



11 January 2018

Dear Councillor

You are invited to attend a meeting of the Policy & Resources Committee to be held in

The Chamber, Cookstown at Mid Ulster District Council, Council Offices,  
COOKSTOWN, BT80 8DT on Thursday, 11 January 2018 at 19:00 to transact the  
business noted below.

Yours faithfully

Anthony Tohill  
Chief Executive

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## AGENDA

### OPEN BUSINESS

1. Apologies
2. Declarations of Interest
3. Chair's Business

### Matters for Decision

- |    |   |         |
|----|---|---------|
| 4. | Customer Service Policy Review  | 3 - 20  |
| 5. | SIF Capital Build Programme for Moneymore Recreation<br>Centre – Funding requirement with regard to a Deed of<br>Dedication | 21 - 30 |

### Matters for Information

- |   |   |         |
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| 6 | Minutes of Policy and Resources Committee held on<br>Thursday 7 December 2017     | 31 - 36 |
| 7 | Improvement Audit and Assessment Report 2017-18:<br>Northern Ireland Audit Office | 37 - 60 |
| 8 | Concepts on Capturing the Legacy of Former Councils                               | 61 - 66 |
| 9 | Member Services   |         |

**Items restricted in accordance with Section 42, Part 1 of Schedule 6 of the  
Local Government Act (NI) 2014. The public will be asked to withdraw from the  
meeting at this point.**

### Matters for Decision

10. Merchandise Agreement (for the use of Seamus Heaney's

Signature)

11. Development of Ann Street - Heads of Agreement
12. Staffing Matters for Decision 1
13. Staffing Matters for Decision 2
14. Treasury Management Update
15. Collective Claim for Compensation from Truck Manufacturers
16. Capital Programme – Resource Allocation

Matters for Information

17. Confidential Minutes of Policy and Resources Committee held on Thursday 7 December 2017
18. Report on Rate Estimates 2018/19
19. Financial report for 8 months ended 30 November 2017
20. Contracts and DAC
21. Staffing Matters for Information
22. Sickness Absence Update for the period 1st April 2017 – 30th November 2017

<b>Report on</b>	Customer Service Policy Review
<b>Reporting Officer</b>	Ursula Mezza
<b>Contact Officer</b>	Ursula Mezza

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

<b>1.0</b>	<b>Purpose of Report</b>
1.1	The report considers revisions to the Council's Customer Service Policy.
<b>2.0</b>	<b>Background</b>
2.1	The Council agreed a Customer Service Policy in December 2014.
2.2	The policy established the customer service principles together with the procedures and standards for staff through which the Council expects to demonstrate excellence in customer service. The policy also included the Council's complaints procedure.
2.3	The policy was revised in November 2016 to take account of new recommendations from the Northern Ireland Public Services Ombudsman and further revisions are now also being recommended.
<b>3.0</b>	<b>Main Report</b>
3.1	The proposed changes relate to the complaints handling element of the policy and seek to strengthen the timings associated with making a complaint.
3.2	Changes are noted in red (P14) in the revised document.
3.3	The policy now states that the Council will not investigate complaints relating to issues which are greater than 3 months old.
3.4	A further suggested change asks complainants who seek a Stage 2 review of a complaint, to make the request within 10 working days of the outcome of Stage 1 and also to make clear why the review is being requested.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b><u>Financial &amp; Human Resources Implications</u></b>  Financial: N/A  Human: N/A

<b>4.3</b>	<b><u>Risk Management Implications</u></b>  None
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That the Committee considers and agrees the revised customer service policy.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Revised customer service policy.



Comhairle Ceantair  
**Lár Uladh**  
**Mid Ulster**  
District Council

# Customer Service Policy

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## **1.0 Introduction**

As an organisation which is primarily service-based and which has increasing responsibility for the planning, design and delivery of services which impact significantly all aspects of the lives of local people, Mid Ulster District Council is committed to adopting a customer-focussed approach to its work.

A corporate Customer Services Policy will establish the principles to which the Council is committed, together with the procedures and standards for staff, through which the Council expects to demonstrate excellence in customer service.

The policy has been created to reflect the elements within the Customer Service Excellence ® Standard. The first version of the policy (agreed by the Council in December 2014) included the principles, procedures and standards for managing complaints, which had been developed in line with the former Northern Ireland Ombudsman's document 'A framework for effective complaint handling'. The framework was recommended for any new public body when creating a complaints scheme. The revised version of the policy (November 2016), reflects recommendations and requirements of the new Northern Ireland Public Services Ombudsman.

## **2.0 Policy Aims & Objectives**

The Customer Service Policy aims to create an organisational culture which:

- focuses on the needs of customers in the design and delivery of services, whether internal or external
- seeks, listens and acts on the views of its customers
- values customer views and complaints as important sources of information for putting things right and as opportunities to improve service delivery.

The policy objectives are to:

- promote a positive customer service ethos across the organisation
- ensure staff understand customer service values and demonstrate them in their behaviours and interaction with all customers
- develop appropriate and measurable standards across all customer access channels
- ensure that meaningful engagement and consultation with customers takes place
- ensure that the results of engagement, consultation and feedback are used to influence strategic and operational decisions.

## **3.0 Policy Scope**

Everyone with whom the Council comes into contact, externally and internally, is a customer and therefore the Customer Service Policy affects residents, visitors, other organisations across the public, private, voluntary and community sectors, and all Council staff.

The policy and its procedures apply in all circumstances except where:

- other procedures are prescribed by law

- legislative or other requirements take precedence.

The policy does not apply to complaints outside the definition provided in the Complaints Procedure at Appendix 1.

#### **4.0 Linkage to Corporate Plan**

One of the six values detailed in the Council's Corporate Plan (2015-2019) is to be customer-focussed 'designing and delivering our services in response to and around the needs of our customers and within our resources'. This value applies across each of the Plan's stated Corporate Themes, but is particularly relevant to the theme 'Delivering for our People'.

#### **5.0 Roles and Responsibilities**

The Customer Services Policy acknowledges that good customer service is dependent upon a commitment from the Council as a corporate body and is the responsibility of all Council employees.

- Elected members will endorse the policy, its implementation and procedures.
- The Senior Management Team will demonstrate its commitment to the policy by adopting the customer service values and principles, promoting them among their Heads of Service and through them, the wider staff, monitoring performance and recommending change to improve customer service.
- Heads of Service will adopt and promote the customer service values and principles, ensure procedures are applied consistently across their areas of service responsibility, review standards and performance, encourage staff training and, based on customer feedback and experience, recommend developments and improvements to the Senior Management Team.
- The Organisational Development Department and Marketing Communications Service will support the dissemination of the customer service ethos throughout the organisation, particularly through a planned customer service training and development programme.
- All staff will demonstrate the customer service values and principles through their positive behaviour and professional approach to the delivery of their services and by participating in on-going training and development opportunities.

#### **6.0 Procedure and Implementation**

The policy is subject to a set of core customer service principles and a complementary set of principles for managing complaints.



## **Customer Service Principles**

- We will design and deliver our services around our customers, rather than business processes.
- We will be professional, helpful and courteous at all times.
- We will be open, transparent and proactive in our information provision.
- We will act with fairness, integrity and impartiality, according equal respect to all.
- We will use a mix of contact channels for our customers to help them reach us in a way which best suits their needs.
- We will maintain our standards across all customer contact channels and at all stages of the customer journey.
- We will undertake regular, appropriate and effective consultation with our customers to identify their needs, to inform our decisions and improve our services and performance.
- We will monitor our performance, evaluate and act on the outcomes.
- We will seek to be efficient in our customer service, using technology appropriately to improve the flexibility and accessibility of customer contact and reducing avoidable contact for our customers.
- We will develop a high standard of customer service by investing in our staff training and development and engaging with them on customer service issues.
- We will provide and maintain safe and clean facilities for our customers, minimising risk of injury to our customers and our staff.

## **Complaints Principles**

The Council, in line with its commitment to providing high standards of customer care, and to listening and acting on the views of its customers, values complaints as an important source of information for putting things right and as an opportunity to improve service delivery.

In doing so, the Council is committed to the following principles for effective complaint handling:

- Our complaints procedure will be customer-focussed, clear, accessible and simple.
- Our complaints handling will be fair and impartial.

- Our complaints handling will be timely, sensitive, effective and consistent.
- We will be accountable, acknowledge and apologise for our mistakes and put things right whenever possible.
- We will strive to use complaints as an opportunity to deliver continuous improvement in the design and delivery of our services.

These principles have been used to create a set of customer service and complaints handling standards, together with procedures for managing customer services and complaints across existing customer contact channels.

The Northern Ireland Public Services Ombudsman considers it good practice to limit any complaints procedure to two formal stages and this is the approach reflected in the Council's revised procedure (November 2016).

The Ombudsman also encourages informal resolution as a means of achieving a timely solution, while cautioning against a lack of formality which may lead to poor or no record-keeping and, therefore, no opportunity to learn from the complaint or to manage the complaint should it progress to the formal stages. This is also reflected in the complaints handling procedures.

Standards of behaviour for customers of the Council also form part of these procedures.

The standards and procedures are detailed in the Customer Service procedural document at Appendix 1.

Implementation will be via a rolling customer service training programme, featuring both general and bespoke elements, and tailored appropriately for staff.

This policy will be published in hard copy and on-line, and promoted appropriately across the Council's communication channels.

Procedures for recording customer service data and for monitoring adherence to customer service standards will be developed.

## **7.0 Impact Assessment**

- Equality screening and impact assessment

The policy has been equality screened using Mid Ulster District Council's Equality Scheme. No impact assessment was required.

- Staff and financial resources

Initial training for all front line staff was provided and financed via the Capacity Building Programme (January 2015 – March 2015) and thereafter via an on-going customer service training programme.

Implementation of the policy requires the release of staff across the organisation to attend core customer service training, with regular refresher training for key customer-facing staff.

