The Quarterly Meeting of the Governance and Audit Committee will be held in the Cherry Room, Island Civic Centre, The Island, Lisburn, on Tuesday, 9 January at 7.00 pm for the transaction of business on the undernoted Agenda.

You are requested to attend.
AGENDA

1. Apologies

2. Declarations of Interest

3. Minutes – Special Meeting of Committee held on 25 September, 2017 (copy attached)
   Meeting of Committee held on 10 October, 2017 (copy attached)

4. Report by Chief Executive
   1. Report from Policy Officer
      1.1 Corporate Plan Update
      1.2 Business Continuity Planning, Legislation & Brexit
      1.3 Presentations on Brexit by the Executive Office to Councils
      1.4 Brexit and Fulfilling Work, Responding to Threats and Exploiting Opportunities
   2. Report from Audit and Risk Manager
      2.1 Changes to Northern Ireland Whistleblowing Legislation as a Result of the Francis Report
      2.2 Requirement for Inclusion of Policing and Community Safety Partnership (PCSP) in Annual Audit Internal Audit Plan
   3. Report from Performance Improvement Officer
      3.1 Performance Improvement Objectives & Associated KPIs – 2nd Quarter Review
      3.2 Additional Function for ‘Performance Manager’ to Monitor Community Planning
      3.3 ReportAll Update
      3.4 Performance Improvement Audit Report
      3.5 APSE Conference Update
      3.6 Sustainable Development Update
      3.7 MJ Awards Update
      3.8 Customer Service Excellence (CSE) Quality Awards Update
      3.9 NI Public Services Ombudsman Report and NI Local Government Commissioner for Standards Report

5. Confidential Business – “In Committee”
   1. Report from Audit and Risk Manager
      1.1 Northern Ireland Audit Office (NIAO) Presentation of Reports (confidential due to containing information in relation to which a claim to legal professional privilege could be maintained in legal proceedings)
      1.2 Risk Management Activity (confidential due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information)
1.3 Internal Audit Reports (confidential due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information)

1.4 Recommendation Trackers (confidential due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information)

1.5 NFI – Data Matching Update (confidential due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information)

1.6 Lisburn Commerce Against Crime (LCAC) – Review of Governance Arrangements (confidential due to containing information relating to any action taken to be taken in connection with the prevention, investigation or prosecution of crime)

2. Report from Policy Officer

2.1 Local Government Councillors’ Requirement to Register With the Information Commissioner’s Office as a Data Controller (confidential due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information))

3. Draft Estimates 2017/18 (confidential due to containing information relating to the financial or business affairs of any particular person (including the Council holding that information))

Members are requested to go to the Confidential Folder to access the Governance and Audit Committee confidential report

6. Any Other Business

***********************************************************

To: Members of Lisburn & Castlereagh City Council
PRESENT: Councillor A Grehan (Chairman)

The Right Worshipful the Mayor
Councillor T Morrow

Aldermen W A Leathem, S Martin

Councillors J Baird, R T Beckett, B Bloomfield, S Carson, A Givan, C Quinn, and N Trimble

IN ATTENDANCE: Chief Executive
Director of Service Support
Director of Service Delivery (Regulated)
Director of Service Delivery (Non-Regulated)
Audit and Risk Manager
Policy Officer
Performance Improvement Officer
Financial Accounting Manager
Member Services Officer

Northern Ireland Audit Office
Ms C Kane

1. Apologies

It was agreed to accept apologies for non-attendance at the meeting on behalf of The Deputy Mayor, Councillor H Legge, Councillor M Tolerton, Councillor J Gallen and Councillor A Girvin.

2. Declarations of Interest

There were no declarations of interest made.

3. Report by the Chief Executive

It was agreed that the reports and recommendations of the Chief Executive be adopted, subject to any decisions recorded below.
3.1 Performance Improvement Report 2016/17

Members had been provided with a copy of the Council Performance Improvement Report 2016/17. The Performance Improvement Officer went through the document advising that it had been produced to meet Statutory Requirements with little guidance having been received to indicate required content. She highlighted salient points and responded to several questions from members.

The Vice-Chairman, Councillor J Baird congratulated the Performance Improvement Officer on the production of the report in the absence of guidance from the Department after which it was proposed by Councillor J Baird, seconded by Alderman S Martin and agreed to recommend that it be approved.

It was noted that a verbal update would be presented at the Council Meeting on 26 September 2017.

4. Confidential Business

It was agreed that the report and recommendations of the Chief Executive be adopted, subject to any decisions recorded below.

The matters contained in the confidential reports would be dealt with “In Committee” due to containing information (a) relating to the financial or business affairs of any particular person (including the Council holding that information).

“In Committee”

It was proposed by Councillor C Quinn, seconded by Councillor N Trimble and agreed that the following matters be considered “in committee”, in the absence of members of the press and public being present.

(Councillor R T Beckett arrived at 4.40 pm)

4.1 Lisburn & Castlereagh City Council Report to Those Charged with Governance 2016-2017

The Chairman, Councillor A Grehan, welcomed Mrs C Kane from the Northern Ireland Audit Office (NIAO) to the meeting.

Members had been provided with a draft copy of the Lisburn & Castlereagh City Council Report to Those Charged with Governance 2016-2017. Mrs Kane made a verbal presentation on the report during which she thanked all Council Officers involved for the co-operation and assistance afforded to NIAO staff during the audit process.

After the Financial Accounting Manager responded to several questions from members, it was proposed by Alderman W Leathem, seconded by Councillor S Carson and agreed to recommend that the Lisburn & Castlereagh City Council Report to Those Charged with Governance 2016-2017 be approved with the caveat that, as Council officers had not yet had an opportunity to provide a
response, a Traffic Light Report in response to recommendations should be produced in due course.

It was also noted that a verbal report would be presented at the Council Meeting on 26 September 2017.

4.2 Lisburn & Castlereagh City Council Statement of Accounts For Year Ended 31 March, 2017

Members had been provided with a copy of the Lisburn & Castlereagh City Council Statement of Accounts for the Year Ended 31 March, 2017. After consideration it was proposed by Councillor N Trimble, seconded by Councillor C Quinn and agreed that the Statement of Accounts be accepted and signed by the Chairman, Councillor A Grehan, and the Chief Executive.

It was also noted that a verbal report would be presented at the Council Meeting on 26 September 2017.

Resumption of Normal Business

It was proposed by Alderman S Martin, seconded by Alderman W Leathem and agreed to come out of committee and normal business was resumed.

6. Any Other Business

Chief Executive
Council Meeting 26 September 2017

The Chief Executive reminded members that a verbal update would be made on decisions taken at tonight’s meeting at the Monthly Meeting of full Council scheduled for the following evening.

There being no further business, the meeting was terminated at 5.00 pm.

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Mayor/Chairman
Minutes of the Meeting of the Governance and Audit Committee held in the Island Civic Centre, The Island, Lisburn, on Tuesday, 10th October 2017 at 5.30 pm

PRESENT:  Councillor A Grehan (Chairman)
          Deputy Mayor
          Councillor H Legge
          Alderman S Martin
          Councillors J Baird, R T Beckett, R B Bloomfield MBE, S Carson, J Gallen, A Givan, A McIntyre, C Quinn and N Trimble

OTHER MEMBERS:  Councillor O Gawith

IN ATTENDANCE:  Chief Executive
          Director of Service Delivery (Non-Regulated)
          Director of Service Support
          Head of Sports Services
          Head of Finance & IT (Interim)
          Audit and Risk Manager
          Performance Improvement Officer
          Policy Officer
          Member Services’ Officer

Commencement of Meeting

The Chairman, Councillor A Grehan, extended a welcome to all present and proceeded to outline the evacuation procedures in the case of an emergency.

The Chairman asked that any Member entering or leaving the meeting alert her accordingly so that the Member Services’ Officer might accurately reflect arrival and departure times in the minutes.

1. Apologies

   It was agreed to accept apologies for non-attendance at the meeting on behalf of The Right Worshipful The Mayor, Councillor T Morrow; Alderman W A Leathem; and Councillors A Girvin and M H Tolerton.
2. **Declarations of Interest**

The Chairman invited Members to declare any Interests they might have in relation to the business of the meeting and reminded them of the requirement that they complete Declaration of Interest forms which had been provided at the meeting.

There were no Declarations of Interest.

3. **Minutes**

It was proposed by Councillor J Baird, seconded by Councillor C Quinn and agreed that the minutes of the meeting of the Governance and Audit Committee held on the 13th June 2017 as adopted by the Council at its meeting held on the 27th June 2017 be confirmed and signed.

4. **Report from Chief Executive**

It was agreed that the report and recommendations of the Chief Executive be adopted, subject to any decisions recorded below.

4.1 **Report from Performance Improvement Officer**

Members had been provided with a copy of a report prepared by the Performance Improvement Officer containing the following matters:-

4.1.1 **Performance Improvement Objectives & Associated KPIS**

1st Quarter Review

It was proposed by Councillor A Givan, seconded by Councillor N Trimble and agreed to recommend that the following reports be approved, copies thereof having been provided with the Performance Improvement Officer’s report:-

- quarterly monitoring document providing an update on all Improvement Projects against their 2017/18 Performance Improvement Objectives;
- a report detailing Key Performance Indicators (KPIs) for each service within the organisation, the report being in respect of the period April – June 2017 inclusive.

4.1.2 **APSE Performance Networks Membership**

It was proposed by Councillor A McIntyre, seconded by Councillor A Givan and agreed to recommend that the invoice from APSE in the sum of £3,500.00 (excluding VAT) by way of the Council’s membership of the APSE Performance Networks for 2017/18 be paid.

4.1.3 **APSE NI Executive Board**

Members were advised that APSE NI was creating on a pilot basis, an Executive Board comprising one Elected Member and one Officer from each of the APSE NI
4.1.3 APSE NI Executive Board (Cont’d)

member councils. In her report the Performance Improvement Officer outlined the aims and objectives of the Executive Board which was anticipated to meet two – three times per year.

It was proposed by Councillor S Carson, seconded by Councillor R B Bloomfield and agreed to recommend that the Chair of the Governance and Audit Committee and the Performance Improvement Officer be nominated to represent Lisburn & Castlereagh City Council on the Executive Board of APSE NI.

The Director of Support Services entered the meeting. (5.37 pm)

4.1.4 APSE Performance Networks Seminar
7th & 8th December 2017
Hilton Hotel, Blackpool

Members had been provided with details of the above seminar, the fee per delegate being £219.00, inclusive of accommodation on the 7th December 2017.

A dedicated NI session would have speakers from the Department for Communities and Derry City & Strabane District Council. Each NI member authority was being offered one free seminar place to include one night’s free accommodation.

It was proposed by Councillor J Baird, seconded by Councillor R B Bloomfield and agreed that the Council’s members on the APSE NI Executive Board be nominated to attend the above seminar, the Council to be responsible for approved expenditure over and above that provided by APSE.

Alderman S Martin entered the meeting (5.39 pm)

4.1.5 APSE Training Opportunities

Members had previously expressed concern at the apparent lack of training courses which APSE provided in Northern Ireland.

It was agreed to recommend that information from APSE in relation to training opportunities available over the coming months be noted, such courses including a number being held in Belfast.

4.1.6 NI Local Government Awards (NI) Update

Members were advised that – out of the Council’s six applications - the following three were finalists in the 2017/2018 NI Local Government Awards:-

- “Best Local Authority Service Team” - Grounds Maintenance Unit;
- “Best Enterprise Initiative by a Council” - Invest Lisburn Castlereagh
- “Best Initiative by a Councillor/Councillor Group” - Heart City (Community Defibrillators)
4.1.6 NI Local Government Awards (NI) Update (Cont’d)

The winners would be announced at the Gala Awards Dinner following the NILGA Annual Conference at the La Mon Hotel on the 12th October 2017.

The Chairman of the Committee, Councillor A Grehan, congratulated the Council’s finalists on this achievement.

4.2 Report from Audit and Risk Manager

Members had been provided with a copy of a report prepared by the Audit and Risk Manager containing the following matters:-

4.2.1 Internal Audit Summary Reports

(a) Summary audit reports

Councillor J Gallen entered the meeting during discussion in relation to Aberdelghy Golf Course. (5.45 pm)

It was proposed by Councillor C Quinn, seconded by Councillor S Carson and agreed to recommend that the undernoted reports be agreed:-

- Corporate Services – Report on Year-End Stock at 31st March 2017
- Economic Development – Report on Year-End Stock at 31st March 2017
- Environmental Services – Report on Year-End Stock at 31st March 2017
- Leisure Services – Report on Year-End Stock at 31st March 2017
- Castlereagh Hills Golf Course – Satisfactory Assurance
- Aberdelghy Golf Course – Limited Assurance

In regard to the Castlereagh Hills Golf Course, the Head of Sports Services confirmed that issues raised in the Audit Report had been addressed.

In regard to the Aberdelghy Golf Course, the Director of Service Delivery (Non-Regulated) outlined the measures that were being taken to address a number of issues raised in the Audit Report. The Director agreed to report on the current percentage of Grounds Maintenance staff who were trained in “Emergency at Work First Aid” and undertook to ensure that all such staff were in receipt of such training.

(b) Capita Audit Report on Treasury Management

At this stage in the meeting, the Chairman of the Committee welcomed Mr Francis Hughes who had been appointed recently as the Interim Head of Finance & IT. Mr Hughes responded accordingly.

The Interim Head of Finance & IT confirmed that appropriate action and update of procedures had taken place in respect of Treasury Management. Should any matters remain outstanding they would be dealt with accordingly.
(b) **Capita Audit Report on Treasury Management** (Cont’d)

It was proposed by Councillor C Quinn, seconded by Councillor S Carson and agreed to recommend that the Satisfactory Assurance by Capita for Treasury Management be agreed.

(c) **Capita Audit Report on Economic Development**

In furtherance of a decision of Committee on the 11th April 2017, Members were provided with an amended Page 7 of the above report by Capita. The original Page 7 was also provided for information purposes. There being no further changes to the Audit Report, the level of assurance therefore remained unchanged at a Satisfactory Level.

It was proposed by Councillor C Quinn, seconded by Councillor S Carson and agreed to recommend that this amendment and the Satisfactory Level of Assurance be accepted.

(d) **Update on other audit reports/work from Audit Plan**

It was proposed by Councillor C Quinn, seconded by Councillor S Carson and agreed to recommend that progress reports in respect of ongoing audits as detailed in the report of the Audit and Risk Manager be agreed.

4.2.2 **Risk Management – Corporate Risk Register**

It was proposed by Councillor A McIntyre, seconded by Councillor S Carson and agreed to recommend that:-

- the Updated Corporate Risk Register inclusive of new risks as detailed in the report of the Audit and Risk Manager be accepted;

- the role of Internal Audit in Risk Management processes (as recommended by the Chartered Institute of Internal Auditors) be accepted.

A number of Members expressed concern that the Departmental risk assessments had not transferred into the Corporate level. The Chief Executive explained that the Departmental risks would have differed to those at a Corporate level.

In regard to risk associated with the General Data Protection Regulation due for implementation in May 2018, the Chief Executive confirmed that the Interim Head of Finance & IT was addressing this as a matter of urgency.

The Chief Executive confirmed that the Chairman of the Committee would be kept informed of matters re risk management; that appropriate Officers would attend future meetings to discuss their areas of the Corporate Risk Register; that the Head of Service Delivery (Regulated) would attend the meeting in regard to waste management issues.
4.2.3 Risk Management – Brexit Report

Members had been provided with a report on Brexit as prepared by Audit and Risk. This report had been considered by the Corporate Management Team and the Committee was invited to do likewise. The content of the report was noted.

It was proposed by Councillor J Gallen, seconded by Councillor N Trimble and agreed that the issue of Brexit, its repercussions for the Council and the Council’s way ahead in this regard be placed on the agenda for the next meeting of the Party Group Leaders Forum with a view to it being discussed at a future “Away Day”.

4.2.4 Risk Management – Risk Officer

Members were advised that a new Risk Officer had been appointed as from the 2nd October 2017. The officer had worked within Environmental Services and – in order to accommodate their operations, Environmental Services had requested a phased introduction of the employee into Audit and Risk.

In order to accommodate the above request and to ensure adequate resources in Audit and Risk to deal with the work of the unit as had been listed in the report, Members were requested to extend the contract of the agency worker (who had been in post from the 30th June 2017) until the 31st March 2018.

It was proposed by Councillor S Carson, seconded by Councillor A McIntyre and agreed to recommend that the contract of the agency worker currently in post within Audit and Risk, be extended to the 31st March 2018 for the reasons as set out above.

It was proposed by Alderman S Martin, seconded by Councillor C Quinn and agreed that the manner by which public bodies and other Councils deal with staffing issues within Internal Audit and Risk Assessment be investigated and reported back to Committee, eg whether or not the Head of Audit should independently assess the staffing requirements of the unit and report that to the Committee for appropriate action.

4.2.5 Internal Audit Charter

Members had been provided with a copy of the revised Internal Audit Charter to take account of the revised Public Sector Internal Audit Standards (PSIAS) effective from the 1st April 2017.

It was proposed by Councillor J Baird, seconded by Councillor A McIntyre and agreed to recommend that the revised Internal Audit Charter be accepted and that it be signed off accordingly by the Chairman of the Committee and the Chief Executive.
4.2.6 Draft Report Letter to those Charged with Governance and its Recommendations included unto NIAO Tracker

Members were reminded that the Council’s Report to Those Charged with Governance 2016-2017 had been presented by the Audit Office to the Committee at its special meeting held on the 25th September 2017.

Members were advised that recommendations from the Draft Report had been inserted into the Audit Recommendation Tracking package thus allowing the actions of Management to be monitored and thereby ensuring the implementation of all recommendations.

It was agreed to recommend that the summary of the recommendations be noted with Management responses still having to be obtained. An update on the Implementation of the recommendations would be presented to the next meeting of the Committee.

Particular mention was made with regard to an issue concerning lodgements which Officers had considered should not have been contained in the Letter to those Charged with Governance. The Head of Finance & IT (Interim) was taking this matter up with the NI Audit Office.

4.2.7 NIAO Report and Summary
(Year Ended 31st March 2016 – for all Councils)

It was agreed to recommend that the NIAO Report & Summary for all Councils for the Year ended the 31st March 2016 be noted.

4.3 Report from Policy Officer

Members had been provided with a copy of a report prepared by the Policy Officer containing the following matters:-

4.3.1 Corporate Plan

Members had been provided with a progress report in respect of the development of a new Corporate Plan for the Council from which it was noted that:-

- as a first step in gathering Member input, a workshop with Elected Members had been held on the 11th September 2017;

- the emerging plan would come back to Members at the end of November 2017, having already been the subject of a Corporate Managers Development Forum.

- the plan was likely to be presented for Members’ approval in early December 2017.
4.3.2 Chief Executives’ Forum
“Managing the Risk of Bribery & Corruption”
14th November 2017 (0800 hours – 1000 hours)
Malone House, Barnett Demesne, Belfast

Details of the above event were set out in the Policy Officer’s report.

It was agreed to recommend that any Member wishing to attend the above event notify the Chief Executive’s office accordingly so that a place might be reserved. The Chairman of the Committee, Councillor A Grehan, had already indicated her intention to attend.

The Policy Officer noted comments by Councillor J Gallen that details of this invitation should be circulated to all Members of Council.

5. Confidential Business

It was proposed by Alderman S Martin, seconded by Councillor A McIntyre and agreed that the report and recommendations of the Chief Executive be adopted, subject to any decisions recorded below.

The matters contained in the confidential report would be dealt with “In Committee” due to containing information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime.

“In Committee”

It was proposed by Councillor C Quinn, seconded by Councillor A McIntyre and agreed that the following matters be considered “in Committee”, in the absence of members of the press and public being present.

5.1 Report from Audit & Risk Manager

Presented by Chief Executive.

5.1.1 NFI – Data Matching (update)

It was agreed to recommend that the update on NFI – Data Matching, be noted.

5.1.2 Investigation into alleged breaches of Council Procedures and Staff Code of Conduct at Moneyreagh Community Centre

It was agreed to recommend that information in relation to the above matter be noted.

Resumption of Normal Business

It was proposed by Councillor A McIntyre, seconded by Councillor N Trimble and agreed to come “Out of Committee” and normal business was resumed.
6. **Any Other Business**

6.1 **General Data Protection Regulation due for implementation in May 2018**

*Councillor S Carson*

Councillor S Carson raised a query about Elected Members’ protection under the above Regulation and – indeed - if it did in fact apply to them in the carrying out of their Elected Member duties.

Alderman S Martin reported that the Data Commissioner had advised that - until the regulation was in Statute - it would be difficult to provide definitive guidance on this matter.

It was proposed by Councillor J Baird, seconded by Councillor S Carson and agreed that the Chief Executive have investigated, the level of risk to Elected Members in relation to Data Protection and the planned General Data Protection Regulation and that furthermore, a report on this matter be made to the appropriate Committee.

There being no further business, the meeting concluded at 6.41 pm.

_____________________________________________________

Mayor/Chairman
PURPOSE AND BACKGROUND

The purpose of this report is to set out for Members’ consideration, a number of recommendations relating to the operation of the Council.

The following decisions are required:

- To agree the recommendations contained in the report of the Policy Officer
- To agree the recommendations contained in the report of the Audit and Risk Manager
- To agree the recommendations contained in the report of the Performance Improvement Officer

ITEMS FOR DECISION

1. REPORT FROM POLICY OFFICER

Attached, under Appendix 1, is a copy of a report prepared by the Policy Officer.

Recommendation

It is recommended that the recommendations contained in the report of the Policy Officer be agreed.

2. REPORT FROM AUDIT AND RISK MANAGER

Attached, under Appendix 2, is a copy of a report prepared by the Audit and Risk Manager.

Recommendation

It is recommended that the recommendations contained in the report of the Audit and Risk Manager be agreed.

3. REPORT FROM PERFORMANCE IMPROVEMENT OFFICER

Attached, under Appendix 3, is a copy of a report prepared by the Performance Improvement Officer.
**Recommendation**

It is recommended that the recommendations contained in the report of the Performance Improvement Officer be agreed.


dr theresa donaldson
chf exct
4 january, 2017
REPORT FROM POLICY OFFICER

1. CORPORATE PLAN UPDATE

Members will recall a workshop they attended on 18th December 2017 which began the process of finalising the content, structure and look of the Council’s new Corporate Plan. Member’s comments and observations have since been incorporated into the final version of the Plan and work is ongoing to conclude design and other details.

A consultation phase is planned for implementation in January 2018, which will allow citizens a say in what the plan should address and how it should look. The consultation will be carried out in conjunction with another being undertaken by the Performance Improvement Officer so that costs may be minimised, and will utilise existing consultation arrangements.

It is expected that the consultation phase will be completed during February 2018, with a final draft being placed before members during March, for final approval. Once approved, it is expected that the plan will be released in late March 2018.

Recommendation

It is recommended that members approve the consultation plan and implementation timetable.

2. BUSINESS CONTINUITY PLANNING, LEGISLATION & BREXIT

As members will be aware, the Chief Executive has been liaising with the Executive Office and the wider Northern Ireland Civil Service in relation to the work ongoing to prepare for the impact of Brexit in 2019 and beyond. The work to date has progressed a number of important issues:–

i. Business Continuity Planning

Guidance for day 1 planning has been received from the Executive Office which sets out the key principles which may be used by Councils to develop delivery plans and services that are delivered in conjunction with Northern Ireland Civil Service Departments. The guidance is attached at Appendix PO1.

ii. Legislative Trawl

Work is ongoing within the Northern Ireland Civil Service and Whitehall to ensure legislation remains operable when the UK leaves the EU. A request from the Departmental Solicitor’s Office has been received asking that Councils carry out a similar exercise. Guidance, which is attached at Appendix PO2 has been produced to assist with this task.

This will involve a trawl of the archives from both legacy Councils going back to 1972 and is likely to required legal assistance.

Recommendation

It is recommended that members:-
i. Approve the dissemination of guidance on Day 1 business continuity and delivery planning as attached, across all Council Departments that deliver services in conjunction with Northern Ireland Civil Service Departments to act as an aid to the Councils Business Continuity Planning.

ii. Approve the guidance provided by the Departmental Solicitor’s Office for dissemination across all Council Departments with a view to:-

   a. Beginning the process of identifying and listing all Council made legislation since 1972;

   b. Analyse the outcome in terms of possible replacement legislation;

   c. Share the conclusions of this analysis with the Northern Ireland Civil Service.

3. PRESENTATIONS ON BREXIT BY THE EXECUTIVE OFFICE TO COUNCILS.

A briefing for Chief Executives and Senior Staff was held on 27th October 2017 at Antrim Civic Centre. The briefing was hosted by the Executive Office Future EU Relations Team and included two presentations by Victor Dukelow of the EU Exit, Trade & Migration Division.

Both presentations are attached at Appendix PO3 and Appendix PO4 for member’s information.

Recommendation

It is recommended that Members note the attached information.

4. BREXIT AND FULFILLING WORK, RESPONDING TO THREATS AND EXPLOITING OPPORTUNITIES.

The chief Executive is in receipt of a report from the Carnegie Trust. The report was written for the Trust by Alan McGregor, Research Professor of Economic Development at the University of Glasgow’s Training and Employment Research Unit (TERU) and considers the potential impact of Brexit on fulfilling work and actions that might be taken to mitigate the risks and take advantage of any opportunities.

It covers the impact of Brexit on the UK economy; migration; employment protection laws and regulations and European Structural Funds, and suggests a number of general and specific actions to protect and enhance fulfilling work.

The report is attached at Appendix PO5 for member’s information.

Recommendation

It is recommended that members note this.
DAY 1 DELIVERY PLANNING FOR SPONSORED BODIES

Guidance

Version | Date
---|---
0.1 | 16/11/17
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Day 1 Delivery Planning

Purpose of the Guidance

1. It is important that all public service providers in Northern Ireland can operate effectively on Day 1 following the UK exit from the EU and that there is no or minimal disruption to services. Preparations are underway in Northern Ireland Executive Departments to ensure that all necessary issues that might impact on Day 1 delivery of services have been identified and action taken to ensure normal business.

2. This document sets out key principles which can be used by sponsored bodies in developing their Day 1 Delivery Plans for services they deliver for which they receive government funding.

Objective of Delivery Planning

3. The aim of delivery planning is to ensure that all public services in Northern Ireland will continue to operate to an agreed level of service after the UK leaves the European Union under the terms of the separation agreement. Although the terms of the separation agreement are not known sponsored bodies must ensure that services can continue to operate effectively regardless of the outcome of the negotiations.

4. It is important that sponsored bodies ensure that ALL policy areas and services have been considered and there are no ‘surprises’ or unexpected impacts on any government service on Day 1 following EU Exit.

5. The desired outcomes for sponsored bodies is to carry out Day 1 Delivery Planning in order to:
   - Ensure that all necessary issues that might impact on Day 1 delivery of services have been identified and action taken to ensure normal business;
   - Identify any opportunities to improve services through simplification or enhanced benefits;
   - Identify issues that may impact Day 1 delivery of services and which are outside of the sponsored body’s control to address; and
   - Provide assurance to their Chief Executive and sponsor Department that sponsored bodies are in a position to cope effectively once the UK exits the EU.
6. Sponsored bodies are required to analyse their policy areas and service provision to better understand the impact of the various possible outcomes on each. Efforts should focus on those that are deemed a priority for Day 1 delivery. The planning should take account of the required level of service on Day 1 and at key milestone dates thereafter.

Role of Sponsored Bodies

7. Delivery planning is the responsibility of the Chief Executive of the sponsored body as the Senior Responsible Officer (SRO). Each SRO is responsible for:
   • Ensuring that all their policies, processes and structures have been examined and that they have appropriate plans in place to ensure Day 1 preparedness following the UK’s exit from the EU; and
   • Providing assurance on their level of preparedness for Brexit to their sponsoring Department.

8. SROs must consider the actions which need to be taken to deliver the services impacted by the EU exit under the possible outcomes, including any relevant factors which may impact upon services for example:
   • Milestones (including key dates for implementation);
   • Interdependencies (including 3rd party);
   • Linkages to/from Departments and other organisations;
   • Potential impacts of solutions;
   • Cross border implications;
   • Legislation implications;
   • Decisions;
   • Assumptions;
   • Resourcing and costs;
   • Implementation period;
   • External stakeholder engagement; and
   • Risks.

9. A template has been created to assist SROs collect this information during the delivery plan development process. This Planning Log is provided at Appendix A and can be used as a central repository for the Day 1 Delivery Planning exercise. This Log should contain the information trail for all the fact finding, analysis and decision making for the Day 1 Delivery Planning exercise.

Planning Assumptions

10. As the terms of the separation agreement will not be known for some time, sponsored bodies should consider their business against the possible
outcomes from the negotiations. The components of possible outcomes are listed at Appendix B. Sponsor bodies may wish to add other components which may be more relevant to their business when establishing their planning assumptions.

Engagement

11. Public sector sponsored bodies must ensure that they engage with external interested parties, where it is necessary to do so.

12. For policy areas where there is a cross border dimension sponsored bodies should liaise with relevant ROI officials when developing delivery plans.

Reserved, excepted, devolved matters

13. The Northern Ireland devolution settlement gives legislative control over certain matters (known as ‘transferred matters’) to the Assembly. In the main these are in the economic and social field.

14. Matters of national importance which, in the normal course of events it is expected will remain the responsibility of HM government and Westminster, are known as ‘excepted matters,’ and the NI Assembly does not have competence to legislate on these.

15. Many UK-wide issues such as broadcasting and genetic research are known as ‘reserved matters’. This category originally included policing and criminal justice but those matters were devolved and therefore moved into the transferred field on 12 April 2010.

16. Anything that isn’t explicitly reserved or excepted is deemed to be devolved and the Assembly has full legislative competence.

17. For further clarification on the types of matters the sponsored body should refer to their Departmental Sponsor Branch.

18. The focus of the Day 1 delivery planning will be on services which are fully devolved. However it is important that sponsored bodies identify how much control they have over the policy areas they are responsible for and how much influence they can bring to Day 1 preparations following the UK exit from the EU.

19. The Planning Log should be completed to record the residual implications for NI in relation to reserved, excepted and not fully devolved matters. Sponsored bodies should indicate on this template how they intend to collaborate with
Departments to ensure the measures they are taking in preparation for the EU Exit capture the needs of the Department.

**Guidance on the Delivery Planning process**

20. It is important for sponsored bodies to note that when developing their delivery plans consideration must be given to EVERY policy area/service provision for which they have responsibility including those areas affected by the UK Exit from the EU and those that will not. The discipline of this process will ensure that ALL areas have been considered and there are no ‘surprises’ or unexpected impacts on any government service on Day 1 following EU Exit.

21. For those policy areas/service provision not affected by the EU Exit, regardless of the outcome of the negotiations, a NIL return should be recorded against the entry in the Log for the policy area/service provision. This will provide assurance to the sponsor body Chief Executive and sponsor department that every policy area/service has been considered.

22. The following sections set out the process to be followed in more detail. A summary flowchart is attached at Appendix C.

**Step 1 – Identification of planning assumptions**

23. The first step in Day 1 Delivery Planning is to decide on the planning assumptions which the sponsored body will plan for. These should be agreed by the SRO who has overall accountability for service delivery in the organisation. The components of possible outcomes are listed at Appendix B. When determining their planning assumptions sponsor bodies may choose elements from the list of possible outcomes and may also wish to add other components which may be more relevant to their business.

**Step 2 - Identification of Policy Areas/Services and Impact Analysis**

24. Step 2 is to consider each of the sponsor body’s policy areas/services against the agreed planning assumptions to identify the level of impact on each when the UK leaves the EU. Sponsored bodies should assess their impacted business using their chosen planning assumptions and only plan against those which they consider would significantly impact their business.

25. To assist in this process several templates have been provided. Appendix D contains a Planning Assumption template which can be used to record the level of impact of each policy area/service against each component of the chosen
planning assumptions. **Appendix E** is an impact assessment template that can be used to consider the impact of the planning assumptions on each policy/service. **Appendix F** is a checklist of all of the information that should be gathered to give an overall view on all policy areas/services, associated dependencies and resources.

26. In order for sponsored bodies to identify those policies/services which require delivery planning for Day 1 it is necessary to consider all services at a strategic, tactical and operational level.

27. Sponsored bodies may have previously completed this exercise in the development of their business continuity plans. These can be used in this exercise.

28. At this stage a decision is required on the level of service required on Day 1 and within the first 12 months from the UK leaving the EU. For example, would 50% service delivery would be acceptable on Day 1, increasing to 100% over 6 months? The level of acceptable service will inform a range of variables in the planning process.

29. Sponsored bodies should identify and quantify the impacts and opportunities for each policy/service against each planning assumption. This analysis will provide a list of priorities for Day 1 delivery planning.

30. Sponsored bodies should record on the Planning Log any issues or opportunities arising for a particular policy area/service provision by the UK exit from the EU that would impact on its delivery on Day 1.

**Step 3 - Threat assessment**

31. This stage is where sponsored bodies should pause and think about how each priority service is currently provided and about any other threats that could impact on its service delivery at the point the UK leaves the EU. This should include consideration of the threats to services that may arise from a GB solution on a reserved or excepted matter that may impact NI services.

32. This stage is not a threat assessment of the chosen planning assumptions. For example, a planned change to an IT system before the UK leaves the EU could be impacted by one or more of the chosen planning assumptions. If the threat impacts on a sponsored body’s ability to deliver a service on Day 1 it should be recorded in the Planning Log.

33. All threats identified at this stage need to be managed and monitored as appropriate.
Step 4 - Development of solutions

34. Beginning with the highest priority services, sponsored bodies should develop potential solutions to ensure day 1 service delivery to the agreed level of service delivery, for the chosen planning assumptions. It should be noted that the negotiated settlement may require changes to existing services, not everything will remain the same. So the development of solutions should take these changes into account.

35. There may be instances where sponsored bodies are unable to develop long term solutions to some of the Day 1 priorities, for example in significant strategic issues such as EU funding. Nonetheless it is important there are temporary arrangements are put in place to cover Day 1 priorities, until such times as longer term solutions can be put in place.

36. When identifying solutions sponsored bodies must ensure that relevant legislation and regulations are taken into account, for example Section 75 and Impact assessments.

37. Alongside the solutions, sponsored bodies should also identify the requirements for each solution in terms of people, premises, resources and suppliers. This should include information on the dependencies that relate to the solution.

38. The Planning Log should be completed to describe the solutions and the potential impacts of the solution in terms of disruption to the service, cost, and political and media issues. An assessment of the confidence in the solution is also required.

Step 5 - Agreement on solutions

39. The chosen solutions should be agreed within sponsored bodies for how each service will be delivered from Day 1 for each chosen planning assumptions. This should include the preferred solution for each service. This information should be recorded on the Planning Log.

Step 6 - Development of plans

40. When decisions are made on solutions, sponsored bodies should then document the arrangements in a plan, known as the Day 1 Delivery Plan.
Timeline for delivery plans

41. Delivery plans should be developed against the Article 50 deadline and the UK’s proposed exit from the EU of 29 March 2019. Within this overall timeline three time phases should be included, noted below:

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>29 March 2017 – 30 September 2018</td>
<td>Negotiation Phase</td>
</tr>
<tr>
<td>October 2018 – 29 March 2019</td>
<td>Ratification Phase</td>
</tr>
<tr>
<td>April 2019 onwards</td>
<td>Implementation Phase</td>
</tr>
</tbody>
</table>

42. The UK Government has stated that it would like a transition phase agreed with the EU at the end of the Article 50 process. The EU has not agreed to this request as yet. Sponsored bodies should be aware that there is the possibility of the inclusion of a fourth phase which depending on the negotiations may need to be added, as follows:

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Phase</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 2019 – end March 2020</td>
<td>Transition Phase</td>
</tr>
</tbody>
</table>
## APPENDIX A – PLANNING LOG

<table>
<thead>
<tr>
<th>#</th>
<th>Header</th>
<th>Objective</th>
<th>Explanation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Business name</td>
<td>Name of business completing the template.</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Areas of responsibility/Service provision</td>
<td>Capture all areas of responsibility/service provisions within your business that will be affected by the UK Exit from the EU.</td>
<td>Name and description of area of responsibility/service provision you are responsible for. Provide an indication if this area of work is affected by the EU Exit. If nothing relating to your area of responsibility/service provision is affected by the EU Exit a NIL return can be recorded. The log entry should clearly differentiate between each area/service provision and assumptions planned against. You should prioritise your areas/service provisions with those being most affected by the EU Exit and those with the highest impact on service delivery higher up the priority rating. Delivery Plans should be completed for the highest priority areas first.</td>
</tr>
<tr>
<td>3</td>
<td>Lead Contact</td>
<td>Identify correct point of contact within your business to take forward this piece of work.</td>
<td>Name of the lead contact for the area/service provision within your business.</td>
</tr>
<tr>
<td>4</td>
<td>FOR GOVERNMENT LINKED BODIES ONLY Is this a reserved/excepted/devolved matter? Are there any residual implications for NI?</td>
<td>Capture whether the area/service provision is a reserved/excepted/devolved matter. Identify how much control you have over the areas you are responsible for and how much influence you can bring to Day 1</td>
<td>You should state whether your area/service provision is a reserved, excepted or devolved matter. If it is a reserved/excepted matter state if there are any residual implications for NI. Where an area is not fully devolved, departments should indicate how they intend to collaborate with sponsor Departments to ensure that the NI perspective is taken into account when making plans.</td>
</tr>
<tr>
<td>Header</td>
<td>Objective</td>
<td>Explanation</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>-----------</td>
<td>-------------</td>
<td></td>
</tr>
<tr>
<td>5 Are there cross border implications?</td>
<td>Capture all areas/service provisions that have a cross border implication. Enable you to flag up issues early, where you think the delivery of your service may be impacted by a cross border implication.</td>
<td>You should indicate if the area/service you are responsible for has a cross border implication. Where this is the case you should also document how you are going to ensure that this cross border element is incorporated into plans for mitigating against any disruption to services on Day 1 after EU Exit.</td>
<td></td>
</tr>
<tr>
<td>6 Linkages and Dependencies</td>
<td>Ensure all relevant linkages and dependencies related to your area/service provision have been considered and included in the solution where required.</td>
<td>Businesses need to clarify if the area/service they are responsible for or the proposed solution has linkages and/or dependencies.</td>
<td></td>
</tr>
<tr>
<td>7 Summary of Issue or Opportunity identified</td>
<td>Clarification of the issue(s) arising for a particular area/service provision due to the UK exit from the EU that would impact on its ability to deliver on Day 1.</td>
<td>A summary of any issues identified for the area due to the UK exit from the EU and clarification of whether it is considered an issue or an opportunity.</td>
<td></td>
</tr>
<tr>
<td>Header</td>
<td>Objective</td>
<td>Explanation</td>
<td></td>
</tr>
<tr>
<td>------------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Threat assessment</td>
<td>To record known threats to services that are not EU Exit related which could impact on Day 1 delivery Record the threats that have been identified for services including their assessment and how it will be mitigated/managed. These are threats that are not related to UK EU exit.</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Potential Solution (s) including dependencies</td>
<td>Clear articulation of business’s strategy for negating the impact of exiting the EU on their area/service provision. Important for businesses to clearly flag where proposed solutions depend on other factors, i.e. outcome of negotiations, new legislation, certain funding stream etc. Detail the potential solution (s) being proposed for each of the issues identified at header 7. Dependencies for the solutions should be included here.</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Timeline</td>
<td>Ensure sufficient time is available to implement solutions. You should develop timelines for solutions showing milestones, linkages and dependencies. Expose those solutions that require transitional arrangements to be put in place. Detail the timeline for implementation of each solution. This should include details of your planning assumptions and identification of necessary lead in times for introduction of proposed solutions.</td>
<td></td>
</tr>
<tr>
<td>Header</td>
<td>Objective</td>
<td>Explanation</td>
<td></td>
</tr>
<tr>
<td>--------</td>
<td>-----------</td>
<td>-------------</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Potential impacts of solution</td>
<td>Capture the impact of the issues at header 7 and proposed solution(s) at header 9.</td>
<td>Set out the potential impacts of the issue and solution that has been identified. Identify the scale of the impact within the range of 0-3 with 0 being the worst impact and 3 being the best impact as follows: 0 = High impact issue which could cause significant disruption to the area/a significant increase in cost/an adverse political/media issue. 1 = Moderate impact issue which could cause material disruption to the area/a moderate increase in cost/an adverse political/media issue. 2 = Low impact issue which could cause limited disruption to the area/a limited increase in cost/an adverse political/media issue. 3 = Issue identified would not cause material disruption to the area/a significant increase in cost/an adverse political/media issue. This will feed into business’s assessment of risk for each of their issues and is a fundamental part of the delivery planning process.</td>
</tr>
<tr>
<td>12</td>
<td>Confidence in solution</td>
<td>Capture your confidence in the ability of your proposed solution(s) to ensure consistent delivery of services following the EU Exit.</td>
<td>Identify your confidence in the solution at header 9 enabling you to continue delivering services on Day 1 after EU Exit. Identify the scale of your confidence within the range of 0-3 with 0 being the least confidence and 3 being the most confidence as follows: 0 = No viable solution for the high impact issues. 1 = Viable solution identified with significant gaps including a significant number of medium impact issues. 2 = Viable solution identified addressing the majority of issues and there is reasonable confidence for implementation. 3 = Viable solution identified addressing all of the issues and there is high confidence for implementation. This will feed into the business’s assessment of risk for each of their issues and is a fundamental part of the delivery planning process.</td>
</tr>
<tr>
<td>Header</td>
<td>Objective</td>
<td>Explanation</td>
<td></td>
</tr>
<tr>
<td>--------------------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>13 Third parties/stakeholders</td>
<td>Capture all third parties and stakeholders that are impacted by or part of the proposed solution (s) for each area/service provision.</td>
<td>Indicate where third parties and/or stakeholders are impacted by or part of the proposed solution (s). Indicate how you intend to minimise the impact on third parties where relevant. Indicate how you are collaborating with third parties that are part of the proposed solution (s).</td>
<td></td>
</tr>
<tr>
<td>14 Legislation implications</td>
<td>Capture all the legislative implications related to the proposed solution (s) for each area/service provision.</td>
<td>Indicate the legislative implications of the solution (s) proposed. Indicate the type of legislation you currently have in place and your timeline for enacting any required changes.</td>
<td></td>
</tr>
<tr>
<td>15 Financial implications</td>
<td>Capture all the financial implications related to the proposed solution (s) for each area/service provision.</td>
<td>Indicate the financial implications of the solution (s) proposed. Indicate if these financial implications can be absorbed or if additional resources are required. If additional resources are required indicate how you intend to acquire the additional resources.</td>
<td></td>
</tr>
<tr>
<td>16 Headcount implications</td>
<td>Capture all the headcount implications related to the proposed solution (s) for each area/service provision.</td>
<td>Indicate the head count implications of the solution (s) proposed. Indicate if these can be absorbed within the business or if additional resources are required. If additional resources are required indicate how you intend to acquire the additional resources.</td>
<td></td>
</tr>
<tr>
<td>17 Identification of preferred solution</td>
<td>Identification of the preferred solution for each area/service provision.</td>
<td>Identify your preferred solution to each area/service provision issue after taking account of the potential impact and your confidence in the ability of the solution to deliver.</td>
<td></td>
</tr>
</tbody>
</table>
## APPENDIX B – COMPONENTS OF POSSIBLE OUTCOMES FROM THE NEGOTIATIONS

<table>
<thead>
<tr>
<th>Trade and Customs</th>
<th>Comprehensive negotiated deal similar to existing arrangements.</th>
<th>Bespoke agreement for NI &amp; ROI to have unrestricted access to both Markets on island. Agree NI will abide by EU standards.</th>
<th>No deal with EU on goods/services, WTO rules apply.</th>
</tr>
</thead>
<tbody>
<tr>
<td>External FTAs</td>
<td>UK can access FTAs with RoW, but with restrictions to comply with new UK/EU comprehensive deal.</td>
<td>UK can access FTAs with RoW. Will have some restrictions to comply with new FTA and customs partnership.</td>
<td>UK can access FTAs with RoW but agreement may impact on implementation in NI.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lengthy delay in accessing FTA with EU. Can access FTA’s with RoW with no restrictions.</td>
</tr>
<tr>
<td>Trade Liberalisation</td>
<td>Minimal trade liberalisation to ensure compliance with UK/EU deal.</td>
<td>Some trade liberalisation in areas not covered by FTA and customs partnership.</td>
<td>May be impact on trade liberalisation within NI in order to fit with any bespoke agreement.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Possible extensive range of trade liberalisation which will impact a wide range of sectors including agri-food.</td>
</tr>
<tr>
<td>Justice and security</td>
<td>Full security and justice cooperation.</td>
<td>No cooperation on security and justice.</td>
<td></td>
</tr>
<tr>
<td>European Court of Justice</td>
<td>No longer subject - ECJ alternative required for dispute resolution.</td>
<td>NI may need to be subject to ECJ in certain areas - GB would not.</td>
<td>No longer subject to ECJ.</td>
</tr>
<tr>
<td>Common Travel Area</td>
<td>Remains in place.</td>
<td>Increase in checks within the CTA</td>
<td></td>
</tr>
<tr>
<td>Energy</td>
<td>No impact on SEM or gas supplies.</td>
<td>Possible impact on SEM or gas supplies.</td>
<td>No deal on SEM and impact on gas supply.</td>
</tr>
<tr>
<td>EU Funding</td>
<td>Pay for access to certain EU funding. Possible access to EIB.</td>
<td>No access to EU funds or EIB.</td>
<td></td>
</tr>
<tr>
<td>---</td>
<td>---</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Border</td>
<td>Border remains open to people, goods and services.</td>
<td>Border remains open to people. Will require some border customs checks for goods, services and agriculture at land border crossings.</td>
<td>NI/ROI border will remain open to people goods and services. Controls (including agri checks) required with both GB and EU at ports and airports in both NI and ROI.</td>
</tr>
<tr>
<td>Transition</td>
<td>Highly likely that a transitional period will be required to put in place arrangements for a comprehensive deal.</td>
<td>Increased chance of a transitional period to agree the FTA.</td>
<td>May be a transitional period to iron out the fine details of NI bespoke agreement.</td>
</tr>
</tbody>
</table>
1. Sponsor bodies identify and agree planning assumptions using the components of possible outcomes at Appendix B and adding assumptions to this as required.

