



Civic Centre, Riverside, Stafford

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Dear Members

Cabinet

A meeting of the Cabinet will be held on **Tuesday 7 May 2024** at **6.30pm** in the **Sheridan Room, Civic Centre, Riverside, Stafford** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

Members are reminded that contact officers are shown at the top of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

A handwritten signature in black ink, appearing to read "I. Curran".

Head of Law and Governance

CABINET - 7 MAY 2024

Chair - Councillor A T A Godfrey

AGENDA

- 1 Minutes of 9 April 2024 as circulated and published on 12 April 2024.
- 2 Apologies
- 3 Councillors' Question Time (if any)
- 4 Proposals of the Cabinet Members (as follows):-

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(a) COMMUNITY PORTFOLIO

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(b) RESOURCES PORTFOLIO

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Report contains information relating to an individual, which is likely to reveal the identity of an individual and information relating to the financial or business affairs of any particular person (including the Council).

Membership

Chair - Councillor A T A Godfrey

- | | |
|---------------|---|
| A T A Godfrey | - Leader |
| R Kenney | - Deputy Leader |
| A N Pearce | - Climate Change Portfolio |
| J Hood | - Community Portfolio |
| A F Reid | - Economic Development and Planning Portfolio |
| I D Fordham | - Environment Portfolio |
| G P K Pardesi | - Leisure Portfolio |
| R P Cooke | - Resources Portfolio |

Agenda Item 4(a)(i)

Support to the Voluntary Sector: Stafford Community Food Distribution Hub

Committee:	Cabinet
Date of Meeting:	7 May 2024
Report of:	Head of Wellbeing
Portfolio:	Community Portfolio

1 Purpose of Report

- 1.1 To approve additional financial support to the Stafford Community Food Distribution Hub Community Interest Company (the Hub).

2 Recommendations

- 2.1 That the remaining £11,190 funding from the Clinically Extremely Vulnerable programme be allocated to the Hub.

Reasons for Recommendations

- 2.2 The Hub plays an essential role in procuring additional food for the food banks. At a time when demand for food is outstripping supply, the contribution made by the Hub needs to be sustained. The Hub gets weekly deliveries from FareShare which it then distributes to 6 foodbanks in the Borough. The Hub needs additional funding to be able to keep this weekly delivery. £11,190 would ensure the Hub can operate for a further 40 weeks, while it looks for alternative funding sources.
- 2.3 If the funding isn't allocated to the Hub, the FareShare delivery would be lost. FareShare are no longer accepting new customers or increasing deliveries to existing customers.

3 Key Issues

- 3.1 All of the foodbanks in the Borough are struggling to meet demand for food. In 2022 the Hub was set up with support from the Borough Council to take delivery of a weekly Fareshare food package which would be distributed to the food banks. Despite trying to source alternative funding to ensure the

deliveries can continue, the Directors of this Community Interest Company have yet to find a sustainable funding source. This funding from the council would enable the Hub to continue operating while they source alternative funding streams.

- 3.2 FareShare Midlands, who supply the Hub are not taking on new contracts and existing contract holders are unable to increase their weekly orders. If this delivery wasn't continued, there isn't the option to reinstate it in the foreseeable future.

4 Relationship to Corporate Priorities

- 4.1 This supports the delivery of Corporate Business Objective 2, "To improve the quality of life of local people by providing a safe, clean attractive place to live and work and encouraging people to be engaged in developing strong communities that promote health and wellbeing".

5 Report Detail

- 5.1 The council has provided financial support to the voluntary sector for many years. Demand across this sector has increased significantly over the past few years, firstly with the Covid pandemic and now with the challenges associated with the increased cost of living.
- 5.2 The Council recognises the tremendous value of the voluntary sector and the contribution they make to the lives of residents.
- 5.3 All the local foodbanks in the Borough have seen a significant increase in demand for food. This comes at a time where there has been a simultaneous reduction in the volume of donations from the public, who are often struggling with the rising cost of living, and from supermarkets and shops who are doing more to reduce food waste. This has led to a position where foodbanks are either not able to meet all the need they identify or are resorting to buying food to donate to households.
- 5.4 To respond to these challenges, in 2022, the council worked with the voluntary sector to set up the Hub. The Hub is a Community Interest Company and purchases food from FareShare, a Registered Charity that redistributes surplus food from across the food industry to charities and community groups. Six foodbanks chose to become members of the Hub, Elim Hope Church in Stafford, Stone Community Hub, Holmcroft Community Centre, Stafford, House of Bread in Stafford, Signposts Services foodbank based at Rising Brook Baptist Church in Stafford and Staffordshire Women's Aid. The Hub is entirely staffed by volunteers.

- 5.5 The Hub has provided around 2 tonnes of additional food to the food banks each month, this is equivalent to around 5,000 meals. Since its inception, the Hub has provided in total 25 tonnes of additional food equating to around 60,000 meals.
- 5.6 FareShare Midlands, who supply the Hub are unable to take on new contracts or increase any weekly orders, due to their own challenges in sourcing sufficient food. If the Hub is unable to continue with their contract, food banks in the Borough will lose 480kg of food each week at a time when all are struggling to meet demand.
- 5.7 The current members of the Hub are all keen to continue with the arrangement. Unfortunately, due to the limited amount of food FareShare Midlands can provide, it hasn't been possible to extend the scheme to more foodbanks.
- 5.8 There is a significant amount of cooperation between the foodbanks in the Borough and they regularly meet at a Council hosted Foodbank Forum. The foodbanks want to extend this joint working and are currently looking at how they capture data to understand better the demand they face and the extent they can meet that demand. The joint working is also enabling foodbanks to cooperate and support each other. If one has surplus stock of a particular item of food this is shared with the other foodbanks. This collective action is making a significant difference to the ability of some of the foodbanks to meet their demands.
- 5.9 If this funding is approved, the Hub have offered to coordinate a simple common approach to data collection for those foodbanks who want to participate, this will give a better understanding of the challenges residents are facing and, will enable individual foodbanks to make use of this information when fundraising. The Hub is also looking to map where and when each of the foodbanks are getting their donations (i.e. the supermarkets and shops) so that we can ensure every opportunity is taken up by the voluntary sector within the Borough.
- 5.10 The Directors of the Hub are aware that if this funding is approved, they must explore alternative funding opportunities to ensure this important service is able to continue for the benefit of residents in the Borough.

6 Implications

6.1 Financial

There is a balance of reserve funding remaining of £11,190 to support this spend.

6.2 Legal

None

6.3 Human Resources

None

6.4 Risk Management

None

6.5 Equalities and Diversity

None

6.6 Health

This arrangement will make an appreciable difference to those most at risk of food poverty and hunger, it will support those households who are experiencing the impacts of the cost of living rises.

6.7 Climate Change

None

7 Appendices

None

8 Previous Consideration

None

9 Background Papers

Support for the Voluntary Sector - Food Distribution HUB, Cabinet 8 September 2022.