## **8.0 Support and Advice**

For further information about the policy, please contact Ursula Mezza, Head of Marketing and Communication.

## **9.0 Communication**

The policy will be communicated internally using a range of appropriate internal communication methods, with external communication via traditional print and digital channels.

The policy will also form part of the induction process for all new staff.

## **10.0 Monitoring and Review Arrangements**

The effectiveness of the policy will be monitored using feedback from those staff involved in its implementation and data collated on performance against standards.

Formal review, with any appropriate recommendations for change, will take place annually.

# Appendix 1

## Customer Service Standards & Procedures

Please note that procedures apply in all circumstances except where other procedures are prescribed by law or legislative or other requirements take precedence, for example, under the Freedom of Information Act.

### **Council Facilities: Public Reception Areas**

In principle, any council building which is open to the public is a potential customer access point for council services.

Public reception areas in these facilities are generally multi-functional, where staff meet and greet visitors, provide telephone answering services, signpost to other organisations, deliver services directly and support other services.

They are, therefore, prime customer facing points requiring a well-trained and knowledgeable staff.

Customer facing staff working in public reception areas will:

- wear the agreed corporate uniform.
- wear the agreed corporate name badge.
- greet every customer.
- give priority to those customers present in the reception area over telephone answering, dealing with other issues or dealing with staff.
- not use personal mobile phones at their work station, except in cases of emergency.

Council staff who do not work in public reception areas but who interact or transact business with customers in those spaces, will give priority to dealing with those customers and will adhere to the principles, procedures and standards in the Customer Service policy.

Council staff who do not work in public reception areas will only spend time in those areas and with the reception-based staff when they are dealing with work-related issues.

### **Telephone Answering**

The telephone remains an important tool for customers contacting the Council, and is cited as a preferred method when making service enquiries. Maintaining a high standard of customer telephone contact across the organisation is, therefore, essential to perceptions of the Council as a customer-focussed organisation.

- All staff will aim to answer phone calls within 20 seconds.
- All staff will answer the phone to an external caller by saying good morning, good afternoon, good evening, followed by the council/department/service name as appropriate, followed by their first name and a phrase, such as 'can I help you?' or 'how can I help you?'.
- All staff will endeavour to deal with customer queries and requests directly and will only transfer a call to another member of staff if the caller specifically requests to speak to a named officer or if they do not have the information required.
- Where a caller wishes to speak to a member of staff who is unavailable, the staff member dealing with the call must always offer to help, take a message or, if applicable, provide a mobile telephone number.
- If a member of staff is on leave, the call should be transferred to another nominated member of staff who will be able to deal with the issue or query.
- If a call cannot be dealt with directly or transferred to an appropriate officer for response, a message should record the caller's contact details and sufficient information about the subject of the call. Staff should avoid telling a customer that another member of staff is sick, at lunch, on a tea break or busy and should not ask a customer to ring back.
- Where an issue or query raised by telephone cannot be dealt with immediately, the responsible officer will provide a reply as soon as possible, adhering to the response times for written communication, but recognising that telephone contact is expected to be, and should be, considerably more rapid.
- Where a caller contacts the Council about a service, facility or responsibility of another organisation, all staff will provide a 'signposting' service, providing points of contact for the other organisation whenever possible.
- Telephone messages must be communicated in a timely manner.
- Where voice mail is used for 'out of office' cover, the member of staff must record an appropriate greeting and must respond to messages in a timely manner or ensure messages are passed to another appropriate member of staff for prompt call back.
- Voice mail should not be used as 'out of office' cover for extended periods of time. Calls should be diverted to an appropriate extension.
- The use of speakerphones should be avoided and when used, customers must be informed they are on speaker and who else is present.

## Written Communication

Any letter or email communication is accepted by the recipient as being from 'the Council' and therefore all care must be taken to ensure that content, language and grammar are correct and the tone of the correspondence is suitable.

While often considered more informal, particularly when used internally, email communication should adhere to the same standards as traditional letters.

As well as the standards below, written communication will also follow guidance contained in the Communications Policy, specifically those parts relating to the use of the Council's brand, font type and size, and the procedure for managing requests for information in alternative formats, including languages other than English.

- All letters issued by council officers will be issued on the official Mid Ulster District Council letterhead.
- Where hard copy information which does not require an accompanying letter is being issued by post an official Mid Ulster District Council compliment slip should be used.
- In formal written correspondence, the Council will be referred to as Mid Ulster District Council.
- In all written communication, the first name and surname of the officer signing the correspondence will be used, together with job title. Contact details, including direct dial telephone numbers and email address, where applicable, will be provided to ensure customers have an easily identifiable point of contact. Normally, formal correspondence will be signed by a senior member of staff (Director, Head of Service or other officer designated by a Director).
- Standard phrases to close letters will be used as appropriate, that is 'yours sincerely' or 'yours faithfully'. When appropriate, officers may use less formal closing phrases, such as 'kind regards' or 'best wishes'. Phrases such as 'yours in sport' are not to be used.
- All staff with a '@midulstercouncil.org' email address must use the standard email template, including the agreed signature template.
- Out of office automatic email response must be enabled where a member of staff will be absent for more than 1 working day. The out of office message must provide an alternative point of contact for enquiries and the agreed point of contact for anyone making a request under the Freedom of Information Act, Environmental Information Regulations or Data Protection Act.
- All correspondence by letter received by the Council will be acknowledged within 3 working days, unless a full response is to be issued in the interim period. Acknowledgements should be issued by email whenever possible.

- All external correspondence received by email will be acknowledged within 3 working days, unless a full response is to be issued in the interim period.
- All correspondence will receive a response within 15 working days. Where a response cannot be issued within the 15 working day timeframe, the Council will contact the customer to provide an explanation and a new target response time.
- When appropriate, a response to written correspondence can be made by telephone or in person, in which case a file note should be made and retained to record details of the contact, including date, time and outcome.

Councillors routinely receive written correspondence, by letter, by email and via on-line channels and routinely respond in their capacity as individual elected members.

- Where an elected member receives correspondence relating to Council business in an official capacity (as Chair, Deputy Chair or Chair of a Committee), the appropriate senior council officer will, on request, assist in providing information to facilitate a response which reflects the corporate position or, if requested, draft a response.

### **Standards For Our Customers**

We are committed to providing a high quality service that meets the needs of our customers. In return, we expect certain standards from our customers:

- We expect our customers to treat all of our staff with the respect that they themselves would wish to receive.
- We do not expect our customers to threaten, physically or verbally abuse any of our staff.
- In the event that we make a mistake, we will always try to make amends. Abuse of staff in these or any other circumstances does not help any situation. During a telephone call, should such abuse reach an unacceptable level, staff will politely end the conversation. In person-to-person circumstances staff will remove themselves from the situation and call for assistance if required. All incidents of abusive behaviour will be recorded.
- We expect all our customers to co-operate with any reasonable instructions or requests from our staff.
- Our customers will not wilfully harm things owned by the Council, Councillors or staff.

As identified by the Ombudsman (Policy on Unacceptable Behaviour by Complainants, The Ombudsman Policy, November 2012 - <https://nipso.org.uk/site/wp-content/uploads/2016/02/Policy-on-Unacceptable-Behaviour-by-Complainants-.pdf>), complainants whose actions or behaviour are

considered to be unacceptable generally fall into the following three broad categories:

### **Aggressive or Abusive Behaviour**

Violence is not restricted to acts of aggression that may result in physical harm. It also includes behaviour or language (whether oral or written) that may cause staff to feel afraid, threatened or abused.

Examples of actions or behaviours which fall under this heading include threats, physical violence, personal verbal abuse, derogatory remarks, and rudeness. Inflammatory statements and unsubstantiated allegations may be regarded as abusive behaviour.

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

### **Unreasonable Demands**

Complainants may make unreasonable demands through the amount of information they seek, the nature and scale of service they expect, or the number of approaches they make. What amounts to unreasonable demands will always depend on the circumstances surrounding the behaviour, and the seriousness of the issues raised by the complainant.

Examples of actions which fall under this heading include vexatious complaints, demanding responses within an unreasonable timescale, insisting on seeing or speaking to a particular member of staff who is unavailable, continual phone calls or letters, repeatedly changing the substance and focus of the complaint, or raising unrelated concerns. Such demands may be considered unacceptable and unreasonable if they start to impact substantially on the work of the Council, i.e. taking up an excessive amount of staff time to the disadvantage of other complainants or functions.

### **Unreasonable Persistence**

Some complainants will not, or cannot, accept that the Council is unable to assist them further or provide a level of service other than that provided already. Complainants may persist in disagreeing with the action or decision taken in relation to their complaint or contact the Council persistently about the same issue.

Examples of actions which fall under this heading include vexatious complaints (note the Ombudsman's 2012 policy on unacceptable behaviour - <https://nipso.org.uk/site/wp-content/uploads/2016/02/Policy-on-Unacceptable-Behaviour-by-Complainants-.pdf> provides definitions of what may constitute a vexatious complaint), persistent refusal to accept a decision made in relation to a complaint, persistent refusal to accept explanations relating to what the Council can or cannot do, and continuing to pursue a complaint without presenting any new information. The actions of persistent complainants are considered to be unacceptable when they take up a disproportionate amount of time and resources.

### **Managing Unacceptable Actions or Behaviour**

The Council will endeavour to allow a complaint to proceed through the normal complaints' handling process. However, to manage unacceptable actions or behaviour, the Council may decide to restrict contact in person, by telephone, fax,



letter or electronically, or by any combination of these.

## **Complaints Standards & Procedures**

### **Definition of a complaint**

In line with the Ombudsman's definition, the Council considers a complaint to be:

*'Any oral or written expression of dissatisfaction by any person, however made, about the service, actions or inactions of the Council or its officers which requires a response.'*

This definition excludes requests for a Council service, information requests or appeals to a tribunal. It also excludes any complaints which are governed by other legislative processes or have distinct or separate mechanisms to handle complaints (e.g. internal grievance and disciplinary policies).