2. Sponsor bodies identify and quantify the impacts and opportunities over time for each policy/service against each planning assumption. Templates at Appendices D, E & F will help with this step. This analysis provides the list of priorities for Day 1 Delivery Planning.

3. Sponsored bodies identify, evaluate and treat any additional risks to the priority services over and above the chosen planning assumptions. Information to be documented in the Planning Log at Appendix A

4. Sponsored bodies develop solutions to ensure day 1 delivery to the agreed level of service. Details of solutions to be documented in the Planning Log at Appendix A

5. Solutions to be agreed including the preferred solution for each policy/service. Sponsor bodies to finalise the Planning Log indicating the preferred solution for each service.

6. Sponsor bodies establish projects to implement solutions and draft Day 1 Delivery Plans.
## APPENDIX E – IMPACT ASSESSMENT TABLE

**SAMPLE IMPACT ASSESSMENT TABLE**
Each Sponsored Body’s service/policy area to be considered against each planning assumption and a priority rating assigned. The descriptions of the impacts can be tailored to suit each Sponsored Body’s requirements. It is important that impacts are assessed consistently across the organisation.

<table>
<thead>
<tr>
<th>Impacts</th>
<th>Level 1</th>
<th>Level 2</th>
<th>Level 3</th>
<th>Level 4</th>
<th>Level 5</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Legal</strong></td>
<td>Severe</td>
<td>Major</td>
<td>Moderate</td>
<td>Minor</td>
<td>Insignificant</td>
</tr>
<tr>
<td><strong>Regulatory</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Legislative</strong></td>
<td>Have legal, regulatory or legislative obligations to deliver the service from Day 1.</td>
<td>Have legal, regulatory or legislative obligations to deliver the service within less critical timeframe than Priority 1.</td>
<td>Have legal, regulatory or legislative obligations to deliver the service within less critical timeframe than Priority 2.</td>
<td>Some statutory requirements to deliver the service.</td>
<td>No legal, regulatory or legislative obligations to deliver services on Day 1</td>
</tr>
<tr>
<td><strong>Media</strong></td>
<td>Very significant adverse coverage, sustained over a considerable period. Non delivery on Day 1 will cause very significant damage to the reputation of the Sponsored Body and Department.</td>
<td>Significant adverse coverage, likely to recur on several occasions. Non delivery on Day 1 will attract significant criticism for the Sponsored Body and Department.</td>
<td>Adverse coverage, usually on a one-off basis. Non delivery on Day 1 may cause some discomfort for the Sponsored Body and Department.</td>
<td>Some media interest possible, but likely to be localised and short-term. Minor impact on the reputation of the Sponsored Body and Department.</td>
<td>No media interest. Would have an insignificant impact on the reputation of the Sponsored Body and Department.</td>
</tr>
<tr>
<td><strong>Reputation</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Ministerial</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Financial</strong></td>
<td>Very significant financial implications resulting in qualification of the Sponsored Body’s accounts and/or financial impropriety.</td>
<td>Significant financial implications with failure to achieve Sponsored Body’s financial targets and/or compliance with financial and accounting policies.</td>
<td>Financial implications requiring re-allocation of resources and/or additional funding (&gt;£500k).</td>
<td>Financial implications requiring re-alignment of budgets (&lt;£500k).</td>
<td>Unlikely to have any budgetary, financial or revenue implications.</td>
</tr>
<tr>
<td><strong>Business Objectives</strong></td>
<td>Failure to deliver a key Sponsored Body business objective requiring ongoing reporting at Departmental level.</td>
<td>Failure to deliver a key Sponsored Body objective requiring intervention and regular monitoring at Departmental level.</td>
<td>Failure to deliver a Sponsored Body objective, requiring action and regular monitoring internally.</td>
<td>Some impact on business objectives resulting in slight but redeemable deviation to target timescales or quality of outcomes.</td>
<td>Unlikely to have any impact on meeting business plan objectives or targets.</td>
</tr>
<tr>
<td>------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Customers Stakeholders</strong></td>
<td>Very significant widespread disruption to customers and stakeholders on Day 1</td>
<td>Significant disruption to customers and stakeholders for first 4 weeks after UK leaves EU</td>
<td>Moderate disruption to customers and stakeholders for 3 months after UK leaves EU</td>
<td>Some continued impact on customers and stakeholders for 6 months after UK leaves EU</td>
<td>Unlikely to have any impact on customers and stakeholders on Day 1</td>
</tr>
</tbody>
</table>
APPENDIX F – CHECKLIST – UNDERSTANDING YOUR BUSINESS

1. Name of service/activity
2. Name of Sponsored Bodies that also deliver this service/activity
3. For each service, state the status –
   • reserved matter
   • excepted matter
   • transferred matter
   • cross border implications
4. Internal dependencies – who/what relies on the service (within sponsored body)
5. Internal dependencies – who/what you need to deliver the service (within sponsored body)
6. External dependencies – who/what relies on the service
7. External dependencies – who/what you need to deliver the service
8. Who are service users
9. Impact if dependency reduced
10. Impact if dependency unavailable
11. Type of impact eg legislative, regulations, financial, reputation
12. Level of service delivery for each service which is required on Day 1
13. Level of service for each service, at scheduled intervals during the first 12 months post EU Exit
14. Level of resources required from Day 1 and at other scheduled intervals to include:
   • People (skills and knowledge)
   • Premises (buildings and facilities)
   • Resources (IT, information, equipment, materials)
   • Suppliers (products and services provided by third parties)
Council BREXIT Briefing

Preparations for an EU exit: review of EU related legislation

Departmental Solicitors Office
NICS & The EU Future Relations Group

- In preparation for an EU Exit the NICS established the European Union Future Relations Group to oversee a number of Workstreams which have been set up to ready the NI Departments for an EU exit.

- As part of this a Legislation Workstream was established to specifically examine the legislation relevant to NI that has been made by NI Departments or in Whitehall, in order to identify any EU related legislation that would need to be amended or replaced in the event of an EU exit.
What is EU related Legislation?

- All NI legislation that relates to EU matters (in particular, NI legislation that implements an EU obligation or is otherwise influenced by EU matters);
- All UK legislation that applies in NI, affects transferred matters, and relates to EU matters (in particular, UK legislation that implements an EU obligation or is otherwise influenced by EU matters);
- all directly applicable EU law (EU Regulations etc) that affects transferred matters.

What are deficiencies in EU related legislation?

- By this we mean anything that will not work at all or will not work as intended on exit from the EU. An example would be anything that requires notification in the Official Journal.
The initial phase of the Legislation Workstream has involved each NI Department:

- Trawling its legislation to identify EU related legislation applicable in Northern Ireland and then analysing it to identify what legislation needs to be amended or replaced in preparation for an EU exit.
- Identifying any other legislation required to cater for an EU exit.
- Using the information obtained as a result of the trawl and other analysis to produce an EU exit Legislation Workplan.
NICS Departmental Workplans

NI Departments are now timetabling their Workplans to ensure that the required work is completed by March 2019.

But the Workplans need to be flexible to accommodate any changes that may be required to their planning as a result of any political movement: deal with the EU, no deal with the EU, any change in legislative power for the Devolved Administrations etc.
The Obligation

UK Government policy places responsibility for ensuring that there are no deficiencies in the operation of UK law on and from exit day squarely on central Government Departments, both at UK and devolved levels.

This applies even where legislation is made by Arm’s Length Bodies or Northern Ireland District Councils.
NI District Councils

Each NI District Council, where it has not already done so, should *trawl* the legislation it has made itself e.g. *byelaws* (not legislation made by the NI Departments or Whitehall) in order to identify any EU related legislation and then analyse it to identify what will need to be amended/replaced to make the NI statute book work in a post-EU world.
Making a start:
This is not a task of substance (and hopefully not of scale)
Where do I start?

This is a matter for Councils but a simple outline would be:
1. Engage with your lawyers to discuss and plan a trawl of all Council-made legislation since 1972 to identify any areas with EU related legislation.
2. Make a list of the EU related legislation – analyse what could replace the legislation in these areas, and document your analysis.
Where do I start (continued)?

3. Create a Workplan to accommodate the resultant programme of work within the fixed timescales – i.e. completion by March 2019.

4. We ask that you then share your Workplan with us.
Questions to stimulate thinking

No amendment/minor amendment/major amendments /complete replacement
Would an exit from the EU:
  › Cause any practical difficulties?
  › Create any gaps?

If needs to be replaced:
  › by Council made legislation? Do any of the NI Departments need to confirm etc. the new/amended legislation?
Questions to stimulate thinking – Part 2

› What priority does the matter have??
  • Would any deficiencies create difficulties from Exit day?
  • Would any deficiencies create difficulties before Exit day?
  • Are there any deficiencies that could be fixed later than Exit day?

› Do we expect EU law to change in this area between now and March 2019?
Treat the task like an FOI request and seek input from every Council area
Engagement is key!

Engage:
- Staff in all areas
- With other Councils, as required
- With stakeholders, as required

Please identify a central named contact point for engagement with the NICS.
When the results are in, assign a priority to each piece of legislation and incorporate into a Workplan which maps your path to readiness for an EU exit in March 2019

e.g. Day 1 critical?...or....requiring a fix but can wait until after an EU exit?
What’s my deadline?

Please share your Workplan by 31st December 2017

Don’t wait!

It's time for action!!

**Every aspect of EU exit work to be completed by March 2019**
Presentation to Council Chief Executives

Victor Dukelow

EU Exit, Trade and Migration Division

Creating a globally competitive economy that works for everyone
Preparing, Informing and Having Impact

- The work being carried out since the UK voted to exit the EU has been building up rapidly and has been a mixture of evidence gathering, analysis, understanding stakeholder issues/aspirations and informing decision makers.

- Working alongside others, DfE is a core part of the central NICS EU Future Relations team

- Appetite for information and evidence on Northern Ireland from decision makers is intense – driven not least by NI/Ireland issues core Phase 1 negotiation issue

- To ensure maximum impact NIE focus has been on:
  - engaging with stakeholders to capture concerns and aspirations;
  - building and improving evidence base; and
  - engaging/informing London, Dublin, Brussels.

Creating a globally competitive economy that works for everyone
EU Exit – The Economic Prism

- Uncertainty, but not for the first time.

- The message from business stakeholders is consistent – ‘access to skills/labour’ and ‘trade as frictionless as possible’.

- Some early progress on agreed commitments/principles for the Common Travel Area, the Belfast (Good Friday) Agreement and the land border.

- Comprehensive ‘Day One’ planning to ensure services remain operational. But concerning that only a small number of businesses and stakeholders are actively planning.

- The overarching vision for the economy remains very relevant – to transform Northern Ireland into a **globally competitive economy** that **works for everyone**.

Creating a globally competitive economy that works for everyone
DfE Stakeholder Group

- A wide ranging and diverse group of stakeholders comprising:
  - employer representatives (CBI, NI Chamber of Commerce and Industry, Manufacturing NI, Construction Employers Federation)
  - Universities
  - Local government representation
  - Civic society
  - Consumer Council

- The group serves a dual function:
  i) Keeps stakeholders informed of developments and facilitates their engagement with decision makers regarding EU exit.
  ii) Stakeholders are given an opportunity to feed in information and analysis to inform DfE analysis.

Creating a globally competitive economy that works for everyone
Specific DfE Preparations

A DfE EU Exit Project Board has been established to support this work across the department and its ALBs. Our structure and resources reflect the key challenges and feedback from economy stakeholders, namely:

- **Migration** – labour markets, students, tourism and the Common Travel Area;
- **EU market access** - sectorial impacts and the land border;
- **Future trade policy** – opportunities/risks of new trading relationships;
- **Energy** - security of supply;
- **‘Domestic Consequentials’ of Exit** - including State Aid, Competition and Rural Policy
- **Legislation** - fixing ‘legal inoperabilities’ & the EU (Withdrawal) Bill; and
- **Day one readiness** for EU exit across all policy areas.

Creating a globally competitive economy that works for everyone
Gathering the evidence

- Important to understand the key issues and collate the evidence base to set out NI’s (often unique) position.
- Key areas of analytical focus include:
  - **Common Travel Area**: 110 million person crossings per annum;
  - **Migration**: EU27 6% of workforce in Census 2011, up to 9% in 2016;
  - **Trade**: £10 billion in Exports in 2015; RoI largest export market but GB worth 4 times more than RoI.
- Working closely with UKG, other NI Departments, NISRA, INI, IntertradeIreland and capturing stakeholder views.

Creating a globally competitive economy that works for everyone
Analytical contribution to date

Northern Ireland and Ireland
POSITION PAPER

Additional Data Paper: Common Travel Area Data and Statistics
This annex summarises the available data and statistics relating to movement within the Common Travel Area between Ireland and the United Kingdom of Great Britain and Northern Ireland as of August 2017. It includes:

Additional Data Paper: Northern Ireland Trade Data and Statistics
This annex summarises the available trade data and statistics relating to Northern Ireland as of August 2017. It includes:

- Value of trade between Northern Ireland, Ireland and Great Britain
- Characteristics of exporting businesses in Northern Ireland
- Volumes of freight to and from Northern Ireland
- Agriculture and food cross-border supply chains

Office for National Statistics

Article
Living abroad: dynamics of migration between the UK and Ireland
This is the fourth report, in a series of six, being published in response to an increased user need for data about the people who may be most likely to be affected by the UK’s decision to leave the EU.

Creating a globally competitive economy that works for everyone
A spotlight on key areas of analysis

- The next set of slides provide you with an insight into the analysis we’re using as basis for engagement with London, Dublin and Brussels.

- These focus on:
  - the Common Travel Area
  - migration from the EU26
  - trade with the EU; and
  - trade with non-EU partners
Common Travel Area

Number of residents living in Northern Ireland who were born in the Republic of Ireland by ward, 2011

Source: Northern Ireland Census 2011, NISRA

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IRELAND'S FRICTIONLESS BORDER
The scale of North-South movement on the island of Ireland

118,000 vehicle crossings daily in Mar 2017
110 million Northern Ireland-Republic of Ireland border crossings annually, the majority by private vehicle

900,000 cross-border coach passenger journeys in 2016-2017
868,500 cross-border rail passenger journeys in 2016-2017

Infographic courtesy of Irish Independent

Creating a globally competitive economy that works for everyone
Key messages from analysis

- Closer social and economic integration across the border has been a longstanding policy objective of the UK, ROI and the EU.
- A hard border on the island would be detrimental.
- Emphasise the interrelationships between Northern Ireland economically, socially and in the provision of wide range of services (health, education, emergency).
- Long history of people on either side of the NI-RoI border living connected lives due to family ties and relationships.
- Cross border work between District Councils and Local Authorities to promote the economic development and competitiveness of the regions.
- A number of public services are also provided by NI institutions to RoI catchment areas. For example, health and social care services are provided on a cross border basis.

Creating a globally competitive economy that works for everyone
Migrant labour – some key statistics

• Sectors which employ high proportions of EU26 workers are food manufacturing (22%), waste collection (15%), other manufacturing (12%) and hospitality (7.6%).

• Architecture and engineering (3%), computer programming (3%) and those in memberships organisations (4%) have the highest proportions of RoI residents.

• 13% of EU26 workers employed in senior managerial or professional occupations and 45% employed as operatives or in elementary occupations.

• Migrants less likely to own their own home (EU26 - 22%) and therefore more likely to be highly mobile.

• Of the EU26, 44% from Poland, 17% from Lithuania, 8% from Germany.
Key messages from analysis / stakeholders

- Access to skills/labour the single most important issue for employers
- Need to retain access to skills at all levels - Public & Private Sectors
- Border dimension - ability of NI businesses to attract/retain labour vis-à-vis counterparts in Rol.
- Access to skills & market access are closely interlinked – both impacting on long term competitiveness.
- FDI – impact on Invest NI’s competitive talent offering + risk of FDI flight
- Wage rate differentials across the UK
- Coherence with NI Industrial Strategy and PfG aims – need to ensure that economic shocks do not set us off course

- We are engaging with the Migration Advisory Committee (MAC) to feed in these NI specific messages and information to inform decision making.

Creating a globally competitive economy that works for everyone
Total Value (£million) of NI Sales & Exports by Broad Destination and Activity 2015

Creating a globally competitive economy that works for everyone
Number of Businesses Exporting to Ireland by Size of Business 2015

Value of Exports to Ireland by Size of Business 2015

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Share of NI Total Exports by District Council

Total Exports 2015
Northern Ireland
£9,106 million*

*£687m Head Office Outside NI

Creating a globally competitive economy that works for everyone
Share of NI Total Exports to Ireland by District Council 2015

Total Exports to Ireland 2015
Northern Ireland
£3,377 million*
*£241m Head Office Outside NI

Please note, export values are assigned to District Councils based on the Head Office location, and not the physical location of the sale.

Creating a globally competitive economy that works for everyone
Key Messages

• The UK remains the most significant market for businesses in Northern Ireland – sales to Great Britain were worth 1.5 times the value of all Northern Ireland exports and nearly 4 times the value of exports to Ireland in 2015.

• Nevertheless, the sale of finished products to Great Britain relies upon cross border trade in raw materials and components within integrated supply chains meaning trade with both Great Britain and Ireland are vital to Northern Ireland’s economy.

• Over 5,000 businesses in Northern Ireland exported goods to Ireland in 2015, one and a half times as many as sold goods to Great Britain, with just over half the businesses exporting goods and services to Ireland employing fewer than 10 people.
## Non EU Trade – Relative importance of NI exports

<table>
<thead>
<tr>
<th>SITC2 Code</th>
<th>Country (Filtered)</th>
<th>NI Rank</th>
<th>UK Rank</th>
<th>NI as % of UK</th>
</tr>
</thead>
<tbody>
<tr>
<td>54 – Medicinal &amp; pharmaceutical products</td>
<td>United States</td>
<td>1</td>
<td>1</td>
<td>6%</td>
</tr>
<tr>
<td>79 – Other transport equipment</td>
<td>Canada</td>
<td>2</td>
<td>40</td>
<td>57%</td>
</tr>
<tr>
<td>79 – Other transport equipment</td>
<td>United States</td>
<td>3</td>
<td>8</td>
<td>8%</td>
</tr>
<tr>
<td>72 – Machinery specialized for particular industries</td>
<td>United States</td>
<td>4</td>
<td>18</td>
<td>10%</td>
</tr>
<tr>
<td>82 – Furniture &amp; parts thereof; bedding, mattresses etc</td>
<td>United States</td>
<td>5</td>
<td>52</td>
<td>28%</td>
</tr>
<tr>
<td>77 – Ele machinery, app &amp; appliances &amp; ele pt thereof n.e.s.</td>
<td>Thailand</td>
<td>6</td>
<td>206</td>
<td>69%</td>
</tr>
<tr>
<td>87 – Professional, scientific &amp; controlling ins &amp; app n.e.s.</td>
<td>United States</td>
<td>7</td>
<td>11</td>
<td>4%</td>
</tr>
<tr>
<td>11 – Beverages</td>
<td>United States</td>
<td>8</td>
<td>16</td>
<td>5%</td>
</tr>
<tr>
<td>78 – Road vehicles (including air cushion vehicles)</td>
<td>China</td>
<td>9</td>
<td>4</td>
<td>2%</td>
</tr>
<tr>
<td>77 – Ele machinery, app &amp; appliances &amp; ele pt thereof n.e.s.</td>
<td>Malaysia</td>
<td>10</td>
<td>119</td>
<td>30%</td>
</tr>
</tbody>
</table>
Key messages

• HMRC trade data can help identify our ‘trade offensive’ priorities, i.e. where new trade deals present opportunities for NI exporters.

• For example, the data shows the American market for medicinal and pharmaceuticals is relatively more important to NI.

• We are also engaging with DIT on ‘trade defensive’ priorities, i.e. areas of the economy NIE would seek to protect.

• Getting the UK’s trade policy architecture right from the start – with proper channels for the Devolved Administrations to influence – is the best way of protecting and advancing NI’s interests.
Conclusions

- DfE, alongside other NIE Departments continuing to:
  - engage with stakeholders;
  - build and improve the evidence base;
  - engage with London, Dublin and Brussels.

- Highlighting the unique circumstances in NI that need to be protected in the future, post-EU exit landscape.

- If there are areas of work mentioned today where you think you can deepen our knowledge and understanding then please share it with us.

- Continue to make your voices/your stakeholder voices heard eg via stakeholder groups, consultation responses, engagements with influencers

Creating a globally competitive economy that works for everyone
Council BREXIT Briefing

Paul Brush
Head of EU Future Relations Division
Priority Issues For Us

- Frictionless movement and trade (N/S & E/W)
- Energy supplies & competitive costs
- Agri-Food & fisheries sector
- Access to labour at all skill levels
- The Common Travel Area
- EU future/replacement funding
- N/S cooperation and rights
- Criminal & civil justice
- Road, sea & air connectivity
EU Future Relations Project

- Market access & international trade
- Agri-food and environment
- Justice & security
- Migration
- Energy
- Legislative review
- Repatriation of powers
- Day 1 contingency planning
- EU future funding
Brexit and Fulfilling Work: Responding to Threats and Exploiting Opportunities

Report by Alan McGregor for CUKT
ACKNOWLEDGEMENTS

Report by Alan McGregor for CUKT
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2. Fulfilling work and why it matters
3. Fulfilling work in the UK
4. Impact of Brexit on fulfilling work
5. Mitigating threats and exploiting opportunities
6. Annex: Approach to study
Acknowledgements

The author is grateful to Theocharis Kromydas from the Adam Smith Business School at the University of Glasgow for research support in compiling the tables and charts in the report. Many individuals also gave generously of their time for interviews and email exchanges. Finally, staff at Carnegie UK Trust provided very helpful detailed and constructive comments on previous drafts.
Foreword

The consequences of the UK leaving the EU is highly unpredictable across a wide array of public policy issues. A great deal will depend on the detailed arrangements that are established to determine the UK’s future relationship with the EU. It follows that the impact of Brexit on the wellbeing of UK citizens is uncertain. We have therefore commissioned a series of experts to consider the impact of Brexit on the Trust’s three key themes: digital futures, fulfilling work and flourishing towns.

In this paper, Alan McGregor, Research Professor of Economic Development at the University of Glasgow’s Training and Employment Research Unit (TERU), provides an independent, expert perspective on the potential threats to fulfilling work arising from Brexit, and assesses the implications and opportunities of each of these issues for fulfilling work.

The purpose of the paper is not to provide a definitive position on these issues but rather to serve as a starting point – or guide – to a wide range of public policy issues that can inform the Trust and others on possible next steps and priorities for fulfilling work in the UK, irrespective of the form that Brexit takes.

Martyn Evans
CEO, Carnegie UK Trust
1. Summary

Fulfilling Work and Why it Matters
The Carnegie UK Trust defines fulfilling work in terms of availability of work, quality of work and wellbeing associated with work. Fulfilling work exerts a powerful influence on individual wellbeing by offering a sense of purpose, social connections and personal agency, as well as generating wider economic and societal benefits.

Fulfilling Work in the UK
Major forces impacting negatively on fulfilling work in the UK over the long term have included technological change, increased competition from overseas labour due to globalisation, and the rise of neo-liberal policies in the UK reducing the power of trade unions and encouraging labour market flexibility. Major recessions, such as in the 1980s and since 2008, shift the balance of power towards employers and exacerbate the long-term trends.

Since the onset of the recession in 2008, employment growth has been particularly strong in part-time employment and self-employment. Temporary employment was in decline prior to 2008 but subsequently surged. Within the temporary category, jobs with zero hours contacts have risen quite dramatically in percentage terms but make up only a little over 3% of all jobs. In terms of access to jobs, in line with previous recessions, employment rates for more disadvantaged groups declined but have subsequently recovered for most groups with the major exception of people with no or low qualifications.

On international comparisons with other OECD economies, the UK is in the lower half of the league table in relation to job insecurity, but close to mid-table for earnings quality. The UK performs well on hard outcomes associated with health and safety in the workplace, but compares very poorly on measures of workplace participation and employee engagement.

Impact of Brexit on Fulfilling Work
It is hard to assess the potential impacts of Brexit on fulfilling work for two main reasons – the precise form that Brexit will take remains uncertain, and the event itself is close to unprecedented, meaning the lessons of history cannot be drawn upon. The approach adopted in this report involved an extensive review of the literature, together with interviews with a range of independent experts. Most of the research literature works on the assumption that the UK leaves the Single Market, takes control of migration from the EU and sets its own regulations in relation to workplace matters.

Four issues of importance to fulfilling work in the UK were examined. These are discussed below.

Issue 1: Size and Structure of UK Economy
There is a near consensus among independent experts that Brexit will lead to slower growth in the size of the UK economy and in employment levels. This will be driven by reduced rates of growth in UK exports and lower foreign direct investment into the UK as a result of leaving the Single Market. If overall global growth trends remain strong, this could mean simply that the rate of growth of UK employment would decline. Nevertheless, the prognosis is a weakening of labour demand – and this tends to be associated with the persistence of temporary work and other manifestations of lower job quality.
**Issue 2: Levels of In-migration and Return Migration**

One of the most high profile issues in the Brexit referendum, and a likely outcome of the process, is a reduction in migration from the EU to fill lower skilled job opportunities. However, there are growing concerns in the employer community that this will be accompanied by higher rates of return migration. The concern is that the 2.4 million EU migrants currently employed in the UK tend to be concentrated in specific occupations, sectors and regions. Because of this, specific businesses may face recruitment challenges causing them to relocate, downsize or close. Although the most recent statistics show fewer EU migrants coming into the UK and more leaving, the in-migrants exceeded the return migrants by 100,000 over the last full year. Additionally, if Brexit does impact adversely on employment levels as discussed above, then labour surplus and not shortage will become the problem in the UK.

On the positive side, the potential reduction in labour supply for lower skilled jobs does offer greater scope to increase employment rates for those who have often experienced the most difficulty in accessing the labour market. Additionally, a number of independent analysts are suggesting that employers focused more on lower skills may be forced to increase earnings and improve conditions to retain and attract workers.

**Issue 3: Employment Protection Laws and Regulations**

The dominant view of independent commentators is that membership of the EU has significantly enhanced workers’ employment rights and protections. The importance of this contribution is reinforced by international comparisons that show that the UK is weak in relation to the labour market institutions that help in mitigating the forces that drive the polarisation of the labour market and reductions in job quality. There is no compelling evidence to support the contention that reduced employment protection regulation would help stimulate the economy, and indeed this may make it harder to secure new trade deals in the future, with negative consequences for exporting and employment.

**Issue 4: European Structural Funds**

European Structural Funds have provided substantial funding for the UK’s lagging regions, and for unemployed people with more challenging issues trying to secure and sustain employment. Third sector organisations working with more disadvantaged groups of the population are deeply concerned that without European Social Fund monies, many of their critical services cannot be sustained.

However, at least half of the funding comes directly from UK public sector bodies as match funding. Additionally, the bureaucracy associated with EU funding has been severely criticised in many reports, and there are also doubts about the impacts of ESF and Structural Funds money. There is scope to do better if existing UK funding can be rolled forward and possibly enhanced.

**Mitigating Threats and Exploiting Opportunities**

The report suggests a number of general and specific actions to deal with the threats to fulfilling work posed by Brexit, and proposals on how to make the most of some of the opportunities. These are set out concisely below.

**General Actions Required Irrespective of Brexit Outcome**

1. Build on the Taylor Review to implement a raft of measures within a strategic framework for tackling employment practices which impact negatively on job quality and fulfilling work.
2. Government and the public sector more generally should use their procurement leverage to favour businesses offering ‘good work’ to their employees, reducing the demand for goods and services where the business model is built around low pay, insecure employment and poor conditions.

3. As part of a step change in the UK’s supply-side infrastructure, reduce significantly the UK’s high volume of working age people with no or low qualifications – nearly 8 million in 2016. This is the labour force that helps sustain businesses organised around offering ‘poor work’.

**Brexit Issue: Rising Unemployment if Economy Shrinks**

4. The evidence is clear - buoyant labour markets help promote fulfilling work. If leading indicators suggest that the post-Brexit UK economy is headed for low or no growth, or even decline, the macro-management of the UK economy will need to move quickly and decisively away from the austerity approach adopted in 2010.

**Brexit Issue: Declining EU Migration**

5. Specific occupational areas, sectors and regions are more dependent than others on workers from the EU. Target these areas with employability and skills interventions to develop a replacement labour supply, drawing in particular on the more disadvantaged sections of the workforce who have difficulty accessing employment.

6. Support employers currently with a high dependency on EU workers to improve the quality of their job offer, and so enhance their capacity to recruit and retain workers. This would involve some form of business development support, and there are many models to draw on.

7. Combine the above two measures in a small number of pilots focused on specific sectors and/or geographies. The planning for these could begin now.

**Brexit Issue: Threats to Employment Protection**

8. Using fulfilling work as the organising concept, develop an evidence-based manifesto on why it is essential to keep and build upon the employment protections gained during the UK’s period of membership of the EU. This could be used across a range of campaigns.

9. Create a Fulfilling Work Impact Assessment to be used whenever any employment protection law or regulation is being reviewed. This could build out from the evidence-based manifesto discussed above.

**Brexit Issue: Loss of European Structural Funds**

10. Campaign to, at the very least, retain the UK public sector’s match funding component of the Structural Funds beyond 2020, and invest this in a new Brexit Economy and Labour Market Adjustment Fund. This would be focused on regions and sub-regions most adversely impacted by Brexit. This would support fulfilling work by seeking to maintain a healthy demand for labour in these areas.
2. Fulfilling Work and why it matters

What is Fulfilling Work?
The Carnegie UK Trust has identified ‘Fulfilling Work’ as one of its thematic priorities within its 2016-2020 Strategic Plan. In 2016, the Trust published new research examining the different aspects of what might be defined as fulfilling work, including job availability, job quality and work and wellbeing.¹

These three aspects are defined as follows:

- **Availability of Work** - ‘How easily and fairly can people find the type and level of work they would like?’
- **Quality of Work** - ‘Do terms, conditions and opportunities at work meet people’s expectations?’
- **Work and Wellbeing** - ‘Do wider factors around engagement, connection and agency at work support personal development and fulfilment?’

Although set out as individual elements, it is not difficult to see the connectivity between the different elements. For example, it is likely that some types of low quality work are more readily available to job seekers, but in a labour market which is highly segmented, with groups such as disabled people suffering significant barriers to employment, there will still be significant competition for low quality jobs. It is also likely that in some instances low quality work will be correlated with low levels of wellbeing in the workforce. For example, the insecurity associated with zero hours contracts may be expected to have a detrimental effect on wellbeing for some of the employees on these contracts.

More detailed features of each of the aspects of fulfilling work are described below. This table demonstrates clearly the considerable complexity lying beneath the concept, but also the specific areas where action is required to make fulfilling work the norm.

Why Fulfilling Work Matters
The table above indicates many of the reasons why fulfilling work exerts a powerful influence on individual wellbeing. However, fulfilling work also generates wider economic and societal benefit.

The Link to Inequality
Inequality is increasingly considered to exert not only significant human and social costs, but also a dampening effect on productivity, economic growth and the prosperity of society as a whole. In terms of the labour market, inequality in relation to the distribution of the burden of unemployment is a longstanding concern, and earnings inequality is one specific component of fulfilling work and job quality more generally. However, as the collection edited by Felstead, Gallie and Green demonstrates convincingly, inequality in job quality more broadly defined is a central feature of the UK labour market.

Many regions of the UK are now characterised by a low skills equilibrium where the demand for and supply of skills settles at a relatively low level, and this feeds through into the UK’s lagging productivity performance. A shift in structure is required towards high skilled or high productivity jobs. A defining characteristic of the UK (which it shares with the US) is great inequality in labour market opportunities and outcomes. Additionally, inequality in labour market outcomes across regions and sub-regions of the UK has persisted over many decades.

The links between the economy, the labour market and inequality are increasingly being framed within the notion of ‘Inclusive Growth’. Essentially, this involves trying to spread the benefits of economic growth through a range of measures to all parts of the population.

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The Link to Productivity
There is growing evidence, summarised by Rogers and Richmond, that fulfilling work can generate bottom line benefits for businesses through increased employee performance leading to higher productivity and profitability, but also simpler outcomes such as lower labour turnover and lower absence rates. This can in turn generate productivity gains across the economy. The UK’s low productivity, particularly pronounced since the onset of the recession, is a significant drag on international competitiveness and earnings growth within the labour market.

The Public Cost of Poor Work
There are many studies to show that poor and stressful working conditions can impact negatively on both physical and mental health (for example, Nolan and Whelan). OECD summarises a range of evidence that demonstrates convincingly the wide range of adverse outcomes for mental and physical health that can result from job strain. Chandola and Zhang suggest that moving from unemployment into poor quality work is associated with higher levels of chronic stress–related biomarkers relative to those remaining unemployed.

There is a wider debate around the interaction between low wages and poor job quality on the one hand, and the tax and welfare systems on the other. This includes the potential role of working tax credits in subsidising the labour supply to employers offering predominantly low wage opportunities. Additionally, attention is now also being directed to the role of the UK tax system in incentivising employers to offer certain types of low quality job, for example treating workers as self-employed who are for all intents employees to avoid paying national insurance contributions, but also holiday and sick pay. This is sometimes termed ‘bogus self-employment’. This practice is, however, not restricted to employment in the lower regions of the labour market.

The strong growth of self-employment also poses problems for tax revenues. On average, the self-employed earn less than the employed and are treated more favourably in terms of what can be offset against tax, both of which reduce the tax base. Additionally, the average real earnings of the self-employed have fallen by more than a quarter since the onset of the recession, more than twice the decline in employee real earnings.

These issues were addressed by the Taylor Review, which was commissioned to investigate how employment practices, some of which impact adversely on the quality of work, need to change in order to keep pace with modern business models. Among many recommendations, the Taylor Review called for greater equality between the employed and self-employed in terms of taxation, as well as access to state-based entitlements. The Review also recommended a clarification of the legal definitions of ‘employee’, ‘worker’ and ‘self-employed’.

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3. Fulfilling Work in the UK

The purpose of this section is to:
- Explore some of the changes over time in relation to fulfilling work in the UK. This will establish the direction of travel against which the impacts of Brexit may be assessed.
- Consider some of the key explanations for these changes.

Explanations of Long Run Change
Leading experts have analysed the changing position on job quality in the UK over 25 years, focusing on four key aspects:
- Wages and monetary rewards.
- Job prospects, including movements up and down the jobs hierarchy, and the uncertainty of employment.
- ‘Intrinsic job quality’, including skill levels and the intensity of work.
- Quality of working time, in relation to the needs of the employee and work life balance.

Some of the key drivers of change identified in the study are discussed below.

Technological change has been accelerating in recent decades. The nature of the change has led to an increased demand for higher skilled workers, but a reduction in the demand for those with medium skills. This is viewed as a major driver of the polarisation of jobs, sometimes characterised as the ‘shrinking middle’, ‘hollowed out’ or ‘hourglass’ labour market. One serious implication for those in the lower reaches of the labour market is that the opportunities for progression are much more limited than before.

A high level of earnings inequality characterises the outcomes of the UK labour market. This is driven partly by the technological changes noted above, but it also reflects the fact that the supply of skills has not been keeping up with the rising demand for skills.

The rise of globalisation has brought increased competition from overseas labour to the UK and other advanced economies, largely through trade and fierce price competition for domestically produced goods and services, but also through migration. The competition through trade has impacted significantly on the manufacturing jobs base, taking out many jobs in the lower to semi-skilled range, and reinforcing labour demand changes resulting from technological developments.

The global recession which began in 2008 has shifted the balance of power further from employees towards employers. Initially, as unemployment queues lengthen and recruitment levels fall, employers are confronted with much greater choice in terms of who they recruit, and on what terms and conditions. When growth returned to the economy, employment levels began to rise. However, this was characterised by a strong expansion in part-time and temporary jobs, and in self-employment, reflecting a continuing underlying weakness in the labour market.

Many analyses of the changing nature of the labour market in recent years reflect simply an updating of similar thinking about the consequences of the major recession of the early to mid-1980s, where one of the key features was a significant rise in temporary employment and outsourcing of labour. An additional process identified by labour economists as far back as the 1960s is the impact of ‘bumping down’ in recessions, where higher and medium skilled workers compete for low skilled jobs, placing intense pressure on labour market opportunities and earnings for workers with low skills.

The rise of neo-liberal policies in the UK in the 1980s and 1990s helped reduce the power of trade unions, and promoted the de-regulation of the labour market, with consequent reductions in employment protection. Although these policies were rolled back to some extent by the Labour administration from 1997, with the added support of EU directives, trade union densities did not recover and trade union power has remained diminished. These changes are critically important as international analysis places a strong weight on the role of labour market institutions in mitigating the potentially negative impacts of some of the key drivers discussed above.

The key elements in relation to the positive effects of labour market institutions are collective bargaining coverage, minimum wage legislation, employment protection laws and regulations, the robust enforcement of minimum wages and employment protection regulations, and more generous out of work benefits which place pressure on employers to raise wages.

Meager (2015) summarises the key findings of the Green, Felstead and Gallie book in relation to changing job quality over time.

- In contrast to common perceptions, average job tenure has changed little over time.
- The quality of working time has improved, in terms of hours of work and the coverage of paid holidays.
- Findings are more mixed in relation to autonomy in the workplace.
- There has been a rise in work intensity.
- A key feature is the very uneven distribution of job quality between social classes and other key labour market groupings. Additionally, these inequalities mark out the UK in relation to most international comparators.

Interestingly, there is limited discussion in the academic literature of supply-side changes which might have influenced the ability of UK employers to sustain recruitment and retention for low quality and relatively unattractive jobs. There are a number of possible influences on the supply side.

- There are arguments that Working Tax Credits have acted as a subsidy to often major employers paying low weekly earnings.
- Migration levels have risen significantly over the last 10-15 years. Although many EU migrants are well qualified and skilled, most appear to go into relatively low skilled and low quality jobs. As is argued later, the academic literature is almost exclusively positive on the impacts of migration on the UK economy and labour market. However, there appears to be limited discussion around the contribution of migration to helping sustain a business model in some sectors based on low paid and poor quality jobs.


• ‘Work first’ employment policies have been increasingly favoured by the UK government from the early 2000s, and these place pressure on unemployed people to accept potentially unattractive jobs under threat of benefits sanctions. Relative to simply finding a job, quality of work has been a poor relation in employment policy terms.  
• Smaller in scale, the substantial increase in higher education participation under a financial regime where student fees have replaced grant aid, has possibly led to increased demand for part-time working. Added to this is the evidence of significant skill underutilisation affecting graduates in the UK.

The cumulative effect of these trends dating back 15 to 20 years could be quite significant in terms of the balance of demand and supply at the lower end of the labour market.

Changes Since 2000: Some Statistical Evidence
This section captures some of the changes in more readily measurable indicators relevant to fulfilling work. The focus is on the period since 2000, with a split at 2008 which was the year the global recession first impacted on the UK labour market.

Employment
Analysis of statistical data held by the Office for National Statistics (ONS) shows that total employment (including self-employment) has grown significantly over the period 2000 to 2016, up 7% since 2008, but there have been significant variations across the different types of employment.

• Full-time employment grew strongly up to the recession. There has also been a recovery post-recession and a modest growth of 3% since 2008.
• Part-time employment grew at the same rate as full-time up to 2008, but at nearly three times the rate of full-time employment since the recession.
• Self-employment has been one of the strongest growth components, with the increases particularly marked (24%) since the onset of the recession. However, this was an acceleration of an existing trend with a 19% increase between 2000 and 2008. Clearly there are significant policy and legal issues around the definition of self-employment, discussed in the Taylor Review. Additionally, like employment, self-employment appears to be highly polarised in terms of earnings levels, with a high proportion on low average earnings, exposed to greater volatility in earnings over time and lacking most of the employment protection available for employees. Earlier, it was noted that since the start of the recession, real average earnings for the self-employed had declined at more than twice the rate of employee earnings.
• Temporary employment is interesting as this was in decline (down by 18%) from 2000 up to the recession. This reflects what happened when the UK labour market emerged from the recession of the 1980s, with employers forced to offer more permanent employment to secure good quality recruits when the labour market tightened. However, after 2008 temporary employment surged, growing by 20%.
• Zero hours contracts are a sub-set of temporary employment. These have gained a very high profile but account for only around 3% of all employment. Zero hour contracts fell substantially (by 43%) in the tightening labour market leading up to the recession, but have risen dramatically since. The six-fold

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increase since 2008 may be exaggerated, possibly due to the low base and the heightened awareness of these contracts in the media leading to higher levels of reporting. For example, the numbers increased relatively modestly between 2008 and 2010, but doubled in one year from 2012

Figure 1 captures these changes discussed above, but zero hours contracts have been excluded due to the very wide fluctuations over time.

**Access to Employment**

**Figure 1: Changing Nature of UK Employment (indexed to 2000 = 100)**

Source: ONS

The best overarching measure of access to employment is the employment rate, which is the percentage of the working age population in employment. An analysis of data drawn from ONS generates the following conclusions:

- The employment rate has risen over the period since 2000, despite the recession. This is a straightforward reflection of the rising levels of employment, although it takes no account of the changing quality and structure of the employment.
- In terms of gender, the employment rate for women has grown at a higher rate than for men.
- The age figures clearly show a long term trend on a significant scale, with 50-64s increasingly engaged in the labour market. This is a reversal of a trend established in the 1980s recession, with early retirement to some extent encouraged to reduce the published unemployment statistics, but it also clearly reflects problems in relation to pensions underlining the need for many people to keep on working.
The groups with low employment rates (see Figure 2) are those typically described as disadvantaged in labour market terms, due to discrimination and other factors. Increasing the employment rates for these groups can play an important role in responding to any issues around increased recruitment problems and labour shortages should migration levels fall significantly post Brexit.

- Less than 50% of disabled people are employed – but the figures show an interesting perspective which again repeats analysis of the 1980s and 1990s. As the labour market tightens, some employers are forced to change their recruitment sources and patterns. The significant growth in employment rates for disabled people between 2000 and 2008 reflects this behaviour. With the onset of the recession, the employment rate for disabled people dipped but has subsequently begun to recover, although changing definitions of disability in the survey tools complicate the analysis.

