



04 March 2021

Dear Councillor

You are invited to attend a meeting of the Policy & Resources Committee to be held in
The Chamber, Magherafelt and by virtual means Council Offices, Ballyronan Road,
Magherafelt, BT45 6EN on Thursday, 04 March 2021 at 19:00 to transact the
business noted below.

In accordance with the spirit of the recent COVID restriction, Members are strongly encouraged to join virtually as the preferred option. Should you need to attend in person then provision will be made at the Council Offices, Magherafelt. Please notify Democratic Services in advance if this is the case.

A link to join the meeting through the Council's remote meeting platform will follow.

Yours faithfully

Adrian McCreesh
Chief Executive

AGENDA

OPEN BUSINESS

1. Apologies
2. Declarations of Interest
Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.
3. Chair's Business
4. Deputation: NI Students Union

Matters for Decision

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|----|--|---------|
| 5. | Revised Equality Scheme, Draft Disability Action Plan (2021-2026) and Equality Action Plan (2021-2026) | 3 - 10 |
| 6. | Improvement Objectives 2021-2022 and 2022-2023 (proposed) and Consultation | 11 - 22 |
| 7. | Updated Branding Guidelines | 23 - 40 |
| 8. | Revised Code of Conduct for Local Government Employees | 41 - 82 |

- | | | |
|-----|---|-----------|
| 9. | Revision of Data Protection Policy | 83 - 124 |
| 10. | Video Conferencing Options for Council and Committee Meetings | 125 - 128 |
| 11. | Member Services | |

Matters for Information

- | | | |
|----|---|-----------|
| 12 | Minutes of Policy and Resources Committee held on 4 February 2021 | 129 - 134 |
| 13 | Processing and Transacting Confidential Business | 135 - 140 |
| 14 | NILGA Draft Response - Programme for Government | 141 - 158 |

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

15. Full Fibre Project Update
16. ICT Software Contract extensions March 2021
17. Land Acquisitions and Disposals
18. Cookstown Town Centre

Matters for Information

19. Confidential Minutes of Policy & Resources Committee Meeting held on 4 February 2021
20. Staff Matters for Information
21. Prudential Code for Capital Finance Indicators and Authorised & Operational Borrowing Limits
22. Insurance Arrangements for 2021/22
23. Financial report for 10 months ended 31 January 2021
24. Contracts and DAC

Report on	Revised Equality Scheme, Draft Disability Action Plan (2021-2026) and Equality Action Plan (2021-2026)
Date of Meeting	4 March 2021
Reporting Officer	Philip Moffett, Head of Democratic Service
Contact Officer	Ann McAleer, Corporate Policy & Equality Officer

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

1.0	Purpose of Report
1.1	The purpose of this report is to make members aware of the outcome of the public consultation outcomes of the consultation held on Mid Ulster District Council Revised Equality Scheme, Draft Disability Action Plan (2021-2026) and Equality Action Plan (2021-2026).
2.0	Background
2.1	The public consultation ran for 13 weeks (from Monday 2 November 2020 to Friday 29 January 2021).
2.2.	The consultation provided respondents with the option of a survey monkey on Mid Ulster District Council's website or by providing any form of written or verbal response in in relation to the Equality Scheme and associated action plans.
3.0	Main Report
3.1	The consultation was publicised via numerous communication channels. This included the Council's website, social media platforms and in the council's Community Development newsletter. The information was also sent directly to the organisations included on the council's equality consultee list and to all those organisations on the Council's Community Development database.
3.2	4 consultation responses were received. The responses were provided by; Equality Commission for NI, Mid Ulster Disability Forum, Triangle and a private individual.
3.3	The details of the responses are detailed in Appendix A. It is considered that all the responses were relevant and have the potential to add value to the Equality Scheme and associated action plans.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications

	Financial: N/A
	Human: Officer time
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications:
	Rural Needs Implications: Rural Needs Impact Assessment has been completed and is available on request
5.0	Recommendation(s)
5.1	It is recommended that the feedback from respondents be incorporated into the Scheme and associated action plans.
6.0	Documents Attached & References
	Appendix A: Consultation Responses to Equality Consultation 2021

Appendix A

Summary of Responses on the Equality Consultation February 2021 and Proposals for their Inclusion

A public consultation on Mid Ulster District Council's Equality Scheme, Equality Action Plan and Disability Action Plan 2021-26 was held from November 2020 until January 2021. The table below sets out the key aspects of the response received and suggestions for their inclusion in the draft plans.

Respondent Name	Equality Scheme/Equality Action Plan/ Disability Action Plan	Comments Provided	Proposal for Inclusion
Mid Ulster Disability Forum	Disability Action Plan-Action Measure 4: Maintain Council's partnership working with Mid Ulster Disability Forum and other disability support services/groups within the District in order to view their views and opinions	<p>Mid Ulster Disability Forum have worked closely with Mid Ulster District Council during and post completion of many new projects including capital builds, public realm schemes and renovation projects. We have unfortunately, noticed that council projects take different approaches to how they include or consult on matters relating to disability and accessibility. We ask that Mid Ulster Disability Forum/Disability Organisations are consulted at three stages:</p> <ul style="list-style-type: none"> • An early planning stage and provide any feedback on plans/designs, prior to final designs submitted. • During construction as and when/if any issues may arise. • Prior to completion of works, to provide any snagging issues before final sign off. <p>The key reason for these proposal, is to ensure a pan-disability approach to projects, ensuring community</p>	<p>It is proposed that a three stage 'check-in' process is put in place with the Mid Ulster Disability Forum and/or other relevant organisations, during project. As requested, the three stages would include the following:</p> <ul style="list-style-type: none"> • Planning stage • During construction • Prior to completion

Appendix A

		consultation with disability groups and ultimately making facilities more accessible.	
Mid Ulster Disability Forum	Disability Action Plan-Action Measure 3: 'Changing Places' facilities included in capital build projects (where a need is established)	<p>Mid Ulster Disability Forum wanted to highlight the lack of Changing Places facilities in Cookstown Town Centre (there is currently one planned for MUSA and Tesco in Cookstown Town Centre have planned). The Forum also suggested that the target number in increased from 6, given the number of CPs that have already opened (2) and commenced construction (2).</p> <p>Mid Ulster Disability Forum also highlighted the role of the Community Plan in delivering equitable and accessible services throughout the District.</p>	It is proposed that the timeframe is changed to read 'A minimum of 6 Changing Places to be registered by Mid Ulster District Council by 2026'.
Equality Commission for NI	Disability Action Plan- General Feedback provided on all points	<p>ECNI provided the following recommendations:</p> <p>ECNI recommends that Council gives consideration to providing more specific performance indicators in relation to individual actions contained in the Disability Action Plan. Example performance indicators could include:</p> <ul style="list-style-type: none"> • % increase in disabled people in public life positions over a 12 month period 	It is proposed that more specific performance indicators are included in the relevant action measures and that the action relating to the two duties are made clearer within the plan.

Appendix A

		<ul style="list-style-type: none"> • Display of more positive attitudes by staff, and other service providers towards disabled people over a set time period demonstrated by e.g. • staff attitude survey • exit interviews • survey of experiences of disabled employees / service users. • x number of articles highlighting disability issues / challenging stereotypes of disabled people published per each year of the plan • A reduction in negative feedback from disabled customers or employees measured by a reduction in the number of complaints received. <p>In terms of the consultation the Commission recommends that Council considers our main recommendations as follows:</p> <ul style="list-style-type: none"> • Ensure as much as possible that performance indicators are clear and measurable and demonstrate how actions and intended outcomes are relevant to the disability duties. • Review measures to ensure that actions go beyond what Council is already doing in terms of policy 	
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Appendix A

		<p>development and implementation and required to do under the DDA Part II employment and Part III access to Goods, Facilities and Services.</p> <ul style="list-style-type: none">• Ensure that the Disability Action Plan sets out clearly which of the two Disability Duties individual actions are intended to address.• Council should consider providing more detail on individual actions to enable stakeholders to fully understand the work that it is engaged in with regard to the disability duties.• It is important that individual actions are clearly defined in order that monitoring can effectively measure the impact that individual actions have and enable adjustments to be made where necessary. Clear targets can encourage staff at all organisational levels within a public authority to take ownership and allocate resources appropriately.• The Commission recommends that Council provides more detail on the training which it intends to deliver over the course of the disability action plan and consider in more detail how monitoring and evaluation	
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Appendix A

		<p>could measure the impact of training on both of the duties.</p> <ul style="list-style-type: none"> The Commission recommends that Council provide more detail in relation to employment related targets within the plan. 	
An anonymous individual (via survey monkey)	Equality Scheme/Equality Action Plan/ Disability Action Plan	All elements of the consultation documents (Equality Scheme, Equality and Disability Actions Plans) were given an with either 'strongly agree' or 'agree' in relation to whether or not they agreed with the themes and actions detailed in each.	No action required.
Triangle (Victoria Redmond and Norman Streerit)	Disability Action Plan-Action Measure 7: Provide flexible work placements/taster placements for individuals with disabilities with a view to preparing them for paid employment	The representatives from Triangle agreed with this action measure. They indicated that they have had a successful working relationship with Mid Ulster District Council before and that they would be keen to continue this work by providing suitable members to take part in the proposed flexible work placements/taster placements. The representative believe that the Council is ideally placed to offer a wide range of placement opportunities that would help people with a disability to find paid employment in a range of public or private sector roles.	That this information be provided to Organisational Development for consideration/progression in relation to the delivery of Action Measure 7.

Report on	Improvement Objectives 2021-2022 and 2022-2023 (proposed) and Consultation
Date of Meeting	Thursday 4 th March 2021
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	L Jenkins, Performance & Quality Officer

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

1.0	Purpose of Report
1.1	To consider the proposed improvement objectives for 2021/22 and 2022/23 as set in compliance with the Local Government Act (NI) 2014 (the Act) and subsequent guidance as issued by the Department for Communities (LG21/2016 onwards), and establish timelines for a public consultation exercise relating to the proposed improvement objectives.
2.0	Background
2.1	<p>The 2014 Local Government Act, section 84, places a general duty on the Council to “....<i>make arrangements to secure continuous improvement....</i>” in the exercise of its functions. Section 85 of the Act requires a council, for each financial year, to set itself improvement objectives for improving the exercise of its functions and to have in place arrangements to achieve those objectives. Section 87 also outlines that a Council; in deciding how to discharge its duty under sections 84 and 85 of the Act, must consult with persons appearing to the Council, “<i>to be representative of</i>”.</p> <ul style="list-style-type: none"> ○ <i>a); persons liable to pay rates in respect of hereditaments in the district; b) persons who use or are likely to use services provided by the council; and c) persons appearing to the council to have an interest in the district.</i>
2.2.	Each year the Council develops an annual Performance Improvement Plan (PIP), containing improvement objectives, with associated activity and outcomes for citizens and local communities. The plan also includes the statutory performance indicators and standards as outlined in the Local Government (Performance Indicators and Standards) Order (Northern Ireland) 2015, as well as Council’s suite of Corporate Health Indicators (measures).
2.3	Senior management undertook a workshop in February 2020, to look at areas for improvement, moving forward, with a focus on current and future issues for citizens, the contextual issues relating to current Council operations and short to medium term Council priorities (in relation to newly developed corporate plan 2020-

	<p>2024). The outworking's from this session were analysed and four draft improvement objectives developed, with supporting rationales, which were due to go out for public consultation running from March through to early May 2020. The proposed improvement objectives would form the basis of Council's two-year performance improvement plan (PIP) for 2020/21 to 2021/22.</p>
2.4	<p>By the 23rd March 2020, the Covid-19 Pandemic required the Council to divert resources and attention to support the emergency response in order to help and protect the most vulnerable in society and ensuring the continued delivery of our essential services. In recognition of these exceptional circumstances, the Department for Communities proposed that Councils were not required to publish a Performance Improvement Plan (PIP) for the year 2020 to 2021. This was confirmed in a letter from, Department of Communities, to Chief Executives on 11th June 2020 (refer to previous December 2020 Policy and Resources Committee report). Council did not develop a Performance Improvement Plan or consult on the improvement objectives based on the departmental guidance.</p>
2.5	<p>Subsequently the Department has engaged with the Local Government Performance Improvement Working Group, chaired by a SOLACE representative, to discuss the arrangements to secure continuous improvement moving forward into 2021/22 year (short term) as well as medium to long-term issues. The thinking, subject to taking the views of councils, was that, rather than being required to produce and publish performance improvement plans in the current difficult climate in 2021 to 2022 it would be more beneficial for councils to produce plans setting out their proposals for service delivery and performance recovery.</p>
2.6	<p>During a meeting held on the 20th of January 2021, between DfC, NIAO representatives and members of the LGPIWG, the Department envisaged that;</p> <ol style="list-style-type: none"> 1. Councils proceed with a Performance Improvement Plan (PIP) for 2021/22 and during discussions it was mooted by the Department that it would; in light of the pandemic, understand that performance plans may require a "broader definition", as they would likely include both recovery and improvement objectives for each Council. The department and the LGPIWG recognised that all Councils would be in different stages of recovery and have various contextual issues/factors unique to their areas. 2. In addition, the Department suggested as part of accepted good practice that an accompanying consultation process regarding the proposed performance improvement/recovery be undertaken while recognising that the consultation process would be restricted this year due to the COVID-19 pandemic. 3. The Department also outlined that Departmental guidance as opposed to a change in legislation (Part 12 of the Local Government Act) would be required to facilitate any proposed changes to arrangements. <p>During the meeting, the LGPIWG Chair requested that expectations for the consultation process this year were 'realistic' and that this would be understood, by both the Department and the NIAO during the audit process.</p>

2.7	<p>The chair of the LGPIWG then wrote to DfC post the meeting of the 20th January to DfC (Appendix One), outlining the issues discussed. The chair also sought further clarity regarding updated guidance being issued to Council's as well as flexibility in terms of publication dates of performance improvement, while taking account of the impact this may have on the annual performance cycle. Other issues were also highlighted in the letter relating to the risk that the standards for the statutory performance indicators will not be met this year as a result of the pandemic and other factors. Again, flexibility was sought in terms of achieving the standards and that this be built into the audit process so that local government are not negatively impacted as a result of not meeting the targets set. In addition, standards for the 2021/22 year need to be confirmed as soon as possible for all statutory performance indicators.</p>
3.0	Main Report
3.1	<p>General Duty to Improve and Departmental Guidance</p> <p>The Department for Communities (DfC) on taking forward the general duty on improvement requires that the council consult on their improvement objectives. This requirement on consultation falls from section 87 of the Local Government Act (NI) 2014. There is no statutory duty to consult on the improvement plan, but rather the improvement objectives.</p>
3.2	<p>Review of Improvement Objectives for 2021/22 to 2022/23</p> <p>A self-analysis exercise was undertaken by Council to review the previous year's draft improvement objectives to establish their continued relevancy for the period 2021/22 to 2022/23. The exercise was undertaken in order to ensure that the improvement objectives were based on:</p> <ul style="list-style-type: none"> • thorough, evidence-based understanding of communities Council serves, • Local needs and Council's capacity to address those needs. • Improvement objectives correspond directly with the council's priorities for improvement in the hierarchy of plans, and • The context of the Covid-19 pandemic
3.3	<p>Proposed Performance Improvement Objectives 2021/22 to 2022/23</p> <p>Senior management were content with the review of the proposed improvement objectives, which are outlined below in table one. Further detail of the improvement objectives is available in Appendix Two (Proposed Performance Improvement Objectives: 2021-22 and 2022-23). Also included is a summary of the rationale for undertaking the improvement objectives, how the objective links to the wider District Community plan and a brief outline of the proposed activity. Each improvement objective will have an assigned Senior Responsible Officer, along with a project</p>

3.4	team, to develop and embed a body of work to deliver improvement outcomes for citizens specific to the improvement objectives.	
	Proposed Improvement Objectives 2021/22 to 2022/23	
	1	Mid Ulster District Council will seek to reduce the environmental impacts of our own activities and will contribute to the improvement of the wider environment through local action
	2	We will ensure a more connected Mid Ulster where new technologies and ways of working, empower citizens to get the best services that matter to them
	3	To create cleaner neighbourhoods, where everyone takes responsibility for their waste and environment
	4	We will contribute to the on-going regeneration of our district by delivering a capital investment programme, enhancing facilities and opportunities for local people
	Consultation & Improvement Plan 2021/22 to 2022/23	
	It is recommended that arrangements to consult on the Improvement Objectives, as referred to in section 3.1 above, commence following the Committee meeting and run from March to early April 2021. The following is an outline timeline for the consultation and development of the 2021-22 and 2022-23 Improvement Plan:	
	<ul style="list-style-type: none">• Consultation from Thursday 11th March to Thursday 22nd of April 2021.• Outcomes Report on the Consultation considered by May P&R Committee• Draft Performance Improvement Plan (2021-2022 to 2022-2023) to be considered at June P&R Committee	
	4.0 Other Considerations	
4.1	Financial, Human Resources & Risk Implications	
	Financial: N/A	
	Human: N/A	
	Risk Management: The social and economic disruption caused by COVID-19 has had a significant impact on our District, our citizens, our services and the way we provide them and will continue to do so in the short to medium term. In the coming months and into the next financial year, with increased testing, vaccination programmes and adherence to social distancing rules, all of our will services gradually recover, by transitioning and adjusting to the ‘new’ normal. Effective planning will determine how well the organisation adapts to the	

	challenges and opportunities within the current and post COVID-19 environments, i.e. recovery planning (which will assist in the mitigation of risk).
4.2	<u>Screening & Impact Statements</u>
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	That members' consider and approve the four draft improvement objectives for 2021-22 to 2022-23, and the initiation of consultation together with associated timeline.
6.0	Documents Attached & References
	Appendix One: Letter DfC of 28 th January 2021 from Chair of LGPIWG. Appendix Two: Proposed Improvement Objectives 2021-22 to 2022-23

Ref: TC/ab/LK

28 January 2021

Sent via email to: Julie.Broadway@communities-ni.gov.uk

Julie Broadway
Department for Communities
Causeway Exchange
1-7 Bedford Street
Belfast
BT2 7EG

Dear Julie

I am writing to you as Chair of the Local Government Performance Improvement Working Group, on behalf of SOLACE NI.

I would like to thank you, Lynn McCracken and Kerri O'Neil for attending the most recent meeting of the Local Government Performance Improvement Working Group (PIWG) on 20th January 2021.

It was helpful to hear the Department's response to the concerns and suggestions put forward by the PIWG with regards to moving forward with performance improvement in local government for 2021/22.

I would like to summarise discussions from the meeting on 3 key points:

- 1. Improvement Objectives for 2021/22** - during the meeting we discussed that objectives for this year will require a broader definition as they are likely to include both recovery and improvement objectives for each Council. In addition, the consultation process will be restricted this year due to the COVID-19 pandemic. Therefore, local government would request that expectations for the consultation process this year are realistic and that this would be understood by both the Department and the NIAO during the audit process.
- 2. Publication date for the Performance Improvement Plans for 2021/22** - since Councils have to undertake a consultation process for 2021/22 and updated guidance is yet to be issued, we discussed that flexibility will be granted in terms of the 30th June publication date. However, we are aware that this may impact on the annual performance improvement cycle and that a sensible resolution for all parties should be reached.

Please reply to:

■ **Head Office**
The Braid
1-29 Bridge Street
Ballymena BT43 5EJ

□ **Ballymena Office**
Ardeevin
80 Galgorm Road
Ballymena BT42 1AB

□ **Carrickfergus Office**
Museum & Civic Centre
11 Antrim Street
Carrickfergus BT38 7DG

□ **Larne Office**
Smiley Buildings
Victoria Road
Larne BT40 1RU

□ **Planning Office**
Silverwood Business Park
190 Raceview Road
Ballymena
BT42 4HZ

Chief Executive
Anne Donaghy OBE

3. **Statutory Performance Indicators** - during the meeting, concerns were raised by local government that there is a risk that the standards for the statutory performance indicators will not be met this year as a result of the pandemic and other factors. For example, enquiries for business start-ups have contracted significantly in 2020, due in part to COVID and the uncertainty around the implications of the NI Protocol impacting negatively on people actively pursuing self-employment. Waste arisings generally have increased as a result of people staying at home and changes in lifestyle due to the pandemic. Again, flexibility in terms of achieving the standards needs to be built into the audit process so that local government are not negatively impacted as a result of not meeting the targets set.

In addition, standards for the 2021/22 year need to be confirmed as soon as possible for all statutory performance indicators.

Finally, it is important that the Statutory Guidance is issued as soon as possible, and, as discussed, the PIWG will nominate members to work with the Department and NIAO using the multi-stakeholder approach that has been successful in the past. I would be grateful if you could advise when it would be suitable to arrange a meeting over the coming weeks.

Following this immediate revision of the Guidance, I look forward to working with you on the longer term review of Part 12 of the legislation to determine future requirements that are satisfactory to all involved.

I would appreciate your consideration of the points raised in this letter and am happy to discuss further.

I believe that through continued strong partnership working, we can continue to build a culture of performance improvement across local government.

If you have any queries, please do not hesitate to contact me.

Yours sincerely



Anne Donaghy OBE
Chair, Local Government Performance Improvement Working Group

CC *Jacqui Dixon, Chair of SOLACE*

Please reply to:

■ **Head Office**
The Braid
1-29 Bridge Street
Ballymena BT43 5EJ

Tel: 0300 1245 000

□ **Ballymena Office**
Ardeevin
80 Galgorm Road
Ballymena BT42 1AB

www.midandeantrim.gov.uk

□ **Carrickfergus Office**
Museum & Civic Centre
11 Antrim Street
Carrickfergus BT38 7DG

Page 18 of 158

□ **Larne Office**
Smiley Buildings
Victoria Road
Larne BT40 1RU

□ **Planning Office**
Silverwood Business Park
190 Raceview Road
Ballymena
BT42 4HZ

Chief Executive
Anne Donaghy OBE

Proposed - Corporate Performance Improvement Objectives: 2021-22 and 2022-23

Corporate Improvement Objective	1) Mid Ulster District Council will seek to reduce the environmental impacts of our own activities and will contribute to the improvement of the wider environment through local action.	
Senior Responsible Officer:	Community Plan Theme & Outcome	Project (Action)
Head of Environmental Services	Theme 2: Infrastructure Outcome: We increasingly value our environment and enhance it for our children	<ul style="list-style-type: none"> Develop a rolling programme of projects and actions to work towards and contribute to a more sustainable Council and District.

Why we are doing it?

As we navigate through and ultimately emerge into a post-pandemic era, how we reshape our world will have key implications for our ability to address climate change this decade. The global response to the Covid-19 crisis has had little impact on the continued rise in atmospheric concentrations of CO₂, says the World Meteorological Organization (WMO). This year carbon emissions, have fallen dramatically due to lockdowns that have cut transport and industry severely (carbon emissions fell by 17% at their peak), but this has only marginally slowed the overall rise in concentrations, the scientists say¹ and the overall effect on concentrations has been very small.

Climate change has been recognised internationally as the most important environmental challenge that we currently face it is a large scale, long-term shift in the Earth's weather patterns and average temperatures. Scientific consensus recognises human activity² as a major cause of recent unprecedented warming and climate projections, show that past, current and future gas emissions will influence the climate for decades. The Climate Change Act, passed in 2008, committed the UK to reducing greenhouse gas emissions by at least 80% by 2050 when compared to 1990 levels. This approach has now been used as a model for action across the world, and is mirrored by the United Nations' Paris Agreement. The next world climate summit is to held in Glasgow towards the end of November 2021 and during the last 11 years, the Summit has become a key platform for connecting markets with policies, to flatten the climate curve³.

The intergovernmental panel on climate change predicts increases in extreme weather events over the twenty first century and attributes this to a result of greenhouse emissions and rising surface temperatures. The latest U.K Climate Change projections (UKC P18)⁴ predict that Northern Ireland will experience warmer, wetter winters and hotter drier summers by the 2050's, with extreme weather events becoming more frequent⁵.

We recognise the key role and contribution that the Council has in supporting and promoting local actions and local people, businesses and partners in the move to a low carbon future. Taking action to protect the environment for future generations is a priority for Mid Ulster and is recognised in the Districts Community Plan and Corporate Plan. We care about the environment and understand our legal duty to protect it. We seek to minimize the environmental impacts of our own Council activities and work with other partners and stakeholders to protect and enhance our local environment. Subject to procurement regulations, we can also choose to buy local produce which not only supports our local economy, it also reduces carbon emissions from freight transport and travel. Climate change is a collective issue and we can all make changes to our lifestyles to reduce the impact on the environment..

