control over the support they need
- Improving co-operation between all the services that support children and their families, and particularly requiring local authorities and health authorities to work together
- Requiring local authorities to involve children, young people and parents in reviewing and developing provisions for those with special educational needs and publish a "Local Offer" of services and support.

### Education

St. Helens Council is committed to ensuring that both disabled children and adults have a right to a choice of mainstream educational and other service provision.

The Council will provide mechanisms for resolving disputes over special education needs between parents and schools, which will be set out in the "Local Offer".

### Definitions

The Equality Act 2010 defines a disabled person as a person with

1. 'a physical or mental impairment,
2. which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities'

In order to meet this statutory definition, the impairment must satisfy the following:

- Be either physical or mental;
- Have an adverse effect which is substantial
- Have an adverse effect which is long-term;
- Affect the ability to carry out normal day-to-day activities.

The Council is aware that the definition of disability is an evolving concept. It takes into account the widening definition within its decisions and functions, and gives due regard to the "Social Model" of disability. This model recognises the barriers caused by the environment and people's attitudes to disability.

### Impairment

Whether a person is disabled for the purposes of the Act and this Policy, will be determined by the effect the impairment has on that person's ability to carry out normal day-to-day activities.

It is not the case that one type of impairment will affect different people in the same manner.

It is only when a condition or impairment has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities, that a person will be regarded as a disabled person.

It is not possible to provide an exhaustive list of conditions that qualify as impairments.

Any attempt to do so would inevitably become out of date with advancements in medical knowledge. The following list gives an illustration of the wide range of impairments and conditions from which a disability may arise:

1. Sensory impairments, such as those affecting sight or hearing;
2. Impairments with fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME)/chronic fatigue syndrome (CFS), fibromyalgia, depression and epilepsy;
3. Progressive conditions, such as motor neurone disease, muscular dystrophy, forms of dementia and lupus (SLE);
4. Organ specific, including respiratory conditions, such as asthma, and cardiovascular diseases, including thrombosis, stroke and heart disease;
5. Developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia;
6. Learning difficulties;
7. Severe disfigurement including, limb or postural deformation (including restricted bodily development), diseases of the skin, scars and birthmarks.
8. Mental health problems and mental illnesses, such as depression, schizophrenia, eating disorders, bipolar affective disorders, obsessive compulsive disorders, as well as personality disorders and some self-harming behaviour;
9. Produced by injury to the body or brain.

#### **People who have had a disability in the past**

This Policy will also apply to any person that had a disability in the past. For example, a person who, in the past, experienced a mental health problem that had a substantial and long-term adverse effect on her ability to carry out normal day-to-day activities, but who has experienced no recurrence of the condition.

#### **People automatically deemed to be disabled**

People with the following impairments or conditions are automatically deemed as disabled people under this Policy:

- A person who has:
  - HIV,
  - Cancer, or
  - Multiple Sclerosis,
- A person certified by a consultant ophthalmologist as:
  - blind,
  - severely sight-impaired,
  - sight-impaired, or
  - partially sighted.

#### **Exclusion**

Certain conditions will not be regarded as impairments under the Act and this Policy.

- Addiction to, or dependency on, alcohol, nicotine, or any other substance (other than an addiction which was originally the result of administration of medically prescribed drugs or other medical treatment.);
- Disfigurement that consists of a tattoo (which has not been removed) or piercing of the body for decorative purposes including anything attached through the piercing;
- The condition known as seasonal allergic rhinitis (e.g. hayfever), except where it aggravates the effect of another condition;
- Tendency to set fires;
- Tendency to steal;
- Tendency to physical or sexual abuse of other persons;
- Exhibitionism;
- Voyeurism.

#### **Substantial**

The requirement that an adverse effect on normal day-to-day activities should be a substantial one reflects the general understanding of disability as a limitation going beyond the normal differences in ability that may exist among people. A substantial effect is one that is greater than the effect that would be produced by the sort of physical or mental conditions experienced by many people that have only 'minor' or 'trivial' effects.

In assessing whether the effect of an impairment upon day to day activity is substantial, the following factors should be considered:

- The time taken to carry out an activity, compared with the time it might take a person who did not have the impairment to complete an activity;
- The way in which an activity is carried out, compared with the way that the person might be expected to carry out the activity if he or she did not have the impairment;
- The cumulative affects of an impairment on more than one day to day activity.
- The modification of behaviour that an individual might reasonably be expected to make to manage or reduce the effect their impairment or condition.
- Whether a person avoids doing things that cause pain, fatigue or substantial social embarrassment.
- The impact of environmental factors such

as temperature, humidity, lighting, the time of day or night.

