



12 January 2022

Dear Councillor

You are invited to attend a meeting of the Policy & Resources Committee to be held in The Chamber, Dungannon and by virtual means Council Offices, Circular Road, Dungannon, BT71 6DT on Wednesday, 12 January 2022 at 19:00 to transact the business noted below.

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

Yours faithfully

Adrian McCreesh  
Chief Executive

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## 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

### Matters for Decision

4. Request to Light Up Buildings 3 - 4

### Matters for Information

5. Policy and Resources Committee minutes of meeting held on 2 December 2021 5 - 14
6. Background: Syringes for Cuba/End the Blockade Campaign 15 - 18
7. Implementation of Motion Carried by Council May 2021 - Constitutional Change 19 - 22
8. Performance Improvement: Local Government Auditor's Audit & Assessment Report 2020-21 23 - 40

**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

9. Staffing Matters for Decision
10. Ballysaggart Lough Retaining Wall
11. Department for Communities: Call for Evidence on Remote/hybrid Meetings for Council
12. Committee Management System
13. 2022-2023 Rates Estimates Updates
14. Ann Street Update
15. Mid South West Growth Deal
16. Maghera Public Realm Scheme

Matters for Information

17. Policy and Resources Committee Confidential minutes of meeting held on 2 December 2021
18. Financial report for 8 months ended 30 November 2021
19. Contracts and DAC
20. Staffing Matters for Information
21. Update on Appointments to Senior Management Structure

<b>Report on</b>	Request(s) to Illuminate Council Property – 2022
<b>Date of Meeting</b>	12 January 2022
<b>Reporting Officer</b>	P Moffett, Assistant Director Organisational Development Strategy & Performance
<b>Contact Officer</b>	As above

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	<p>To consider requests received to illuminate/light up the Council's three designated properties to raise awareness of and mark;</p> <ul style="list-style-type: none"> <li>• Chest Heart &amp; Stroke: National Heart Month</li> <li>• Chartered Communications on behalf of St Vincent de Paul: Highlight the Charity</li> </ul> <p>Details on request received are set out below</p>
<b>2.0</b>	<b>Background</b>
2.1	The Council has a policy and procedural arrangements in place to facilitate the illuminating/lighting-up of its designated properties from requests made by charitable organisations for charitable causes. The designated properties are the Bridewell, the Burnavon and Ranfurly.
2.2	The policy confirms that requests are considered by the Council's Policy & Resources Committee. Should the scheduling of the committee not permit requests being considered within the timeframes to make a determination they can be presented to monthly Council.
<b>3.0</b>	<b>Main Report</b>
3.1	<p>Requests for consideration and recommendation by Committee:</p> <p>To illuminate the three designated properties on</p> <ol style="list-style-type: none"> <li>1 Tuesday 1 February 2022 to mark National Heart Month – the colour to be <b>Red</b>.</li> <li>2 Tuesday 27 September 2022 to mark St Vincent de Paul Charity – the colour to be <b>blue</b>.</li> </ol> <p>The policy scope extends to requests made by charitable organisations for the promotion of its charitable cause on a given date or set of dates.</p>
<b>4.0</b>	<b>Other Considerations</b>

<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: Not applicable
	Human: Not applicable
	Risk Management: Not applicable
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications:  Not applicable
	Rural Needs Implications:  Not applicable
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	<p>That the Committee considers making recommendation to light up the designated properties on the dates specified to mark:</p> <ol style="list-style-type: none"> <li>1 Tuesday 1 February 2022 to mark National Heart Month – the colour to be <b>Red</b>.</li> <li>2 Tuesday 27 September 2022 to mark St Vincent de Paul Charity – the colour to be <b>blue</b>.</li> </ol>
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Not Applicable

**Minutes of Meeting of Policy and Resources Committee of Mid Ulster District Council held on Thursday 2 December 2021 in the Council Offices, Ballyronan Road, Magherafelt and by Virtual Means**

**Members Present**

Councillor McKinney, Chair

Councillors Ashton\*, Buchanan, Cuddy, Elattar\*, Forde, Gildernew\*, Kearney, S McAleer\*, S McGuigan\*, Molloy, Totten\*