1. https://library.wmo.int/index.php?lvl=notice_display&id=21795#.YCJTnzFxc2w

2. <https://climate.nasa.gov/scientific-consensus/>

3. <https://www.worldclimatesummit.org/>

4. <https://www.metoffice.gov.uk/research/approach/collaboration/ukcp/download-data>

5. <https://www.theccc.org.uk/wp-content/uploads/2016/07/UK-CCRA-2017-Northern-Ireland-National-Summary.pdf>

Corporate Improvement Objective	2) We will ensure a more connected Mid Ulster where new technologies and ways of working, empower citizens to get the best services that matter to them.	
Senior Responsible Officer:	Community Plan Theme & Outcome	Project (Action)
Head of Communications & Marketing	Theme 1: Economic Growth Outcome: We prosper in a stronger and more competitive economy	<ul style="list-style-type: none"> Development of framework/roadmap to optimise how the Council uses digital design/technology to work efficiently, collaborate, make informed decisions, adapt and innovate our service provision.
<p><i>Why we are doing it?</i></p> <p>Since the start of the global pandemic, digital technologies has been the driving force for change in how we connect across the globe and with each other. COVID-19 has had an enormous impact on the lives and fortunes of every consumer. It has impacted on the way people live, work, study, have fun, connect, transact and communicate. We are a long way from business as usual these days, as many of us juggle work and home responsibilities, having video conferences interrupted by our kids, dogs barking and kitchen appliances whirring in the background.</p> <p>The COVID-19 pandemic has also brought about a renewed focus on enhancing citizen and customer experiences, especially as more services must be delivered remotely. Customer experience is especially important for industries such as banking and finance, retail, supply chain, logistics, healthcare as well as local council service delivery and there is now an enhanced need to transform how these organisations engage with customers through digital platforms. This increasing use of digital channels is here to stay. Citizens now have higher expectations of online council services and want a digital customer experience similar to that provided by retailers.</p> <p>We want to harness the potential of digital design, data and technology to work efficiently, transform the relationship between residents and the Council, and make Mid Ulster a leading destination for sustainable growth, opportunity and quality of life. To embrace such opportunities we are developing a roadmap to define how our future use of technology and human resources will be optimised to enable the efficient delivery of our business and community priorities to the businesses and citizens of Mid Ulster. Technology is only an enabler, transformation involves changing how we work, how we organise ourselves and how we serve our citizens. We will have real opportunities to radically rethink, and redesign our services, as we are move towards being a more agile and flexible organisation, with staff able to work from any location as we make more efficient use of physical space and mobile technology. We can and will learn lessons from innovative digital practice utilised as a response to the Pandemic. More of our high volume, low contacts that we deal with, should be completed at our customer's convenience, enabling Council staff to focus on more completed and sensitive enquiries that benefit from the human touch. All of this can help us manage the rising cost and demand pressures the Council is facing.</p> <p>Whist we want everyone to become digital citizens, we recognise that not all residents have the means or skills to take up digital. The council aims to grow and develop its digital inclusion work to provide skills and confidence in this area for staff, and our customers will always be able to speak to a person when they need to, and the person they speak to will be able to provide improved customer service. We will not leave anyone behind, however, we must continue to maximise technology to drive better services and lower delivery costs. As a Council, we already offer online access in a number of areas, however we need to push further, faster with our digital approaches, data and technology, to ensure the district thrives through the fourth industrial revolution. The Council in order to make the right choices post pandemic, will need to think differently and – crucially – put citizens, data and insight, and technology at the heart of change.</p>		

Corporate Improvement Objective	3) To create cleaner neighbourhoods, where everyone takes responsibility for their waste and the environment.	
Senior Responsible Officer:	Community Plan Theme & Outcome	Project (Action)
Head of Environmental Health	Theme 2: Infrastructure Outcome: We increasingly value our environment and enhance it for our children	<ul style="list-style-type: none"> To develop and deliver programmes/activities in conjunction with our partners & communities to ensure clean neighbourhoods.

Why we are doing it?

Pre pandemic we all used public spaces every time we left home. These include the footpaths and streets we walk or drive along each day, the parks our children play in and the outdoor areas we go to exercise or relax in. Many of our daily decisions and activities are influenced by our perceptions of the quality and cleanliness of the public areas we encounter. The importance of clean, green and blue (our rivers, canals, loughs etc.) spaces, parks, cannot be underestimated. Many benefits derive from a pleasant environment. The covid-19 pandemic and associated lockdowns has shown just how important it is for us to have easy access to open space for recreation and exercise and has had a huge impact on everyone in the district, region and world-wide. At its peak, half of the world's population was made to stay at home or restrict movement in public (¹Sandford, 2020). The importance of safe, accessible and well-connected green and blue spaces for improving quality of life has never been more pertinent, and for those without gardens the value of these spaces is amplified.

Good quality parks and attractive open space contribute economic benefits to towns and villages. As Mid Ulster competes with others to attract growth, tourism and inward investment a clean, green and pleasant environment plays an important role in marketing the District as a place to live in, move to and visit. Businesses are drawn to places with good quality environment as this in turn attracts customers, employees and services into the local area. In addition well maintained towns and villages has a positive impact on commercial and domestic property values.

Regionally and locally increases in obesity, are linked to more sedentary lifestyles including lower levels of outdoor activity. Patterns of exercise in adults are set early in life, so obesity and inactivity in childhood can led to poor health in later years. Good quality public open space is required to encourage healthier lifestyles by providing opportunities for walking, cycling and other outdoor pursuits, as well as being beneficial to mental well-being. Clean and well maintained play areas, parks and open space provide important beneficial opportunities for children to learn and develop (their social and emotional development) and stay healthy. Apart from access, the quality of green space is crucial too. Quality of facilities – including toilets and cafes; regular maintenance; organised activities can help ensure a green space supports the wellbeing of its citizens equally

Clean neighbourhoods engender social pride, add vibrancy, reduce crime and anti-social behaviour, all of which are essential to the development of strong prosperous neighbourhoods. Anti-social behaviour can be seen through dog fouling, littering, abandoning vehicles, graffiti, and fly tipping etc. We are very much aware that many of our clean and green services are demand led, whilst much of this demand is inevitable, it is also clear some of it is avoidable. We want to be clear about our service promises, standards, and the response times we aim to achieve to ensure our communities understand what levels of service they can expect. On its own the Council cannot deliver a cleaner and greener environment for residents. We want to work collaboratively, with residents, communities, visitors and businesses and through active citizenship we hope to see reduced demands on our services and more residents taking greater pride in and ownership of their local environment. This is more necessary then ever as overall public sector expenditure reduces at an unprecedented rate, combined with the economic fallout arising from the pandemic.

¹ Sandford, A., 2020. Coronavirus: Half of humanity now on lockdown as 90 countries call for confinement. Euronews

Corporate Improvement Objective	4. We will contribute to the ongoing regeneration of our district by delivering a capital investment programme, enhancing facilities and opportunities for local people	
Senior Responsible Officer:	Community Plan Theme & Outcome	Project (Action)
Head of technical Services	Theme 4: Economic Growth Outcome: We prosper in a stronger and more competitive economy.	<ul style="list-style-type: none"> Development and delivery of a place shaping capital economic regeneration programme across the District.
<p><i>Why we are doing it?</i></p> <p>The additional challenges facing Mid Ulster’s most vulnerable communities due to the coronavirus (COVID-19) pandemic means there has never been a more important time to strengthen the economic, social, and physical wellbeing of our places, lasting effects will be felt for many years to come. We must look to a period of recovery from the COVID-19 pandemic. We have had to lead our lives locally, pulling together more as communities, to see off the many challenges arising from coronavirus. The Council’s capital programme of local projects will maintain our ongoing support for vibrant, accessible village/ town centres, open spaces and communities.</p> <p>Regeneration is a long-term process and is delivered through a wide range of projects, programmes, partnerships, infrastructure initiatives. Since the late 1990s, policymakers have recognised the wider social factors that affect the success of regeneration schemes, but this is even more vital in the current economic climate. Infrastructure is a valuable and efficient economic stimulus. Every £1 of investment in infrastructure generates a potential further £2.70¹ due to economic multiplier effects. Making the most of existing social capital and providing opportunities for local people to be involved in regeneration is a vital part of making the best use of limited resources.</p> <p>As a Council we support locally developed place based regeneration projects, we continue to invest in Mid Ulster, as well as providing essential services paid by your rates. Our Capital investment programme is our commitment to addressing the economic downturn and making the District a better place to live, work and invest. The programme includes major schemes to boost the economy, create jobs and improve the quality of life for our citizens.</p> <p>Quality of place matters in economic, social, cultural and emotional terms. A sense of place helps establish strong social infrastructure which supports people to improve their prospects and maximize their potential. We are taking a “Whole District” approach creating places that are attractive, well-designed and well managed. Our approach focuses on tailored solutions for settlements within the District and also business locations. We recognise our major assets as those that have the potential to deliver the greatest impact. Building on and investing in these assets alongside complementary interventions will release the District’s potential for growth and connect areas of growth with deprived places in need of generation. By following a planned phased approach across the District we will be able to deliver greater impact for each locality, using the resources available to best effect. This work has never been more important as we look to rebuild from the devastating impact of COVID-19.</p> <p>¹-Further detail can be found here: https://www.ice.org.uk/getattachment/news-and-insight/policy/infrastructure-as-a-stimulus/post-crisis-infrastructure-investment-insight-paper-covid-19.pdf.aspx#_ga=2.179966759.2015985077.1591167730-1129742483.1567513176</p>		

Report on	Updated Branding Guidelines
Date of Meeting	4 March 2021
Reporting Officer	Ursula Mezza
Contact Officer	Ursula Mezza

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

1.0	Purpose of Report
1.1	The report provides details of updated branding guidelines.
2.0	Background
2.1	The Council brand guidelines were introduced in April 2015 when the new Council became operational.
2.2.	One of the recommendations from the internal audit of the marketing and communications service recommended that the original guidelines be updated.
3.0	Main Report
3.1	The internal audit of the marketing and communications service recommended that the existing brand guidelines be updated to provide greater clarity on when the Council's brand mark should be used, its use by third parties and the associated approval process.
3.2	The guidelines have been updated accordingly and now present a complete visual guide to the 'brand in action'.
3.3	Specific and clearer guidance around brand usage by external organisations, including partners and stakeholders and funded organisations has been added, together with clarity on the internal sign-off arrangements where external design sources are used.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: N/A

	Human: N/A
	Risk Management: N/A
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)
5.1	That the Committee notes the updated brand guidelines.
6.0	Documents Attached & References
	Brand Guidelines V2.0

Brand Identity Guidelines

Version & — >Ubi Ufm&\$&%



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Lár Uladh
Mid Ulster
District Council



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

The Logo

The Mid Ulster District Council logo was designed to reflect the area by incorporating elements of the Mid Ulster region. The traditional shield shape recalls the intricate, heraldic Council coat of arms but is interpreted in a clean, modern way helping to signify the beginning of a new era with the formation of the Council in April 2015 while reflecting the elements of the 3 legacy councils areas of Cookstown, Dungannon and Magherafelt.

The mark includes the three spires synonymous with the town of Magherafelt, a castle, representing the ancient seat of the O'Neill's and the Dungannon area's association with the old kings of Ulster. A wheat bundle which featured in Cookstown's crest refers to the significance of agriculture to the area, both in the past and present, and is a symbol of the rural landscape and community.

Helping to suggest a sense of a united region which spans two counties, the shield also portrays two oak leaves around the red hand of Ulster. The rolling line in the centre of the shield acknowledges an important local landmark, the Sperrin mountains, and the four waves represent the waters of Lough Neagh.

5dd'Wjcb

The Council's brandmark (or logo), is the primary visual representation of the organisation's brand – its vision, values, what it stands for.

It has an integral role to play in maintaining the integrity of the Council's overall brand and, as such, should only be used in line with these guidelines which are intended to ensure its consistent and correct application across all potential physical and virtual platforms.

In the vast majority of cases, the application of the brandmark will be undertaken internally via the Council's Marketing and Communications team. On those occasions where an external marketing or design service is being used, draft artwork should be produced using these guidelines and issued to the Marketing and Communications service in a timely manner for approval before progressing to production.

The Council does not use sub-brands, except in the case of distinct stand-alone cultural or tourism facilities which are, however, linked to the parent brand.

These facilities are:

- OM Dark Sky Park and Observatory
- Seamus Heaney HomePlace
- The Burnavon
- The Hill of The O'Neill.

Leisure facilities have an identity system which uses a single graphic device in association with each facility's name. The graphic device is formed using colours in the Council's brand colour palette and each facility has an allocated colour.

The visual device is NOT a standalone logo or brandmark. The use of the same graphic device allows the facilities to look like a visual 'family', while the allocation of a different colour allows for differentiation between facilities. The identities for each facility continue to be held within the Council's branding framework to ensure the direct and consistent association with the Council as the 'parent' organisation. The graphic device should be used alongside the Council's brandmark at all times.

Main Colours

Mid Ulster District Council have established two strong colours for the main identity, red and dark grey.

The colours have been chosen specifically to reproduce well across a broad range of applications in print, vinyl, on-screen and in paint. The values shown below should be strictly adhered to. Never alter the colour of the logo.

Backgrounds


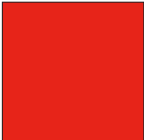







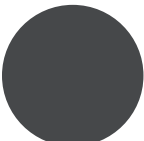
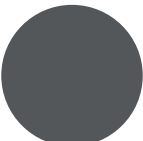
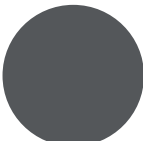
The colour landmark should always appear against a white background.

A mono reverse logo can be used on plain, dark coloured backgrounds where the full colour version is unsuitable.

Artwork

It is important that the appearance of the logo remains consistent. The logo should not be modified misinterpreted, or added to. The logo must never be redrawn, adjusted or modified in any way. It should only be reproduced from artwork provided.



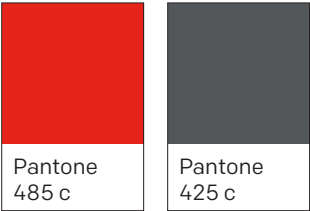
Pantone C	Pantone U	Process	Screen	Vinyl	Paint
					
Pantone 485 c	Pantone 485 u	C 5 M 100 Y 100 K 0	R 220 G 28 B 38	Scothcal Red 50-46	RAL 3028
					
Pantone 425 c	Pantone 426 u	C 50 M 30 Y 30 K	R 70 G 72 B 74	Scothcal Grey 50-97	RAL 7011

Secondary Colours

A secondary palette of colours have been created to support the main identity. These can be used in designs to add life and texture to page layouts, diagrams and charts, web pages and powerpoint presentations. Be creative but use sparingly, don't let these colours take over from the core brand colours.



Primary Colour palette



Secondary Colour palette



Exclusion Area

The Mid Ulster District Council identity should always be surrounded by a minimum area of space.

The area of isolation ensures that headlines, text or other visual elements do not encroach on the logo.

The area is defined by using the height of the red hand in the shield which is referred to as E.

A margin of clear space equivalent to E is drawn around the logo to create the invisible boundary of the area of isolation.

This area of separation is a minimum and should be increased wherever possible.

Minimum Size

The Mid Ulster District Council logo has been designed to reproduce at a minimum width of 29mm (which equates to District Council set in 5pt type). This ensures the logotype is still legible.

There is no maximum size for the logo.

Exclusion = E



Minimum Size



Primary Typeface

Our brand will be supported by primary typefaces that will help to reinforce our identity. Bommer Slab has been chosen as the landmark font and will also be used in headlines and sub-headings across advertising and print applications. The font comes in a range of versatile weights and styles.



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Mid Ulster
District Council

Bommer Slab

Bommer Slab Light

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567
8910@%^&*()£\$+=~

Bommer Slab Regular

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567
8910@%^&*()£\$+=~

Bommer Slab Bold

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567
8910@%^&*()£\$+=~

Bommer Slab Extra Bold

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567
8910@%^&*()£\$+=~

Secondary Typeface

To complement Bommer Slab, we have chosen Frutiger as our secondary typeface to be used in body copy in advertising and print applications. The font comes in a range of versatile weights and styles.

Frutiger

Frutiger 45 Light

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567
8910@% ^&*()£\$+=~

Frutiger 55 Roman

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz123456
78910@% ^&*()£\$+=~

Frutiger 65 Bold

**ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz12345
678910@% ^&*()£\$+=~**

Frutiger 75 Black

**ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234
5678910@% ^&*()£\$+=~**

Microsoft Office Typeface

For in-house use, Arial font has been chosen as our brand default typeface. This is to be used in corporate letters, powerpoint presentations, public notices etc that need to be created in-house by Mid Ulster District Council Staff. It has a similar personality to Frutiger and will complement well across other publishing platforms.

Arial

Arial Regular

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz12345678
910@%^&*()£\$+=~

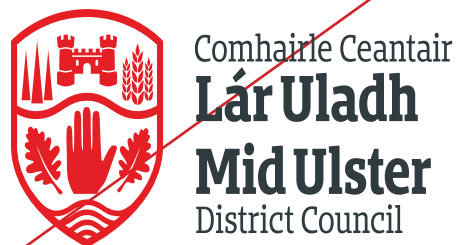
Arial Bold

ABCDEFGHIJKLMNOPQRSTUVWXYZ
abcdefghijklmnopqrstuvwxyz1234567
8910@%^&*()£\$+=~

Misuse of the logo

It is important that the appearance of the logo remains consistent.

The logo should not be misinterpreted, modified or added to. The logo must never be redrawn, adjusted or modified in any way. It should only be reproduced from the artwork provided. To illustrate this point some of the more likely mistakes are shown.



Do not distort the logo



Do not reposition the logo



Do not place the logo inside a shape

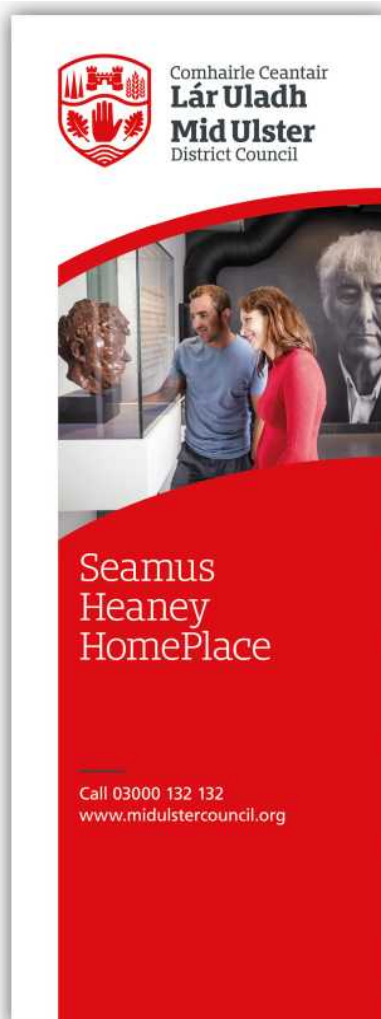
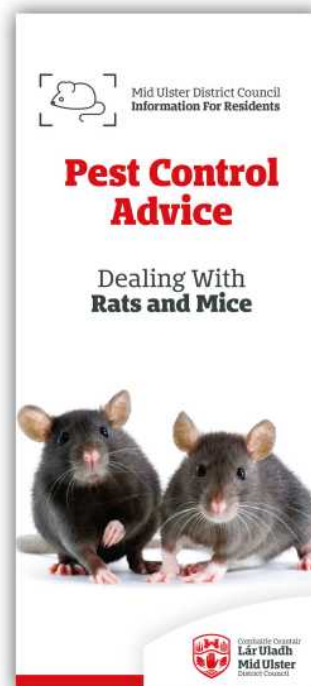
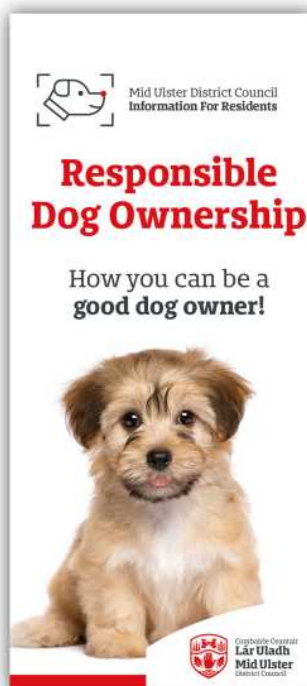


Do not change the colour of the logo



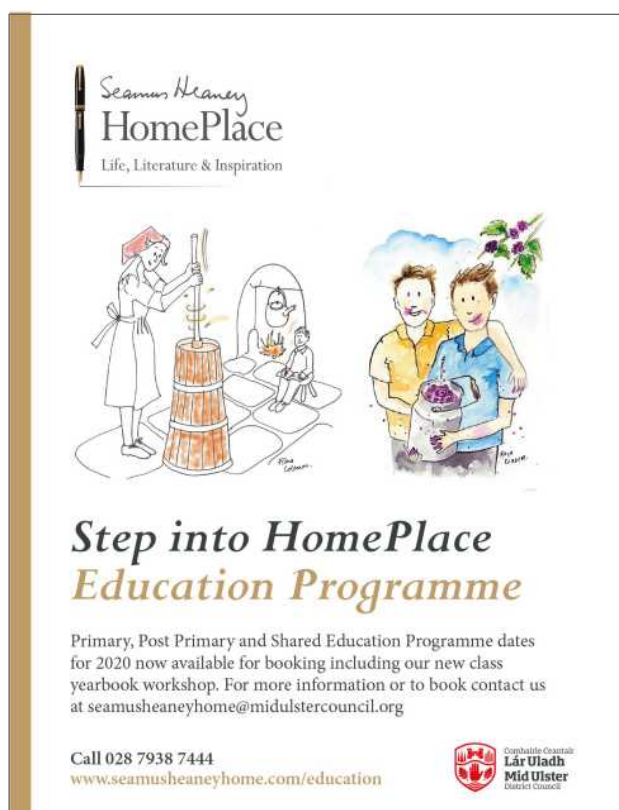
Do not reset the logotype

Application - Brand in Action





Sub Brands



Leisure



Ionad Fóillíochta na Coirre Críochaí

Cookstown
Leisure Centre

Fáilte
Welcome

Guthán / Telephone
028 8676 3853
www.midulstercouncil.org/leisure





Láthair Spóirt Lár Uladh

Mid Ulster
Sports Arena

Fáilte
Welcome

Guthán / Telephone
028 8676 7135
www.midulstercouncil.org/leisure






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Lár Uladh
Mid Ulster
District Council



One Free Month
New Member Special

Join Evolve Fitness between
16 – 18 March and get April FREE.

Receive 12 months for price of 11 on direct debits & 1 month extra on cash memberships!

Call 028 8676 3853
www.midulstercouncil.org/leisure





Evolve Fitness
Member Challenge

Row Lough Neagh Challenge -
Members to row 60km during
March!

Call 028 8676 3853
www.midulstercouncil.org/leisure





Course
£24

Starts 4 April
Gymnastics (8 Weeks)


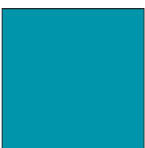

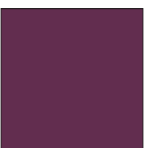


Enrolment Wed 27 March 9am
Thursday 4 April – 30 May
(Excludes Easter Week 25 April)

Beginners 6 – 7 pm
Intermediate 7 – 8 pm

Call 028 8676 3853
www.midulstercouncil.org/leisure



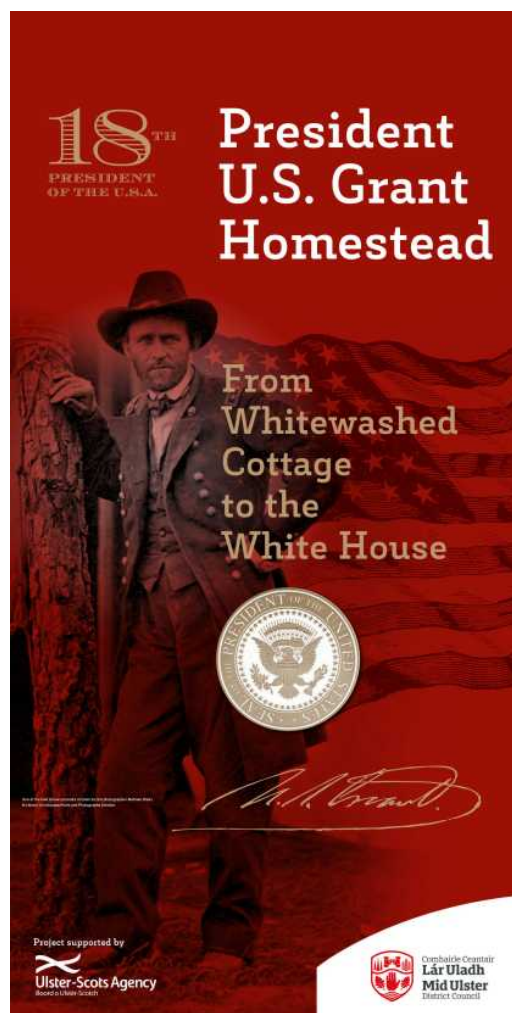
Leisure Colour Palette

					
Pantone 7714 c	Pantone 7711 c	Pantone 7694 c	Pantone 511 c	Pantone 201 c	Pantone 7714 c
Dungannon	Cookstown	MUSA	Moneymore	Meadowbank	Greenvale

Partnerships

Where the Council is working in partnership with other organisations, the landmark should be used in all associated documentation and marketing material, including on digital platforms.