### **Effects of medical treatment**

Where an impairment is subject to treatment or correction - for example by the use of a prosthesis, such as an artificial limb or a heart valve; or controlled by medication, counselling, or diet - the impairment will be considered as having the effect that it would have had without the treatment or correction being in place. This applies even if the treatment or correction results in the effects being completely under control or not apparent.

Whether or not the effect is substantial will be assessed by reference to what the effects of the condition or impairment would have been if it were not subject to the treatment or correction.

**NB** A visual impairment is not deemed to be substantial if it is correctable by the use of spectacles or contact lenses

### **Long Term**

To be long-term, the effect of an impairment must satisfy one of the following conditions:

- It has lasted at least 12 months; or
- The total period for which it lasts, from the time of the first onset, is likely to be at least 12 months; or
- It is likely to last for the rest of the life of the person affected.

This includes impairments where the substantial effect is not continuous, but likely to recur. For example a person with rheumatoid arthritis may experience substantial adverse effects for a few weeks after the first occurrence and then have a period of remission.

**NB** Conditions with effects that recur only sporadically or for short periods of time, such as schizophrenia or bipolar affective disorder, also qualify as impairments in respect of the meaning of 'long-term'.

### **Normal day-to-day activity**

Under the definition of disability the substantial long term effect of an impairment must be an effect upon a normal day to day activity.

### **Normal**

Under the Act and this Policy normal has an ordinary and everyday meaning. In deciding whether an activity is normal the following factors should be considered. How far the activity is:

- Commonplace for a large number of people,
- Carried out on a daily or frequent and fairly regular basis.

Normal day-to-day activities do not include:

- Work of any particular form
- Activities that are normal only for a particular person or a small group of people. For example, the ability to play an instrument to a very high standard or taking part in a particular game or hobby with very specific skills.

### **Activity**

Under this Policy activity means the things people do. In general, day-to-day activities are things people do on a regular or daily basis, for example shopping, reading and writing, having a conversation or using the telephone, watching television, getting washed and dressed, preparing and eating food, carrying out household tasks, walking and travelling by various forms of transport, and taking part in social activities.

### **Capacity**

The Equality Act 2010 states that an impairment is to be taken to affect the ability of a person to carry out normal day-to-day activities only if it affects that person in respect of one or more of the following capacities:

1. Mobility;
2. Manual dexterity;
3. Physical co-ordination;
4. Continence;
5. Ability to lift, carry or otherwise move everyday objects;
6. Speech, hearing or eyesight;
7. Memory or ability to concentrate, learn or understand; or
8. Perception of the risk of physical danger

It should be noted that the list of capacities set out above is **not** a list of day-to-day activities.

In general, the relationship between disability, impairment, capacity and activity can be defined thus:

1. A person must have an impairment or condition;
2. The impairment or condition must affect that person's ability to utilise a capacity;
3. However, it is only when this in turn has a substantial and long term adverse effect on a person's ability to carry out a normal day to day activity that the person is disabled.

Therefore, the substantial long-term adverse affect must be related to a capacity, but is

determined by looking at the effect on a particular day-to-day activity, not the capacity.

## 9. Education Accessibility Strategy Statement

### Legislation

Schedule 10 of the Equality Act 2010 requires Local Authorities to prepare and maintain an Education Accessibility Strategy, with the outcome over a prescribed period of:

- a) Increasing the extent to which disabled pupils can participate in the schools' curriculums;
- b) Improving the physical environment of the schools for the purpose of increasing the extent to which disabled pupils are able to take advantage of education and benefits, facilities or services provided or offered by the schools;
- c) Improving the delivery to disabled pupils of information which is readily accessible to pupils who are not disabled.

The delivery of information must be:

1. within a reasonable time;
2. in ways which are determined after taking account of the pupils' disabilities and any preferences expressed by them or their parents.

### Prescribed Period

St.Helens Council's Education Accessibility Strategy Statement is for the period 2018-21.

### Participating in the Curriculum

Arrangements for increasing the extent to which disabled pupils can participate in the schools' curriculums are set out within the following documents:

- Guidance For Schools: Meeting Additional Needs (January 2015)
- St Helens Council's Special Educational Needs and Disability - Local Offer

### Improving the Physical Environment

Arrangements for improving the physical environment of schools are set out within the Council's Programme of School Work, which is based on the assessment of all relevant built assets.