**Officers in Attendance**

Mr McCreesh, Chief Executive  
Mrs Canavan, Strategic Director of Organisation Development, Strategy and Performance  
Mrs Dyson\*\*, Head of HR  
Mrs Kerr\*, Head of Finance  
Ms Mezza\*\*, Head of Marketing and Communications  
Mr Moffett, Assistant Director of Organisation Development, Strategy and Performance  
Mr O'Hagan, Head of ICT  
Mr Tohill, Strategic Director of Corporate Service and 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 7.00 pm

*The Chair, Councillor McKinney welcomed everyone to the meeting and those watching the meeting through the Live Broadcast. Councillor McKinney 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.*

**PR225/21 Apologies**

Councillors Doris, S McPeake, McLean and Quinn.

**PR226/21 Declarations of Interest**

None.

**PR227/21 Chair's Business**

The Chair advised that there was an additional item to be raised in Confidential Business for Decision.

## **Matters for Decision**

### **PR228/21 Report of Corporate Good Relations Working Group Meeting: November 2021**

The AD: ODSP presented previously circulated report to provide details of the outworking's of the Corporate Good Relations Working Group that was held on Monday 1<sup>st</sup> November 2021.

The Chair said that once again he would be opposing the group and would not be making an apology for doing so. He felt that it wasn't a Good Relations Working Group as it appeared that there were no relations as was seen in the past and wished to have his comments noted.

Proposed by Councillor Molloy  
Seconded by Councillor Kearney and

**Resolved** That it be recommended to Council to approve the report of the Corporate Good Relations Working Group meeting held on Monday 1<sup>st</sup> November 2021.

### **PR229/21 Request to Light Up Buildings**

The AD: ODSP presented previously circulated report which considered requests received to illuminate/light up the Council's three designated properties to raise awareness of and mark;

- National Day of Reflection – Wednesday 23 March 2022

Proposed by Councillor Molloy  
Seconded by Councillor Kearney and

**Resolved** That it be recommended to Council to light up the three designated Council properties on Wednesday 23 March 2022 to mark the National Day of Reflection to support those who've been bereaved during the pandemic and to reflect on the lives of those who have died from Covid or other cause. Buildings to be lit up in colour yellow.

### **PR230/21 Policies for Mid Ulster District Council**

The SD: OD presented previously circulated report and sought approval for the new Menopause Support Policy, Payment of Subscriptions to Professional Bodies Policy and Term Time Working Procedures (as part of the Flexible Working Arrangements Policy) developed for Mid Ulster District Council.

Proposed by Councillor Cuddy  
Seconded by Councillor Forde and

**Resolved** That it be recommended to Council to approve the Menopause Support Policy, Payment of Subscriptions to Professional Bodies Policy and Term

**PR231/21 Amendment to Council Scheme of Delegation**

The AD: ODSP presented previously circulated report and sought approval on amendments to the Council's Scheme of Delegation for Senior Officers to reflect the new organisational structure, agreed by Council in July 2021.

Councillor Ashton sought clarification on the move from the Council Solicitor to the Strategic Director of Corporate Service and Finance and felt anything referred to the Solicitor was because of legal advice and couldn't understand why there was this change.

The AD: ODSP confirmed that within the Scheme of Delegation the responsibility for initiating legal proceedings sat specifically with the Council's Solicitor but as part of the new structure there wasn't a specific post named as Council Solicitor within the Council's structure. Up until now the Scheme of Delegation reflected the senior structure and the structure of the organisation where specifically it did reference Council Solicitor whereas now it did not make reference.

Councillor Ashton said that she was confused regarding the Council Solicitor illustration no longer being within the structure. She found it hard to understand especially where legal advice was so important within Councils and the Solicitor being the first point of contact.