Contact Officer: Anna Nevin

Telephone Number: 01785 619176

Ward Interest: All

Report Track: Cabinet 7 May 2024 (Only)

Key Decision: Yes

Agenda Item 4(a)(ii)**Proposed Public Spaces Protection
Order: A34**

Committee:	Cabinet
Date of Meeting:	7 May 2024
Report of:	Interim Community Safety Lead
Portfolio:	Community Portfolio

1 Purpose of Report

- 1.1 To seek approval for consultation on a proposed Public Space Protection Order (PSPO) to cover the A34 from the link by Junction 14 of the M6, up to the Stoke on Trent boundary, to prohibit car cruising and car meets.

2 Recommendations

- 2.1 That the content of the report be noted;
- 2.2 That permission be given to undertake consultation on the proposed PSPO in this specific location of Stafford Borough;
- 2.3 That a further report to be brought back to Cabinet once the consultation is concluded, with a further recommendation dependent on the consultation response.

Reasons for Recommendations

- 2.4 Police are seeing an increase in car cruising and car meets on the A34, specifically between Trentham and Redhill. Over a 6-month period there have been over 40 complaints and requests for police attendance regarding this matter. Although Community Protections Warnings have been issued to people involved in these activities, a more robust way would be to prohibit the activity using a Public Spaces Protection Order. The behaviour also causes noise nuisance and road safety concerns in the locality. The consultation would gauge public support for the restrictions and would be the basis for the proposed order being made. A new order if approved would be valid for 3 years.

3 Key Issues

- 3.1 If left unchallenged, this type of anti-social behaviour can have a significant negative impact upon the lives of our communities, including those who live, work, visit and invest in our borough.
- 3.2 Public safety of legitimate road users is paramount and therefore any activity that threatens this needs to be stopped.
- 3.3 PSPO's can be granted for a maximum of 3 years and consultation must be carried out prior to approval.

4 Relationship to Corporate Priorities

- 4.1 This contributes to all the corporate business objectives and directly supports business objective 2: 'To improve the quality of life of local people by providing a safe, clean, attractive place to live and work encouraging people to be engaged in developing strong communities that promote health and wellbeing'.

5 Report Detail

- 5.1 PSPO's are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. A PSPO can make requirements, prohibitions, or both within a specified area. They can also be used to restrict access to specific areas to address ASB, however if this was required, consideration would need to be made in terms of the impact of such a restriction and if there are any alternatives. There are currently no proposed areas where access should be restricted.
- 5.2 Other powers have been considered including a high court injunction like that operational in the West Midlands but ruled out due to prohibitive costs. A pan Staffordshire approach would be an ideal way of addressing this issue so there is consistency across borders, this is being explored.
- 5.3 Updated Statutory guidance issued in March 2023 on the Anti-social Behaviour, Crime and Policing Act 2014, further stresses the need for local authorities to utilise all their tools and powers and promote greater consistency in their use.
- 5.4 This new PSPO, if recommended for approval following consultation, would prohibit car cruising and car meets on the A34 for 3 years.
- 5.5 The maximum duration of a PSPO is three years but they can last for shorter periods of time where appropriate and at any point before expiry, the Local Authority can extend or vary a PSPO by up to three years if they consider that it is necessary to prevent the original behaviour from occurring or recurring or

if there is a need to alter/remove an existing prohibition or requirement, or to introduce a new one. The validity of a PSPO may be challenged by way of application to the High Court within six weeks of the order being made. Only those who are directly affected by the restrictions (i.e., persons who live in the restricted area or work there) can challenge the PSPO. Failure to comply with a prohibition or requirement as stated within the order is a criminal offence. Enforcement officers within the Local Authority and Police can issue a fixed penalty notice of up to £100 for breaches of an order if appropriate. A fine of up to £1000 can be imposed upon conviction in the Magistrates' Court.

5.6 Only local authorities can apply for a Public Spaces Protection Order, but enforcement powers are much broader. The test is designed to be broad and focus on the impact the anti-social behaviour is having on victims and communities. A PSPO can be made by the council if they are satisfied on reasonable grounds that the activities carried out or likely to be carried out, in a public space: -

- have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
- is, or is likely to be, persistent and continuing in nature;
- is, or is likely to be unreasonable;
- justifies the restrictions imposed.

To meet the test requirements, evidence is necessary to justify the restrictions imposed. Meetings have already taken place with internal and external stakeholders to discuss the new proposed restrictions. These new restrictions have come from repeat complaints that the council and police have received, which the public continue to report. Formal consultation with the public of Stafford and stakeholders will then be undertaken, as is required by the legislation. A copy of this consultation questionnaire is attached as an **APPENDIX**. If approved consultation would run from 22 May for 3 weeks and a further report would be brought back to cabinet on the 8 August.

5.7 If the order is authorised a copy of the order must be published, and signs displayed in key areas to show members of the public that a PSPO is in place and what the restrictions are.

5.8 It's proposed that all breaches of the PSPO are continued to be dealt with by means of issuing a Fine via a Fixed Penalty Notice (FPN) at a level of £100 reduced to £75 if paid within 10 days.

5.9 FPN's can be served on a juvenile as well as an over 18. It is proposed that the driver of any vehicles breaching the PSPO who be issued with an FPN, so there maybe some 17 year olds that this applies to.

6 Implications

6.1 Financial

Any cost to the Council of carrying out the consultation exercise will be met from existing resources. Partnership Officers will assist with consultation and details of the proposed order. Staffordshire Police have committed to working in partnership and are likely to be required to assist in the enforcement of the PSPO if approved.

There will also be some additional costs for signage which is a requirement if the order is approved, these will also need to be contained within existing budgets.

As referred to in para 2.1, a further report will be brought back to cabinet once the consultation is concluded, this will include more detailed financial implications as and where required, for example the receipt of additional income via FPN's and any associated administration costs.

6.2 Legal

The purpose of this report is to seek approval to undertake the formal consultation required for the council to establish that the proposals to approve a PSPO meets the statutory test set out in 5.5 above. Legal services will be consulted with for advice and other legal implications required in approval of the order.

6.3 Human Resources

None

6.4 Risk Management

The Anti-Social Behaviour Crime and Policing Act 2014 is designed to put victims at the heart of an organisation's response to ASB and gives professionals the flexibility to deal with any given situation.

The council have and continue to implement the requirement of the Act and to adhere to its statutory duty.

6.5 Equalities and Diversity

The Borough Council considers the effect of its actions on all sections of our community and has addressed all the Equality Strands in the production of this report.

ASB can and does affect anyone irrespective of, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

The ASB team will work closely with agencies to support individuals with vulnerabilities, using appropriate referral mechanisms and the Partnership Hub.

6.6 Health

The ASB team works closely with agencies to support individuals with vulnerabilities, using appropriate referral mechanisms and the Partnership Hub.

ASB can have a negative impact on health, in particular mental health; addressing ASB is likely to reduce these negative impacts.

6.7 Climate Change

None

7 Appendices

Appendix: Consultation questionnaire

8 Previous Consideration

Nil

9 Background Papers

None

Contact Officer:	Helen Marshall
Telephone Number:	01785 619417
Ward Interest:	All
Report Track:	Cabinet 7 May 2024 (Only)
Key Decision:	No

Committee: Cabinet

Date of Meeting: 7 May 2024

Public Spaces Protection Order (PSPO)

Consultation on Public Space Protection Orders

Stafford Borough Council is considering implementing a PSPO covering the A34 specifically from the link of M6 junction 14 up to the Stoke on Trent boundary, to prohibit car cruising and car meets.