- A similar pattern can be observed for employees from minority ethnic groups, but here the dip in the early years of the recession was less evident. The employment rate for minority ethnic groups has risen from around 56% in 2000 to 64% in 2016.

- Those with no or low qualifications seem to have fared worst through the recession, with their employment rate falling from 64.4% in 2008 to 62.5% in 2016.

Narrowing the gap in employment rates for more disadvantaged groups in the labour force relative to the average employment rate has significant win-win potential.

- By raising the effectiveness of the labour supply, the competitiveness of the economy is enhanced, helping to promote productivity and growth.

- By raising the employment rates of the more disadvantaged groups, the prospects of more inclusive growth are improved.

**Figure 2: Employment Rates for Specific Groups, 2016**

<table>
<thead>
<tr>
<th>Group</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Disabled</td>
<td>48.4</td>
</tr>
<tr>
<td>No/Low Qualifications</td>
<td>62.5</td>
</tr>
<tr>
<td>Ethnic minorities</td>
<td>63.9</td>
</tr>
<tr>
<td>Female</td>
<td>69.6</td>
</tr>
<tr>
<td>50-64</td>
<td>70.7</td>
</tr>
<tr>
<td>Total</td>
<td>74.5</td>
</tr>
</tbody>
</table>

*Source: ONS, Eurostat*

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**Earnings**

Level of pay is clearly an important element of fulfilling work.

- Over the period from 1986 to 2008 average real earnings rose steadily. However, subsequent to the onset of the recession, real earnings fell sharply. 26
- ‘Earnings quality’ is measured by the OECD based on real average earnings and inequality of earnings.27 Analysis of OECD data for 2005 to 2014 shows that for the UK, earnings quality peaked around 2007 but then declined through the recession and the period of recovery.
- The decline in earnings quality is explained by the fall in real average earnings rather than changes to earnings inequality. The proportion on low wages, using the OECD measure of two thirds of median earnings, has remained reasonably steady at a little above 20% for the previous 20 years.28

**Figure 3: UK Earnings Quality (Indexed to 2005 = 100)**

![Graph showing earnings quality, average earnings, and earnings inequality from 2005 to 2014](image)

*Source: OECD Data*

**Labour Market Insecurity**

The OECD29 calculates labour market insecurity on the basis of the risk of becoming unemployed and the compensation for unemployment should it occur. Analysis of OECD data for the UK covering the period 2007-2013 indicates that labour market insecurity surged in 2008 but began to decline from 2011, in line with a sustained fall in the risk of unemployment as indicated in Figure 4. Given the cut off point for the data, it is not possible to say whether labour market insecurity in the UK has now declined to pre-recession levels but as of 2013, labour market insecurity was still around 30% higher than in 2007.

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Quality of Working Environment
The OECD measurement of the quality of the working environment (OECD, 2015) is complex, based on the twin concepts of job demands and job resources (which include autonomy and social support in the workplace). Each of these concepts is in turn measured by a number of individual indicators, which makes it challenging to present the results using graphs. Analysis of OECD data for the UK for 2005, 2010 and 2015 suggests the following:

- The big changes were between 2005 and 2010. In particular, job demands and physical health risk factors increased and social support at work declined very significantly. On the other hand, time pressures declined and work autonomy and learning opportunities increased.
- By 2015, the level of job demands and physical health risk factors declined and an increase in social support at work was experienced – but the overall position was still much poorer than before the recession.

This pattern is consistent with the kinds of impacts that would be expected in a period of severe recession, but the failure to recover pre-recession outcomes by 2015 is concerning.

How Does the UK Compare With Other OECD Countries?
This section looks at the evidence from academic studies, but also OECD statistics on various aspects of job quality. The overarching view from the comprehensive analyses in the book edited by Green, Felstead, and Gallie is that the UK has greater inequality in job quality compared to most other comparator economies. Some of the different elements of job quality are discussed below.30

Labour Market Insecurity
International comparisons using OECD data on labour market insecurity generate the following findings.
- The UK, perhaps surprisingly, is in the lower half of the league table – and the same could be said for the United States – as both economies have relatively low unemployment rates. However, the nature of the employment opportunities available clearly comes into play here.

Figure 4: UK Labour Market Insecurity (Indexed to 2007 = 100)
• There is significant dispersion across the EU economies, possibly reflecting the underlying economic fragility of some of these economies.

Whatever overall employment protection measures are in place in relation to EU regulations, backed up by investment through the European Social Fund, the implementation appears to vary across member states.

Earnings Quality
On the OECD measure of earning quality, which looks at both average earnings and the incidence of low pay:
• The UK is close to mid table for the OECD economies, but this is due to reasonably high average earnings.
• In terms of the proportion of employees in low waged work (see Figure 5), the UK figure of 20% is relatively high on international comparisons; however the figure for Germany is 18%. There is again a very substantial variation across EU member states on this specific indicator, with Germany and the UK much closer to the US than to many of their EU compatriots.

High levels of GDP and GDP growth clearly do not automatically reduce the incidence of low pay.

Figure 5: Share of Employees in Low-wage Work, Selected Economies 2014

![Graph showing the share of employees in low-wage work for selected economies in 2014.](image)

Source: OECD

Note: Data for all countries are from 2014 except Canada, the UK and United States which is from 2015 and Spain which is from 2012.
Working Conditions and Environment
As noted earlier, there are a number of different elements used by OECD and others in assessing workplace conditions.

- The UK scores relatively well against overall indicators of job strain and job resources.
- In the important area of health and safety, the UK performs extremely well in comparisons across the OECD on hard outcomes such as fatalities, non-fatal injuries and reported health problems.
- On a range of measures of workplace participation and employee engagement, involving such measures as trade union densities and collective bargaining coverage, the UK scores very badly relative to EU counterparts. This is an important area of deficit, as research discussed earlier in this report noted the strong international evidence on the great value of labour market institutions in mitigating the worst impacts of the main economic drivers behind the polarisation of the labour market.

Overview
The analysis of the statistical evidence base produces a mixed picture of what has happened to the quality of work moving into and through the recession. Likewise, the UK’s comparative record on job quality across the OECD is mixed. What is clear, however, is that there is much to be done to increase the incidence of fulfilling work across the UK.

The next section turns to the issue of the potential impact of Brexit on fulfilling work in the UK.
4. Impact of Brexit on Fulfilling Work

The objective is to consider a range of potential impacts arising from the UK’s exit from the EU, which may have positive and negative implications for fulfilling work. By considering the potential changes, a base is created for identifying policies and interventions to mitigate on the downside and make the most of opportunities where they arise. The discussion is organised in the following way:

- Key potential issues arising from Brexit are identified, followed by an overview and analysis of each issue and the potential impacts of Brexit.
- The implications of each of the consequences for fulfilling work are then explored, differentiating, where possible, between potential impacts on job quality, work and wellbeing and access to work.

Context

A critical starting point for this analysis is that it is extremely difficult to assess the consequences of Brexit for the UK economy and labour market. Economists in a number of agencies and organisations have been working on forecasts since well before the referendum. However, as pointed out by the editorial in an issue of the Oxford Review of Economic Policy in 2017 dealing exclusively with Brexit, forecasting models do not work well in a situation where:

- The event – Brexit in this case – is unprecedented. In other words, there is no or little history to build on.
- There are a wide range of impacts that need to be assessed due to changes in microeconomic policy, trade, migration flows, sectoral factors, etc.
- The impacts of Brexit could be spread over a very long period of time. For example, negotiations around trade could take many years to conclude.
- All of this is in the context of the ongoing development of the global economy, as well as global issues around security and the environment.

However, it is certain that unless there is a very ‘soft’ Brexit, there will be significant changes, particularly in relation to trade and migration, and potentially investment as a consequence.

- Changes to the trade arrangements will generate potentially the most significant impacts on overall employment levels and the sectoral composition of employment in the UK.
- Investment levels are also potentially threatened by the direct and indirect consequences of Brexit. Less Foreign Direct Investment (FDI) may come to the UK if there is no continuing access to the Single European Market (SEM), and there may also be a reduction in domestic investment with some of this potentially transferring to continental Europe.
- Migration from the EU is likely to be curtailed to some degree under most scenarios, in part driven by the political impetus given to this issue by the EU referendum.

Other potential influences on fulfilling work flowing from Brexit include the following:

- Changes in areas such as employment protection and working time, which are currently regulated through EU directives.
- Loss of structural funds, where the European Social Fund (ESF) supports a major investment in skills and employability across the UK.

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Issue 1: Impacts on Size and Structure of the UK Economy

Overview and Analysis
The consensus among economic analysts and forecasters is that in the medium to long term, Brexit will impact adversely on the size of the UK economy. These impact assessments typically focus on two measures – Gross Domestic Product (GDP) and GDP per capita.

Emmerson et al. tabulate the results from a range of Brexit impact studies.\(^{32}\) Virtually all project a reduction in GDP in 2030, ranging from -1% to 7.5%, taking the central values of the individual forecasts. Only one forecast projects a positive GDP impact. The expectation is that the economy will shrink, and employment will fall as the demand for labour diminishes. There may also be negative consequences for the growth of real earnings, but this is hard to predict as price levels will be impacted by changes in exchange rates which are very difficult to model over the medium to long term. Clearly there has already been a significant decline in the value of the pound – and rising inflation – in the wake of the referendum result.

A key point to note is that the impacts will almost certainly vary significantly across regions and local economies, and there is a comprehensive assessment of these potential impacts in Athey\(^ {33}\) and Centre for Cities.\(^ {34}\) One analysis predicts that areas in the South of England will be the hardest hit.\(^ {35}\)

What sits behind these assessments? Productivity, employment and GDP can be impacted in a number of ways through:
- Shrinking trade volumes,
- Falling FDI, and potentially also declining domestic investment, and
- Reductions in the migrant contribution to the workforce and economy.

We discuss the first two of these briefly in turn. Migration is examined in more detail in the next section of the paper.

Impacts on Trade
It is difficult to see any scenario where UK exports will rise in the period around the implementation of Brexit, unless the UK and the EU can come to an agreement where the UK maintains access to the SEM. If there were any advantages to the UK from the development of new trading relationships these would take a number of years to bear fruit. In the shorter run, the depreciation of sterling post-referendum has led to no sustained increase in exports or reduction in imports to date.\(^ {36}\)

There are, however, clear risks on the downside if existing trading arrangements with the EU are significantly altered and lead to increased frictions to trade. The likely consequences here would be a fall in exports due to new tariff and non-tariff trade barriers with the EU. Non-tariff trade barriers are likely to generate the more significant negative impacts on UK trade and the economy, as the development of

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\(^{35}\) Dhingra, S., Machin, S. and Overman, H. (2017). The Local Economic Effects of Brexit. CEP Brexit Analysis No. 10. LSE.

the SEM has been associated with substantial reductions in frictions to internal EU trade by simplifying customs procedures, as well as harmonising regulations and product standards.\textsuperscript{37}

Most analyses of different post-Brexit trade scenarios are generally extremely pessimistic. For example, Dhingra et al. suggest that:

- If the UK remains in the European Economic Area (EEA) there will be a 1.3% fall in GDP per capita, mostly due to the return of the frictions to trade (such as more onerous customs procedures) discussed above.
- If the UK leaves the EEA and reverts to World Trade Organisation (WTO) rules, the fall in GDP is predicted at 2.6% - but with substantial negative impacts on FDI which may then impact more severely on GDP than the reduction in trade. \textsuperscript{38}

**Impacts on Investment**

Several different types of investment may well suffer as a consequence of Brexit.

**Foreign Direct Investment**

FDI has been important for the UK economy in many key sectors. For example, car manufacturing, which is a high productivity and high earnings sector, is largely dependent on foreign investment and ownership. There are significant threats to FDI should the UK leave the SEM.

- The UK benefits from the largest FDI investment of all member states, in part due to the ease of access gained to the SEM. Dhingra et al. estimate that the SEM has raised FDI to the UK by around 28%.\textsuperscript{39}
- The EU constitutes the single largest source of FDI for the UK, and it is difficult to see the rationale for this continued high level of investment in a country with no access to the SEM.
- Dhingra et al. estimate that leaving the SEM will reduce the UK’s FDI by 22% over a 10-year period, with major impacts on real incomes of approximately £2,200 per household.\textsuperscript{40}

**Domestic Investment**

Domestic investment may also decline for reasons similar to those discussed above for FDI. Additionally:

- Large UK businesses may invest in continental Europe specifically to retain access to the SEM.
- Additionally, UK businesses may relocate some or all facilities to continental Europe for supply chain and labour supply reasons.

Changes in the level of FDI and domestic investment are almost certain to have significant implications for the sectoral balance of the UK economy, and car manufacturing looks very vulnerable, as well as financial services where FDI is strong.

**Implications for Fulfilling Work**

All of these changes combined could impact negatively and significantly on the agenda for fulfilling work in the UK, unless developments in the wider global economy help sustain growth in aggregate demand for labour and support real earnings growth.

- With regards to the availability of work, as discussed in the previous section, as the labour market slackens, the opportunities for more disadvantaged groups to access work decline.

\textsuperscript{37} Dhingra, S., Ottaviano, G., Sampson, T., Van Reenen, J. (2016a). The Consequences of Brexit for UK Trade and Living Standards. CEP Brexit Analysis No. 2. LSE
\textsuperscript{38} Ibid
\textsuperscript{39} Dhingra, S., Ottaviano, G., Sampson, T., Van Reenen, J. (2016b). The Impact of Brexit on Foreign Investment in the UK. CEP Brexit Analysis No. 3. LSE.
\textsuperscript{40} Dhingra, S., Ottaviano, G., Sampson, T., Van Reenen, J. (2016a). The Consequences of Brexit for UK Trade and Living Standards. CEP Brexit Analysis No. 2. LSE.
• Periods of significant economic recession, such as the early to mid-1980s and the period since 2008, have been associated with rises in less desirable forms of employment, such as temporary contracts and the substitution of conventional employment contracts with self-employed sub-contracting. Effectively, as discussed earlier, rapid and substantial reductions in employment significantly disturb the balance of labour demand and supply, giving more power to employers to offer less favourable working conditions.

• This places great importance on the constraining effects of employment protection and other forms of labour market regulation, which is discussed later.

• There are potentially damaging changes to the structure of employment if UK manufacturing becomes subject to significant tariff barriers. In car manufacture and its supply chain there are many skilled manual working jobs which are full time and have relatively high average earnings.

• On trade specifically, Baldwin, Collier and Venables argue persuasively that a new broader based trade policy needs to be developed, with a greater integration of trade policies with domestic economic and social policies. They recommend that:

  ‘The British government should recognise that globalisation is acting in new ways and that this requires new domestic policy responses. Specifically since it is much harder to identify who will win and who lose, and since it is basically impossible to determine precise causes (globalisation, demographics, immigration, robots, technology, climate change, etc.), a new social compact needs to accompany Britain’s new trade policy. Education, infrastructure, regional, technological and industrial policies all need to be more nuanced, nimbler and more tightly focussed on helping losers adjust. The key is to focus on helping workers adapt; to protect workers and communities, not particular jobs and sectors’. 61

• The decline in the quality of jobs is likely to feed through into reductions in wellbeing in the workplace. A greater sense of insecurity is likely to prevail with reductions in labour demand.

On the flip side to these challenges, it is difficult to see any opportunities flowing from a reduction in employment levels in relation to the fulfilling work agenda. There could be an opportunity in terms of the need to view trade policy, industrial strategy and other higher level economic perspectives through the lens of improving inclusivity in the labour market and economy. The UK government may well wish to avoid Brexit giving rise to a new set of negative employment experiences in communities already experiencing high levels of social and economic inequality.

Issue 2: Changes to Levels of In-migration and Return Migration

Overview and Analysis
Migration and the Economy
There is extensive evidence to suggest that migration impacts positively on a number of key characteristics of a successful economy.

• It changes the demographic balance towards a higher percentage of working age to total population.

• It helps increase productivity through introducing key skills as well as attracting highly motivated potential employees.

• More specifically, it can address persistent skill shortages (for example, IT) or areas where recruitment difficulties are endemic (for example, the care sector).

• It can lead to a positive fiscal contribution where tax receipts exceed demands on publicly funded services and facilities.

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The empirical evidence on this is almost exclusively positive in relation to the UK economy.

- Portes and Forte argue strongly that migration has significant positive benefits for both GDP and GDP per capita.\(^{42}\)
- Other analysts - for example, Meager\(^{43}\) and Migration Observatory\(^{44}\) - agree about the significant positive impact on GDP, but interpret the evidence as suggesting smaller gains or neutral impacts on GDP per capita.
- Finally, Dustman and Frattini estimate that there is a positive fiscal contribution from EU migration of around £2 billion per annum.\(^{45}\)

One very likely consequence of Brexit is reduced levels of migration from EU countries. Additionally, there may be a higher rate of return migration based on choices made by EU citizens currently working in the UK. The analysis for the year ending June 2017 shows a rise of 33,000 in the number of EU migrants leaving the UK compared to the previous 12 months. However, it was still the case that the number of EU migrants coming to the UK greatly exceeded the numbers leaving – 248,000 versus 122,000.\(^{46}\)

**EU Migrants and the UK Labour Market**

Based on data for April to June 2017 there were nearly 2.4 million EU migrants working in the UK, around 7% of the workforce.\(^{47}\) The numbers have grown significantly from 590,000 in 2005, doubling to 1.1 million in 2008 and doubling again between 2008 and 2016.

The different measurement methods for calculating migration figures make it a complex process to determine migration inflows and outflows in a given quarter or year with certainty.\(^{48}\) For example, ONS estimated using survey methods that, for the year to end September 2016, 180,000 EU citizens migrated to the UK for work, but in the year to end December 2016 the Department for Work and Pensions issued 626,000 National Insurance numbers to non-UK EU citizens.\(^{49}\) These substantial variances have persisted for a number of years.

It is clear that EU migrants make a sizeable contribution to the UK’s labour supply, and so potentially there are significant impacts on the ability of employers to recruit should immigration volumes decline.

The general view among analysts is that EU migration has been largely positive for the UK labour market. Petrongolo draws a number of positive conclusions from the available evidence and previous research.\(^{50}\)

- At a time of demographic challenge, EU migrants have contributed to growing the working age population, with their share increasing from 1.8% to 6.3% over the past 20 years. Within this, EU migrants have higher employment rates than UK born citizens.


\(^{46}\) Office for National Statistics (2017a). Sources of Migrant Statistics. ONS Website.


• Most studies conclude that migrants have not exerted a downward pressure on the average earnings of UK born employees. Work by Nickell and Saleheen did find a small but statistically significant negative impact on the earnings of unskilled and semi-skilled service sector workers. A 10% rise in the proportion of migrants in these occupations was associated with a reduction in earnings of close to 1.9%.  

• There is limited convincing evidence of a causal relationship between EU migration and the labour market prospects of UK born members of the labour force. Wadsworth et al. find that this conclusion holds at the UK level and across local authority areas.

**Sectoral Variations**

The employment of EU migrants has increased markedly in specific sectors and occupations in the UK over the last decade. The Migration Observatory reported that between 2006 and 2014, the EU migrant proportion of the workforce rose from 3% to 9% in manufacturing, from 7% to 12% in accommodation and food, and from 3% to 7% in construction. In terms of occupations, there was an increase from 4% to 11% in process, plant/machine operatives, and from 6% to 11% in ‘elementary’ occupations.

Meanwhile, Ruhs and Vargas-Silva note that an increase in the flow of migrants towards low skilled jobs may help expand businesses and sectors which use low skilled labour intensively. Some of the statistics on the concentration of migrants in specific occupations and sectors in 2016 are illustrated below. These appear to be occupations and sectors with high demands for unskilled and semi-skilled labour, and this accords with most analysis on the types of jobs secured by EU migrants to the UK labour market.

**Table 1: Occupations and Sectors with High EU Migrant % in Workforce, 2016**

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Sector</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary Process Plant Occs</td>
<td>Manufacture of Food Products</td>
</tr>
<tr>
<td>Process Ops</td>
<td>Undifferentiated Goods</td>
</tr>
<tr>
<td>Elementary Storage Occs</td>
<td>Domestic Personnel</td>
</tr>
<tr>
<td>Cleaning + Housekeeping Managers</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Elementary Cleaning Occs</td>
<td>Warehousing + Support for Transport</td>
</tr>
<tr>
<td>Assemblers and Routine Ops</td>
<td>Manufacture of Wood + Wood Products</td>
</tr>
<tr>
<td>Mobile Machine Drivers + Ops</td>
<td>Manufacture of Leather + Related Prods</td>
</tr>
<tr>
<td>Metal forming, welding + related</td>
<td>Mining of Metallic Minerals (Ores)</td>
</tr>
<tr>
<td>Plant + Machine Operatives</td>
<td>Services to Buildings + Landscape</td>
</tr>
<tr>
<td>Elementary agricultural Occs</td>
<td>Waste Collection, Treatment, Disposal</td>
</tr>
</tbody>
</table>

Source: Computed from Labour Force Survey 2016 dataset.

This type of analysis provides some detail both in terms of sectoral and occupation areas at risk if the supply of EU migrants reduces, and helps pinpoint where potential interventions might be required, such as sector and/or occupationally specific skills investment programmes.

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A Recruitment Challenge?
Depending on the specific changes to UK migration policy post-Brexit, the recruitment challenge for employers could be manageable, at least in the short term.
- Annual inflows of EU migrants seeking work in the UK may be as low as around 200,000 if the ONS estimates are accurate.
- There may be a risk of higher levels of return migration. Recent statistics suggest this is the direction of travel, but there is still an excess of EU immigrants relative to return migration.
- It is difficult, whatever the nature of the UK’s future relationship with the EU, to see the UK government significantly curtailing the inflow of skilled EU migrants, although there are fears that there will be a reduction in the numbers of skilled EU migrants wishing to come to, or remain in, the UK.
- Even if the UK government were, for the sake of argument, to halve EU migrant flows to cut back on the numbers going into low skilled jobs, the reduction of, say, 100,000 per year should not constitute a serious shock in the short term to a UK labour market made up of around 30 million jobs. However, specific localities, sectors and employers could be hard hit.

Clearly over the medium to longer term, if there are sustained reductions in inflows from the EU, and higher rates of return migration, the losses to the UK labour supply will become much more significant – but there should be time to adjust to these in the ways described below.

Sectors and employers with a particularly high level of dependence on EU migrants will have a number of options in terms of how they adapt if there is increased return migration alongside a reduced inflow of new EU migrants.55
- They may try to substitute technology for labour.
- They can upskill and recruit existing UK workers to fill vacancies that would otherwise have been filled by EU migrants.
- They can increase wages and improve conditions – within limits in price-competitive product markets – to attract more UK-born recruits.
- They can relocate to other economies – although this is constrained for businesses engaged in many service sectors. In the same vein, they could outsource processes which they now find difficult to deliver directly. Public sector employers do not have the relocation option, and would find themselves constrained in terms of outsourcing.

Of course, other outcomes for more severely impacted businesses are downsizing or worse. Clarke notes that ‘Firms in migrant-reliant sectors…..will need to fundamentally re-think their business models or risk closure.’ 56

Davies suggests that some employers facing shortages of labour in low skilled sectors are now accepting that they had become ‘too blinkered in their recruitment strategies in the last decade’. 57 Some of these employers are now exploring the recruitment potential from groups currently less well represented in the labour market, such as ex-offenders. They are also preparing to raise pay levels and skills investment to help recruit new workers, but more importantly progress and retain existing members of their workforces.

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Implications for Fulfilling Work

Availability of Work
There are substantial numbers of people in the UK who potentially stand to benefit from an increase in hard to fill vacancies resulting from a reduced number of EU migrants in the workforce. For example:

- For the period June to August 2017, there were over 1.4 million unemployed people, using the Labour Force Survey definition of actively seeking and available to take up work. Many of these will secure an unfilled vacancy relatively quickly, but the balance will go on to become long-term unemployed. In a tighter labour market, the proportion going on to long-term unemployment will tend to fall.
- Although there is some overlap with the unemployed count, in February 2017 over 3.8 million working age people were in receipt of DWP out of work benefits such as Employment and Support Allowance (ESA). Many of these are people with health and disability issues, some of whom with the right support packages could find and sustain work.
- While again noting issues with overlapping categories of workless people, for the period April to June 2017 there were nearly 800,000 18 to 24 year olds not in education, employment or training (NEET), around 1 in 10 in all the age group.
- Finally, as noted earlier, there are groups of the population with employment rates significantly below the average. These include disabled people and those with low or no educational qualifications, who could be supported with well-resourced and intelligently designed employability programmes to secure unfilled vacancies in the labour market.

Gregg and Gardiner argue that around 2 million people from groups with below average employment rates could be added to the active UK workforce with reforms to the current approaches to employment service design and delivery, to bring about genuine full employment by 2020/21. This would amount to an annual addition of around 400,000 to the active workforce over the period to 2021. This could comfortably exceed any reductions in EU migrants entering the UK labour force.

However, it is clear that Brexit also brings threats with regards to the availability of employment in the UK. Although the academic consensus is that EU migrants have not impacted on the earnings and employment prospects of UK born workers, these workers will be employed side by side in the kinds of sectors and occupations shown in Table 1. If employers struggle to retain and recruit sufficient workers due to changes in EU migration rules, some of these jobs may disappear – through the off-shoring of jobs, increased use of technology, or simply reduction in activity or outright closure for some employers - with knock-on negative consequences for UK born labour. These jobs appear to be disproportionately in low skilled occupations and sectors and so a reduction in the volume of these jobs, if it occurs, will impact most on those already disadvantaged in relation to access to employment.

It is important to note that there is a significant policy issue here. The UK has too many poor quality and low paying jobs, as manifested in the polarisation of the UK labour market over the last 25 years or so. Sumption poses some interesting policy choices.

59 DWP (2017). Quarterly Benefits Summary, August.
Should the UK government:

- Put a big effort into sustaining current levels of low paying employment in, say, areas of agriculture and horticulture heavily dependent on EU labour, or simply see shrinkages in these sectors with imports making good the shortfall?
- Raise more funding for adult care services to provide a better quality service delivered by better paid workers, as opposed to the existing service largely dependent on low waged labour increasingly drawn from abroad?

Levels of Pay

Much of the evidence base suggests that EU migration has had limited impacts in the labour market in relation to the experiences of UK born members of the labour force. The implication of a number of the studies – although often not clearly stated – is that UK born workers operating at lower skill levels are on average simply not as competitive as EU migrants in terms of productivity and wage demands. This means that EU migrants are often not substituting directly for UK born workers.

Nevertheless, in principle, the reduced flow of migrants to low skilled jobs could lead to improved wages and other conditions as employers try to cope with recruitment problems, particularly in sectors and localities with a high dependence on EU migrant labour and operating in tighter labour market areas. However, as Meager has argued, employers may have to:

- Offer longer hours, better contracts and better pay.
- Invest more in skills.

There is, however, no consensus view on this and other analysts are sceptical about the potential beneficial effects on job quality through higher earnings at the lower end of the labour market, based on the historical assessment of the impact of immigration.

Skill Development

The expectation is that there will be push back by the UK government in the form of measures to reduce EU migration going forward, and it is likely that greater weight will be given to reducing migration into low skilled jobs which will be filled more easily by UK born workers. The focus then needs to be forward looking, with an emphasis on raising the employability and skills of UK born workers so that they would be attractive to employers and prove to be effective employees in jobs in businesses and sectors which will be exposed as the EU migrant labour supply shrinks.

The Chartered Institute of Personnel and Development (CIPD) highlight declining investment in vocational training by UK employers since 2005, compared to increased skills investment by key European competitors such as France and Germany. French employers now invest in skills nearly four times as much as their UK equivalents, and German employers more than twice as much. We noted earlier reports that some CIPD members accepted that they had been too complacent in their recruitment strategies over the last decade due to plentiful supplies of migrant labour and were now urgently re-thinking their position.
particularly in relation to lower skilled vacancies. Increasing investment in skills and in pay levels were now being actively considered.

Of course, employers will also be likely to consider the option to introduce more automated processes to reduce the need for lower skilled labour. This raises interesting issues about the returns to employers on investing in capital, relative to the potential need for relatively modest investment in upskilling for jobs that require quite limited skill levels. Meager is concerned that investment in low level technologies to replace unskilled labour will simply contribute to the low skills/low productivity equilibrium already entrenched in some UK regions and sub-regions.66

Job Quality
It was argued earlier that when labour markets tighten due to, say, robust economic growth, job quality tends to improve – and vice versa in a recession. If some of the commentary above is well founded, reduced labour supply might have similar effects.

For example, if the lower end of the labour market tightens, employers may need to be more mindful of employee morale and wellbeing if they are to attract and retain them. This may encourage them to consult more with their employees and to try to understand factors within their control as employers that are impacting on the job satisfaction of their employees.

### Issue 3: Changes in Employment Protection Laws and Regulations

**Overview and Analysis**
There are a range of EU regulations which impact on aspects of fulfilling work in the UK. These include regulations around employment protection, health at work, working hours, and discrimination in the workplace.

Pre-EU entry, the UK had its own legislative framework which impacted on fulfilling work in a number of ways – for example, the long tradition of health and safety regulation, driven by campaigning by the trade union movement. It was noted earlier that the UK has good outcomes in relation to workplace health and safety by OECD standards. Kloss notes that employer legal obligations in relation to the health, safety and welfare of employees were embedded before UK’s entry to the EU, and that the UK’s Health & Safety at Work Act 1974 has been copied in a number of countries.67

However, Kloss also argues that the EU added significantly to the battery of protections for health and safety in the workplace, particularly in relation to risk assessment, control of hazards, the monitoring of controls, and information and training. In terms of the broad spectrum of employment protection measures, most analysts and commentators68 argue that employment rights for UK workers have improved significantly over the long term due to a wide range of EU treaty provisions and directives. The improvements relate particularly to ‘atypical’ workers (whose employment relationships lie outside the ‘norm’ of full-time, regular and ‘permanent’ employment with a single employer), rights and protections for women and other discriminated against groups and the right to paid holidays. As a result of the

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Working Time Directive, for example, important gains have been made for quite substantial numbers of UK employees who did not formerly enjoy paid holidays. This is clearly an important benefit in terms of enhanced job quality.

A point to consider is that these protections are essentially mitigating a number of the undesirable consequences of ‘atypical’ employment, as opposed to controlling their growth. As noted earlier in this report, the UK has seen a substantial growth in zero hours contracts, and these averaged around 900,000 in 2016. There is also a perception of growth in some forms of so-called ‘bogus self-employment’, but there is no reliable statistical evidence on the extent of this phenomenon. Additionally, as noted earlier, this form of self-employment is not restricted to the lower regions of the labour market.

It is also important to note that international analysis places a strong weight on the role of labour market institutions in mitigating the forces driving polarisation of labour markets and reductions in job quality. This is particularly important for workers in the lower pay end of the labour market. The UK is currently characterised by relatively weak labour market institutions by international standards, which is explored in more detail in Section 4.

In addition, some of the early post-referendum rhetoric from the UK government about making the UK more competitive in terms of corporate taxation has raised fears that this might extend to reducing a wide range of other constraints on corporate behaviour – such as employment protection legislation.

**Implications for Fulfilling Work**

**Likelihood of Change**

The current position of the UK Government is to consolidate existing EU regulations in UK law by means of The European Union (Withdrawal) Bill. EU directives are already built into UK law through primary legislation, and consequently changes can only be made after full parliamentary scrutiny.

For a variety of reasons, the threat of an immediate weakening of UK employment protections following the UK’s exit from the EU may be limited due to the following:

- There can be no changes until the UK formally leaves the EU.
- As noted above, much of the employment protection law which has come down from the EU is already embodied in UK primary legislation, and around this sits a substantial body of case law handed down by the UK courts, interpreting EU directives and European Court of Justice rulings.69 Both Parliament and the UK courts will be centrally involved in any attempts to weaken the legal basis for these protections.
- The remaining body of EU employment protection regulations and laws will be translated into UK law through The European Union (Withdrawal) Bill. Although there is great disquiet about the potentially limited role of Parliament in debating and scrutinising changes to this body of legislation, the scale and complexity of the task of reviewing and bringing forwards changes dictates a very lengthy time scale for the process.70

In the medium to longer term any UK government wishing to reduce employment protection faces a massive and complex task, and may become embroiled in many court cases. It also has to balance the uncertain economic benefits of reduced employment protection against the need to strike trade deals

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69 Suff, R. (2016). ‘What Will Brexit Mean for UK Employment Law?’ CIPD Public Policy blog

70 Ibid
with other countries and grouping of countries – principally the EU – where the maintenance of high levels of employment protection will, for most, be an essential requirement. This may in part explain why the Prime Minister has promised that existing protections for workers will be guaranteed while she remains in post.

What Rights Could be at Risk?
Despite these limiting factors, concern remains that many of the existing principles going into The European Union (Withdrawal) Bill could in due course be abandoned or weakened, essentially at the discretion of the Executive. Underlying this concern is a recognition that any reduction in employment protection laws and regulations would represent a weakening of the suite of institutional controls of the labour market, which have been shown in international studies to benefit those trapped in the lower reaches of the labour market. Concerns also arise from the opposition of previous UK governments to positive developments around employment rights – such as the Working Time Directive.

The TUC is deeply concerned about the potential damage to what are now established workers’ rights. Legal opinion they sought identified the following key rights where there is potential vulnerability:

- Collective consultation, including the right for workers’ representatives to be consulted where major planned changes can impact on people’s jobs or result in redundancies.
- Working time rules, including limits on working hours and minimum entitlements on the amount of paid holidays.
- EU-derived health and safety regulations.
- Transfer of Undertakings (TUPE), which offers protections to the terms and conditions of workers where an organisation or service is transferred or outsourced to a new employer.
- Protections for agency workers and other ‘atypical’ workers, such as part-time workers. Suff also raises concerns in relation to these groups of workers, as the EU has taken a strong lead in improving their protection.  
- Compensation levels for discrimination, including equal pay awards and age discrimination.

As noted earlier, the evidence is that the EU has significantly improved protections around health and safety at work, although the UK has a strong historical track record in legislating for this. There are current threats in the UK, however, with the public sector contribution to the budget of the Health and Safety Executive falling from £231 million in 2009/10 to £123 million in 2019/20.

Also in terms of agency worker protections, the EU introduced important regulations about their access to key ‘collective facilities’ such as training and childcare. These were resisted by the UK government and were unpopular with employers, and could be vulnerable when the government comes to review the position.

A more positive note is struck in some other commentaries, particularly from industry bodies:

- In a situation of great uncertainty, businesses and business organisations are looking for stability in terms of employment protection laws and regulations (for example CBI). This position was re-stated in

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75 CBI (2016). Making a Success of Brexit.
consultations carried out in the preparation of this report with the CBI, Federation of Small Businesses and British Chambers of Commerce.

- CIPD note that only 13% of SMEs surveyed report employment protection legislation as a barrier to their competitiveness.76

Future Improvements to Employment Protection

An additional concern about the impact of Brexit on employment legislation is that future improvements in employment protection emanating from the EU may not be applied in the UK post-Brexit. However, a significant constraint on the UK government’s ability to reduce, or indeed fail to improve, employment protections is the need to sign up to the creation and maintenance of ‘level playing fields’ in the negotiation of agreements on the trade in goods and services. Trade agreements increasingly have a focus on minimising ‘social dumping’ in addition to the traditional dumping of products at artificially low prices. The International Labour Office (ILO) notes that social and labour provisions feature in bilateral trade agreements, particularly where Canada, the EU and the United States are parties to the agreements.77 More specifically, the EU’s chief Brexit negotiator, Michel Barnier, has said the EU will refuse to sign a trade deal with the UK which involves ‘unfair competition’ due to reductions in environmental and social protections, including workers’ rights.78

Availability of Work

During the EU Referendum campaign, the UK Government Employment Minister argued that scrapping EU employment regulations would boost the economy and create 60,000 new jobs.

It is hard to find the evidential underpinning that would predict such a significant increase in employment through a process of deregulation. In any event, it appears that in relation to employment protection legislation, and also product market regulation, that the UK already has the most ‘competition friendly’ regulatory regime across the OECD.79 Crafts also argues that the potential areas for deregulation would not impact significantly on the productivity performance of the UK and subsequently on GDP per capita.80

Separately, EU regulations have been particularly important in extending significantly the potential for tackling discrimination in the workplace regarding fundamental issues such as equal pay for equal value of work. These regulations have a significant impact on large numbers of workers in the UK and are particularly important for those groups of workers at risk of the greatest discrimination in accessing employment.

Procurement and Fulfilling Work

From an opportunities perspective, there may be some scope for leverage in relation to legal frameworks outside of employment protection, where the UK’s exit from the EU may support positive progress on fulfilling work. Procurement is a good example here.

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EU procurement directives and regulations are heavily based on ensuring an open market across the EU, reducing the scope for member state governments and other authorities to favour domestic contractors.

There is a strong tradition, most pronounced in Scotland, in trying to develop the contribution of procurement to tackling significant policy objectives in areas such as employability and inequality. Big steps have been made in Scotland in relation to developing the concept of and legislating for Community Benefit in Procurement, and there have already been evaluations of the effectiveness of implementation. However, this legislation had to be extremely carefully drafted so as not to fall foul of EU procurement strictures.

Conceivably, procurement could be used more proactively across the UK, post Brexit, to favour contractors who provide fulfilling work opportunities, so helping drive improvements in fulfilling work from the demand side. However, a key constraint would be the ‘level playing field’ restrictions which will need to be accepted to seal foreign trade agreements.

### Issue 4: Impacts on European Structural Funds

#### Overview and Analysis

The EU Structural and Investment Funds are mainly comprised of the European Regional Development Fund (ERDF) and the European Social Fund (ESF), accounting for, in the UK, around 78% of the total funds received. The next largest component at around 20% is the European Agricultural Fund for Rural Development (EAFRD). The value of the structural funds coming to the UK has fallen quite substantially, particularly with the accession of a number of Eastern European member states. For the 2014-2020 programming period, the total value of the funds provided by the EU is £13.9 billion, with UK match funding of £9.2 billion.

ERDF is focussed primarily on innovation and research and support for SMEs, but with priorities also around the digital agenda and low carbon economy. Clearly, support for SMEs could be extremely important in terms of responding to significant changes within key sectors in the face of uncertainty and changes around trading arrangements.

The ESF is focussed more on employment and labour market issues. For many years it has underpinned the delivery of employment services, particularly those targeting people further from the labour market, and those in the more economically depressed regions of the UK. Much of the service delivery comes through third sector organisations which tend to be more expert in enhancing access to work for more disadvantaged groups in the population. The ESF allocation for the UK for the 2014-2020 programming period is £8.7 billion, but £4.0 billion of this is co-funded by UK governments, agencies and other relevant authorities.

The UK government has undertaken to compensate for any shortfall in EU funding between the point of leaving the EU and 2020. This gives time for adjustments to be made and for new approaches to be drawn up. However, organisations in the voluntary sector have voiced their concerns about the potential

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loss from 2020 of the monies which have flowed to them through ESF in particular. Nevertheless, as almost half of the money going into ESF is funding provided by UK bodies as opposed to EU, there is every opportunity to make a case for the continuation of this funding for some similar type of programme. It is essentially within the gift of the UK government.

**Implications for Fulfilling Work**

**Availability of Work**

The threats arising from the loss of European Structural Funds fall primarily in the area of availability of work, and more precisely access to work, for the more disadvantaged groups which have traditionally been supported by specialist employability services funded through ESF. These have sometimes been standalone, and often quite innovative, approaches to helping those further from the labour market back into work.

Additionally, ESF has been used to align with, and add value to, more mainstream employment programmes run by the UK government, and devolved governments in other parts of the UK.

The closure of ESF would have two significant impacts:

- The employability service available to the more disadvantaged job seekers across the UK would be much diminished. This is in a context where the UK government’s new Work and Health programme (which applies only to England and Wales) is going to be associated with a significant reduction in specialist employment support for jobseekers with health and disability issues. In 2017, support will be available for only 160,000 clients compared to 300,000 in 2013/14.

- Many of the organisations delivering these services sit in the third sector, and many of these are delivering employability services alongside a range of other support services for some of the UK’s most disadvantaged groups and communities. The loss of ESF monies may significantly deplete the capacity of these organisations to deliver services in a sustainable way.

However, evaluations of ESF and Structural Funds more generally do not suggest that the funding has made a significant impact. Bell concludes that there is limited empirical support for the idea that the Structural Funds have impacted positively on regional economic activity, for example. Additionally, some of the evaluation evidence highlights feedback from delivery organisations in receipt of funding which suggests the ESF is highly bureaucratic and onerous to administer. Finally, there are concerns that the methods for assessing the effectiveness and value for money of ESF are not sufficiently robust.

**Opportunities for Improvement**

If the UK government – as well as devolved administrations – can be persuaded to maintain a fund such as ESF, making good the loss of the EU contribution, there is potential to use this money much more cost effectively than was possible under the management by the European Commission.

- As ERSA point out, it is critically important for the UK to ensure that the funding available to the UK

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85 ERSA (2016). ‘Work and Health top of the agenda? But where’s the cash?’ ERSA Blog
through ESF for the 2014-2020 programming period is fully allocated to specific employment service delivery prior to leaving the EU.89

- There is a big opportunity to achieve a much more effective use of the funds than is currently the case with ESF. Significant changes could be made to reduce the very heavy burden of administration and auditing requirements. These prove extremely onerous for, in particular, smaller third sector organisations, and it is these types of organisation which are particularly adept at helping more disadvantaged groups and people from more disadvantaged communities into work.90

- There is also scope to bring about a much better integration of employability and employability-related services (such as health services), as well as to pool different sources of funding, to provide a much more effective service and greater value for money for harder to help individuals and groups in the labour market. This is already beginning to happen driven by the devolution of many relevant powers to city regions and other regional partnerships.91

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5. Mitigating threats and exploiting opportunities

The discussion in this final section of the report is conducted under two headings:

- Actions that could be taken to promote fulfilling work irrespective of whether Brexit goes ahead and independently of the type of Brexit, for example ‘hard’ versus ‘soft’.
- Actions which can be taken in response to specific threats or opportunities as a result of Brexit.

General Actions to Promote Fulfilling Work

There is an extensive literature in the broad area of job quality, and some of the major experts in the field have brought forward proposals for improving the UK’s position.\(^{92}\) It is beyond the scope of this report to describe and assess these. The key point is that the many potential risks to fulfilling work arising from Brexit set out in earlier sections of this report increase the urgency for action. Any systematic plan of action to promote fulfilling work must address both the demand and supply side of the labour market.

Actions on the Demand Side of the Labour Market

A prominent feature of the UK labour market over the last decade has been the rise of insecure working conditions, including zero hours contracts and ‘bogus self-employment’.

The Taylor Review made a wide range of recommendations on how best to respond to the growth of poor work. The more important recommendations called for:

- Clarification of the legal definitions of ‘employee’, ‘worker’ and ‘self-employed.’
- Greater equality of treatment between the employed and the self-employed in terms of tax treatment, but also access to state-based entitlements.
- Holiday and sick pay to be available to all low paid workers in the ‘gig economy.’
- Equal pay for agency workers.
- The creation of a national strategy to make good work available to all.\(^ {93}\)

The TUC felt that the Taylor Review’s recommendations were insufficiently radical in the light of the significant growth over time in poor work, and the many costs associated with this.\(^ {94}\)

More generally, government and its agencies need to develop a robust and strategic response to those employers pursuing a business model which entails relatively low skilled and poorly rewarded work, coupled with other unacceptably poor working conditions, sometimes with a strong dependency on migrant labour to sustain it. Many of these businesses are potentially being unintentionally supported in terms of the supply of labour to poor quality jobs through government welfare programmes such as tax credits\(^ {95}\) and ‘work first’ employment programmes backed up by increased conditionality and sanctions around welfare.

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benefits. The government and other public sector organisations should consider how they might secure greater leverage from their purchasing power in relation to both goods and services to require all their suppliers to support fulfilling work in its various dimensions within their workplaces. As noted earlier in the report, there may be greater scope post-Brexit to adopt an approach to public sector procurement which is more proactive in pursuit of inclusive growth objectives.