Arrangements include contingency to make reasonable adjustments that meet unexpected or unforeseen access needs.

### Information Which Is Readily Accessible To Non-Disabled Pupils

Arrangements for improving the delivery to disabled pupils of information which is readily accessible to non-disabled pupils, is covered in the following ways.

- Council Translation and Interpretation arrangements
- School Translation and Interpretation arrangements
- St Helens Information Advice and Support Service

## 10. Fair Employment and Equal Pay Policy Statement

### Legislation

The Equality Act 2010 places a duty on employers to eliminate discrimination between women and men in the same employment in pay and other terms and conditions of their contracts of employment such as piecework, output and bonus payments, holidays and sick.

### Equal Pay

St.Helens Council is committed to equal pay across all departments through its free from bias pay structure.

St.Helens Council's pay and grading structure follows the National Single Status Agreement negotiated between the National Joint Council (NJC) for Local Government Services and Local Government Trades Unions.

The Council uses Community Impact Assessments within its decision making processes to ensure that all decisions on staffing issues are consistent with its pay and grading policy.

### Fair Employment

The Council is committed to fair employment and training policies, which promote equality of opportunity and do not discriminate against job applicants and employees in relation to protected characteristics.

St.Helens Council:

- Ensures that publicity for vacancies does not unfairly restrict the range of applicants
- Produces a standard range of application forms and job descriptions that are clear and explicit
- Monitors employment process to promote equality of opportunity
- Develops a programme of equality training to support the Corporate Equality Objectives
- Ensures that policies and procedures associated with equality are part of the staff handbook and are understood by staff
- Ensures the appropriate inclusion of equality issues within the staff appraisal system
- Makes all employment procedures consistent with legislation and employment Codes of Practice

### Flexible Working

St.Helens Council understands that flexible working arrangements can be essential in relation to equality of opportunity for disabled staff, parents and carers and can support staff in educational attainment and development or in keeping their religious observances.

St.Helens Council's flexible working arrangements are available to employees of all grades and include all recognised best practice types of flexible working solutions.

Parental, carer and adoption arrangements are free from sexual orientation bias.

### Occupational Segregation

St.Helens Council acknowledges that some occupations have been traditionally restricted along gender lines, leading to inequalities in employment opportunities based on gender.

St.Helens Council will monitor its workforce by gender, and take steps to address occupational segregation through workforce planning, training and education.

### Pregnancy and Maternity

Unfavourable treatment of a woman because of her pregnancy or maternity leave during 'the protected period' is unlawful pregnancy and maternity discrimination.

The protected period starts when a woman becomes pregnant and continues until the end of her maternity leave, or until she returns to work if that is earlier.

Pregnancy and maternity is not protected directly under the harassment provisions. However, pregnancy and maternity harassment would amount to harassment related to gender

The Council supports a woman's right to breastfeed. It operates a Baby Welcome Policy, which fosters a supportive environment for nursing parents that is safe and comfortable for mother and child. The Baby Welcome Policy also sets out arrangements for staff who wish to continue to breastfeed on their return to work.

## 11. Gender Reassignment Equality Policy Statement

### Legislation

All the Articles of the Human Rights Act 1998 are relevant, but in particular:

- Article 8, the right to respect for private and family life
- Article 12, the right to marry
- Article 14, the prohibition of discrimination

The implications for gender reassignment in relation to the Equality Act 2010 are set out in the "Definitions of the General Equality Duty" section of this Policy.

### Scope of the Policy Statement

This Policy statement covers people with gender dysphoria, transsexual people and intersex people.

### Definitions

Gender dysphoria is a recognised medical condition where someone is profoundly unhappy or uneasy about their own gender identity (masculinity or femininity) because it conflicts with their biological sex.

Transsexual people believe they are born in a body of the wrong sex.

Intersex people may have either male and female sexual characteristics, or intermediate sexual characteristics.

An intersex person may identify as non-binary, which means that their gender identity is different to the masculine / feminine gender duality

An intersex person may suffer gender dysphoria if they feel the gender they were ascribed at birth conflicts with their true gender identity.

Gender reassignment is the process, undertaken under medical supervision, of reassigning a person's gender by changing physical, social or other characteristics.