PSPOs create legal powers to help councils address specific anti- social behaviour issues in an area that are having a detrimental effect on the quality of life for those who live in the local community.

If approved, authorised officers and police will have the option to issue a £100 fixed penalty notice to those who refuse to comply.

As part of this process, we need to consult to gauge people's thoughts on this matter, so that there is evidence to support the final decision. Therefore, we encourage you to have your say whether you agree or disagree and to offer any other comments you may have on this proposal.

Questionnaire

Q1 Do you think that a New PSPO should be granted implementing restrictions on car cruising and car meets on the A34?

Yes No Don't know

Comments:

Agenda Item 4(b)(i)

Information Governance Policy

Committee:	Cabinet
Date of Meeting:	7 May 2024
Report of:	Head of Law and Governance
Portfolio:	Resources Portfolio

1 Purpose of Report

- 1.1 To consider the adoption of an Information Governance Policy identifying the council's approach to the management of information.

2 Recommendations

- 2.1 That the Information Governance Policy attached in the **APPENDIX** be adopted;
- 2.2 That Cabinet authorise the Head of Law and Governance to review, amend and adopt any related policies referred to within the Information Governance Policy for the purposes of ensuring the lawful and appropriate management of information at the council.

Reasons for Recommendations

- 2.3 The Information Governance Policy outlines the approach that the Council takes to ensuring good information management practices are adhered to. The Policy is underpinned by a number of supporting policies and guidance that focus on specific processes.

3 Key Issues

- 3.1 The Council manages a significant amount of information in order to deliver its services. It is important that all information is managed appropriately and in accordance with the law.
- 3.2 The Information Governance Policy gives clarity on the main laws affecting information governance and the roles and responsibilities of employees, and members, in ensuring compliance.

- 3.3 The overarching principles set out in the Policy are supported by a number of separate policies and guidance documents that are produced in order to assist employees, and members, in fulfilling their roles.

4 Relationship to Corporate Priorities

- 4.1 CBO 4: Well Run Council. Adoption of the policy ensures that the Council takes appropriate accountability for managing information and making the best use of its assets.

5 Report Detail

- 5.1 Information Governance is the term used to describe how information is managed within an organisation. This includes how information is held, obtained, recorded, used, retained and shared.
- 5.2 The Council manages a significant amount of information in delivering its services and it is vital that it processes this information in accordance with the law (for example, data protection legislation) and best practice (for example, records management guidelines).
- 5.3 The Information Governance Policy sets out the principles under which any person acting on behalf of the Council should manage information. It sets out the key roles and responsibilities of individuals within the Council, the legislation and standards which must be adhered and what steps are taken to raise awareness and ensure compliance.
- 5.4 The Policy provides an overarching framework and is supported by a number of separate, and more specific policies and guides, designed to assist individuals in managing information on the Councils behalf.
- 5.5 Cabinet is recommended to approve the overarching Information Governance Policy (attached in the Appendix), and authorise the Head of law and Governance to be able to review, amend and consider any supporting policies and guides that are deemed necessary to assist officers in carrying out their roles and ensuring best practice is followed across the organisation.

6 Implications

6.1 Financial

None

6.2 Legal

Adoption of the policy will provide clarity and guidance to officers, and members, on the laws affecting information governance.

6.3 Human Resources

None

6.4 Risk Management

Individuals processing information on behalf of the Council need to be aware of the rules governing information governance and their roles and responsibilities in compliance. The policy raises awareness and ensures a consistent approach is adopted across council services. Failure to comply with good information governance practice can lead to loss of business critical data, loss of confidence from partners and customers, and regulatory action in the case of any breach of legislation.

6.5 Equalities and Diversity

None

6.6 Health

None

6.7 Climate Change

None

7 Appendices

Appendix: Information Governance Policy

8 Previous Consideration

None

9 Background Papers

None

Contact Officer: Ian Curran
Telephone Number: 01785 619220
Ward Interest: All
Report Track: Cabinet 7 May 2024 (Only)
Key Decision: No

Information Governance Policy

March 2024



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1 Introduction

Information is a vital asset for the provision of services to the public and for the efficient management Council services and resources. As well as protecting confidentiality and ensuring rights to access public and personal information, it plays a key part in governance, service planning and performance management.

Information governance (IG) is concerned with how information is held, obtained, recorded, used, retained and shared by the organisation to achieve compliance with information governance laws and current best practice.

Information is the collective term to cover terms such as, but not limited to data, documents, records, web content and images.

Scope: this policy applies to:

- All information held, maintained and used by the Council in all locations and on all media (hardcopy and electronic)
- Elected Members, Council staff, including temporary staff, contractors, consultants and volunteers that access and use Council information
- Third parties that manage and process information on the Council's behalf when carrying out a statutory Council function or service.

2 Key Roles and Responsibilities

All employees who handle Council held personal information have a duty to adhere to all Information Governance Policies and guidance including data protection legislation.

In addition, key data protection tasks and responsibilities are allocated to relevant staff within the Council.

These are as follows:

2.1 Leadership Team

The Leadership Team, which comprises of the Chief Executive, Deputy Chief Executives and Heads of Service, have the following information governance responsibilities:

- Approve and support recognised IG and data protection roles within the organisation, Information Governance related policies, standards, procedures and ensure systems are in place and operating effectively throughout the Council.
-

- Support Information Governance compliance and improvement activities (DP, FOI/EIR, security, quality, and records management) across the Council.
- Monitor information handling including data breaches, support assurance controls (including departmental audits) and corrective actions.
- Support training and action plans for information governance including progression throughout the Council.
- Support the information governance agenda.

2.2 The Senior Responsible Individual (SRI)

The Head of Law and Governance serves corporately as the Council's Senior Responsible Individual in relation to information governance and security related matters.

The SRI must have clear direct access to the Chief Executive, Deputy Chief Executive, other Heads of Service, the Chief Finance Officer and elected members of the Council.

Duties include:

- Acting as a champion for information governance across the council, including at Leadership Team, at full council and in committee meetings.
- A decision to report a data breach to the Information Commissioners Office rests primarily with the Information Manager, however the SRI will be consulted to agree this course of action. Where the SRI is not available, the member of Leadership Team most closely linked with the breach will be consulted.
- Ensuring the Information Manager has adequate resources and appropriate training.

2.3 Information Manager

The role provides independent advice to the council and is able to report to the SRI or directly into Leadership Team or to Council if / when required.

The Information Manager has a key role to coordinate the Council's Data Protection and Information Governance obligations. The role includes working with all officers and Members of the Council and provides specialist technical and professional advice to the Senior Responsible Individual, managers and staff.