The SD: CS&F clarified that there would still be a Council Solicitor in place but they just wouldn't have the same degree of autonomy as they previously had within the new structure. He advised that Legal Services previously reported directly to the Chief Executive and now they were reporting to him and confirmed that he would be much more hands on in all legal matters. He stated that the big difference would be that in the original structure when Mid Ulster Council was first established the role of the Solicitor was empowered to initiate legal action, but within the new structure legal issues would be going through him and he would be engaging directly with the Officer who will be in post as the Council Solicitor, which was more of a post of a Solicitor employed by the Council opposed to a Council Solicitor who was delegated and nominated within the Scheme of Delegation. He said that Council would still be engaging with the person employed as the Council's Solicitor on legal matters but he will be becoming more hands on making decisions and deciding where they go as opposed to the Chief Executive working directly with the Solicitor. He confirmed that he would now be in control and management of the entire department and no longer a requirement for a Council Solicitor to be in the same position within the documentation. He advised members that the former individual who held the post of Council Solicitor has now taken on a different role within Council but would still be involved in the management of legal affairs.

Councillor S McGuigan said that he was glad to hear the SD: CS&F explanation and although he was aware and understood it, it was still beneficial to get the wording and the meaning of the role and would be happy to propose the recommendations.

Proposed by Councillor S McGuigan  
Seconded by Councillor Cuddy and

**Resolved** That it be recommended to Council that the Committee -

- i) Authorises the amendments to the Scheme of Delegation for Officers to reflect the new organisational structure.
- ii) Agrees that the Director of Public Health & Infrastructure, or in their absence the Chief Executive, has delegated authority on areas pertaining to environmental health and related matters where required under the Scheme until the new Strategic Director of Communities and Place takes up post.

**PR232/21 Member Services**

No issues.

**Matters for Information**

**PR233/21 Minutes of Policy and Resources Committee held on 4 November 2021**

Members noted Minutes of Policy and Resources Committee held on 4 November 2021.

Councillor Cuddy referred to issue of LPS which he had raised last month and although there had been a meeting and presentation, he felt that it didn't answer any of his concerns. He said that he was keen to know if the LPS process continued right the whole way through to the final conclusion of the project and being involved in the negotiations as his concern related to a previous project at Davagh Forest where LPS wasn't involved and the more enquires he made the more concerned he had got and felt he didn't really get any answers from the meeting with LPS. He also referred to another project which was talked about last month where all the LPS valuations and details were discussed in open business and was dismayed the project he raised over the last year and half was being kept in confidential business and not being open and transparent on how it was started off with a valuation from LPS and then ending up with a valuation of 500% more and this was the reason he requested LPS be invited to talk to members. He noted that LPS had been paid £27,000 in the last number of years and wished to see a transparent process as he was a Councillor representing ratepayers right across Mid Ulster and there was an onus on members to follow the procedures of an organisation that everyone respects. He said that he understood that there was a need for flexibility in negotiations and was aware that things can get out of hand, but there needed to be reasons why there was an increase of 20 to 30% more or less depending on what was being bought, sold or leased and this could portray a public perception that extra money could be got of Council as examples had shown. He felt that anybody with leases could just purposely ignore LPS valuations and ask for what they want as they may feel their land is worth more than the annual lease to the Council each year. He concluded by saying that he was still concerned after meeting with LPS last month as it was no help at all as he couldn't ask any questions and felt that this was something that needed to be tidied up as an organisation.

The SD: CS&F said that he recognised that the discussion was still in open business and that he was disappointed as a Senior Officer being involved in a lot of discussion with both the Committee, Council and individual members that Councillor Cuddy was still unhappy with the information which has been provided. He said that if Councillor Cuddy was unhappy by the level of information communicated by LPS then this was disappointing as he had attended that meeting and felt that it was a very thorough discussion of the issues involved and believed that the LPS staff in attendance categorically and unequivocally answered the questions which he understood to be the primary concern of Councillor Cuddy.

He categorically advised members that he was aware of every financial transaction in relation to the issue Councillor Cuddy was referring to that this Council has engaged in that; he stated that he was confident that these transactions had been conducted completely in line with all relevant legislation; he advised that his understanding of the relevant legislation had been confirmed to him by LPS verbally and subsequently communicated to members by LPS in the presentation to which Councillor Cuddy referred. He said that he also had been extremely transparent with the Northern Ireland Audit Office in various meetings where he had volunteered discussions to ensure that Council was compliant with all relevant legislation. He wished to reassure members of the public and members watching virtually that everything was satisfactory in relation to the matters referred to by Councillor Cuddy and reiterated that he believed that the training which had been provided answered the questions posed by Councillor Cuddy.