Real life test refers to the transition period in gender reassignment during which the individual must live and work in the new gender.

### Employment

St.Helens Council will not discriminate against a person for the purpose of recruitment or employment, training, benefit and pension rights on the grounds that the individual is a transsexual or intersex person, whether or not they are intending to undergo, undergoing or having at sometime undergone gender reassignment.

### Exceptions

Discrimination in employment on grounds of gender reassignment may occasionally be permitted where:

- A particular gender is a requirement for a job, e.g. women's domestic violence worker
- The job involves conducting intimate searches
- The job involves working in someone's home.

Temporary exceptions may apply during the transition process where:

- Individuals have to share accommodation
- Personal care services are provided to vulnerable individuals.

In relation to exceptions, St.Helens Council will assess each situation carefully and act reasonably in the circumstances, e.g. considering alternatives such as reassigning duties.

The Council acknowledges that religious organisations have certain exemption from gender reassignment employment duties, even where an individual has a gender recognition certificate. The exemption only applies where there are genuine religious reasons to refuse to employ a transsexual or intersex person – for example, in relation to the appointment of clergy in some denominations.

### Privacy Statement

If someone has undergone gender assignment prior to joining the authority (or a new department within the authority), St.Helens Council will not disclose their transsexual history.

St.Helens Council understands that disclosure could constitute a criminal offence in the case of someone who has obtained a gender recognition certificate.

In line with the Disclosure and Barring Service (DBS) Policies, people who have undergone a gender reassignment do not have to include previous names on the CRB Disclosure Application form.

However, St.Helens Council expects applicants who have undergone a gender reassignment to send details of their previous identity in a separate letter directly to the 'Sensitive Casework Manager' within the DBS, who will then check the data sources held against both current and previous names.

St.Helens Council will ensure information on how and when to make contact with the sensitive casework manager at the DBS is readily available within its guidance on completing the DBS Disclosure Application form.

### **Support**

St.Helens Council's recognises gender dysphoria and will support an employee through their real life test and gender reassignment process. The Council's Equalities Officer is the link officer for such guidance and advice.

### **Service Delivery**

St.Helens Council will not discriminate through the delivery of its services against an individual who is a transsexual or intersex person, whether or not they are intending to undergo, undergoing or having at sometime undergone gender reassignment.

St.Helens Council will use consultation, equality impact assessment and staff training to ensure that services meet the needs of transsexual and intersex people and to ensure that the identity and human rights of transsexual and intersex service users are respected.

## 12. Hate Crime Policy Statement

### Hate Crime Legislation

The Crime and Disorder Act 1998 created a number of racially and religiously aggravated offences.

The Criminal Justice Act 2003 introduced tougher sentences for offences motivated by hatred of the victim's sexual orientation. This must now be taken into account by the sentencing court as an aggravating factor, in addition to race or religious hate motivation.

Section 146 of the Criminal Justice Act 2003, imposes a duty upon courts to increase the sentence for any offence (for example, assault or criminal damage) aggravated by hostility based on the victim's disability (or presumed disability).

The Racial and Religious Hatred Act 2006 makes it a criminal offence to use threatening words or behaviour with the intention of stirring up hatred against any group of people because of their race, religious beliefs or their lack of religious beliefs.

The Protection of Freedoms Act 2012 identified new specific offences of racially and religiously aggravated stalking

### Definitions

St.Helens Council's non-legally binding working definition of Islamophobia  
 "Anti-Muslim prejudice or hatred is a certain perception of Muslims, which may be expressed as hatred or outward hostility towards Muslims. Hatred may take the form of anti-Muslim rhetoric and physical manifestations that are targeted towards Muslims or non-Muslim individuals considered to be sympathetic to Muslims and/or their property, towards Muslim community institutions, religious and other related social institutions." (The Tell MAMA Definition)

St.Helens Council's non-legally binding working definition of Antisemitism:  
 "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities." (The International Holocaust Remembrance Alliance Definition)

### Hate Crime

Any incident which constitutes a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate of a person's actual or perceived.

- Race
- Religion
- Gender Identity
- Sexual orientation
- Disability

Hate crime can take many forms including:

- Physical attacks – such as physical assault, damage to property, offensive graffiti, neighbour disputes and arson.
- Threat of attack – including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded, malicious complaints.
- Verbal abuse or insults - offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace

### Hate Incidents

A hate incident is any incident whereby the perpetrator's prejudice against any identifiable group of people is a factor in determining who is victimised.