### **Who can make a complaint**

The definition of a complaint allows 'any person' to express their dissatisfaction.

On occasions when the 'aggrieved' party may be incapable of making a complaint (a minor or person suffering from an illness or other incapacity), the Council will accept a complaint made on their behalf on receipt of a letter of authorisation or power of attorney.

At any stage the customer may seek the advice and / or support of their local Councillor, MLA or MP in dealing with a complaint against the Council. Councillors should make their constituent aware of this procedure, and complaints passed on by them will be processed in accordance with it.

Employees may also use the complaints process to make a complaint about services or actions of the Council which they experience as a customer. Complaints relating to their employment with the Council will be dealt with via the relevant internal procedure.

### **How to complain**

Complaints can be made in person, by telephone, by email, by post and on-line.

In person: at any staffed council facility.

By telephone: 03000 132 132

By email: [info@midulstercouncil.org](mailto:info@midulstercouncil.org)

In writing: Council offices, Burn Road, Cookstown; Council offices, Circular Road, Dungannon; Council offices, Ballyronan Road, Magherafelt.

On-line: [www.midulstercouncil.org](http://www.midulstercouncil.org)

### **Informal Procedure**

Where possible, the Council will aim to resolve complaints informally at the point of service through direct and prompt engagement with the complainant and with the involvement of the level of management where required.

## **Formal Procedure**

Stage 1: A complaint is considered by the relevant service and a response issued by the relevant Head of Service, with input by the relevant senior officer as required.

**We will not investigate complaints relating to issues which are greater than 3 months old.**

Stage 2: If the complainant feels the complaint has not been resolved adequately and is unhappy with the outcome of Stage 1, the complainant may ask for the complaint to be referred to the Chief Executive or the Chief Executive's nominee who will review the investigation and issue a final response.

**The complainant must request a Stage 2 review within 10 working days of the receipt of the outcome of Stage 1, and make clear why a Stage 2 review is being requested.**

A complainant who is dissatisfied with the outcome of the Council's investigation at the conclusion of Stage 2, may then refer the complaint to the Northern Ireland Public Services Ombudsman.

From 1 April 2016, the Council is required to give a complainant written notice advising them:

- when the Council's internal complaints procedure has been exhausted
- that they may refer the matter to the Ombudsman if they remain dissatisfied
- of the time limit for making such a referral (generally within 6 months of the completion of the Council's complaints procedure)
- how to contact the Ombudsman.

This advice must be issued within two weeks of the day on which the complaints procedure has been exhausted.

Where a complaint relates to a Director or Head of Service who would normally be responding, the issue will be passed to another appropriate member of staff.

## **Response standards**

Complaints made in writing (by post, email or on-line) will be acknowledged in writing within 3 working days and contain the name and contact details of the member of staff dealing with the complaint. Acknowledgements should be issued by email whenever possible.

Where a complaint is received in person or by telephone, the complainant's relevant contact details must be recorded to allow acknowledgements and responses to be issued as appropriate.

All complaints will be responded to within 15 working days. If a complaint cannot be responded to within 15 working days, the Council will contact the complainant to provide an explanation and a new target response time.

### **Cross-Departmental Complaints**

Where a complaint concerns the services delivered by more than one Department, a lead Department will take responsibility for co-ordinating a single corporate response and for ensuring that procedures and standards are adhered to.

### **Anonymous complaints**

The Council will not normally investigate anonymous complaints. However, the Council recognises that its complaints procedure must be sufficiently flexible to allow anonymous complaints to be investigated in exceptional circumstances where the complaint identifies systemic issues of concern.

### **Special or unusual cases**

The Council's complaints procedure will also be sufficiently flexible to allow special or unusual cases to be dealt with. For example, where a complaint highlights financial impropriety or any criminal activity, the Council will obtain legal advice or pass the complaint to a designated fraud officer to ensure that any evidence pertaining to a potential criminal investigation is not tampered with or lost.

### **Making a complaint about a Councillor**

Under the Local Government Act (NI) 2014, Councillors are bound by a mandatory Code of Conduct (<https://nipso.org.uk/nilgcs/>) which sets out the principles and rules which Councillors must observe.

Anyone who believes that a Councillor has breached the Code of Conduct may complain in writing to the Northern Ireland Local Government Commissioner For Standards (also the Ombudsman) who has the power to investigate.

### **Recording and monitoring**

Accurate recording of complaints is essential to ensure they are handled effectively, and to ensure information on the nature, number and outcome of complaints can be collated, analysed and used to inform decision-making, service design and delivery.



<b>Report on</b>	SIF Capital Build Programme for Moneymore Recreation Centre – Funding requirement with regard to a Deed of Dedication
<b>Reporting Officer</b>	Claire McNally, Council Solicitor
<b>Contact Officer</b>	Claire McNally

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To seek Members' approval in relation to entering into a Deed of Dedication ("the Deed") with the Executive Office ("the Department"), which is a requirement of the funding from OFMDFM's Social Investment Fund Capital Build Programme (SIF) for Moneymore Recreation Centre.
<b>2.0</b>	<b>Background</b>
2.1	In October 2013 the legacy Cookstown District Council applied to OFMDFM's Social Investment Fund (SIF) for match funding to carry out works at Moneymore Recreation Centre and Broughderg Community Centre. The 'Community Building' project recognises the contribution of communities and buildings to the social and economic fabric of rural area. The project aims to tackle issues linked to deprivation and increasing community services. Each project had been identified through research and community consultation. Approval was obtained for match funding for both sites by the legacy Cookstown District Council in December 2014.
2.2	In relation to Moneymore Recreation Centre, the extensive works currently include the installation of a mezzanine floor level to allow extra rooms to be built upstairs, larger reception area, lift and stairs to mezzanine level.
2.3	Cookstown Western Shores Area Network (CWSAN) is the lead partner (LPO) in the distribution of this SIF funding in the Mid Ulster District Council (MUDC) area.
<b>3.0</b>	<b>Main Report</b>
3.1	The Council has applied to the Executive Office ("the Department") for a grant for the Grant Purpose, which it intends to implement for the works to Moneymore Recreation Centre. The most recent letter of offer from the Department in relation to Moneymore Recreation Centre is for £276,588 of SIF funding.
3.2	The Department has agreed to make the grant monies available to the Council subject to the Council entering into a Deed of Dedication ("the Deed"). The Deed is for a period of ten years to which the Council shall observe and perform the requirements set out in the Deed in Appendix A.
3.3	The Council sought clarification from the Department for Communities (DfC) in relation to whether this Deed would come under the definition of 'disposal' in accordance with section 96(5) of the Local Government Act (NI) 1972. The DfC confirmed that this Deed is

	not deemed to be a 'disposal' and that approval from the DfC is not required in relation to the Deed.
<b>4.0</b>	<b>Other Considerations</b>
4.1	<b><u>Financial &amp; Human Resources Implications</u></b>  Financial: Match funding from Council  Human: N/A
4.2	<b><u>Equality and Good Relations Implications</u></b>  N/A
4.3	<b><u>Risk Management Implications</u></b>  N/A
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That Members approve that the Council enters in to a Deed of Dedication with the Executive Office on the terms set out in Appendix A.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix A – Copy Deed of Dedication between Mid Ulster District Council and The Executive Office.

**Dated                      the                      day of                      2017**

**1. MID ULSTER DISTRICT COUNCIL**

**2. THE EXECUTIVE OFFICE**

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**DEED OF DEDICATION**

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**THE SOLICITOR  
DEPARTMENT OF FINANCE  
DEPARTMENTAL SOLICITOR'S OFFICE  
CENTRE HOUSE  
79 CHICHESTER STREET  
BELFAST**

## COUNTY LONDONDERRY

## DEED OF DEDICATION

## BETWEEN

- WHEREAS**

- ## 1. DEFINITIONS

- (iii) and in the Department's Letter of Offer of 28<sup>th</sup> January 2015 from the Office of the First Minister and Deputy First Minister (as predecessor in title to the Department) to Cookstown and Western Shores Area Network as Lead Partner Organisation ("the LPO") in



Project SIF-C4-N and revised Letter of Offer dated the      day of      2017 from the Department to the LPO and Letter to Proceed dated the      day of      2017 from the Department to the LPO

- “Land” all that land and buildings described in Schedule 2 hereto and shown edged red on the plan attached hereto
- “Letter of Offer” means a Letter of Offer of financial assistance of 28<sup>th</sup> January, from the Department to the LPO and all amendments thereto and Letter to Proceed dated the      day of      2017 or as the same may from time to time be further varied or amended by consent of both parties
- “Plan” the map or plan of the Land annexed to this Deed in Schedule
- “Standard Conditions” the conditions set out in the Letter of Offer of Financial Assistance from the Department to the LPO, including but not limited to the Standard Conditions of Grant, as set out in Annex 1 to the Letter of Offer and any amendments thereto

## **INTERPRETATION**

- 1.2 Unless the context otherwise requires:
- (a) The singular includes the plural and vice versa,
  - (b) References to persons include references to individuals, associations, institutions, firms, companies, corporations and vice versa, and
- 1.3 Unless the context otherwise requires the expressions ‘Council’ “LPO”and ”Department include their respective successors and assigns whether immediate or derivative.
- 1.4 All covenants, charges, agreements, undertakings, representations and warranties given or implied in this Deed by more than one person shall be deemed to have been given jointly and severally by those concerned.
- 1.5 The clause headings do not form part of this Deed and shall not be taken into account in its construction or interpretation.
- 1.6 Any reference to a clause or a paragraph or a schedule is to one in this Deed so numbered or named.
- 1.7 An obligation of the Council to do something shall include an obligation to procure that it is done and an obligation not to do something shall include an obligation not to permit, suffer or allow it.
- 1.8 Words importing one gender include all other genders including the neuter gender.