However, the irony is that in some sectors – such as adult care – it is the low level of public funding that constrains the ability for employers to offer fulfilling work across its many facets. Again in the case of social care, the consequences of low pay and poor conditions for staff recruitment and retention ultimately impact upon the quality of care provided to service recipients. More generally, one of the major weaknesses in the literature on job quality is the limited analysis of the role of consumers (households, businesses and public sector organisations) who, through an increased demand for ‘cheap’ over ‘good’ in relation to products and services, exert a significant impact on the nature of labour demand. Since the onset of the 2008 recession these cost pressures have been intensified for many purchasers of goods and services – in particular hard pressed consumers experiencing significant reductions in real earnings and state benefits, and a wide range of public bodies having to respond to significant cuts in funding.

The need for government action is reinforced by the decline in the membership, collective bargaining coverage, power and influence of the trade unions in the UK, which historically significantly improved and effectively protected the quality of work and conditions at the workplace. Trade unions still carry out this function very effectively in some other EU member states, particularly in the Nordic economies where trade union coverage remains high.

**Bringing About Step Change in the UK Supply Side Infrastructure**

Crafts argues that the UK’s main economic policy problems are more to do with the policy shortcomings of successive UK governments than any impact of EU membership. He highlights in particular serious problems with education, infrastructure, innovation and the tax system – all of which act as a drag on productivity growth, which in turn inhibits the growth in earnings.

Focussing specifically on education and skills as areas of public policy which can impact significantly on the UK post-Brexit, effective action is now required to improve basic education and educational outcomes, reducing the UK’s unacceptably long tail of people with no or low educational qualifications. In 2016, there were nearly 3.4 million working age people with no qualifications and a further 4.5 million with a qualification no higher than NVQ Level 1. Employment rates for those with no or low qualifications are only 63%, compared to 80% with those with ‘upper secondary’ qualifications and 86% of those with ‘tertiary’ qualifications.

It is essential to reduce the supply of people whose only or main options are work in the lowest tiers of the labour market, and who face little prospect of progression once locked into the ‘secondary’ labour market. At the same time, action is required to tackle the problem of skills underutilisation, sitting side

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by side with persistent skill shortages in areas such as digital. This necessitates an overarching review of the socio-economic rate of return to public investment in different segments of the education and skills infrastructure, including work-based learning such as apprenticeships, to ensure we are investing wisely. At the same time, by using the public sector’s leverage on private businesses through procurement, private sector investment in skilling and upskilling their workforces could be incentivised.

In association with action on the demand side of the labour market, effective supply-side reform makes it more likely that the UK post-Brexit can compete effectively in the global economy. This would help to create a labour market that is sufficiently buoyant to sustain an environment where providing fulfilling work is a requirement, if employers are to be able to recruit and retain the volume and quality of employees they need to make their products and deliver their services in an efficient and competitive manner.

**Specific Actions Required in Response to Brexit**

In this section, we consider required actions more specific to the threats and opportunities associated with Brexit discussed earlier in the report.

**Issue 1: Declining Employment Levels in a Slacker Labour Market**

In the short term, it is clear that a major risk stemming from Brexit could be a significant reduction in exporting, and in foreign and domestic investment, which in turn would dent the UK’s growth rate and potentially lead to rising unemployment. There are also potential challenges if tariffs are placed on imports from the EU. The impacts will vary across sectors in line with their dependence on EU imports.

However, employment and investment in car manufacturing would be seriously at risk due to a high dependency on the importing of parts and complex supply chains for parts crossing the borders of many EU countries. This is also an industry which offers good earnings and conditions in that middle part of the employment structure which has been hollowed out over time. It is clear that these possible trade developments could impact negatively and significantly on fulfilling work. The quality of jobs has been adversely effected by UK recessions, and this has been well documented since the collapse of UK manufacturing in the 1980s. There are no one-off measures or specific interventions to deal with this. It will all be down to the skill with which the UK economy is managed at the macro level.

**Issue 2: Declining EU Migration to UK**

It was argued earlier that declining EU migration into lower skilled jobs poses threats for business in some specific sub-sectors, but also opens up opportunities to promote fulfilling work. In order to take on the threats and exploit the opportunities a number of potential mitigating actions could be undertaken.

**Develop Brexit-Driven Targeted Employability and Skills Interventions**

Earlier in the report, some analysis was presented on sectors and occupations which feature high levels of dependence on EU migrant workers. Analysing geographical variations would help to identify further areas of employee recruitment and retention pressure likely to emerge post-Brexit. When the UK government is in a position to put into effect a new policy on EU migration, this kind of occupational, sectoral or regional analysis can be easily and quickly deployed to locate the Brexit-induced pinch points from the perspective
of employers, but also the opportunities to prepare currently unemployed or underemployed UK based workers for the vacancies created. Additionally, some employers with very high levels of EU migrant dependency may relocate or close. Support for the resulting redundant workers is needed through this same process, at the same time redeploying them to fill the posts that would otherwise been held by EU workers.

It will be important to generate additional resource, as well as re-tasking existing resource deployed through colleges and other training providers, to develop the relevant skills in the domestic workforce, which also includes EU nationals and non-UK nationals from outside the EU who are currently not employed or under-employed. Over the years and across the UK, many short life partnerships have been established to deal with larger scale redundancies, but also major employment expansions. The best practice from these interventions should be pulled together to feed into the design of Brexit-driven targeted employability and skills interventions.

**Introduce More Effective Employment Programmes**

In advance of a reduced number of EU migrants coming to the UK to work in lower skilled jobs, government funded employment programmes have a key role to play in helping more unemployed people, particularly those further from the labour market, increase their attractiveness to employers. The UK has not performed well in terms of its programmes to improve the employability of the unemployed, and more specifically has been weak in relation to people with health conditions and disability issues.\(^{101}\) This is at the heart of promoting inclusive growth in the UK. Employers – and governments – have had less impetus to address these challenges as the growing labour demands in the years before the recession, and in the period of recovery, have been easily met by increasing numbers of migrant workers. Much more investment is now needed in upskilling existing employees and those who are unemployed, and more effective interventions need to be brought to bear.

Gregg and Gardiner argue that the design principles required to drive towards full employment by increasing the employment rates of disabled people, those with health conditions and others under-represented in the workforce are as follows:

- Shift the objective from reducing unemployment (which can be achieved in part by people coming off benefits and/or declaring themselves economically inactive) towards increasing participation in employment.
- Reduce the strong focus on job entry and divert more effort towards reducing or delaying job exits, particularly for the 50 plus age group and disabled people.
- Tackle more directly and effectively discriminatory employer recruitment practices.
- Design bottom up employability interventions that focus on the specific issues faced by local unemployed people and tune into local labour market opportunities, moving away from the top-down models that have delivered such poor performance over the past 30 years or more.\(^{102}\)

Moving quickly to such an approach would help prepare people for entry to the more targeted skills interventions discussed above.

**Support Employers to Improve Job Quality**

We have discussed earlier in this report the potential impact of Brexit on employers whose business

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model is currently highly dependent on EU migrant labour. The two broad approaches set out above focus on domestic UK workers as a substitute source of labour supply. A further, complementary approach would involve encouraging employers to explore potential improvements to the quality of their job offer (broadly defined) which would help them attract and retain more employees. A well designed business development intervention could incentivise employers who may wish to move towards a new business model which prioritised fulfilling work, but are unsure how to commence and embed this shift.

This type of intervention is not easy to design. There have been many attempts over the years to encourage employers to invest more in developing the skills of their workforce, but evaluations tend to find very limited positive and sustainable benefits relative to the scale of support from the public purse. Attempts to build up the capacity of the intermediaries – such as sector skills councils – who work with employers on skills issues also have had limited success as exemplified by the evaluation of the UK Commission for Employment and Skills (UKCES) co-investment funds to promote employer investment in skills, innovation and growth. However, we know that businesses are more likely to alter their behaviour when there is, for example, a significant threat to their profitability or indeed continued existence – and for some companies Brexit poses these threats.

Design Geographical and Sectoral Pilots

Focusing on some of the parts of the UK where there are sectors with a high dependency on EU migrants, there is the potential to develop pilot activity that draws on each of the three sets of actions outlined above. The difficulty is that before the details of Brexit are agreed, it is difficult to carry out the planning required. However:

- It would be relatively easy to carry out a statistical exercise that identifies the sub-regions likely to be most at risk, and the sectors and sub-sectors in play.
- A start can be made by re-designing and enhancing national employment programmes along the lines recommend by Gregg and Gardiner.
- Development work could be carried out with a small number of sectors where the job profile tends to score poorly on a range of fulfilling work measures and who are currently heavily dependent on EU workers. The task would be to test their preparedness to embrace a new business model involving a significant shift towards more fulfilling work and test the kind of business development support needed to facilitate this.

The final element – the delivery of targeted employability and skilled interventions – could be assembled relatively quickly once the specifics of Brexit become known and the implications for specific sectors are clearer.

Issue 3: Threats to Employment Protection

There are clear concerns amongst a range of stakeholders that there are potential threats to the rights to employment protection in the UK after Brexit. This is in the context of the OECD’s judgment that the UK has one of the most lightly regulated labour markets among the group of the largest and most advanced economies.

The loss of any key employment protections could impact adversely on the incidence of ‘atypical’ forms of work in the UK labour market, but also workplace wellbeing as it is broadly defined. Even with its current

employment protections, the UK has experienced a growth in poor quality jobs during the past decade. If key protections are removed, it is difficult to see how this growth could be reversed. What can be done to protect the gains that have been made through the EU, at a time when participation in and the power of trade unions is possibly at a secular low point? This places the weight on broader based campaigning, where of course the trade union movement has a pivotal role to play.

Two suggestions for supporting campaigning against the weakening of employment protection are sketched out below.

**Build an Evidence Base for Campaigning for Existing Protections.**
There are many different forms of employment protection, impacting on different groups of the workforce in different ways. Using fulfilling work as the organising concept, there is the need for a simple ‘manifesto’ which sets out in a concise way:

- The link between specific employment protections and key elements of fulfilling work.
- Estimates for the numbers benefitting from these protections.
- The characteristics of the workers benefitting, and in particular the various demographics to which they belong.
- Estimates for the extent of the benefits in terms of fulfilling work flowing from specific employment protections.
- Case studies of individual workers benefitting from specific employment protections to illustrate their value.

This evidence base can then be used in a range of campaigns, and by different campaigning groups. The evidence must of course be robust and up to date.

**Create a Fulfilling Work Impact Assessment**
Over a number of years, impact assessments have been carried out to assess the consequences for age, gender, disability and ethnicity equalities of changes to key processes – such as recruitment, wage setting and dismissal. In advance of any review of the body of employment protection laws and regulations which have emanated from the EU, a tool should be developed to help carry out assessments of the impacts on fulfilling work that would result from the weakening or loss of specific employment protections. Key questions would include:

- Implications for the volume of low quality jobs.
- Implications for the people holding low quality jobs
- Which groups of the workforce are at risk?
- What mitigations are planned, and to what extent are these likely to work?

This could build upon and complement the campaigning evidence base discussed above.

**Issue 4: Loss of EU Structural Funds**

The most important Structural Fund in terms of supporting fulfilling work is ESF, and over 46% of the funding is from the UK government and other UK bodies. This makes it a matter of UK government priority as to whether this type of fund is retained, reduced - or indeed increased. The evidence is that those organisations currently benefitting from ESF nevertheless accept that it is a far from perfect vehicle. Potential actions include the following:
Re-design and Enhance ESF - Economy and Labour Market Adjustment Fund

A redesigned ESF could be used to fund the targeted skills interventions to help domestic UK labour fill vacancies that would otherwise have been taken by migrants. However, it could also be used to help redeploy workers made redundant because of business downsizing, closure or relocation beyond the UK because of Brexit. Of course, much more profound impacts on localities could result if there are severe disruptions to trade, which would lead to a requirement for a much larger Economy and Labour Market Adjustment Fund.

This new fund should avoid the problems associated with ESF.
- As a labour market adjustment fund, it needs to be strongly focused on job outcomes.
- A ‘job’ should meet the criteria associated with fulfilling work, and should be sustainable.
- The resources should be devoted to services which plug gaps in rather than duplicate existing provision.
- There should be a greater responsiveness to local employment and skills needs.
- The ongoing monitoring of the effectiveness of the services delivered through the fund needs to be significantly enhanced.
- The resources required to administer the fund need to be minimised, allowing the maximum investment in the services delivered to the client to raise their skills and employability, while also tackling other issues that restrict their employability.

This supports the argument of Baldwin, Collier and Venables that the Brexit focus should be on workers and communities. However, with a similar approach to the re-purposing of ‘ERDF’ funding, development support for businesses needing to move away from the ‘poor work’ business model could be taken forward.

**Conclusion**

This report argues that there are many threats posed by Brexit in relation to fulfilling work. However, there are also opportunities, not least because employers and governments may need to focus more on maximising the potential of the existing workforce, including those in less than fulfilling work, but also members of groups of the population generally under-represented in employment.
- As a consequence of Brexit, the number of poor quality, low paid jobs may decline, and so raise the overall quality of the employment offer across the UK.
- There is a requirement to enhance the effectiveness of employment and skills services, so boosting the quality of the UK’s labour supply.
- Both of the above combined can, if sustained over a number of years, begin to push the UK towards higher earnings and higher productivity and a more inclusive economy, where fulfilling work is the norm and much more evenly distributed across different groups in society.

The final section of the report makes a number of practical suggestions on how to reduce some of the negative consequences for fulfilling work that might emerge from Brexit. It also sketches out how potential opportunities can be exploited to promote aspects of fulfilling work. There is no denying that this is challenging.

However, the starkness of the challenge that many businesses – and ultimately the government and its agencies – will confront could be the catalyst for the development and implementation of more radical policies to make fulfilling work the norm in the UK labour market.

Annex: Approach to study

Broad Approach
Three main methods were deployed to take the study forward:
- An extensive literature review.
- Statistical analysis for the UK, the EU and OECD.
- Consultations with key organisations.

Literature Review
A significant volume of reports and statistical material was sourced from the following:
- CBI.
- CIPD.
- European Commission.
- Eurofoundation.
- House of Commons.
- House of Lords.
- Institute for Employment Research, University of Warwick.
- Institute for Employment Studies, University of Sussex.
- NESTA.
- Office for National Statistics.
- OECD.
- Resolution Foundation.
- Scottish Enterprise.
- The Migration Observatory, University of Oxford
- TUC.

Statistical Analysis
Statistics were collected from standard UK data sources through ONS, but also from OECD databases.

Consultations
A mix of face to face, telephone and email consultations were carried out with a range of academics and independent commentators with analytical expertise, as well as representatives from public and voluntary sectors, and of employers and trade unions.
This report was written by Alan McGregor

December 2017
Report from Audit & Risk Manager (ARM)

1. Changes to Northern Ireland Whistleblowing legislation as a result of the Francis Report:

The Mid Staffordshire Public Inquiry revealed a catalogue of preventable physical and psychological harm, including deaths, of patients in a National Health Service (NHS) general hospital, and triggered concerns about how whistle-blowing is managed.

It also identified staff who were scared to whistle-blow (speak out about harmful, or potentially harmful, practices in their work-place) because senior staff were hostile and defended sub-standard practice.

The resulting Francis Report recommended adopting constructive attitudes towards whistle-blowers and as a result there has been a change in regard to Whistleblowing legislation in Northern Ireland to bring it into line with the rest of the UK.

The main change is as follows:

- The removal of the requirement for a disclosure to be made in good faith - rather a disclosure must now be made in the public interest.

What public interest means will have to be judged on a case by case basis by an employment tribunal.

We attach a briefing paper at [Appendix ARM 1] that sets out the main changes made. The Council’s Whistleblowing Policy will be amended and presented to the Governance and Audit Committee after referral to Corporate Management Team and consultation with Union representatives.

Recommendation

It is recommended that the Committee note the above important changes in whistleblowing legislation and consider the attached briefing paper.

2. Requirement for inclusion of Policing and Community Safety Partnership (PCSP) in Annual Audit Internal Audit Plan

We attach a copy of a letter received from the joint signatories of the Northern Ireland Policing Board and the Department of Justice – [Appendix ARM 2].

The letter sets out the requirement for all Council Internal Audit teams to include an Annual Audit of PCSP Activity to ensure compliance with the terms and conditions of the funding provided.

We can confirm that this audit was included in our audit plan presented to members in March 2017 – and an acknowledgement has been sent to that effect to the funders.
The terms of reference for this audit were agreed in early December and it is anticipated that the audit will be concluded by the end of January 2018.

**Recommendation**

It is recommended that the Committee note the above and an Audit Report will be presented to the committee on conclusion of the audit process.
Changes to the Northern Ireland law on “Whistle-Blowing”

**Background:**

Whistle-blowing is common shorthand for a situation where a staff member exposes information or activity in the work-place that is deemed illegal, unethical, or otherwise likely to cause harm.

Whistle-blowing is not an easy option. People like to be accepted by those around them, and tend to conform to group norms and accept instructions from those in authority - even when their actions may harm others. Metaphorically stepping outside one’s own work group to criticise it and its leaders is psychologically challenging.

Whistle-blowing requires special consideration during periods of austerity when staff are working under increased pressure and the risks of standards falling are greater.

The Mid Staffordshire Public Inquiry revealed a catalogue of preventable physical and psychological harm, including deaths, of patients in a National Health Service (NHS) general hospital, and triggered concerns about how whistle-blowing is managed.

It also identified staff who were scared to whistle-blow (speak out about harmful, or potentially harmful, practices in their work-place) because senior staff were hostile and defended sub-standard practice.

The resulting Francis Report recommended adopting constructive attitudes towards whistle-blowers and as a result there has been a change in regard to Whistleblowing legislation in Northern Ireland to bring it into line with the rest of the UK.

As a result of legislation passed last year under the Employment Act (Northern Ireland) 2016, amendment to whistleblowing legislation came into force at the start of October 2017.

**Main change to legislation:**

The main change is a removal of the requirement for a disclosure to be made in good faith. Rather a disclosure must now be made in the public interest. What the public interest means will have to be judged on a case by case basis by an employment tribunal.

The Council’s Whistleblowing Policy will have to be amended to take account of the changes in the legislation.
The following details relating to the changes have been taken from the Labour
Relations Website and I have highlighted what we consider to be the main points:

From 1/10/17 reforms to the Public Interest Disclosure legislation (also known as
whistle-blowing) comes into effect in Northern Ireland. Most of the reforms have
already been implemented in Great Britain between the years 2013-2016 and whilst
they may look technical in nature they will have an impact on how the courts will deal
with claims about how workers have suffered detriment or dismissal on the grounds
that they made a protected disclosure (blew the whistle) as defined under the
legislation.

The law in this area is about reactive remedy for “workers” not just employees and
organisations should have a fair and robust policy that specifically deals with
protected disclosures as they are not the same as employment grievances.

The law in this area is technical and complicated and there have been some
significant case decisions on core components within the legislation and how the
courts interpret them.

The reforms to the legislation will impact on organisations that have existing whistle-
blowing policies and protocols and those responsible for such policies should be
aware of the reforms in areas such as –

- The “public interest test” – this is the test applied by tribunal/court and must be
met by the worker/employee. It is an objective test applied by tribunal/court and
NOT the employer. The notion of what the public is (in terms of size, etc) has
been the subject of recent case law and in some cases personal interest and
public interest will overlap. This means that the courts will take a multi-factoral
and case-by-case approach to each case before them and that “public” does not
necessarily mean vast swathes of the populous at large.

- The requirement to make the protected disclosure (blew the whistle) in “good
faith” will be removed and in essence this means that the predominant motivation
of the “whistle-blower” may be something other than good faith. However, any
compensation awarded in such cases can be reduced by up to 25% to reflect
what is effectively bad faith or a predominant motivation such as malice or
revenge perhaps.

- Other reforms introduce a power to enable the Department for the Economy to
make regulations requiring a “prescribed” person or body to produce an annual
report on disclosures of information made to that person by workers. This
person/body is found in lists which are schedules to the existing legislation and
which are periodically added to. In Northern Ireland there are around 40 of these persons/bodies currently.

- Very importantly for employers a loop-hole that had existed in the “whistle-blowing” law has now been closed and now employers will have ‘vicarious liability’ where a whistle-blower is subjected to a detriment – being treated unfairly because s/he made a disclosure - by a co-worker in the course of the co-worker’s employment with the employer, a claim can be taken against both the employer and the co-worker.

- Of interest to health trusts in Northern Ireland will be the extension of the meaning of “worker” for protected disclosures. Student nurses and student midwives who undertake work experience as part of a course of education or training approved by, or under arrangements with, the Nursing and Midwifery Council now fall within the extended definition of worker who may make a protected disclosure. In addition the reforms grant the power to permit the Department to amend the definition of “worker” in the future if the need arises.

THE EMPLOYMENT ACT (NORTHERN IRELAND) 2016 (COMMENCEMENT NO.1) ORDER (NORTHERN IRELAND) 2017 can be found here http://www.legislation.gov.uk/nisr/2017/199/made
Date: 23 November 2017

To: Council Chief Executives

Inclusion of PCSP’s in Internal Audits

As part of the PCSP contractual arrangements between the Joint Committee and Councils, the Council should make arrangements for Internal Audit to review PCSP procedures and expenses. The Letter of Acceptance includes confirmation as part of a Statement of Financial Arrangements and Control Environment, that the Council,

“Has arrangements in place to satisfy the requirement for providing assurance on the probity and proper use of funds, including an Internal Audit review of procedures and expenses and providing reports in a timely manner.”

The Joint Committee is seeking confirmation that council internal audits for 2017/18 will include an audit of the PCSP procedures, expenses and provision of timely reports. I would be grateful if this confirmation could be provided to the Joint Committee by Monday 4 December 2017 by contacting:

Amanda Mulholland
Northern Ireland Policing Board
Partnership Branch
Waterside Tower,
31 Clarendon Road,
Clarendon Dock
Belfast
BT1 3BG
Amanda.mulholland@nipolicingboard.org.uk

Yours sincerely

Amanda Stewart      Steven McCourt
AMANDA STEWART     STEPHEN McCOURT
Chief Executive     Head of Community Safety Division
Northern Ireland Policing Board   Department of Justice
REPORT OF PERFORMANCE IMPROVEMENT OFFICER

1. PERFORMANCE IMPROVEMENT OBJECTIVES & ASSOCIATED KPIS – 2ND QUARTER REVIEW

Attached under Appendix PIO1 and Appendix PIO2 are two reports: The first is a quarterly monitoring document. This is an update on all the projects that will demonstrate improvement against the 2017/18 Performance Improvement Objectives. This report covers the period July - September 2017 inclusive.

The second report has been taken from the ‘Performance Manager’ System (Dashboard) detailing Key Performance Indicators (KPIs) for each service within the organisation. The KPI results are for the period July - September 2017 inclusive.

Recommendation

It is recommended that Members approve this.

2. ADDITIONAL FUNCTION FOR ‘PERFORMANCE MANAGER’ TO MONITOR COMMUNITY PLANNING

Attached under Appendix PIO3 is a report detailing the proposal to extend ‘Performance Manager’ to incorporate monitoring of the Lisburn and Castlereagh Community Plan.

Recommendation

It is recommended that Members approve this.

3. REPORT ALL UPDATE

Attached under Appendix PIO4 is a report detailing the activity of the Report All App since its introduction in May 2017. The Council agreed in April 2017 to purchase this facility on a trial basis and review the usage of the App after six months in use. This has been a well-used App over the past six months and it is proposed to extend the contract with Report All at a cost of £300 per month.

Recommendation

It is recommended that Members approve this.

4. PERFORMANCE IMPROVEMENT AUDIT REPORT

Attached under Appendix PIO5 is a final report and certificate of compliance recently issued by the NI Audit Office. As Members are aware the Local Government Auditor recently carried out a Performance Improvement Audit of the Council in order to meet the requirements of the Local Government Act (NI) 2014.
Recommendation

It is recommended that Members note this item.

5. **APSE CONFERENCE UPDATE**

APSE performance networks annual conference 2017 took place on the 7th of December in the Hilton Hotel in Blackpool. This was attended by the Performance Improvement Officer. APSE held a dedicated Northern Ireland session at this annual conference which was chaired by Lynn McCracken from the Department for Communities speaking about developing a framework of indicators. The forum also provided an update on the NI benchmarking project by Ellen Cavanagh, Derry City and Strabane District Council.

Recommendation

It is recommended that this information be noted.

6. **SUSTAINABLE DEVELOPMENT UPDATE**

Attached under Appendix PIO6 is a report providing an update on the Council working towards meeting its Sustainable Development Duty.

Recommendation

It is recommended that Members note the contents of the attached report.

7. **MJ AWARDS UPDATE**

The Council is intending to put forward a number of applications for the MJ Awards 2017/18. Attached under Appendix PIO7 are details of the categories of these awards.

Recommendation

It is recommended that the above information be noted.

8. **CUSTOMER SERVICE EXCELLENCE (CSE) QUALITY AWARDS UPDATE**

Members are reminded that Council granted approval for the organisation to continue with maintaining the Customer Service Excellence Standard (CSE), this involves reaccrediting the services who held the standard in the former Lisburn City Council.

A number of services within LCCC are working towards the CSE accreditation in the coming months. Sports Services and Facilities Management are both aiming to achieve CSE accreditation by June 2018.
**Recommendation**

It is recommended that the above information be noted.


Attached under **Appendix PIO8** is a report detailing the Annual Report of the NIPSO (NI Public Services Ombudsman) 2016/17.

Attached under **Appendix PIO9** is a copy of the Northern Ireland Local Government Commissioner for Standards Annual Report 2016/2017.

**Recommendation**

It is recommended that the above information be noted.
### Quarter 2 - Update on Performance Improvement Objectives 2017/18 and Corresponding Improvement Projects

<table>
<thead>
<tr>
<th>Performance Improvement Objective 2017/18</th>
<th>Corresponding Improvement Project</th>
<th>Quarterly Update</th>
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</table>
| We will promote the provision of accessible high quality play opportunities and activities for children and young people | Arts & Community Services  
- Successfully implement a youth leadership and democratic participation programme  
- Successfully implement the Community Centre Summer Scheme programme  
- Establish North Lisburn Community Centre and encourage programming relevant to children & young people  
- Implement related elements of the Peace IV Programme  
- Successfully deliver the Children’s Art Festival, Mayor’s Parade, and Twilight Nights Events  
- Implement the annual Mayors Community Awards | Youth Council SLA and funding agreed with all partners.  
Qrt 2 – Youth Council officially launched and Good Relations and Peace IV funding commitment confirmed.  
Qrt 2 Successful Community Centre Summer Schemes delivered at 2 Community Centres with an additional Syrian Scheme delivered at the Bridge Community Centre.  
North Lisburn Community Centre completed.  
Qrt 2 – Ballymacash Community Centre officially opened.  
Qrt 2 – Peace IV tenders completed, approved by SEUP and publically announced.  
Mayors Parade successfully delivered with an experience rating of 84%. |
| | Cultural Services  
- Implement the Museum’s Education Programme | Qrt 2 – Museum Services delivered a range of educational programmes with an overall participant benefit rating of 95.9% and customer satisfaction rating of 100%  
Quarter 2 saw 2132 visitors (101 groups) participate in the museum’s education programme. 367 participants (16 groups) were out of state visitors from: USA, Canada, Sweden, Germany, and ROI.  
Groups participated in a variety of activities: tours, Workshops, summers workshops programme, Schools programme, Science & technology programme, nature trail and outreach programmes.  
Group Visitors to the Education programme range from pre-school, primary, post primary and tertiary education and senior citizens. |
<table>
<thead>
<tr>
<th>Performance Improvement Objective 2017/18</th>
<th>Corresponding Improvement Project</th>
<th>Quarterly Update</th>
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<tbody>
<tr>
<td>Parks &amp; Amenities</td>
<td>Deliver 3 refurbished and 1 new play park in the Council area</td>
<td>Education programme includes activities for groups with health and well-being issues such as physical, mental health and learning difficulties.</td>
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<td></td>
<td>Deliver a number of community and sporting events aimed at a wide spectrum of ages including children &amp; young people</td>
<td>Play parks are still in the early planning stage</td>
</tr>
<tr>
<td>Sports Services</td>
<td>Successfully implement year 2 of the Everybody Active 2020 programme</td>
<td>EBA 2020 programme is being successfully implemented including making major inroads into surpassing the KPIs set by Sport NI.</td>
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<td>Further develop the Sports Development Training Programme for sports clubs, coaches and individuals including children &amp; young people involved in sport.</td>
<td>New Sports Development Training Programme launched in August 2017 with many new and innovative courses to support local clubs.</td>
</tr>
<tr>
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<td>Further develop the Council’s annual swimming programme to provide lessons to the schools within the LCCC area as well as the provision of public swimming lessons.</td>
<td>New Learn to Swim classes added to existing programme plus additional opportunities including Lifesaving, Baby Bubbles and Aqua Zumba.</td>
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<td>Co-ordinate a Summer Scheme Programme</td>
<td>In excess of 2500 participants availed of the Council’s Summer Scheme programme across a range of Council facilities. Participant and parental feedback has been very positive.</td>
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<td></td>
<td>Establish a new Disability Sports Hub</td>
<td>Disability Sports Hub in Lough Moss Leisure Centre has been established with a formal local launch to take place in Q3.</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>Provision of safe high quality play areas within LCCC</td>
<td>Continuing review of reportable accidents within play parks to identify trends/patterns</td>
</tr>
<tr>
<td>Performance Improvement Objective 2017/18</td>
<td>Corresponding Improvement Project</td>
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<tr>
<td>Technical &amp; Estate Services (T&amp;E)</td>
<td>Deliver high quality accessible play areas on behalf of Leisure &amp; Community Services</td>
<td>• T&amp;E’s Construction Services team designed/ procured/ project managed the delivery of 3 play areas. Currently involved in provision of next role out of play area refurbishments</td>
</tr>
<tr>
<td>Economic Development</td>
<td>Develop detailed plans for projects to take place in Hillsborough Forest Park including those aimed at children &amp; young people</td>
<td>• T&amp;E’s Construction Services involved in procurement advice for employment of Design Consultant</td>
</tr>
<tr>
<td>Planning - Local Dev Plan</td>
<td>The LDP will protect existing open space and identify new areas that may need protected for future open space provision.</td>
<td>• Procurement of a full Integrated Consultancy Team to take forward the detailed plans has been completed. The award of contract is subject to achieving security of tenure with the Forest Service, and work is ongoing in this regard. A full Green Book Economic Appraisal has been developed to inform the Council’s investment decision.</td>
</tr>
<tr>
<td>Planning – Development Management</td>
<td>Encourage the protection of open space or land zoned for open space in accordance with planning policy to include the provision of equipped children’s play areas as an integral part of developments as appropriate.</td>
<td>• The LDP Preferred Options Paper (POP) has been published and feedback has been received from a number of stakeholders. This is being considered to develop the plan strategy phase which will be open to public examination which will include a number of relevant land use zonings to protect existing and future open space.</td>
</tr>
<tr>
<td>2. We will support Economic Development through working with local businesses,</td>
<td>Economic Development</td>
<td>• During Quarter 2 Development Management has implemented the Planning policy to include a number of children’s play areas and leisure hubs throughout the council area</td>
</tr>
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<td></td>
<td>• Implement the new LCCC Tourism Development Strategy and Action Plan 2017-2021.</td>
<td>• The Tourism Development Strategy and Action Plan developed to final draft.</td>
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<td></td>
<td>• Continue to deliver Hillsborough Tourism Master Plan</td>
<td>• Work continued on the delivery of the Masterplan working in partnership with a range of stakeholders. New events and other partnership initiatives are being developed for delivery in 2018.</td>
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<tr>
<td>Performance Improvement Objective 2017/18</td>
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<td>social enterprises and their representative organisations to help identify and address issues and to capitalise on the opportunities that the coming year brings</td>
<td>• Appoint developers for new City Centre Hotel</td>
<td>• A Viability Study and Commercial Development Appraisal was completed in August 2017. This informed a Council decision in September 2017 to enter Heads of Terms negotiations with a potential developer. (Confidential)</td>
</tr>
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<td>• Deliver a Programme of Business Growth Initiatives (to include Business Mentoring, support for Sales Development, Export, Innovation, Networking events and Shared Workspace initiative)</td>
<td>• Programme of Business Growth being delivered, which includes Export (Atlanta, Poland), with new programmes being procured for Mentoring, Netherlands and Sales Development. The Shared Workspace initiative will be officially launched during Global Entrepreneurship week in 13-19 November 2017.</td>
</tr>
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<td>• Through the NI Rural Development Programme grant of up to £761,921 will be awarded to 21 rural micro and small businesses from the rural service and manufacturing sector in 2017/18.</td>
<td>• £269,457 grant awarded to 11 rural micro and small businesses from the rural service and manufacturing sector.</td>
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<td>• Deliver a Programme of events in Lisburn City Centre</td>
<td>• A further 7 events delivered between July and September in Lisburn City Centre, totalling 16 to date this financial year.</td>
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<td>• Further progress with partners the implementation of the Community Plan</td>
<td>• 98.7% compliance with target, 220 consultations responded to within timeframe.</td>
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<tr>
<td>Environmental Health</td>
<td>• Provide consultation on Planning applications from Environmental Health perspective, meeting the SLA target of 15 working days per consultation</td>
<td>• Continuing engagement through planned intervention and service requests. 133% compliance with Food Hygiene and 52% compliance with food standard interventions. 94% of service requests progressed within 3 days 4% higher than target.</td>
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<td>• Promote and assist new and existing businesses within all sectors of the community</td>
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<tr>
<td>Technical &amp; Estate Services</td>
<td>Strive to deliver good quality recyclates that will provide opportunity for local business.</td>
<td>Kerbside Collection Service review project commenced. The review will consider the collection methodology employed to collect the waste produced within the Council area. To ensure an efficient service, good quality recyclates, increased capture of targeted materials, increase diversity of materials collected and maximise diversion from landfill. A collaborative partnership with Wrap commenced in May 2017. A study visit by officers and Elected Members to Wales exploring best practice in May 2017. Resource Futures were employed to carry out an appraisal on collection options. An Elected Members Work shop was held in July 2017 were options were considered. First stage draft options baseline report completed September 2017. Public Focus Group completed on 3 October 2017 to discuss acceptable collection options. Feedback incorporated and informed Options Appraisal. Draft Options Appraisal completed and currently being reviewed by Officers. To be presented to CMT 20 November. Green Book Financial Appraisal/Business Case to be completed in mid-December for presentation to ESC in Mid January 2018.</td>
</tr>
<tr>
<td>Arts &amp; Community Services</td>
<td>Successfully develop and implement the Community Centre Development Plans including working to support local social economy businesses</td>
<td>Community Centre Development Plans agreed through Council and currently being implemented.</td>
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<tr>
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<td>Successfully deliver the community services training calendar &amp; bursary programmes</td>
<td>Apr – Jun Community Training Calendar successfully delivered providing 10 courses to 134 participants with a 99% satisfaction rating and 98% benefit rating.</td>
</tr>
<tr>
<td></td>
<td>Develop and implement an artist in residence programme within the Arts Centre</td>
<td>Qrt2 – Community Development Bursary scheme delivered to 3 community leaders to complete community development related further education studies.</td>
</tr>
<tr>
<td>Parks &amp; Amenities</td>
<td>Create 24 hr. access to Comber Greenway at Billy Neill Soccer Centre of Excellence</td>
<td>Works successfully completed at the Billy Neill Halt to give 24 hr access to the Comber Greenway and the facility.</td>
</tr>
<tr>
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</table>
| **Sports Services**                      | • Continue to deliver the annual Business Games in partnership with the Public Health Agency and Economic Development.  
• Continue to provide 2 regional visitor attractions and a sports event programme to contribute to the tourism and economy of the council area. | • Programme of events in planning stage for quarters 3 and 4  
• Both Lagan Valley LeisurePlex and Dundonald International Ice Bowl continue to attract large numbers of visitors to the Council area. Major events have will continue to attract visitors to stay overnight in the Council area |
| **Planning - Local Development Plan (LDP)** | • The LDP will support a thriving and diverse economy by providing a range of employment land, facilitating the creation of new jobs which will accommodate population growth. | • The LDP Preferred Options Paper (POP) has been published and feedback has been received from a number of stakeholders. This is being considered to develop the plan strategy phase which will be open to public examination which will include a number of relevant land use zonings to support employment and the creation of new jobs. |
| **Planning – Development Management**    | • Adopt a positive and constructive approach to determining applications for appropriate sustainable economic developments thereby supporting the provision of jobs, services and economic growth.  
• Deliver planning in partnership with key stakeholders and by way of service integration in order to meet the needs of the community and economy. | • During Quarter 2 Development Management has determined in excess of 300 planning applications which is supporting place shaping, sustainability and economic growth and job creation.  
• During the period of Quarter 2 there has been key stakeholder meetings through the Pre Application Discussion (PAD) process. This process affords the opportunity for key stakeholders to meet with the statutory consultees and discuss the greater impact of the major applications that support inwards investment.  
• The Planning Unit has been developing a set of internal Key Performance Indicators to measure their performance, in addition to this improvements have been made to the unit’s processes to aid efficiency and effectiveness. |
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<tbody>
<tr>
<td>Corporate Services – MCU</td>
<td>• Ensure the necessary communication plans are in place to support departmental activity</td>
<td>• Departmental Marketing Plans developed for individual Unit initiatives including Food Recycling, MIPIM, Youth Council recruitment and launch and ongoing associated marketing support.</td>
</tr>
</tbody>
</table>
| 3. We will promote safe healthy communities and active lifestyles, well-being and independence of people and communities. | Arts & Community Services | • Currently in planning stages.  
• Qrt 2 – Tides training appointed to deliver mediation training to 9 individuals and planning has commenced for the development of a Lisburn & Castlereagh Mediation Network.  
• Arts Courses: 18 Courses & workshops delivered for 174 participants with an overall benefit & satisfaction rating of 94.7%  
- Arts Education: 8 workshops delivered for 185 participants with an overall benefit & satisfaction rating of 94.7%  
| Parks & Amenities | • Create 24 hr. access to Comber Greenway at Billy Neill Soccer Centre of Excellence  
• Deliver 3 refurbished and 1 new play park in the Council area  
• Deliver a refurbished changing pavilion at the Queen Elizabeth II playing fields  
• Provide an outdoor event and performance space in Moat Park  
• Through the C-SAW project promote a variety of programmes to address social isolation, encourage physical activity in the elderly, disabled and vulnerable in the community | • Works successfully completed at the Billy Neill Halt to give 24 hr access to the Comber Greenway and the facility.  
• Play parks are still in the early planning stage  
• QE11 pavilion handed over successfully  
• Works successfully completed at Moat Park to create a public event space. Plans in motion now for a launch event.  
• CSAW projects continue to deliver as planned |
<p>| Sports Services | • Successfully implement year 2 of the Everybody Active 2020 programme | • EBA 2020 Programme is being successfully implemented including making major inroads into surpassing the KPIs set by Sport NI. |</p>
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|                                          | **Implement Lisburn & Castlereagh Health Enhancing Physical Activity Action Plan 2016-2019**  
**Continue to deliver the Sports Development Training Programme for sports clubs, coaches and individuals involved in sport.**  
**Continue to deliver the Healthwise / Cardiac Rehab programme in all relevant Council sports facilities**  
**Provide a Cancer Intervention & Rehabilitation Programme** |  
**Action plan progressing in partnership with statutory, community and voluntary partners**  
**New Sports Development Training Programme launched in August 2017 with many new and innovative courses to support local clubs.**  
**Healthwise and Cardiac Rehab programme continue to surpass the KPI’s set by local Trust**  
**Macmillan Move More Coordinator appointed in quarter 1 followed by successful initiation of programme** |
|                                          | **Environmental Health**  
**Protect children under eighteen years from exposure to purchasing, sunbed sessions, tobacco products and solvents from retailers or vending machines** |  
**Continuing programme of exposure/test purchase - Annual target.** |
|                                          | **Technical & Estate Services**  
**Deliver high quality accessible play areas and sports facilities on behalf of Leisure & Community Services** |  
**See objective 1 above. T&E Construction Services team designed/procured/project managed the delivery of Seymour hill MUGA Project out to Tender, Moat Park Performance Space completed.** |
|                                          | **Planning - Local Dev Plan**  
**The LDP will promote active travel and increased opportunities for sustainable walking, cycling and public transport.** |  
**The LDP Preferred Options Paper (POP) has been published and feedback has been received from a number of stakeholders. This is being considered to develop the plan strategy phase which will be open to public examination and will promote active travel and increased opportunities for sustainable walking, cycling and public transport.** |
|                                          | **Economic Development**  
**Deliver the Invest in Health, Profit in Business Initiative** |  
**A Programme of initiatives has been developed which includes a Small Grants Scheme, 2 Health Fairs, a Business Workshop, and other Sports Development initiatives.** |
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<tr>
<td>Corporate Services - Police &amp; Community Safety Partnership</td>
<td>PCSP will continue to work collaboratively with stakeholders and partners to provide community safety events and programme throughout the coming year</td>
<td>• Fear of Crime, Anti-burglary Campaign, Public Meetings, Road Safety Events, Business &amp; Retail Crime, Hate Crime, Anti-Social Behaviour, Neighbourhood Watch Events</td>
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<td></td>
<td>Small Projects Support Programme to promote safe, inclusive communities working in partnership with various stakeholders</td>
<td>• Targeted intervention through Dreamscheme in Castlereagh and 4 themed projects in identified ‘hotspot’ areas</td>
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<td></td>
<td>Implementation of 4 tier home security scheme for victims of crime and vulnerable groups</td>
<td>• 71 referrals for 4 tier and 102 security packs issued</td>
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<tr>
<td>Corporate Services – MCU</td>
<td>Ensure the necessary communication plans are in place to support departmental activity</td>
<td>• Summer Crime Prevention Initiatives</td>
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<td></td>
<td>Further develop the Council’s Digital Communications Platform</td>
<td>• Bike Marking scheme</td>
</tr>
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</table>

**4. We will create an attractive place to live work and visit and preserve the natural environment for the future.**

| Parks & Amenities                          | The Council will be entering the Ulster in Bloom, Britain in Bloom and the NI Amenities Council’s Awards for the following towns and villages in the LCCC area; Lisburn, Dundonald, Carryduff, Moira, Dromara and Hillsborough | • Ulster in Bloom (Winner of Large Village category in Hillsborough and 3rd place for Moira in Small Town category); NI Amenity Council (President’s Award for carpet bed in Hillsborough and Runner up in Moira); Britain in Bloom (Gold in Champion of Champions Category) |
|                                          | Complete and roll out the Local Biodiversity Action Plan | • LBAP in draft and progressing |
|                                          | Create a 1km walkway around the lake in Billy Neill Soccer Centre of Excellence | • Successful delivery of the pathway around the lake at Billy Neill |