### Zero Tolerance Policy Statement

St.Helens Council has a zero tolerance policy in relation to offensive and threatening behaviour towards staff and contractors.

"Any offensive, humiliating, degrading, hostile or abusive comments or behaviour made towards staff or contractors will result in action being taken, which may lead to prosecution"

### Service Delivery

St.Helens Council works with partners in the Community Safety Partnership to effectively record, respond to and reduce the number of hate crimes and hate incidents within the Borough.

St.Helens Council will not tolerate hate crime or hate incidents against its staff or service users and will take appropriate action against all such incidents.

**Employment**

Islamophobia, Antisemitism, homophobia, disablism, sexism, transphobia, racism and religious bigotry may result in disciplinary proceedings under this Policy.

Any harassment, bullying, victimisation or discrimination by staff, which is perceived by the victim or another person to be motivated by prejudice or hate against a person's actual or perceived, race, colour, ethnic origin, nationality or national origins, religion, gender or gender identity, sexual orientation or disability is unacceptable to St.Helens Council and will be investigated under the appropriate policy.

Hate incidents by Council Members will be dealt with under the Members' Code of Conduct.

Hate Incidents by employees on fellow employees or service users will be dealt with under the Council's Bullying and Harassment Policy and may result in disciplinary proceedings.

Hate Incidents on our staff by people who are not our staff will be dealt with under the Council's Assaults at Work Policy and may result in criminal action.

All hate incidents reported the Council will be reported to the Police.

### 13. Human Rights Policy Statement

#### Legislation

The Human Rights Act 1998 makes it unlawful for a local authority to behave in a way that is not compatible with the provisions of the European Convention on Human Rights.

Human rights must be explicitly considered in policies and procedures, in decisions, in employment and in service delivery.

Human Rights protected under law include:

- Right to life (absolute)
- No torture, inhuman or degrading treatment (absolute)
- No slavery or forced labour (absolute)
- Liberty and security of the person
- Fair trial or hearing within a reasonable time (absolute)
- No punishment without law and no retrospective penalties (absolute)
- Respect for family life, home and correspondence
- Freedom of thought, religion and conscience
- Freedom of expression
- Freedom of assembly and association
- Right to marry and start a family (absolute)
- Prohibition on discrimination (absolute)
- Restriction on political activity of aliens (absolute)
- Prohibition of abuse of rights (absolute)
- Limitation on the use of restrictions on rights
- Protection of property
- Right to education
- Right to free elections (absolute)

Any interference with an individual's rights must be proportionate to the intended aim and must not be arbitrary or unfair.

St.Helens Council will not interfere with those Human Rights that are "Absolute" rights.

Where the Council is faced with the necessity to limit or restrict an individual's human rights the decision will only be taken if the interference can be justified in accordance with the law or is necessary in the interests of:

- National security,
- Public safety or the economic well-being of the country,
- The prevention of disorder or crime,
- The protection of health or morals,
- The protection of the rights and freedoms of others.

Where the Council makes the justified decision to interfere with an individual's human rights it will do so in proportion to the legitimate aims of the decision, for example the decision to remove a child from its family will only be taken if a full assessment of the circumstances show this to be the legitimate course of action to protect the child from an abusive or harmful situation.

Even if a particular policy or action, which interferes with an individual's human rights, is aimed at achieving a legitimate aim (for example the prevention of crime), this will not be justified if the means used to achieve the aim are excessive in the circumstances.

St.Helens Council will consider human rights in all its policies and decisions.

Human rights are included in the Council's Equality Impact Assessment process used to assess the impact of decisions, policies and services upon the community.

## 14. Religion Equality Policy Statement

### Legislation

Article 9 of the Human Rights Act 1998 - Freedom Of Thought, Conscience And Religion states:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change one's religion or belief and freedom, either alone or in community with others and in public or private, to manifest one's religion or belief, in worship, teaching, practice and observance.

Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

The implications for religion in relation to the Equality Act 2010 are set out in the "Definitions of the General Equality Duty" section of this Policy.

### Definition of Religion

Under this Policy, faith, religion and belief are defined as any faith, religion, religious belief, or similar philosophical belief. This does not include political beliefs.

St.Helens Council understands that individuals have the right to define their own faith. However, St.Helens Council will not support a individual or group who claim that their religious beliefs gives them the right to incite religious hatred or who claim that their religious beliefs gives them the right to interfere with the human rights of others unless that claim is justified by legislation.