## **2. COUNCIL’S COVENANTS**

The Council hereby covenants with the Department (to the intent that such covenants shall be annexed to and bind the Land and every part of it) to observe and perform the requirements of this Clause 2 throughout the Grant Period:-

- 2.1 The Council must not without the prior written consent of the Department assign, transfer or charge the Land or make any Disposal, part with possession of the whole or any part of the Land or permit another to occupy the whole or any part of the land, SAVE that the Council may, subject to clauses 2.2 and 2.5, grant a lease or licence of the Land on terms approved by the Department to any community based sports organisation approved by the Department (such approval not to be unreasonably withheld or delayed in the case of an organisation which can demonstrate to the reasonable satisfaction of the Department that it is capable of utilising the Land in such a manner as to comply with the Standard Conditions and the Specific Conditions in the Letters of Offer and fulfil and implement the Grant Purpose throughout the remainder of the Grant Period).
- 2.2 The Department shall be entitled:
- (a) to withhold its consent in any of the circumstances set out in clause 2.4
  - (b) to impose all or any of the conditions set out in clause 2.5 as a condition of its consent
- 2.3 Clause 2.2 shall operate without prejudice to the right of the Department to withhold such consent on any other ground or grounds where such withholding of consent would be reasonable or to impose any further condition or conditions upon the grant of consent where the imposition of such condition or conditions would be reasonable.
- 2.4 The circumstances referred to in clause 2.2 are where in the reasonable opinion of the Department the proposed tenant or licensee is not of sufficient financial standing to enable it to comply with the terms of the Department's Letters of Offer and/or to fulfil and implement the Grant Purpose throughout the remainder of the Grant Period.
- 2.5 The conditions referred to in clause 2.2 are as follows:
- (a) the execution and delivery to the Department prior to the lease or licence in question of a deed of guarantee in such form as the Department reasonably requires by a guarantor or guarantors in the United Kingdom approved in writing by the Department
  - (b) that the Department may require the Council to confirm in such manner as it may reasonably require that the provisions of this deed shall remain in full force and effect for the residue then remaining unexpired of the Grant Period.
- 2.6 Not, save with the prior written consent of the Department to use the Land other than for the Grant Purpose;
- 2.7 If the Grant Purpose ceases to be carried on at any time during the Grant Period in consequence of any act, omission or default on the part of the Council, including any breach of or non-compliance with the covenants on the part of the Council contained in this Deed, the Department may in its absolute discretion terminate the grant with or without notice, withhold all or any part of the grant and/or require all or any part of the grant already paid to be repaid and the Council shall immediately on demand by the Department repay to the Department the aggregate of all payments of grant already made to the Council or such lesser amount as the Department at its discretion determine. Interest as detailed in the Letters of Offer shall be payable on any part of the Grant that is repayable.
- 2.8 The Council keep Land in good order, repair and condition throughout the Grant Period.

- 2.9 (a) The Council must insure the Land in their full reinstatement value with a reputable insurance office against fire, lightning, aircraft (including articles dropped from aircraft), earthquake, storm, tempest, flood, bursting and overflowing of water pipes, tanks and other apparatus, impact by road vehicles and such other risks as the Department may from time to time reasonably require and to produce to the Department the receipt for the current premium on request. In the event of any damage to or destruction of any of the Land caused by any of such risks the Council shall apply all money received in respect of such insurance in rebuilding, reinstating, replacing and repairing the Land so damaged or destroyed making good any shortfall out of the Council's own money.
- (b) The Council must insure against public liability risks in a sum of at least £10,000,000 and produce to the Department the receipt for the current premium on request.

3. **ASSIGNMENT**

The Department may assign the benefit of this Deed to such other public body as may be appointed in place of the Department ].

4. **AUTHORITY TO EXECUTE**

The Council represents that it has power to execute and deliver this Deed and the execution and performance of this Deed has been validly authorised and that this Deed will be valid and legally binding on the Council.

5. **DURATION**

Without prejudice to any right or remedy for breach of covenant occurring before the expiration of this Deed, this Deed shall cease to have effect on the expiration of the Grant Period but without prejudice to any rights of either party against the other in respect of any antecedent breach.

6. **ASSENT TO REGISTRATION**

- 6.1 (a) The Council hereby assents to the registration of this Deed as a burden on the Land Registry folio in which any part of the Land is registered

- (b) The address of the Department in Northern Ireland for the service of notices and its description are The Executive Office c/o Departmental Solicitor's Office, 3<sup>rd</sup> Floor, Centre House, 79 Chichester Street Belfast

- 6.2 The Council hereby applies to the Registrar of the Land Registry of Northern Ireland for the registration against the title to the Land or any part of the Land which is now or at any time during the Grant Period registered at the Land Registry of a restriction in the following terms: -

*"Except under an order of the Registrar, no disposition or dealing by the registered owner or a receiver of the registered owner or any mortgagee is to be registered unless there is first produced to the Registrar a certificate from the the Executive Office or the solicitors to the Executive Office confirming that such disposition or dealing can be registered."*

7. **NOTICES**

- 7.1 Each communication to be made hereunder shall be made in writing but, unless otherwise stated, may be made by fax or letter.
- 7.2 Any communication or document to be made or delivered by one person (the “**Sender**”) to another (the “**Addressee**”) pursuant to this Agreement shall (unless the Addressee has by fifteen days’ prior written notice to the other specified another address) be made or delivered to the Addressee at the address hereinbefore specified) and shall be deemed to have been made or delivered when despatched (in the case of any communication made by fax or facsimile) or (in the case of any communication made by letter) when left at that address or (as the case may be) two days after being deposited in the post (postage prepaid) in an envelope addressed to the Addressee at that address.

8. **GOVERNING LAW**

- 8.1 This Deed shall be governed by, and construed in accordance with, the laws of Northern Ireland.
- 8.2 The parties hereby agree that any legal action or proceedings brought with respect to this Deed may be brought in the courts of Northern Ireland.

9. **GENERAL**

- 9.1 A waiver of any breach of any of the terms, provisions or conditions of this Deed or the acquiescence in any act (whether of commission or omission) which but for such acquiescence would be a breach as aforesaid shall not constitute a general waiver of such term provision or condition or of any subsequent act contrary thereto.
- 9.2 Each provision of this Deed is severable and distinct from the others and if at any time one or more of such provisions is or becomes invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions hereof shall not in any way be affected or impaired thereby.
- 9.3 This Deed may be executed in any number of counterparts and by the different parties hereto on separate counterparts, each of which, when executed and delivered, shall constitute an original, but all the counterparts shall together constitute one and the same instrument.

**Executed** and Delivered as a Deed on the date specified at the beginning of this document.

**PRESENT** when the Official Seal of  
**MID ULSTER COUNCIL** was affixed  
hereto:

---

Chief Executive

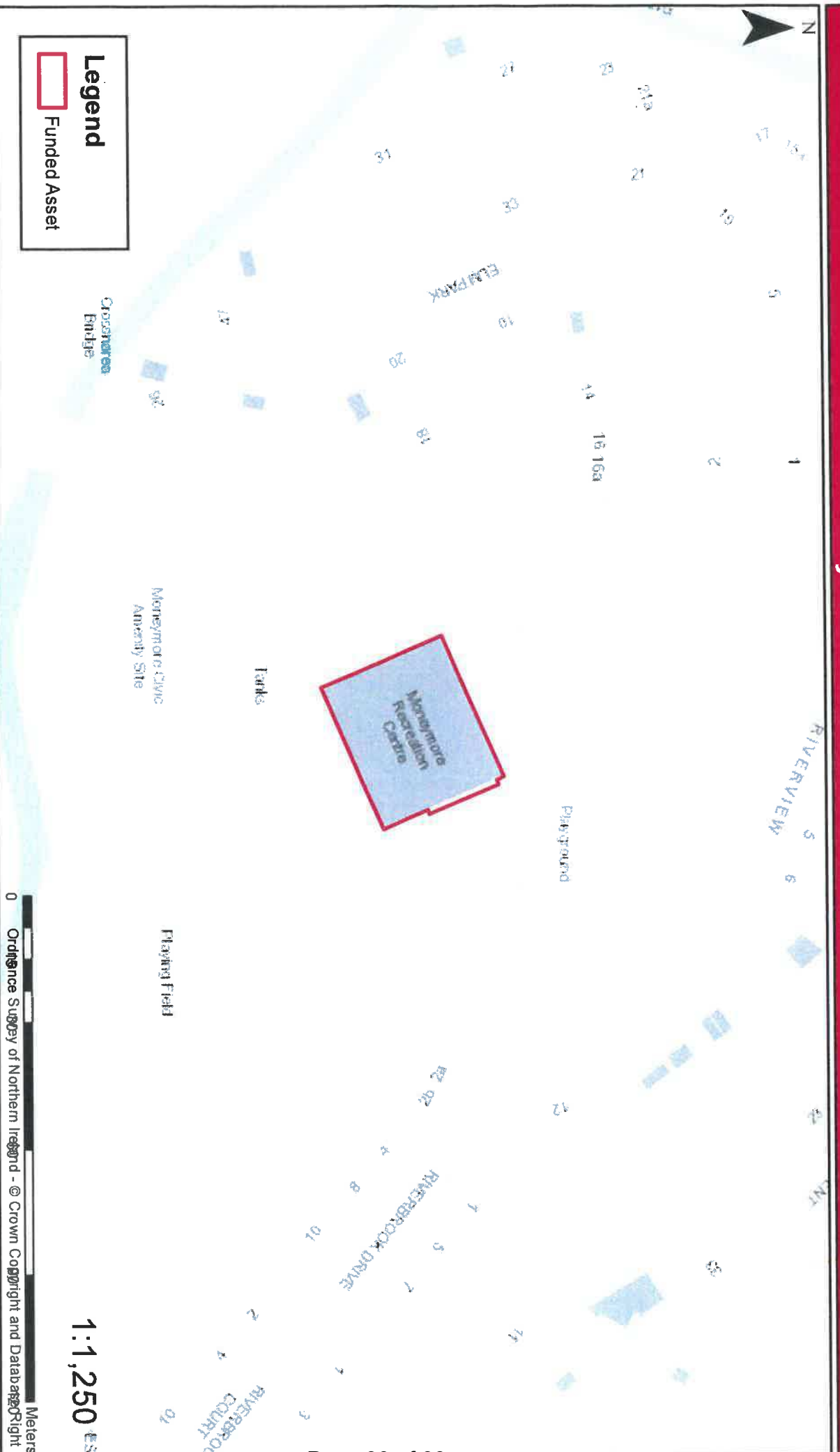
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~~Mayor~~ CHAIR