<p>| Arts &amp; Community Services                 | Enhanced the “Tree of Dreams” public art installation at Lagan Valley Island | • Currently in planning stages. |
|                                          |                                      | • Qrt 2 - Groups recruited to work alongside an artist to re-develop the tree under the theme of ‘the power of words’ |</p>
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| **Environmental Health**                | • Develop a model of litter and dog fouling control and monitoring focusing on hot spots in the Council area  
   • Progress the Orders from the Clean Neighbourhood and Environment Act, specifically the Dogs by Land Order  
   • Under the Clean Neighbourhood and Environment Act, progress the graffiti scheme, which aims to address both offensive and detrimental graffiti. | • Services delivered and tailored based on need, implementation of overt CCTV to investigate environmental crime.  
   • Fouling of Land by Dogs Order enacted. Additional draft dogs orders produced and to be tabled at CMT for consideration.  
   • Continuation of pilot to address graffiti. |
| **Technical & Estate Services**          | • Support and encourage community groups, schools, organisations and stakeholders to take responsibility for their environment and adopt sustainable waste management practices  
   • Work in partnership with Economic Development to deliver high quality Public Realm improvements. | • 9 Community education talks, 2 School education talks and 4 arc21 Waste Education Vehicle visits to schools and Community undertaken, 11 community clean-ups facilitate by equipment loans.  
   • HoS T&E participates as a member of the Lisburn Linkages Public Realm Project Board. Consultant appointed, completed design, PQQ Tender stage and is progressing the ITT Tendering stage. Ongoing work with Utilities to complete pre-contract works to enable commencement of Contractor employment. Assisting with performance monitoring advice of Consultant  
   • Draft Estate Strategy produced for Council consideration. Space Planning project report to ensure staff accommodation at LVI delivered. Further option being considered. Consultant has produced draft option floor plans which have been reviewed by steering group and being updated. |
<p>| <strong>Technical &amp; Estate Services/ Operational Service</strong> | • Review the Councils waste collection service and introduce sustainable kerbside collection services to promote increased recycling and landfill diversion levels | • Waste Collection Service review see objective 2 above |</p>
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<tr>
<td>Planning - Local Dev Plan</td>
<td>The LDP will support Good Design and Quality Places – Good design can transform communities and create attractive places to live, work and invest. Creating quality places through an improved urban environment within the key settlements can ensure ‘place-making’ is central to decision making. Promoting and protecting the rich variety of built heritage assets across the Council area recognises the importance of integrating the old with the new. The LDP will also protect and promote the natural environment with the appropriate designation of AOHSVs, LLPAs and the protection of the Council’s key assets such as the Lagan Valley Regional Park.</td>
<td>The LDP Preferred Options Paper (POP) has been published and feedback has been received from a number of stakeholders. This is being considered to develop the plan strategy phase which will be open to public examination and will support Good Design and Quality Places</td>
</tr>
<tr>
<td>Planning – Development Management</td>
<td>Secure the orderly and consistent development of land with the objective of furthering sustainable development and improving well-being.</td>
<td>During Quarter 2 Development Management has determined in excess of 300 planning applications which is supporting place shaping, sustainability and economic growth and job creation.</td>
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<td></td>
<td>Deliver planning in partnership with key stakeholders and by way of service integration in order to meet the needs of the community and economy.</td>
<td>During the period of Quarter 2 there has been key stakeholder meetings through the Pre Application Discussion (PAD) process. This process affords the opportunity for key stakeholders to meet with the statutory consultees and discuss the greater impact of the major applications that support inwards investment.</td>
</tr>
<tr>
<td></td>
<td>Develop good service delivery and performance management systems and process improvements that provide for a planning system that is responsive to the priorities and needs of local people and inward investors.</td>
<td>The Planning Unit has been developing a set of internal Key Performance Indicators to measure their performance, in addition to this improvements have been made to the unit’s processes to aid efficiency and effectiveness.</td>
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<tr>
<td>Building Control</td>
<td><strong>Engage with all relevant stakeholders to promote and enforce the Building Regulations as the minimum standard for new construction projects and alterations to existing properties.</strong>&lt;br&gt;<strong>Administer and enforce the Energy Performance of Buildings legislation and assist in the education of the benefits of energy conservation.</strong>&lt;br&gt;<strong>Administer and provide the Councils contribution to the Affordable Warmth Scheme to improve the health and wellbeing of our most vulnerable citizens. Reduce greenhouse gas in line with the Programme for Government.</strong></td>
<td><strong>Specific Measures/Targets to Meet 2017/18</strong>&lt;br&gt;a. Achieve 87% compliance with DOE BC1 – BC3.&lt;br&gt;<strong>Quarter 2 Performance, 2017/18</strong>&lt;br&gt;BC1 = 81%&lt;br&gt;BC2 = 84%&lt;br&gt;BC3 = 86%&lt;br&gt;b. Achieve a target 85% customer satisfaction level measured by 2 No. stakeholder group surveys.&lt;br&gt;<strong>Customer Group: Estate Agents</strong>&lt;br&gt;An Estate Agent Customer Forum was held on 2 August to update this customer group on EPB Regulations&lt;br&gt;A satisfaction survey identified that 100% of this customer group was satisfied with the Blg Ctl Service and 90% of those were very satisfied&lt;br&gt;<strong>Customer Group: Conveyancing Solicitors</strong>&lt;br&gt;A Solicitor forum is to be programmed during Quarter 3&lt;br&gt;c. Progress CSE Quality Model application.&lt;br&gt;<strong>No further progress to report from previous evidence building towards the self-assessment process</strong>&lt;br&gt;Monitor, review and report levels of legislative compliance to DFPNI by actively visiting estate agents, landlord representatives, commercial property and public buildings&lt;br&gt;<strong>Specific Measures/Targets to Meet 2017/18</strong>&lt;br&gt;&lt;br&gt;<strong>Quarter 2 Performance, 2017/18</strong>&lt;br&gt;a. 70% Estate Agent EPC compliance rate&lt;br&gt;62% compliance rate at first visit, 100% compliance achieved following N1 letter issues&lt;br&gt;b. 75% DEC Compliance rate&lt;br&gt;97% compliance rate</td>
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<tr>
<td>Economic Development</td>
<td>• Deliver a Programme of Inward Investment activity</td>
<td>Record and report monthly visits and referrals to NIHE as matched against DSD performance targets.</td>
</tr>
<tr>
<td></td>
<td>• Deliver Lisburn Linkages Public Realm Scheme</td>
<td><strong>Quarter 2 Performance, 2017/18</strong></td>
</tr>
<tr>
<td></td>
<td>• Develop detailed plans for Hillsborough Public Realm Scheme</td>
<td>a. Referral figures reported to Elected Members through monthly Committee Report.</td>
</tr>
<tr>
<td>Corporate Services – MCU</td>
<td>• Ensure the necessary communication plans are in place to support departmental activity</td>
<td>DfC Requested referrals = 120nr</td>
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<td>Referrals made = 72nr</td>
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<td><strong>60% Target achieved.</strong></td>
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<td>• LCCC exhibiting at MIPIM UK 18&lt;sup&gt;th&lt;/sup&gt; – 19&lt;sup&gt;th&lt;/sup&gt; October 2017. Ongoing discussions with potential investors and developers. PR Plan developed which promotes the City as a strategic investment location with regular features issued in press and key publications. Monthly programme of business engagement visit being developed.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Utilities works continued in the City Centre in advance of the tendering of the contractor for the Linkages Public Realm Scheme, due to be carried out in early 2018.</td>
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<td>• Road Safety Audit progressed to inform detailed designs which will be finalised by December 2017.</td>
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<td>• Individual Marketing Plans developed for departmental initiatives e.g. Youth Council, MIPIM, Go For It, Food Waste Promotion, Fairtrade. Existing Communications Strategy revised and updated as an interim measure as instructed by CMT, this will be further developed in line with the new Corporate Plan. MCU Head of Service have fully participated in the corporate Planning process.</td>
</tr>
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<tr>
<td>5. We will promote and encourage inclusivity through the introduction of appropriate plans and strategies to ensure that LCCC meet the needs of different groups within the community</td>
<td>Further develop the Council’s Digital Communications Platform</td>
<td>Rationalisation of the Council’s Social Media platforms took place during this quarter.</td>
</tr>
<tr>
<td>Parks &amp; Amenities</td>
<td>Through the C-SAW project promote a variety of programmes to address social isolation, encourage physical activity in the elderly, disabled and vulnerable in the community</td>
<td>CSAW projects continue to deliver as planned</td>
</tr>
<tr>
<td>Arts &amp; Community Services</td>
<td>Deliver bespoke community development support services to develop the community &amp; voluntary sector across the Council area</td>
<td>Community Development support delivered as planned across the sector.</td>
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<td>Deliver against the Good Relations &amp; Peace IV actions, as agreed with the Executive Office &amp; SEUPB</td>
<td>Good Relations funding successful secured from the TEO</td>
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<td>Deliver an Arts events programme</td>
<td>Peace IV funding successfully secured.</td>
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<td>Implement the annual Mayors Community Awards</td>
<td>Arts Season programme successfully delivered for 16,950 beneficiaries.</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>Promote and assist new and existing businesses within all sectors of the community</td>
<td>Continuing engagement through planned intervention and service requests. 40% compliance with Food Hygiene and 56% compliance with food standard interventions due to staff absences relating to maternity and illness and inability to recruit replacement staff. 85% of service requests progressed within 3 days 5% lower than target.</td>
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<tr>
<td></td>
<td>Safeguarding</td>
<td>100% compliance with safeguarding referrals.</td>
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<td></td>
<td>Tailored support to minority businesses</td>
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<tr>
<td>Technical Services</td>
<td>Increase waste education, awareness and understanding to promote recycling and sustainable waste management practices</td>
<td>See objective 4 above re Community &amp; School Education visits.</td>
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<td>• Develop the communication strategy across all areas of the Council to best meet the needs of all with whom we engage with</td>
<td>• Waste Communication Strategy in place. Promotional literature designed, published and distributed. Comms campaign underway using various methods inc. vehicle information boards, billboards, The Press, Cinema information trailers, City Wide publication, Council Web site, development and launch of the L&amp;CCC Bin FORMATION App. Food Waste contamination policy fully implemented inc. Comms. Work towards full implementation of mixed dry recycling contamination policy implementation.</td>
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<td></td>
<td>• Operationally deliver a waste collection service as per the Council’s Waste Management Plan</td>
<td>• OSU continue to work with Waste Management in developing service options as part of recycling gap study. Crews carry out visual checks of bins for contamination and sticker where appropriate.</td>
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<td></td>
<td>• Deliver a street cleansing service as per the Litter Order</td>
<td>• Daily, weekly &amp; monthly schedules for sweeping and litter picking operations. Chapter 8 Street works training is ongoing. Will enable greater compliance with the LO.</td>
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<tr>
<td></td>
<td>• Provide a bulky waste collection service</td>
<td>• Bulky waste service is scheduled for 6 collections over 5 days. Approximately 2040 collections made July–September 2017.</td>
</tr>
<tr>
<td>Operational Services</td>
<td>Sports Services</td>
<td>• EBA 2020 Programme is being successfully implemented including making major inroads into surpassing the KPIs set by Sport NI</td>
</tr>
<tr>
<td></td>
<td>• Successfully implement year 2 of the Everybody Active 2020 programme</td>
<td>• Action plan progressing in partnership with statutory, community and voluntary partners</td>
</tr>
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<td></td>
<td>• Implement Lisburn &amp; Castlereagh Health Enhancing Physical Activity Action Plan 2016-2019</td>
<td>• Healthwise and Cardiac Rehab programme continue to surpass the KPI’s set by local Trust</td>
</tr>
<tr>
<td></td>
<td>• Continue to deliver the Healthwise / Cardiac Rehab programme in all relevant Council sports facilities</td>
<td>• Macmillan Move More Coordinator appointed in quarter 1 followed by successful initiation of Programme.</td>
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<td>• Provide a Cancer Intervention &amp; Rehabilitation Programme</td>
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<tr>
<td>Planning - Local Dev Plan</td>
<td>The Council published a Statement of Community Involvement (SCI) in April 2016 which sets out who, how and when the community will be invited to participate in the different stages of the LDP process. It is aimed at ensuring that:</td>
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<td>• Everyone has an early and informed opportunity to express their views on the development of the area and have them considered before decisions are made; and</td>
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<td>• All groups within our community, regardless of religious belief, political opinion, racial group, sex, age, marital status, people with a disability and people without, sexual orientation and those with or without dependants are enabled and empowered to participate in the LDP process.</td>
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<tr>
<td>Corporate Services – Policing &amp; Community Safety Partnership</td>
<td>PCSP will provide opportunities for active community engagement for local communities on policing and community safety issues</td>
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<tr>
<td>Corporate Services – MCU</td>
<td>Develop a Corporate Communications Strategy to support the aims and objectives of the Corporate Plan</td>
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<td>• The LDP Preferred Options Paper (POP) was launched on 31st March for an 8 week consultation period. This has been published and feedback has been received from a number of stakeholders. This is being considered to develop the plan strategy phase which will be open to public examination</td>
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<td>• Public engagement in respect of internet safety, road safety and fear of crime</td>
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<td>• Represented at 4 local interagency meetings across the district</td>
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<td>• Actively involved in establishment of Youth Council</td>
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<td>• 2 meetings of the South Eastern Drugs and Alcohol Forum</td>
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<td>• 2 CPLC meetings</td>
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<td></td>
<td>• Establishment of 3 new Neighbourhood Watch Schemes</td>
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<td>• 8 True Call devices installed</td>
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<td>• Funding of Lisburn SAFE</td>
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<td>• Funding for ‘Dreamscheme’ in Castlereagh area</td>
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<td></td>
<td>• Funding for 4 projects in ‘hotspot’ areas to address anti-social behaviour</td>
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|                                          | • Existing Communications Strategy revised and updated as an interim measure as instructed by CMT, this will be further developed in line with the new Corporate Plan. MCU Head of
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|                                          | • Ensure the necessary communication plans are in place to support departmental activity  
• Further develop the Council’s Digital Communications Platform | Service have fully participated in the corporate Planning process.  
• Individual Marketing Plans developed for departmental initiatives e.g. Youth Council, MIPIM, Go For It, Food Waste Promotion, Fairtrade.  
• Rationalisation of the Council’s Social Media platforms took place during this quarter. |
## Programme Compliance For Category A & B Premises

<table>
<thead>
<tr>
<th>Component</th>
<th>Target</th>
<th>Actual</th>
</tr>
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<tbody>
<tr>
<td>Multiple Inspections</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Environmental Health</td>
<td>100%</td>
<td>100%</td>
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### Environmental Health

**Food Hygiene Legislation**

- **Programme Compliance For Category A & B Premises**
  - Target: 100% for Category A and 100% for Category B
  - Actual: 100% for Category A and 40% for Category B

  - 
    - (1) Three Inspections Planned within the Quarter - 1 Category "A" and 2 Category "B". Four Inspections completed - 0 Category "A" and 4 Category "B" (2 planned for the Quarter and 2 carried forward from a previous Quarter).
    - (2) Five Inspections Planned within the Quarter - 0 Category "A" and 5 Category "B". Two Inspections completed - 0 Category "A" and 2 Category "B".

**Food hygene rating (APSE tbc)**

- Target: 70
- Actual: 137

  - (1) Total number of premises FHRS rated in Quarter 1 = 118. Of the 118 inspections, 113 were deemed to be broadly compliant (96%).
    - 82.6 inspections required to achieve target - percentage compliant in relation to target of ≥70% = 137%.
    - Total number of premises FHRS rated in Quarter 2 = 76. Of the 76 inspections, 74 were deemed to be broadly compliant (97%).

**Food Standards Legislation**

- **Programme Compliance For Category A & B Premises**
  - Target: 100% for Category A and 100% for Category B
  - Actual: 52% for Category A and 56% for Category B

### Grounds Maintenance

<table>
<thead>
<tr>
<th>Component</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Customer Care Enquiries</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Residents Satisfaction</td>
<td>85%</td>
<td>100%</td>
</tr>
</tbody>
</table>

### Chief Executives Office

**Absence**

- Target: 11 for Rolling Year Absence and 3 for Actual Absence for quarter
- Actual: 0.5 for Rolling Year Absence and 0 for Actual Absence for quarter
## Quarter 2 KPI Report

### Inspection of licensed premises

- **Inspect licensed premises at least once per year**
  - **Target:** Yes
  - **Actual:** No

### Service requests to service requests

- **Service requests responded to within 3 working days of request**
  - **Target:** 90, 90, 90, 90
  - **Actual:** 94, 85, (*)

### Average time in working days taken to respond to service request

- **Target:** 3, 3, 3, 3
  - **Actual:** 2.21, 2.25, (*)

### Dog control response time

- **Dog attacks responded to within 1 working day of notification of attack**
  - **Target:** 100, 100
  - **Actual:** 96, 97, (*)

### Issue of Standard Correspondence

- **Correspondence issued within 10 working days of premises intervention.**
  - **Target:** 90%, 90%, 90%, 90%
  - **Actual:** 100%, 92%, (*)

### Issue of Environmental Health Notices

- **Issue of Environmental Health Notices**
  - **Target:** 100%, 100%, 100%, 100%
  - **Actual:** 95%, 96%, (*)

### Issue of Environmental Health Notices

- **Issue of Statutory notices issued within 7 working days of intervention.**
  - **Target:** 100, 100, 100, 100

---

(1) Twenty one Inspections Planned within the Quarter - 2 Category "A" and 19 Category "B". Eleven Inspections completed - 0 Category "A" and 11 Category "B" (all 11 inspections completed were planned within the Quarter).

(2) Sixteen Inspections Planned within the Quarter - 0 Category "A" and 16 Category "B". Nine Inspections completed - 0 Category "A" and 9 Category "B".

---

(1) Total number of Service Requests received = 1521. Service requests with no response date recorded = 11. 1359 service requests to be responded to within 3 working days to achieve target - percentage compliant in relation to target of >=90%, 1275 service requests responded to within 3 days = 94%.

(2) Total number of Service Requests received = 1494. Service requests with no response date recorded = 2. 1267 service requests responded to within 3 working days (85%).

---

(1) Total number of Service Requests received = 1521. Service requests with no response date recorded = 11. 1359 service requests to be responded to within 3 working days to achieve target - percentage compliant in relation to target of >=90%, 1275 service requests responded to within 3 days = 94%.

(2) Total number of Service Requests received = 1494. Service requests with no response date recorded = 2. 1267 service requests responded to within 3 working days (85%).

---

(1) Total Dog attack Notifications received = 25. 24 Complaints responded to within 1 working day.

(2) Total Dog attack Notifications received = 39. 38 Complaints responded to within 1 working day.

---

Total number of Service Requests received = 1521. Service requests with no response date recorded = 11. 1359 service requests to be responded to within 3 working days to achieve target - percentage compliant in relation to target of >=90%, 1275 service requests responded to within 3 days = 94%.

Total number of Service Requests received = 1494. Service requests with no response date recorded = 2. 1267 service requests responded to within 3 working days (85%).

---

Total number of Service Requests received = 1521. Service requests with no response date recorded = 11. 1359 service requests to be responded to within 3 working days to achieve target - percentage compliant in relation to target of >=90%, 1275 service requests responded to within 3 days = 94%.

Total number of Service Requests received = 1494. Service requests with no response date recorded = 2. 1267 service requests responded to within 3 working days (85%).
<table>
<thead>
<tr>
<th>KPI</th>
<th>Target</th>
<th>Actual</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>57</td>
<td>Absence</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rolling Year Absence</td>
<td>11</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>Actual Absence for quarter</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>101</td>
<td>Planning Consultation</td>
<td>100</td>
<td>98.7</td>
</tr>
<tr>
<td></td>
<td>Environmental Health</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>% of general planning consultations responded to within 21 days of receipt by Environmental Health</td>
<td>100</td>
<td>98.7</td>
</tr>
<tr>
<td></td>
<td>Actual</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>102</td>
<td>Health &amp; Safety Response times to Corporate Health &amp; Safety requests</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Within 3 working days</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Actual</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>103</td>
<td>SAG Event notification</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>% of SAG event notification risk assessed through matrix</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Within 3 working days</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Actual</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>104</td>
<td>Safeguarding Referrals of safeguarding issues to statutory agencies</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td>Within 1 working day</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Actual</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>105</td>
<td>Health &amp; Well-being (tbc) Interventions &amp; activities</td>
<td>90</td>
<td></td>
</tr>
</tbody>
</table>
### Quarter 2 KPI Report

<table>
<thead>
<tr>
<th>Target:</th>
<th>Actual:</th>
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<tbody>
<tr>
<td></td>
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<tr>
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<tr>
<td>18.580</td>
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<tr>
<td>8%</td>
<td></td>
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<tr>
<td>2%</td>
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</tr>
<tr>
<td>99</td>
<td>99.7</td>
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<td>11</td>
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<td>15.5</td>
<td>24</td>
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<tr>
<td>3</td>
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<td>7.5</td>
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<td>11</td>
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<tr>
<td>25</td>
<td>22.5</td>
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<td>5</td>
<td>6.5</td>
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<tr>
<td>11</td>
<td>11</td>
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<tr>
<td>41.11</td>
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<td>95%</td>
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<td>95%</td>
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</tr>
</tbody>
</table>

### Technical Services

#### Landfill

The amount (Tonnage) of biodegradable Local Authority Collected Municipal Waste that is landfilled.

<table>
<thead>
<tr>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td>18.580</td>
<td></td>
</tr>
</tbody>
</table>

#### Contract Management Costs

Contract management costs as a % of Contract Cost.

<table>
<thead>
<tr>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td>8%</td>
<td></td>
</tr>
</tbody>
</table>

#### Energy Consumption

Reduction of energy consumption on 2015/2016.

<table>
<thead>
<tr>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2%</td>
<td></td>
</tr>
</tbody>
</table>

### Operational Services

#### Absence

The average number of working days lost due to absences reduced.

<table>
<thead>
<tr>
<th>Rolling Year Absence</th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>11</td>
<td>15.5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Actual Absence for quarter</th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3</td>
<td>7.5</td>
</tr>
</tbody>
</table>

### Waste Collection

#### Municipal Waste Collection

Net cost of municipal waste collection per head of population.

<table>
<thead>
<tr>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td>41.11</td>
<td></td>
</tr>
</tbody>
</table>

### Service Requests

Service requests responded to / resolved within 2 days

<table>
<thead>
<tr>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>%</td>
</tr>
</tbody>
</table>

### Street Cleansing

Subject 70 premises for planned intervention to protect children under 18 from age restricted activities.

<table>
<thead>
<tr>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td>90</td>
<td></td>
</tr>
</tbody>
</table>
### Quarter 2 KPI Report

<table>
<thead>
<tr>
<th>KPI</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>67 Service Requests</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage of service requests responded to / resolved within 72 hours</td>
<td>Target: 80% Actual: %</td>
<td>Target: 80% Actual: %</td>
</tr>
<tr>
<td></td>
<td>(1) April - 9 Vehicles scheduled and 9 Passed First Time</td>
<td>(2) 8 Vehicles scheduled and 7 passed - 1 failed (successful on 2nd attempt).</td>
</tr>
<tr>
<td></td>
<td>(5) August 17 - 5 Vehicles tested and 5 Passed</td>
<td>(6) September 17 - 10 Vehicles tested (9 passed and 1 Failed)</td>
</tr>
<tr>
<td><strong>68 Roads Swept</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Linear kilometers of roads swept / annum (based on geographic area of adopted road surfaces)</td>
<td>Target: 1020 Actual:</td>
<td></td>
</tr>
<tr>
<td><strong>Fleet</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>70 DVA First Time Pass</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percentage first time pass rate at DVA annual test centres</td>
<td>Target: 90% Actual: 100%</td>
<td>Target: 87.5% Actual: 100%</td>
</tr>
<tr>
<td></td>
<td>(1)</td>
<td>(2)</td>
</tr>
<tr>
<td></td>
<td>April - 9 Vehicles scheduled and 9 Passed First Time</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(2) 8 Vehicles scheduled and 7 passed - 1 failed (successful on 2nd attempt).</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(3) 10 Vehicles scheduled and 10 passed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(4) July 2017 - 9 Vehicles tested and 9 Passed.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(5) August 17 - 5 Vehicles tested and 5 Passed</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(6) September 17 - 10 Vehicles tested (9 passed and 1 Failed)</td>
<td></td>
</tr>
<tr>
<td><strong>71 Vehicle Inspections</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of vehicle inspections completed</td>
<td>Target: 694 Actual:</td>
<td></td>
</tr>
<tr>
<td><strong>Central Support Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>1 Net Income</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ensure net income is in equilibrium with expenditure for Lagan Valley Island</td>
<td>Target: Yes Actual: Yes</td>
<td>Target: Yes Actual: Yes</td>
</tr>
<tr>
<td></td>
<td>Within Budget</td>
<td></td>
</tr>
<tr>
<td><strong>2 Compliance</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ensure all statutory services comply with legislative requirements</td>
<td>Target: Yes Actual: Yes</td>
<td>Target: Yes Actual: Yes</td>
</tr>
<tr>
<td></td>
<td>Council committee services.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Registration</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Citizenship</td>
<td></td>
</tr>
<tr>
<td></td>
<td>PCSP</td>
<td></td>
</tr>
<tr>
<td><strong>3 Customer Satisfaction</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Deliver services in a way which maximises Customer Satisfaction Baseline 75%</td>
<td>Target: 75% Actual: 93%</td>
<td>Target: 75% Actual: 92%</td>
</tr>
<tr>
<td></td>
<td>Customer Satisfaction Baseline</td>
<td></td>
</tr>
<tr>
<td><strong>4 Absence</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The average number of working days lost due to absences reduced</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rolling Year Absence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target:</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Actual:</td>
<td>8.5</td>
<td>7</td>
</tr>
<tr>
<td>Actual Absence for quarter</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target:</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Actual:</td>
<td>2.5</td>
<td>1.5</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Finance and IT</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 Prompt Payment</td>
</tr>
<tr>
<td>Prompt Payment Indicators – Retain % supplier invoices paid within 30 Days</td>
</tr>
<tr>
<td>Target:</td>
</tr>
<tr>
<td>Actual:</td>
</tr>
<tr>
<td>(1) All new suppliers bank accounts details were independently checked</td>
</tr>
<tr>
<td>(2) Change of Grafton Rates @ 1 April 17</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Debtor Days – Average Number of Days to recover debts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target:</td>
</tr>
<tr>
<td>Actual:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bank Reconciliation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Days to complete bank Reconciliation</td>
</tr>
<tr>
<td>Target:</td>
</tr>
<tr>
<td>Actual:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>IT Downtime</th>
</tr>
</thead>
<tbody>
<tr>
<td>IT – Downtime to be minimised</td>
</tr>
<tr>
<td>Planned Downtime</td>
</tr>
<tr>
<td>Target:</td>
</tr>
<tr>
<td>Actual:</td>
</tr>
<tr>
<td>(1) Sent 19 July 2017 12:00</td>
</tr>
<tr>
<td>(2) From: FINNEY, Michael</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>User Satisfaction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve IT user Satisfaction</td>
</tr>
<tr>
<td>Survey Carried Out</td>
</tr>
<tr>
<td>Target:</td>
</tr>
<tr>
<td>Actual:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Absence</th>
</tr>
</thead>
<tbody>
<tr>
<td>The average number of working days lost due to absences reduced</td>
</tr>
<tr>
<td>Rolling Year Absence</td>
</tr>
<tr>
<td>Target:</td>
</tr>
<tr>
<td>Actual:</td>
</tr>
<tr>
<td>Actual Absence for quarter</td>
</tr>
<tr>
<td>Target:</td>
</tr>
<tr>
<td>Actual:</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Human Resources and Organisational Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 Investors in People</td>
</tr>
<tr>
<td>Obtain IIP Silver Accreditation</td>
</tr>
<tr>
<td>Achieve IIP Silver by 31 Dec 17</td>
</tr>
<tr>
<td>Target:</td>
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<tr>
<td>Actual:</td>
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<td>(1) IIP Silver Achieved July 2017</td>
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<table>
<thead>
<tr>
<th>Headcount</th>
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</thead>
<tbody>
<tr>
<td>Employee headcount monitored in accordance with agreed structures</td>
</tr>
<tr>
<td>No more than final agreed headcount</td>
</tr>
<tr>
<td>Target:</td>
</tr>
</tbody>
</table>

From: FINNEY, Michael
Sent: 19 July 2017 12:00

---

**Quarter 2 KPI Report**

**Actual Absence for quarter**

| Target: | 3  | 3  | 3  | 2 |
| Actual: | 2.5 | 1.5|  |
### Quarter 2 KPI Report

#### 13 Absence
The average number of working days lost due to absences reduced

<table>
<thead>
<tr>
<th>Rolling Year Absence</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>11</td>
<td>11</td>
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<td>11</td>
</tr>
<tr>
<td></td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Actual Absence for quarter</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Actual:</td>
<td>1.5</td>
<td>1.5</td>
</tr>
</tbody>
</table>

#### 14 Employee Training
Number of hours of off the job training per employee

<table>
<thead>
<tr>
<th>Number of Hours</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>Actual:</td>
<td>2.78</td>
<td>4.7</td>
</tr>
<tr>
<td>(1) 4.7 hours per employee</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### 15 Elected Member Training
Total number of hours of training per elected member

<table>
<thead>
<tr>
<th>Number of Hours</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0.9</td>
<td>1.2</td>
</tr>
<tr>
<td></td>
<td>2.5</td>
<td>3</td>
</tr>
<tr>
<td>Actual:</td>
<td>1.2</td>
<td>3</td>
</tr>
<tr>
<td>(1)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Elected Member Development Steering Group in April, Members requested that no training took place until after the election therefore restricting our ability to hold courses for Members in the first quarter.
| (2)             |        |        |
| Due to no training having taken place prior to the election, training hours are not as high as had been expected. A detailed training programme is currently underway and it is expected that the target will resume in the next quarter |

#### 16 Training Learning Management System
10% of all Training to be completed through the Learning Management System

<table>
<thead>
<tr>
<th>10% of all Training to be completed through the Learning Management System</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>10</td>
<td></td>
</tr>
</tbody>
</table>

#### 17 Accuracy in payroll
% rate of accuracy in preprocessed payroll

<table>
<thead>
<tr>
<th>% rate of accuracy in preprocessed payroll</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>95</td>
<td>95</td>
</tr>
<tr>
<td></td>
<td>95</td>
<td>95</td>
</tr>
</tbody>
</table>

#### 18 Payroll
% rate of returns completed in appropriate timeliness

<table>
<thead>
<tr>
<th>% rate of returns completed in appropriate timeliness</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>100</td>
<td></td>
</tr>
</tbody>
</table>

#### 19 Employee Satisfaction
Carry out an employee satisfaction survey by October 2017

<table>
<thead>
<tr>
<th>Carried out an employee satisfaction survey by October 2017</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee Cultural (IIP Survey) and Wellbeing Surveys carried out throughout September. Awaiting reports.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prepare action plan from employee satisfaction survey</td>
<td>Target</td>
<td>Actual</td>
</tr>
<tr>
<td></td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

#### Marketing and Communications

<table>
<thead>
<tr>
<th>Freedom of Information</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
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<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>No</td>
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<tr>
<td></td>
<td>No</td>
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<tr>
<td></td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Freedom of Information</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
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<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>No</td>
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<tr>
<td></td>
<td>No</td>
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<tr>
<td></td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>No</td>
</tr>
</tbody>
</table>
## Quarter 2 KPI Report

### Management of tracking and compliance under FOI

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

### Digital Communications

**Policy for Social Media and Facebook Guidelines.**

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

1. Digital Communications Audit completed. Training for staff and Elected Members took place in June 2017.
2. Policy now rolled out. Digital Audit report actions now being carried out with Departments.

### Communications Strategy

**To develop new 2-year Communications Strategy**

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

1. Communications Strategy produced but deferred to align with the new Corporate Plan as instructed by CMT. Previous Communications Strategy revised and updated as an interim measure as instructed by CMT. Internal Audit advised.
2. Communications Strategy produced but deferred to align with the new Corporate Plan as instructed by CMT. Previous Communications Strategy revised and updated as an interim measure as instructed by CMT. Internal Audit advised.

### Staff Intranet

**Development of staff intranet for internal communications**

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

### Absence

**The average number of working days lost due to absences reduced**

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rolling Year Absence</td>
<td>11</td>
<td>1</td>
</tr>
<tr>
<td>Actual Absence for quarter</td>
<td>3</td>
<td>0</td>
</tr>
</tbody>
</table>

### Development

**New Jobs**

Number of new jobs per annum

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>100</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. 36 new jobs under Business Start up as of 30/09/17

**New Businesses**

Number of new business plans linked to start up activity

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>158</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. New business start up programme as at 30/09/2017

**Referrals to Invest NI**

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>25</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. This will be updated at the end of March 2018, when all business support programmes have been delivered and reviewed.
## Quarter 2 KPI Report

### 41 Number of Bed Nights
Number of bed nights per annum

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>518498</td>
<td></td>
</tr>
</tbody>
</table>

### 42 Visitor Trips
Visitor trips per annum

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>129681</td>
<td></td>
</tr>
</tbody>
</table>

### 43 Visitor Spend
Visitor spend per annum (million)

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>24.806</td>
<td></td>
</tr>
</tbody>
</table>

### 44 Rural Development Programme
Rural development programme spend (£ thousand)

<table>
<thead>
<tr>
<th></th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>215</td>
<td>269</td>
</tr>
</tbody>
</table>

(1) Second Quarter Update = £269,457 grant awarded to 11 rural micro and small businesses from the rural service and manufacturing sector.

### 45 Absence
The average number of working days lost due to absences reduced

<table>
<thead>
<tr>
<th>Rolling Year Absence</th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>11</td>
<td>2.5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Actual Absence for quarter</th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3</td>
<td>0.5</td>
</tr>
</tbody>
</table>

### Planning

#### 22 Applications Validated
Percentage of applications validated within 5 days

<table>
<thead>
<tr>
<th>Percentage Validated</th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>75%</td>
<td>98.73%</td>
</tr>
</tbody>
</table>

(1) Target met.  
(2) Target met.

#### 23 Ratio of Income over Expenditure
Ratio of income over expenditure

<table>
<thead>
<tr>
<th>Ratio of income over expenditure</th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>72.21</td>
<td>58.5</td>
</tr>
</tbody>
</table>

(1) This target figure is currently based on actual income from planning applications submitted and actual expenditure. NICS Grant and Property Certificate income are not reflected in the target and are not therefore reflected in the quarterly calculations.

(2) This target figure is currently based on actual income from planning applications submitted and actual expenditure. The actual percentage achievement reflects provisional figures only of £275.9k income and £470.9k expenditure.

#### 24 Site Visits
Site visits carried out within 1 month of validation

<table>
<thead>
<tr>
<th>Site Visits carried out within 1 month of validation</th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>75</td>
<td>50.18</td>
</tr>
</tbody>
</table>

#### 25 Committee Decisions
Committee decisions issued within 5 days of Planning Committee meeting

<table>
<thead>
<tr>
<th>Committee Decisions Issued Within 5 Days</th>
<th>Target:</th>
<th>Actual:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>75</td>
<td>75</td>
</tr>
<tr>
<td>Quarter 2 KPI Report</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>26 Delegated Decisions</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delegated decisions issued within 5 days of Group Discussion/ Agreement</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Delegated Decisions Issued Within 5 Days</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target: 75</td>
<td>Actual: 88.77</td>
<td></td>
</tr>
<tr>
<td>Actual: 80</td>
<td>Target: 80</td>
<td></td>
</tr>
<tr>
<td>Actual: 80</td>
<td>Target: 80</td>
<td></td>
</tr>
<tr>
<td>Actual: 80</td>
<td>Target: 80</td>
<td></td>
</tr>
<tr>
<td>(1) Target met.</td>
<td>(1) Target met.</td>
<td></td>
</tr>
<tr>
<td>(2) Target met.</td>
<td>(2) Target met.</td>
<td></td>
</tr>
<tr>
<td><strong>27 Major Applications</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average processing time for major planning applications. (Processed from date valid to decision issued or withdrawn within an average of 30 weeks)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Major planning applications processed within an average of 30 weeks.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target: 30</td>
<td>Actual: 70.7</td>
<td></td>
</tr>
<tr>
<td>Actual: 30</td>
<td>Target: 30</td>
<td></td>
</tr>
<tr>
<td>Actual: 30</td>
<td>Target: 30</td>
<td></td>
</tr>
<tr>
<td>Actual: 30</td>
<td>Target: 30</td>
<td></td>
</tr>
<tr>
<td>(1) Target met.</td>
<td>(1) Target met.</td>
<td></td>
</tr>
<tr>
<td>(2) Target met.</td>
<td>(2) Target met.</td>
<td></td>
</tr>
<tr>
<td><strong>28 Local Applications</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average processing time for local planning applications. (Processed from date valid to decision issued or withdrawn within an average of 15 weeks)</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Local planning applications processed within an average of 15 weeks.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target: 15</td>
<td>Actual: 23.6</td>
<td></td>
</tr>
<tr>
<td>Actual: 15</td>
<td>Target: 15</td>
<td></td>
</tr>
<tr>
<td>Actual: 15</td>
<td>Target: 15</td>
<td></td>
</tr>
<tr>
<td>Actual: 15</td>
<td>Target: 15</td>
<td></td>
</tr>
<tr>
<td>(1) Target met.</td>
<td>(1) Target met.</td>
<td></td>
</tr>
<tr>
<td>(2) Target met.</td>
<td>(2) Target met.</td>
<td></td>
</tr>
<tr>
<td><strong>29 Enforcement Cases</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enforcement cases processed to a target conclusion within 39 weeks of receipt of complaint</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Enforcement cases processed within 39 weeks</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target: 70%</td>
<td>Actual: 84.4%</td>
<td></td>
</tr>
<tr>
<td>Actual: 70%</td>
<td>Target: 70%</td>
<td></td>
</tr>
<tr>
<td>Actual: 70%</td>
<td>Target: 70%</td>
<td></td>
</tr>
<tr>
<td>Actual: 70%</td>
<td>Target: 70%</td>
<td></td>
</tr>
<tr>
<td>(1) Figure based on NI Planning Statistics 1st Quarterly Bulletin published 28 September 2017.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Figure based on provisional headline figures as provided by the Department for Infrastructure - 20 October 2017.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>30 Local Development Plan</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Development Plan – adhere to published timetable in terms of the specified stages of plan preparation</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Publication of preferred options paper</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target: No</td>
<td>Actual: No</td>
<td></td>
</tr>
<tr>
<td>Actual: Yes</td>
<td>Target: Yes</td>
<td></td>
</tr>
<tr>
<td>Actual: Yes</td>
<td>Target: Yes</td>
<td></td>
</tr>
<tr>
<td>Actual: Yes</td>
<td>Target: Yes</td>
<td></td>
</tr>
<tr>
<td>(1) From: Lois Jackson</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Carrying out of sustainability appraisal</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target: Yes</td>
<td>Actual: Yes</td>
<td></td>
</tr>
<tr>
<td>Actual: Yes</td>
<td>Target: Yes</td>
<td></td>
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<td>Actual: Yes</td>
<td>Target: Yes</td>
<td></td>
</tr>
<tr>
<td>Actual: Yes</td>
<td>Target: Yes</td>
<td></td>
</tr>
<tr>
<td>(1) From: Lois Jackson</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>31 Absence</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>The average number of working days lost due to absences reduced</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Rolling Year Absence</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target: 11</td>
<td>Actual: 3</td>
<td></td>
</tr>
<tr>
<td>Actual: 11</td>
<td>Target: 11</td>
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</tr>
<tr>
<td>Actual: 11</td>
<td>Target: 11</td>
<td></td>
</tr>
<tr>
<td>Actual: 11</td>
<td>Target: 11</td>
<td></td>
</tr>
<tr>
<td><strong>Actual Absence for quarter</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Target: 3</td>
<td>Actual: 0.5</td>
<td></td>
</tr>
<tr>
<td>Actual: 3</td>
<td>Target: 3</td>
<td></td>
</tr>
<tr>
<td>Actual: 3</td>
<td>Target: 3</td>
<td></td>
</tr>
<tr>
<td>Actual: 2</td>
<td>Target: 2</td>
<td></td>
</tr>
</tbody>
</table>

From: Lois Jackson
### Building Control

#### 32 Domestic Full Plans
Percentage of domestic full plans applications receiving a first assessment within 21 days from date of receipt.

<table>
<thead>
<tr>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>87%</td>
<td>80%</td>
</tr>
<tr>
<td>87%</td>
<td>82%</td>
</tr>
</tbody>
</table>

#### 33 Non-domestic Full Plans
Percentage of non-domestic full plans applications receiving a first assessment within 35 days from date of receipt.

<table>
<thead>
<tr>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>87%</td>
<td>87%</td>
</tr>
<tr>
<td>87%</td>
<td>84%</td>
</tr>
</tbody>
</table>

#### 34 Resubmissions (amended plans)
Percentage of resubmissions assessed within 14 days.

<table>
<thead>
<tr>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>87%</td>
<td>89%</td>
</tr>
<tr>
<td>87%</td>
<td>83%</td>
</tr>
</tbody>
</table>

#### 35 Completions
Number of completions per annum / Number of commencements per annum expressed as a percentage

<table>
<thead>
<tr>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>75%</td>
<td>82%</td>
</tr>
<tr>
<td>75%</td>
<td>85%</td>
</tr>
</tbody>
</table>

#### 36 Cost Recovery
Percentage cost recovery of the Building Regulations Service

<table>
<thead>
<tr>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>80%</td>
<td></td>
</tr>
</tbody>
</table>

#### 37 Absence
The average number of working days lost due to absences reduced

<table>
<thead>
<tr>
<th>Rolling Year Absence</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target: 11</td>
<td>10.5</td>
</tr>
<tr>
<td>Actual: 2.5</td>
<td>4</td>
</tr>
</tbody>
</table>

### Arts and Community Services

#### 1.1 Unit Facilities - beneficiaries
Number of beneficiaries (footfall)

<table>
<thead>
<tr>
<th>Enter Community Centre</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>7000</td>
<td>6813</td>
</tr>
<tr>
<td></td>
<td>7000</td>
<td>5999</td>
</tr>
</tbody>
</table>

(1) There is no specific target for this area of work. Instead the figure seeks to reflect actual work activity.

(2) There is no specific target for this area of work. Instead the figure seeks to reflect actual work activity.