The Information Manager will provide expert advice and guidance to all staff on all elements of Information Governance including:

- Performing delegated duties of the SRI.
- Providing Information Governance advice and guidance to all staff.
- Informing and advising the organisation and its employees of their obligations to comply with relevant IG related legislation and best practice.
- Monitoring compliance with data protection legislation, FOI, EIR and other associated legislation and guidance.
- Being the first point of contact for the Information Commissioner's Office and for individuals whose data is processed (residents, employees, customers etc.).
- Maintaining and developing the Information Governance Framework of policies, standards and procedures.
- Working with service managers / Information Asset Owners to establish protocols on how information is to be used and shared.
- Developing and delivering Information Governance awareness and training for staff and Councillors.
- Ensuring compliance with Data Protection, Freedom of information, Environmental Information Regulations, Records Management, Information Security and other information related legislation via consultation and information audits.
- Providing guidance and advice on Privacy Impact Assessments.
- Coordinating and processing corporate information requests, processing requests on behalf of business units and supporting information coordinators in other business units.
- Integrating Government and Information Commissioner guidance, policies and codes of practice.
- Providing support to the SRI for Information Governance related issues.
- Providing any other Information Governance related duties and tasks.

2.4 Service Managers as Departmental Data Protection Representatives

Service managers act as 'Data Protection Representatives' and Information Asset owners (IAOs) for their respective departments. They are responsible for data protection matters in their department and ensuring that their information assets are accessed, handled and managed appropriately. They may identify officers in their area to assist with ensuring compliance with the Freedom of Information Act, Environmental Information Regulations and Data Protection Legislation.

They ensure that information assets are properly protected, that risks are appropriately identified and managed and that their value to the organisation is fully realised.

This includes ensuring that:

- Any data held in that department is secure and all reasonable steps are taken to ensure that there is no access to it by any unauthorised persons.
- Personal data is not being passed to other departments in contravention of current data protection legislation.
- External transfers of data are carried out securely, documented, logged and that the Information manager is aware of them.
- Personal data is not being used for purposes other than specified when it was collected, except where allowed or required by law.
- Any new members of staff who will handle personal data, undertake Data Protection Awareness training on joining the department.
- Forms collecting personal data contain relevant privacy statements.
- Superfluous personal data is not being collected or held.
- Data held is accurate.
- The Information Manager is aware of all systems that contain personal data.
- Departmental procedures relating to data protection matters are maintained and followed by staff.

Full duties are detailed in the Departmental Representatives Roles and Responsibilities. This document can be found on the Council's Intranet.

2.5 All staff

All staff must be aware of, and follow procedures ensuring correct data processing and security. Staff must be able to identify and follow procedures for responding to information requests relating to their work as part of their day- to-day function. This includes how to deal with information requests under the Freedom of Information Act and the Environmental Information Regulations and requests relating to Individual's Rights as defined by data protection legislation.

2.6 Legal Services

The Legal Services Team will provide expert legal opinion relating to information governance matters to the Information Manager where required.

2.7 ICT

The ICT department is responsible for technical security and management of the Council's technology infrastructure including device policy. They are also responsible for technical security advice, including areas such as PSN Code of Connection, PCIDSS and as key decision makers regarding procurement and implementation of new systems plus the storage of Council data, whether locally or on a cloud solution.

The ICT department should monitor all system development is consistent with ICT policies and strategy and recognise instances where Data Protection Legislation should be considered in development or implementation of systems and notify the Information Manger accordingly. ICT act to improve control over the way systems are tested, procured and implemented.

2.8 Committees and Elected Members

Cabinet and Full Council are the lead elected member bodies responsible for decision making in respect of Council policies. In the event that this policy is to be amended it will be referred to Cabinet for approval before implementation. The Head of Law and Governance is authorised to adopt any supporting policies, and guidance, deemed necessary to support the principles set out in this policy.

Elected members also have a role in following the procedures laid down by this, and other Information Governance related policies when processing information on behalf of the Council.

3 Key Legislation, Policies and Guidance

3.1 Key Policies

The key policies under the IG framework are:

- The Data Protection Policy
- Records Management Policy
- Freedom of Information Policy
- External Data Transfers Policy

These policies are supported by separate guidance documents. Outputs will be produced from use of these standards and templates, for example privacy assessments, awareness guides and training material.

3.2 Key Legislation

- Data Protection Act 2018
 - UK General Data Protection Regulation
-

- Computer Misuse Act 1990
- Freedom of Information Act 2000
- Environmental Information Regulations 2004
- Private and Electronic Communications Regulations 2003
- Human Rights Act 1998
- Copyrights, Designs and Patents Act 1988
- This list is not exhaustive.

3.3 Key internal guidance

- Data Protection Operational Guidance
- Departmental Data Protection Representatives Guidance
- Data Breach plan / procedure

This list is not exhaustive.

4 Compliance with legislation and other mandatory standards

4.1 The council is committed to continuously improving the way it responds to requests for information under statutory access regimes, including the Freedom of Information Act 2000, the Data Protection Act 2018, the UK General Data Protection Regulation, and the Environmental Information Regulations 2004. Compliance, however, is reliant upon proper management of the council's information, which needs to be managed, secure and easily located. The council regards all identifiable personal information relating to individuals as confidential (except where national policy on accountability and openness requires otherwise). The council complies with the Data Protection Act, UK General Data Protection Regulation, the Freedom of Information Act and the common law of confidentiality.

4.2 Freedom of Information

The Freedom of Information Act 2000 (FOIA) provides the public a general right of access to information held by the council. When a valid request for information is made, the council must provide a response within 20 working days. If the council holds a record of the information on any system (even backup systems and off-site storage archives) then the council must either provide the requestor with the information, or must state which exemption has been applied. Delivering this right of access efficiently to the public can only be achieved with efficient, well managed records management systems.

Further guidance may be found in the Council's Freedom of Information Policy.

4.3 Environmental Information Regulations

The Council is legally bound to deal with requests for information that are covered by the Environmental Information Regulations 2004 (EIR). Environmental information covers information on the state of the environment, such as air, water, soil, land, flora and fauna and diversity and will also include information on genetically modified organisms. In addition, information on emissions and discharges, noise, energy, radiation, waste and other such substances; measures and activities such as policies, plans and agreements; reports, cost benefit and economic analyses are included. The state of human health and safety, contamination of the food chain; cultural sites and built structures as they may be affected by environmental factors, will also be considered environmental information. The EIR are aligned with FOIA in many ways. Therefore, both sets of regulations are dealt with under the same process. The key to this process is that: a response to all requests for information must be provided within 20 working days. Information can only be withheld when allowed (or required) to do so by specific exceptions granted to us by law.

4.4 Data Protection Act 2018 and the UK General Data Protection Regulation

The Data Protection Act 2018 (DPA) and the UK General Data Protection Regulation (UK GDPR) requires all organisations that handle personal information to comply with six data protection principles including in relation to privacy and disclosure. These principles relate to the: lawfulness, fairness and transparency; purpose limitation; data minimisation; accuracy; storage limitation and; integrity and confidentiality.

The council will maintain a Data Protection Policy which also references the handling of individual's rights. Information relating to individuals' rights and forms for requesting information must be made available on the Council's public website.

4.5 Local Government (Records) Act 1962

The Local Government (Records) Act 1962 gave local authorities limited discretionary powers to hold their records in local archives. In particular the Act states that: 'A local authority may do all such things as appear to it necessary or expedient for enabling adequate use to be made of records under its control'.

4.6 Local Government Act 1972

The Local Government Act 1972 set out the basic requirement for local authorities to 'make proper arrangements' to keep good records.