Where there is equity across the partnership, all partner logos should be allocated comparable prominence and in other circumstances, logos should follow a pre-agreed order determined by the nature and extent of each's partner's involvement.



Acknowledging Council Support

Where the Council is providing funding or support to a programme, project or scheme being delivered by a third party, the Council's support should be recognised in all promotional activity. Designed material, whether intended for hardcopy or digital use, should include the Council's 'supported by' landmark and the general guidelines in terms of colour, size and typeface, should be followed as normal.



Supported by

Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Contact

For applications and enquiries regarding the Mid Ulster District Council brand, please contact:

Ursula Mezza
Head of Marketing and Communications
Mid Ulster District Council

03000 132 132
07769 726290



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Cookstown Office
Burn Road
Cookstown
BT80 8DT

Dungannon Office
Circular Road
Dungannon
BT71 6DT

Magherafelt Office
50 Ballyronan Road
Magherafelt
BT45 6EN

Telephone 03000 132 132

communications@midulstercouncil.org
www.midulstercouncil.org

Report on	REVISED CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES
Date of Meeting	4 th March 2021
Reporting Officer	Marissa Canavan, Director of Organisational Development
Contact Officer	Marissa Canavan, Director of Organisational Development

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

1.0	Purpose of Report
1.1	To seek Members approval of adoption of a revised Code of Conduct for Local Government Employees for Mid Ulster District Council as approved by the Local Government Staff Commission at its meeting on 19 th January 2021.
2.0	<p>Background</p> <p>Under Section 40 (4) (cc) of the Local Government Act (NI) 1972, the functions of the Local Government Staff Commission include:- <i>'establishing and issuing a code of recommended practice as regards conduct of Officers of Councils'</i>.</p> <p>This revised Code of Conduct was developed by a working group comprising representatives from the Councils, NIHE, the Department for Communities & the Trade Unions.</p> <p>It has been agreed by the Local Government Staff Commission and is promulgated under the authority of the Local Government Staff Commission under Section (40(4) of the Local Government Act (NI) 1972.</p> <p>It is therefore issued by the Local Government Staff Commission as a statutory recommendation for adoption by all Councils and the Commission from 1st April 2021.</p>
3.0	Main Report
	<p>The structure of the Code remains the same. Amendments to the code have been made to take account of:- best practice & following a review of examples of similar Codes of Conduct in other public sector bodies.</p> <p>The significant changes relate to:-</p> <ul style="list-style-type: none"> • Hyperlinks included throughout the document for greater clarity & information on Council's policies e.g. Social Media, Hospitality & Gifts, Fraud. • A link has been provided to the NI Audit Office 'Conflicts of Interest: A Good Practice Guide' (page 8) • A link has been provided to the SOLACE Local Public Services Senior Managers: Code of Ethics (page 8) • A link has been provided to the RTPi Code of Professional Conduct for those who are employed in planning departments (page 12)

	<ul style="list-style-type: none"> • 4.3 Political Neutrality (page 10):- A paragraph has been added to clarify that an employee of a council cannot stand, be elected or be co-opted as a councillor for the council in which they are employed. • 4.4 Potential Conflict of Interest Situations (page 10):- This has been updated to provide greater clarity, for example, the wording in relation to the relationship between councillors and officers, and between the community and service users. • 4.6 Outside commitments (page 14):- This paragraph has been updated to reflect current ways of working, that is, that an individual is required to advise their line manager if have a second job or business. • 4.11 Use of Financial and other Council Resources (page 17) This paragraph has been amended to include a reference to a council employee, who is responsible for a budget, informing their line manager if they become insolvent or bankrupt. • Appendix 1 (page 20) The definition of family relationship has been extended • An extract from the NI Civil Service Handbook relating to additional employment has been adapted for local government and included. • <u>Appendix 2</u> (page 24) A model declaration of interest form has been included.
4.0	Other Considerations
	Financial, Human Resources & Risk Implications
4.1	Human:- Greater clarity for employees & links to relevant codes, policies etc
4.2	Financial:- less potential for Financial mismanagement etc as Code provides greater clarity with links to relevant codes & internal policies etc.
4.3	Risk Management: less potential for Fraud, Conflict of interests etc as greater clarity on what is acceptable, not acceptable etc
4.4	Screening & Impact Assessments
	Equality & Good Relations Implications: N/A
	Rural Needs Implications: N/A
5.0	Recommendation(s)

	Members are asked to adopt the revised Code of Conduct for Local Government employees for Mid Ulster District Council from 1 ST April 2021.
6.0	Documents Attached & References
	Letter, Director of the Local Government Staff Commission Revised Code of Conduct for Local Government Employees Schedule of Amendments



1st February 2021

Dear Chief Executive

Revised Code of Conduct for Local Government Employees

Under Section 40(4)(cc) of the Local Government Act (NI) 1972, the functions of the Local Government Staff Commission include:

“establishing and issuing a code of recommended practice as regards conduct of officers of councils”.

The attached Code has been drafted by a working group comprising officers from local government, the Department for Communities, the Local Government Staff Commission and the Trade Unions. It has been agreed by the Local Government Staff Commission and is promulgated under the authority of the Local Government Staff Commission under Section 40(4) (f) of the Local Government Act (NI) 1972.

It is therefore issued by the Local Government Staff Commission as a statutory recommendation for adoption by all councils and the Commission from 1st April 2021.

Consequently, I would ask you to ensure that your Council's Code of Conduct is amended to reflect the minimum standards in the revised Code. I have also attached a schedule of the main amendments, for your information and ease of reference.

Please do not hesitate to contact us if you require any further information. Thank you for your attention to this matter.

Yours sincerely

Helen Hall
Director of Corporate Services

cc Heads of HR and OD

**CODE OF CONDUCT
FOR LOCAL GOVERNMENT EMPLOYEES**

January 2021

CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES

CONTENTS

	Page No.
1.0 INTRODUCTION	4
1.1 Status of the Code	4
2.0 FRAMEWORK FOR THE CODE	4
2.1 National Agreement on Pay and Conditions of Service	5
2.2 Principles of Conduct	5
3.0 CONSULTATION AND IMPLEMENTATION	7
4.0 MODEL CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES	8
4.1 Standards of Behaviour, Impartiality and Conflicts of Interest	8
4.2 Disclosure of Information	9
4.3 Political Neutrality	10
4.4 Potential Conflict of Interest Situations	10
4.5 Appointments and Other Employment Matters	13
4.6 Outside Commitments	14
4.7 Personal Interests	15
4.8 Equality Issues	15
4.9 Separation of Roles During Procurement	16
4.10 Fraud and Corruption	17
4.11 Use of Financial and other Council Resources	17
4.12 Hospitality and Gifts	17
4.13 Sponsorship - Giving and Receiving	18
4.14 Raising Concerns	19
4.15 Breaches of the Code of Conduct	19

APPENDICES

Appendix 1	20
Legal and other Provisions Relating to the Code of Conduct	20
Key Terms used in the Code of Conduct	23
Appendix 2	24
Model Declaration of Interest Form	24
Appendix 3	26
DOE – LGPD1 Cover Letter re. Local Government Employee and Councillor Working Relationship Protocol	26
Local Government Employee & Councillor Working Relationship Protocol (Issued October 2014)	27

CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES

1.0 INTRODUCTION

1.1 Status of the Code

Under Section 40(4)(cc) of the Local Government Act (NI) 1972, the functions of the Local Government Staff Commission include:

“establishing and issuing a code of recommended practice as regards conduct of officers of councils”.

This Code has been drafted by a working group comprising officers from local government, the Department for Communities, the Local Government Staff Commission and the Trade Unions. It has been agreed by the Local Government Staff Commission and is promulgated under the authority of the Local Government Staff Commission under Section 40(4) (f) of the Local Government Act (NI) 1972.

It is therefore issued by the Local Government Staff Commission as a statutory recommendation for adoption by all councils and the Staff Commission from 1st April 2021.

It is desirable for the protection of the public and the protection of employees that guidance be given to local government employees as to the conduct expected of them. This Code provides guidance to assist councils and their employees in their day-to-day work and sets out the minimum standards of behaviour expected.

The aim of the Code is to set guidelines for council employees which will help maintain and improve standards and protect employees from criticism or misunderstanding.

2.0 FRAMEWORK FOR THE CODE

The public is entitled to expect the highest standards of conduct from all employees who work for local government and this Code has been developed in line with best practice, existing legislation and the following guidance.

The provisions of this Code apply to all staff employed by councils in Northern Ireland, arc21 and the Local Government Staff Commission for NI in the performance of their duties on a day-to-day basis including any additional offices to which they may be appointed in their capacity as a local government employee (see Appendix 1, page 23 for a definition of employee/member of staff).

2.1 National Agreement on Pay and Conditions of Service (the National Agreement)

The basic principle is stated in Part 2 paragraph 2, Key National Provisions of the National Joint Council for Local Government Services, National Agreement on Pay and Conditions of Service (the National Agreement):

2. Official Conduct

2.1 Employees will maintain conduct of the highest standard such that public confidence in their integrity is sustained.

2.2 Local codes of practice will be developed to cover the official conduct and the obligations of employees and employers.

Similar provisions are incorporated in the National Conditions of Service of Chief Executive and Chief Officers.

2.2 Principles of Conduct

This Code builds on, and is in keeping with, the seven principles of public life articulated by the Nolan Committee on Standards in Public Life (established in October 1994) and the four further principles of conduct that have been adopted by the Northern Ireland Assembly, both emphasise that those in public life should practice:

➤ **Selflessness** – Officers should act solely in terms of the public interest.

- **Integrity** – Officers must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- **Objectivity** - Officers must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- **Accountability** – Officers are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- **Openness** – Officers should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- **Honestly** – Officers should be truthful.
- **Leadership** - Officers should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.
- **Equality** – Officers should promote equality of opportunity and not discriminate against any person, treating people with respect regardless of race, age, religion, gender, sexual orientation, disability, political opinion, marital status and whether or not a person has dependants.
- **Promoting Good Relations** - Officers should act in a way that is conducive to promoting good relations by tackling prejudice, promoting understanding and respect and encouraging participation between people on the grounds of different religion, political opinion, race, gender, age, sexual orientation and disability.

- **Respect** – Officers should show respect and consideration for others at all time.
- **Good Working Relationships** - Officers should work responsibly with other officers and Elected Members for the benefit of the whole community. Officers' working relationships should at all times be professional, courteous and based on mutual respect.

➤ **3.0 CONSULTATION AND IMPLEMENTATION**

This Code was drafted and agreed by a working group comprising officers from local government, the Department for Communities, the Local Government Staff Commission and the Trade Unions.

The Code was issued for consultation in February 2020. The Code will be finally revised and issued for implementation with effect from 1st April 2021.

4.0 MODEL CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES

4.1 Standards of Behaviour, Impartiality and Conflicts of Interest

Council employees (see Appendix 1, page 23 for a definition of employee/member of staff) are expected to conduct themselves with integrity and honesty in carrying out their duties and must provide the highest possible standard of service to the public. Where it is part of their duties to provide appropriate advice to councillors and fellow employees this must always be done with impartiality.

Employees will be expected, without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service or illegal or unethical conduct (see paragraph 4.14, page 19 - *Raising Concerns* which provides more detail about an employee's responsibilities in this regard).

Responsibility is placed on every member of staff to disclose to an appropriate manager or officer of the council every potential conflict of interest in which he/she may be involved. Employees must adhere to the requirements regarding declaration of interests which are set out in their Council policy on Conflict of Interests ([insert hyperlink](#)) and must declare any new interests to the Designated Manager as soon as they become aware of them. They also have a responsibility to advise their new line manager if they change their role/position in the Council. For further information, employees should also refer to the NIAO '[Conflicts of Interest: A Good Practice Guide](#)' and the SOLACE [Local Public Services Senior Managers: Code of Ethics](#).

In general employees' private interests must not have the potential for allegations of impropriety or partiality which might bring the Council into disrepute. This includes standards of behaviour outside the working environment where the employee is known to be an employee of the Council. This also extends to the use of social media outside of work, for example, some councils do not allow their employees to state that they work for the council on their personal facebook profile. Further information can be found in the Council's Social Media Policy ([insert hyperlink](#)) and Computer Use Policy ([insert hyperlink](#)).

Employees should not use their official position, or information acquired in their official duties, to further their private interest or those of others.

Employees must report to the appropriate manager any impropriety or breach of the terms of this Code.

4.2 Disclosure of Information

The law requires that certain types of information must be available to members, auditors, government departments, service users and the public (see Appendix 1, page 20 for examples). The Council itself may also decide to be open about other types of information.

The Council should therefore make clear to employees:

- the types of information which must be made available, and to whom;
- the types of information which the Council has voluntarily made open, and to whom;
- the types of information which the Council does not wish to be disclosed without specific permission.

The law also requires that personal information held about individuals must be treated in accordance with the General Data Protection Regulation 2016 (GDPR) and the Data Protection Act 2018. Employees must ensure that they process data lawfully in accordance with the data protection principles. The Freedom of Information Act 2000 also gives a right of access to information held by public authorities in accordance with the provisions of the Council's publication scheme.

Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. This could be a potentially criminal or fraudulent act.

Any particular information received by an employee from an individual, (including a councillor) which is personal to the individual should be kept confidential, except where such disclosure is required or sanctioned by law, for example, where an individual shares information which may be a safeguarding issue, this must be shared with the Council Safeguarding Officer and passed on to the relevant agency, or where the individual provides their permission to disclose the information.

4.3 Political Neutrality

Employees serve the Council as a whole. They must serve all councillors equally, and not just those of a particular group, for example the majority/main party, and must ensure that the individual rights of all councillors are respected.

Some employees may be required to advise political groups. In providing this advice, employees should not compromise their political neutrality. Any advice given should be available to all political groups, if requested.

All employees must not let their own personal or political opinions interfere with their work. While the Council recognises and respects the rights of all employees to hold personal or political opinions; employees should ensure that the expression of those opinions does not constitute a conflict of interest for their role within the Council. This does not compromise an officer's rights in relation to collective trade union representation and engagement, and lawful trade union activity ([insert hyperlink](#)).

An employee of a council cannot stand, be elected or co-opted as a councillor for the council in which they are employed. An employee may stand and be elected as a councillor in a council different to that which they are employed by (provided they do not hold one of the prescribed offices or employments outlined in the Local Government (Disqualification) (Prescribed Offices and Employments) Regulations (Northern Ireland) 2014).

4.4 Potential Conflict of Interest Situations

As specified in paragraph 4.1, page 8 - *Standards of Behaviour, Impartiality and Conflicts of Interest*, staff are expected to conduct themselves with integrity, impartiality and honesty and their private interests should not have the potential for allegations of impropriety or partiality to be sustained thereby bringing the Council into disrepute.

Appendix 2 on page 24 sets out a model Declaration of Interest Form, extracted from the NI Audit Office Guidance. Councils can use this model form or their own form for staff to declare their interests.

In particular, attention is drawn to the following examples of situations where potential conflicts of interest can occur:

Relationships with Councillors

Employees are responsible to the Council through its senior managers and in many cases in carrying out their duties they also give advice to councillors. Mutual respect between employees and councillors is essential to good local government.

Employees should deal with councillors in a polite, professional and efficient manner. They should not approach or attempt to influence councillors in relation to personal or contractual matters, for example, a potential regrading of their post but should use the existing employment procedures within the Council, for example, the Grievance Procedure.

Employees should not report any issues or concerns regarding the operation of the council, which have come to their attention in the course of carrying out their duties, to a councillor. These should be raised with their line manager, or by following the whistleblowing procedures, if appropriate.

This does not compromise an employee's rights as a ratepayer to access and/or question the provision of Council services to them through open and transparent Council procedures, for example, in relation to a planning or refuse collection issue.

Employees should report to an appropriate manager if a councillor attempts to pressurise them to deal with a matter which is not in accordance with Council procedure or policy.

Employees who have concerns about whether there is a potential conflict of interest should raise the matter with an appropriate manager.

For further advice and guidance, refer to the Local Government Employee and Councillor Working Relationship Protocol attached at Appendix 3, page 27.

Contact with the Community and Service Users

The community and service users have a right to expect a high standard of professional service from the Council. Employees have a responsibility to the community they serve and should, ensure courteous, effective and impartial service delivery to all groups and individuals within the community.

Employees should always try to be positive, constructive and inclusive. This may require reasonable adjustments for effective communication with people

with disabilities in accordance with the provisions of the Disability Discrimination Act 1995. In addition, the language needs of someone whose first language is not English need to be considered.

Employees also have a right not to be verbally or physically abused by the community and service users. Any incidents should be reported immediately to the employee's line manager.

Relationships with Contractors, Planning Applicants and those applying for Council Grant

All relationships with external contractors or potential contractors or applicants for planning consent or grant must be made known to the appropriate manager. Similarly, any beneficial interest or licence in respect of land which is affected by a planning application must be made known to the appropriate manager.

Employees who are employed within the Planning Department, and who are members of the Royal Town Planning Institute (RTPI), must also adhere to their Code of Professional Conduct (RTPI Code of Professional Conduct)

Orders and contracts, grants and planning decisions must be decided on merit and no special favour should be shown in the procurement process to any businesses or potential suppliers particularly those run by, for example, friends, persons to whom the employee owes (or is owed) an obligation, partners or persons where a family relationship is deemed to exist (see Appendix 1, page 20 for a definition of family relationship).

Employees who deal with, engage or supervise contractors or process or determine applications under delegated powers with whom they have previously had, or currently have, a relationship in a private or domestic capacity, should declare that relationship to the appropriate manager as soon as they are aware and a decision on their suitability to be part of the process should be made and recorded.

Employees must not accept money or any other reward from any organisation, body or individual who may benefit from work or funding provided by the council. To do so would, in law, be corrupt.

Bribery & Corruption

Under the Bribery Act 2010 it is a serious criminal offence to

- Offer, promise or give someone a reward to induce them to perform their functions or activities improperly.
- Accept, agree to accept or request a reward in return for performing a relevant function or activity improperly.
- Bribe a foreign public official in order to win business, keep business or gain business advantage for the organisation.

4.5 Appointments and Other Employment Matters

Employees involved in appointments should at all times act in accordance with the Local Government Staff Commission's Code of Procedures on Recruitment and Selection (Code of Procedures).

The Code of Procedures at Part D, Stage 2 – Conflict of Interest, page D:52 states:

"Responsibility is placed on every panel member to disclose to an appropriate manager or officer of the council where potential conflict of interest may be present, for example partners or persons where a family relationship is deemed to exist, or if an individual has agreed to act as a referee for an applicant"

and

"Where a potential conflict of interest exists, the issue is not about satisfying the conscience of the individual. Public perceptions and also those of other candidates must be considered and, in such cases, it may be appropriate for the individual to withdraw from the recruitment exercise."

Similarly, employees should not be involved in decisions in relation to discipline, promotion or pay adjustments for any other employee with whom they have a close personal relationship, a person to whom the employee owes (or is owed) an obligation, partner or person where a family relationship is deemed to exist (see Appendix 1, page 20 for a definition of family relationship). For further examples of Potential Categories of Interests see Appendix 1, page 20.

Employees should declare an interest and, if appropriate, remove themselves from discussions or meetings where they personally could potentially be a beneficiary and/or be impacted by decisions made.

4.6 Outside Commitments

Employees must not have any external business, external employment or external appointment without advising their line manager. Employees should adhere to the requirements regarding declaration of interests (seeking clarification from their line manager if required) if any of the following apply to the business, employment or appointment, and engagement in it would, in the Council's view:

- not be in the Council's interests
- put the employee in a position where duty to the Council and external interests would conflict, or are likely to conflict
- weaken public confidence in the impartiality of the Council or in the effective conduct of the Council's work.

Engagement in any external business, employment or appointment will be deemed to act detrimentally to the Council's interests where it may give rise to or contribute to an employee's sickness absence, or deterioration in performance.

Employees should follow the Council's rules on the use of Council facilities including administrative or technical support, ownership of intellectual property or copyright (insert hyperlink) created during their employment.

Employers and employees of councils should be aware of their responsibilities under The Working Time Regulations (NI) 2016.

4.7 Personal Interests

Employees should review regularly their personal circumstances and take steps to deal with any potential conflict of interest (refer to paragraph 4.1, page 8). As soon as they become aware of a potential conflict, employees must declare to an appropriate manager any financial or non-financial interests that they consider could bring about conflict with the Council's interests, for instance:

- membership of an organisation receiving grant aid from the council.
- membership of an organisation or pressure group which may seek to influence the Council's policies.
- membership of an organisation which may seek to influence the performance of an employee in carrying out their duties.
- having a beneficial interest in land which is within the Council's district and is subject to any planning application.
- having a beneficial interest in a company which is seeking to, or doing business with the council

Employees who have an interest, financial or non-financial, should not involve themselves in any decision or allocation of Council services or resources from which they, their friends, persons to whom they owe (or are owed) an obligation, or family might benefit and should ensure that the matter is referred immediately to their line manager.

The Council recognises and respects the right of all employees to become members of organisations. However, employees must declare personal interests where there is, or could be perceived to be, a conflict of interest between their duties as an employee and their membership of the organisation.

4.8 Equality Issues

All members of the community, customers and employees have a right to be treated with fairness and equity.

In this regard employees must:

- be made aware of their obligations under Section 75 of the Northern Ireland Act 1998, other relevant equality law and the Human Rights Act 1998 (see Appendix 1, paragraph 4, page 21);
- co-operate with the Council in ensuring a neutral working environment and in the application of any policies agreed by the Council relating to equality issues (insert hyperlink);
- not take discriminatory action or decisions or encourage or put pressure on fellow employees to take discriminatory action or decisions;
- report any concerns about discriminatory conduct to their line manager or other appropriate employee.

4.9 Separation of Roles During Procurement

Employees involved in funding applications, the procurement process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. All employees who have both a client and contractor responsibility must be aware of the need for accountability and openness.

Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors. Employees who are privy to confidential information relating to the tendering process should not disclose that information to any unauthorised party or organisation.

Employees contemplating a management buyout should, as soon as they have formed a definite intent, inform the appropriate manager and withdraw from the contract awarding process.

Employees should ensure that, in awarding contracts, no special favour is shown to current or former employees or someone with whom they have a close personal relationship, partners or persons where a family relationship is deemed to exist (see Appendix 1, page 20 for a definition of family relationship) or to businesses run by them or employing them in a senior or relevant managerial capacity. If any such relationship exists, a decision on the suitability of an employee to be part of the process should be made and recorded.

4.10 Fraud and Corruption

Employees must be aware that, under the Bribery Act 2010, it is a serious criminal offence for them to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in his/her official capacity (see paragraph 4.12, page 17 for guidance on *Hospitality and Gifts*).

Employees must adhere to the highest principles of integrity and must comply with all relevant policies in relation to expenses, travelling and mileage allowances.

Employees should also be aware of the Fraud Act 2006 and should refer to the Council's Fraud policy ([insert hyperlink](#)).

4.11 Use of Financial and other Council Resources

Employees must ensure that they use public funds entrusted to them in a responsible manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

An employee who, in their role in the Council, is responsible for a budget and becomes insolvent or bankrupt, must inform their line manager promptly.

4.12 Hospitality and Gifts

Employees should only accept offers of hospitality or invitations to attend social or sporting functions where the Council should be seen to be represented. They must be properly authorised and recorded in accordance with the Council's policy.