(1) A few periods of long absence within the unit. Management are fully aware of this and are liaising with HR/CO in line with policy.
<table>
<thead>
<tr>
<th>Location</th>
<th>Target</th>
<th>Actual</th>
<th>Actual</th>
<th>Actual</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(1)</td>
<td>(2)</td>
<td>(1)</td>
<td>(2)</td>
<td>(1)</td>
</tr>
<tr>
<td>Ballyoran Community Centre</td>
<td>5750</td>
<td>6539</td>
<td>5750</td>
<td>5750</td>
<td>5750</td>
</tr>
<tr>
<td>Moneyeagh Community Centre</td>
<td>12750</td>
<td>8915</td>
<td>12750</td>
<td>5419</td>
<td>12750</td>
</tr>
<tr>
<td>Bridge Community Centre</td>
<td>14000</td>
<td>5447</td>
<td>14000</td>
<td>4467</td>
<td>14000</td>
</tr>
<tr>
<td>Island Arts Centre</td>
<td>16121</td>
<td>16950</td>
<td>14107</td>
<td>8158</td>
<td>20823</td>
</tr>
<tr>
<td>Irish Linen Centre Lisburn Museum</td>
<td>TBC</td>
<td>39738</td>
<td>TBC</td>
<td>54991</td>
<td>TBC</td>
</tr>
</tbody>
</table>

1.2 Unit Facilities - Customer Satisfaction

<table>
<thead>
<tr>
<th>Location</th>
<th>Target</th>
<th>Actual</th>
<th>Actual</th>
<th>Actual</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>85</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Enler Community Centre</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ballyoran Community Centre</td>
<td>85</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moneyeagh Community Centre</td>
<td>85</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bridge Community Centre</td>
<td>85</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Island Arts Centre</td>
<td>85</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Irish Linen Centre Lisburn Museum</td>
<td>85</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1.3 Unit Facilities - Income

<table>
<thead>
<tr>
<th>Location</th>
<th>Target</th>
<th>Actual</th>
<th>Actual</th>
<th>Actual</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
<td>95</td>
</tr>
<tr>
<td>Enler Community Centre</td>
<td></td>
<td>97.4</td>
<td>97.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ballyoran Community Centre</td>
<td>95</td>
<td>171.9</td>
<td>102.9</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A new data collection method for the collection of footfall/visitors was introduced at the

Microcache Footfall record

Ballyoran Community Centre

Target: 5750
Actual: 6539

Moneyeagh Community Centre

Target: 12750
Actual: 8915

Bridge Community Centre

Target: 14000
Actual: 5447

Island Arts Centre

Target: 16121
Actual: 16950

Irish Linen Centre Lisburn Museum

Target: TBC
Actual: 39738

1.2 Unit Facilities - Customer Satisfaction

% of customer satisfaction

Enler Community Centre

Target: 85
Actual: 85

Ballyoran Community Centre

Target: 85
Actual: 85

Moneyeagh Community Centre

Target: 85
Actual: 85

Bridge Community Centre

Target: 85
Actual: 85

Island Arts Centre

Target: 85
Actual: 85

Irish Linen Centre Lisburn Museum

Target: 85
Actual: 85

1.3 Unit Facilities - Income

% of customer satisfaction

Enler Community Centre

Target: 95
Actual: 95

Ballyoran Community Centre

Target: 95
Actual: 171.9

A new data collection method for the collection of footfall/visitors was introduced at the
## Quarter 2 KPI Report

### Target vs. Actual

<table>
<thead>
<tr>
<th>Service</th>
<th>Target</th>
<th>Actual</th>
<th>('1)</th>
<th>('2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Moneyreagh Community Centre</td>
<td>95</td>
<td>94.5</td>
<td>95</td>
<td>95</td>
</tr>
<tr>
<td>Bridge Community Centre</td>
<td>95</td>
<td>86.6</td>
<td>95</td>
<td>95</td>
</tr>
<tr>
<td>Island Arts Centre</td>
<td>95</td>
<td>59.3</td>
<td>95</td>
<td>95</td>
</tr>
</tbody>
</table>

### Programmes & Services - Satisfaction

<table>
<thead>
<tr>
<th>Service</th>
<th>Target</th>
<th>Actual</th>
<th>('1)</th>
<th>('2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community &amp; Good Relations</td>
<td>85</td>
<td>97</td>
<td>85</td>
<td>85</td>
</tr>
<tr>
<td>Peace</td>
<td>0</td>
<td>0</td>
<td>85</td>
<td></td>
</tr>
<tr>
<td>Arts Service</td>
<td>85</td>
<td>94</td>
<td>85</td>
<td>85</td>
</tr>
<tr>
<td>Irish Linen Centre Lisburn Museum</td>
<td>0</td>
<td>0</td>
<td></td>
<td>85</td>
</tr>
</tbody>
</table>

### Programmes & Services - Participant Benefits

<table>
<thead>
<tr>
<th>Service</th>
<th>Target</th>
<th>Actual</th>
<th>('1)</th>
<th>('2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community &amp; Good Relations</td>
<td>80</td>
<td>97.5</td>
<td>80</td>
<td>80</td>
</tr>
<tr>
<td>Peace</td>
<td>0</td>
<td>0</td>
<td>80</td>
<td></td>
</tr>
<tr>
<td>Arts Service</td>
<td>80</td>
<td>94.7</td>
<td>80</td>
<td>80</td>
</tr>
<tr>
<td>Irish Linen Centre Lisburn Museum</td>
<td>0</td>
<td>0</td>
<td></td>
<td>80</td>
</tr>
</tbody>
</table>

### Programmes & Services - Customer Experience

<table>
<thead>
<tr>
<th>Service</th>
<th>Target</th>
<th>Actual</th>
<th>('1)</th>
<th>('2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irish Linen Centre Lisburn Museum</td>
<td>0</td>
<td>0</td>
<td></td>
<td>80</td>
</tr>
</tbody>
</table>

---

2.1 **Programmes & Services - Satisfaction**

- % of overall satisfaction (Courses & Programmes)

<table>
<thead>
<tr>
<th>Service</th>
<th>Target</th>
<th>Actual</th>
<th>('1)</th>
<th>('2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community &amp; Good Relations</td>
<td>85</td>
<td>97</td>
<td>85</td>
<td>85</td>
</tr>
<tr>
<td>Peace</td>
<td>0</td>
<td>0</td>
<td>85</td>
<td></td>
</tr>
<tr>
<td>Arts Service</td>
<td>85</td>
<td>94</td>
<td>85</td>
<td>85</td>
</tr>
<tr>
<td>Irish Linen Centre Lisburn Museum</td>
<td>0</td>
<td>0</td>
<td></td>
<td>85</td>
</tr>
</tbody>
</table>

2.2 **Programmes & Services - Participant Benefits**

- % of overall participant benefits (Courses & Programmes)

<table>
<thead>
<tr>
<th>Service</th>
<th>Target</th>
<th>Actual</th>
<th>('1)</th>
<th>('2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community &amp; Good Relations</td>
<td>80</td>
<td>97.5</td>
<td>80</td>
<td>80</td>
</tr>
<tr>
<td>Peace</td>
<td>0</td>
<td>0</td>
<td>80</td>
<td></td>
</tr>
<tr>
<td>Arts Service</td>
<td>80</td>
<td>94.7</td>
<td>80</td>
<td>80</td>
</tr>
<tr>
<td>Irish Linen Centre Lisburn Museum</td>
<td>0</td>
<td>0</td>
<td></td>
<td>80</td>
</tr>
</tbody>
</table>

2.3 **Programmes & Services - Customer Experience**

<table>
<thead>
<tr>
<th>Service</th>
<th>Target</th>
<th>Actual</th>
<th>('1)</th>
<th>('2)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Irish Linen Centre Lisburn Museum</td>
<td>0</td>
<td>0</td>
<td></td>
<td>80</td>
</tr>
</tbody>
</table>
## Quarter 2 KPI Report

### 2.4 Programmes & Services - Occupancy

<table>
<thead>
<tr>
<th>Service</th>
<th>Target</th>
<th>Actual</th>
<th>(*)</th>
<th>(**)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arts Service</td>
<td>70</td>
<td>70</td>
<td>70</td>
<td>70</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>(*)</th>
<th>(**)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target: 90</td>
<td>80</td>
<td></td>
</tr>
<tr>
<td>Actual: 70</td>
<td>94.5</td>
<td></td>
</tr>
</tbody>
</table>

(1) Sat 1 April Stella sings Ella 66%
(2) In advance of programme ‘go live’ the capacity of each individual performance is to be

### 3.1 Major Events - Excellent Experience

<table>
<thead>
<tr>
<th>Service</th>
<th>Target</th>
<th>Actual</th>
<th>(*)</th>
<th>(**)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Culture &amp; Community Service</td>
<td>80</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual: 84</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) MAYORS PARADE
(2) No Major Events during this Qrt

### 4.1 Grant Aid - Claims Processed On Time

<table>
<thead>
<tr>
<th>Service</th>
<th>Target</th>
<th>Actual</th>
<th>(*)</th>
<th>(**)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community &amp; Good Relations</td>
<td>85</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>(*)</th>
<th>(**)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target: 85</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 5.1 Absence

<table>
<thead>
<tr>
<th>Service</th>
<th>Target</th>
<th>Actual</th>
<th>(*)</th>
<th>(**)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Days lost per employee</td>
<td>11</td>
<td>14</td>
<td>11</td>
<td>11</td>
</tr>
<tr>
<td>Rolling Year Absence</td>
<td>3</td>
<td>3.5</td>
<td>3</td>
<td>2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>(*)</th>
<th>(**)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target: 11</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>Actual: 3.5</td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>

### 73 Subsidy per Visit

<table>
<thead>
<tr>
<th>Subsidy per Visit excluding apportioned costs (definition of user required plus what costs are apportioned)</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1.91</td>
<td></td>
</tr>
</tbody>
</table>

### 74 Customer Satisfaction

<table>
<thead>
<tr>
<th>Customer satisfaction</th>
<th>Target</th>
<th>Actual</th>
<th>(*)</th>
<th>(**)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Absence</td>
<td>85%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>(*)</th>
<th>(**)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target: 85%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(1) Quality systems still not in post - figures will be available for next quarter once new software
### Quarter 2 KPI Report

#### 75 Staff Costs
Staff costs as a percentage of earned income

<table>
<thead>
<tr>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>96%</td>
<td>81%</td>
</tr>
<tr>
<td>96%</td>
<td>72%</td>
</tr>
<tr>
<td>96%</td>
<td>96%</td>
</tr>
</tbody>
</table>

#### 76 Energy Usage
Energy usage per user (KWhrs)

<table>
<thead>
<tr>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>12,253</td>
<td>12,954</td>
</tr>
<tr>
<td>12,253</td>
<td>8,328</td>
</tr>
</tbody>
</table>

#### 77 Absence
The average number of working days lost due to absences reduced

<table>
<thead>
<tr>
<th>Rolling Year Absence</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td>11</td>
<td>16.5</td>
</tr>
<tr>
<td>11</td>
<td>11</td>
<td>16</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Actual Absence for quarter</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>3</td>
<td>3</td>
<td>5.5</td>
</tr>
<tr>
<td>3</td>
<td>2</td>
<td>4.5</td>
</tr>
</tbody>
</table>

#### Parks & Open Spaces

##### 78 Park Users
Number of park users in key sites across the Council area. Measured by Access Counters. Targets to be set on completion of 1st year baseline data

- **Wallace Park**
  - Target: 244983
  - Actual: 232468

- **Mora Demesne**
  - Target: 122803
  - Actual: 126871

- **Moat Park**
  - Target: 192123
  - Actual: 175472

- **Comber Greenway**
  - Target: 40,948
  - Actual: 40,696

- **Lagan towpath**
  - Target: 50748
  - Actual: 46568

- **McIlroy Park**
  - Target: 42584
  - Actual: 39885

- **Castle Gardens**
  - Target: 41348
  - Actual: 34515

#### 79 Customer Care Enquiries
Number of customer care enquiries responded to within 5 working days

<table>
<thead>
<tr>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

#### 80 Resident’s Satisfaction
Level of resident’s satisfaction with the provision and maintenance of parks and open spaces.

<table>
<thead>
<tr>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>85%</td>
<td>100%</td>
</tr>
<tr>
<td>85%</td>
<td>100%</td>
</tr>
<tr>
<td>85%</td>
<td>85%</td>
</tr>
</tbody>
</table>

---

(1) Cyclists 23,522 and Pedestrians 17,426
(2) Cyclists 25,668 and Pedestrians 15,028

(2) Quality Manager just started post in this quarter - questionnaires being compiled presently.
<table>
<thead>
<tr>
<th>Quarter 2 KPI Report</th>
</tr>
</thead>
</table>

### Play Park Refurbishment
Refurbish 3 play parks per annum.

<table>
<thead>
<tr>
<th>New Measure</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

#### Absence
Average number of working days lost due to absences reduced

<table>
<thead>
<tr>
<th>Rolling year absence</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>11</td>
<td>4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Actual Absence for quarter</th>
<th>Target</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3</td>
<td>6</td>
</tr>
</tbody>
</table>

(1) Based on direct contacts. Survey Monkey (or similar) not yet in place.
(2) Based on direct contacts. Survey Monkey (or similar) not yet in place.

(1) Scheduled to be completed by Easter 2018
(2) Scheduled to be completed by Easter 2018

(1) Primarily caused by absence of 1 x member of LVRP staff on long term absence. RTW on
Proposal to extend Performance manager to incorporate the Lisburn and Castlereagh Community Plan for

Our proposal is to extend the current Performance Management system to add up to 5 more users in total, using the same structure of objectives and measures as currently exists but adding in the new themes, categories and reports as discussed.

The project would include requirements gathering with Catharine McWhirter, Kerrie-Anne McKibbin and other stakeholders adding new categories and any other tweaks and at least one or two reports with good graphics for presenting the ongoing progress. Additional Infographics and reports will be developed over time as the data set increases.

The aim will be to ensure that:

1) The system can simplify and control the process of gathering and storing information on measures and outcomes from the range of partners.
2) Allow dashboard views to highlight where targets are not being met or where key measures are not being captured.
3) Improve where possible the ability of the partners to work together on the plan.
4) Provide graphically interesting and informative views of the data gathered.

Ultimately the aim is to assist the team in Lisburn and Castlereagh City Council to facilitate the community plan.

The screenshots below give some indication of how the data will be structured and some of the graphical styles in which we can display the data as it is gathered. A formal quotation for the work is also included.
Our children and young people have the best start in life.

% of babies born at low birth weight  
Owner: J. Smith  
Business Unit: Belfast Health and Social Care Trust  
Themes: 3%

% of children at appropriate stage of development in their immediate preschool year  
Owner: J. Doe  
Business Unit: Education Authority NI  
Themes: 80%

Gap between % non-FSME school leavers and % FSME school leavers achieving at GCSE or equivalent, including English and Maths  
Owner: A Brown  
Business Unit: Education Authority NI  
Themes: 5%
# Quotation

**QUOTE TO**  
Lisburn & Castlereagh City Council  
The Island Civic Centre  
The Island  
Lisburn  
BT27 4RL

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Incidents taken from 18th May to 30th November 2017 

(street lights out, mud on roads, man hole covers broken, potholes, flooding, grass cutting)
Dr Theresa Donaldson  
Chief Executive  
Lisburn and Castlereagh City Council  
Civic Headquarters  
Lagan Valley Island  
Lisburn  
BT27 4RL

30 November 2017

Dear Theresa,

Lisburn and Castlereagh City Council: Section 95 of the Local Government Act 2014

Improvement Audit and Assessment - Audit and Assessment Report

The Local Government Auditor has now certified the improvement audit and assessment at the Council with a standard, unqualified opinion. I attach a copy of our final audit and assessment report.

The report sets out the findings and conclusions from our work and includes the audit and assessment certificate as an annex. I also attach a scanned copy of the original certificate signed by the Local Government Auditor.

A copy of the report will be issued to the Department for Communities by the 30th November as the legislation requires. I thank you and your staff for the assistance and co-operation we received throughout the audit.

Yours sincerely

Neil Gray  
Director

1987-2017 - Promoting better use of Public Money for 30 years
Northern Ireland Audit Office

1987-2017 - Promoting better use of Public Money for 30 years

Our purpose...

Promoting better use of public money, through independent professional scrutiny, underpinned by our commitment to:

- Integrity
- Equality
- Openness
- Innovation

To make a difference for the people of Northern Ireland.

The Department for Communities, with the consent of the Comptroller and Auditor General for Northern Ireland, has designated Mrs Louise Mason as the Local Government Auditor. She, and the Northern Ireland Audit Office, are totally independent of Local Government. She certifies the accounts of all Local Government bodies in Northern Ireland and is also responsible for councils’ performance improvement audits and assessments.

For further information please contact:

Neil Gray
Northern Ireland Audit Office
106 University Street
Belfast
BT7 1EU

Tel: 02890 25 4345
Email: neil.gray@niauditoffice.gov.uk

LISBURN AND CASTLEREAGH CITY COUNCIL

AUDIT AND ASSESSMENT REPORT 2017-18

A REPORT TO THE COUNCIL AND THE DEPARTMENT FOR COMMUNITIES UNDER SECTION 95 OF THE LOCAL GOVERNMENT (NORTHERN IRELAND) ACT 2014

Contents

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Section 1
Introduction and status of this report

Introduction

1.1 Part 12 of the Local Government Act (Northern Ireland) 2014 (the Act) sets out that all councils are under a general duty to make arrangements to secure continuous improvement in the exercise of their functions. It sets out a number of council responsibilities under a performance framework. It also sets out key responsibilities for the Local Government Auditor. The Department for Communities (the Department) has published ‘Guidance for Local Government Performance Improvement 2016’ (the Guidance) which councils and the Local Government Auditor have to follow.

The improvement audit

1.2 Each year the Local Government Auditor has to report whether each council has discharged its duties in relation to improvement planning, the publication of improvement information and the extent to which each council has acted in accordance with the Department’s Guidance. The Local Government Auditor’s procedures to do so are called “improvement audits”.

The improvement assessment

1.3 The Local Government Auditor also has to assess annually whether a council is likely to make the required arrangements to secure continuous improvement in that year. This is called the “improvement assessment”. The Local Government Auditor also has the discretion to assess and report whether a council is likely to comply with these arrangements in future years (see paragraph 2.5).

1.4 Improvement audits and improvement assessments are undertaken in accordance with the Local Government Auditor’s statutory responsibilities and the Department’s Guidance. They are planned and conducted in accordance with the performance improvement Audit Strategy issued by the Local Government Auditor to councils, her Code of Audit Practice for Local Government Bodies in Northern Ireland and the Statement of Responsibilities.

Status of this report

1.5 This report has been produced by staff of the Northern Ireland Audit Office (the NIAO) on behalf of the Local Government Auditor in discharging her duties under section 95 of the Act. It certifies that she has carried out an improvement audit and improvement assessment for 2017-18 and states whether, as a result, she believes that the Lisburn and Castlereagh City Council (the Council) has discharged its performance improvement duties.

1.6 This report has been prepared for the sole use of the Department and the Council. The Local Government Auditor and NIAO do not accept responsibility to any third party for losses arising from reliance being placed on this report.

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1 Sections 93 and 94 of the Local Government Act (Northern Ireland) 2014
Section 1
Introduction and status of this report

Other performance improvement reports by the Local Government Auditor

The Annual Improvement Report on the Council

1.7 The Act requires the Local Government Auditor to summarise all of her work carried out (in relation to her responsibilities under the Act) at the Council, in an “annual improvement report”. This will be published on the NIAO website in due course, making it publicly available.

Special inspections and statutory recommendations

1.8 The Local Government Auditor may also, in some circumstances, carry out special inspections which will be reported to the Council and the Department, and which she may publish, or make statutory recommendations.
Matters required to be reported on

Improvement audit and improvement assessment

2.1 The Local Government Auditor’s audit opinions in relation to the improvement audit and her improvement assessment are in the Annex to this report.

2.2 In the Annex, the Local Government Auditor certifies that she has performed the improvement audit and improvement assessment for the Council and that, as a result of this work, she is satisfied that the Council has discharged its statutory performance improvement and reporting duties and that it acted in accordance with the Guidance.

2.3 She also reports that, as 2017-18 was the second year in which councils were required to implement the new performance improvement framework, the Council’s arrangements to secure continuous improvement are, as is to be expected, still in various stages of development and implementation. The Council is strengthening its arrangements to secure continuous improvement, and delivered measurable improvements to its services in 2016-17. However, until the Council’s arrangements mature and it can demonstrate a track record of continuous improvement the Local Government Auditor is unable to determine, the extent to which improvements will be made.

2.4 The Local Government Auditor anticipates that the Council should be able to demonstrate that it is meeting its responsibility to continuously improve over the next couple of years, with the benefit of mature performance improvement arrangements, particularly in relation to the collection and use of data.

2.5 The Local Government Auditor has decided at present not to perform the discretionary assessments of whether councils in Northern Ireland are likely to comply with the requirements in future years. She will keep this decision under review as the new framework establishes itself and the track records of councils accumulate.

Special inspections and statutory recommendations

2.6 No special inspections or statutory recommendations were required at the Council this year.

Other matters

2.7 Whilst the Local Government Auditor has no statutory recommendations to make and there is no requirement for a special inspection this year there are some areas which could be developed. These are set out under Section 3 ‘Key audit and assessment findings’ of this report.
Key audit and assessment findings

3.1 This section outlines observations arising from the thematic areas of the Council’s audit and assessment. Some findings, where relevant, give rise to proposals for improvement. These are not formal recommendations, which are more significant matters which require action to be taken by the Council in order to comply with the Act or Guidance.

3.2 Proposals for improvement include matters which, if accepted, will assist the Council to meet its performance improvement responsibilities. The Local Government Auditor believes that agreed proposals to the Council, should be implemented and will follow them up in subsequent years.

3.3 Our procedures were limited to those considered necessary for the effective performance of the audit and assessment. Therefore, the Local Government Auditor’s observations should not be regarded as a comprehensive statement of all weaknesses which exist, or all improvements which could be made.

3.4 Each year we review progress the Council has made on these findings and it is recommended that the Council’s Audit Committee should monitor and track their progress.

Index of key findings

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Section 3  
Key audit and assessment findings

1. General duty to improve

Section 84 of the legislation requires the Council to make arrangements to secure continuous improvement in the exercise of all of its functions. These arrangements should enable the Council to understand local needs and priorities, collect performance data and as a result, use this information to identify and prioritise those functions which will benefit most from improvement. This will enable it to select its improvement objectives and in turn, make best use of its resources and capacity to deliver outcomes and assess improvement of its actions.

The Council’s arrangements to secure continuous improvement - including Community Planning, Local Development Plan, Corporate Plan, service plans, and its performance improvement framework and processes within - incorporate the seven aspects of improvement into its assessments of functions and services. The Council engaged with the public through its community planning consultation process to strengthen its understanding of community needs and what its citizens and stakeholders want. This process fed into its arrangements to secure continuous improvement and has enabled the Council to build and develop its arrangements. Improvement objectives are aligned to its community plan outcomes and the Local Development Plan. These relate to a wide range of its functions, for example leisure services, sports services, economic development and include cross cutting thematic priorities such as customer service and engagement. The Council’s general duty to improve is therefore linked clearly to its community planning outcomes.

Although still relatively early in the development of the improvement framework, the Council’s arrangements to secure continuous improvement continue to develop and are becoming more established. The process by which functions are prioritised and selected also continues to develop and the improvement objectives and projects are documented and subject to appropriate levels of scrutiny.

The Council has appointed Improvement Champions in each department and a bespoke performance management software system was introduced last year to capture service data and other relevant information to support performance management across statutory and local non-statutory key performance indicators (KPIs). The system is being further developed to assist in the specific monitoring and reporting on performance objectives and related performance going forward. Once embedded fully, alongside the ongoing benchmarking work across councils, this will enable increased collection and use of a range of performance information and measures across all functions and services over time and comparisons with other councils. This should assist in providing greater openness and transparency of the logic and documented evidence base to support the general duty to improve and for identifying and prioritising those functions/services which would benefit most from improvement while also further improving the transparency of its arrangements to deliver the general duty of improvement and in turn, measurable and visible outcomes for its citizens.

Whilst this is still in development, the Council made use of service data (and other qualitative data), where available, to measure the performance of its functions. This helped to inform decision making in respect of its identification of improvement priorities. As the Council’s arrangements to meet its general duty develop and mature we would expect to see the arrangements through which functions are prioritised for improvement become more refined. It is important that there is a logical evidence base and documented process to support the general duty to improve and its selection of priority areas for improvement.

In our report last year in relation to the general duty to improve, we recommended a small number of proposals for improvement which have all been actioned. Going forward, the Council will need to continue to develop its performance management system and processes to support the general duty to improve and enable the performance management data across all its functions and services to be measured and
Section 3
Key audit and assessment findings

reported on to ensure the process of identification and selection of those areas which would benefit most from improvement is robust, transparent, well documented and subject to appropriate levels of scrutiny.
2. Governance Arrangements

It is important that the Council’s governance arrangements support robust and effective decision making in relation to the Council’s statutory responsibility to have arrangements in place to secure continuous improvement in its functions. Performance improvement arrangements, systems and processes are still developing and the Council continues to develop governance arrangements to help meet these responsibilities.

The performance improvement plan itself does not specifically outline the lines of accountability to senior management and elected members in relation to performance improvement and the improvement objectives. However, there are Performance Champions within the organisation representing each of the departments, and scrutiny and monitoring by the Corporate Management Team, the Governance and Audit Committee and other Department functional committees as part of the Council’s business planning and performance management arrangements.

Last year we reported on the need for the Governance and Audit Committee to discharge its wider remit in relation to the Council’s statutory responsibility to have arrangements in place to secure continuous improvement in its functions and recommended a number of proposals for improvement which have been actioned and continue to be developed. The Council has assigned the Governance and Audit Committee with overall responsibility for oversight of progress against improvement objectives. The focus of this had been on the approval of key milestone events, for example improvement objectives and the improvement plan, rather than regular monitoring of progress on the outcomes associated with each objective and projects within. From October 2017 the Committee now meets quarterly and has an agenda of standing items which will provide information to members on aspects such as:

- update on performance improvement system – specifically, progress on improvement objectives and projects coupled with a report detailing the Key Performance Indicators (KPIs) for each service within the organisation; and
- recommendation tracking for each Department (to be presented every 6 months) – updating on progress with implementation including recommendations relevant to performance improvement from either NIAO or internal audit.

Arrangements are still developing and are not yet mature or fully embedded. Importantly, the Council is aware of the need to continue to improve monitoring and reporting in this area. A review of the Council’s governance documentation is underway, which will include a review of Governance and Audit Committee terms of reference which currently refer to performance management rather than performance improvement responsibilities.

To assist the Council the following proposals for improvement are recommended:

- quarterly progress reports to the Governance and Audit Committee on improvement objectives would benefit from more detailed information relating to the specific baselines, performance measures and indicators linked to each improvement objective and associated projects and activities, as this information becomes available. This should show how each project and activity is contributing to the overall improvement objectives; and
- the Council should, wherever possible, not wait until the end of the year and after the next year’s improvement plan has been published to report on outcomes. Ongoing assessment should feed into considering next year’s improvement objectives and plan.
3. Improvement Objectives

The Council is required to establish improvement objectives each year and we assess these in line with legislation and supporting statutory guidance. Councils are expected to determine their own priorities for improvement based on a thorough understanding of the communities they serve. The legislation requires councils to establish arrangements to deliver their improvement objectives. Guidance states that objectives should ideally both describe the overall purpose and the scope of action to deliver it (for example “we will provide more and better opportunities for citizens to engage in physical activity”). It also requires improvement objectives to be legitimate, clear, robust and deliverable. Councils can set objectives which span more than one year, perhaps with intermediate milestones, provided that these are reviewed annually to ensure their continued relevance.

The Council published its Performance Improvement Plan for 2017-18 in June 2017 which included five improvement objectives. A small number of last year’s improvement objectives have not been carried forward, or have been reworded and realigned to fit strategically with the 2017-2032 Community Planning. The rationale for this, whilst reasonable, was not explained in the plan.

Objectives refer to “promoting” and “supporting” rather than specifically to an element of improvement such as to “improve” or “increase”. The objectives cover a broad range of projects, recognising the need to improve internal arrangements as well as to ensure positive outcomes for citizens.

Each improvement objective sets out:
- the link to the Community Plan and Local Development Plan;
- why the objective was chosen; and
- a section called ‘we will have succeeded if we...” to demonstrate how citizens will be better off if the Council improves as it intends

Whilst the objectives refer to some key elements of the Community Plan and focus on those elements that are within the statutory and operational control of the Council, they are strategic, broad and open-ended. For example: ‘We will create an attractive place to live, work and visit and preserve the natural environment for the future’. Whilst this is an acceptable approach in the short term, it may make it more difficult over time to report on any demonstrable improvement at the objective level. The Department’s guidance is that the evidence required to monitor the delivery of the improvement objectives should be included. The Council should ensure that any improvement can be demonstrated at the overall objective level and not just at the project level.

It is not always transparent in the Plan how improvement at the overall objective level will be measured. At this early stage all relevant baseline data or information against which future improvement can be demonstrated or measured, at an objective and project level, is not available. This detail however is more apparent at the project level. Nevertheless, we consider that objectives are legitimate and the Council could begin to deliver improvements in the current year with further improvements in future years.

At this stage improvement arrangements and processes are not yet mature and the Council continues to develop and refine these. The Council is seeking to address this through the development of Community Planning indicators, further development of the performance management framework and system, as well as working with APSE and a number of councils to develop indicators to enable benchmarking and enhance baseline information. Successful agreement and implementation of these projects and embedding these arrangements throughout all council services will be critical to identifying areas for improvement and then in measuring, monitoring, and reporting future progress.
Section 3  
Key audit and assessment findings

The Council has detailed in its performance improvement plan a list of corresponding improvement projects to be delivered to contribute towards achieving each of the five performance improvement objectives - perhaps up to 20 projects, across a number of departments, under each objective. The Council adopted an approach where services and departments will work together to achieve each improvement objectives and has chosen to demonstrate improvement across the organisation rather than selecting specific functions for improvement. Whilst some of the improvement projects may be output focused, successful delivery should contribute towards achieving the improvement objectives.

However, because the objectives are strategic, broad and open-ended, there is some distance between what the overall objectives are seeking to achieve and the projects and activities set to contribute towards delivering them. At the overall improvement objective level there is no baseline for current performance and how improvement will be measured, in terms of key performance indicators and performance measures, is not transparent. Experience elsewhere in the United Kingdom indicates that the selection of broad improvement objectives has led to difficulty in concisely reporting improvement. The Council is, of course, free to interpret its responsibilities in this way, although the Department’s guidance cautions against setting objectives that are too broad.

To assist the Council we recommend the following proposal for improvement:

- additional clarity over the level of improvement expected for each objective and how it will be measured would improve the objectives. This could be achieved by establishing baselines, and setting challenging and realistic standards at the objective level, and providing clear links to the associated key performance indicators and measures which will be used to measure improvement in terms of outcomes across the objective as a whole rather than just at individual project level.
4. Consultation

It is the Council’s responsibility to promote and encourage its citizens and stakeholders to engage with it. A number of Proposals for Improvement from last year were taken on board including raising the profile and transparency of the Council’s Performance Improvement Plan and in particular the use of focus groups which has improved the consultation process. We looked at how well the Council involved local people and those that work with and for it, in deciding its priorities for improvement.

The Council held a two stage consultation exercise. Initially it ‘piggybacked’ on the Community Plan consultation from Dec 2016 - Feb 2017 to identify and understand community needs, as well as asking: ‘Do you think the Council should use the relevant parts of this Community Planning Outcome as one of their Performance Improvement Objectives for 2017/18?’

This helped to inform the Council’s consideration of improvement priorities and it developed a set of five performance improvement objectives linked to the outcomes of the Community Plan. The Council then consulted on these objectives along with the draft performance improvement plan in May 2017. Consultation included staff, elected representatives, community/voluntary groups, local businesses, representative business organisations, Section 75 and statutory consultees. The Council also conducted focus groups, made use of social media, placed adverts in local papers, and the website provides contact details encouraging individuals or organisations to submit views at any time during the year. The Council has therefore complied with its statutory requirement to consult on its performance improvement objectives.

There is evidence that citizens’ views were considered. The responses received commented on the layout and the level of detail included in the plan rather than the objectives. For example, the draft plan was amended to take account of suggested changes, with the final plan including a condensed summary: the ‘Plan on a page’.

A Community Planning engagement strategy, outlining the role of the Council and partners in engaging with community and interest groups, has been in existence for two years. Work is being undertaken to review this strategy and broaden its scope, with the aim of becoming an Engagement and Participation Strategy. A number of proposals for improvement from last year’s report have been implemented, including raising the profile and transparency of performance improvement and the use of focus groups in the consultation process. We consider that in order to further promote trust and confidence it is important to formalise the consultation process and demonstrate to citizens that their views are being considered.

We make the following proposals for improvement:

- providing a more structured form for feedback during consultation, including specific questions, additional discussion points, and explaining any specific matters the Council wish to obtain comment on, or to guide consultees and citizens to matters they may wish to reflect upon, encourages more meaningful responses and greater opportunity for comments; and
- once completed, publishing a synopsis of responses together with the Council’s response, for example explaining the process of consultation, summarising the responses received, disclosing how many responses have been received, and how these have informed the policy, that is what impact, if any, they had on the draft improvement objectives.
5. Improvement Plan

The purpose of the improvement plan is to show citizens, and other stakeholders, how the Council intends to deliver on its duty to secure continuous improvement. It does not need to describe everything the Council plans to improve, but should focus on functions or services it has selected under its general duty, their related improvement objectives and any statutory requirements placed upon the Council by central government. An improvement plan should be both transparent and meaningful, setting out how citizens and other stakeholders within the area will be better off.

The Council published its ‘Performance Improvement Plan 2017-18’ in June 2017. It is available in electronic as well as hard copy format and is also available in a range of other formats upon request. The plan contains a high level description of the Council’s performance improvement framework and process for securing continuous improvement in the exercise of their functions.

Whilst the plan meets the requirements of legislation, as noted previously, the improvement objectives are strategic, broad and open-ended and it is not always transparent in the Plan how improvement at the overall objective level will be measured in terms of KPIs and performance measures by the Council. The Department’s guidance says that evidence such as performance indicators is required to monitor and measure the delivery of the improvement objectives.

The plan would benefit from greater clarity and transparency on the level of improvement expected for each objective and how it will be measured.

The plan is clear and transparent in respect of setting out improvement objectives and corresponding projects and includes a high level description of how it will achieve continuous improvement. It does not provide a sufficient and clear description of its arrangements to exercise its functions so that any applicable statutory performance standards are met Section 92(4). Instead the Council included the list of statutory indicators and standards to be published in its self-assessment report. Without additional clarity in its future plans, the Council is at risk of not being fully compliant with the legislation.

The plan sets out a number of corporate priorities, but does not include any local (non-statutory) indicators and standards in relation to its general duty to improve. However, the Council did report on a suite of indicators across its functions and services in its first self-assessment report in 2016-17. Whilst not yet covering all of the Councils functions, it is anticipated that this suite will develop over time.

To further enhance both the transparency and meaningfulness of the improvement plan, there are a number of proposals for improvement:

- good practice suggests that the Council should provide a rationale within its improvement plan for any prior year improvement objectives which have not been brought forward and which have not been achieved;
- in the interests of openness and transparency for the citizen, the governance and management arrangements for performance improvement should be included in the published plan; and
- including local (non-statutory) indicators (more reflective of the general duty to improve) in the plan.
6. Arrangements to improve

The Council is required to establish arrangements to deliver on its improvement objectives each year. The Department for Communities’ guidance states that the Council should be able to understand and demonstrate the impact of its arrangements for continuous improvement on the outcomes for citizens.

The underlying projects in relation to the improvement objectives are supported by delivery plans and budgets. These are being project managed and have lines of accountability to senior management and members. Whilst arrangements are in place to deliver its improvement objectives it is too early in the annual performance improvement cycle to determine the likelihood or extent of any improvement which will be delivered for two key reasons:

- improvement objectives are strategic, broad and open-ended; and
- the Council does not yet have an audited track record of improvement to date.
Section 3  
Key audit and assessment findings

7. Collection, use and publication of performance information

The collection, use and publication of performance information is critical within the performance improvement framework. It enables the Council to measure and evaluate improvement, assists in the identification of priority areas, facilitates comparison and benchmarking and supports the communication of outcomes and progress with its citizens and other stakeholders.

The Council had additional responsibilities this year, specifically in relation to conducting a self-assessment of its performance improvement in 2016-17 and reporting this by 30 September 2017.

The type of information required to be collected, used and reported falls under three key areas:

- the general duty to improve – reflected by local, non-statutory performance indicators and standards;
- the improvement objectives – with specific associated performance measures and indicators; and
- statutory indicators and standards.

In relation to local performance indicators and standards the Council is also now required to make year on year internal comparisons to measure its performance and demonstrate the extent of any improvement, both in relation to its general duty for continuous improvement across all of its functions and any standards and indicators in relation to its individual improvement objectives. In relation to those local performance indicators and standards associated with the general duty councils should make comparisons with other councils, where it is reasonably practical to do so.

Some councils have told us that they are unclear as to the purpose or extent of the collection, use and reporting of local performance information. Clearly, some aspects of this responsibility would benefit from additional clarity and formal guidance from the Department for Communities. This would enhance councils’ current understanding of the legislation’s requirements and also the Department for Communities’ expectations of councils.

The Local Government Auditor’s interpretation of this part of the legislation currently is that:

- a council is expected to select a small range of local indicators and set associated standards across its functions, with baselines and targets established for improvement. This will help to identify its improvement priorities and objectives, and will be required to fully meet its responsibility to collect and use information in relation to the general duty to improve across all of its functions;
- in relation to local performance indicators and standards, a council must publish the results of its performance and provide a year on year comparison within its annual self-assessment report;
- in relation to comparisons with other councils, the Council must continue to work with the Department for Communities and the other councils to agree a suite of local indicators to facilitate comparison. Until this is agreed and implemented, it will not be practicable to publish meaningful comparisons.

This was the first year that councils were required to meet the self-assessment responsibility. The Local Government Auditor’s current view is that, to encourage councils to comply fully and to allow more time for the framework to mature, she will not issue any statutory recommendations in relation to this matter this year. Instead ‘proposals for improvement’ will be used to highlight any matters of non-compliance. If not addressed by councils, these may become statutory recommendations next year.
Section 3
Key audit and assessment findings

Performance information

The Council continues to develop its performance management system. To date this has enabled it to collect a large suite of corporate data and information across some of its functions and services to monitor performance in relation to corporate performance, which has helped identify its priority areas for improvement. This year the Council selected a range of local (non-statutory) indicators and standards which enables it to begin monitoring its general duty to improve.

The Council is also collecting data and information to monitor progress in relation to its projects which support delivery of its improvement objectives. These focus on both quantitative and qualitative information. The Council’s performance management framework is becoming embedded corporately and this information is used to monitor the progress of projects at the service delivery plan level and also collectively, to monitor the projects underlying its improvement objectives. This facilitates scrutiny and informed decision making in relation to the Council’s performance improvement responsibilities.

The Council is a participant in the Local Government Performance Improvement Working Group and is liaising with other councils and the Department to agree a range of local performance indicators and standards to facilitate effective comparison. However, this collaborative work is at a very early stage of development and it is too early to draw any conclusions about the extent to which this will benefit the Council.

The Local Government Auditor makes the following proposal for improvement to enhance the collection and use of information:
- the Council should continue working with other councils and the Department to agree a suite of self-imposed indicators and standards as soon as practicable. This will enable meaningful comparisons to be made and published in line with its statutory responsibility.

Publication of performance information

The Council is required each year to publish a report, or reports, to include a self-assessment of its performance in a financial year:
- in discharging its general duty to improve;
- in meeting its improvement objectives for that year;
- by reference to its local and statutory performance indicators; and
- meeting its local and statutory performance standards.

In addition, the Council’s assessment of its performance and its published report should include a comparison of its performance with previous years, and where reasonably practicable, with other councils. The key purpose of the report is to show citizens, and other stakeholders how the Council is discharging its duty under legislation to secure continuous improvement as set out in its 2016-17 improvement plan. It enables the Council to communicate progress against its improvement objectives and to highlight what visible improvements it has made to its functions and services.

In September 2017 the Council published its ‘Annual Performance Report 2016-17’. It focused on performance in relation to the projects which supported the Council’s 2016-17 improvement objectives and includes a section on its performance in relation to the statutory indicators, as well as some comparisons against other councils in Northern Ireland.
Section 3
Key audit and assessment findings

Improved data collection and management processes during the year has assisted the Council, in some areas, to begin identifying and measuring improvement. This has enabled the Council to support its self-assessment and report on a number of improvements to its services, which should benefit its citizens. The self-assessment report is largely focused on project outputs (and some outcomes) rather than the actual improvement objectives. The primary focus of the Council’s overall view of its success in achieving its improvement objectives for the year must be on the actual ‘outcomes’ achieved. In particular, the actual improvement to functions or services arising as a result of delivering a project, rather than on ‘output-based’ measures such as progress made in delivering a specific project against milestones or deliverables. It also does not include a specific, clear and transparent self-assessment of its performance in discharging its general duty to improve. The Council will need to address this omission next year.

The Local Government Auditor has made a number of observations and good practice suggestions for consideration in future self-assessment reports. These will be shared with councils as a separate publication later in the year. If adopted, these would further enhance the transparency of council’s performance improvement to citizens and stakeholders.

The Local Government Auditor makes the following proposals for improvement to enhance the transparency and clarity of future self-assessments:

- self-assessment reports must include a clear and transparent self-assessment of performance in relation to the general duty to improve as required under the legislation; and
- self-assessment should not focus solely on the underlying projects, but also include a clear and transparent assessment of the Council’s progress in delivering its improvement objectives.
Statement on personal data

4.1 During the course of the audit and assessment we may have access to personal data to support our audit testing. We have established processes to hold this data securely within encrypted files and to destroy it where relevant at the conclusion of our audit. We can confirm that we have discharged those responsibilities communicated to you in accordance with the requirements of the Data Protection Act 1998.

Independence, integrity and objectivity of auditors

4.2 The NIAO's policy to ensure independence, integrity and objectivity of our auditors was set out in our Audit Strategy. Overall, the threat to the audit arising from issues affecting our independence, integrity and objectivity is low, and the safeguards in place ensure that the likelihood of any impact is low.

4.3 We have complied with APB Ethical Standards and, in our professional judgement, we are independent and our objectivity is not compromised. There are no relationships between NIAO and the Council that we consider to bear on our objectivity and independence.

Complaints procedure

4.4 NIAO seeks to ensure that, when carrying out its audit work, it complies with the principles developed by the Public Audit Forum in its paper “What Public Sector Bodies can expect from their Auditors”.

4.5 NIAO also wishes to gauge public sector bodies’ perceptions of its audit processes in order to promote continuous improvement. In particular, it undertakes to act quickly on any complaint and ensure that the underlying causes of problems are addressed to prevent them recurring. In the first instance, complaints can be addressed to the member of the Directorate responsible for the audit within which the concern has been raised.

4.6 Failing resolution of the problem to the satisfaction of the complainant, the Chief Executive of the Council can then write directly to the Local Government Auditor will ensure that a further review of the case will be undertaken.
Audit and assessment of Lisburn and Castlereagh City Council’s performance improvement arrangements

Certificate of Compliance

I certify that I have audited Lisburn and Castlereagh City Council’s (the Council) assessment of its performance for 2016-17 and its 2017-18 improvement plan in accordance with section 93 of the Local Government Act (Northern Ireland) 2014 (the Act) and the Code of Audit Practice for local government bodies.

I also certify that I have performed an improvement assessment for 2017-18 at the Council in accordance with section 94 of the Act and the Code of Audit Practice.

This is a report to comply with the requirement of section 95(2) of the Act.

Respective responsibilities of the Council and the Local Government Auditor

Under the Act, the Council has a general duty to make arrangements to secure continuous improvement in the exercise of its functions and to set improvement objectives for each financial year. The Council is required to gather information to assess improvements in its services and to issue a report annually on its performance against indicators and standards which it has set itself or which have been set for by it by Government departments.

The Act requires the Council to publish a self-assessment before 30 September in the financial year following that to which the information relates, or by any other such date as the Department for Communities (the Department) may specify by order. The Act also requires that the Council has regard to any guidance issued by the Department in publishing its assessment.

As the Council’s auditor, I am required by the Act to determine and report each year on whether:

- The Council has discharged its duties in relation to improvement planning, published the required improvement information and the extent to which the Council has acted in accordance with the Department’s Guidance in relation to those duties; and

- The Council is likely to comply with the requirement to make arrangements to secure continuous improvement in the exercise of its duties.

Scope of the audit and assessment

For the audit I am not required to form a view on the completeness or accuracy of information or whether the improvement plan published by the Council can be achieved. My audits of the Council’s improvement plan and assessment of performance, therefore, comprised a review of the Council’s publications to ascertain whether they included elements prescribed in legislation. I also assessed whether the arrangements for publishing the documents complied with the requirements of the legislation, and that the Council had regard to statutory guidance in preparing and publishing them.

For the improvement assessment I am required to form a view on whether the Council is likely to comply with the requirements of Part 12 of the Act. My assessment of the Council’s improvement responsibilities and arrangements, therefore, comprised a review of certain improvement arrangements within the Council, along with information gathered from my improvement audit.
The work I have carried out in order to report and make recommendations in accordance with sections 93 to 95 of the Act cannot solely be relied upon to identify all weaknesses or opportunities for improvement.

**Audit opinion**

**Improvement planning and publication of improvement information**

As a result of my audit, I believe the Council has discharged its duties in connection with (1) improvement planning and (2) publication of improvement information in accordance with section 92 the Act and has acted in accordance with the Department for Communities’ guidance sufficiently.

**Improvement assessment**

As a result of my assessment, I believe the Council has as far as possible discharged its duties under Part 12 of the Act and has acted in accordance with the Department for Communities’ guidance sufficiently.

2017-18 was the second year in which councils were required to implement the new performance improvement framework. The Council’s arrangements to secure continuous improvement, as is to be expected, are still in various stages of development and implementation. The Council is strengthening its arrangements to secure continuous improvement, and has delivered some measurable improvements to its services in 2016-17. However, until the Council’s arrangements further develop and begin to mature and it can demonstrate a track record of ongoing improvement in relation to the framework, I am unable to determine, the extent to which improvements will be made.

I have not conducted an assessment to determine whether the Council is likely to comply with the requirements of Part 12 of the Act in subsequent financial years. I will keep the need for this under review as arrangements become more fully established.

**Other matters**

I have no recommendations to make under section 95 (2) of the Local Government (Northern Ireland) Act 2014.

I am not minded to carry out a special inspection under section 95 (2) of the Act.

LOUISE MASON
Local Government Auditor
NI Audit Office
106 University Street
Belfast
BT7 1EU

30 November 2017
Audit and assessment of Lisburn and Castlereagh City Council’s performance improvement arrangements

Certificate of Compliance

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I am not minded to carry out a special inspection under section 95 (2) of the Act.