**PRESENT** when the Official Seal of the Executive Office  
was affixed hereto:

**GRADE 5 SENIOR OFFICER**

# Moneymore Recreation Centre



Comhairle Ceantair  
Lár Uladh  
Mid Ulster  
District Council

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Author: Nicky Doris  
Date: 24/10/2017  
Dept: ICT  
Authority License No: CS & LA 156

**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 7 December 2017 in the Council Offices, Ballyronan Road, Magherafelt**

**Members Present**

Councillor Molloy, Chair

Councillors Ashton (7.47 pm), Bateson, Buchanan, Cuddy (7.03 pm), Elattar, Gildernew, Kearney, S McGuigan, McKinney (7.03 pm), McLean, McPeake, M Quinn

**Officers in Attendance**

Ms Campbell, Director of Leisure and Outdoor Recreation  
Mrs Canavan, Director of Organisational Development  
Mr Cassells, Director of Environment and Property  
Mr Kelso, Director of Public Health and Infrastructure  
Ms McNally, Council Solicitor  
Ms Mezza, Head of Marketing and Communications  
Mr Moffett, Head of Democratic Services  
Mr O'Hagan, Head of ICT  
Mr JJ Tohill, Director of Finance  
Miss Thompson, Committee Services Officer

The meeting commenced at 7.00 pm.

**PR226/17 Apologies**

Apologies received from Councillors Forde and Totten and the Chief Executive.

**PR227/17 Declaration of Interest**

The Chair reminded members of their responsibility with regard to declarations of interest.

Councillor Elattar declared an interest in Agenda Item 15 – Appointment of Mid Ulster Ageing Well Contract – and advised she would leave the room when this item was being discussed.

**PR228/17 Chair's Business**

The Chair, Councillor Molloy extended the condolences of the Committee to the Director of Environment and Property on the recent death of his mother.

**Matters for Decision**

**PR229/17 External Signage: Depots, Recycling Centres & Parks Facilities**

The Head of Marketing and Communications presented previously circulated report which considered draft designs for external signage at Council depots, recycling centres and parks facilities.

*Councillors Cuddy and McKinney and the Director of Finance entered the meeting at 7.03 pm during presentation of the above report.*

Proposed by Councillor McPeake  
Seconded by Councillor Gildernew

That Council approve the draft designs for external signage as illustrated in appendix to report.

Councillor McLean expressed his concern stating there should be no precedence over the English Language.

Councillor Buchanan agreed with Councillor McLean's comments.

Councillor Cuddy also expressed concern regarding the proposed signage.

Members voted on Councillor McPeake's proposal to approve the draft designs for external signage –

For – 8  
Against - 4

**Resolved** That it be recommended to Council to approve the draft designs for external signage as illustrated in appendix to report.

#### **PR230/17 Staff Usage of Greenvale Leisure Centre**

The Director of Leisure and Outdoor Recreation presented previously circulated report which considered proposed arrangements for discounted staff use of Greenvale Leisure Centre.

Councillor McLean stated that health and wellbeing is a big issue in employment and asked if there were any figures indicating the number of staff who have taken up the offer of discounted use of leisure facilities to establish if what Council is doing is making an impact. Councillor McLean proposed the officer's recommendation.

Councillor Buchanan seconded Councillor McLean's proposal.

The Director of Leisure and Outdoor Recreation advised that figures were available which could be passed on for Member's information.

**Resolved** That it be recommended to Council to approve that staff can avail of a 50% discount on the individual cost of using Greenvale Leisure Centre facilities for non-bookable facilities or activities including swimming, gym, fitness or other exercise programme session (on a pay as you go basis). Staff who wish to take up full membership at Greenvale Leisure Centre can do so at a cost of £15.00 per month. Both proposals



exclude Greenvale Leisure Centre staff employed in Greenvale that transferred to Council on 10 September 2017 under TUPE legislation.

*The Director of Leisure and Outdoor Recreation left the meeting at 7.07 pm.*

**PR231/17 Mid Ulster District Council's Finalised Equality Action Plan and Reviewed Disability Action Plan (Post Consultation)**

The Head of Democratic Services presented previously circulated report which sought approval to implement Council's Equality Action Plan and Revised Disability Action Plan post consultation.

Councillor Kearney referred to recent Councillor training which had been beneficial and proposed the officer recommendation.

Councillor S McGuigan seconded Councillor Kearney's proposal.

**Resolved** That it be recommended to Council to approve the Equality Action Plan and Reviewed Disability Action Plan for implementation as set out in report and appendix.

**PR232/17 Elected Member Development Working Group**

The Head of Democratic Services presented previously circulated report which considered the report of a meeting of the Elected Member Development Working Group held on 22 November 2017.

Proposed by Councillor Gildernew  
Seconded by Councillor McKinney and

**Resolved** That it be recommended to Council to –

- (I) Approve the report of the Elected Member Development Steering Group meeting held on 22 November 2017 as set out in appendix to report.
- (II) Appoint Councillor Doris to represent Mid Ulster District Council on the NILGA Regional Elected Member Development Working Group as a representative from the Council's working group.

**Matters for Information**

**PR233/17 Minutes of Policy and Resources Committee held on Thursday 9 November 2017**

Members noted minutes of Policy and Resources Committee held on Thursday 9 November 2017.

**PR234/17 Advice from Information Commissioner's Office (ICO) on Registration requirements under the Data Protection Act 1998**

The Head of Democratic Services presented previously circulated report which provided advice on registration requirements under the Data Protection Act 1998, with specific reference to Councillors.

Councillor S McGuigan referred to guidance in report which advised there was an exemption from registration where the only personal information processed took the form of paper records, and felt this was a step backwards.

The Head of Democratic Services stated he understood the point made by Councillor McGuigan but that the advice contained within the report was provided by the ICO Registration Team.

#### **PR235/17 Planning System Replacement**

Members noted presented previously circulated report which provided update on the progress on the replacement of the Planning Portal System.

#### **PR236/17 Member Services**

No issues.

#### **Local Government (NI) Act 2014 - Confidential Business**

Proposed by Councillor S McGuigan  
Seconded by Councillor Bateson and

**Resolved** In accordance with Section 42, Part 1 of Schedule 6 of the Local Government Act (NI) 2014 that Members of the public be asked to withdraw from the meeting whilst Members consider items PR237/17 to PR252/17.

#### **Matters for Decision**

PR237/17	Email and File Archival System Contract
PR238/17	Contract for Mobile Network Services
PR239/17	Earls Project – Permissive Pathway Agreement
PR240/17	Appointment of Mid Ulster Ageing Well Contract
PR241/17	Davagh Forest Visitor Hub – Capital Project
PR242/17	Gortgonis Centre – Capital Project
PR243/17	Playparks, Villages Scheme – Capital Project
PR244/17	Drumcoo Waste Transfer Station
PR245/17	Update in relation to National Fuels Framework Agreement (RM3801) operated by the Crown Commercial Service
PR246/17	Staffing Matters for Decision

#### **Matters for Information**

PR247/17	Confidential Minutes of Policy and Resources Committee held on Thursday 9 November 2017
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PR248/17    Staffing Matters for Information  
PR249/17    Contracts and DAC  
PR250/17    Financial Report for 7 months ended 31 October 2017  
PR251/17    Rates Estimates 2018/19  
PR252/17    Update for Rates Support Grant Judicial Review

**PR253/17**

The Chair, Councillor Molloy wished Members and Officers a Happy Christmas and New Year.

**PR254/17    Duration of Meeting**

The meeting was called for 7 pm and ended at 8.30 pm.