If an employee is in any doubt about the propriety of accepting any hospitality, he/she should take advice from their line manager.

When hospitality has to be declined, those making the offer should be courteously advised of the procedures and standards operating within the Council. Offers of hospitality which are declined should also be recorded in the Gifts and Hospitality register.

Employees should not accept personal gifts from contractors, members of the public, outside suppliers and organisations or groups in receipt of funding from the Council, although the Council may wish to allow employees to keep

items of token value such as pens, diaries etc in line with the Council policy on Gifts and Hospitality ([insert hyperlink](#)).

When considering whether or not to accept authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality, for instance during a tendering period of a contract for which the provider may be bidding.

Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where:

- it is clear that the hospitality is corporate rather than personal;
- any offers of hospitality are reported and agreed by the employee's line manager in advance, or
- where the Council is satisfied that any procurement decisions are not compromised.

Where a visit is necessary, to inspect equipment for example, the Council should consider meeting the cost of the visit to avoid jeopardising the integrity of the Council in subsequent procurement decisions.

4.13 Sponsorship - Giving and Receiving

Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the Council wishes to sponsor an event or service neither an employee nor any friends, partners or persons where a family relationship is deemed to exist (see Appendix 1, page 20 for a definition of family relationship) must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest.

Similarly, where the Council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

4.14 Raising Concerns

If an employee becomes aware of activities which he/she believes to be illegal, improper, unethical, dangerous or otherwise inconsistent with this Code, the employee should report the matter, acting in accordance with the employee's rights under The Public Interest Disclosure (Northern Ireland) Order 1998, in line with the Council's Whistleblowing Policy ([insert hyperlink](#)) and Health and Safety Policies ([Insert hyperlink](#))

Any employee raising such concerns need have no fear of recrimination. He/she will be properly supported and the Council will do everything possible to keep the matter confidential.

4.15 Breaches of the Code of Conduct

Any breach by an employee of any part of the Code of Conduct or its supporting policies and guidance may be a disciplinary matter, which could lead to loss of employment. Some breaches of the Code could result in referral of the matter to the PSNI, which could lead to criminal prosecution.

LEGAL AND OTHER PROVISIONS RELATING TO THE CODE OF CONDUCT

1. Disclosure of Information (paragraph 4.2, page 9)

Data Protection Act 2018

Freedom of Information Act 2000.

Part 8, sections 42-52 of the Local Government Act (Northern Ireland) 2014 deals with Access to meetings and Documents.

Obligations of Discovery in connection with litigation.

Human Rights Act 1998

General Data Protection Regulation 2016

2. Potential Conflict of Interest Situations (paragraph 4.4, page 10)

Persons who owe you an obligation, or to whom you owe an obligation – this might include a debtor, creditor, fellow member of an organisation.

Very close personal relationships may also create a conflict, e.g. a good friend.

Family Relationship

For the purposes of the Code of Conduct, a relevant family relationship shall be deemed to exist between an officer and another person if they are:

- Married
- Civil Partners
- Cohabiting as if they were married
- Cohabiting as if they were civil partners (partners)

or the other person is a biological, adopted, foster or step relative to an officer or of that officer's married partner, civil partner, or partner under one of the following categories:

- Child
- Parent
- Sibling
- Son in law or Daughter in law
- Mother in law or Father in law

- Sister in law or Brother in law
- Uncle or Aunt
- Nephew or Niece
- Grandson or Granddaughter
- Grandparent

For the avoidance of doubt, a personal relationship for the purposes of the Code of Conduct includes:

- a family relationship other than that specified above
- a business/commercial/financial relationship
- a sexual/romantic relationship
- a friendship

Potential Categories of Interest relating to Additional Employment

The following guidelines have been adapted from the NI Civil Service conflict of interest guidelines relating to additional employment

The following extract¹ deals with mitigating the conflict of 'being an employee, director, partner of another business or organisation, or pursuing a business opportunity':

"If an employee wishes to undertake any work (paid or unpaid) with another employer they must first advise their line manager/the Council.

No remunerative private work of the following description may be undertaken:

- a. work which would occupy your time or attention or render you unavailable for duty during normal official hours;*
- b. work identified in any way with the activities of a political party, group or organisation;*
- c. work of an educational, literary or scientific nature involving the use of information acquired by you in your official capacity or from official sources, except where it has previously been published, unless you have received the permission of your employing department to undertake such work;*

¹ NICS Staff Handbook, Section 6.01, paragraph 6.1 and 6.2

- d. work of a nature conflicting with your duty to the Council*
- e. work which may ultimately have to be reviewed by you or any member of the Council acting in an official capacity;*
- f. work, related to your function, which an employee of the Council might otherwise justifiably undertake, but which is of such a scale as to involve unfair competition with persons wholly dependent on such work for a livelihood;*
- g. work which would involve the use of the property, tools, equipment or materials of the Council; and*
- h. work which is, or might be, inconsistent with your position as a public servant and may expose you or the Council to public criticism.”*

3. Appointments and Other Employment Matters (paragraph 4.5, page 13)

Code of Procedures on Recruitment and Selection

Part B - General Principles Underpinning the Code (on page 4) recommends actions to ensure that appointments are made under the merit principle.

Section 41 of Local Government Act (NI) 1972 deals with appointments to councils

4. Equality Issues (paragraph 4.8, page 15)

Legislation

- The Employment Equality (Sexual Orientation) Regulations (NI) 2003
- The Employment Equality Age Regulations (NI) 2006
- Sex Discrimination (NI) Order 1976
- Fair Employment and Treatment (NI) Order 1998
- Disability Discrimination Act 1995
- Race Relations (NI) Order 1997
- Rehabilitation of Offenders (NI) Order 1978 and Exceptions Order 1979
- Equal Pay Act (Northern Ireland) 1970
- Part-Time Workers (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2000
- Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2002

- Parental Rights and Flexible Working under the Employment Rights (Northern Ireland) Order 1996
- Northern Ireland Act 1998
- Human Rights Act 1998
- General Data Protection Regulation 2016
- Environmental Information Regulations 2004

5. Fraud and Corruption (paragraph 4.10, page 16)

Section 46 of Local Government Act (NI) 1972 deals with the declaration of interest where an employee has a pecuniary interest and with recording of such interests. Not to do so will be an offence.

Section 47 of the Local Government Act (NI) 1972 forbids employees to accept payment apart from their salary/wage.

KEY TERMS USED IN THE CODE OF CONDUCT

Employee/s or Member/s of Staff

The terms employee/s or member/s of staff should be taken to mean any individual/s employed by a council including those working both full time and part time on a permanent, temporary, fixed term or inward secondment basis. The Code also applies to seasonal and casual staff, agency workers and volunteers while they are engaged in carrying out duties for the council.

Model Declaration of Interest Form

(extracted from the [NI Audit Office 'Conflicts of Interest: A Good Practice Guide'](#))

** Councils can use this model form or their own form for staff to declare their interests.*

Register of Interests:

Declaration by Member of Staff

Period: 1 January 20xx to 1 January 20xx

Surname	
Forename	
Title	
Department	
Job Title	
Date of Appointment to Current Position	
Date of Appointment to Council (if different)	

Please include dates and role

1. Company interests – any relationship with a company or commercial organisation; Directorships, paid employment, consultancy, close family connection.

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2. Self employment

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3. Land or Property Holdings – see page 6 of the NIAO Guidelines on Conflicts of Interest and Representation on Outside Bodies

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4. Charities – trusteeships, governorships or employment with any charities or voluntary organisations.

5. Public Appointments – remunerated or unremunerated.

6. Memberships – including membership of professional or external bodies, trade or other associations

7. Close Family Links – specific close family interest in any of the above

8. Other interests – any other interests held by you or your close family

I confirm that the above declaration is complete and correct to the best of my knowledge and belief. The interests I have declared include both direct and indirect interests (ie. those of a partner, spouse or close relative) and any specific financial interests are shown.

Signature:

Date:

Print:



Department of the
Environment

www.doeni.gov.uk

Local Government Policy Division 1

To:
Current Chief Executives
Chief Executives of New Councils
HR Managers
Change Managers

Circular LG 43/2014

Level 4
Causeway Exchange
1-7 Bedford Street
Town parks
BELFAST
BT2 7EG

Telephone: (028) 9082 3396

Email: peter.gregg@doeni.gov.uk

Date: October 2014

Dear Sir / Madam

Local Government Employee and Councillor Working Relationship Protocol

The Northern Ireland Local Government Code of Conduct for Councillors is now in place, in line with the statutory requirements in the Local Government Act (Northern Ireland) 2014.

As a separate exercise, The Local Government Reform Joint Forum (LGRJF) has reviewed the Local Government Officer Code of Conduct.

A protocol on working relationships between Councillors and Local Government Officers was previously annexed to the Local Government Officer Code of Conduct, and the Department has revised this in consultation with key stakeholders to create a stand-alone protocol as an annex to both codes. The agreed working relationship protocol is attached for your organisation to implement.

Yours faithfully

Peter Gregg
HR and Capacity Building
Local Government Policy Division 1
Enc.

cc: Dr Adrian Kerr LGSC
Dermot O'Hara LGRJF Secretariat



Local Government Employee & Councillor Working Relationship Protocol

Local Government Employee and Councillor Working Relationship Protocol

1.0 Introduction

- 1.1 The Local Government Act (Northern Ireland) 2014 (the 2014 Act) creates a new environment for Local Government in Northern Ireland. The 2014 Act includes a new ethical framework for local government, a key element of which is the introduction of a mandatory Code of Conduct for Councillors.
- 1.2 The 2014 Act imposes a mandatory requirement for Councillors to observe the Northern Ireland Local Government Code of Conduct for Councillors (the Councillor Code), which establishes mechanisms for the investigation and adjudication of complaints and for appeals. With the exception of Part 9 (Planning), the Code came into force on 28 May 2014 the Part of the Code which deals with planning will come into effect from 1 April 2015.
- 1.3 The Local Government Staff Commission for Northern Ireland is responsible for issuing the Code of Conduct for Local Government Employees (2004) (the Employee Code). In conjunction with the Local Government Reform Joint Forum, the Commission has prepared a revised Code of Conduct for Local Government Employees due to come into effect from 1 April 2015.
- 1.4 Local Government has already established policies and procedures to resolve issues that Employees (for the purpose of this protocol the term 'Employees' or members of staff should be taken to mean any individual employed by a council including those working both full time and part time on a permanent, temporary, fixed term or inward secondment basis. The Protocol also applies to seasonal and casual staff, agency workers and volunteers while they are engaged in carrying out duties for the council), may encounter in the workplace. This protocol does not override any existing Employee policies or legal obligations but seeks to clarify the expected working relationship between Councillors and Employees.

2.0 Purpose

- 2.1 The protocol is intended to set out the working relationship between Councillors and Employees of councils. It relates to all aspects of the working environment, both physical and virtual. The protocol also advises of the steps to be taken to deal with concerns at an early stage to reduce negative impacts upon Councillors or Employees and ensure the prompt resolution of any difficulties which may arise. All issues raised under the remit of this protocol must be dealt with in the strictest confidence.

- 2.2 The protocol should also assist in furthering and developing a harmonious working environment with positive, constructive and professional relationships between Employees and Councillors.
- 2.3 The protocol reflects the content of both Employee and Councillor Codes of Conduct that demand the highest standards of personal conduct at all times. It upholds the seven Nolan Principles and the additional principles of public life:-
- **Public Duty** - have a duty to uphold the law and to act on all occasions in accordance with the public trust placed in them; to act in the interests of the community as a whole.
 - **Selflessness** - should act in the public interest at all times and should take decisions solely in terms of the public interest. They should not act in order to gain financial or other material benefits for themselves, their family, friends or associates.
 - **Integrity** - should not place themselves under any financial or other obligation to outside individuals or organisations, which might reasonably be thought by others to influence them in the performance of their duties.
 - **Objectivity** - in carrying out public business, including considering public appointments, awarding contracts, or recommending individuals for rewards and benefits, they should make choices on merit.
 - **Accountability** - are accountable to the public for their decisions and actions and for the way that they carry out their responsibilities and must submit themselves to whatever scrutiny is appropriate to their office.
 - **Openness** - should be as open as possible about the decisions and actions that they take. They should give reasons for their decisions when required and restrict information only when the wider public interest clearly demands it.
 - **Honesty** - should act honestly. They have a duty to declare any private interests relating to their public duties and should take steps to resolve any conflicts between their private interests and public duties at once and in a way that protects the public interest.
 - **Leadership** - should promote and support these principles by leadership and example in order to establish and maintain the trust and confidence of the public, to ensure the integrity of their council in conducting business.
 - **Equality** - should promote equality of opportunity and not discriminate against any person by treating people with respect regardless of race, age, religion, gender, sexual orientation, disability, political opinion, marital status and whether or not a person has dependants.
 - **Promoting Good Relations** - should act in a way that is conducive to promoting good relations by providing a positive example for the wider community to follow and that seeks to promote a culture of respect, equality and embrace diversity in all its forms.
 - **Respect** - Employees and Councillors are reminded that it is acknowledged that the exchange of ideas and opinions on policies may be robust but this should be kept in context and not extended to individuals being subjected to unreasonable and excessive personal attack. They should keep in mind that rude and offensive behaviour may lower the public's regard for, and confidence in, Employees, Councillors and councils, they should therefore show respect and consideration for others at all times.

- **Good Working Relationships** - Councillors and Employees are servants of the public, and are interdependent upon one another. But their responsibilities are distinct. Employees are ultimately responsible to the Chief Executive²; Councillors are responsible to the electorate. The working relationship between Councillors and Employees must at all times be professional, courteous and based on mutual respect and trust. Neither party should seek to take unfair advantage of their position. All Councillors and Employees are responsible for ensuring they understand what behaviour is required of them, complying with respective Codes of Conduct. Both share a responsibility for understanding sensitivities and feelings of others and avoiding behaviour that could cause offence or distress.

3.0 Conduct of Local Government Employees towards Councillors

- 3.1 Employees must treat all political groups and individual Councillors equally, fairly and remain politically neutral at all times. Employees will provide professional, impartial and effective support, to enable Councillors to fulfil their role, in and on behalf of, the council. Employees will not seek to influence or lobby a Councillor with regards to personal issues.
- 3.2 It is important that there should be good working relationships between senior council employees and Chairs of Committees / Mayors. However such relationships should not be allowed to become so close as to cast doubt either on an officer's ability to deal impartially with other councillors, or the Chair/Mayor's ability to deal impartially with other employees.

4.0 Procedure

- 4.1 In the event that a Councillor wishes to raise either an informal or formal complaint regarding the conduct or behaviour of an Employee, the following process should be followed:

Informal Approach

- 4.2 A Councillor should seek to raise the matter in the first instance with the relevant Head of Service or Director who should seek to resolve the matter with the Employee concerned. The Councillor must not engage directly with the Employee, nor make any attempt to reprimand or discipline the Employee.
- 4.3 If the matter is about the conduct of an Employee at Head of Service or Director level, the Councillor should address their concern to the Chief Executive.
- 4.4 The Head of Service/Director/Chief Executive will undertake to resolve the matter through discussions with the Employee concerned and report on the outcome to the Councillor.

^[2] A Chief Executive is also an employee and is ultimately responsible to the Council]

Formal Approach

- 4.5 If the Councillor is unhappy with the outcome of the informal approach or considers the initial complaint to be of a serious nature, they should raise the matter with the relevant Head of Service or Director and make their Party Group Leader, if relevant, aware of the complaint.
- 4.6 The relevant Head of Service/Director (or Chief Executive if applicable), will ensure the matter is investigated according to the relevant council procedures consulting with appropriate human resource sections.
- 4.7 The outcome of the investigation may result in:-
- no further action being required,
 - a verbal or written apology to the Councillor with an acknowledgement by the Employee that their conduct failed to meet the agreed standard and an undertaking that there will be no recurrence or
 - referral for consideration under the council's disciplinary procedure.
- 4.8 The Head of Service/Director (or Chief Executive if applicable), will write to the Councillor and Group Party Leader, if relevant, advising of the outcome.
- 4.9 The Employee will be informed in accordance with the relevant council procedures.
- 4.10 If the complaint is in relation to the Chief Executive the procedures specified in the Joint Negotiating Committee (JNC) for Chief Executives of Local Authorities or the appropriate mechanism at that time will be followed.

5.0 Conduct of Councillors towards Employees

- 5.1 Councillors' engagement with Employees must be equitable, reasonable, courteous and respectful and ensure that the impartiality of Employees is not compromised. Councillors must abide by their Code and their council's standing orders.

Procedure

- 5.2 In the event that an Employee wishes to raise either an informal or formal complaint regarding the conduct or behaviour of a Councillor, the appropriate support must be provided by their respective line manager and the following procedure should be followed:

Informal Approach

- 5.3 An Employee should seek to raise the matter in the first instance with their relevant Head of Service or Director, providing details of the incident that has occurred. The Employee must not engage directly with the Councillor. If necessary, the Head of Service or Director may involve the Group Party Leader, if relevant.
- 5.4 The Head of Service or Director will undertake to resolve the matter through discussions with the Councillor concerned and report on the outcome to the Employee and the Chief Executive.

Formal Approach

- 5.5 If the Employee is unhappy with the outcome of the informal approach or considers their complaint to be of a serious nature, they may wish to consult with their recognised Trade Union representative, if applicable prior to raising the matter formally (verbally or in writing) with the relevant Head of Service or Director. The Employee and their representative may also raise the complaint directly with the senior Human Resource Employee in the Council.
- 5.6 The relevant Head of Service/ Director, (or senior HR Employee if applicable), will ensure the matter is investigated according to the appropriate council investigatory process.
- 5.7 The Councillor and Party Group Leader, if relevant, will be advised of the complaint and should agree to co-operate with the investigation to establish the facts.
- 5.8 The outcome of the investigation may result in:-
- no further action being required, or
 - a verbal or written apology to the Employee with an acknowledgement by the Councillor that their conduct failed to meet the agreed standards and an undertaking that there will be no recurrence.

- 5.9 If the Head of Service/Director (or senior HR Employee), considers that the circumstances of the complaint is sufficiently serious or a pattern of behaviour emerges, they may recommend to the Chief Executive that the matter is raised at a formal meeting with the Party Group Leader, if relevant. The minutes of this meeting should be presented to the appropriate governance committee for consideration.
- 5.10 The Head of Service/ Director (or senior HR Employee), will write to the Employee (and where appropriate their recognised Trade Union representative) advising of the outcome. If the Employee is unhappy with the outcome, they may request that their complaint be reviewed by the Chief Executive. The Chief Executive will review the complaint and advise the Employee (and their Trade Union representative) of their decision.
- 5.11 The Councillor and the Group Party Leader, if relevant, will be informed in writing of the outcome of the investigation and consideration of further action.

(To note: This protocol does not preclude an employee, at anytime, if they think it necessary, to write to the Commissioner for Complaints setting out how, in their opinion, a Councillor has breached the Code).

This protocol is the interface between current Councillor and Employee Codes of Conduct, which require the highest standards of personal conduct, including activities on social media, to be maintained at all times.

Code of Conduct for Local Government Employees

Schedule of Amendments

January 2021

Background

This paper sets out a schedule of amendments for a revised Code of Conduct which was developed by a Working Group, comprising representatives from the Councils, NIHE, the Department for Communities and the Trade Unions.

The amendments to the Code have been made:

- to take account of best practice
- following a review of examples of similar Codes of Conduct in other public sector bodies
- to address issues which Councils had reported in operating the current Code.

The draft revised Code was issued for consultation in February 2020 and the closing date was extended due to COVID-19 until 30 September 2020. The working group met in October 2020 to consider the consultation responses and to agree the final amendments to the revised Code. The Code was approved at the Commission meeting on 19th January 2021 and will be issued to councils as a statutory recommendation.

2. Amendments

The structure of the Code remains the same. The significant changes are as follows:

Hyperlinks

Hyperlinks have been included throughout the document in order that councils can link to their own policy to provide employees with further information and greater clarity, for example, a Council's Policy on Social Media, Fraud or Gifts and Hospitality.

In particular:

- a link has been provided to the NI Audit Office 'Conflicts of Interest: A Good Practice Guide' (page 8)

- a link has been provided to the SOLACE Local Public Services Senior Managers: Code of Ethics (page 8)
- a link has been provided to the RTPPI Code of Professional Conduct for those who are employed in planning departments (page 12)

4.3 Political Neutrality (page 10)

A paragraph has been added to clarify that an employee of a council cannot stand, be elected or be co-opted as a councillor for the council in which they are employed.

4.4 Potential Conflict of Interest Situations (page 10)

This has been updated to provide greater clarity, for example, the wording in relation to the relationship between councillors and officers, and between the community and service users.

4.6 Outside commitments (page 14)

This paragraph has been updated to reflect current ways of working, that is, that an individual is required to advise their line manager if have a second job or business.

4.11 Use of Financial and other Council Resources (page 17)

This paragraph has been amended to include a reference to a council employee, who is responsible for a budget, informing their line manager if they become insolvent or bankrupt.

Appendix 1 (page 20)

The definition of family relationship has been extended.

An extract from the NI Civil Service Handbook relating to additional employment has been adapted for local government and included.

Appendix 2 (page 24)

A model declaration of interest form has been included.

Report on	Revision of Data Protection Policy
Date of Meeting	4 March 2021
Reporting Officer	Barry O'Hagan, Head of ICT
Contact Officer	Barry O'Hagan, Head of ICT

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

1.0	Purpose of Report
1.1	To seek approval a revised Data protection Policy (Appendix 1)
2.0	Background
2.1	The introduction of The Data Protection Act 2018 (as a result of GDPR EU regulations) has necessitated the timely review and adoption of the internal policy to reflect the current guidance. Council has revised the Data Protection policy as part of that review in order to reflect the new legislative guidance issued.
3.0	Main Report
3.1	<p>The revised policy version 2.0 reflects current Information Commissioners' Office (ICO) guidance & Data protection (DP) legislation. In summary the following amendments have been made to the existing policy (which is attached for your reference).</p> <ol style="list-style-type: none"> 1. Additional information added in respect of data protection rights of the individual 2. Reference to Council's Data Sharing Agreement & Contracts. 3. Incident reporting appendix for reportable incidents updated 4. Reference to home working 5. Risk minor amendments. 6. Index Contents (to be updated) <p>Council has consulted with SMT and unions before presenting the revisions to Council for adoption.</p> <p>Council has completed rural needs assessment and Equality And Good relation screening exercise and determined the policy does not require an EQUIA or any further assessment (Copy Attached Appendix 2)screening. As this policy is based on a legislative instrument the policies have been screened out.</p>

4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	Financial: There will be no significant additional financial pressures caused by the revision of the policy.
	Human: Council, has undertaken a program of training staff on personal Data Protection and will reflect the further guidance with that program. The revised Mobile policy will be circulated to all staff and published on the intranet. Unions have been consulted with in relation to the revisions earlier this year with no significant points raised.
	Risk Management: The potential for a breach of personal data has been identified as a corporate risk that requires regular monitoring, controls and mechanisms to treat the evolving risks presented. The revised policies helps to mitigate same.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: An equality and good relations impact assessment has been completed and approved by the Director of Finance. The outcome of the screening has screened this policy out.
	Rural Needs Implications: The policy has been subjected to a rural needs impact assessment and this policy has considered the assessment during the policy revision. No significant impacts have been identified.
5.0	Recommendation(s)
5.1	Council approve the adoption and revision of the updated Data Protection policy version 2.0
6.0	Documents Attached & References
	Appendix 1: Data Protection Policy Appendix 2: Equality & Good relations Impact Assessment

General Data Protection Policy

Document Control			
Policy Owner	Head of IT, Barry O'Hagan		
Policy Author	Head of IT, Barry O'Hagan		
Version	2.0		
Consultation	Senior Management Team	Yes	
	Trade Unions	Yes	
Equality Screened by	Yes	Date	
Equality Impact Assessment	N/A	Date	
Good Relations	Yes or No or N/A		
Approved By	(Policy & Resources)	Date	March 2021
Adopted By	Council	Date	March 2021
Review Date	24 months from date of Adoption	By Whom	Head of IT & DPO
Circulation	Councillors, Staff, Intranet		
Document & legislation Linkages and	Internet policy Mobile Phone Policy Email and Instant Messaging Policy The Privacy and Electronic Communications Regulations (PECR) Regulation of Investigatory Powers Act 2000 Lawful Business Practice Regulations, Home (Remote Working Guidance) And Policy(draft)		

CONTENTS PAGE (to be finalised last)

Paragraph	Description	Page Number
1.0	Introduction	
2.0	Policy Aim & Objectives	
3.0	Policy Scope	
4.0	Linkage to Corporate Plan	
5.0	Data Protection Principles	
6.0	Roles & Responsibilities	
7.0	Impact Assessment <ul style="list-style-type: none"> • Equality Screening & Impact • Rural Needs Impact Assessment • General Data Protection Regulation (GDPR) Implications • Staff & Financial Resources 	
8.0	Support & Advice	
9.0	Communication	
10.0	Monitoring & Review Arrangements	
Appendix 1,2,3,		

1.0 INTRODUCTION

The new Data Protection Act 2018 (DPA) replaces the old data protection legislation and came into force on 25th May 2018.