4.7 Lord Chancellor's Code of Practice for Records Management

The Secretary of State published a Code of Practice for records management in 2021 as a supplement to the Freedom of Information Act (mentioned above) that all public bodies should follow. To meet these good practice recommendations, the ICO advises that 'Authorities should have in place a records management policy covering information security, records retention, destruction and archive policies, and data protection (including data sharing) policies.'

5 Open Information and Transparency

5.1 Overview

The council will promote open information. The council will maintain a culture where there is an open, public approach to most data the council holds unless there are legal restrictions from doing this.

5.2 Publication scheme

The Publication Scheme provides a listing of documents routinely requested by the public. It is organised into 'classes' of information that are easy to understand. The Publication Scheme is produced from documents routinely published by the Council.

5.3 Re-use of information

The Re-use of Public Sector Information Regulations 2015 implement the European Directive (2013/37/EU) on the re-use of information. The focus of the Regulations is on re-use rather than access. The Regulations require the council to ensure that a list of significant documents available for re-use is made available to the public, preferably by electronic means and, as far as reasonably practicably, with an electronic search capability.

However, the Regulations do not provide access to the information itself. Requests for access to information will still be dealt with under the FOIA, DPA, UKGDPR, EIR and numerous other information access provisions.

5.4 Privacy Notices

The UKGDPR sets out an obligation on data controllers to ensure that the individuals whose data it is processing understand what data is being processed (including the legal basis for this processing), who the council is sharing it with (both within and outside the organisation), how long we will keep it for and their right to complain to the Information Commissioner's Office (ICO). This is known as 'the right to be informed'. The UKGDPR is explicit in what must be included in the privacy notice and to ensure that we are compliant, the council has adopted a layered privacy notice approach. The council holds privacy notices for all areas of the Council that process personal data on its website. From here individuals are able to access service specific privacy notices.

5.5 Open Data / Transparency (The Local Government Transparency Code 2015)

The Code requires local authorities in England to publish information related to the specified themes. These relevant information sets are published on the Council's website.

5.6 Commitment to information security and confidentiality

This covers both physical and electronic assets

The council is committed to preserving the confidentiality, integrity and availability of all the physical and electronic information assets throughout the Council. The framework of security policies is intended to be an enabling mechanism for information sharing, electronic operations, and reducing information-related risks to acceptable levels. In particular, business continuity and contingency plans, data back-up procedures, avoidance of viruses and hackers, access control to systems and information security incident reporting are fundamental to the success of this policy.

6 Information assurance measures

6.1 Overview

Information assurance describes the measures that are in place to ensure that the council meets the requirements for good information governance. This section describes how the roles and governance arrangements will operate to ensure that this is achieved.

6.2 Reports on information governance

The Senior Responsible Individual will receive reports that relate to information governance and data security as appropriate. These reports will include:

- The Council's progress on Freedom of Information requests including how many of these were returned within the statutory deadline. (also sent to Leadership Team)
- Statistics relating to subject access requests
- Reports on the number and nature of data breaches
- Any other report as required by the SRI

These will be submitted by the Information Manager.

6.3 Awareness of information governance matters

The Information Manager will ensure that there is an ongoing mechanism for maintaining good awareness of information governance matters. This will comprise:

- (a) Updated information on the council's intranet
- (b) Promoting and implementing Data Protection training
- (c) Attending Departmental Team meetings or individual meetings with Service Managers where appropriate
- (d) Training specific groups of staff within specialist areas
- (e) Ongoing IG / Data Protection departmental audits

6.4 Raising of risks as appropriate by the Information Manager

The Information Manager will raise risks related to information governance and report these as appropriate:

- (a) The Information Manager will determine when risks are to be escalated to the Senior Responsible Individual and will prepare reports when necessary.

- (b) The Information Manager will respond to data security incidents as they arise and manage a process of improvement through the relevant departmental managers.
- (c) The Information Manager has corporate responsibility for access to information requests and information complaints and will determine the processing of these in accordance with the council's responsibilities for records management.
- (d) The Information Assistant has day-to-day responsibility for Freedom of Information requests and to ensure that such requests are managed and processed according to the Council's responsibilities.

7 Records Management

7.1 Overview

The council will maintain a records management policy which sets out a corporate policy for the management of records within the Council to ensure compliance with all relevant legislation including the Local Government Act 1972, Data Protection Act 2018, the UKGDPR and the Freedom of Information Act 2000. The policy will define roles and responsibilities and sets out the standards of corporate records management.

7.2 Records Retention Schedule

A Corporate Records Retention Schedule will be maintained.

The retention schedule sets how long records need to be retained before they are destroyed. The Council's retention schedule is built with consideration to the Limitation Act and legislation relevant to each department. Changes to these retention periods will be approved between service areas, the Information Manager and Legal Services where required. The retention schedule will be updated routinely by the Information Manager in conjunction with service managers.

7.2 Information sharing protocols

An overarching Information Sharing Protocol has been prepared to provide a framework of trust between services in Staffordshire. This framework focuses on the way personal and other information is shared. This is essential to enable public sector agencies to meet both their statutory obligations and the needs and expectations of the people they serve.

More localised / specific Information Sharing Agreements will be prepared to describe the security arrangements and data handling procedures for any information sharing that will take place. All local Information Sharing Agreements should be quality assured by the Information Manager.

8 Training and guidance

- 8.1 Data protection training for all staff that deal with personal information will be mandatory at induction and periodically thereafter, usually on an annual basis.
- 8.2 Agency, voluntary and other staff with access to Council systems and data will be required to undertake the training in line with requirements of other staff.
- 8.3 Training compliance will be monitored by the Information Manager and Service Managers.
- 8.4 Awareness sessions will be given to staff as required at team meetings or other events.
- 8.5 Regular reminders regarding information governance topics will be made through staff news, emails and corporate and local team briefings.

9 Incidents and Reporting

All incidents (primarily data protection breaches) must be reported to the Information Manager in line with the council's Data Protection Policy. It is the duty of all council staff and all other users of council equipment to immediately report any actual or suspected breaches in information security.

10 Policy Compliance

All employees are expected to serve the council and implement its policies to the highest standards as described in the Code of Conduct. If any user is found to have breached this policy, they may be subject to the council's disciplinary procedure. If a criminal offence is considered to have been committed further action may be taken to assist in the prosecution of the offender(s). Any member of staff that does not understand the implications of this policy or how it may apply must seek advice from the Information Manager or their line manager.



Agenda Item 4(b)(ii)

Network Infrastructure Replacement

Committee:	Cabinet
Date of Meeting:	7 May 2024
Report of:	Head of Transformation and Assurance
Portfolio:	Resources Portfolio

1 Purpose of Report

- 1.1 To seek Members' approval to purchase replacement network infrastructure equipment.
- 1.2 To seek approval to move resources into the Capital programme from the IT Reserve to fund the replacement of the infrastructure.

2 Recommendations

That Cabinet:

- 2.1 Recommend to Council the moving of £198,904 into the revenue budget to be funded from reserves for the purchase of new network infrastructure equipment;
- 2.2 Approve the spend of £198,904 on the procurement of updated network equipment to ensure the ongoing security of the Council's IT infrastructure.