He further advised that he would be happy to sit down with Councillor Cuddy or any other member or groups at any time to go over what was discussed at that training and why he believed that the questions Councillor Cuddy was concerned about had been answered; he said that he believed that he could specifically refer to exactly to what the LPS Officer had said that confirmed that the questions had been answered. He concluded by saying that it was disappointing that this was raised by the member in an open forum and he was now speaking to try and preserve the reputation of the Council in the public eye in the event of someone interpreting Councillor Cuddy's comments as indicative that something was happening that was irregular or inappropriate.

Councillor Cuddy said that he had total respect for the SD: CS&F who had always been open and frank through the process. He said that members were told last month that no specific questions were allowed to be asked during the LPS presentation and felt that this was important to raise that. He said that Cahore Playing Fields was raised last month with the LPS process and figures all being shared in open business and felt if this was done for one project that it should be done for another and should be no huge issue. He concluded by saying that policies were needed to be in place and stick to them especially when it related to LPS.

Councillor S McGuigan advised that he was one of the Councillors which attended the LPS presentation and would say that he found it very useful in the sense that sometimes when you attend a meeting like this you may receive relatively limited information but felt that the LPS presentation was delivered in such a way that many of the questions which were going to be asked were delivered in the presentation. He said that within that regard he found the meeting very satisfactory.

## **PR234/21 Review of Hate Crime Legislation – Duty to Remove Hate Expression**

Members noted plans by the Department of Justice (DOJ) to bring forward legislative changes via consolidated Hate Crime legislation.

## **PR235/21 Performance Improvement Six Month Progress Update (Q1 to Q2 – 2021/22)**

Members noted update which provided information on the review of Council's performance against Council's seven statutory and three corporate performance improvement indicators and standards, along with an overview of the Corporate Health Indicators for the first six months of 2021/22. The report also provided a performance progress summary against the Council's four corporate improvement objectives and their associated project plans. The indicators and standards, the 4 improvement projects and corporate health indicators are contained within Council's Two Year Performance Improvement Plan for 2021/22 to 2022/23.

## **PR236/21 Changes to Telephony Network**

Members noted update in relation to the change and implications to changes in the UK telephony infrastructure and withdrawal of copper-based services in 2025.

Councillor Cuddy advised that a lot of members use their own personal devices and mobile phones for individual issues and enquired if ICT could access members' personal equipment and store confidential data.

The Head of ICT said that he wished to reassure members that Council does not have access to their mobile devices and contents but does in certain circumstances allow Officers to remotely wipe and secure mobile devices operated by Council Officers. He advised that Officers may have access potentially to Council email accounts which some members had signed up to. Obviously, the security arrangements and access to emails is highly regulated and monitored within the ICT team and subject to audit but no-one has access to members' emails other than the actual member themselves.

He advised members in extreme circumstances, accounts can be reset to include passwords and provide support to the members for access.

The SD: CS&F advised that the committee had discussed this matter in some length in the past and concurred with what the Head of ICT said as accurate. In a previous meeting it was clarified that the Council was subject to certain legislative provisions in relation to Freedom of Information and at the time it was clarified that, in relation to members who use their own devices, the devices were not directly accessible to Officers in any shape or form because the devices belong to members and not Council. Most staff do not use their own devices for work purposes but occasionally they may have to use their own devices if certain applications were accessible via web browsers; this access was accelerated by the pandemic and the distribution of equipment to staff which needed it for their work while working remotely.

He reassured members that Council could not access members' personal devices but noted that there may still be security issues in relation to information on members'

devices which the Council cannot control or offer any protection for. If Councillors use Council equipment and information is retained on it, then this will be within the scope of the protection that Council will try to provide across all its devices; currently, in so far as practicable, the officers try to ensure that equipment is protected by anti-virus and other controls, such as firewalls and procedures.

Councillor Cuddy stated if someone was in the office and even their phones were off and discuss something i.e. make of cars and within the next few days there was advertisements and this has got people asking the questions about security of mobile phones and he was just trying to identify where the line was within this organisation as most Councillors receive a certain amount of personal information we there was a need to be sure that confidentiality is adhered to.