LOUISE MASON
Local Government Auditor
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106 University Street
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30 November 2017
Update on Sustainable Development

Under s.25 of the Northern Ireland (Miscellaneous Provisions) Act 2006, Government Departments and Councils have a statutory duty to promote the achievement of sustainable development in the exercise of their functions.

The Council has a ‘Sustainability Champion’ within each Directorate, to date the Performance Improvement Officer along with the Sustainable Development Champions have represented the Council on the NI Sustainable Development Forum who meet quarterly. The Forum has been extremely beneficial in helping LCCC contribute to the achievement of Sustainable Development as detailed in the 2006 Act.

The Sustainable Development Champions currently are:

- Ross Gillanders – Leisure & Community Wellbeing
- Albert Reynolds – Environmental Services
- Carmel Connolly – Service Support
- Suzanne Lutton – Service Transformation

Who are Sustainable NI?

Sustainable NI provides strategic and technical support to local authorities in Northern Ireland to help them meet their statutory obligations on sustainable development (SD). Below are some services that they provide:

- Corporate and elected member
- Strategy and policy development
- Corporate Sustainability
- Sustainability screening of new policies, plans or programmes
- Sustainable energy in the community
- Climate change resilience
- Funding applications

This is not an exhaustive list and SNI can tailor services to meet council needs.
The MJ Awards 2018

The MJ Local Government Achievement Awards 2018 are an ideal opportunity for local authority teams to show the world the depth and scale of their innovation. The MJ Awards contain 16 categories covering service delivery right across the sector of local government.

The closing date for applications is Friday February 2\textsuperscript{nd} 2018 and the gala night takes place at London’s Hilton Hotel, Park Lane on 27th June 2018.

The MJ Awards 2018 categories are:

- Local Authority of the Year
- Best Commercial Council
- Best Council Services Team
- Best Social Housing Initiative
- Care and Health Integration
- Delivering Better Outcomes
- Digital Transformation
- Highways Management
- Impact and Learning in Children’s Services
- Innovation in Communications
- Innovation in Finance
- Innovation in Property and Asset Management
- Public Health Improvement
- Rising Star
- Senior Leadership Team
- Workforce Transformation

LCCC proposes to:

Following recent success at the NI Local Government Awards it is proposed that LCCC will make the following submissions

- Best Council Services Team: City Centre Management and Grounds Maintenance
- Delivering Better Outcomes: Business Start Programme
- Public Health Improvement: Invest in Health Project and Heart City
- Workforce Transformation: HR&OD
Ombudsman’s Report

2016 | 2017
ANNUAL REPORT

of the

Northern Ireland
Public Services Ombudsman

2016-17

Presented to the Assembly pursuant to section 46 (1) of the Public Services Ombudsman Act (Northern Ireland) 2016.
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Foreword from the Ombudsman

Introduction

I am pleased to present my general report on the functions of my Office for the year ended 31 March 2017. I was appointed Northern Ireland Public Services Ombudsman on 1 April 2016, so the report covers all of my first year as Ombudsman.

I independently and impartially investigate complaints from individuals about public services in Northern Ireland. My remit is broad and includes complaints of maladministration about central and local government, education, health and social care, housing and justice bodies. In health and social care I can investigate not only maladministration but also professional judgement.

In my role of Northern Ireland Local Government Commissioner for Standards I am responsible for investigating and adjudicating on complaints about alleged breaches of the Local Government Code of Conduct for Councillors.

From 1 April 2016 the functions of the Northern Ireland Judicial Appointments Ombudsman in relation to complaints about judicial appointments also transferred to my Office.

Public Services Ombudsman Act (NI) 2016

This report is laid before the Northern Ireland Assembly as the formal document of record for the newly created Office of the Northern Ireland Public Services Ombudsman, which was established by the Public Services Ombudsman Act (Northern Ireland) 2016 (‘the Act’). The Act repealed legislation which provided for the former Offices of the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints. Given that a significant number of investigations under the old legislation remained open when I took up office, a key objective of my first year as Ombudsman has been to conclude these cases.

In addition to that challenge, the Act has provided for extensions of jurisdiction (particularly in the education sector) and new powers to consult, co-operate and share information with other ombudsmen and oversight bodies, such as the Regulation and Quality Improvement Authority (RQIA) and the Northern Ireland Audit Office. Work has begun with these bodies to establish protocols to ensure there is no duplication of investigative resource in areas where my jurisdiction overlaps with other regulatory roles.
In this year, both myself and my staff have undertaken speaking engagements and outreach work to better inform the public and bodies in jurisdiction about the new Office and its extended powers. The new legislation now makes it easier for individuals to complain and there is no longer a requirement for a complaint to be made to the Office in writing. One of my key aims is to increase awareness of the Office and to ensure it is as accessible to the public as possible.

The vast majority of the complaints about public services come from a person aggrieved or someone acting on their behalf. However, I can now, unlike my predecessors, investigate complaints referred by a body where it has been unable to resolve a complaint.

Further the Act places a statutory duty on all bodies in jurisdiction to refer complainants to the Office at the conclusion of the internal complaints process.

This report describes how complaints received between 1 April 2016 and 31 March 2017 were investigated and complements my Annual Report and Accounts published in June of this year, which provides information on the Office’s corporate governance and financial position for the same period. A copy of this Report can be found at www.nipso.org.uk.

Complaints Activity

Overall complaints activity in the past year increased by 12% with 3,385 complaint contacts in 2016-17, compared to 3,057 in 2015-16.

Forty one percent of complaints related to health and social care matters, with the majority of these relating to Health and Social Care Trusts. Less than 1% of complaints to the Office in 2016-17 related to general health care providers such as GPs, dentists, opticians and pharmacists.

Given the recent reform of local government, it is notable that concerns about the actions of local councils resulted in a total of 62 (11%) complaints, a reduction from 82 complaints received in the previous year. A number of these relate to planning issues as well as public procurement.

Detailed statistics and further information on complaints received during 2016-17 is available in Section Two and Appendix A of this report.

Early Resolution of Complaints

As Ombudsman I am the final arbiter of complaints about public services in Northern Ireland. Most complaints which come to the Office have been through the internal complaints procedure of a public body but have not been resolved to the satisfaction of the complainant.

The Office is structured so as to ensure that when these complaints are received, where possible they are resolved at an early stage. The ASSIST (Advice, Support
Service and Initial Screening Team) team performs an essential ‘triaging’ role for all complaints to the Office. This has been a success in ensuring that early resolution can be achieved for the benefit of the public and the body concerned. A sample of case work in this team is summarised on pages 15 and 16.

Innovation in Investigations

A number of new investigation initiatives were introduced during the year to speed up the investigation and reporting processes, reflecting streamlined requirements in the new legislation. A new staff manual was developed to take account of the legislative requirements and investigating officers undertook training in evidence and report writing.

I am grateful to my colleague, the Welsh Ombudsman, for his assistance and that of his staff in developing a new report template. Staff have been working hard to produce clear, succinct reports with a view to publishing when it is in the public interest to do so under the new legislation.

Working jointly with the Northern Ireland Human Rights Commission, a manual which demonstrates the Human Rights Based Approach to ombudsmen investigations was launched in May 2016. Supported by the International Ombudsman’s Institute (IOI) this new investigative approach has had much international acclaim.

The purpose of the manual is to ensure that our work is rooted in protecting individuals and in assisting bodies to effectively apply human rights principles.

I was privileged to be invited to speak at the IOI world conference in Bangkok and there was keen interest in the experience of introducing this approach to investigations in cases that raise human rights issues.

In October 2016 I hosted the Public Services Ombudsman Group for a visit to Northern Ireland to discuss good practice in complaints handling and the role of the Ombudsman in remedying injustice.

The group comprises public services ombudsmen from the United Kingdom, Ireland, Malta and Gibraltar and meets twice a year to share learning and good practice.
Principles of Good Administration

When I commenced my tenure as Ombudsman I knew that the fundamental principles of good public administration were acknowledged and embedded across all public services in Northern Ireland. This is due in no small part to the hard work and dedication of my predecessor Dr Tom Frawley CBE.

I continue to use the Principles of Good Administration as a benchmark for assessing the actions and decisions of all public service providers in Northern Ireland. The Principles can be found in Appendix B of this report.

There are a number of issues which I wish to highlight from my in-depth investigations and which bodies in my jurisdiction will need to consider. I continue to receive cases where the complainant is dissatisfied with the way the body in jurisdiction has handled their complaint. Issues raised include the length of time taken to complete the complaints process, questions or concerns raised remaining unanswered and reasons for decisions not being properly explained.

The Principles of Good Complaints handling are now well established and should be embedded into the complaints policy and procedures of bodies in my jurisdiction. The policy and procedures should be underpinned with training for those who will be involved in the management or investigation of complaints.

The quality of records created and maintained by public service providers remains a concern. Too often my investigators find that at key points in the decision making process records to support the decisions have either not been kept or are of poor quality.

Maintaining clear and accurate records is a fundamental facet of good administrative practice. Records must provide evidence of how decisions have been reached and the factors which were taken into account in arriving at the decision. The absence of appropriate records has the potential to undermine the public’s trust and confidence in the decision making process and the decision taken.
New Accountability

2016-17 was a year of continuous change and challenge for the new Office, with extended jurisdictions in Further and Higher education, increased powers to access information and new responsibilities for judicial appointments. Revised accountability relationships were also created for NIPSO by the Act.

For the first time I presented the Office resource bids for scrutiny by the Audit Committee of the Northern Ireland Assembly. A Memorandum of Understanding was developed with that Committee to outline the reporting obligations and responsibilities of myself and the Committee.

A NIPSO Audit and Risk Committee with independent Chair and Members was also created to support me in my role as Accounting Officer. Despite the increase in jurisdiction and increasing case numbers, for a time I was unable to progress staff recruitment due to uncertainty over the allocation of increased funds for my new areas of work. I am pleased to record however that these issues were resolved and funding secured for the 2017/18 year.

This has been a year of change and transition to new ways of working and increased responsibilities. A transfer of staff and the move away from secondment to direct employment of all Office staff brought increased responsibilities as an employer. I am grateful to my Deputy Mr Paul McFadden, the Senior Management team and staff for their resilience and hard work in facing the increased pressures and commitments necessary to establish the new Office. In this first year my staff have demonstrated their professionalism and dedication to improving public services by the investigation of complaints from the public.

MARIE ANDERSON
Northern Ireland Public Services Ombudsman
Section One
NIPSO Report 2016-17

Increased Remit and Powers

The first year of NIPSO brought significant change with greatly increased remit and enhanced investigation and reporting powers as compared to its predecessor, the Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints (AOCC). NIPSO now can investigate complaints about:

- professional judgment in social care (April 2016)
- maladministration by the Northern Ireland Audit Office (NIAO), the Northern Ireland Assembly Commission, and the Northern Ireland Judicial Appointments Commission (April 2016)
- maladministration in government commercial and contractual matters (including procurement) (April 2016)
- maladministration by Colleges of Further and Higher Education, the Queen’s University of Belfast, the Ulster University and their affiliated colleges (October 2016).

In addition, from April 2017 NIPSO has responsibility for the investigation of complaints about the Board of Governors of publicly funded schools (approximately 1,200 in number). During 2016-17 a considerable amount of work was completed in preparing for the acquisition of this very significant new jurisdiction.

One of the main Northern Ireland Assembly policy objectives in the establishment of NIPSO was the desire to increase accessibility to the Ombudsman and to make it easier for the public to complain. The legislative provisions in the Act implementing this aim include:

- members of the public are no longer required to obtain MLA sponsorship in order to make a complaint about a Government Department; although MLAs can act ‘on behalf’ of a constituent in bringing a complaint to my Office where appropriate.
- public service providers are required to signpost complainants to NIPSO at the conclusion of their complaints process
- an oral complaint can be accepted by NIPSO where previously only a written complaint was acceptable.

In addition to the NIPSO role in investigating maladministration, the Ombudsman was also appointed as the Northern Ireland Local Government Commissioner for Standards. In that role she investigates and adjudicates on complaints about alleged breaches of the Northern Ireland Local Government Code of Conduct. A report on the operation of this important and high profile function in 2016-17 has separately been prepared and published.
Further, the functions of the Northern Ireland Judicial Appointments Ombudsman were also transferred to NIPSO from 1 April 2016.

**New reporting powers**

The establishment of NIPSO has brought significant new reporting powers that have the potential to further inform the public on the work of the Office. The Act introduced the power, for the first time, to publish reports on investigations in the public interest.

Greater transparency in reporting will give the work of the Ombudsman a much higher profile, and lead to a heightened awareness of its functions and role as a final arbiter in public services complaints resolution.

The Ombudsman has given careful and detailed consideration over the course of 2016-17 to the practical application of her new reporting powers. There are a number of factors the Ombudsman will consider in deciding whether publication of a report is in the public interest, such as where the investigation reveals serious maladministration. The power to publish in the public interest plays an important role in delivering transparent public services.

The Ombudsman will publish her first public interest reports during the course of 2017-18 and will also develop and publish appropriate case digests and other forms of reports which will serve to inform the public and stakeholders about the work of the Office. A key aim of these publications is to share the learning from investigating complaints across a wide range of public services.

Another important change has been the ability of the Ombudsman to share her investigation report with any other person that she considers appropriate. This power was not provided for previously and enables the Ombudsman to highlight instances of maladministration with other bodies whose role complements her own. This may include other regulators such as the General Medical Council or the Regulation and Quality Improvement Authority and will greatly enhance the ability to share matters of common interest relating to public service improvement or issues relating to patient safety.

**Own Initiative powers**

Continuing the increase in remit, 2018/19 will bring a significant new role for the Ombudsman, with the addition of Own Initiative powers. This will allow the Ombudsman to undertake investigations into potential systemic maladministration and injustice, enabling the Ombudsman to look beyond the individuals who bring complaints to issues which potentially affect many people. In 2017/18 preparations will begin for this important new role, including engagement with public bodies, regulators and other key stakeholders.
Complaints Standards Authority

The Act also contains provisions to establish NIPSO as a complaints standards authority (CSA). These provisions, in Part 3 of the Act must be commenced separately by the Northern Ireland Assembly. They have been modelled on the provisions introduced for the Scottish Public Services Ombudsman in 2010.

This role, subject to commencement, will enable NIPSO to lead the development and implementation of new complaints handling procedures across public services in Northern Ireland. Its purpose will be to support continuous improvement in complaints handling by guiding all public service providers under NIPSO’s remit towards a simplified, accessible and standardised complaints procedure. These procedures must put the service user at the heart of the process, focus on early resolution, and valuing complaints as tools for feedback, learning and service improvement.

During 2017-18 NIPSO will be progressing work to research complaints handling in Northern Ireland, develop a stakeholder engagement framework and take forward the necessary steps to commence Part 3 of the Act.

Engagement with New Jurisdictions

On 1 October 2016, all further education institutions in Northern Ireland, Queen’s University and the Ulster University came within the Ombudsman’s jurisdiction for the first time. NIPSO staff held an outreach event in September 2016 and met with staff from further education colleges, Universities and Students Unions to explain the Ombudsman’s role.

Complaints of maladministration about the Boards of Governors of grant-aided schools came within the Ombudsman’s jurisdiction on 1 April 2017. In preparation for this extension of the Ombudsman’s jurisdiction ASSIST staff were involved in engagement with the Education Authority to inform the schools sector about the role of the Ombudsman, including publication of information leaflets on this sector.

Staff have been actively involved in engaging with public bodies and users groups to increase awareness of the Ombudsman’s role. As part of this engagement ASSIST staff have provided information sessions on how to complain to the Ombudsman to a number of advocacy groups who provide advice and support to the public.
Section Two  
Casework Performance

ASSIST (Advice, Support Service and Initial Screening Team)

The Advice, Support Service and Initial Screening Team (ASSIST) is the public’s first point of contact with the Office. The Ombudsman’s remit covers complaints of maladministration about the majority of public services in Northern Ireland.

The term maladministration is not defined but is generally taken to mean poor administration or the wrong application of rules. The Ombudsman can also consider complaints about the professional judgment of health and social care professionals.

Some examples that the Ombudsman may regard as maladministration include:

- Unfairness
- Avoidable delay
- Faulty procedures or failing to follow the correct procedures
- Not telling someone about any rights of appeal they have
- Bias or prejudice in decision making
- Giving misleading or inadequate advice
- Discourtesy and failure to apologise properly for errors
- Mistakes in complaint handling

Examples of where the Ombudsman would not generally investigate a complaint are if:

- It is made to the Ombudsman more than 6 months after completing the body’s complaints procedure (unless the Ombudsman decides there are special circumstances)
- It is about government policy or legislation
- It is about private health care or private education
- It is the subject of civil or criminal proceedings
- It has been or is the subject of an inquiry

In 2016-17 we received 3,385 complaints contacts. This was a 12% increase from the 2015/16 period.

ASSIST plays an important role in providing advice and guidance to members of the public who want to pursue a complaint. Making a complaint is free, but importantly the Office does not investigate every complaint it receives.
Section Two
Casework Performance

There are three main stages to NIPSO’s case handling process. These are:

- **Initial Assessment**
- **Assessment**
- **Investigation**

ASSIST plays a key role in ensuring that the Office resources are focused effectively and provides a high level of customer service by informing complainants in a timely way about what action we can take regarding their complaint.

ASSIST assess all complaints received to decide if the Ombudsman can investigate under the terms of the Act. Where we decide that we cannot take any further action, complainants receive a clear explanation as to how and why the decision was reached and, where useful, are provided with information about other potential sources of assistance.

It is important that members of the public receive an answer to their complaint as quickly as possible. In 2016-17 ASSIST issued a decision on 96% of initial assessments within 10 working days.

ASSIST regularly obtains more information from the organisation concerned to build our knowledge of the complaint and as foundation for assessing if there was prima facie evidence of maladministration. In our assessment work we use what we call the 3P’s policy to decide if:

1. An investigation is appropriate and necessary in the circumstances *(Proportionality)*
2. An investigation by the Ombudsman would directly bring about a solution or adequate remedy *(Practical outcome)*
3. Investigating the issues of complaint could be of potential benefit to the general public *(Public interest)*

**Settlements**

The Act provides for the Ombudsman to take a decision to resolve a complaint at Assessment without carrying out an investigation. This is described as a settlement and can provide a speedy, effective and practical resolution of the complaint. When considering the possibility of settlement ASSIST staff identify the action needed to resolve or remedy the cause of complaint. This may take the form of timely service provision, an apology for failures in service, reimbursement of expenses incurred or an improvement in service.

In 2016-17 settlement was achieved in **11** cases. The following case summary shows an example of a settlement where ASSIST helped a complainant recover the child support payments which had been incorrectly withheld from her by the Child Maintenance Service.
## Case Summary

### Child Support payments recovered following complaint to Ombudsman

A complainant stated that she had not received her three most recent payments of Child Support.

ASSIST’s enquiries with the Child Maintenance Service (CMS) helped them to establish that a clerical error and an incorrect application of the legislation meant that the money owed had not been paid. In recognition of the errors the CMS:

- Paid the complainant what she was owed, plus an additional consolatory payment of £300 in acknowledgment of the financial hardship and upset caused by the errors
- Provided the complainant with an apology
- Issued guidance to the CMS complaint handling team to prevent similar errors occurring in the future.

The Ombudsman can also use alternative methods to resolve a complaint. The case summary below illustrates how we were able to obtain bespoke support for a vulnerable complainant.

## Case Summary

### Support worker appointed to assist vulnerable complainant

A member of the public complained about the Northern Ireland Housing Executive (NIHE) in relation to outstanding repairs to her property, difficulties with her neighbours and that she had been interviewed and warned about her anti-social behaviour.

During the assessment of her complaint it was noted that the complainant had mental health issues but was refusing to accept support or treatment for these at that time.

As part of the Ombudsman’s power to resolve complaints using alternative resolution it was suggested that the NIHE explore the possibility of appointing a support worker from the Assisting People and Communities scheme (APAC) to assist the complainant with the difficulties she was clearly experiencing at that time.

The appointment of a support worker required extensive and sensitive discussion with the complainant to ensure that she wanted to accept such help. It was explained that this type of support worker could offer the complainant the type of advocacy and support that this Office could not.

The complainant accepted this assistance and was pleased with the outcome achieved for her.
In other cases complaints are not accepted for investigation because there is no prima facie evidence of maladministration. The following is an example of such a case.

## Case Summary

### Queen's University provided ‘full, accurate and appropriate advice’ prior to complainant’s exam resits.

The Ombudsman decided at assessment stage that Queen’s University Belfast had acted appropriately when asking a Masters student to withdraw from her course after she failed four out of five examination resits.

The student complained to the Office when her appeal against the University’s decision was rejected.

Consideration was given as to whether an investigation would be proportionate, practical and in the public interest.

Evidence was received from both parties to help make the decision.

The student alleged that the University did not tell her that she could spread the resits out, meaning that she was forced to take them all within one month at a medically and emotionally difficult time for her. She also stated that she was not made aware of the full implications of failing the exams for a second time.

The University provided the Office with their ‘Fit to Sit’ examinations policy, ‘exceptional circumstances’ guidance for students, and documentation from three Student Support Meetings they had with the student.

The Ombudsman concluded that the University had acted appropriately in the matter, providing the student with full and accurate advice and guidance throughout the process.

Alongside the information and policies provided to her as a student of the course the Ombudsman was satisfied that she was also verbally advised of the implications of taking and failing the resits and of the option to request them being spread out.

Both parties were informed that the complaint would not be further investigated.
Analysis of Complaints

From the 3,385 complaint contacts received by ASSIST in 2016–17, a total of 575 unique complaints were considered for further investigation. The complaints related to a wide range of service providers. For the purposes of statistical analysis they are broken down into the six main areas below:

- Health and Social Care
- Government Departments
- Agencies of Government Departments
- Local Councils
- Housing
- Education and Training

### Percentage of Complaints by Sector 2016-17

<table>
<thead>
<tr>
<th>Sector</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health and Social Care</td>
<td>236</td>
</tr>
<tr>
<td>Government Departments</td>
<td>107</td>
</tr>
<tr>
<td>Housing</td>
<td>67</td>
</tr>
<tr>
<td>Local Councils</td>
<td>62</td>
</tr>
<tr>
<td>Agencies of Government Departments</td>
<td>33</td>
</tr>
<tr>
<td>Education and Training</td>
<td>13</td>
</tr>
<tr>
<td>Other</td>
<td>57</td>
</tr>
<tr>
<td>Total</td>
<td>575</td>
</tr>
</tbody>
</table>
Section Two
Casework Performance

Health and Social Care

41% of complaints related to Health and Social care.

![Pie chart showing distribution of complaints]

<table>
<thead>
<tr>
<th>Health and Social Care Sector</th>
<th>Number of complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health &amp; Social Care Trusts</td>
<td>190</td>
</tr>
<tr>
<td>General Health Care Providers (GPs, dentists, opticians, pharmacists)</td>
<td>26</td>
</tr>
<tr>
<td>Private Nursing/Care Home</td>
<td>10</td>
</tr>
<tr>
<td>Not Specified HC Body</td>
<td>2</td>
</tr>
<tr>
<td>Independent Health and Social Care Provider</td>
<td>2</td>
</tr>
<tr>
<td>Regional Health &amp; Social Care Board</td>
<td>2</td>
</tr>
<tr>
<td>Regulation and Quality Improvement Authority</td>
<td>2</td>
</tr>
<tr>
<td>NI Blood Transfusion Service</td>
<td>1</td>
</tr>
<tr>
<td>Public Health Agency</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>236</strong></td>
</tr>
</tbody>
</table>

Total Complaints about Health and Social Care Trusts

<table>
<thead>
<tr>
<th>Trust</th>
<th>Number of complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belfast Health and Social Care Trust</td>
<td>61</td>
</tr>
<tr>
<td>Western Health and Social Care Trust</td>
<td>36</td>
</tr>
<tr>
<td>Southern Health and Social Care Trust</td>
<td>33</td>
</tr>
<tr>
<td>South Eastern Health and Social Care Trust</td>
<td>31</td>
</tr>
<tr>
<td>Northern Health and Social Care Trust</td>
<td>19</td>
</tr>
<tr>
<td>South Eastern Health and Social Care Trust (Prison)</td>
<td>8</td>
</tr>
<tr>
<td>Northern Ireland Ambulance Service Trust</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>190</strong></td>
</tr>
</tbody>
</table>
Government Departments

19% of complaints related to Government Departments.

Total Complaints about Government Departments

<table>
<thead>
<tr>
<th>Government Department</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department for Infrastructure</td>
<td>25</td>
</tr>
<tr>
<td>Department of Finance - Land and Property Services</td>
<td>18</td>
</tr>
<tr>
<td>Department for Communities</td>
<td>13</td>
</tr>
<tr>
<td>Department of Agriculture, Environment &amp; Rural Affairs</td>
<td>13</td>
</tr>
<tr>
<td>Department for Communities - Child Maintenance Service</td>
<td>10</td>
</tr>
<tr>
<td>Department of Education</td>
<td>8</td>
</tr>
<tr>
<td>Department of Finance</td>
<td>8</td>
</tr>
<tr>
<td>Department of Justice</td>
<td>5</td>
</tr>
<tr>
<td>The Executive Office</td>
<td>4</td>
</tr>
<tr>
<td>Department for the Economy</td>
<td>3</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>107</strong></td>
</tr>
</tbody>
</table>
Local Councils

11% of complaints related to Local Councils

- Newry, Mourne & Down District Council: 16
- Antrim & Newtownabbey Borough Council: 14
- Ards & North Down Borough Council: 13
- Armagh City, Banbridge & Craigavon Borough Council: 10
- Causeway Coast and Glens Borough Council: 10
- Mid & East Antrim Borough Council: 10
- Mid Ulster District Council: 10
- Belfast City Council: 8
- Derry City & Strabane District Council: 6
- Lisburn & Castlereagh City Council: 3
- Fermanagh & Omagh District Council: 2

Total Complaints about Local Councils

<table>
<thead>
<tr>
<th>Council</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newry, Mourne &amp; Down District Council</td>
<td>10</td>
</tr>
<tr>
<td>Antrim &amp; Newtownabbey Borough Council</td>
<td>9</td>
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<tr>
<td>Ards &amp; North Down Borough Council</td>
<td>8</td>
</tr>
<tr>
<td>Mid &amp; East Antrim Borough Council</td>
<td>6</td>
</tr>
<tr>
<td>Armagh City, Banbridge &amp; Craigavon Borough Council</td>
<td>6</td>
</tr>
<tr>
<td>Causeway Coast &amp; Glens Borough Council</td>
<td>6</td>
</tr>
<tr>
<td>Mid Ulster District Council</td>
<td>5</td>
</tr>
<tr>
<td>Belfast City Council</td>
<td>5</td>
</tr>
<tr>
<td>Derry City &amp; Strabane District Council</td>
<td>4</td>
</tr>
<tr>
<td>Lisburn &amp; Castlereagh City Council</td>
<td>2</td>
</tr>
<tr>
<td>Fermanagh &amp; Omagh District Council</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>62</strong></td>
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</tbody>
</table>
Government Agencies

6% of complaints related to Agencies of Government Departments

Total Complaints about Agencies of Government Departments

<table>
<thead>
<tr>
<th>Agency</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driver &amp; Vehicle Agency</td>
<td>14</td>
</tr>
<tr>
<td>Social Security Agency</td>
<td>11</td>
</tr>
<tr>
<td>TransportNI</td>
<td>3</td>
</tr>
<tr>
<td>Northern Ireland Environment Agency</td>
<td>3</td>
</tr>
<tr>
<td>Rivers Agency</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>33</strong></td>
</tr>
</tbody>
</table>
Section Two
Casework Performance

Housing

11% of complaints related to housing.

Total Complaints about Housing

<table>
<thead>
<tr>
<th>Housing Authority</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Ireland Housing Executive</td>
<td>52</td>
</tr>
<tr>
<td>Choice Housing</td>
<td>5</td>
</tr>
<tr>
<td>Clanmill Housing Association Ltd</td>
<td>4</td>
</tr>
<tr>
<td>HELM Housing</td>
<td>2</td>
</tr>
<tr>
<td>Fold Housing Association</td>
<td>2</td>
</tr>
<tr>
<td>Habinteg Housing Association (Ulster) Ltd</td>
<td>1</td>
</tr>
<tr>
<td>Alpha Housing Association (NI) Ltd</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>67</strong></td>
</tr>
</tbody>
</table>
## Education and Training

2% of complaints related to Education and Training.

![Pie chart showing percentages of complaints by establishment.]

### Total Complaints about Education and Training

<table>
<thead>
<tr>
<th>Establishment</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education Authority</td>
<td>5</td>
</tr>
<tr>
<td>Queen’s University Belfast</td>
<td>3</td>
</tr>
<tr>
<td>Council for Catholic Maintained Schools</td>
<td>2</td>
</tr>
<tr>
<td>General Teaching Council for Northern Ireland</td>
<td>1</td>
</tr>
<tr>
<td>Ulster University</td>
<td>1</td>
</tr>
<tr>
<td>North West Regional College</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>13</strong></td>
</tr>
</tbody>
</table>

### Other

<table>
<thead>
<tr>
<th>Other</th>
<th>Number of Complaints</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern Ireland Assembly</td>
<td>1</td>
</tr>
<tr>
<td>North-South Body</td>
<td>1</td>
</tr>
<tr>
<td>Other</td>
<td>11</td>
</tr>
<tr>
<td>Other Assembly Ombudsman</td>
<td>3</td>
</tr>
<tr>
<td>Other Commissioner for Complaints</td>
<td>14</td>
</tr>
<tr>
<td>Outside Jurisdiction</td>
<td>21</td>
</tr>
<tr>
<td>Tribunal</td>
<td>6</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>57</strong></td>
</tr>
</tbody>
</table>
Ombudsman’s Investigations Team

Where the ASSIST team decide that they cannot resolve the complaint and there is evidence that the matter requires further detailed investigation, the case is forwarded to the Ombudsman’s Investigations Team. A total of 68 cases were referred to the Investigations Team in 2016-17.

This is a dedicated unit of skilled investigators who bring a wide variety of experience to the role. Investigators conduct a detailed independent, impartial investigation of every case by obtaining all relevant evidence, either from the complainant, the public service provider or other party.

The investigation is conducted through correspondence and where appropriate interview with relevant witnesses and staff involved in the complaint. When investigating complaints about health and social care, investigators will also seek advice from a team of qualified Independent Professional Advisors.

An Ombudsman investigation is an inquisitorial rather than an adversarial process. Where maladministration is found the Ombudsman will, if appropriate, make recommendations about how the public service provider should remedy the injustice caused to the individual.

At the end of an investigation a detailed report is sent to both the complainant and the provider complained of. The report will summarize the allegations made by the complainant and then explain what steps were taken by the Office to investigate the complaint. It will assess the response of the provider to the allegations and any findings made during the course of the investigation. The report will conclude by explaining the determination of the Ombudsman and her recommendations to remedy the injustice.

An organisation may be asked to issue an apology to a complainant, or the Ombudsman may recommend changes in practice to bring about service improvements. If the complainant has sustained injustice or distress financial redress may be recommended.

The Investigations Team completed 54 investigations during the course of 2016-17. Within these there were 189 separate issues of complaint, of which 119 (63%) were either upheld or partially upheld. A total of 70 issues (37%) were not upheld.

Summaries of a selection of investigations carried out over the course of the year appear on the following pages.
Case Summary

Health Trust improves support for sign language patients following Ombudsman investigation

A man alleged that the Southern Health and Social Care Trust had failed to provide his deaf mother with a sign language interpreter during her stay in Craigavon Area Hospital.

The man contacted the Office after efforts to resolve the issue within the Trust's own internal complaints mechanism were unsuccessful.

The Ombudsman's investigation revealed that on three separate occasions during her stay in hospital the Trust failed to contact the Royal National Institute for Deaf People, leaving the complainant and his wife struggling to communicate specific medical information themselves.

The Trust's procedure for providing interpreting services for sign language patients was examined and found to be discriminatory and deficient.

The complaint was upheld and the Ombudsman found the Trust's actions to be discriminatory as the failures meant that the complainant's mother was not given the same explanation of her medical care as she would have if she were not deaf. In this regard the Trust did not show sufficient regard to her human rights.

In addition the Ombudsman found that the Trust's internal complaints process failed to properly deal with the man's allegations.

The Ombudsman recommended that the Trust made an apology to the complainant in recognition of the upset, distress and inconvenience caused by its maladministration. A number of other recommendations were made to improve the Trust's procedures for dealing with people with hearing impairments and their specific communication needs.

The Trust accepted these findings and recommendations.
### Case Summary

**Health Trust’s care and treatment of patient was ‘appropriate’**

A complaint was received from a patient of the Southern Health & Social Care Trust, who stated that he was unhappy about the medical care he had received from the Trust over a number of years.

An investigation was initiated after the Trust’s own internal complaints process had been exhausted.

Between 2008 and 2013 the man attended multiple clinicians both privately and under the NHS and had many tests carried out, yet his pain and discomfort remained. He claimed that the root cause of his problems and the source of his pain was mesh which was used to repair a hernia in 2008. He believed that he was too often being referred from one doctor to another, with nobody able to properly help him.

The investigation included an analysis of the patient’s medical records and complaints file, as well as other hospital records relating to the case. The Ombudsman also asked an Independent Professional Advisor to comment on various aspects of the Trust’s medical care.

The Trust stated that the patient suffered from a complex condition and that the care provided to him by the Consultant Surgeon was exhaustive and appropriate. The Trust added that there were no other treatments which could have been considered to alleviate his pain.

The Ombudsman’s medical advisor stated that in complex cases such as this difficulties can arise during treatment, that diagnosis can be elusive and that there was nothing inappropriate in the care given to the complainant.

After reviewing all of the evidence the Ombudsman concluded that the multiple referrals were unfortunately unavoidable, and that the Trust had provided appropriate care and treatment to the man during the period in question.

The Ombudsman did not uphold the complaint.
Types of Investigation

In 2016-17, 41% of the 575 unique complaints received related to the health and social care system. The jurisdiction of the Office in relation to health and social care differs from that of other bodies. The Office may investigate the merits of professional judgements in connection with the provision of health and social care without first having established maladministration. The effect of this is that a higher proportion of health and social care cases are forwarded to the Investigations Team for their consideration.

In 2016-17 therefore, 80% of the cases determined at the investigation stage of our process related to health care.

The majority of these cases related to complaints about secondary care provided by health and social care trusts.

In the 2015/16 reporting year the Office was critical of the considerable delays investigators faced in receiving responses to their enquiries from health and social care bodies. Over the 2016-17 reporting period there has been a marked improvement in this area and health and social care bodies are to be commended for this. Given that unnecessary delay adds to the frustration already experienced by the complainant it is important that this trend continues.

An ongoing issue across all public service providers is the number of cases where the complainant is dissatisfied with the way the body in jurisdiction has handled their complaint. Matters complained of include the length of time taken to complete the complaints process, questions or concerns not being answered by the bodies and reasons for decisions not being given or properly explained.

It is hoped that these issues will begin to be addressed through the Complaints Standards Authority which aims for simplified, standardised complaints handling procedures for all public service providers in Northern Ireland.
Case Summary

**Trust apologises for 'significant failures' in care of patient and handling of subsequent complaint**

The Ombudsman upheld a complaint about the care and treatment provided to a patient by the Belfast Health and Social Care Trust.

The complainants questioned the standard of nursing care provided to their late daughter during her final hours in hospital. They also stated that they had concerns about the way the Trust had dealt with an investigation into their complaints.

The parents said that their daughter was admitted to hospital one evening with an existing medical condition. During the night she was formally attended to three times by the nursing staff. The parents complained that these observations were incomplete and did not follow the timing intervals appropriate for her condition. The father stated that he was left to carry out basic nursing tasks, including administering fluids, with no assistance.

He also complained that given that their daughter was in the pre-terminal phase of her illness he would have expected some discussion with medical staff about the type of care she required. This lack of consultation and the behaviour of the staff on the ward led them to believe that they were treating their daughter’s care as ‘end of life’.

The investigation team looked at evidence obtained from the nursing staff on duty at the time as well as other medical staff involved in her care and consulted with an independent medical advisor on aspects of the case.

The Ombudsman found significant service failures in the care provided, most notably in relation to an unreasonable responsibility placed on the father to attend to his daughter during the night. She concluded if the nursing staff had discussed with the parents their expectations of their daughter’s care and treatment these failings may not have occurred.

Although the investigation did not determine whether the failings identified contributed to the patient’s death, an uncertainty remains whether closer and more regular observation would have identified a deterioration in her condition at an earlier stage. This may have allowed for the girl’s mother to be alerted in order for her arrive at the hospital in time to support her daughter in her final moments.

The Trust had carried out its own internal investigation into what happened and subsequently commissioned an ‘independent’ review panel to examine the complaint. However, the Ombudsman found that the independence of this review was miscommunicated to the complainants, and that the report published by the panel was amended by senior Trust staff prior to its communication to the complainants to omit earlier criticisms.
In light of the significance of the failings identified in the Ombudsman’s investigation she recommended that senior representatives from the Trust meet with the complainants to apologise to them in person for the injustices they sustained. She also recommended that the Trust provide the parents with an overview of the number of improvements made as a result of their complaint.

Finally as a recognition of the seriousness of the incident the Ombudsman recommended that a payment of £6000 should be made to the complainants.

These recommendations were accepted and implemented in full by the Belfast Trust.

A significant investigation completed in 2016-17 related to a case involving a bereaved family’s search for answers to the cause of post-mortem fractures to their mother’s body (see below).

Case Summary

**Investigation into post-mortem fractures sustained by a patient of Altnagelvin Hospital**

The Ombudsman received a complaint from a family about the actions of the Western Health & Social Care Trust after a post-mortem examination revealed that their mother had sustained multiple fractures shortly after her death.

An investigation was launched into the incident after the family had approached the Ombudsman expressing dissatisfaction with the Trust’s own enquiries into the case and its overall handling of the complaint.

The investigating officer took a detailed statement from the complainant, obtained the deceased’s medical records and interviewed a number of former and serving hospital staff and other members of the Trust, as well as staff from the Coroner’s Service and the pathologist who performed the post-mortem.

In addition the Ombudsman obtained the advice of four Independent Professional Advisors (IPAs) to assist with aspects of the investigation.

Enquiries established that although the Trust had classed the incident as a Serious Adverse Incident (SAI) and had initiated a Critical Incident Review, there were no formal terms of reference drawn up, insufficient interviews conducted with staff who may have been involved in the handling of the deceased’s body after her death, and clear evidence of a ‘closed mind’ attitude adopted throughout.

In addition, and contrary to established investigation protocols, discussions with other Trust staff were conducted by ward staff whose own actions were the subject of its internal investigation.

An examination of the nursing notes also found that staff did not record any details of the after-death care provided to the deceased.
Having considered all of the evidence and the expert clinical opinions, the Ombudsman was satisfied that the fractures were not caused deliberately or as a result of any inappropriate intervention by any person involved in the handling of the deceased’s body.

The investigation established that the fractures were most likely to have occurred during the performance of Last Offices, a sensitive procedure involving washing the body and dressing it in a shroud. It also found that one individual was left to undertake this task despite good practice requiring that two people should perform the procedure, one of whom is expected to be a qualified nurse.

The investigation report concluded that the multiple failures by the Trust fundamentally undermined the integrity, effectiveness and independence of the Critical Incident Review. Further, by directing a single person to undertake Last Offices the Ombudsman concluded that relevant staff placed an unreasonable burden and responsibility on one individual.

Included in a number of recommendations made by the Ombudsman were that the Trust should:

- issue a written apology to the family
- review the SAI investigation processes so that the lessons learned from the review be shared with all relevant Trust staff in order to ensure that what happened in this case could not happen again
- establish a protocol for PSNI interviews with Trust staff

The Trust accepted the Ombudsman’s recommendations.

Investigations relating to complaints about planning continued to be a significant part of the Investigation Team’s caseload during the year. It is important to note that all of the Ombudsman’s reports issued in 2016-17 which dealt with planning decisions related to issues prior to the transfer of planning functions to councils in April 2015.
Case Summary

Planning authority failed to inform neighbour of changes in housing development application

A complainant alleged that he was not given the chance to respond to changes to a planning application for a new housing development close to his home. He alleged that the newly built homes were much closer to his house than specified in the previous plans, resulting in less light coming into his house and less power generated by his solar panels.

The Ombudsman’s investigation obtained evidence from the Chief Planner in the case as well as a detailed statement from the complainant. The investigation examined a number of planning policy statements and guidance documents issued by the former Department of the Environment.

The investigation found that although the Department notified the complainant of the original planning application and two further notifications of revised plans, there were four further revisions which it failed to notify him about.

The Department informed the Ombudsman that the reason for this was that it did not believe further notification was necessary as the amended developers plans were considered a ‘lesser’ scheme. However there was no evidence within the planning file that the scheme was considered so by the case officer, nor was a policy on ‘lesser’ schemes provided in response to investigation enquiries.

Neighbour notification is not required by law, however the Department was publicly committed to carrying it out. The investigation was unable to discover why in this case, when the Department had previously notified the complainant and were fully aware and mindful of his concerns, it failed to notify the complainant of further submissions which directly related to them.

The investigation also identified that when the Department approved the plans it failed to appropriately record its considerations as part of the decision making process.

The Department were also found to have failed to appropriately investigate and respond to the complaint, providing inaccurate and at times misleading information.

The Ombudsman found maladministration and recommended that the Department provide a written apology to the complainant for the failings identified in the investigation. In addition she recommended that it took steps to inform all planning staff at local council level of the failures in this case to share the learning.
The case below highlights a failure to take appropriate and timely enforcement action in relation to a planning case.

## Case Summary

| Planning authority failed to take enforcement action over unauthorised use of property |

An Ombudsman investigation into a planning complaint revealed that the complainant first raised issues in May 2012 about his neighbour’s use of his property for car sales. Despite the fact that the property was not authorised for this purpose and that the complainant made repeated requests for the Planning Service to take action, an Enforcement Notice was not issued until 18 months later.

The owner of the car sales business appealed against the Enforcement Notice and put in a request for the business to become lawful. This request was granted within one month, making the Enforcement Notice no longer valid.

The Ombudsman found that a series of unnecessary delays meant that the Planning Service failed to take enforcement action in a timely manner, and that the decision to grant the business a license before the appeal hearing meant the complainants’ concerns could not be properly heard.

She concluded that the planning system had failed the complaint, causing him upset, inconvenience and the loss of enjoyment of his home.

A recommendation was made for the Chief Planner to provide a written apology for the maladministration in this case, and for the Planning Service to issue a consolatory payment to him to cover expenses in preparing for the appeal.
Older Cases

During 2016-17 the Office also had a focus on completing older cases which had exceeded their target completion date and had become difficult and time consuming to resolve. On 1 April 2016 there were 29 cases which were considered to be older cases; 23 of these were completed by 31 March 2017 and 6 remained open. However, during the year a further 14 cases exceeded their target with the result that at the year-end 20 cases which had exceeded their target were carried forward into 2017/18.

This reduction in older cases is a welcome sign of progress. This is further supported by a decrease in the average age of cases at investigation from 862 days at the start of the year to 498 by the end of 2016-17.

Recommendations and Impact

NIPSO aims to ensure fairness in any interaction between members of the public and public service providers. While there are clear benefits for individuals in having their complaints investigated by an independent body, the impact of the Ombudsman on public service delivery may not always be immediately apparent.

The NIPSO Strategic Plan states that our aim is to improve public services through the investigation of complaints. Other public service ombudsman schemes at regional, national and international levels have a similar goal. Ombudsmen seek to promote good governance and improve accountability in public administration as well as providing remedy in individual cases of injustice.

One of the ways NIPSO seeks to have a positive impact on public services is by making recommendations where maladministration has caused injustice to the individual.

Of the 54 cases we reported on in 2016-17 a total of 121 recommendations to bodies in jurisdiction. These included recommendations to:

- issue an apology to the complainant
- offer a financial remedy where the complainant suffered monetary loss or significant injustice as a result of maladministration
- review their policies and guidance
- amend their procedures
- disseminate the lessons learned from the complaint
The most common recommendations made in 2016-17 were for service improvement or an apology to a complainant.

Where the Ombudsman finds maladministration and identifies an injustice as a consequence of this maladministration, she may also recommend a payment. Such payments are often nominal and are usually in recognition of loss, frustration, upset, uncertainty and/or for the time and trouble spent pursuing a complaint.