Reasons for Recommendations

- 2.3 The network infrastructure equipment needs to be replaced as a priority to prevent a failure which would disrupt service delivery and have an impact on customers.

3 Key Issues

- 3.1 The Council has an ageing infrastructure which needs to be replaced as a priority to avoid a network failure and ensure ongoing service delivery.
- 3.2 It is proposed to replace the equipment in 2024/25 and to establish a rolling refresh programme for ongoing replacements every 8-10 years.

4 Relationship to Corporate Priorities

- 4.1 This report supports Corporate Business Objective 4: To be a well-run, financially sustainable and ambitious organisation, responsive to the needs of our customers and communities and focussed on delivering our objectives.
- 4.2 Technology also supports the delivery of the Council's other three priorities and the operational delivery of all services.

5 Report Detail

- 5.1 Historically there has been no provision in the technology strategy for day-to-day housekeeping and maintenance of assets. Custom and practise has been to retain assets for as long as possible and only to replace when essential to do so. The current network infrastructure is approximately 17 years old and is now frequently failing under the workload.
- 5.2 There is a growing demand on the network since the pandemic; this increased pressure on the existing infrastructure and the growing use of cloud-based solutions needs investment. The infrastructure underpins all IT activities and investment in the network is essential to keep systems and services operational.
- 5.3 Furthermore, work is required to strengthen the network infrastructure before we can start any development work on any major shared services transformation that may be required.
- 5.4 The key element of the network that needs to be replaced is the switches. A network switch has an average lifespan of between five and ten years. Factors such as repeated power failures and surges may shorten this timeframe. The switches on site were installed in 2009 making them 14+ years old.
- 5.5 To improve the network for all users and the business we are looking to replace network equipment accordingly with new more modern core and perimeter switches. The replacement equipment will mean a more reliable, stable network to enable us to digitally transform the Council.
- 5.6 Currently we have the following equipment:

Current	Quantity
Core Switches	3
Perimeter switches (mixed)	15

- 5.7 Due to hybrid working and the accommodation rationalisation work we no longer require as much equipment as previously purchased. Based on the current floor plans and desk numbers provided, we propose to replace them with the numbers set out below:

Proposed	Quantity
Core Switches	3
Perimeter switches (48 port)	6

The provision of 'wireless-only' bookable desk areas will further reduce the reliance on hardware in the future.

- 5.8 We rely heavily on our network, whether for local LAN networking, wireless or internet usage. A switch failure can disrupt the delivery of services, impacting our customers and costing the Council time and money.
- 5.9 To minimise disruption to the delivery of services, the work to replace the switches will need to be undertaken outside of normal working hours. It will be carefully planned around business needs and priorities.
- 5.10 In addition to the network switches, the servers that allows the creation of virtual machines (VM), known as ESXi host or RDS boxes also need to be replaced. These VMs run user desktops and application software. Our current ESXi hosts are out of support in January 2025 and will pose a security threat if not replaced with a supported replacement.
- 5.11 1 host can support multiple VMs and more than one host (cluster) gives us high availability and load balancing to help with performance.
- 5.12 We currently have 4 ESXi hosts. However, recent upgrades to the operating systems on our server estate and the introduction of VPN connection means we can reduce this to just 3 hosts.
- 5.13 After speaking to our current suppliers and reviewing the requirements it is proposed to use the same type of equipment at both sites. This will provide for easier management and less ongoing cost as upgrades and patching are included in the purchase price.

- 5.14 The costs for replacing the network infrastructure equipment are set out below:

Item	Cost per Item	No of Items	Total Cost
Core Switch (inc licenses and power supply)	27,275	3	£81,825
Perimeter Switch (inc. licenses and power supply)	£6,744	6	£40,464
ESXi Host including support	£19,511	3	£58,533
Contingency for price increases etc			£18,082
TOTAL			£198,904

- 5.15 The cost and lead times for network equipment delivery are ever-increasing and reconditioned equipment is also becoming increasingly more expensive. A contingency of 10% has been included to cover any potential price increases.

6 Implications

6.1 Financial

The report sets out a requirement of £198,904. Due to the urgent nature of the replacements required the balance will be funded by a review and reallocation of earmarked reserve balances held.

6.2 Legal

None

6.3 Human Resources

None

6.4 Risk Management

There is a risk of a catastrophic network failure at the Council which would have an impact on service delivery and could in turn create a risk to the integrity of our data and network.

6.5 Equalities and Diversity

None

6.6 Health

None

6.7 Climate Change

None

7 Appendices

None

8 Previous Consideration

None

9 Background Papers

None

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Ward Interest: Nil

Report Track: Cabinet 7 May 2024

Council 30 July 2024

Key Decision: Yes

Agenda Item 4(b)(iii)

Senior Manager Restructure

Committee:	Cabinet
Date of Meeting:	7 May 2024
Report of:	Chief Executive
Portfolio:	Leader of the Council

1 Purpose of Report

- 1.1 This report sets out the new joint senior management structure and seeks approval of the redundancy and actuarial strain costs associated with implementing this.

2 Reason(s) for Appendix 4 being 'Not for Publication'

- 2.1 In accordance with the provisions of Schedule 12A of the Local Government Act 1972 (as amended), Appendix 4 of the report is considered 'not for publication' under the following categories of exemption:
- Exempt Paragraph 1 - Information relating to any individual.
 - Exempt Paragraph 2 - Information which is likely to reveal the identity of an individual.
 - Exempt Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the Council).

3 Recommendations

- 3.1 Cabinet is asked to note the new joint senior management structure set out in **APPENDIX 2** and the new pay and grading for these posts set out in **APPENDIX 3**;
- 3.2 Cabinet is asked to approve the redundancy and actuarial strains costs set out in **APPENDIX 4**. The costs are to be shared with Cannock Chase District Council (CCDC 51%: SBC 49%);
- 3.3 Cabinet is asked to note the net saving of £178,000 which will be shared with Cannock Chase District Council (CCDC 51%: SBC 49%)

Reasons for Recommendations

- 3.4 The new pay, grading, terms and conditions provide a framework for the combined service manager tier as part of the shared services arrangements with Cannock Chase District Council. This follows on from the creation of a joint

Leadership Team and is the next step in bringing the services and teams together. There has been an overall reduction of six managers in the new structure; four of these have been achieved through the deletion of vacant posts and two have been achieved through a selection process resulting in two officers being made redundant.

However, part of the saving has been used to create three new team leader posts to support some of the areas where there has been a reduction in management roles.

- 3.5 The creation of a new pay and grading model and terms and conditions supports the alignment of managers as part of the new shared management team.