CHAIR \_\_\_\_\_

DATE \_\_\_\_\_



<b>Report on</b>	Improvement Audit and Assessment Report 2017-18: Northern Ireland Audit Office
<b>Reporting Officer</b>	P Moffett, Head of Democratic Services
<b>Contact Officer</b>	L Jenkins, Performance & Quality Officer

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To inform and update members on the Northern Ireland Audit Office Improvement Audit & Assessment Report 2017-18.
<b>2.0</b>	<b>Background</b>
2.1	<p><b>Part 12 of Local Government Act (NI) 2014 &amp; Guidance for Local Govt Performance Improvement 2016</b></p> <p>Part 12 of the Local Government Act (NI) 2014 places a duty on Councils to make arrangements to secure continuous improvement in the exercise of their functions. It sets a series of responsibilities under a performance framework as well as key responsibilities of the Northern Ireland Audit Office (NIAO). The Department of Communities has published "Guidance for Local Government Performance Improvement 2016", which councils and the Local Government Auditor (the Auditor) must follow.</p> <p>Each year the Auditor reports on 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. This is called their "Improvement Audit".</p> <p>The Auditor annually assesses whether a Council is likely to make the required arrangements to secure continuous Improvement in that year and is known as called the "Improvement Assessment". The Auditor also has the discretion to assess and report whether a council is likely to comply with these arrangements in future years.</p>
<b>3.0</b>	<b>Main Report</b>
3.1	<p><b>Audit Office Improvement Audit &amp; Assessment Report</b></p> <p>The Audit Office conducted an improvement assessment as per their audit strategy, (and respective programme of work) as issued to the Audit Committee on the 18<sup>th</sup> of May 2017. On 30<sup>th</sup> of November 2017, the Audit Office issued a letter to the Chief Executive with their Audit and Assessment Report (Appendix One), setting out their findings and conclusions from their assessment. The Audit Office has also issued Council with a Certificate of Compliance, included as appendix one.</p>

3.2	<p><b>Local Government Auditor - Opinion and Assessment Findings</b></p> <p>The Auditor has confirmed an unqualified audit and assessment opinion and this is set out in the Annex of the report (refer to Appendix One, pages 15 – 16). A certificate of compliance is also included, advising that the auditor believes that the Council has discharged its duties in connection with:</p> <p>(1) Improvement planning</p> <p>(2) Publication of improvement information in accordance with section 92 of the Act and has acted in accordance with the Department of Communities' guidance sufficiently, and as a result of their assessment</p> <p>(3) the Council has as far as possible discharged its duties under Part 12 of the Act.</p> <p>The report notes that no statutory recommendations will be made to the Department this year in respect of the Council nor is there a requirement for a Special Inspection. It further notes that Council's arrangements to secure continuous improvement is still at stages of development and implementation (in its second year of implementing the performance improvement framework), and that it is;</p> <p><i>"...strengthening its arrangements to secure continuous improvement and has delivered some measurable improvements to its services in 2016-17".</i></p> <p>The Auditor explains that until Council's arrangement further develop and begin to mature and it can demonstrate a track record of ongoing improvement in relation to the framework, they are unable to determine, the extent to which improvements will be made. The Auditor has 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, but will keep this under review as arrangements become more fully established.</p> <p>Section three of the report sets out the LGA's key audit and assessment findings (pages 4-14). They include some "proposals for improvement", which are not formal recommendations, <i>"but lower priority matters which we think may assist the council in meeting its performance improvement responsibilities in future years"</i> to be considered for acceptance.</p>				
3.3	<p>The four audit proposals for improvement are:</p> <table border="1" data-bbox="245 1503 1385 2049"> <tr> <td data-bbox="245 1503 647 1906"><b>General Duty to Improve</b></td><td data-bbox="647 1503 1385 1906">The Council needs to prioritise the development of its Performance Improvement Policy and performance management system and processes to support the general duty to improve. This will enable the performance management data across all its functions and services to be measured, benchmarked, and reported 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.</td></tr> <tr> <td data-bbox="245 1906 647 2049"><b>Improvement Objectives</b></td><td data-bbox="647 1906 1385 2049">Additional clarity over the level of improvement for each objective and how it will be measured would improve the objectives. This could be achieved by establishing baselines, and setting challenging and</td></tr> </table>	<b>General Duty to Improve</b>	The Council needs to prioritise the development of its Performance Improvement Policy and performance management system and processes to support the general duty to improve. This will enable the performance management data across all its functions and services to be measured, benchmarked, and reported 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.	<b>Improvement Objectives</b>	Additional clarity over the level of improvement for each objective and how it will be measured would improve the objectives. This could be achieved by establishing baselines, and setting challenging and
<b>General Duty to Improve</b>	The Council needs to prioritise the development of its Performance Improvement Policy and performance management system and processes to support the general duty to improve. This will enable the performance management data across all its functions and services to be measured, benchmarked, and reported 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.				
<b>Improvement Objectives</b>	Additional clarity over the level of improvement 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, against which the associated key performance indicators and measures would be used to measure improvement in terms of outcomes.
	<b>Performance Information</b>	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 as well as to demonstrate its general duty for continuous improvement across all its functions and services.
	<b>Publication of Performance Information</b>	<p>The Local Government auditor makes the following proposals for improvement to enhance the transparency and clarity of future self-assessments:</p> <ul style="list-style-type: none"> <li>• Self-assessment reports must include a self-assessment of performance in relation to the general duty to improve as required under the legislation; and</li> <li>• Self-assessments should not focus solely on the underlying projects, but also have an assessment of the Council's progress in delivering outcomes against its improvement objectives.</li> </ul>
<p>No proposals for improvement were made under the improvement audit themes of:</p> <ul style="list-style-type: none"> <li>• Governance Arrangements</li> <li>• Consultation</li> <li>• Improvement Plan</li> <li>• Collection, use and publication of performance information</li> </ul>		
<b>4.0</b>	<b>Other Considerations</b>	
<b>4.1</b>	<p><b><u>Financial &amp; Human Resources Implications</u></b></p> <p>Financial: Any financial implications identified in terms of implementing proposals will be included via the budgetary process</p> <p>Human: none identified</p>	
<b>4.2</b>	<b><u>Equality and Good Relations Implications</u></b> - None identified	
<b>4.3</b>	<b><u>Risk Management Implications</u></b> - None identified.	

<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That members take account of the Council's Improvement Audit and Assessment Report 2017-18 and the Local Government Auditors improvement proposals.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	<b>Appendix One:</b> Mid Ulster District Council's Improvement Audit & Assessment Report 2017-18, including the Certificate of Compliance





## 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](mailto:neil.gray@niauditoffice.gov.uk)

Appendix A

### MID ULSTER DISTRICT 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

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## Section 1

### Introduction and status of this report

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#### 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<sup>1</sup> 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 Mid Ulster District 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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<sup>1</sup> 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.

## Section 2

### Matters required to be reported on

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#### 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.

## Section 3

### Key audit and assessment findings

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#### 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 the proposals and it is recommended that the Council's Audit Committee should monitor and track their progress.

#### Index of key findings

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#### 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, 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 District 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. Key improvement areas designated by the council within its Performance Improvement Plan include: economic development, leisure, customer service and waste functions across the organisation and these are aligned to its District community plan outcomes. The Council's general duty to improve is therefore linked clearly to its community planning outcomes.

The Council has taken action to address a number of issues raised by the Local Government Auditor in last year's report. These have either been implemented or, given their nature, are still being progressed towards full implementation.

Although still relatively early in the development of the Improvement framework the Council's arrangements to secure continuous improvement this year are becoming more established and continue to be developed. For example the Council has committed to develop a performance improvement policy in 2017-18 and is looking to further develop the capture and use of service data (or other qualitative data) to enable performance measurement and benchmarking of its services and functions. Once embedded fully these should enable increased collection and use of a range of performance information and measures across all functions and services over time and compared with other councils.

As the Council's arrangements to meet its general duty develop and mature we would expect to see the arrangements through which functions/services which would benefit most from improvement are identified become more refined and mature. It is important that in the interests of additional openness and transparency, the logical evidence base and documented process to support the general duty to improve and its selection of priority areas for improvement continues to develop.

Going forward in order to assist the Council we recommend the following proposal for improvement:

- The Council needs to prioritise the development of its Performance Improvement Policy and performance management system and processes to support the general duty to improve. This will enable the performance management data across all its functions and services to be measured, benchmarked, and 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 it meet these responsibilities.

The Policy & Resources Committee has responsibility for scrutinising the Council's performance improvement duties, which includes consideration and approval of improvement objectives and Improvement Plan. On a quarterly basis the Chief Executive and the Head of Democratic Services report to the Policy & Resources Committee on the delivery and achievement of the council's improvement arrangements and legislative duty, statutory Indicators and Corporate Indicators. Recommendations from the Policy & Resources Committee are subsequently reviewed at the next available full Council meeting.

The Audit Committee has responsibility to ensure that arrangements for good governance are in place and operating effectively. This year the Audit Committee has begun to exercise greater oversight and monitoring of its performance improvement responsibilities. This should also include tracking of progress against any issues and proposals for improvement included in our reports on performance improvement. Whilst performance improvement is now a regular agenda item their terms of reference still do not fully reflect the Audit Committee's oversight and monitoring role given the Council's performance improvement statutory responsibilities.

Each improvement objective been assigned to a Director with overall responsibility for its delivery of action to achieve outcomes for citizens. Monitoring of the Improvement Plan is made through the quarterly reporting of services' operational improvement objectives, contained within the annual service improvement plans with the Senior Responsible Officers (SROs) reporting to the Chief Executive on progress, with Senior Management receiving quarterly management improvement reports.

In our report last year, we recommended a number of proposals for improvement some of which have been actioned. For example: the Terms of Reference for Policy & Resources Committee have been updated to reflect performance improvement responsibilities; and performance improvement features as a regular item on the agenda of both Policy and Resources Committee and the Audit Committee.

### **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 (e.g. “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 has set a number of annual improvement objectives and associated programs (projects and activities) for 2017-18 and 2018-19 which aim to improve the exercise of its functions and bring about improvement. The improvement objectives and key improvement programs set out the Council’s contribution to the sustainable Community Plan for the District; and also align to the Council’s Corporate Plan 2015 - 2019, which contains the council’s strategic direction and main priorities.

The Council has selected four improvement objectives which were developed following public consultation and consideration by the Council and were constructed with regard to at least one of the seven criteria. The objectives and details of these are set out within the Council’s Performance Improvement Plan 2017-18 & 2018-19. They include three of last year’s objectives carried forward, albeit slightly amended to improve the scope of action to deliver, together with an additional objective in relation to healthier lifestyles. These objectives are closely linked to the functions the Council has chosen to improve.

Under each objective is a narrative highlighting why the improvement objectives have been chosen, what the Council has done thus far in relation to these, what it intends to do, and how it will “know” the outcomes or difference made for citizens. This includes a range of indicators which should allow the Council to measure and report the extent of any improvement.