The 2018 Act modernises data protection laws in the UK to make them fit-for-purpose for our increasingly digital economy and society. As part of this, the 2018 Act applies the EU's GDPR standards, by having strong data protection laws and appropriate safeguards.

The legislation is ensuring that modern, innovative uses of data can continue. At the same time, it has strengthened the controls and protection individuals have over their data.

The data protection principles set out the main responsibilities for the Council.

Good Data Protection practice is not just a matter of legal compliance and ticking the boxes. Data Protection is about taking care of people and respecting their privacy. Poor practice or a serious breach could not only harm individuals but would also have a serious effect on the reputation, employees and the financials of the Council.

2.0 POLICY AIM & OBJECTIVES

2.1 Policy Aim:

- i. To provide assurance to our employees and public that we seek to protect the information we hold and used it for legitimate purposes.
- ii. To ensure Council meets the requirements of the General Data Protection Act 2018
- iii. To ensure that all appropriate staff are properly trained, kept fully informed of their obligations under the Data Protection Act 2018, and that they are aware of their personal data protection liabilities, setting out the standards expected by the Council in relation to processing of personal data and safeguarding individuals' rights and freedoms.

2.2 Policy Objectives:

To ensure the protection of personal and sensitive information of staff and our customers.

To ensure all staff across the Council are aware of, and understand the importance of, data protection and confidentiality.

To assist the Council to comply with all requirements of the DPA.

To ensure procedures are in place across the Council for staff, contractors and members regarding disclosure of personal information.

To increase the awareness of data subjects to the amount of personal data processed and stored by the Council about them and advise them of their rights under the data protection legislation.

To ensure all staff receive appropriate data protection training, with regular updates or when significant data protection guidance changes.

3.0 POLICY SCOPE

This policy applies to

- all employees(substantive and temporary) of Mid Ulster District Council
- any individual including contractors, volunteers and others who work on behalf of the Council
- all work experience and other students
- Councillors

This policy outlines the behaviours and responsibilities expected in order to ensure the Council continues to fulfil its obligations under the Data Protection Act 2018 and their related and all subsequent Data Protection legislation.

Key Definitions

It applies to all data that the Council holds relating to identifiable individuals,
This can include:

Personal information

First name & family name or surname
address
telephone numbers
date of birth
age
qualifications
training records
financial information
licensing information
enforcement action
complaint information

Special category personal data

Special category data is personal data, which GDPR considers sensitive and deserving of extra attention:

racial or ethnic origin
religious or other philosophical beliefs
political opinions
trade union membership
physical or mental health or condition
sexual orientation.
offences (including alleged offences)
processing of genetic data
processing biometric data for the purposes of identifying a natural person
health data

This list is intended as a guide and is not exhaustive.

‘Controllers’ and ‘Processors’?

Controllers are the main decision-makers – they exercise overall control over the purposes and means of the processing of personal data.

If two or more controllers jointly determine the purposes and means of the processing of the same personal data, they are joint controllers. However, they are not joint controllers if they are processing the same data for different purposes.

If you exercise overall control of the purpose and means of the processing of personal data – ie, you decide what data to process and why – you are a controller.

If you don't have any purpose of your own for processing the data and you only act on a client's instructions, you are likely to be a processor – even if you make some technical decisions about how you process the data.

Processors act on behalf of, and only on the instructions of, the relevant controller.

Joint controllers must arrange between themselves who will take primary responsibility for complying with GDPR obligations, and in particular transparency obligations and individuals' rights. They should make this information available to individuals.

However, all joint controllers remain responsible for compliance with the controller obligations under the GDPR. Both supervisory authorities and individuals may take action against any controller regarding a breach of those obligations.

4.0 LINKAGE TO CORPORATE PLAN

With reference to Mid Ulster District Council's Corporate Plan 202-2024, this policy contributes toward the vision of professional and trustworthy services and contributes to the delivery of the Corporate Theme 'Delivering for our people' : 1.1 High performing services focused on customer need and value for money.

5.0 DATA PROTECTION PRINCIPLES

5.1 The legislation places a responsibility on every data controller(Council) to process any personal data in accordance with the eight principles. More detailed guidance on these principles can be found in the link to the ICO's website (www.ico.gov.uk).

In order to comply with its obligations, Mid Ulster District Council undertakes to adhere to the eight principles:

5.11) Process personal data fairly and lawfully.

Council will make all reasonable efforts to ensure that individuals who are the focus of the personal data (data subjects) are informed of the identity of the data controller, the purposes of the processing, any disclosures to third parties that are envisaged; given an indication of the period for which the data will be kept, and any other information which may be relevant.

5.12) Process the data for the specific and lawful purpose for which it collected that data and not further process the data in a manner incompatible with this purpose.

Council will ensure that the reason for which it collected the data originally is the only reason for which it processes the data, unless the individual is informed of any additional processing before it takes place.

5.13) Ensure that the data is adequate, relevant and not excessive in relation to the purpose for which it is processed.

Council will not seek to collect any personal data which is not strictly necessary for the purpose for which it was obtained. Forms and mechanisms for collecting data will always be drafted with this mind.

5.14) Keep personal data accurate and, where necessary, up to date.

Council will review and update all data on a regular basis. It is the responsibility of the individuals giving their personal data to ensure that this is accurate, and each individual should notify the Council if, for example, a change in circumstances mean that the data needs to be updated. It is the responsibility of the Council to ensure that any notification regarding the change is noted and acted on.

5.15) Only keep personal data for as long as is necessary.

Council undertakes not to retain personal data for longer than is necessary to ensure compliance with the legislation, and any other statutory requirements. This means Council will regularly review the information held and destroy it in accordance with its information retention schedule. Council will dispose of any personal data in a way that protects the rights and privacy of the individual concerned (e.g. secure electronic deletion, shredding and disposal of hard copy files as confidential waste).

5.16) Process personal data in accordance with the rights of the data subject under the legislation.

Individuals have various rights under the legislation including a right to:

- be told the nature of the information the Council holds and any parties to whom this may be disclosed.
- prevent processing likely to cause damage or distress.
- prevent processing for purposes of direct marketing.
- be informed about the mechanics of any automated decision taking process that will significantly affect them.
- not have significant decisions that will affect them taken solely by automated process.
- sue for compensation if they suffer damage by any contravention of the legislation.
- take action to rectify, block, erase or destroy inaccurate data.
- request that the Office of the Information Commissioner assess whether any provision of the Act has been contravened.

Council will only process personal data in accordance with individuals' rights.

5.17) Put appropriate technical and organisational measures in place against unauthorised or unlawful processing of personal data, and against accidental loss or destruction of data.

All members of staff are responsible for ensuring that any personal data which they hold is kept securely and not disclosed to any unauthorised third parties.

Council will ensure that all personal data is accessible only to those who have a valid reason for using it.

Council will implement appropriate and reasonable measures , these may include

- adopting and implementing data protection policies;
- taking a 'data protection by design and default' approach;
- putting written contracts in place with organisations that process personal data on your behalf; (See Section 5.9 Data Sharing Agreements & Contracts)
- maintaining documentation of your processing activities;
- implementing appropriate security measures;
- recording and, where necessary, reporting personal data breaches;
- carrying out data protection impact assessments for uses of personal data that are likely to result in high risk to individuals' interests;
- appointing a data protection officer; and
- adhering to relevant codes of conduct and signing up to certification schemes.

5.18) Ensure that no personal data is transferred to a country or a territory outside

the European Economic Area (EEA) unless that country or territory ensures adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

5.2 Our legal basis for using personal data

Everything we do with records about individuals – obtaining the information, storing it, using it, sharing it, even deleting it – will have an acceptable legal basis. There are six of these:

- Where it involves the exercise of a public function – i.e. most activities of most government, local government and other public bodies.
- Where it is *necessary* in connection with a contract between the Council and the individual.
- Where it is *necessary* because of a legal obligation.
- Where it is *necessary* in our legitimate interests, as long as these are not outweighed by the interests of the individual.
- Where it is *necessary* in an emergency, to protect an individual's 'vital interests'.
- Consent from the individual (or someone authorised to consent on their behalf).

Where we are basing our processing on consent we will be able to 'demonstrate' that we hold consent.

Council will ensure that any data collection is transparent and the individual will be aware of the purpose for same, e.g. in a short statement on a form (fair collection statement) explaining the use of that data etc.

5.3 Disclosure of Data

Only disclosures which have been notified under the Council's privacy notices and therefore staff should exercise caution when asked to disclose personal data held on another individual or third party.

Council undertakes not to disclose personal data to unauthorised third parties, but legitimate disclosures may occur e.g.:

- the individual has given their consent to the disclosure.
- the disclosure has been notified to the ICO and is in the legitimate interests of the Council.
- the disclosure is required for the performance of a contract.
- There are other instances when the legislation permits disclosure without the consent of the individual, (see ICO or DPO for further guidance)

In no circumstances will Council sell any of its databases to a third party.

5.4 Rights of the Individual

The GDPR provides the following rights for individuals:

- The right to be informed
- The right of access (Subject Access Rights SARS)
- The right to rectification
- The right to erasure

- The right to restrict processing
- The right to data portability
- The right to object
- Rights in relation to automated decision making and profiling.

The right to be Informed

The right to be informed covers some of the key transparency requirements of the GDPR. It is about providing individuals with clear and concise information about what you do with their personal data.

The Right of Access (Subject Access Rights SARs)

Individuals have a right to access any personal data relating to them which are held by the Council. Any individual can exercise this right verbally or in writing to the Data Protection Officer(DPO). (see appendix 1).

Any such request to access personal data is called a Subject access request. Any member of staff receiving a SAR should forward this to the DPO.

Under the terms of the legislation, any such requests must be responded to within one month of receipt.

In most cases Council cannot charge a fee to comply with a subject access request but where the request is manifestly unfounded or excessive Council may charge a “reasonable fee” for the administrative costs of complying with the request.

The Council will ask for information necessary to confirm the identity of the requester.

Requested personal data will be retrieved from the relevant department and screened by the DPO before completion within a month of receipt. Failure to meet SAR timescales will expose the council to risk of fines and further action from the ICO.

The right to rectification

Individuals have the right to have inaccurate personal data rectified, or completed if it is incomplete. An individual can make a request for rectification verbally or in writing which Council must respond to within one calendar month to respond to a request. In certain circumstances you can refuse a request for rectification

The right to erasure

Under Article 17 of the GDPR individuals have the right to have personal data erased. This is also known as the ‘right to be forgotten’. The right is not absolute and only applies in certain circumstances.

Individuals have the right to have their personal data erased if:

- the personal data is no longer necessary for the purpose which you originally collected or processed it for;
- you are relying on consent as your lawful basis for holding the data, and the individual withdraws their consent;
- you are relying on legitimate interests as your basis for processing, the individual objects to the processing of their data, and there is no overriding legitimate interest to continue this processing;
- you are processing the personal data for direct marketing purposes and the individual objects to that processing;
- you have processed the personal data unlawfully (ie in breach of the lawfulness requirement of the 1st principle);

- you have to do it to comply with a legal obligation; or
- you have processed the personal data to offer information society services to a child.

The right to restrict processing

Individuals have the right to restrict the processing of their personal data in certain circumstances i.e. limit the way that an organisation uses their personal data where they have a particular reason for wanting the restriction. This may be because they have issues with the content of the information you hold or how you have processed their data. In most cases you will not be required to restrict an individual's personal data indefinitely, but will need to have the restriction in place for a certain period of time.

The right to data portability

The right to data portability gives individuals the right to receive personal data they have provided to a controller in a structured, commonly used and machine readable format. It also gives them the right to request that a controller transmits this data directly to another controller.

The right to data portability only applies when:

- your lawful basis for processing this information is consent **or** for the performance of a contract; and
- you are carrying out the processing by automated means (ie excluding paper files).

The right to object

The DPA (2018) gives individuals the right to object to the processing of their personal data at any time. This effectively allows individuals to stop or prevent you from processing their personal data.

An objection may be in relation to all of the personal data you hold about an individual or only to certain information. It may also only relate to a particular purpose you are processing the data for.

Rights in relation to automated decision making and profiling

The GDPR applies to all automated individual decision-making and profiling.

Article 22 of the GDPR has additional rules to protect individuals if you are carrying out solely automated decision-making that has legal or similarly significant effects on them. You can only carry out this type of decision-making where the decision is:

- necessary for the entry into or performance of a contract; or
- authorised by Union or Member state law applicable to the controller; or
- based on the individual's explicit consent.

You must identify whether any of your processing falls under Article 22 and, if so, make sure that you:

- give individuals information about the processing;
- introduce simple ways for them to request human intervention or challenge a decision;
- carry out regular checks to make sure that your systems are working as intended.

5.5 Council Marketing

The Council may hold and process some personal data for marketing purposes, e.g.
Customer information for arts and cultural programmes and other events
Photographs for use in printed and online promotional activity.

It may be that in some circumstances an individual wishes their data processed for such reasons to be kept confidential, or restricted Council access only. Therefore, it is Council policy to offer an opportunity to opt-in for marketing purposes when collecting the information.

5.6 Email

It is the policy of Council to ensure that senders and recipients of email are made aware that under the DPA, and Freedom of Information Legislation, the contents of email may have to be disclosed in response to a request for information. One means by which this will be communicated will be by a disclaimer on the Council's email.

Under the Regulation of Investigatory Powers Act 2000, Lawful Business Practice Regulations, any email sent to or from the Council may be accessed by someone other than the recipient for system management, security purposes and other reasons as set out in the email and instant messaging policy.

5.7 CCTV

There are some CCTV systems operating within Council and town centres for the purpose of protecting the Public and or Council property. Council has carried out privacy impact assessments in respect of these installations and will only process personal data obtained by the CCTV system in a manner which ensures compliance with our policy and applicable legislation.

5.8 Breach of Personal Data

Any incident or action that affects the confidentiality, integrity or availability of personal data could potentially be a breach that Council may have to report to the ICO within 72 hours of becoming aware of it. Such reports will be sent to the ICO using appendix 4 in accordance with their latest guidelines.

In short, there will be a personal data breach whenever

- any personal data is lost, destroyed, corrupted or disclosed;
- if someone accesses the data or passes it on without proper authorisation.
- or if the data is made unavailable, for example, when it has been encrypted by ransomware, or accidentally lost or destroyed.

Notification Requirement: such incidents must be brought to any member of the team in accordance with procedures defined in appendix 2. Council must quickly establish whether a personal data breach has occurred and, if so, promptly take steps to address it, including telling the ICO if required.(See appendix 2 for further details).

5.9 Data Sharing Agreements & Contracts

Whenever a controller uses a processor, there must be a written contract (or other legal act) in place.

The contract is important so that both parties understand their responsibilities and liabilities. (Please contact the DPO or legal services for information and the appropriate data sharing contracts for your scenario.).

The GDPR sets out what needs to be included in the contract.

If a processor uses another organisation (i.e. a sub-processor) to assist in its processing of personal data for a controller, it needs to have a written contract in place with that sub-processor.

The Council will use data sharing agreements to ensure all responsibilities and liabilities are addressed for each party. For more information on data sharing agreements please contact legal services or the DPO.

Council officers will use predefined template agreements inline with the guidance and the current legal advice at that time.

6.0 ROLES AND RESPONSIBILITIES

6.1 The Chief Executive is ultimately responsible for our compliance with data protection legislation.

As a public authority as defined under the legislation the Council has appointed a Data Protection Officer (see appendix 1)

The DPO's minimum tasks are defined as:

- to inform and advise the controller, its employees, and any associated processors about their obligations to comply with the GDPR and other relevant data protection laws such as Part 3 of the Bill;
- to monitor compliance with data protection laws, including managing internal data protection activities, advise on data protection impact assessments; train staff and conduct internal audits; and
- to be the first point of contact for the Information Commissioner and for individuals whose data is processed (employees, customers etc).

Senior Management Team

The Senior Management Team are responsible for all day-to-day data protection matters, and will be responsible for ensuring that all members of staff and relevant individuals abide by this policy, and for developing and encouraging good information handling within the Council.

Compliance with the legislation is the personal responsibility of all members of the Council who process personal information. Potential breaches of this policy will be investigated and subject to Mid Ulster District Council's or other relevant disciplinary procedure.

Heads of Service and Managers

Managers within every service or business area are responsible for implementing and ensuring compliance with data protection procedures. This includes the requirement to take all reasonable steps to ensure compliance by third parties.

SMT & Managers must contact the DPO or Solicitor if they are unsure about any aspect of the DPA requirements including

- what security or other measures they need to implement to protect personal data.
- the lawful basis which they are relying on to process personal data
- consent matters for processing personal data
- privacy notices or other transparency information
- the retention periods.
- the transfer of personal data outside the European Economic Area (EEA)
- engaging in a significant new, or change in, processing activity which is likely to require a Data Protection Impact Assessment (by Design and by Default)
- to use personal data for purposes other than those for which it was originally collected
- activities involving automated processing.
- help with any contracts or other areas in relation to sharing personal data with third parties (including our contractors)
- sharing data with another organisation or person in a way which is new or could affect data subjects' rights.
- Any potential or suspected breach or incident relating to personal data. (see Appendix 2)

All Staff

Everyone working for us or on our behalf is required to comply with this policy. Everyone working for us or on our behalf is responsible for ensuring that they understand and follow this policy and other procedures relating to the processing and use of personal data and support us in complying with data protection legislation.

Staff who handle personal data will be required to complete mandatory data protection training.

Elected Members

Members Elected members will endorse the policy, its implementation and procedures.

Compliance

We will regularly review monitor and audit the systems and processes under our control to ensure they comply with this policy. We will investigate any alleged breach of this policy in line with the breach process in Appendix 2&3 and assess whether the incident is reportable to the ICO using Appendix 4. An investigation could result in us taking action up to and including dismissal; removal from office; or, termination of a contract for services.

7.0 IMPACT ASSESSMENTS

7.1 Equality Screening & Impact

7.2 The policy has been subjected to equality screening in accordance with the Council's screening process. The outcome of the screening has screened this policy out.

7.3 Rural Needs Impact

The policy has been subjected to a rural needs impact assessment and this policy has considered the assessment during the policy development.

7.4 Staff & Financial Resources

This policy requires resources to train those staff handling personal data. Online E Learning and class based learning may be used. The council will assign sufficient resources to accommodate these training requirements.

No issues have been identified which would significantly impact on the Councils resources and delivery of its business as a result of this policy being implemented.

7.5 Risk

The risks associated with personal data legislative compliance will be recorded and reviewed in accordance with the Council's corporate risk management system by the policy Author.

8.0 SUPPORT AND ADVICE

- 8.1 Advice and guidance on the implementation of this should be sought from the DPO or Council solicitor and from the Information Commissioner's website at www.ico.org.uk.

9.0 COMMUNICATION

- 9.1 Council will ensure that all staff processing personal data receive required training on data protection.
Council will ensure that those who are responsible for implementing this policy, or responding to subject access requests under this policy, will receive additional training and resources to help them understand and to comply with them.
- 9.2 This policy will be published on the Intranet and brought to the attention of all staff within the Council.

10.0 MONITORING & REVIEW ARRANGEMENTS

- 10.1 Implementation of this policy will be monitored and a formal review undertaken 24 months from its effective date.

Appendix 1

Mid Ulster District Council

Data Controller Name: Mid Ulster District Council

Address: c/o Dungannon Office, Circular Road, Dungannon, BT71 6DT

Telephone: 03000 132 132

Data Protection Officer Name: Barry O'Hagan

Telephone: 03000 132 132

Email: barry.ohagan@midulstercouncil.org

Council's Data Protection Registration reference: **ZA086387**

Appendix 2

Data Breach Procedure and Response Plan

A personal data breach can be broadly defined as a security incident that has affected the confidentiality, integrity or availability of personal data. In short, there will be a personal data breach whenever

- any personal data is lost, destroyed, corrupted or disclosed;
- if someone accesses the data or passes it on without proper authorisation.
- or if the data is made unavailable, for example, when it has been encrypted by ransomware, or accidentally lost or destroyed.

Notification Requirement: when a security incident takes place, Council must quickly establish whether a personal data breach has occurred and, if so, promptly take steps to address it, including telling the ICO if required.

Alert Response

The data breach process is initiated when anyone notices that a suspected or alleged or actual data breach occurs. The DPO or any member of the Data Breach Response team must be notified as soon as possible and not later than 24hrs from becoming aware .

The data response team is made up of ;

The Data Protection Officer

Director of Finance

Any member of the IT team

Where a privacy data breach is known to have occurred (or is suspected) any member of response team staff who becomes aware of this must, within 24 hours, alert a member of data response team in the first instance.

The Information that should be provided (if known) at this point includes:

- When the breach occurred (time and date)
- Description of the breach (type of personal information involved)
- Cause of the breach (if known) otherwise how it was discovered
- Which system(s) if any are affected?
- Which directorate/faculty/institute is involved?
- Whether corrective action has occurred to remedy or ameliorate the breach (or suspected breach)

A template can be found at **Appendix 3** to assist in documenting the required information.

Assess and determine the potential impact.

Once notified of the information above, the team must consider whether a privacy data breach has (or is likely to have) occurred and make a preliminary judgement as to its severity. The DPO should be contacted for advice.

Primary role of the Response Team

There is no single method of responding to a data breach and each incident must be dealt with on a case by case basis by assessing the circumstances and associated risks to inform the appropriate course of action.

The following steps may be undertaken by the Response Team (as appropriate):

- Immediately contain the breach (if this has not already occurred). Corrective action may include: retrieval or recovery of the personal information, ceasing unauthorised access, shutting down or isolating the affected system.
- Evaluate the risks associated with the breach, including collecting and documenting all available evidence of the breach having regard for the information outlined above.
- Call upon the expertise of, or consult with, relevant staff in the circumstances.
- Engage an independent cyber security or forensic expert as appropriate.
- Assess whether serious harm is likely
- Make a recommendation to the DPO whether this breach constitutes a Notifiable incident for the purpose of mandatory reporting to the ICO and the practicality of notifying affected individuals. Consider developing a communication or media strategy in conjunction with the marketing and communications team including the timing, content and method of any announcements to staff or the media.

The Response Team must undertake its assessment within 48 hours of being convened.

The DPO will provide periodic updates to the Chief Executive and or deputy as deemed appropriate.

Appendix 3

Data Incident Reporting Form

Instructions: This form is to be completed as soon as possible following the detection or reporting of an Information Technology (IT) security incident. All items completed should be based on information that is currently available. This form may be updated and modified if necessary.

1. Contact Information for this Incident	
Name:	
Title:	
Work Phone:	
Mobile Phone:	
Email address:	
2. Incident Description.	
Provide a brief description:	
3. Impact / Potential Impact Check all of the following that apply to this incident.	
<input type="checkbox"/> Loss / Compromise of Data <input type="checkbox"/> Damage to Systems <input type="checkbox"/> System Downtime <input type="checkbox"/> Financial Loss	<input type="checkbox"/> Other Organisations' Systems Affected <input type="checkbox"/> Damage to the Integrity or Delivery of Critical Goods, Services or Information <input type="checkbox"/> Violation of legislation / regulation <input type="checkbox"/> Unknown at this time
Provide a brief description of the impact:	

Provide a brief description of data that was compromised:

5. Who Else Has Been Notified?

Provide Person and Title:

6. What Steps Have Been Taken So Far? Check all of the following that apply to this incident.

- | | |
|---|---|
| <input type="checkbox"/> No action taken | <input type="checkbox"/> Restored backup from tape |
| <input type="checkbox"/> System Disconnected from network | <input type="checkbox"/> Log files examined (saved & secured) |
| <input type="checkbox"/> Updated virus definitions & scanned system | <input type="checkbox"/> Other – please describe: |

Provide a brief description:

7. Incident Details

Date and Time the Incident was discovered:

Has the incident been resolved?