4 Key Issues

- 4.1 Following the decision to extend the sharing of services with Cannock Chase District Council a joint Leadership Team was established in April 2023. The restructure of the service manager tier is the next step in this process and needs to be completed to allow for the services and teams to be brought together and the transformation work to progress.
- 4.2 The new service manager structure set out in **APPENDIX 2** has been designed to deliver savings, create capacity, increase resilience and focus on the Council's priorities. There is an overall reduction of six manager posts, though some of the funds have been earmarked to create three new team leader posts to support the new broader manager roles.
- 4.3 In order to implement the new structure, two redundancies are necessary. The redundancy and actuarial strains costs set out in **APPENDIX 4**. These costs will be shared with Cannock Chase District Council and will be met from reserves.
- 4.4 A new pay and grading model, set out in **APPENDIX 3**, is to be put in place for the service manager structure. In addition, changes to terms and conditions, in line with those for Chief Officers, have been agreed.
- 4.5 A consultation process has been undertaken with the Trade Unions and the employees affected by the changes.
- 4.6 The new service manager structure is due to be implemented with effect from 1 June 2024.

5 Relationship to Corporate Priorities

- 5.1 The creation of a shared senior management structure will support the delivery of all of the Council's priorities.

6 Report Detail

- 6.1 The Council took the decision in December 2022, to extend the sharing of services with Cannock Chase District Council.
- 6.2 Following this decision, a joint Leadership Team was created and this came into effect in April 2023. Having now had time to consider both Councils needs going

forward, a restructure of the senior management tier has been undertaken. This will be a key enabler to bringing the services and teams together and progressing the transformation process.

- 6.3 The shared services business case was based on the delivery of savings and the opportunity to create capacity and resilience. The joint Leadership Team structure sought to achieve a balance on this and a similar approach has been adopted for the manager structure. It has however been necessary to focus more on resilience and capacity at this tier due to a number of capacity and service delivery issues.
- 6.4 The shared services business case also acknowledged that the approach to pay and grading between the Councils is different and in time we would consider aligning pay, terms, and conditions. The restructure of the service manager tier has given an opportunity to do this.

Current Service Management Structure and Pay and Grading

- 6.5 There are currently a total of 33 service manager posts in scope for both Councils. This comprises 14 at SBC and 19 for CCDC (which includes four funded from the Housing Revenue Account). The current structure is attached at **APPENDIX 1**.
- 6.6 A number of the manager posts are already shared across the two Councils as a result of the first phase of shared services in 2011. There are 3 such posts at SBC and five at CCDC.
- 6.7 Each Council has its own job evaluation scheme and a slightly different approach to pay and grading which is noticeable in the grading of managers. Cannock Chase has a maximum salary for managers of £51,515 and Stafford's is £55,316.

New Service Manager Structure

- 6.8 The intention of the new management structure is to deliver savings as well as creating resilience and capacity. In approaching the new structure, we have identified opportunities where reductions may be made as we integrate services and in other areas, it has been about designing a structure to deliver priority services, which have previously been under-resourced at the manager level.
- 6.9 The shared services business case was based on delivering an estimated saving of 8% of salary costs. Based on the current cost of service managers, this equates to a saving of approximately £166,500.
- 6.10 As referred to earlier, there are already eight shared manager posts across the two Councils. These posts have been included within the scope of the restructure, to allow for a full consideration of the duties of the roles and the grading of them, but further savings will not be achieved from these as a reduction in the number of posts has already been delivered.
- 6.11 The four HRA funded managers posts at CCDC are not directly affected by the decision to share services and sit outside the scope of the manager restructure; the posts will however, be affected by the changes proposed to pay and grades. For the purposes of the calculations set out in this report, these four posts have

been excluded from the costings as they will be met by Cannock Chase Council's HRA.

- 6.12 The new service manager structure is set out in **APPENDIX 2**.
- 6.13 The new structure provides for the bringing together of the majority of services under a single manager. However, it is proposed to defer the bringing together of a small number of services due to current capacity issues and statutory timelines for key pieces of work (completion of the local plan). The services affected are Development Management, Planning Policy and Corporate Assets. These services will be the subject of a restructure in the future.
- 6.14 The structure also delivers new and redesigned roles in a number of priority service areas; this has been achieved by using a number of managers posts which are currently vacant.
- 6.15 Overall, there is a reduction of six manager posts but the funding from three of these is being reserved to create team leader posts to support the new broader manager roles.
- 6.16 Of the six posts deleted, four are currently vacant and this has reduced, but not completely eliminated, the need for redundancies in creating the new structure. There are two redundancies which have arisen due to proposals in two areas to reduce from two Service Managers down to one. These proposals have placed a total of four individuals at risk of redundancy. Consultation on these proposals has resulted in a ring-fenced selection for two individuals in each option. In the case of one of the proposals, one of those at risk indicated that they did not wish to compete for the combined role and would therefore accept the redundancy terms. For the other proposal, a selection process has been followed, resulting in a further redundancy.
- 6.17 The manager tier structure is likely to evolve further over the next 2-3 years as the wider sharing of services embeds and transformation work is completed.

Proposals for Pay and Grading

- 6.18 Alongside reviewing the manager structure, pay and grading for the service manager tier has also been considered. The shared services business case identified that it would not be practical to consider aligning pay, terms and conditions across the entire workforce at the outset and that this should be reviewed later. However, the restructuring of the manager tier presents an early opportunity to address the pay and grading differences and recognise that service managers will play a key role in supporting the bringing together of teams and the wider transformation of services.
- 6.19 Recruitment to a number of key professional roles across the Councils has also proved to be challenging over the last few years particularly in respect of the salary we offer so a review of pay in this context would also be beneficial.
- 6.20 All of the costings that follow are based on salaries only and do not include on-costs, unless stated otherwise.

- 6.21 Two main options have been considered with regard to a new pay and grading model:
- (i) Option 1 - equalising the pay grades for the two Councils; and
 - (ii) Option 2 - Creation of a new pay structure for both Councils including an extension beyond Stafford Borough Council's additional pay grade.
- 6.22 Option 1 was limited in its benefits. Whilst addressing the issue of pay parity, it doesn't address the problems that the Councils are facing in recruiting experienced managers as the salaries are still considered to be below the market average. Furthermore, it doesn't address the other differences in terms and conditions across the two Councils.
- 6.23 Option 2, the creation of an additional pay grade would:
- (i) recognise the additional breadth and influence of some of the roles in the new structure; and.
 - (ii) make the pay grades for service managers more competitive/comparable with other Councils - this would reduce the risk of us losing experienced officers and assist in attracting new officers.
- 6.24 Option 2 has been progressed as the preferred option. This has been done outside of the current green book pay grading model and established as a new pay grade structure for service managers. This removes the need to open up both Council's existing single status agreements for Green Book employees and it creates an aligned and transparent pay structure for all managers.
- 6.25 The new pay model has 3 pay bands and is set out in **APPENDIX 3** and the current pay model is shown for comparison purposes. The model makes modest increases to existing pay bands but creates headroom for managers at both Councils.
- 6.26 The model is based on the approach used for the new Chief Officer terms and conditions and sees the removal of essential car user allowance payments with the value of these being included in the salary package. Service Managers will be removed from the flexi-time scheme but this will be in part off-set by a small increase in annual leave to bring them in line with the arrangements for Chief Officers.
- 6.27 Whilst the same approach to the salary package for Chief Officers has been used, service managers will remain on Green Book Terms and Conditions, with a local agreement to cover any negotiated changes to current local agreement such as those in respect of annual leave/flexi leave/car user allowances.
- 6.28 The Hay Evaluation scheme has been used to evaluate grades of all posts in the new structure. This is an internationally recognised job evaluation model which is used to map out job roles in the context of the organisational structure. This has provided consistency in approach across the two Councils and a level of independence as West Midlands Employers has undertaken this exercise.
- 6.29 The cost of the new pay model will be met from the savings arising from the reductions in the number of managers posts. It is estimated that Option 2 will deliver a net saving of £178,000 which is slightly more than the target of

£166,500. Further savings will be delivered as the structure evolves further in the next few years.