In 2016-17 the Ombudsman recommended a financial remedy on 25 occasions. The majority of these were for sums below £1000. Not all complainants chose to accept the offer of payment from the body.

All of the 121 recommendations made by NIPSO in 2016-17 were accepted, with the exception of one which is still under consideration by the relevant body.
Compliments about NIPSO

The comments below show some of the feedback received by NIPSO staff from members of the public during the year.

“I was very pleased to get such a speedy response”

“We were just glad to feel that someone finally listened to us”

“Your time spent on the case (is) much appreciated. I cannot thank you enough for your impressive and thorough research”.

“I would like to say thank you to you, the Ombudsman and your associates for the dedication and hard work you have put in in dealing with this matter”.

“I would like to take this opportunity to thank you so much for … all the hard work that went into this investigation”.

“I had not used the Ombudsman’s Office before and I am very satisfied with the way in which my complaint has been resolved”.

“Thank you for the very extensive investigation into my complaints”.

“I would like to place on record my sincere thanks for the detailed report, the time, effort and respect shown to myself by you and your colleagues in the Ombudsman’s office”.
Performance Analysis

How we measure performance

Delivering operational efficiency, efficiency and accountability continues to be a key priority of the Ombudsman, measured through key performance indicators. The performance indicators focus on the time taken to complete casework. Complementary qualitative assessments are completed through established internal procedures. The Office’s Key Performance Indicators (KPIs) are described below.

NIPSO COMPLAINTS ASSESSMENT AND INVESTIGATION

KPI 1 – measures how quickly we establish whether the complaint can be investigated by this Office. We aim to inform the complainant within 2 weeks or less of their complaint being received. The target is 90%.

KPI 2 – measures how quickly we complete our assessment of whether a complaint should be investigated by this Office or is suitable for settlement. Assessment is a detailed process which involves considering the complaint and the supporting evidence from both the complainant and the body complained of. This represents case-building in the event a case proceeds to investigation. We aim to complete the assessment process and inform the complainant of the decision within 10 weeks or less of their complaint being received. The target is 70%.

KPI 3 – measures how quickly we complete the investigation of a complaint and issue a draft report to the body involved. We aim to complete this within 50 weeks or less of the decision being made to investigate. The target is 70%.

The achievement rates below distinguish between new cases arising under NIPSO’s legislation and cases brought forward from the previous Assembly Ombudsman/Commissioner for Complaints (AOCC) legislation.

<table>
<thead>
<tr>
<th>KPI</th>
<th>Target</th>
<th>Result for reporting period</th>
<th>Target Met/Partially met/Not met</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>90% (NIPSO)</td>
<td>96%</td>
<td>Met</td>
</tr>
<tr>
<td>1</td>
<td>90% (Legacy)</td>
<td>97%</td>
<td>Met</td>
</tr>
<tr>
<td>2</td>
<td>70%(NIPSO)</td>
<td>84%</td>
<td>Met</td>
</tr>
<tr>
<td>2</td>
<td>70%(Legacy)</td>
<td>65%</td>
<td>Not met</td>
</tr>
<tr>
<td>3</td>
<td>70%(NIPSO)</td>
<td>100%</td>
<td>Met</td>
</tr>
<tr>
<td>3</td>
<td>70%(Legacy)</td>
<td>46%</td>
<td>Not met</td>
</tr>
</tbody>
</table>
As the table shows, achievement against the KPIs in 2016-17 was broadly positive, particularly regarding the new cases arising under the NIPSO jurisdiction since April 2016.

KPI 1 was met in 96% of NIPSO cases and 97% of former AOCC cases, both well ahead of the 90% target. The average number of days taken to reach the ‘can we investigate’ decision was 8.

The reported percentage performance for KPI 2 (the ‘should we investigate’ decision) was 84% for NIPSO cases, again well ahead of the 70% target. The average number of days taken was 62. In relation to legacy cases the Office met KPI 2 in 65% of cases, falling just short of target.

Following on from the ‘should we investigate’ decision, the KPI 3 performance target was met in 100% of NIPSO cases, albeit this was a relatively small number of cases.

Former AOCC case performance fell significantly short of target. It was met in 46% of cases against a target of 70% and the average number of days taken was 498. This is reflective of the continuing deliberate focus that was placed on resolving a considerable number of older, more complex legacy cases.

The Ombudsman will continue to keep under review the key performance measures as the new NIPSO jurisdictions continue to expand with the extended remit for social care, universities and further education colleges as well as judicial appointments, and with schools coming under jurisdiction from April 2017.

**Financial Performance**

The reported financial position for 2016-17 was significantly affected by the dissolution of the Northern Ireland Assembly in January 2017. In the absence of a 2016-17 Spring Supplementary Estimate and associated Budget Bill the Office’s financial performance was measured against that approved within the 2016-17 Main Estimates.

In addition initial uncertainty surrounding the 2017-18 budget impacted negatively on the Office’s longer term (recurring) expenditure commitments such as recruitment which had been planned for 2016-17 onwards. The delay in the recruitment of investigation staff is also a factor which has impacted on the performance of the Office on investigations.

The following summarises of our audited expenditure during 2016-17:

<table>
<thead>
<tr>
<th>All £k</th>
<th>Maladministration (incl NIJAO)</th>
<th>Local Gov’t Ethical Standards (LGES)</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Costs</td>
<td>1,107</td>
<td>203</td>
<td>1,310</td>
</tr>
<tr>
<td>Other Administration Costs</td>
<td>418</td>
<td>88</td>
<td>506</td>
</tr>
<tr>
<td>Total Expenditure</td>
<td>1,525</td>
<td>291</td>
<td>1,816</td>
</tr>
</tbody>
</table>
Staffing

During 2016-17 NIPSO’s whole time equivalent (WTE) staff numbers grew from 28.5 to 32.5 – an increase of 14%.

The breakdown of actual staff in post (headcount) at 31 March 2017 was as follows:

<table>
<thead>
<tr>
<th></th>
<th>Male</th>
<th>Female</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ombudsman/Deputy Ombudsman</td>
<td>1</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Other Senior Management Team</td>
<td>2</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Other Staff</td>
<td>8</td>
<td>19</td>
<td>28</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>11</td>
<td>23</td>
<td>34</td>
</tr>
</tbody>
</table>

Sickness absence data for 2016-17 was as follows:

<table>
<thead>
<tr>
<th>Working Days lost 2016-17</th>
<th>Average days lost per WTE member of staff</th>
<th>Absence Rate 2016-17 %</th>
</tr>
</thead>
<tbody>
<tr>
<td>77</td>
<td>2.7</td>
<td>1.2%</td>
</tr>
</tbody>
</table>

Accountability for NIPSO Performance

The Ombudsman and her Senior Management Team (SMT) monitor performance across all functions at monthly and quarterly SMT meetings. In addition the Audit and Risk Committee review risk as well as financial and casework performance and are provided with assurance in these areas by reports from an Internal Audit Service and the Northern Ireland Audit Office.
### Appendix A

#### Further Casework Statistics

**Health and Social Care**

<table>
<thead>
<tr>
<th>Provider Type</th>
<th>Brought Forward @ 01/04/16</th>
<th>Complaints Received in 2016-17</th>
<th>Determined at Initial Assessment</th>
<th>Determined at Assessment</th>
<th>Determined at Investigation</th>
<th>Carried Forward @ 31/03/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>H&amp;S Care Trusts</td>
<td>65</td>
<td>190</td>
<td>121</td>
<td>26</td>
<td>37</td>
<td>71</td>
</tr>
<tr>
<td>General Health Care Providers</td>
<td>4</td>
<td>26</td>
<td>14</td>
<td>6</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Independent HSC Provider</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>0</td>
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<td>2</td>
</tr>
<tr>
<td>NI Blood Transfusion Service</td>
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<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Not Specified HC Body</td>
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<td>2</td>
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<tr>
<td>Public Health Agency</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>R H&amp;S Care Board</td>
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<td>2</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>RQIA</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Private Nursing/Care Home</td>
<td>4</td>
<td>10</td>
<td>5</td>
<td>1</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>75</strong></td>
<td><strong>236</strong></td>
<td><strong>147</strong></td>
<td><strong>34</strong></td>
<td><strong>45</strong></td>
<td><strong>85</strong></td>
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## Further Casework Statistics

### Housing

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Brought Forward @ 01/04/16</th>
<th>Complaints Received in 2016-17</th>
<th>Determined at Initial Assessment</th>
<th>Determined at Assessment</th>
<th>Determined at Investigation</th>
<th>Carried Forward @ 31/03/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alpha Housing Association (NI) Ltd</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Choice Housing</td>
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<td>5</td>
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<tr>
<td>Clanmil Housing Association Ltd</td>
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<tr>
<td>Fold Housing Association</td>
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<td>Habinteg Housing Association (Ulster) Ltd</td>
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<td>HELM Housing</td>
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<td>Northern Ireland Housing Executive</td>
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<td>52</td>
<td>34</td>
<td>14</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>5</strong></td>
<td><strong>67</strong></td>
<td><strong>46</strong></td>
<td><strong>16</strong></td>
<td><strong>0</strong></td>
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</table>

### Education and Training

<table>
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<tr>
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<th>Brought Forward @ 01/04/16</th>
<th>Complaints Received in 2016-17</th>
<th>Determined at Initial Assessment</th>
<th>Determined at Assessment</th>
<th>Determined at Investigation</th>
<th>Carried Forward @ 31/03/2017</th>
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</thead>
<tbody>
<tr>
<td>Education Authority</td>
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<td>Queen's University Belfast</td>
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<tr>
<td>Ulster University</td>
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<td>North West Regional College</td>
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<td>0</td>
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<td>1</td>
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<td><strong>Total</strong></td>
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<td><strong>9</strong></td>
<td><strong>0</strong></td>
<td><strong>0</strong></td>
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</table>
## Government Departments

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<thead>
<tr>
<th>Department</th>
<th>Brought Forward @ 01/04/16</th>
<th>Complaints Received in 2016-17</th>
<th>Determined at Initial Assessment</th>
<th>Determined at Assessment</th>
<th>Determined at Investigation</th>
<th>Carried Forward @ 31/03/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department for Communities</td>
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<td>0</td>
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<td>Department for Communities – Child Maintenance Service</td>
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<td>10</td>
<td>6</td>
<td>1</td>
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<td>3</td>
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<tr>
<td>Department for Infrastructure</td>
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<td>20</td>
<td>6</td>
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<td>4</td>
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<tr>
<td>Department for the Economy</td>
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<td>0</td>
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<tr>
<td>Department of Agriculture, Environment and Rural Affairs</td>
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<td>3</td>
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<tr>
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<td>Department of Finance – Land and Property Services</td>
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<td>8</td>
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<td>1</td>
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<td>5</td>
<td>3</td>
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<td>0</td>
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<tr>
<td>The Executive Office</td>
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<td>1</td>
<td>0</td>
<td>2</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>107</strong></td>
<td><strong>70</strong></td>
<td><strong>27</strong></td>
<td><strong>7</strong></td>
<td><strong>17</strong></td>
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</table>
## Local Councils

<table>
<thead>
<tr>
<th>Council Name</th>
<th>Brought Forward @ 01/04/16</th>
<th>Complaints Received in 2016-17</th>
<th>Determined at Initial Assessment</th>
<th>Determined at Assessment</th>
<th>Determined at Investigation</th>
<th>Carried Forward @ 31/03/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Antrim &amp; Newtown-abbey Borough Council</td>
<td>0</td>
<td>9</td>
<td>4</td>
<td>3</td>
<td>0</td>
<td>2</td>
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<tr>
<td>Ards &amp; North Down Borough Council</td>
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<td>0</td>
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<tr>
<td>Armagh City, Banbridge &amp; Craigavon Borough Council</td>
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<td>3</td>
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<tr>
<td>Belfast City Council</td>
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<td>Mid &amp; East Antrim Borough Council</td>
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<td>2</td>
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<td>Mid Ulster District Council</td>
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<td>5</td>
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<td>0</td>
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</tr>
<tr>
<td>Newry, Mourne &amp; Down District Council</td>
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<td>10</td>
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<td>2</td>
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<td>7</td>
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### Agencies of Government Departments

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Appendix B
Principles of Good Administration

Good administration by public bodies means:

1 Getting it right
   • Acting in accordance with the law and with regard for the rights of those concerned.
   • Acting in accordance with the public body’s policy and guidance (published or internal).
   • Taking proper account of established good practice.
   • Providing effective services, using appropriately trained and competent staff.
   • Taking reasonable decisions, based on all relevant considerations.

2 Being customer focused
   • Ensuring people can access services easily.
   • Informing customers what they can expect and what the public body expects of them.
   • Keeping to its commitments, including any published service standards.
   • Dealing with people helpfully, promptly and sensitively, bearing in mind their individual circumstances.
   • Responding to customers’ needs flexibly, including, where appropriate, co-ordinating a response with other service providers.

3 Being open and accountable
   • Being open and clear about policies and procedures and ensuring that information, and any advice provided, is clear, accurate and complete.
   • Stating its criteria for decision making and giving reasons for decisions.
   • Handling information properly and appropriately.
   • Keeping proper and appropriate records.
   • Taking responsibility for its actions.

4 Acting fairly and proportionately
   • Treating people impartially, with respect and courtesy.
   • Treating people without unlawful discrimination or prejudice, and ensuring no conflict of interests.
   • Dealing with people and issues objectively and consistently.
   • Ensuring that decisions and actions are proportionate, appropriate and fair.
5 Putting things right

- Acknowledging mistakes and apologising where appropriate.
- Putting mistakes right quickly and effectively.
- Providing clear and timely information on how and when to appeal or complain.
- Operating an effective complaints procedure, which includes offering a fair and appropriate remedy when a complaint is upheld.

6 Seeking continuous improvement

- Reviewing policies and procedures regularly to ensure they are effective.
- Asking for feedback and using it to improve services and performance.
- Ensuring that the public body learns lessons from complaints and uses these to improve services and performance.

These Principles are not a checklist to be applied mechanically. Public bodies should use their judgment in applying the Principles to produce reasonable, fair and proportionate results in the circumstances. The Ombudsman will adopt a similar approach in deciding whether maladministration or service failure has occurred.

Source: Parliamentary and Health Services Ombudsman (2009)
List of Public Authorities within remit of the Northern Ireland Public Services Ombudsman

Northern Ireland Assembly
- Assembly Commission
- The Independent Financial Review Panel

Northern Ireland Departments
- A Northern Ireland department

Local Government
- A district council
- The Local Government Staff Commission for Northern Ireland
- The Northern Ireland Local Government Officers’ Superannuation Committee

Education and Training
- The board of governors of a grant-aided school
- An industrial training board
- An institution of further education
- The General Teaching Council for Northern Ireland
- The Northern Ireland Council for Postgraduate Medical and Dental Education
- The Northern Ireland Council for the Curriculum, Examinations and Assessment
- The Education Authority
- University of Ulster
- The Queen’s University of Belfast
- The Youth Council for Northern Ireland
- The Council for Catholic Maintained Schools
Policing, Criminal Justice and Law

- A policing and community safety partnership or a district policing and community safety partnership
- The Northern Ireland Policing Board
- The Chief Inspector of Criminal Justice in Northern Ireland
- The Commission for Victims and Survivors for Northern Ireland
- The Northern Ireland Police Fund
- The Probation Board for Northern Ireland
- The Royal Ulster Constabulary George Cross Foundation
- The Northern Ireland Law Commission
- The Police Rehabilitation and Retraining Trust

Arts and Leisure

- The Arts Council of Northern Ireland
- The Board of Trustees of the National Museums and Galleries of Northern Ireland
- The Northern Ireland Library Authority
- The Northern Ireland Museums Council
- The Northern Ireland Tourist Board
- The Sports Council for Northern Ireland

Health and Social Care

- A health and social care trust
- A special health and social care agency
- The Northern Ireland Practice and Education Council for Nursing and Midwifery
- The Health and Social Care Regulation and Quality Improvement Authority
- The Northern Ireland Social Care Council
- The Patient and Client Council
- The Regional Agency for Public Health and Social Well-being
- The Regional Health and Social Care Board
- The Regional Business Services Organisation
- A general health care provider
- An independent provider of health and social care
Appendix C
List of Public Authorities

Investment and Economic Development

- Invest Northern Ireland
- The company for the time being designated under Article 5 of the Strategic Investment and Regeneration of Sites (Northern Ireland) Order 2003
- A development corporation established under Part III of the Strategic Investment and Regeneration of Sites (Northern Ireland) Order 2003

Industrial Relations

- Office of the Certification Officer for Northern Ireland
- The Labour Relations Agency

Harbours

- The Northern Ireland Fishery Harbour Authority
- A harbour authority within the meaning of the Harbours Act (Northern Ireland) 1970

Housing

- A registered housing association within the meaning of Article 3 of the Housing (Northern Ireland) Order 1992
- The Northern Ireland Housing Executive

Children and Young People

- The Safeguarding Board for Northern Ireland
- The Office of the Commissioner for Children and Young People for Northern Ireland

Charity and Voluntary Sector

- Regulator of Community Interest Companies
- Appeal Officer for Community Interest Companies
- The Charity Commission for Northern Ireland
- The Northern Ireland Community Relations Council
Appendix C
List of Public Authorities

Miscellaneous

- The Agri-Food and Biosciences Institute
- Civil Service Commissioners for Northern Ireland
- The Comptroller and Auditor General
- The Equality Commission for Northern Ireland
- The General Consumer Council for Northern Ireland
- The Health and Safety Executive for Northern Ireland
- The Livestock and Meat Commission for Northern Ireland
- The Northern Ireland Audit Office
- The Northern Ireland Authority for Utility Regulation
- The Northern Ireland Fire and Rescue Service Board
- The Office of the Commissioner for Older People for Northern Ireland
- Ulster Sheltered Employment Limited
- A new town commission established under the New Towns Acts (Northern Ireland) 1965 to 1968
- An implementation body to which the North/South Co-operation (Implementation Bodies) (Northern Ireland) Order 1999 applies
ANNUAL REPORT

of the

Northern Ireland
Local Government Commissioner
for Standards

2016-17

Presented to the Assembly pursuant to Part 9 of the
Local Government Act (Northern Ireland) 2014.
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Foreword from the Commissioner

Welcome to the Annual Report of the Northern Ireland Local Government Commissioner for Standards for the reporting period 2016-17. As Commissioner I am responsible for investigating and adjudicating on written complaints that councillors have breached the Northern Ireland Local Government Code of Conduct for Councillors (the Code). I am required to report on my functions and to lay this report before the Northern Ireland Assembly in pursuance of the provisions of Part 9 of the Local Government Act (Northern Ireland) 2014.

My Role

The Local Government Act (Northern Ireland) 2014 (the 2014 Act) introduced a new ethical standards framework for local government in Northern Ireland. This framework is based on a mandatory Code of Conduct, issued by the former Department of the Environment. The Code specifies principles and rules that govern the conduct expected of councillors.

The Code was approved by the Northern Ireland Assembly on 27 May 2014. Parts 1 to 8 of the Code came into effect immediately. Part 9 of the Code (‘Application of the Code in relation to planning matters’) came into force on 1 April 2015.

In regulating and promoting ethical standards for councillors in Northern Ireland my aim is to ensure councillors achieve standards of conduct that the public expect. The Code supports good governance and decision-making in local government. Its purpose is to ensure the proper use of council resources and maintain public trust and confidence in local government.

As my resources are limited it is important that I focus on the investigation of complaints about significant matters which are central to the relationship between councillors and the public they serve.

The 2014 Act provides for statutory guidance to be developed by my Office to inform councillors about the conduct required by the Code.

The proposed Revised Code of Conduct

In December 2016 the Department for Communities (which assumed responsibility for Local Government standards when it was established in May 2016) issued a draft revision of the Code for consultation. This followed a Departmental Review of Part 3 (Principles) and Part 8 (Decision Making) of the Code. The review was carried out in response to a revised Code of Conduct of the Northern Ireland Assembly approved on 23 June 2015. The Review also addressed concerns raised by councillors that the rules on decision-making were so restrictive that they did not allow councillors to act fully in their role as public representatives.
I submitted my comments on the proposed revisions to the Code on 28 February 2017 and will continue to contribute fully to further consultation or discussion on the revised Code.

Alternative Action

The 2014 Act provides for me to take action ‘instead of’, or ‘in addition to’, conducting an investigation, to deal with an alleged breach of the Code. I am committed to providing an alternative resolution of complaints where it is in the public interest to do so in place of or in addition to an investigation.

On 21 June 2016 I published my Alternative Actions Policy which aims to bring about a satisfactory resolution of a complaint without the cost and resource implications of an investigation and/or adjudication. This policy is intended to encourage compliance with the Code of Conduct and to demonstrate my commitment to promoting ethical conduct in applying the policy.

It means I can address minor breaches of the Code in a proportionate and appropriate manner. The Alternative actions I may consider where appropriate in a particular case include:

• reminder of obligations under the Code
• apology to the complainant or the public at large
• rectification
• disclosure to another body
• training on the Code
• mediation.

In 2016-17 two complaints against councillors were resolved by the implementation of my Alternative Actions Policy. A summary of one of these cases can be found on page 15.

Adjudication Hearings

In September 2016 the first public Adjudication hearing into the conduct of a councillor took place in Downpatrick. Since then two further hearings (on unrelated matters) have concluded in Coleraine in November 2016 and June 2017. In September 2016, in advance of the first adjudication, I published my Adjudications Procedures and Sanctions Guidelines on my website. These procedures embody my commitment to fairness, transparency and on serving the public interest.

I excluded myself from adjudicating on these first adjudication cases as, prior to my appointment as Commissioner, I was the Deputy Commissioner and had overall responsibility for the investigation of standards complaints while these cases were under investigation. As Commissioner I have the power to delegate any function under Schedule 1, paragraph 5(8b) of the Public Services Ombudsman Act (Northern Ireland) 2016. I decided to appoint Mr Ian Gordon OBE as Acting Northern Ireland Local Government Commissioner for Standards (‘the Acting Commissioner’) to
jadiudicate on these cases. Ian Gordon is a former Convenor of the Standards Commission for Scotland and has extensive experience in adjudicating on standards complaints.

Promoting compliance with the Code

During 2016-17 reporting year my Office engaged widely with stakeholders to promote understanding of the Code and its requirements, and to promote the lessons arising from the casework to date. I and my staff delivered a number of presentations to councillors in Belfast, Omagh, Coleraine, and Lisburn. In October and November 2016 I was welcomed as speaker at planning matters refresher training events provided by the Northern Ireland Local Government Association (NILGA). My staff also participated in a working group which assisted NILGA in preparing the Councillors' Guide to the Northern Ireland Planning System published in May 2016. I consider training essential for councillors to ensure their proper adherence to the principles and rules of the Code.

In November 2016, due to a number of complaints received as a result of comments made by councillors on social media, I decided to conduct a survey of members’ use of social media. Seventy five councillors completed the survey.

The survey results indicated that:

• on social media sites most councillors identify themselves as a councillor (92% of those responding)
• the majority of councillors access social media on devices provided by their Council (59% of those responding)
• Most councillors (74%) do not have separate social media accounts for their work as councillors.
• Over a quarter of councillors (27%) do not know how to restrict access to the social media sites they use and over half (57%) do not use any 'privacy setting' to restrict access to sites they use in their private life.

Survey results showed that a fifth of respondent councillors had posted comments online which they later regretted and a few (7% of respondents) had made a comment for which they had considered apologising. In addition, most councillors (80% of respondents) stated that they would welcome training on the use of social media in compliance with the Code of Conduct. Many also wanted guidance on their personal safety and security online.

I have responded to this call for training and guidance by producing a publication ‘Guidance for Councillors on Social media and the Code’ which was published in October 2017.

My Office has continued to develop a separate section of the NIPSO website (www.nipso.org.uk/nilgsc) providing detailed information and guidance on my functions to both complainants and councillors. In 2017-18 I intend to make available online video presentations which will explain to complainants and councillors
how complaints are assessed and investigated and will introduce the procedure followed at adjudication hearings.

Working with Other Regulatory Bodies

My Office has also engaged extensively in 2016-17 with senior representatives from other oversight bodies including the Local Government Auditor, the Information Commissioner, the Office of the Irish Ombudsman, the Public Services Ombudsman for Wales, the Standards Commission for Scotland, and the Commissioner for Ethical Standards in Public Life in Scotland. My staff and I have also continued to benefit from a productive working relationship with officials in the Department for Communities in matters relating to ethical standards legislation and policy.

In September 2015 I concluded a Memorandum of Understanding with the Comptroller and Auditor General for Northern Ireland and the Local Government Auditor to support our respective roles in regulating standards in local government. I am currently revisiting this Memorandum to reflect the additional powers to consult and share information which were provided for in the Public Services Ombudsman Act (Northern Ireland) 2016. I intend to develop further similar protocols with regulatory bodies whose remit includes local government matters.

Conclusion

I would like to thank Liam Hannaway and David Jackson, the Chief Executives of Newry Mourne and Down District Council and Causeway Coast and Glens Borough Council respectively, and their staff, for the assistance provided in facilitating the Adjudication Hearings conducted in 2016-17. This was a new function for the Office and their professional and co-operative approach to the adjudication hearings was of great assistance to my staff.

I wish to express my thanks in particular to Ian Gordon OBE who conducted these early and significant Adjudication Hearings in an exemplary manner. His clear and balanced written decisions will provide an invaluable model for future adjudications.

Finally I wish to thank the Deputy Commissioner and his staff in the Local Government Ethical Standards Directorate for their work in progressing assessments and investigations while developing guidance for councillors and promoting the Code.

Marie Anderson
Local Government Commissioner for Standards
Section One
Deputy Commissioner’s report

In 2016-17 the Office received 34 complaints that councillors had breached the Code. These involved a total of 31 councillors, fewer than 7% of the total 462 councillors in Northern Ireland.

These 34 complaints compare to 33 complaints received in 2015-16. The largest number of complaints related to allegations that councillors had failed to meet their obligations as a councillor (19 complaints) including the requirement to act lawfully and the requirement not to bring the position of councillor or the council into disrepute.

There were 15 allegations that a councillor had failed to show respect and consideration for others. It is interesting to note that a number of these complaints resulted from councillors’ use of social media. For the first time since the Code came into operation a number of complaints were received alleging councillors had failed to comply with the rules relating to the declaration of interests (6 complaints), lobbying (3 cases) and planning matters (2 cases).

Including complaints brought forward from 2015-16, 23 complaints were completed during the year. A total of six investigations were concluded in 2016-17. In two of these cases a finding of no failure to comply with the Code was made. A further two cases were resolved by use of the Commissioner’s Alternative Action Policy and two cases were referred to the Acting Commissioner for adjudication.

Both adjudication hearings resulted in a decision that the councillor concerned had failed to comply with the Code and sanctions were applied (see the Case Studies on pages 17 and 18 for a summary of the Acting Commissioner’s decisions in these cases).

A detailed statistical breakdown of all complaints can be found in Section 2 of this report.
Investigations

In order to maintain an appropriate separation of the investigative and adjudication functions, the Commissioner has delegated the authority to conduct investigations to the Deputy Commissioner and his staff in the Local Government Ethical Standards Directorate (LGES).

The LGES Directorate is a small team comprising a Director of Investigations, two Senior Investigating Officers and an Administrative Officer.

How complaints are investigated

Complaints that a councillor has or may have failed to comply with the Code must be made in writing. Anonymous complaints are not normally investigated.

All complaints are assessed by LGES to determine:

- **Can it investigate?** Is there a complaint in writing against a named councillor and does that complaint relate to conduct covered by the Code?
- **Should it investigate?** Is there evidence of conduct which, if proven, indicates a breach of the Code and would an investigation be in the public interest?

Each complaint is assessed, with the aim of determining within 4 weeks of receiving it if an investigation is warranted. In 2016-17 this key performance indicator (KPI) was met in 93% of complaints.

A key determining factor to decide whether a complaint should be investigated is therefore;

- The supporting evidence provided by the person who has complained must indicate conduct by the councillor, which if proven to have occurred, may be considered to constitute a failure to comply with the Code of Conduct. The requirement for supporting evidence ensures that vexatious, malicious or frivolous complaints will not be investigated.

In the following example LGES decided that one of the factors in not taking the case for investigation was that there was a lack of evidence to support the complaint;
Case Study

Planning complaint not investigated due to lack of evidence presented by complainant

A member of the public complained that a councillor had used his position on a Council Planning committee to give preferential treatment to a planning applicant. As evidence the complainant stated that he believed another individual had seen the planning applicant attempt to shake the hand of the councillor following a Planning Committee meeting.

In assessing the complaint the LGES directorate believed it highly unlikely that evidence from a witness to the interaction would be sufficient to prove that a breach of the Code of Conduct occurred.

As this was the only evidence presented, even if it was proved to have occurred, LGES considered that it would not indicate that the councillor did anything wrong.

The complaint was closed as there was no evidence to support the allegations made.

In determining whether an investigation (or adjudication) is in the public interest, LGES consider the following factors:

- **Seriousness**: the more serious the alleged breach, the more likely it is that an investigation is required;
- **Proportionality**: the cost of an investigation, and any adjudication, is a relevant factor when making an overall assessment of the public interest, especially where these costs could be regarded as excessive when weighed against any likely sanction.

The following cases are examples of where a decision was made not to proceed to adjudication:
Case Study

Councillor’s Facebook posts did not breach Code

A complaint was made against a member of a council’s planning committee for Facebook posts he made in relation to a planning application. The complainant alleged that the councillor had shown himself not to be objective in the matter by using his posts to criticise objectors to the application, and was therefore in breach of the Code of Conduct.

The Respect principles of the Code require that individuals should not be ‘subjected to unreasonable and excessive personal attack’, and that a councillor ‘must not make public statements about a pending decision or state (their) intention to vote in a particular way before the committee meeting has taken place’.

The posts were reviewed by the LGES directorate, who found no evidence that the comments amounted to the councillor being disrespectful to any individual nor that the posts contained any evidence that the councillor held a pre-determined view on the planning application.

The case was therefore not considered for investigation.
Case Study

Councillor did not breach Code following receipt of payments as an MLA

The Local Government Ethical Standards directorate investigated a complaint that a former member of Mid and East Antrim Borough Council received council funds which he was not entitled to after he took up his new post as an MLA.

The complainant provided a copy of a newspaper article in which the councillor admitted to receiving payments for council duties even though he had become an MLA three weeks previously.

Investigators obtained copies of emails between the complainant and the Chief Electoral Officer for Northern Ireland. In these the Electoral Office confirmed that a person is not allowed to act as both a councillor and an MLA at the same time.

Statements were also obtained from the councillor, the Chief Executive of the Council and staff of the Electoral Office. A review of the evidence was undertaken, which included telephone recordings, minutes of relevant meetings and email correspondence.

The available evidence demonstrated that the agreed position following the conversations between the councillor and the Electoral Office was that he would resign from the council the day before taking his seat at the Assembly.

The councillor initially followed the advice provided by the Electoral Office and submitted his letter of resignation to the council, signing the Assembly Roll of Membership the next day.

Despite this agreed appropriate course of action and having initially acted upon it by resigning, the councillor contacted the Council ten days later to extend his date of resignation by a further nine days. As a result of his decision to change his resignation date he obtained approximately £600 in member allowances. Although repaid in full a number of weeks later, it was money the councillor was not entitled to receive.

However, the investigation confirmed that as the initial resignation date held, he was not officially a councillor during the time he received the allowances and was therefore not subject to the requirements of the Code.
The LGES directorate is mindful of the following when carrying out its work:

- **That investigations are conducted in private;**
  The confidentiality of the investigation is a requirement of the 2014 Act. This is necessary to protect the reputation of those complained of and the integrity of the investigation process.

- **That the investigation and adjudication process is fair and transparent;**
  This requires that councillors are made aware of the allegations against them at the outset. Fair process also requires that councillors or their representatives are afforded an opportunity, at each stage of the process, to make representations to this Office and to provide evidence to the investigation.

  Where the outcome of an investigation is that the Commissioner should adjudicate on the matter investigated, councillors have an opportunity to comment on the draft investigation report prior to the conclusion of the investigation and to have those comments considered before the report is finalised.

- **That the investigation is completed within a reasonable period of time.**
  Timely completion of the investigation is dependent on a number of factors, including the complexity of the complaint, the availability and timely submission of relevant evidence, and the extent to which the councillor and other relevant witnesses co-operate with the investigation.

  The LGES directorate is a small team managing this workload. Therefore the total number of investigations ongoing at any one time can affect the overall timescale of individual cases.

  LGES aims to complete the investigation of a complaint within 48 weeks of the date the councillor and the complainant were notified of the decision to conduct an investigation. In 2016-17 this key performance indicator was met in 88% of complaints investigated. The Commissioner intends to continue to keep this KPI target under review.

**Alternative Actions**

The Alternative Actions Policy was published in June 2016.

Its purpose is to seek a satisfactory resolution of a complaint without the cost and resource implications of an investigation and/or an adjudication. The Alternative Actions are also intended to encourage compliance with the Code of Conduct and to deal with potential breaches of the Code in a proportionate and appropriate manner.

For instance, Alternative Action may be appropriate where a complaint has arisen as a result of a breakdown in working relationships between a councillor and a senior officer in the Council and such action may assist in restoring working relationships.

The following summarises a case which was resolved by Alternative Action in March 2017.
Case Study

**Alderman issues apology for alleged verbal abuse and threats**

A complaint about the actions of an Alderman from Lisburn and Castlereagh City Council was resolved via alternative resolution after the Alderman agreed to apologise to a fellow councillor.

Alderman Jim Dillon, from Lisburn and Castlereagh City Council, made the public apology following allegations that he made physical threats and verbally abused the councillor at a council function in March 2016.

The event, organized by the Council to recognize and celebrate local business innovation, was attended by around 360 guests, including the former First Minister Mrs Arlene Foster and a number of local councillors.

In a complaint to the Commissioner the Councillor alleged that he saw the Alderman in the area where the drinks reception was being held and approached him in order to shake his hand. He said that the Alderman refused to shake hands, swore at him and then threatened him with violence.

The Councillor described the remarks as "deeply offensive, disrespectful and upsetting", and provided the names of other Councillors who were at the event and observed the impact it had upon him.

The witnesses, the Alderman and the Councillor were all interviewed by the investigating officer in order to establish whether the Alderman’s behaviour breached the Code of Conduct for Councillors.

The Code states that Councillors must show respect and consideration for others and not engage in any form of behaviour which may be interpreted as bullying or harassment.

The Councillor referred to a previous committee meeting in which both he and the Alderman had attended, and suggested that the Alderman may have held some form of grudge against him in respect to how a planning proposal had concluded.

Following a review of the evidence the investigation concluded that, on the balance of probabilities, the Alderman had verbally abused and threatened the Councillor and that the matter should be taken to a formal Hearing in front of the Commissioner.

However, before the Hearing both parties requested time to explore an alternative resolution of the complaint. The outcome was that the Alderman accepted the conclusion of the investigation report and made a public apology to the complainant during a meeting of Lisburn and Castlereagh City Council.
Adjudications

The purpose of an investigation, as set out at section 55(5) of the 2014 Act, is to determine which of the following three findings is appropriate:

(a) that there is no evidence of any failure to comply with the code of conduct;

(b) that no action needs to be taken in respect of the matters which are the subject of the investigation;

(c) that the Commissioner should make an adjudication on the matters which are the subject of the investigation.

Where the Deputy Commissioner determines that the appropriate finding is that the Commissioner should make an adjudication, the Deputy Commissioner will make a referral to the Commissioner.

In special circumstances, for example where there is a potential conflict of interest, the Commissioner may appoint a suitable person (excluding the Deputy Commissioner and staff of the LGES Directorate) to adjudicate at a Hearing. In 2016-17 the Commissioner appointed Mr Ian Gordon to adjudicate on two matters which went to a Hearing.

At the Hearing the Deputy Commissioner or his representative will be invited to make submissions as to why, on the facts found, the Commissioner should decide that the Respondent has failed to comply with the Code. The Respondent or their representative will be given the opportunity of responding to those submissions.

At the conclusion of an Adjudication Hearing the Commissioner may consider whether there has been a failure to comply with the Code. She will then decide that either:

- no action should be taken
- the Respondent should be censured, which may involve the Commissioner issuing a warning as to the Respondent’s future conduct
- the Respondent should be suspended, or partially suspended for a period not exceeding one year
- the Respondent should be disqualified from being councillor for a period not exceeding five years.

Further guidance on sanctions can be found on our website at www.nipso.org.uk

The following two cases went for Adjudication in 2016/17:
Case Study

Councillor disqualified for three years following conviction for criminal offences

Councillor Patrick Clarke from Newry, Mourne and Down District Council was disqualified from being a councillor for three years after a ruling by the Acting Commissioner that his court conviction for fraud, criminal damage and a sexual offence brought the council into disrepute.

The Local Government Ethical Standards Directorate investigated the case after receiving a complaint from another councillor following Councillor Clarke’s conviction in court. The evidence gathered was submitted for Adjudication.

The Hearing was held in public at Downshire Civic Centre on 20 October 2016. Councillor Clarke was represented at the Hearing by his legal representative, who confirmed that the councillor accepted he had failed to comply with the Code of Conduct.

The Acting Commissioner considered what would be an appropriate sanction. He took into account mitigating factors that the councillor had cooperated during the investigation and had accepted he had breached the code.

However, there were a number of undisputed aggravating factors. These included that over a five year period councillor Clarke:

- Defrauded the Housing Association and a community association of £750 of public money, thereby deliberately seeking personal or political gain at the public expense by exploiting his position as a councillor
- Committed three separate incidents of criminality, spread out over the course of a year, including criminal damage and possession of an offensive weapon with intent to commit burglary
- Committed a sexual offence
- Showed a lack of reflection and insight throughout the majority of the investigation

The Acting Commissioner considered that this case was about maintaining public confidence in local government. He believed that the conduct was so serious that a sanction greater than a censure or suspension would be appropriate. He ruled that the councillor’s behaviour fundamentally breached the Code and had the capacity to undermine the trust between the public and their elected representatives.

He was therefore disqualified from holding office for three years.
Case Study

**Unauthorised display of flags in council chamber leads to ban for councillor**

A councillor from Causeway Coast and Glens Borough Council was suspended for three months after displaying an Irish tricolour and a Palestinian flag in the Council Chamber in Coleraine.

A complaint was made to the Local Government Commissioner for Standards after a photograph of Councillor Padraig McShane appeared in three local newspapers. Mr McShane appeared in the photograph with the flags alongside a colleague and a visitor from Gaza.

The complainant stated that displaying the flags in the Chamber was a contentious act which had damaged the reputation of the Council. He also complained that the councillor had abused the trust of the Mayor who had given him permission to show the visitor around the Chamber.

After an investigation by the Local Government Ethical Standards Directorate the case was forwarded to be heard by the Acting Commissioner at a full Adjudication.

The Acting Commissioner established the following:

- That the councillor had no approval from the Mayor or council officials to use the Chamber for the purpose of a photo opportunity involving the display of flags
- That the photograph was taken with the knowledge or approval of the councillor
- That on the balance of probabilities the photograph was provided to the press by the councillor

In defence of his actions Councillor McShane cited Article 10 of the European Convention on Human Rights, which permits freedom of expression. He stated that he was merely expressing the views of his constituents.

However, the Acting Commissioner noted that Article 10 also brings with it duties and responsibilities and that the councillor was aware of the sensitive issue of flags and emblems in Northern Ireland.

He judged that the councillor’s actions were deliberate and likely to cause controversy. In this regard they brought the role of councillor and the Council into disrepute and breached the Code of Conduct.

Councillor McShane was suspended for three months.
Section Two
Statistical Analysis

<table>
<thead>
<tr>
<th>Code of Conduct Caseload (at 31 March)</th>
<th>2016-17</th>
<th>2015-16</th>
<th>2014-15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written complaints received in year</td>
<td>34</td>
<td>33</td>
<td>14</td>
</tr>
<tr>
<td>Additional complaints b/f from previous year</td>
<td>9</td>
<td>9</td>
<td>0</td>
</tr>
<tr>
<td>Total complaints considered in year</td>
<td>43</td>
<td>42</td>
<td>14</td>
</tr>
<tr>
<td>Closed at Validation Stage - “can we investigate?”</td>
<td>2</td>
<td>13</td>
<td>3</td>
</tr>
<tr>
<td>Closed at Assessment Stage - “should we investigate?”</td>
<td>15</td>
<td>16</td>
<td>2</td>
</tr>
<tr>
<td>Closed at Investigation Stage – no breach</td>
<td>2</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Closed by Alternative Action</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Closed at Adjudication</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Complaints withdrawn</td>
<td>0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Written Complaints Received</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Antrim and Newtownabbey Borough Council</td>
<td>6</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Ards and North Down Borough Council</td>
<td>4</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Armagh City, Banbridge and Craigavon Borough Council</td>
<td>0</td>
<td>1</td>
<td>4</td>
</tr>
<tr>
<td>Belfast City Council</td>
<td>11</td>
<td>4</td>
<td>1</td>
</tr>
<tr>
<td>Causeway Coast and Glens Borough Council</td>
<td>3</td>
<td>6</td>
<td>0</td>
</tr>
<tr>
<td>Derry City and Strabane District Council</td>
<td>1</td>
<td>6</td>
<td>2</td>
</tr>
<tr>
<td>Fermanagh and Omagh District Council</td>
<td>2</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Lisburn and Castlereagh City Council</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Mid and East Antrim Borough Council</td>
<td>2</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Mid Ulster District Council - Dungannon</td>
<td>0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Newry, Mourne and Down District Council</td>
<td>3</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>34</td>
<td>33</td>
<td>14</td>
</tr>
</tbody>
</table>
### Basis of Complaint

<table>
<thead>
<tr>
<th>Basis of Complaint</th>
<th>2016-17</th>
<th>2015-16</th>
<th>2014-15</th>
</tr>
</thead>
<tbody>
<tr>
<td>Obligations as a Councillor: <em>act lawfully and not bring position of councillor/council into disrepute</em></td>
<td>19</td>
<td>23</td>
<td>13</td>
</tr>
<tr>
<td>Behaviour towards other people: <em>to show respect; not to bully or harass</em></td>
<td>15</td>
<td>18</td>
<td>10</td>
</tr>
<tr>
<td>Use of Position</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Disclosure of Information</td>
<td>7</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Decision-making</td>
<td>1</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Use of Council Resources</td>
<td>0</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Registration of Interests</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Disclosure and Declaration of Interests</td>
<td>6</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Lobbying and access to councillors</td>
<td>3</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Planning matters</td>
<td>2</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total (&gt;number of complaints as some complaints refer to more than one alleged breach)</strong></td>
<td><strong>58</strong></td>
<td><strong>49</strong></td>
<td><strong>30</strong></td>
</tr>
</tbody>
</table>
LGES Funding and Expenditure in 2016-17

The functions of the Northern Ireland Local Government Commissioner for Standards, including the conduct of investigations and adjudications, and the development and review of associated guidance and procedures, are collectively termed "Local Government Ethical Standards" (LGES). LGES is funded from a separate ring-fenced portion of the overall annual budget for the Northern Ireland Public Services Ombudsman (NIPSO).

This ring-fenced budget is proactively managed over the course of each financial year to ensure that any emerging funding pressures are identified and addressed. Similarly, where reduced requirements arise, under established arrangements with the Department for Communities (DfC), any such amounts are released back to the Department of Finance by NIPSO in accordance with normal in-year financial monitoring procedures. Where applicable a final end of year adjustment is also returned directly to DfC. In either case the amounts returned are made available for redeployment by DfC, thus ensuring that any unspent amounts are utilised elsewhere across Local Government.

The following summarises the audited expenditure on LGES during 2016-17, as reported in NIPSO’s 2016-17 Annual report and Accounts:

<table>
<thead>
<tr>
<th>2016-17 (All £k)</th>
<th>Local Gov’t Ethical Standards (LGES)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Costs</td>
<td>203</td>
</tr>
<tr>
<td>Other Administration Costs</td>
<td>88</td>
</tr>
<tr>
<td>Total Expenditure</td>
<td>291</td>
</tr>
</tbody>
</table>