The Council acknowledges that religious organisations, such as faith schools, have exemptions from certain equality duties.

### Employment

St.Helens Council will not discriminate in recruitment, employment and training on the grounds of faith, religion or belief, or the lack of faith, religion or belief.

St.Helens Council will work towards enabling employees at all levels in the workforce to feel safe in being open about their faith, religion or belief systems.

Religious discrimination is unacceptable and may result in disciplinary proceedings.

St.Helens Council will take positive steps in conditions of employment to respect and take accounts of the rights of employees to follow the observances of their chosen faith, religion or belief system.

St.Helens Council will ensure that staff have access to appropriate training and guidance to support the delivery of services that respect the cultural and religious diversity of the community.

### Service Delivery

St.Helens Council will ensure that all information, publicity and advertising over which it has control or influence is not prejudiced and uses positive images and language to counteract the effects of religious discrimination.

St.Helens Council includes faith, religion and belief within its Equality Impact Assessment process to ensure that people do not receive a different quality of service due to their faith, religion or belief as a result of the Council's decisions, policy developments, service planning or delivery.

## 15. Sexual Orientation Equality Policy Statement

### Legislation

The implications for sexual orientation in relation to the Equality Act 2010 are set out in the "Definitions of the General Equality Duty" section of this Policy.

### Definition of Sexual Orientation

Under this Policy, sexual orientation is defined as:

- Orientation towards persons of the same sex (homosexual)
- Orientation towards persons of the opposite sex (heterosexual)
- Orientation towards persons of the same sex and the opposite sex (bisexual).

### Employment

St.Helens Council will not discriminate in recruitment, employment and training on the grounds of actual or perceived sexual orientation.

St.Helens Council will work towards enabling employees at all levels in the workforce to feel safe in being open about their sexual orientation.

The Council does not assume that its entire workforce is heterosexual and ensures that all employment benefits, pensions and flexible working arrangements are free from sexual orientation bias and support the rights of civil partners.

Homophobia and discrimination, harassment and victimisation on the grounds of sexual orientation, assumptions about a person's sexual orientation or because a person associates with someone of a particular sexual orientation, including 'outing' for malicious reasons, are unacceptable and may result in disciplinary proceedings.

St.Helens Council will ensure that staff have access to appropriate training and guidance to support the delivery of services that respects diversity in sexual orientation.

The Council acknowledges that religious organisations, such as faith schools, have exemptions from certain sexual orientation equality duties.

### Service Delivery

St.Helens Council will ensure that all information, publicity and advertising over which the Council has control or influence, uses positive images and language to counteract the effects of homophobia and promote equality for lesbians, gay men and bisexual and heterosexual men and women.

St.Helens Council includes sexual orientation within its Equality Impact Assessment process to ensure that people do not receive a different quality of service due to their sexual orientation, as a result of the Council's decisions, policy developments, service planning or delivery.

The Council will ensure that the rights of civil partners are respected in all policies, decisions, service planning and delivery processes.

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**St.Helens Council Cabinet Report 10th January 2018  
Comprehensive Equality Policy 2018-21 and Accessibility Charter - Appendix 2**

**St.Helens Council Comprehensive Equality Policy 2018-21 - Pre Decision Consultation Feedback 9<sup>th</sup> November 2017 to 24<sup>th</sup> November 2017**

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Date	Consultee	Feedback	Accepted	Rationale
9/11	Peter Mallett Neighbourhood Crime & Justice Coordinator  St.Helens Council	Can I suggest a slight change - page 24  St.Helens Council works with partners in the Crime and Disorder Partnership to effectively record, respond to and reduce the number of hate crimes and hate incidents within the Borough.  The words Crime and Disorder Partnership now need to read Community Safety Partnership (changed a few years ago).  Otherwise - reads well - thanks	Yes	Factual change
13/11	Nattalie Kennedy  Public Health Programmes and Commissioning Manager  Public Health & Wellbeing  St.Helens Council	Hi Simon  I am doing some work around mental health and wellbeing in the workplace. I have quickly scanned your document and have seen that there is reference to mental health, however, do realise that this could be lost in the context?  Driving towards reducing stigma/discrimination around mental health and ensuring that it has the same weight in the document as physical disability?  Please see the review document produced by Stevenson and Farmer for the Government, lots of recommendations for policy/legislation?  -----  The Stevenson Farmer Review Report recommends  A. That all employers adopt the mental health core standards.  1. Produce, implement and communicate a mental health at work plan  2. Develop mental health awareness among employees  3. Encourage open conversations about mental health and the support available when employees are struggling  4. Provide your employees with good working conditions	Yes	The Recommendations of the Stevenson Farmer Review Report will be discussed through a forum with Public Health and HR  -----  No changes have been made to the Comprehensive Equality Policy  <b>The Disability Equality Statement</b> includes an equal reference to mental and physical impairments, including  <b>The definition of disability</b> (page 17) - The Equality Act 2010 defines a disabled person as a person with  1. 'a physical or mental impairment,  2. which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities'  <b>Examples of impairment</b> (page 18) - Mental health problems and mental illnesses, such as depression, schizophrenia, eating disorders, bipolar affective disorders, obsessive compulsive