Physical location of affected system(s):

Number of sites affected by the incident:

Approximate number of systems affected by the incident:

Approximate number of users affected by the incident:

Please provide any additional information that you feel is important but has not been provided elsewhere on this form.

Please submit this completed form to :Head of IT

Barry.ohagan@midulstercouncil.org

Appendix 4

Report a personal data breach

This form is for organisations that have experienced a personal data breach and need to report it to the ICO. **Please do not include any of the personal data involved in the breach when completing this form.** For example, do not provide the names of data subjects affected by the breach. If we need this information, we will ask for it later.

You should ensure the information provided is as accurate as possible and supply as much detail as possible.

If you have already spoken to a member of ICO staff about this breach, please give their name:

Report type

- ☐ Initial report
- ☐ Follow-up report

(Follow-up reports only) ICO case reference:

Reason for report – after consulting the guidance

- ☒ I consider the incident meets the threshold to report
- ☐ I do not consider the incident meets the threshold to report, however I want you to be aware
- ☐ I am unclear whether the incident meets the threshold to report

About the breach

Please describe what happened

Please describe how the incident occurred

How did the organisation discover the breach?

What preventative measures did you have in place?

Was the breach caused by a cyber incident?

- ☐ Yes
- ☐ No
- ☐ Don't know

When did the breach happen?

Date: Time:

When did you discover the breach?

Date: Time:

Categories of personal data included in the breach (tick all that apply)

- ☐ Data revealing racial or ethnic origin
- ☐ Political opinions
- ☐ Religious or philosophical beliefs
- ☐ Trade union membership
- ☐ Sex life data
- ☐ Sexual orientation data
- ☐ Gender reassignment data
- ☐ Health data
- ☐ Basic personal identifiers, eg name, contact details
- ☐ Identification data, eg usernames, passwords
- ☐ Economic and financial data, eg credit card numbers, bank details
- ☐ Official documents, eg driving licences
- ☐ Location data, eg coordinates
- ☐ Genetic or biometric data
- ☐ Criminal convictions, offences
- ☐ Other (please give details below)

Number of personal data records concerned?

How many data subjects could be affected?

Categories of data subjects affected (tick all that apply)

- ☐ Employees
- ☐ Users
- ☐ Subscribers
- ☐ Students
- ☐ Customers or prospective customers
- ☐ Patients
- ☐ Children
- ☐ Vulnerable adults

☐ Other (please give details below)

Potential consequences of the breach

Is the personal data breach likely to result in a high risk to data subjects?

- ☐ Yes
- ☐ No
- ☐ Not yet known

Please give details

(Cyber incidents only) Recovery time

- ☐ We have successfully recovered from the incident with all personal data now at the same state it was shortly prior to the incident
- ☐ We have determined that we are able to restore all personal data to the same state it was shortly prior to the incident and are in the process of doing this
- ☐ We have determined that we are unable to restore the personal data to the same state it was at shortly prior to the incident, ie backups failed, no current backup, backup encrypted etc
- ☐ We are not yet able to determine if personal data can be restored to the same state it was shortly prior to the incident

Had the staff member involved in this breach received data protection training in the last two years?

- ☐ Yes
- ☐ No
- ☐ Don't know

(Initial reports only) If there has been a delay in reporting this breach, please explain why

Taking action

Describe the actions you have taken, or propose to take, as a result of the breach

Have you taken actions to contain the breach? Please describe these remedial actions

Please outline any steps you are taking to prevent a recurrence, and when you expect they will be completed

Have you told data subjects about the breach?

- ☐ Yes – we have determined it is likely there is a high risk to data subjects so we have communicated this breach to data subjects
- ☐ Yes – we have determined that it is unlikely there is a high risk to data subjects, however decided to tell them anyway
- ☐ No – but we are planning to because we have determined it is likely there is a high risk to data subjects
- ☒ No – we determined the incident did not meet the threshold for communicating it to data subjects

Have you told, or are you planning to tell any other organisations about the breach?

- ☐ Yes
- ☐ No
- ☐ Don't know

If you answered yes, please specify

About you

Organisation (data controller) name

Registration number

If not registered, please give exemption reason

Business sector

Registered organisation address

Person making this report

In case we need to contact you about this report

Name:

Email:

Phone:

Data protection officer

Or the senior person responsible for data protection in your organisation

☐ Same details as above

Name:

Email:

Phone:

Sending this form

Initial report

If this is your initial report, please send your completed form to icocasework@ico.org.uk, with 'Personal data breach notification' in the subject field.

Follow up report

If this is a follow up report, please *reply to the email we sent you*, attaching this completed form to it. (Make sure you leave the subject line as it is – this will ensure your follow-up gets added to your case).

OR, send by post to:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Please note that we cannot guarantee security of forms or any attachments sent by email.

What happens next?

You should read our guidance to determine what steps you should take.

Based on the information you have provided, we will contact you within seven calendar days to provide information about our next steps. If this is your initial report, we'll give you a case reference number. If we consider the incident is minor or you have indicated that you do not consider it meets the threshold for reporting, you may not receive a response from us.

If your correspondence relates to an existing case, we'll add it to your case for your case officer to consider.

If you need any help in completing this form, please contact our helpline on 0303 123 1113 (operates 9am to 5pm Monday to Friday).

For information about what we do with personal data see our [privacy notice](#).

Introduction

Mid Ulster District Council has a statutory duty to screen its policies, procedures, practices/decisions. This Policy Screening Form and Report assists Council Departments to consider the likely equality and good relations impacts of the aforementioned, if any, placed upon our ratepayers, citizens, service users, staff and visitors to the district.

Section 1 – Policy scoping

This asks the Policy Author to provide details on the policy, procedure, practice and/or decision being screened and what available evidence you have gathered to help make an assessment of the likely impact on equality of opportunity and good relations. Reference to policy within this document refers to either of the aforementioned (policy, procedure, practice, and/ or decision).

Section 2 – Screening questions

This asks about the extent of the likely impact of the policy on groups of people within each of the Section 75 categories. Details of the groups consulted and the level of assessment of the likely impact. This includes consideration of multiple identity and issues.

Section 3 – Screening decision

This guides the Council to reach a screening decision as to whether or not there is a need to carry out an equality impact assessment (EQIA), or introduce measures to mitigate the likely impact, or the introduction of an alternative policy to better promote equality of opportunity.

Section 4 – Monitoring

This provides guidance to the Council on monitoring for adverse impact and broader monitoring.

Section 5 – Approval and authorisation

This verifies the Council's approval of a screening decision by a senior manager responsible for the policy.

Appendix A Screening Process

Section 1 Policy Scoping & Information

The first stage of the screening process involves scoping the policy under consideration which sets the context and confirms the aims and objectives for the policy being screened. Scoping the policy helps to identify constraints as well as opportunities and will help the policy author to work through the screening process on a step by step basis.

1. Policy Name		
Data Protection Policy		
2. Is this an existing, revised or a new policy?		
Revised Policy		
3. What is it trying to achieve? (aims/outcomes)		
This practice has been revised to reflect current practice and guidance.		
4. Are there any Section 75 categories which might be expected to benefit from the intended policy?	Yes	
	No	X
If so, please explain		
5. Who initiated or wrote the policy?		
Mid Ulster District Council		
6. Who owns and who implements the policy?		
Mid Ulster District Council		

Implementation factors

		Yes	No
Are there any factors which could contribute to/ detract from intended aim/ outcome of the policy?			
<ul style="list-style-type: none"> If yes, are they financial? 			X
<ul style="list-style-type: none"> If yes, are they legislative? 		X	
<ul style="list-style-type: none"> If yes, Please specify 	Legislative Data Protection Act 2018		
<ul style="list-style-type: none"> Other, Please specify 			

Stakeholders

The internal and external (actual or potential) that the policy will be impacted upon

	Yes	No
Staff	X	
Service Users	X	
Other public sector organisations	X	
Voluntary/community/ trade unions	X	
Other, please specify	Councillors, Contractors	

Others policies with a bearing on this policy

Policies	Owners
All HR & ICT Policies	Organisational Development

Available evidence

Information and available evidence (qualitative and quantitative) gathered to inform the policy under each of the Section 75 groups as identified within the Northern Ireland Act 1998. [Add information and evidence from other sources, eg, research, survey findings, service user feedback, consultation feedback, review findings, etc]

Section 75 category	Details of evidence/information
Religious belief	Data not currently available
Political opinion	<p>The political opinion of the staff of Mid Ulster District Council can currently be broken down as follows:</p> <p>Generally Nationalist- 7%</p> <p>Generally Unionist- 3%</p> <p>Neither Generally Unionist or Nationalist-3%</p> <p>Unknown- 87%</p>
Racial group	<p>The racial grouping of the staff of Mid Ulster District Council can currently be broken down as follows:</p> <p>White- 92.6%</p> <p>Mixed Ethnic- 0.8%</p> <p>Black/Caribbean/Other 0.3%</p> <p>Unknown- 5.3%</p>
Age	<p>The age of the staff of Mid Ulster District Council can currently be broken down as follows:</p> <p>17-25yrs- 16.4%</p> <p>26-35yrs- 16.3%</p> <p>36-45yrs- 23.3%</p> <p>46-55yrs 23.3%</p> <p>56-65yrs 16.3%</p> <p>66-75yrs- 3%</p> <p>Unknown- 0.8%</p>

Marital status	<p>The marital status of the staff of Mid Ulster District Council can currently be broken down as follows:</p> <p>Married 55%</p> <p>Single 39%</p> <p>Unknow 3%</p> <p>Divorced/Separated/Widowed 3%</p>
Sexual orientation	<p>The sexual orientation of the staff of Mid Ulster District Council can currently be broken down as follows:</p> <p>Heterosexual- 13%</p> <p>Did not want to disclose- 0.6%</p> <p>Unknown- 86.3%</p> <p>Lesbian- 0.09%</p>
Men & women generally	<p>The gender breakdown of the staff of Mid Ulster District Council can currently be broken down as follows:</p> <p>58% are men</p> <p>42% are women</p>
Disability	<p>Currently 2% of Mid Ulster District Council staff have stated that they have a disability.</p>
Dependants	<p>The breakdown of the Mid Ulster District Council staff who have dependents can currently be broken down as follows:</p> <p>No Dependents- 9%</p> <p>Carer for an Adult- 0.5%</p> <p>Child/Children- 4.5%</p> <p>Unknown- 86%</p>

Needs, experiences and priorities

Taking into account the information referred to above, what are the different needs, experiences and priorities of each of the following categories, in relation to the particular policy/decision? Specify details for each of the Section 75 categories

Section 75 category	Details of needs/experiences/priorities
Religious belief	Data not currently available
Political opinion	<p>The political opinion of the staff of Mid Ulster District Council who have been entered into the Jobs Retention Scheme can currently be broken down as follows:</p> <p>Generally Nationalist- 10%</p> <p>Generally Unionist- 3%</p> <p>Neither Generally Unionist or Nationalist-2%</p> <p>Unknown- 85%</p>
Racial group	<p>The racial grouping of the staff of Mid Ulster District Council who have been entered into the Jobs Retention Scheme can currently be broken down as follows:</p> <p>White- 89%</p> <p>Mixed Ethnic- 1%</p> <p>Unknown- 10%</p>
Age	<p>The age categories of the staff of Mid Ulster District Council who have been entered into the Jobs Retention Scheme can currently be broken down as follows:</p> <p>17-25yrs- 27%</p> <p>26-35yrs- 20%</p> <p>36-45yrs- 15%</p> <p>46-55yrs 15%</p> <p>56-65yrs 16%</p> <p>66-75yrs- 6%</p>

	Unknown- 1%
Marital status	<p>The martial status of the staff of Mid Ulster District Council who have been entered into the Jobs Retention Scheme can currently be broken down as follows:</p> <p>Married 41%</p> <p>Single 53%</p> <p>Unknow 4%</p> <p>Divorced/Separated/Widowed 3%</p>
Sexual orientation	<p>The sexual orientation of the staff of Mid Ulster District Council who have been entered into the Jobs Retention Scheme can currently be broken down as follows:</p> <p>Heterosexual- 17%</p> <p>Did not want to disclose- 1%</p> <p>Unknown- 82%</p>
Men and women generally	<p>The gender of the staff of Mid Ulster District Council who have been entered into the Jobs Retention Scheme can currently be broken down as follows:</p> <p>Men- 53%</p> <p>Women- 47%</p>
Disability	0%
Dependants	<p>The breakdown of the Mid Ulster District Council staff who have dependents can currently be broken down as follows:</p> <p>No Dependents- 13%</p> <p>Child/Children- 4%</p> <p>Unknown- 83%</p>

Section 2 – Screening Questions

In making a decision as to carry out an Equality Impact Assessment (EQIA), the Council should consider its answers to the questions 1- 3 detailed below.

If the Council's conclusion is **none** in respect of all of the Section 75 equality of opportunity categories, then the Council may decide to screen the policy out. If a policy is 'screened out' as having no relevance to equality of opportunity, the Council should give details of the reasons for the decision taken.

If the Council's conclusion is **major** in respect of one or more of the Section 75 equality of opportunity, then consideration should be given to subjecting the policy to the equality impact assessment procedure.

If the Council's conclusion is **minor** in respect of one or more of the Section 75 equality categories, then consideration should still be given to proceeding with an equality impact assessment, or to:

- measures to mitigate the adverse impact; or
- the introduction of an alternative policy to better promote equality of opportunity.

In favour of a 'major' impact

- a) The policy is significant in terms of its strategic importance;
- b) Potential equality impacts are unknown, because, for example, there is insufficient data upon which to make an assessment or because they are complex, and it would be appropriate to conduct an equality impact assessment in order to better assess them;
- c) Potential equality impacts are likely to be adverse or are likely to be experienced disproportionately by groups of people including those who are marginalised or disadvantaged;
- d) Further assessment offers a valuable way to examine the evidence and develop recommendations in respect of a policy about which there are concerns amongst affected individuals and representative groups, for example in respect of multiple identities;
- e) The policy is likely to be challenged by way of judicial review;
- f) The policy is significant in terms of expenditure.

In favour of 'minor' impact

- a) The policy is not unlawfully discriminatory and any residual potential impacts on people are judged to be negligible;
- b) The policy, or certain proposals within it, are potentially unlawfully discriminatory, but this possibility can readily and easily be eliminated by making appropriate changes to the policy or by adopting appropriate mitigating measures;

- c) Any asymmetrical equality impacts caused by the policy are intentional because they are specifically designed to promote equality of opportunity for particular groups of disadvantaged people;
- d) By amending the policy there are better opportunities to better promote equality of opportunity.

In favour of none

- a) The policy has no relevance to equality of opportunity.
- b) The policy is purely technical in nature and will have no bearing in terms of its likely impact on equality of opportunity for people within the equality categories.

Screening questions

1. What is the likely impact on equality of opportunity for those affected by this policy, for each of the Section 75 equality categories (minor/ major/ none)		
Section 75 category	Details of policy impact	Level of impact? minor/major/none
Religious belief	No adverse impacts anticipated	None
Political opinion	No adverse impacts anticipated	None
Racial group	No adverse impacts anticipated	None
Age	No adverse impacts anticipated	None
Marital status	No adverse impacts anticipated	None
Sexual orientation	No adverse impacts anticipated	None

Men and women generally	No adverse impacts anticipated	None
Disability	No adverse impacts anticipated	None
Dependants	No adverse impacts anticipated	None

2. Are there opportunities to better promote equality of opportunity for people within Section 75 equality categories? (Yes/ No)		
Section 75 category	If Yes , provide details	If No , provide reasons
Religious belief		This is an internal ICT policy with no opportunity to better promote equality issues.
Political opinion		Mid Ulster District Council has assessed the potential impact of the policy . Council has determined it does not unlawfully directly discriminate in any way with respect to any Section 75 groups.
Racial group		Mid Ulster District Council has assessed the potential impact of the policy . Council has determined it does not unlawfully directly discriminate in any way with respect to any Section 75 groups.
Age		Mid Ulster District Council has assessed the potential impact

		of the policy . Council has determined it does not unlawfully directly discriminate in any way with respect to any Section 75 groups.
Marital status		Mid Ulster District Council has assessed the potential impact of the policy . Council has determined it does not unlawfully directly discriminate in any way with respect to any Section 75 groups.
Sexual orientation		Mid Ulster District Council has assessed the potential impact of the policy . Council has determined it does not unlawfully directly discriminate in any way with respect to any Section 75 groups.
Men and women generally		Mid Ulster District Council has assessed the potential impact of the policy . Council has determined it does not unlawfully directly discriminate in any way with respect to any Section 75 groups.
Disability		Mid Ulster District Council has assessed the potential impact of the policy . Council has determined it does not unlawfully directly discriminate in any way with respect to any Section 75 groups.
Dependants		Mid Ulster District Council has assessed the potential impact of the policy . Council has

		determined it does not unlawfully directly discriminate in any way with respect to any Section 75 groups.
--	--	---

3. Are there opportunities without prejudice, to the equality of opportunity duty, to better promote good relations between Section 75 equality categories, through tackling prejudice and/ or promoting understanding? (Yes/ No)

	No	x
	Yes	
If yes, please detail the opportunities below:		

If yes is concluded to Question 3, then the policy will be referred to the Council's Good Relations Working Group for consideration. The Group will consider the potential opportunities and assess if and how the overall impact of a decision/policy can better promote good relations.

Additional Considerations - Multiple identity

Generally speaking, people can fall into more than one Section 75 category. Taking this into consideration, are there any potential impacts of the policy/decision on people with multiple identities? (*For example; disabled minority ethnic people; disabled women; young Protestant men; and young lesbians, gay and bisexual people*).

Mid Ulster District Council considers that there are no potential impacts for those with multiple identities under S75 by revising this policy.

Provide details of data on the impact of the policy on people with multiple identities. Specify relevant Section 75 categories concerned.

--

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Section 3 – Screening Decision

In light of answers provided to the questions within Section 3 select one of the following with regards the policy:

		Select One
1	Shall not be subject to an EQIA - <i>with no mitigating measures required</i>	X
2	Shall not be subject to an EQIA - <i>mitigating measures/ alternative policies introduced</i>	
3	Shall be subject to an EQIA	

If 1 or 2 above (i.e. not to be subject to an EQIA) please provide details of reasons why.

N/A

If 2 above (i.e. not to subject to an EQIA) in what ways can adverse impacts attaching to the policy be mitigated or an alternative policy be introduced.

N/A

If 3 above (i.e. shall be subject to an EQIA), please provide details of the reasons.

N/A

Mitigation

When it is concluded that the likely impact is 'minor' and an equality impact assessment is not to be conducted, you may consider mitigation to lessen the severity of any equality impact, or the introduction of an alternative policy to better promote equality of opportunity.

Can the policy/decision be amended or changed or an alternative policy introduced to better promote equality of opportunity?
--

<p>If so, give the reasons to support your decision, together with the proposed changes/amendments or alternative policy:</p> <p>It has not been identified that mitigation is required in relation to this policy.</p>
--

Timetabling and prioritising

If the policy has been screened in for equality impact assessment, please answer the below to determine its priority for timetabling the equality impact assessment.

- **On a scale of 1-3 (1 being lowest priority and 3 being highest), assess the policy in terms of its priority for equality impact assessment.**

Priority criterion	Rating (1-3)
Effect on equality of opportunity	
Social need	
Effect on people's daily lives	
Relevance to a Council's functions	

Note: The Total Rating Score should be used to prioritise the policy in rank order with other policies screened in for equality impact assessment. This list of priorities will assist the Council in timetabling. Details of the Council's Equality Impact Assessment Timetable should be included in the Screening Reports.

- **Is the policy affected by timetables established by other relevant public authorities?**

Yes	
No	X

Section 5 – Monitoring

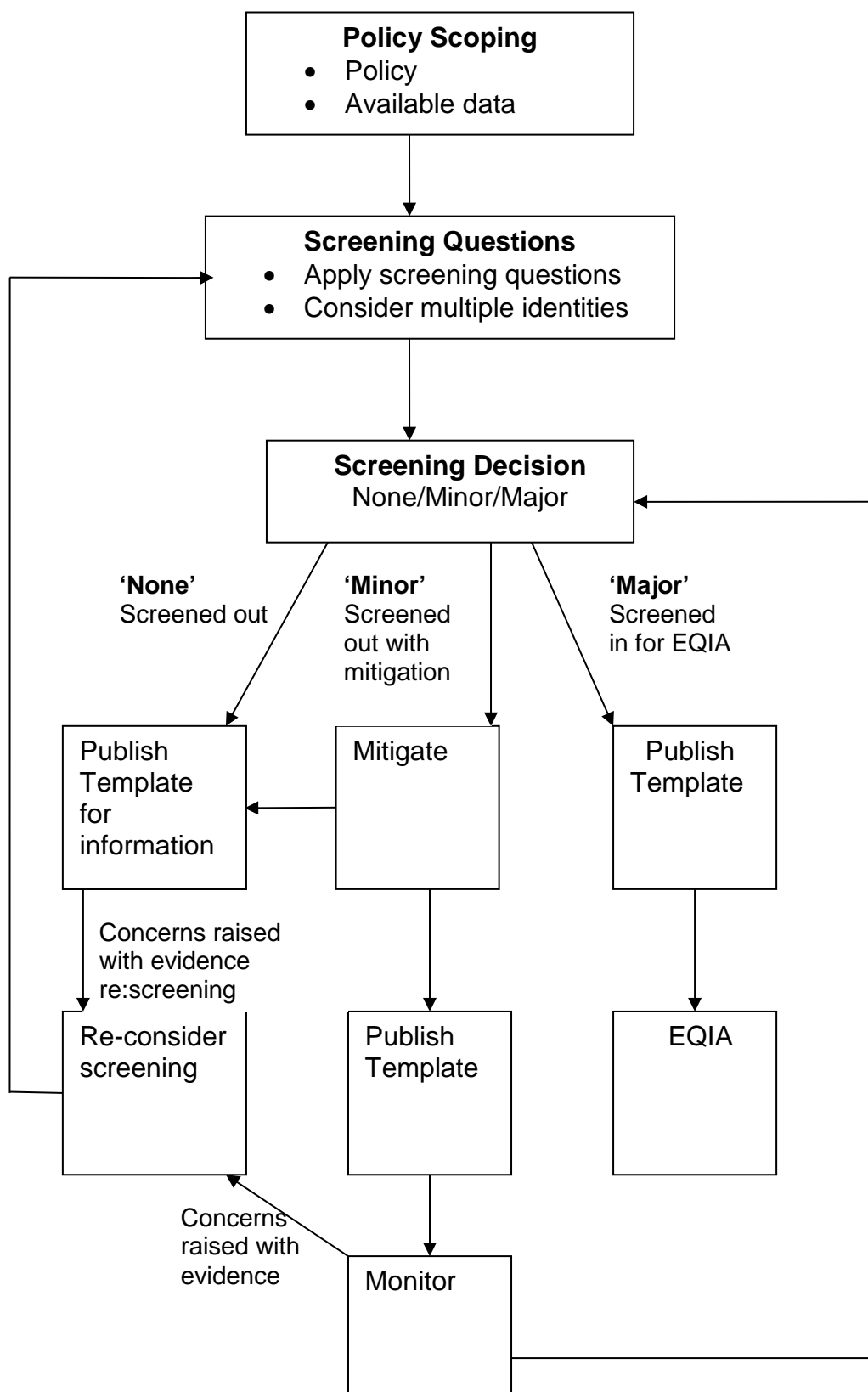
Effective monitoring will help identify any future adverse impact arising from the policy which may lead the Council to conduct an equality impact assessment, as well as help with future planning and policy development. Please detail proposed monitoring arrangements below:

The implementation of this practice will be monitored against the timeframe of Council being able to reopen all areas of service delivery. The Jobs Retention Scheme will be in place until 31st October 2020. Any further action in relation to the implementation of the Scheme will require further screening at that point.

Section 6 – Approval and authorisation

Screened by:	Position/ Job Title	Date
Ann McAleer	Corporate Policy & Equality Officer	
Approved by: (Director)	Position/ Job Title	Date

Note: A copy of the Screening Template, for each policy screened should be 'signed off' and approved by a senior manager responsible for the policy; made easily accessible on the council website as soon as possible following completion and be available on request.