Each objective is legitimate and generally well worded and includes projects and activities which could deliver short term improvements. Some of the underlying arrangements and actions may not deliver improvement until the out workings of these are implemented, because they are output focused (for example developing plans and strategies). However, the successful delivery of these longer term activities should contribute towards achieving their related improvement objectives.

At this relatively early stage in the development of the Council’s performance improvement framework, it does not yet have all the data and information to support all of the objectives’ indicators or all of the underlying projects and activities. The Council recognises the need for a more developed performance management framework and performance management system. Once developed and embedded this should enable it to establish baseline data and set standards against which future improvement can be demonstrated.

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, against which the associated key performance indicators and measures would be used to measure improvement in terms of outcomes.



## Section 3

### Key audit and assessment findings

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#### 4. Consultation

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 conducted extensive consultation during its community planning and corporate planning processes to identify and understand community needs. This consultation and engagement activity, along with other previous research undertaken, then informed the development of the 2017-18 improvement objectives.

The Council consulted over an eight week period and this included a survey facilitated online or in hard copy. The process was promoted through a variety of communication channels including: social media outlets; internal staff meetings; staff intranet; the Council magazine; the council website and press releases. Details were provided from the consultation papers and a consultation report which included a synopsis of responses was brought to Policy & Resources Committee as part of improvement objective and plan consideration and approval.

The Council has met its statutory duty to consult on its improvement objectives.

It is the Council's responsibility to promote and encourage its citizens and stakeholders to engage with it. In last year's report we shared a number of good practice methods for raising the public profile of the concept of performance improvement along with ways to improve the consultation process, which if adopted, should encourage more citizens and stakeholders to participate in future consultations. The Council has taken action to implement these proposals.

### **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's Performance Improvement Plan for 2017-18 and 2018-19 was approved in Council and published on 23 June 2017 and is available on the Council website. Whilst the plan is available on request in alternative formats, this is not signposted on the Council's website.

The plan contains a high level description of the Council's performance improvement framework and its arrangements for securing continuous improvement includes its four improvement objectives. The plan outlines for each objective: how it was chosen; what consultation told them; why it was chosen; what the Council has done so far; what it is going to do; and how it will know if it has succeeded.

In addition the improvement plan also states how council will annually report on:

- performance measures (statutory indicators and standards)
- a number of corporate (local, non-statutory) performance indicators.

The plan is clear and transparent in respect of setting out the Council's improvement objectives and its arrangements to achieve them, along with a high level description of how it will achieve continuous improvement.

In addition, there is a list of the statutory indicators and standards that the Council is required to meet, and at a number of points in the plan the Council includes how it intends to exercise its functions to meet most statutory performance standards (as required by section 92(4) of the 2014 Act). Without providing additional clarity and transparency in its future plans, the Council is at risk of not being fully compliant with the legislation.

The Council has included a list of statutory indicators and standards and alongside these, the Council has identified three local (non-statutory) indicators and standards. Taken together these ten measures are the Council's Corporate Performance Improvement Indicators and act as a barometer of how the Council is improving corporately.

**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 as:

- some elements of the improvement objectives are in the early stages of delivery; and
- the Council does not yet have an audited track record of improvement to date.

**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 carrying out of 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 this 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

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#### *Performance information*

Each improvement objective is aligned with an improvement project and is under the direction of senior responsible officer, and contains in total 48 priority improvement actions/measures for the next two years in which measureable improvement should be demonstrated in 2017-18.

The Council has made arrangements for the collection of information which will allow it to measure its performance during the financial year in relation to a suite of improvement actions and measures and its statutory performance indicators. It has also begun to set local indicators and standards to monitor its general duty to improve. As outlined above, the Council has identified three local performance improvement indicators and standards for 2017-18 which were published in its Improvement Plan, for example Prompt Payments to suppliers.

Taken together these ten measures are the Council's Corporate Performance Improvement Indicators and act as a barometer of how the Council is improving corporately which were reported on in their first self-assessment report in 2016-17. However they are limited in scope and do not cover all of the Councils functions and services and their general duty to improve. A wider range is necessary so that it can demonstrate to citizens and stakeholders its commitment to continuously improving all of its functions, and facilitate wider comparisons with other councils. It is hoped that with the development of its performance management system the Council will develop and publish a wider suite of local indicators reflective of all functions and its general duty to improve.

As noted earlier the Council is developing its performance management system and processes. The Council is liaising with other councils and the Department for Communities to agree a range of local performance indicators 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 as well as to demonstrate its general duty for continuous improvement across all of its functions and services.

## Section 3

### Key audit and assessment findings

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#### *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 limited comparisons against other councils in Northern Ireland. Many of the listed outcomes for projects are described in terms of outputs rather than the associated outcome not quantified, and it is not therefore always clear what actual improvement looks like.

The Council is not yet able to draw comparisons as the information collected is baseline information relating to the 2016-17 year and it will not be until next year that comparisons can be made. In addition, due to the absence of an agreed regional suite of performance standards it has not yet been practicable for the Council to compare the performance of its functions with the similar functions of other Councils. 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 these omissions 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 self-assessment of performance in relation to the general duty to improve as required under the legislation; and
- self-assessments should not focus solely on the underlying projects, but also include an assessment of the Council's progress in delivering outcomes against its improvement objectives.

## Section 4

### Key audit and assessment findings

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#### 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 Mid Ulster District Council's performance improvement arrangements**

### **Certificate of Compliance**

I certify that I have audited Mid Ulster District 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 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.



## ANNEX

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 Mid Ulster District Council's performance improvement arrangements**

### **Certificate of Compliance**

I certify that I have audited Mid Ulster District 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 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  
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Belfast  
BT7 1EU

30 November 2017



<b>Report on</b>	Concepts on Capturing the Legacy of Former Councils
<b>Reporting Officer</b>	Philip Moffett, Head of Democratic Services
<b>Contact Officer</b>	Ann McAleer, Corporate Policy and Equality Officer

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

<b>1.0</b>	<b>Purpose of Report</b>
1.1	This report sets out and provides the concepts on how Council will capture the legacy of the former Cookstown, Dungannon and South Tyrone and Magherafelt councils.
<b>2.0</b>	<b>Background</b>
2.1	<p>The new Mid Ulster Council took responsibility for the full delivery of local government services in the Mid Ulster region on 1 April 2015. The creation of Mid Ulster consequently resulted in the winding up of the three legacy Councils. Policy and Resources Committee previously agreed that this be undertaken by undertaking the following as detailed:</p> <ul style="list-style-type: none"> <li>• Memorabilia Identified, photographed and incorporated within a permanent/ temporary display within legacy Council Offices. To involve the memorabilia of each legacy Council being professionally photographed and used as part of an interpretative display which would chart the history, significant milestones, developments, list of chairs and vice chairs and significant changes within the district under the tenure of the Council (1973-2015).</li> </ul>
<b>3.0</b>	<b>Main Report</b>
3.1	Appendices A-C set out the proposed legacy storyboards for each legacy council area. These versions are subject to final editing, if necessary.
3.2	It is envisaged that the storyboards will be initially displayed in the foyer of each Council office for a period.
3.3	The permanent location at the end of the period for the display of the interpretative storyboards will be in the Chairperson's office in each of the Council buildings in Cookstown, Dungannon and Magherafelt.
3.4	The dimensions of the story boards will be largely determined by the display space available and the amount of information to be captured and to be in keeping with the final destination. It is envisaged that all three will be of a similar size.

<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<p><b><u>Financial &amp; Human Resources Implications</u></b></p> <p>Financial: The following estimated costs have been received; Storyboards- £500 each. Low level display cabinets, where required, be an additional cost. To be taken from within resources</p> <p>Human: NA</p>
<b>4.2</b>	<p><b><u>Equality and Good Relations Implications</u></b></p> <p>NA</p>
<b>4.3</b>	<p><b><u>Risk Management Implications</u></b></p> <p>NA</p>
<b>5.0</b>	<b>Recommendation(s)</b>
<b>5.1</b>	<p>To note that (i) storyboards will be displayed in the reception area of the three Council buildings in Cookstown, Dungannon and Magherafelt for a period. Following the initial display period the story boards will be moved to the chair's office in each of the offices for permanent display; and (ii) A permanent display of identified legacy council memorabilia is created within each of the three legacy sites. This should include, for example, the chain of office and visitor books. This will be dependent on availability for each legacy Council.</p>
<b>6.0</b>	<b>Documents Attached &amp; References</b>
<b>6.1</b>	<p>Appendix A: Storyboard Layout for Cookstown</p> <p>Appendix B: Storyboard Layout for Dungannon</p> <p>Appendix C: Storyboard Layout for Magherafelt</p>





Cookstown  
DISTRICT COUNCIL

COMHAIRLE CHEANTAR NA COIRRE CRÍOCHAÍ  
DISTRICT COUNCIL O COOKESTOUN



# Cookstown District Council

## A lasting legacy 1973 - 2015

**1970s**

Cookstown District Council was established in 1973 as a result of local government reorganisation. Elections took place for the new district on 30 May 1973 and the new district council came into power on 1 October 1973.

**1990s**

In the early 1990s Cookstown District Council embraced economic development and took responsibility for improving the District's towns and villages. District-wide regeneration was a catalyst for advancement, creating jobs and a sense of civic pride in villages.

In 1999, the Burnavon Arts and Cultural Centre opened on the site of the former Town Hall on the Burn Road, Cookstown and began to attract large scale cultural and artistic events. The venue was one of the first regional arts venues to be built.

**2000s**

In 2003 Cookstown District Council in conjunction with Cookstown Town Centre Forum launched Cookstown's ten-year Town Centre Regeneration Strategy and Action Plan setting out a range of short, medium and long range regeneration actions.

The Mid Ulster Sports Arena opened in 2004 at a cost of £2.5 million. The state of the art sports

facility became the centre of excellence for sports provision throughout Mid Ulster.

In late 2009 the civic heart of Cookstown, the Burn Road, benefited from an Environmental Improvement Scheme and the area continues to host outdoor events.