- 6.30 The savings figure takes into account pay protection for existing managers affected by the proposals, but not others who are likely to be affected. Cash protection will apply for a maximum of 3 years in accordance with Council policy. The net savings figure also takes into account the cost of creating additional team leader posts where this is necessary following a reduction in service manager posts.
- 6.31 In 2024/25 only, £50k of the savings are to be set aside to fund a temporary project manager to support the Land Charges Service with the procurement of a new IT system and the transfer of the service to the Land Registry.
- 6.32 The costs of the new management tier will be shared in proportion to the respective management costs for each Council currently (except for those manager posts which are Council specific - this will include the four HRA funded posts at CCDC) - CCDC 51%: SBC 49%).
- 6.33 Redundancy costs and actuarial strain will also be shared between the two Councils in proportion to the respective management costs for each Council (excluding the HRA funded posts at CCDC) and will be met from reserves - CCDC 51%: SBC 49%.
- 6.34 A formal consultation process has been followed, in accordance with the Councils' restructure and redundancy policies, with the managers affected and Trade Unions.
- 6.35 The new service manager structure is due to be implemented with effect from 1 June 2024.
- 6.36 Once the service manager structure has been implemented, work will commence on bringing the teams together, where appropriate, and completing the TUPE transfer of staff.

Team Leaders and Senior Professional Officers

- 6.37 Whilst the focus at this stage is primarily on the manager structure, the new pay and grading structure will impact on the tier immediately below.
- 6.38 Team Leaders or senior professional/technical posts will be the default next tier below service managers. The proposals for the pay and grading of managers will set a "cap" at a maximum of spinal column point (scp) 40 which is just below the starting point for the proposed new service manager grades.
- 6.39 There are a small number of posts affected by the new pay model and the introduction of cap at scp 40. These changes will not come into immediate effect and will be subject to a review of the roles affected and a separate consultation exercise. Pay protection, for a maximum of three years, will apply to the posts affected.

7 Implications

7.1 Financial

The proposal above will result in a net saving to the council of £178k per annum going forwards. This will be counted towards the savings programme figure for shared services.

For 2024/25 only, £50k of the saving will be allocated to fund a project manager for the land charges project. This will reduce the in year saving for 2024/25. The redundancy and actuarial strain costs will be funded from balances.

7.2 Legal

The Chief Executive has authority to approve management structures below Head of Service level and determine new terms and conditions of employment where agreement can be reached with the recognised trade unions. Cabinet approval is required for any redundancy where the payment of actuarial strain is a consideration.

7.3 Human Resources

The redundancy process followed has been in line with corporate policy and the redundancy costs incurred following this process are in line with the existing shared policy. Payments are made in line with statutory redundancy weeks and a discretionary multiplier (three times statutory weeks) is then applied, with a cap at a maximum 70-week payment.

In addition, where an employee is made redundant and they have over three years' service with the Council and are aged 55 or over, they will be granted immediate access to unreduced pension benefits accrued up to the date of their redundancy. The costs associated with early release of unreduced benefits are then passed on to the employer through actuarial strain costs.

7.4 Risk Management

None

7.5 Equalities and Diversity

None

7.6 Health

None

7.7 Climate Change

None

8 Appendices

Appendix 1 - Current Service Manager Structure

Appendix 2 - Proposed Service Manager Structure

Appendix 3 - Current and Proposed Pay and Grading Model for Service Managers

Appendix 4 - **CONFIDENTIAL** - Costs of Redundancy and Actuarial Strain

9 Previous Consideration

None

10 Background Papers

None

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Telephone Number: 01543 464411

Report Track: Cabinet 07/05/2024 (Only)

Key Decision: No

Senior Manager Restructure

Service Manager Restructure - Current Structure Chart

Head of Economic Development & Prosperity	Head of Operations	Head of Regulatory Services	Head of Wellbeing	Head of Housing & Corporate Assets	Head of Law & Governance	Head of Transformation & Assurance	Deputy Chief Executive Resources
Economic Development x 2	Parks & Open Spaces (CCDC)	Environmental Health x 2	CCTV & Partnerships (CCDC)	Corporate Assets Manager x 2	Legal Services (Shared)	Audit & Risk (Shared)	Chief Accountant x 2 (Shared)
Development Management (SBC)	Waste & Engineering Services (CCDC)	Building Control (Shared)	Corporate Business & Partnerships (SBC)	Housing Property Services (CCDC)	Democratic & Electoral Services x 2	Technology (Shared)	Local Taxation & Benefits Manager (Shared)
Policy Planning (SBC)	Group Manager - Neighbourhoods (SBC)		Health & Housing (SBC)	Housing Maintenance (CCDC)		Human Resources (Shared)	
Planning and Policy (CCDC)				Tenancy Services (CCDC)		Communications x 2	
				Strategic Housing (CCDC)		Customer Services x 2	

Service Manager Restructure - New Structure Chart

Head of Economic Development & Prosperity	Head of Operations	Head of Regulatory Services	Head of Wellbeing	Head of Housing & Corporate Assets	Head of Law & Governance	Head of Transformation & Assurance	Deputy Chief Executive - Resources
Economic Development & Regeneration	Countryside & Open Spaces	Environmental Health	Strategic Housing & Homelessness	Corporate Assets Manager (CCDC)	Legal Services	Chief Internal Auditor & Risk Manager	Deputy S151 Officer
Development Management (SBC)	Streetscene	Building Control & Climate Change	Community Safety & Partnerships	Corporate Assets Manager (SBC)	Democratic and Corporate Services	Technology	Local Taxation & Benefits Manager
Planning Policy (SBC)	Waste & Commercial Services		Housing Assistance, Health & Leisure	Housing Property Services (CCDC)		Human Resources	
Development and Policy (CCDC)				Housing Maintenance (CCDC)		Communications	
				Tenancy Services (CCDC)		Customer Services	
				Strategic Housing (CCDC)			

Appendix 3**Service Manager Restructure - Pay and Grading Model**

Current Pay and Grading						New Pay and Grading	
CCDC Grade	SBC Grade	SCP	Salary	Car Allowance	Total	Proposed Grade	Proposed Salary
K	K	39	£47,420	£963	£48,383		
K	K/L	40	£48,474	£963	£49,437		
K	L	41	£49,498	£963	£50,461	SM1	£51,000
K	L	42	£50,512	£963	£51,475	SM1	£52,000
K	L/M	43	£51,515	£963	£52,478	SM1	£53,000
	M	44	£52,779	£963	£53,742	SM2	£54,000
	M	45	£54,048	£963	£55,011	SM2	£55,500
	M	46	£55,316	£963	£56,279	SM2	£57,000
						SM3	£58,000
						SM3	£59,500
						SM3	£61,000