Report on	Video Conferencing Options for Council and Committee Meetings
Date of Meeting	March 2021
Reporting Officer	Barry O'Hagan
Contact Officer	same

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

1.0	Purpose of Report
1.1	To advise members of the software options for Video conferencing facilities for Council and Committees meetings remotely attending meetings.
2.0	Background
2.1	The council are currently operating Cisco WebEx remote meeting organised and distributed by Democratic Services and supported By ICT technical staff to stream feeds to YouTube and resolve any technical issues on the fly.
3.0	Main Report
3.1	<p>The Council currently has a number of solutions within it application support catalogue that are afforded to staff and members as part the contracted services provided by IT .</p> <p>In summary they are</p> <ul style="list-style-type: none"> • Microsoft Teams • Cisco WebEx • Zoom <p>Council currently deploy Teams as part of its Office 365 services for all staff with an email address as it's licensed within subscription .Teams has been an invaluable tool that works well internally for staff at home and in the office. It is also used for external inter-council meeting with other staff and Councillors with reasonable success and many staff becoming well practiced and dependant in its use.</p> <p>Cisco WebEx has been deployed to facilitate Council meetings to date with the Council holding 8 licenses across key staff to organise meeting for each directorate costing £1451 per annum. Council meetings have become stable and reliable with Councillors and staff becoming acclimatised and familiar with its operation. However some participants with marginal bandwidth have experienced mixed results and frequently cannot participate fully in a fully immersive video experience.</p> <p>Zoom has been purchased in Autumn 2020 to facilitate Arts and Cultural hosted events from remote artist and classes across Art centres and recently Leisure Zoom classes as a trial . The current subscription costs £599 for 5 licenses. A subscription to accommodate all the service required by Council would be a SME license of 10 users at £1599 approx. per annum.</p>

These three solutions are in the top upper right quadrant of video conferencing solutions as assessed by Gartner in 2020(see table 1).

Table 1



There is currently no need to extend or consider a wider number of video conferencing solutions provided by the IT services. All three solution meet all of the Council current requirements but in very different ways and features within their interfaces.

In assessing and choosing a solution there are a number of quantitative and qualitative intangibles to look at as part of making a decision going forward.

User Experience (UX) : Zoom has the simplest one touch feature favoured by many reviewers requiring little to no end-user training as its clean simple interface allows for easy access to join or start meetings across all devices. This caters well to organizations with a multiple device formats allowing everyone to enjoy all features across all devices domestically or within a business .

Cost: Cost are fairly insignificant with little difference for both WebEx and Zoom , both less than £2k for either solution per annum. Microsoft teams is difficult to assess in terms of cost as this application is bundled with the O365 license bought with the Enterprise agreement from Microsoft.

Security and features are broadly similar across the three solutions, all three solutions are highly secure, hosted on reliable data centres and offer excellent service level availability and support for enterprise use.

	<p>Performance: The availability of all 3 solutions is in the order of 99.99% in terms of availability of their hosted platform. The availability of independent data on which system perform best in low bandwidth is limited. Members have as much if not more experience across multiple platforms and their performance, that can be as good a barometer/score as much of the commentary and reviews(often sponsored) on the web. It is unlikely that any solution will be the panacea for all low bandwidth participants and meeting situations.</p> <p>Invariably the choice any solution is one of personal preference and anecdotally some members have expressed a preference for Zoom based on their experience through widespread use of the free offering within its platform for up to 40mins across political party meetings, other working groups, community and sports clubs use of the platform for vital communication throughout the pandemic.</p> <p>There are fundamentally 3 choices available to members as presented above</p> <ol style="list-style-type: none"> 1. To continue to use WebEx. 2. To trial Microsoft Teams 3. To trial Zoom <p>Any choice can be reviewed quickly and systems can be reverted to current stated if upon review performance of any trial falls short of the current experience. Democratic service supported by IT can trial options 2 or 3 above as the remote meeting platform for committee and Council. Some learning and support will be required. Before go live it would be recommended that short simulations of committee meetings would form part of the familiarisation, testing and introduction before going live to real committee meetings. Member participation would be vital to minimise reputational risk and maintain secure governance processes across Council meetings.</p> <p>Following a suitable trial of up to 2 months(e.g. 2 cycle of committee meetings) officers can collate and analyse members feedback from the trial and present back to committee to evaluate and confirm the choice of solution for at least one year.</p>
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications
	<p>Financial: The system of choice can be accommodated within existing revenue budget for IT.</p> <p>Human: Further training on video conferencing is to be programmed for members by Organisational Development Directorate and coordinated by the learning and Development manager.</p> <p>Risk Management: The potential change to an alternative video conference will require some testing to erode real time disruptions to committee and council meetings and minimise risk.</p>
4.2	Screening & Impact Assessments :N/A
	Equality & Good Relations Implications: n/a
	Rural Needs Implications: n/a

5.0	Recommendation(s)
5.1	Council consider the choices presented and determine the preferred approach from the options presented.
6.0	Documents Attached & References
	None

Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 4 February 2021 in the Council Offices, Circular Road, Dungannon and by Virtual Means

Members Present

Councillor Quinn, Chair

Councillors Ashton*, Buchanan*, Cuddy*, Doris*, Elattar*, Forde*, Hughes*, McFlynn*, S McGuigan*, McKinney, McLean*, S McPeake*, Molloy*, Totten*

Officers in Attendance

Mr McCreesh, Chief Executive
Mrs Canavan, Director of Organisational Development
Mr Kelso**, Director of Public Health & Infrastructure
Ms Mezza**, Head of Marketing
Mr Browne**, Head of Tourism
Mr Moffett**, Head of Democratic Services
Mr O'Hagan, Head of ICT
Mr JJ Tohill**, Director of Finance
Mrs Grogan, Democratic Services Officer

* Denotes members present in remote attendance

** Denotes Officers present by remote means

*** Denotes Others present by remote means

The meeting commenced at 7 pm.

The Chair, Councillor Quinn welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor Quinn in introducing the meeting detailed the operational arrangements for transacting the business of the committee in the chamber and by virtual means, by referring to Annex A to this minute.

PR025/21 Apologies

Councillor Gildernew.

PR026/21 Declarations of Interest

None.

PR027/21 Chair's Business

The Chair advised that report on Tender report for Microsoft Licensing Tender Award Revision would be raised in Confidential Business.

Matters for Decision

PR028/21 Localised Introduction Procedures & Probationary Policy for Mid Ulster District Council

The Head of Organisational Development presented previously circulated report and sought Members approval of new standardised procedures re: Localised Induction & new Probationary Policy developed for Mid Ulster District Council. This Policy is to provide a standardised approach across Council for inducting new employees and carrying out reviews during their initial six month probationary period.

Proposed by Councillor S McGuigan
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to approve the Localised Induction Procedures & Probationary Policy for Mid Ulster District Council.

Councillor McLean welcomed the agreement and said that it was a very good set up for either people who were off for a longer term period or for new staff to be made welcome and was au fait with the workings of the system and should be something for businesses to embrace.

PR029/21 Request(s) to Illuminate Council Property – February 2021

The Head of Democratic Services presented previously circulated report which sought permission to illuminate/light up the Council's three designated properties to raise awareness and mark:

- National Heart Month (NI Chest Heart & Stroke) - the week commencing Monday 15th February to Sunday 21st February for National Heart Month – the colour red.

Councillor McLean said that he would be happy to propose the recommendation as it was for a good cause and extremely important to a lot of people and good to see the Council being supportive of it.

Councillor McKinney stated that he would be happy to support the recommendation as it was a very worthwhile charity. He said that charities were under much need at present and hoped that the Council could highlight what was taking place within the district.

Proposed by Councillor McLean
Seconded by Councillor McKinney and

Resolved That it be recommended to Council that approval be given to illuminate/light up the Council's three designated properties to raise awareness of National Heart Month (NI Chest Heart & Stroke) - week commencing Monday 15th February to Sunday 21st February for National Heart Month – the colour red.

PR030/21 Sperrins Sculpture Trail Update

Head of Tourism presented previously circulated report to provide Members with an update on progress in relation to the Sperrins Sculpture Trail project. Approval was sought to accept a Letter of Offer from DAERA through its Rural Tourism Scheme for funding towards Phase 2 of the Sculpture Trail project, i.e. capital delivery, together with approval of the Council's financial contribution.

Councillor Doris said that she would be happy to propose the recommendation as a lot of work had been put into it.

Councillor McFlynn said that it was important to support the initiative and would be happy to second the proposal.

Councillor McLean stated that as it had already been clarified previously that the funding was already ring-fenced within our Capital budget and set aside, he would be happy to support the officer recommendation.

Councillor Cuddy said that it was good to see external funding coming through for such projects and enquired if this was just for one sculpture at Davagh Forest or were there any other sculptures being considered for other areas.

The Head of Tourism advised that there was one sculpture being installed at Davagh Forest and as the report detailed there were two other sculptures in two other district Council areas all of which will make a collective sculpture trail within the Sperrins.

Councillor Cuddy felt that it would be a significant sculpture for the amount of funding and would be looking forward to seeing it as art does cost.

The Chair advised that art may cost but it always gave money back.

Councillor McKinney said that when he read the report he was wondering why it was only for one sculpture under this capital spend at Davagh Forest and being at the location within the last few weeks it would be hard to see how this amount of money could be drawn back as getting to Davagh Forest was an expedition on its own. He said that he would like to see other areas being investigated for future projects as there was quite a lot of things happening in the Sperrins, but the network of getting to Davagh was still a major problem and felt that it was a lot of money for just one sculpture and may be hard to see the financial benefit at this stage.

The Chief Executive agreed that it was a lot of money and as the Head of Tourism outlined it was a three Council programme that was funded and developed principally through DAERA for a one sculpture in each area but in this instance because of the work that occurred in Davagh, it was the logical place in that part of the Sperrins, Omagh would be focussing on the Gortin Glens and Derry City would be looking at another located site.

Councillor Cuddy agreed that the Sperrins was a great asset and with Councillor McKinney's comments regarding access which may be a challenge in the future especially the more popular the site gets. He raised concern regarding other areas

within Mid Ulster district especially the Clogher Valley from the Ballygawley roundabout to Fivemiletown, a valley which has so much history and disappointing to see that this area hadn't availed from any investment from this Council apart from Blessingbourne Estate. In said that in the former Dungannon & South Tyrone Borough Council members were embarrassed of it being overlooked time and time again which was a shame due to the natural beauty of the area and agreed that the Sperrins had easy access and a good road through it, but Clogher Valley carries a lot of tourists coming from airports and ferries heading down to areas like Donegal and it was a shame that this new Council never tapped into it either.

Councillor Elattar advised that Davagh was close to where she lived and was very happy to see the whole project going ahead including the new sculpture and took on board what other members had said about the difficulty around access at Davagh, but felt that projects cannot be turned down in a specular area because of inadequate infrastructure and it may be worthwhile lobbying to get better infrastructure in the Sperrins areas. She felt that it was a very exciting project as there were lots of people going up to Davagh, especially when the weather gets a lot better people will be going up to use the facilities and would welcome it.

Councillor McFlynn felt that the whole beauty of the Sperrins were the narrow and backward roads and wouldn't want to see large roads being enhanced too much as it would take away its natural beauty.

The Chair advised that Mid Ulster District Council were fortunate that it had a huge rural area and would be exciting to see the forthcoming development over the next few years and commended Officers for sourcing and bringing forward investment to develop certain areas.

Proposed by Councillor Doris
Seconded by Councillor McFlynn and

Resolved That it be recommended to Council to note the report and, subject to the Development Committee adopting the recommendations at its next meet on 11/2/2021, recommends that the Council:

- (1) Authorise the release of the match funding required, being £142,234.34 (25% of the tender cost of the Mid Ulster District Council element of the project) to be expended between the 2020/21 and 2021/22 financial years in accordance with the progression of the project works, the funds having been previously included within the Council's Capital Programme.
- (2) Authorise the officers to fund the relevant professional fees amounting to £13,050 from the Tourism & Culture and Arts 2020/21 budgets.

- (3) Instructs its officers to review the current capital budget and implement such steps as are necessary to ensure that all capital costs associated with capital projects, including legal and other associated costs, are properly incurred and funded from the relevant capital project budget.

PR031/21 Member Services

No issues.

Matters for Information

PR032/20 Minutes of Policy and Resources Committee held on 13 January 2021

Members noted Policy and Resources Committee Minutes of Meeting held on 13 January 2021.

PR033/20 Performance Improvement: Nine Month Update (Q1-Q3) 2020-2021

Members noted update which provided Members with monitoring information on the review of performance against our seven statutory and three corporate performance improvement indicators and standards, along with an overview of the Corporate Health Indicators for the first nine months of 2020/21.

Live broadcast ended at 7.16 pm.

Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Doris
Seconded by Councillor Molloy 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 Member consider items PR034/21 to PR042/21.

Matters for Decision

PR034/21 Rate Estimates 2021/22
PR035/21 Staff Matters for Decision

Matters for Information

PR027/21 Chair's Business (Continued)
PR036/21 Confidential Minutes of Policy & Resources Committee Meeting held on 13 January 2021
PR037/21 Managing Attendance
PR038/21 Staff Matters for Information
PR039/21 Staff Issues – Furlough

PR040/21 Contracts and DAC
PR041/21 Financial Report for 9 months ended 31 December 2020
PR042/21 Miscellaneous Matters

PR042/21 Duration of Meeting

The meeting commenced at 7 pm and concluded at 8.40 pm.

Chair _____

Date _____

Report on	Processing and Transacting Confidential Business - Update
Date of Meeting	Thursday 4 th March 2021
Reporting Officer	Philip Moffett, Head of Democratic Services
Contact Officer	Philip Moffett, Head of Democratic Services

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

1.0	Purpose of Report
1.1	The paper has been prepared to provide members with background and an overview on the approach taken by Council on processing and transacting confidential business through its committee and council meetings.
2.0	Background
2.1	At the January meeting of Council a number of members remarked upon an incident whereby it was made known to them that an item that was discussed in confidential business at a Planning Committee meeting, had appeared on a social media platform. The members expressed concern at the incident and that it appeared to be now a regular occurrence.
2.2	It was agreed that the matter be deferred to Policy & Resources Committee for reflection and to receive an update on current practice and ways of eliminating such instances be explored/considered.
2.3	The following provides an overview on (i) the rationale for and foundation for confidential business, (ii) the council's arrangements on processing confidential business and (iii) committee business practice to manage its distribution.
3.0	Main Report
	Rationale for Confidential Business
3.1	There are times when any organisation, the council included, needs to discuss and consider an issue in confidence before it is naturally actioned and becomes a decision for implementation. Such issues are primarily around personnel matters, finances of the council, procurement exercises and in some cases areas of policy development to allow space to tease out legal matters.
3.2	Transacting business in confidence is allowed for under Schedule 6 of the 2014 Local Government (NI) Act where is lists different types of information that can be classified as exempt information. These are: <ul style="list-style-type: none"> <i>Information relating to any individual</i> <i>Information which is likely to reveal the identity of an individual</i>

	<ul style="list-style-type: none"> • <i>information relating to the financial or business affairs of any particular person (including the council holding that information)</i> • <i>Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the council or a government department and employees of, or office holders under, the council</i> • <i>Information in relation to which a claim to legal professional privilege could be maintained in legal proceedings</i> • <i>Information which reveal as that the council proposes:</i> <ul style="list-style-type: none"> ○ <i>to give under any statutory provision a notice by virtue of which requirements are imposed on a person; or</i> ○ <i>to make an order or direction under any statutory provision</i> • <i>Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</i> <p>Refer to appendix A.</p>
3.3.	<p>Where it is determined that the subject of the business being transacted or part of the report up for consideration contains information that fall within one or more of the above categories of exempt information then it can be taken in confidential business. This is a determination made by the reporting officer/report author and authorised/checked by the relevant Director. Council management takes the approach that reports taken in confidential business are by exception only and they must align with at least one of the above exempt categories from the 2014 Local Government Act.</p> <p>Arrangements on Processing Confidential Business</p>
3.4	<p>Papers taken in confidential business are by exception only. However, when it is, the reporting officer/report author is required to select the relevant category within the report template from the list shown at 3.2 above. The categories appear on the report template. The relevant Director subsequently reviews reports who will validate whether or not it should be in confidential business, before been passed to Democratic Services for final processing.</p>
3.5	<p>All reports considered in confidential business appear in a separate minute to the business taken in open business.</p> <p>Business practice to Manage Distribution of Confidential Reports/Documents</p>
3.6	<p>Committee Services use a number of business practices as part of the administration and management of council/committee meetings to ensure only those who need to see confidential business have access to it. These mitigating practices include:</p> <ul style="list-style-type: none"> • The CMIS system (Committee Management Information System) has a series of security levels for different types of users who access our papers i.e. <ul style="list-style-type: none"> ○ All councillors have access to all council and committee papers

	<ul style="list-style-type: none"> ○ All senior council officers have access to all council and committee papers, except for Audit Committee which has restricted access to limited officers only ○ Departmental Business Managers who support Directors have restricted access to committee papers and only to those committees which their department reports into ○ Other Council Officers do not have access to any council/committee confidential business and reports ○ Should an officer need access to a report taken in confidential business they must request it from their Department's Business Manager with Director approval ○ Approval is required from the Chief Exec. to be permit anyone to access confidential business <ul style="list-style-type: none"> • Committee Services issue all council/committee via the CMIS system • The security level set against each user of the system determines what, if any, confidential business they can access and view • The office has discontinued the general practice of emailing and copying off meetings papers. This is by exception only. • Meeting papers accessible from the MyCMIS App cannot emailed or printed from it
3.7	<p>There are robust processes in place to manage access to and circulation of council/committee papers to only those who are entitled to view them. We routinely monitor the number of users on the system with users being removed when they leave the council.</p> <p>Maintaining Confidentiality and the Code of Conduct</p>
3.8	<p>Councillors are expected to treat as confidential all confidential papers/report that they receive in the course of council business unless they are made public by law, or by the Council's express or implied consent. The Code of Conduct for Councillors (2014) provides that a member must not:</p> <ul style="list-style-type: none"> • <i>Disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent or unless required to do so by law.</i>
3.9	<p>In short, confidential papers, reports and minutes should remain confidential unless the Council has given authority to make them public. The Council at its establishment in 2015 also signed up to a Media Protocol around liaison and interaction between council, councillors and the press/media.</p>

3.10	<p>Strengthening our Processes</p> <p>We will continue to build resilience into our processes to minimise as much as possible opportunities for confidential business being passed to sources who do not have requisite permission to view it. To add robustness we are currently reviewing:</p> <ul style="list-style-type: none"> • If confidential papers, reports or minutes can be restricted from being printed, downloaded or emailed once accessed/opened from our website after logging in • Options on how minutes of meetings in open business and confidential business are recorded
4.0	Other Considerations
4.1	<p>Financial, Human Resources & Risk Implications</p> <p>Financial: not applicable</p> <p>Human: not applicable</p> <p>Risk Management: The issue of maintaining in confidence matters taken through council/committee in confidential business continues to be monitored by Democratic Services and new practice employed to control access to and circulation of it to avoid any reputational damage to the Council.</p>
4.2	<p>Screening & Impact Assessments</p> <p>Equality & Good Relations Implications: Not applicable</p> <p>Rural Needs Implications: Not applicable</p>
5.0	Recommendation(s)
5.1	<p>That members' review and consider the contents of the report on the council's current practice on processing and transacting confidential business.</p>
6.0	Documents Attached & References
	<p>Appendix A – extract of Local Government (NI) 2014 on Exempt Information</p>

SCH. 5

have the same meanings as in the Electoral Law Act (Northern Ireland) 1962; and “election” is to be construed in accordance with the definition of “elected” in the Local Government Act (Northern Ireland) 1972.

SCHEDULE 6

Section 51.

ACCESS TO INFORMATION: EXEMPT INFORMATION

PART 1

DESCRIPTIONS OF EXEMPT INFORMATION

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the council holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the council or a government department and employees of, or office holders under, the council.
5. Information in relation to which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the council proposes—
 - (a) to give under any statutory provision a notice by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any statutory provision.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

PART 2

QUALIFICATIONS

8. Information falling within paragraph 3 is not exempt information by virtue of that paragraph if it is required to be registered under—
 - (a) the Industrial and Provident Societies Act (Northern Ireland) 1969;
 - (b) the Friendly Societies Act 1974;
 - (c) the Credit Unions (Northern Ireland) Order 1985;
 - (d) the Building Societies Act 1986;
 - (e) the Friendly Societies Act 1992;
 - (f) the Companies Acts (as defined in section 2 of the Companies Act 2006);
 - (g) the Charities Act (Northern Ireland) 2008.
9. Information which—
 - (a) falls within any of paragraphs 1 to 7; and
 - (b) is not prevented from being exempt by virtue of paragraph 8,

Report on	NILGA Draft Response - Programme for Government
Date of Meeting	Thursday 4 th March 2021
Reporting Officer	P Moffett, Head of Democratic Services
Contact Officer	P Moffett, Head of Democratic Services

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

1.0	Purpose of Report
1.1	To provide members with a copy of the Northern Ireland Local Government Association (NILGA) draft response to the Northern Ireland Executive's consultation on a Draft Outcomes Framework for the forthcoming Programme for Government.
2.0	Background
2.1	The Chair of the Reform, Devolution, and Improvement Policy & Learning Network of NILGA (Cllr Glasgow) has corresponded with the Chief Executive providing a copy of a draft response on the NI Executive's Draft Outcomes Framework for the forthcoming Programme for Government, currently open for consultation.
2.2	A Programme for Government focuses on achieving wellbeing for all and centres around nine outcomes aimed at making a real and positive difference to the lives of the people of Northern Ireland. The consultation closes on 22 March 2021.
3.0	Main Report
3.1	<p>The consultation document is structured around a framework of nine outcomes, setting the priorities for and presenting a picture of the kind of society envisaged for Northern Ireland. These are:</p> <ul style="list-style-type: none"> • Our children and young people have the best start in life • We live and work sustainably – protecting the environment • We have an equal and inclusive society where everyone is valued/ treated with respect • We all enjoy healthy active lives • Everyone can reach their potential • Our economy is globally competitive, regionally balanced, and carbon-neutral • Everyone feels safe – we all respect the law and each other • We have a caring society that supports people throughout their lives • People want to live, work, and visit here
3.2	The Draft response prepared by NILGA is attached as appendix B to this report.
4.0	Other Considerations
4.1	Financial, Human Resources & Risk Implications

	Financial: not applicable
	Human: not applicable
	Risk Management: not applicable
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: not applicable
	Rural Needs Implications: not applicable
5.0	Recommendation(s)
5.1	That members note the draft response prepared by NILGA on the Northern Ireland Executive's consultation on the development of a Strategic Programme for Government
6.0	Documents Attached & References
	Appendix A: Correspondence Chair of Reform, Devolution & Improvement Policy (NILGA) Appendix B: NILGA draft Response

Mr Adrian McCreesh
Chief Executive
Mid Ulster District Council
Council Offices
Circular Road
DUNGANNON
BT71 6DT

25th February 2021

Dear Adrian,

Programme for Government – NILGA Draft Response

I am writing to Council as Chair of the Reform, Devolution, and Improvement (RDI) Network co-ordinated by NILGA with support from all councils and SOLACE.

As you may be aware, the RDI Network held a consultative meeting on Monday 22nd February 2021, where we hosted representatives from the Executive Office (TEO) on the new Programme for Government framework - currently out for consultation.

There were representatives from the 11 councils in attendance at member and officer level and the attached draft in response to the PfG framework is enclosed. This is a regional response designed to emphasise local government's collective view on what needs to change through the PfG. It has been developed with initial comments, offers and asks from most councils, thus far.

NILGA asks that this draft response is distributed through a council standing committee or Full Council, and to senior council policy staff, for feedback / support. I appreciate that the meetings cycle in Council means feedback is retrospectively approved on occasions.

For information this draft, with any amendments/comments from your council, via s.little@nilga.org will be finalised & approved by NILGA by the closing date of Monday 22nd March 2021.

Thank you for your co-operation and support in this matter of great importance for councils and our local communities.

Yours sincerely,



CLlr Mark Glasgow
Chair of the Reform, Devolution and Improvement Policy and Learning Network
NILGA

Enc. PfG Initial Response

Draft NILGA response to the Consultation on a Draft Outcomes Framework for the Programme for Government (NI)

25th February 2021

The following paper has been drafted in response to the Executive Office (TEO) consultation on a Draft Outcomes Framework for the forthcoming Programme for Government.