Date	Consultee	Feedback	Accepted	Rationale
		5. Promote effective people management 6. Routinely monitor employee mental health and wellbeing. B. That all public sector employers deliver the following mental health enhanced standards 1. Increase transparency and accountability through internal and external reporting. 2. Demonstrate accountability 3. Improve the disclosure process 4. Ensure provision of tailored in-house mental health support and signposting to clinical help		disorders, as well as personality disorders and some self-harming behaviour; <b>The definition of long-term</b> (page 19) - Conditions with effects that recur only sporadically or for short periods of time, such as schizophrenia or bipolar affective disorder, also qualify as impairments in respect of the meaning of 'long-term'.
13/11	Simon Cousins Equalities Officer St.Helens Council	The Council operates a Baby Welcome Policy. It is not referenced within the Comprehensive Equality Policy A form of words is needed to be added to integrate the Baby Welcome Policy within the Comprehensive Equality Policy appropriately.	Yes	The following section has been added under the <b>Fair Employment and Equal Pay Policy Statement</b> (page 21) under the subsection <b>Pregnancy and Maternity</b> The Council supports a woman's right to breastfeed. It operates a Baby Welcome Policy, which fosters a supportive environment for nursing parents that is safe and comfortable for mother and child. The Baby Welcome Policy also sets out arrangements for staff who wish to continue to breastfeed on returning to work.
14/11	Rob Crookes Assistant Director, Adult's Social Work St.Helens Council	The Carers (Equal Opportunities) Act 2004 was replaced by Section 10 of the Care Act 2014	Yes	Legislation change Legislation section of the Carer Equality Policy Statement updated to refer to the Care Act 2014 and the Care and Support (Eligibility Criteria) Regulations 2014

Date	Consultee	Feedback	Accepted	Rationale
28/11	Mike Swift Branch Secretary & Convenor UNISON	Many thanks for forwarding the draft Equality Policy. It makes a very positive read. UNISON supports the document.	NA	

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## St.Helens Council Accessibility Charter

St Helens Council recognises its obligations under the Equality Act 2010, which legally protects people from discrimination, harassment and victimisation in the workplace and in wider society on the grounds of the following protected characteristics: age, disability, gender, gender reassignment, pregnancy and maternity, race including ethnic origin, religion or belief, sexual orientation, and marriage and civil partnership. We also recognise that poverty, while not one of the protected characteristics, means that equality of access to basic human rights is not a given for some.

The Public Sector Equality Duty requires St Helens Council when carrying out its functions and policies to have due regard to the need to:

- eliminate discrimination, harassment and victimisation
- advance equality of opportunity, and
- foster good relations between different people

This Accessibility Charter is a set of principles which St Helens Council will adopt in recognition of the 150-year anniversary of this Borough. It will act as a legacy to our commitment to establish an environment based on equality of access, fair entitlement, concern for the wellbeing of others, and respect for individual dignity. Council Members, people who work for the council and people who make use of council services should expect as a minimum standard:

- That the needs of the most vulnerable will come first
- Access to clear and easy to follow information about council job opportunities, council services and service entitlements
- The right to access the services to which they are entitled
- 'Reasonable adjustments' to remove or lessen barriers for disabled people (i) in access to employment with the council, and (ii) in access to service information, and the services to which they are entitled
- Individuals must behave with respect towards the protected characteristics of others
- The right to be treated with respect in relation to protected characteristics
- The right to experience an environment where dignity is valued
- The right to experience an environment that is not harmful, hostile, threatening, degrading, offensive or abusive
- Action will be taken against those who do not respect the dignity of others
- Action will be taken against those who exhibit harmful, hostile, threatening, degrading, offensive or abusive behaviour
- To know that decisions will be based on merit and not influenced by prejudice or bias towards protected characteristics
- The right to challenge decisions or make a complaint
- Information is easily accessible on how to challenge a decision or make a complaint