**2010-2015**

Northern Ireland hosted the 2013 World Police and Fire Games. Mid Ulster Sports Arena was the only venue to host events outside of greater Belfast.

In 2013 Davagh Forest Trails was opened to the public. The purpose built mountain biking trails were complimented by a play park and riverside and woodland walking trail. The facility has attracted thousands of visitors.

In 2014 Cookstown also beat off stiff competition from across the UK and Ireland to be shortlisted as one of the top four finalists in the Town Team of the Year award.

During it's more than 40 years of existence Cookstown District Council facilitated significant levels of investment and regeneration in the area, creating an innovative, vibrant and entrepreneurial District Council area.

Cookstown District Council Chairs 1973 - 2015

1973 - 1977	Alexander McConnell	Ulster Unionist Party
1977 - 1985	Victor McGahie	Ulster Unionist Party
1985 - 1991	Alan Kane	Democratic Unionist Party
1991 - 1997	Samuel Glasgow	Ulster Unionist Party
1997 - 1998	Sean Begley	Sinn Féin
1998 - 1999	Pearse McAleer	Sinn Féin
1999 - 2000	Walter Greer	Ulster Unionist Party
2000 - 2001	James McGarvey	Social Democratic & Labour Party
2001 - 2002	Pearse McAleer	Sinn Féin
2002 - 2003	Patsy McGlone	Social Democratic & Labour Party
2003 - 2004	John McNamee	Sinn Féin
2004 - 2005	Trevor Wilson	Ulster Unionist Party
2005 - 2006	Patsy McGlone	Social Democratic & Labour Party
2006 - 2007	Pearse McAleer	Sinn Féin
2007 - 2008	Ian McCrea	Democratic Unionist Party
2008 - 2009	Walter Greer	Democratic Unionist Party
2009 - 2010	Tony Quinn	Social Democratic & Labour Party
2010 - 2011	John McNamee	Sinn Féin
2011 - 2012	Sean Clarke	Sinn Féin
2012 - 2013	Tony Quinn	Social Democratic & Labour Party
2013 - 2014	Pearse McAleer	Sinn Féin
2014 - 2015	Wilbert Buchanan	Democratic Unionist Party





# Dungannon & South Tyrone Borough Council

*A lasting legacy 1973 - 2015*

## 1970s

Dungannon District Council was established in 1973 as a result of local government reorganisation. The Council was made up of the former rural and urban Dungannon Councils, Clogher rural council and a small portion of Armagh rural council.

## 1980s

In 1988 Dungannon District Council became the first Council to introduce power sharing. In 1989 Dungannon Park was opened, providing both local people and tourists with a venue to rest, relax, play sport, fish, play and attend concerts. Over the years Council developed the facility to become a popular visitor location incorporating a fully serviced caravan park, rainbow trout fly fishery, tennis courts, barbeque area and orienteering trail and play park.

## 1990s

In 1999 Dungannon District Council was awarded Borough status. The honorary status was granted by royal charter. Borough status allowed council's chairperson to be called "Mayor" and allowed Council to award Freedom of the Borough. The Council thus became known as Dungannon and South Tyrone Borough Council.

## 2000s

In 2001 the d'Hondt system was adopted by Council. The process allowed the position of Mayor and Deputy Mayor to be allocated according to party size.

## 2010-2015

In 2011 Darren Clarke became the first and only person to receive the Freedom of the Borough. The golfing legend and Dungannon native received the accolade after he won at the 140th Open Championship.

The newly refurbished Hill of O'Neill and Ranfurly House and Visitors Centre was opened in October 2012. The Council led project, housing an events facility and visitor information centre, was dedicated to the O'Neill chieftains who ruled Ulster from their seat on the hill above Dungannon.

During its 42 years in existence the Council paved the way with important social and economic milestones. The Council also sustained a high level of service delivery while maintaining a rates freeze for five consecutive years.



## Dungannon & South Tyrone Borough Council Chairs/Mayors 1973 - 2015

1973-1978	Lieutenant Colonel John H Hamilton Stubber	Ulster Unionist Party
1978-1986	William Ralph Brown	Ulster Unionist Party
1986-1987	Robert Mulligan	Ulster Unionist Party
1987-1988	Derek Irwin	Ulster Unionist Party
1988-1989	Jim Canning	Social Democratic& Labour Party
1989-1990	Anthony McGonnell	Social Democratic& Labour Party
1990-1991	Michael McLoughlin	Independent
1991-1992	Jim Cavanagh	Social Democratic& Labour Party
1992-1993	Vincent Currie	Social Democratic& Labour Party
1993-1994	Patsy Daly	Social Democratic& Labour Party
1994-1995	Jim Canning	Social Democratic& Labour Party
1995-1996	Jim Cavanagh	Social Democratic& Labour Party
1996-1997	Vincent Currie	Social Democratic& Labour Party
1997-1998	Jim Cavanagh	Social Democratic& Labour Party
1998-1999	Jim Canning	Independent
1999-2000	Jim Cavanagh	Social Democratic& Labour Party
2000-2001	Patsy Daly	Social Democratic& Labour Party
2001-2002	Francie Molloy	Sinn Féin
2002-2003	Jim Cavanagh	Social Democratic& Labour Party
2003-2004	Sean McGuigan	Sinn Féin
2004-2005	Robert Mulligan	Ulster Unionist Party
2005-2006	Francie Molloy	Sinn Féin
2006-2007	Jim Hamilton	Ulster Unionist Party
2007-2008	Barry Monteith	Sinn Féin
2008-2009	Maurice Morrow	Democratic Unionist Party
2009-2010	Robert Mulligan	Ulster Unionist Party
2010-2011	Michelle O'Neill	Sinn Féin
2011-2012	Kenneth Reid	Ulster Unionist Party
2012-2013	Phelim Gildernew	Sinn Féin
2013-2014	Sean McGuigan	Sinn Féin
2014-2015	Roger Burton	Democratic Unionist Party





# Magherafelt District Council

## A lasting legacy 1973 - 2015

### 1970s

Magherafelt District Council was established back in 1973 as a result of local government reorganisation. The new council took power on 1 October 1973 with a mission, 'to improve the quality of life of its 45,000 inhabitants.'

The Council area covered 214 square miles and stretched from the shores of Lough Neagh and the River Bann in the east to the Sperrin Mountains in the west. The Council was comprised of 16 elected representatives. The first location of the Council offices was at the former Mid Ulster Hospital site in the town. In 1978 the chain of office was presented to the Council Chairman by the Northern Bank. In the same year Councillor Mary McSorley became the first female Member of Council.

### 1980s

The Armorial Bearings for the Magherafelt District Council were designed by Lancaster Herald of Arms, and the grant to the Council was made by Letters Patent, dated 8 April 1982.

1982 saw the opening of the Greenvale Leisure Centre. The Centre went on to house the first 50m swimming pool in Northern Ireland in 2012.

In 1984 Magherafelt District Council first recognised Seamus Heaney, the poet laureate, with a Civic

Reception. Another civic event followed in 1995 to recognise Heaney's Nobel Prize for Literature. In June 2012 8,000 people welcomed the Olympic torch to Magherafelt. Magherafelt District Council organised a series of events to mark the occasion. The events included a carnival, a collaborative arts project and 3,206 school children came together to form the famous Olympic rings. They set a Guinness World Record.

### 1990s

In 1993 Magherafelt District Council moved from the Queen's Avenue site to a location on the Ballyronan Road in the town. These facilities were further extended and were officially opened in 2005.

### 2000's

Meadowbank Sports Arena which opened in October had the largest indoor sports arena of its type in Europe with a playing surface of approximately 10,000 M2.

By the late 2000s Magherafelt District Council had developed the idea of a Seamus Heaney interpretative Centre. It was envisaged that the Centre would be a permanent exhibition of the works of Seamus Heaney and become a popular visitor attraction. The plans came to fruition with the opening of the Seamus Heaney Homeplace facility in September 2016 by Mid Ulster District Council.



## Magherafelt District Council Chairs 1973 - 2015

1973-1977	Patrick Heron M.P.S.N.I.	Social Democratic & Labour Party
1977-1981	Rev. William McCrea	Democratic Unionist Party
1981-1986	P.J. Sweeney	Social Democratic & Labour Party
1986-1990	Mary K McSorley	Social Democratic & Labour Party
1990-1991	P A Kilpatrick	Social Democratic & Labour Party
1991-1992	Robert Montgomery	Ulster Unionist Party
1992-1993	Mary K McSorley	Independent
1993-1994	P A Kilpatrick	Social Democratic & Labour Party
1994-1995	Robert Montgomery	Ulster Unionist Party
1995-1996	John Hurl	Sinn Féin
1996-1997	P H McErlean	Social Democratic & Labour Party
1997-1998	Patsy Groogan	Sinn Féin
1998-1999	Robert Montgomery	Ulster Unionist Party
1999-2000	F J McKendry	Social Democratic & Labour Party
2000-2001	Robert Montgomery	Ulster Unionist Party
2001-2002	Oliver Hughes	Sinn Féin
2002-2003	Rev William McCrea	Democratic Unionist Party
2003-2004	Kate Lagan	Social Democratic & Labour Party
2004-2005	Patsy Groogan	Sinn Féin
2005-2006	Sean Kerr	Sinn Féin
2006-2007	Ian Milne	Sinn Féin
2007-2008	Paul McLean	Democratic Unionist Party
2008-2009	Kate McEldowney	Sinn Féin
2009-2010	Sean McPeake	Sinn Féin
2010-2011	Anne Forde	Democratic Unionist Party
2011-2012	Ian Milne	Sinn Féin
2012-2013	Paul McLean	Democratic Unionist Party
2013-2014	Catherine Elattar	Sinn Féin
2014-2015	Kate McEldowney	Sinn Féin