The draft response is regional in emphases, recognising that individual councils will have local and strategic priorities and recognises that meeting cycles of approval within councils plus tight consultation deadlines prevent full alignment across our sector in advance.

This was presented and developed by NILGA's all council Reform, Devolution, and Improvement Network on 22nd February 2021, for onward distribution to councils, SOLACE and NILGA's Executive through to the PfG response deadline of 22nd March 2021. It is therefore aimed to be a regional submission endorsed by the Association and the Society.

NB: Responses and alignment by councils are already well underway to this but further feedback within timescales by any council is welcomed via s.little@nilga.org

The consultation document is structured around a framework of nine outcomes, setting the priorities for and presenting a picture of the kind of society we would like to be. These are:

- *Our children and young people have the best start in life
- *We live and work sustainably – protecting the environment
- *We have an equal and inclusive society where everyone is valued and treated with respect
- *We all enjoy healthy active lives
- *Everyone can reach their potential
- *Our economy is globally competitive, regionally balanced, and carbon-neutral
- *Everyone feels safe – we all respect the law and each other
- *We have a caring society that supports people throughout their lives
- *People want to live, work, and visit here

However, NILGA has positioned key offers and asks of the councils in this response, rather than just simply responding to the framework questions provided.

A response to this consultation is required by 22nd March 2021, but this date is only the first step in what will be a longer-term material involvement / policy development process by councils and NILGA.

Derek McCallan, Chief Executive, 24th February 2021

1.0 INTRODUCTION

NILGA, the Northern Ireland Local Government Association, is the constituted, representative body for district councils in Northern Ireland. NILGA represents and promotes the interests of the 11 Northern Ireland district councils; its membership is drawn from councillors and its work is informed fully by senior officers. The Association welcomes the opportunity to participate in the discussion around the Programme for Government for Northern Ireland. We trust that the views outlined below which have also been considered by councils and supported by SOLACE, will be applied as policy is developed and finalised, in collaboration with local government, beyond this submission deadline.

2.0 SUMMARY & INITIAL COMMENTS

NILGA welcomes this consultation but at the outset strongly asserts that for any Programme for Government to work, and for sustainable recovery from (in this case the pandemic) and major global disruption, ***localised investment, via better resourced Councils***, is key.

Government at all levels can move from a transactional approach to a relational approach, from effort to impact, devolving power and resources and in so doing, embed trust, adopting a genuinely radical shift in focus, and apply the greater localisation of the public purse to produce the better health, life satisfaction and happiness as espoused in the PfG framework.

The response to the pandemic has gained a very clear appreciation that local councils are the means to develop regional and national policy and investment, drawing in community-based knowledge and solutions and applying this effectively. The PfG framework for councils must go way beyond being invited to engagement exercises, road shows & implementation events, then implementing central policy. Developing a culture of communication and policy design as equal partners in existing structures, would be a positive start, which when it happens is readily welcomed.

Local government must therefore have a design, delivery, measurement and scrutiny role throughout, with both NILGA and SOLACE convening the appropriate corporate and technical input ***inclusive of all councils***. That is the norm, in practice, elsewhere and should be applied in NI immediately, through instruments like the NI Partnership Panel. Community Planning should also be fully recognised as a delivery vehicle, with the proviso that councils should be the hubs of cross departmental, central – local, investment in each Plan's priorities, which are locality & citizen led – like the PfG framework purports to be.

For the PfG to be delivered thoroughly, and effectively, noting councils desire and capacity to be practical and political partners, Regeneration Powers should be legislatively enabled in this Assembly's mandate. This too, would be a means by which the PfG framework would be improved, through ***localised investment, via better resourced Councils***.

This response provides commentary on the draft outcomes and key priorities (at 3.0), context in terms of the essential collaborative delivery partnership with local government (at 4.0), and critique in terms of the limitations of OBA and potential for improved delivery (at 5.0).

This response like the consultation itself, is provided during a time of extreme stress to the economy and society as a whole, in Northern Ireland and across the globe. This massive shock to the system will have implications for future decisions and investment. Some of the changes will be fleeting and will revert to 'normal' once the danger from the virus has receded, some changes will be longer term, and some will be permanent.

NILGA asserts that there are some certainties upon which we can build, such as building a new economy, health prioritisation and the need to decarbonise. These certainties should be localised and the hub role of councils fully recognised and resourced.

An additional key feature is the UK's departure from the EU and the complexities particular to Northern Ireland. NILGA's commissioned work (due at the start of April 2021) on EU exit, and local government / community impacts, will be supplementary information provided beyond this deadline, summarily in respect of PfG and other linked consultations such as ISNI.

NILGA welcomes the intent to work more closely with councils and with other partners outside the nine government departments. This intent, in itself, brings the need to consider ***what constitutes effective partnership and accountability***, detailed later in this response. NILGA asserts that working in real partnership with local government must and will make a big difference - where most people locally need and see the benefits most. We trust that a contemporary, strengthened approach to partnership can be taken, building on the knowledge and experience developed through delivery of the current PfG and the clear success in a collaborative central-local approach which came to the fore in dealing with the pandemic.

The PfG apart from being strategic and overarching should be utilised as a statutory change tool, in terms of flexible, thorough, appropriate, investment and measurement, as is the case for example in New Zealand. In this way alone, the PfG would be ground breaking. It needs to be.

NILGA provides an Executive for all councils and as such presents an important axis for the NI Executive itself, including on design, delivery and scrutiny of the emerging PfG.

3.0 COMMENTARY ON KEY SECTIONS OF THE DRAFT OUTCOMES FRAMEWORK CONSULTATION DOCUMENT

- **CONSULTATION INTRODUCTION**

NILGA, at the time, welcomed the key points made in the New Decade New Approach (NDNA) document, and in particular the resolve to develop the Programme for Government through better local engagement and co-design. We agree with the Executive's aspiration that the Programme should recognise and proactively respond to the dependencies and interconnections in public policy and that it should focus on the things that matter most to people.

NILGA views this draft Framework of nine Outcomes, as a critical first step. We are keen to assist in the Framework's development towards an ambitious and effective vision for the future, and are acutely aware that getting this right is key to everything that flows from it:

- Knowing how to measure success and where, as a society we currently are (baseline),
- Identifying partners who together can help achieve transformational improvements, and
- Learning and understanding what works well and what does not.

The Framework sets out draft wording for the Outcomes and incorporates some early thinking around what the key priority areas might be under each Outcome. NILGA concurs with the Department, in that it will be crucially important to get the wording (and **clear adherence** by all departments / partner bodies of this wording) of the Outcomes right, as they will provide the starting point for long-term strategic planning by the Executive, fully involving local government in strategies and actions moving forward.

NILGA strongly believes that a full review of competencies in our public sector is required as a priority, to match outcomes and impacts with fully qualified, suitably commissioned (e.g., from other sectors), trained/ re-trained and motivated personnel across the delivery teams. Modern capacity and competencies are crucial, and the co-ordination & delivery bodies must be in possession of both.

We welcome the learning from the pandemic that is in evidence throughout the document and the emphasis on "working collaboratively with those who have the skills, knowledge and expertise to bring about positive change and to get things done". This collaboration should also include resourcing. NILGA asserts that local government is well placed to collaborate with wider government on this basis, with the proviso that collaborative resourcing must follow – such as in regard to the 11 Community Plans, being very strong knowledge banks for what is needed across NI, as well as engines for growth, social cohesion and environmental custody. ***The PfG must formally recognise and resource their value.***

NILGA reasserts that councils are a partner *in* not for government, locally as authorities and convenors, and regionally through NILGA itself, within the public sector, rather than categorised within civic society.

Council-led Community Planning Partnerships, as above mentioned, are a mechanism presently under exploited and under resourced, furthermore our City and Growth deals are mentioned several times in the document (although without mention of councils as a delivery lead). Councils should be more explicitly referenced as wording is vital to leadership, and local leadership is vital to the emerging PfG. This is of course commonplace in neighbouring jurisdictions so is not an exceptional “ask” but rather a significant “offer”.

NILGA supports the principles behind using an outcomes-based approach and the link with the UN Sustainable Development Goals, and it welcomes the international approach to performance improvement brought by use of the SDGs. We also support the new PfG being a ‘living’ document, responsive to developing need for change and improvement, and trust that with additional consultation that ways to develop local government’s contribution to PfG, and councils’ sustainability, will be full and clear. As such, processes and criteria related to adapting the PfG and investing in it, must be modernised and proofed against adverse change, such as long-term emergencies, medical, climate, economic or otherwise, and collapse of institutions such as Stormont.

Supporting Strategies

NILGA will be offering comment as to inclusion of relevant policy and strategy under the nine outcomes, however it is highlighted that there are a number of ‘core’ strategic documents fundamental to supporting the Programme for Government, including the Investment Strategy, Economy Strategy and Anti-poverty/Social Strategy. NILGA welcomes the recognition of climate change as a key issue and is of the view that a Carbon Budget should now be made a core component of this suite of strategies, given the renewed focus on climate action expressed in the NDNA document, development of a Climate Change Bill notwithstanding.

- **OUR CHILDREN AND YOUNG PEOPLE HAVE THE BEST START IN LIFE**

Although we note that pathways to employment are dealt with under the “everyone can reach their potential” outcome, NILGA would be keen to see inclusion of some wording here, similar to *“We want to ensure all our children and young people have access to the high-quality education they all deserve and are equipped with the skills to help them make the best life choices and to access employment opportunities.”*

Key Priority Areas

NILGA is largely content with the Key Priority Areas as expressed but would be keen to see acknowledgement of the role of youth work within the document, particularly in relation to the “Capability and Resilience” heading.

- **WE LIVE AND WORK SUSTAINABLY – PROTECTING THE ENVIRONMENT**

NILGA strongly welcomes the recognition of climate change as a key issue and is largely content with this section of the document.

Key Priority Areas

Although we strongly support the Circular Economy Strategy’s inclusion in the list of supporting strategies, we believe that more could be made of the role of the Department for Economy in relation to reuse and reprocessing of materials under the ‘waste management’ priority.

We would recommend that there is a pressing need to include an ammonia strategy in the strategy list, potentially adding action on ammonia and clean air – with resources given to those best placed to act on this priority.

We also note the need to review and contemporise the now out of date biodiversity strategy, so welcome the inclusion of biodiversity under the ‘natural environment’ priority.

- **WE HAVE AN EQUAL AND INCLUSIVE SOCIETY WHERE EVERYONE IS VALUED AND TREATED WITH RESPECT**

NILGA is largely content with this section of the document, with the identified priorities and with the list of supporting strategies.

- **WE ALL ENJOY LONG, HEALTHY, ACTIVE LIVES**

NILGA is largely content with this section of the document and with the list of supporting strategies.

Key Priority Areas

NILGA agrees with the Key Priority Areas as listed, but also notes the importance of outdoor activity, for the enhancement of mental and emotional wellbeing. This aspect could be drawn out more in the document as it is also noted that ‘access to open space’ is not included as a priority under any of the outcomes. The recent pandemic experience would indicate that this is a greater priority than previously thought.

- **EVERYONE CAN REACH THEIR POTENTIAL**

NILGA is largely content with this section of the document and with the list of supporting strategies. The strong link with the “Our children and young people have the best start in life” outcome is noted.

Key Priorities

In terms of the ‘Better Jobs’ priority, NILGA would suggest that introducing entrepreneurship at an early stage in the education curriculum should be included within this priority since it has the capacity to inspire young people to take their future into their own hands. In addition, providing adequate childcare would be one step towards addressing economic inactivity.

The ‘Skills & Attainment’ priority must address the under supply of mid & high-level tier skills, particularly since the pandemic has reinforced this skills challenge. We welcome the support for vocational pathways and apprenticeships, which must have parity of esteem with academic qualifications, particularly to ensure inclusive workplaces.

NILGA would query the ‘Sports, Arts & Culture’ priority as described in the document. We welcome the inclusion of support for the creative industries and delivery for the arts, cultural and language sectors, but there is no mention of sport under this heading, nor any inclusion of sport in the supporting strategy list. We note the importance of physical activity within “We enjoy long, healthy active lives” outcome and the inclusion of the Sport and Physical Activity Strategy in that section of the document, so the inclusion of sport here may have been an oversight. As a key investor in the sport and leisure sector, councils would support inclusion of sport (as an industry) under this outcome.

- **OUR ECONOMY IS GLOBALLY COMPETITIVE, REGIONALLY BALANCED AND CARBON-NEUTRAL**

NILGA is largely content with the identified priorities and with the list of supporting strategies.

We welcome the inclusion of sustainability as a principle for our economy within this outcome. It is now critically important for Northern Ireland to work towards carbon neutrality and to grow rapidly, the number of ‘green’ jobs and skills that will be necessary to achieve this.

NILGA welcomes the intent to ensure our food production is sustainable but has concerns in relation to the mechanisms to be used for increasing productivity, which could include increased intensification of livestock farming, thereby posing further risks to the environment. This will be a difficult dichotomy to address and efforts by many in the farming community to address carbon reduction which in turn makes our soil more fertile for crops, must be supported.

NILGA asserts that a radical re-think of food production to minimise imports, improve labelling, reduce food miles and instil further investment and pride in purchasing high quality, seasonal, local, Northern Ireland produce is critical to strategies and priorities.

Key Priorities

NILGA suggests that within the 'Competing Globally' priority, that rather than simply dealing with the outworking of the EU Exit Protocol, there is an opportunity to maximise the benefits of Northern Ireland's situation & unique status. A revised International Relations Strategy must be brought forward to enable full attainment of this priority.

NILGA welcomes the 'Green Economy' heading but we believe this section could be expanded to include mention of increasing the number of 'green jobs' and support for existing and start-up circular economy businesses. Incentivising industry to innovate should also be a focus of this priority.

In terms of the innovation priority, NILGA would suggest that forging links between industry, universities and colleges will be a critical success factor.

The Association is keen to see reduction as above mentioned, in 'food miles' associated with local food production and consumption, and therefore strongly welcomes the mention of 'improving resilience and supply chain integration' under the 'Food, Farming and Fishing' priority. Councils are already playing a successful role in this and this should be developed.

- **EVERYONE FEELS SAFE – WE ALL RESPECT THE LAW AND EACH OTHER**

NILGA supports this section of the document, with the identified priorities and with the list of supporting strategies; we recognise the strong links to the 'equal and inclusive society' outcome.

- **WE HAVE A CARING SOCIETY THAT SUPPORTS PEOPLE THROUGHOUT THEIR LIVES**

NILGA is supportive of this section of the document, with the identified priorities and with the list of supporting strategies; we again recognise the strong links to the 'equal and inclusive society' outcome.

- **PEOPLE WANT TO LIVE, WORK AND VISIT HERE**

NILGA is largely content with this section of the document, with the identified priorities and with the list of supporting strategies. We particularly welcome the recognition of the impact the pandemic and the UK's departure from the EU have had and continue to have on life here for some years to come. However, NILGA would recommend that greater priority should be given

to the tourism industry locally, through councils, in light of the impact the pandemic has had on the sector.

Key Priority Areas

We support the Executive in its aims to meet international environment standards and to build societal respect, recognising the importance this can have for attracting foreign investors.

We would assert that the 'Competing Globally' priority must ensure that medium and high skilled jobs are created in Northern Ireland, and that efforts must be made to ensure we optimise the potential for Northern Ireland from our inclusion in the European Single Market for goods.

In addition to digital access, encouraging investment in new technologies, processes and systems; and upskilling in digital technology must be a focus of the 'Growth' priority.

4.0 DELIVERY – BUILDING A 'PARTNERSHIP OF EQUALS' WITH COUNCILS

NILGA welcomes the approach the Executive is taking to developing a long term, multi-year strategic Programme for Government (PfG), that is:

- Developed through engagement and co-design, using an Outcomes-Based Approach,
- Focussed on prosperity and wellbeing for all,
- Establishing a shared and ambitious strategic vision for the future,
- Providing for accountable and transparent monitoring and reporting arrangements.

NILGA wishes to fully develop the recognition of the need to proactively respond to the dependencies that exist between different strands of public policy – based on the things that matter most to people (health, happiness and life satisfaction).

NILGA asserts that a fundamental transformation of societal development progress and public service improvement in the areas that matter most to people requires a radical shift in focus from ***"effort" to "impact"***. Delivering impact requires a whole societal approach, in which local government must be an equal partner, with the Assembly and with citizens' organisations throughout Northern Ireland. ***Both the need for this and its potential for achievement have been illustrated during the current pandemic context at a previously unheard-of pace.***

NILGA therefore requests that local government is fully involved in the development of cluster and cross cutting work associated with this draft PfG – in a partnership of equals with the nine government departments. An equal partnership of this type demands intense engagement in the development and agreement of the policies in the PfG and associated workplans, not simply invitations to engagement exercises, road shows, implementation events and similar activities.

NILGA fully supports the emergence of high level strategic and operational engagement between council Chief Executives and other Senior Officers of councils, with Permanent Secretaries and other senior Civil Servants as part of the previous draft Programme for Government implementation and the subsequent alignment with local government community plans. It is to be regretted that such meaningful collaborative structures had to be scaled back when the Assembly collapsed, just as they were getting into their stride. NILGA urges the Executive Office, with SOLACE, to reinforce and reform – aligned to new PfG, post-Covid determinants – such engagement with strategic personnel in councils and all SROs, to enable integration, joint design of measurement and performance indicators as well as appropriate, proportionate, audit requirements as befits the draft PfG and the Outcomes Based Approach.

While the present (approximately) 95%/5% split between central and local government spend gives central government dominance in budget terms, the implementation of its policies depends greatly on willing and creative implementation at local level, so that the responsibility for the outcomes to be achieved is much more equally shared. So, too, should proportionate resources, with the current ratio being untenable and not an enabling model for PfG to be locally embedded.

Additionally, such work should be ***politically and democratically scrutinised and directed***, utilising existing statutory instruments; in particular, the Partnership Panel for N. Ireland, involving NILGA / council elected members, is crucial to ***leadership of and institutional investment*** in this transformed PfG.

NILGA's all council Executive, and Reform, Devolution and Improvement Policy & Learning Network should be utilised to enable political, corporate integration and shared communication, aligned to the work advocated above, between Perm Secs and Council Chiefs.

NILGA will also seek to engage regularly with the TEO Committee to enable review, scrutiny and performance discussions and significantly with all Ministers.

5.0 PATHWAYS TO OUTCOMES

Outcomes - Based Approaches

This part of our response will focus on the Outcomes-Based approach and will consider the challenges associated with ensuring coherence and alignment between outcomes and indicators, and potential ways of addressing these challenges.

It is widely accepted that population outcomes, such as the nine drafted in this consultation, are broad and aspirational, with more definition being provided by the indicators chosen to represent progress towards them. However, as discussed in NIAR 362-2020¹ while the indicators currently selected are relevant and valuable, when taken together they do not comprehensively capture progress towards the whole set of outcomes desired. It has to be recognised that indicators chosen for each outcome, valuable as they may be, will never precisely represent the full complexity and scope of that outcome. As discussed in NIAR 362-2020², there will always be a gap between an outcome and the indicator which represent it. However, the challenge is to ensure that this gap is kept as small as possible.

By way of example, NIAR 362-2020, considers Outcome 12 of the previous Outcomes Delivery Plan, 'We give our children and young people the best start in life.' This outcome, the paper explained does not provide any further detail. For instance, what is the upper age limit on 'young people'? What, definitively, constitutes the 'best start' for this population³?

The six indicators chosen to represent progress towards it are:

- % of babies born at low birth weight
- % of children at appropriate stage of development in immediate preschool year
- % of schools found to be good or better
- Gap between the percentage of Free School Meal eligible school leavers, and non-eligible school leavers, achieving at Level 2+ including English and Maths
- % school leavers achieving at Level 2 + including English and Maths
- % care leavers who, aged 19, were in education, training and employment

NILGA suggests that to overcome this gap between an outcome and the indicators that represent it, each of the population Outcomes in the draft Framework of Outcomes should be further

¹Northern Ireland Assembly Research and Library Services (Jan 2021) *Outcomes Based Accountability and the Programme for Government*.

² Ibid

³ Ibid

analysed to map the different pathways by which that outcome might be achieved. The technique of drawing up 'Pathways to Outcomes' is a methodology which has been used extensively both internationally (e.g., the 'logical frameworks' of the World Bank) and in the UK (e.g., the 'theory of change' models which have been given much attention in UK government evaluations (see Bovaird, 2012) ⁴.

NILGA respectfully asserts that traditionally there has been a focus on ***developing an analytical understanding of public service policy areas*** by breaking down or 'deconstructing' that policy area into the different parts of the underlying service system. Analysis is, of course, fundamental to understanding. However, it has severe limitations, and it is commendable that this is changing. A very different approach to understanding involves using synthesis, rather than just analysis. This requires building up to desired outcomes, not breaking down from those outcomes into lower-level activities; it involves 'constructing', not just 'deconstructing' – to gain an understanding of the whole system, not just of separate parts of the system. In measurement terms alone, this change in "what is successful?" has to be culturally embedded organisationally and learned for those applying the approach. Pathways to Outcomes represents a tried and tested technique incorporating both analysis and synthesis, enabling greater understanding of complex systems and therefore promoting coherence and alignment between outcomes and their indicators, at the higher level of policy, and the varied initiatives and interventions which constitute the practical levels of policy. NILGA welcomes the openness in the PfG framework to embrace different approaches to measurement.

A Pathways to Outcomes approach can help to reduce the gap between outcomes and the indicators chosen to demonstrate achievement of those outcomes. However, getting a better performance measurement system is not the whole story. If, as this draft PfG Framework of Outcomes suggests, the current role of the public sector in Northern Ireland is to improve wellbeing, as represented by the nine Outcomes proposed, then coherence and alignment in terms of action and impact are key. To do this, the architecture of the public service needs to be fully remodelled. ***Locality based modelling with councils as an axis between local people and wider policy & investment machinery***, is one tested means to that positive end.

⁴ Tony Bovaird (2012), "Attributing outcomes to social policy interventions – 'gold standard' or 'fool's gold' in public policy and management?" *Social Policy and Administration*, Vol. 48 (1): 1 – 23.

Understanding challenges by drawing up pathways to outcomes – a generic model

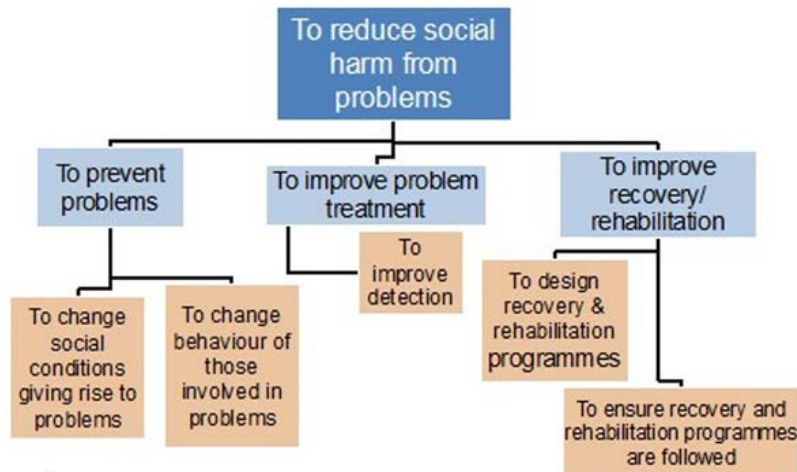


Figure 1:

The broad, aspirational nature of currently suggested Outcomes, together with the challenges posed by indicators which do not fully cover the aspirations embedded within those Outcomes, means we need to have an approach which recognises that we can never represent the full complexity and scope of each Outcome by **purely analytical** models. Therefore, the knowledge and the best efforts of all stakeholders can be incorporated into both the planning and implementation processes. This means achieving a ‘social’ approach to improving outcomes, beyond a ‘technical’ performance measurement approach, and it entails bringing in citizens and government’s partners. Without their experience and their ability to add to and see beyond the narrow analyses which emerge from performance measurement approaches, the Outcomes to which NI aspires are unlikely to be fully achieved. We look forward to further engagement with TEO, to discuss how this social process can be achieved more successfully in the future.

6.0 CONCLUSION

NILGA and councils are willing and able to work with wider government, business and the public to begin to meet the challenges outlined by the draft Outcomes Framework, and we look forward contributing to all further stages of drafting of the Programme for Government, and to its subsequent delivery and continued improvement.

NILGA requests that the outcomes of this consultation include material involvement by this Association, councils and wider local government in the actual PfG design, development and review, using the Association's Executive, wider membership and the Partnership Panel.

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