Dignity is wellbeing based on that which a person feels worthy of value and respect in themselves

Respect is concern for the feelings and dignity of others

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**St.Helens Council Cabinet Report 10th January 2018  
Comprehensive Equality Policy 2018-21 and Accessibility Charter - Appendix 4**

**St.Helens Council's Comprehensive Equality Policy (Summary)**

The Comprehensive Equality Policy sets out how St.Helens Council meets its duties under the Equality Act 2010

This is a summary of those duties and staff's responsibilities in meeting them

**Equality Act 2010 Public Sector Duty**

The Equality Act 2010 states that the council must:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it
- Foster good relations between persons who share a protected characteristic and persons who do not share it.

**What is a Protected Characteristic?**

A protected characteristic is a collection of human characteristic, identities or life choices that are protected under the Equality Act 2010. The Equality Act 2010 covers the following protected characteristics

- Age
- Disability
- Gender
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion
- Sexual Orientation

**Eliminating discrimination, harassment and victimisation**

Eliminate means to remove completely.

Eliminate does not mean

- Ignore – when we refuse to notice or acknowledge something that is unacceptable
- Tolerate – when we put up with something that is unacceptable
- Impunity – when we allow something unacceptable to go unchallenged

To eliminate is to completely remove from the workplace and from the service delivery

Discrimination, harassment and victimisation undermine a person's dignity.

Dignity is the wellbeing a person experiences when they feel respected

Respect is a concern for the feeling and wellbeing of other, even when you don't like them

**Discrimination**

- Discrimination in its simplest terms means being treated less 'well' or unfairly because of one or more protected characteristics
- Discrimination is unacceptable to St.Helens Council and it is our policy to eliminate it whether it occurs in relation to policy, service delivery or employment.

**Harassment**

- Harassment in simplest terms means being subjected to "unwanted behaviour" because of one or more protected characteristics
- Harassment is a felt thing. It happens when unwanted behaviour creates an environment where a person feels intimidation, hostility, degradation, humiliation or offence.

- A wide range of things can make people feel harassed, including spoken or written words, abuse, images, graffiti, physical gestures, facial expressions, mimicry, jokes, pranks, acts affecting a person's surroundings, or being left out and give the cold shoulder.
- No one comes to work to feel intimidated, threatened, humiliated or offended.
- No one expects to feel intimidated, threatened, humiliated or offended when using a council service
- Harassment is unacceptable to St.Helens Council and it is our policy to eliminate it whether it occurs in relation to policy, service delivery or employment.

### **Victimisation**

- Victimisation happens when a person stands up for their right not to be harassed or discriminated against, and they are made to suffer for doing so.
- Victimisation is unacceptable to St.Helens Council and it is our policy to eliminate it whether it occurs in relation to policy, service delivery or employment

### **Fostering Good Relations within the community**

Good relations exist in a community, where people with different protected characteristics

Have a sense of belonging, are valued and appreciated

Have similar life opportunities

Experience strong and positive relationship

- In the workplace
- Within schools and
- Within neighbourhoods

### **Advancing Equality of Opportunity**

In the simplest of terms advancing equality of opportunity in employment and service delivery means

- Equality of access - can I get in?
- Equality of quality – once in, will I be respected as an individual?
- Equality of outcomes - will decision about me be based on merit?

Equality of opportunity does not necessarily mean that all individuals should or can be treated the same. It may be necessary for some individuals to receive more assistance than others in order that they may achieve an equal level of service or opportunity.

### **Staff Responsibilities**

- All staff must follow the Council's Comprehensive Equality Policy.
- Staff must conduct themselves without discrimination, harassment or victimisation when at work.
- This means treating all people fairly and with a respect for their personal dignity.
- Staff must attend appropriate equality training.
- If you know or suspect that discrimination, harassment or victimisation is happening then you must tell your line manager.

For more information about the Comprehensive Equality Policy Webpages

<https://www.sthelens.gov.uk/council/equal-opportunities/>

Equalities Officer - Phone 01744 676593

E-mail: [SimonCousins@sthelens.gov.uk](mailto:SimonCousins@sthelens.gov.uk)