The SD: CS&F said that he completely understood Councillor Cuddy's concerns but advised that it was impossible for Council to know about and protect against every threat as there were external technologies and forces that may not be known about and therefore cannot be competed against. He advised that the officers couldn't and wouldn't guarantee that all devices, Council or otherwise were absolutely secure.

#### **PR237/21    Miscellaneous Matters**

The Chair, Councillor McKinney said that before coming to the end of open business and the privilege of being in the Chair referred to previous Agenda Item 4 - Report of Corporate Good Relations Working Group Meeting: November 2021 and said that he wished to make a proposal that this Council light up their buildings this Saturday night for the Anniversary of Northern Ireland in the colour blue.

Councillor Cuddy seconded the proposal.

Councillor Molloy stated that this issue was already addressed and would be against the proposal.

Councillor Forde said that she would be in support of the proposal.

The Chair, said that in light of the Good Relations Working Group in which he had not been in attendance, he would like to see some goodwill and put his proposal to the vote:

For	5
Against	7

The proposal was unsuccessful.

The Chair wished both members and the public watching remotely a very Happy Christmas and a very peaceful New Year.

*Live broadcast ended at 7.38 pm.*

## Local Government (NI) Act 2014 – Confidential Business

Proposed by Councillor Molloy  
Seconded by Councillor Cuddy 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 PR238/21 to PR245/21.

### **Matters for Decision**

- PR238/21 Proposal from Dungannon Enterprise Centre to transfer ownership of part of Drumcoo Playing Fields, Dungannon
- PR239/21 Staffing Matter for Decision
- PR240/21 2022-2023 Rates Estimates
- PR241/21 Treasury Management

### **Matters for Information**

- PR242/21 Policy and Resources Confidential minutes of meeting held on 4 November 2021
- PR243/21 Staffing Matters for Information
- PR244/21 Financial Report for the 7 months ended 31 October 2021
- PR245/21 Contracts & DAC

### **PR246/21 Duration of Meeting**

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

Chair \_\_\_\_\_

Date \_\_\_\_\_

## Annex A – Introductory Remarks from the Chairperson

Good evening and welcome to the Council's [Policy & Resources/Environment/Development] Committee in the Chamber, [Dungannon/Magherafelt] and virtually.

I specifically welcome the public watching us through the Live Broadcast. The Live Broadcast will run for the period of our Open Business but will end just before we move into Confidential Business. I let you know before this happens.

Just some housekeeping before we commence. Can I remind you:-

- If you have joined the meeting remotely please keep your audio on mute unless invited to speak and then turn it off when finished speaking
- Keep your video on at all times, unless you have bandwidth or internet connection issues, where you are advised to try turning your video off
- If you wish to speak please raise your hand in the meeting or on screen and keep raised until observed by an Officer or myself
- Should we need to take a vote this evening I will ask each member to confirm whether they are for or against the proposal or abstaining
- When invited to speak please introduce yourself by name to the meeting
- For any member attending remotely, if you declare an interest in an item, please turn off your video and keep your audio on mute for the duration of the item
- If referring to a specific report please reference the report, page or slide being referred to
- Lastly, I remind the public and press that taking photographs of proceedings or using any means to enable anyone not present to see or hear proceedings, or making a simultaneous oral report of the proceedings are not permitted

Thank you and we will now move to the first item on the agenda - apologies and then roll call of all other Members in attendance.



<b>Report on</b>	Background - Syringes for Cuba/End the Blockade Campaign
<b>Date of Meeting</b>	Wednesday 12 <sup>th</sup> January 2022
<b>Reporting Officer</b>	Philip Moffett, Assistant Director OD, Strategy & Performance
<b>Contact Officer</b>	Ann McAleer, Corporate Policy & Equality Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	The purpose of this report is to provide background on the Syringes for Cuba/End the Blockade campaign. This campaign was referenced in a letter from Fermanagh and Omagh District Council which came before October Council meeting. This report is for information.
<b>2.0</b>	<b>Background</b>
2.1	This paper follows recent correspondence received by the Council from Fermanagh and Omagh District Council on a motion they has carried regarding their support for a campaign on Syringes for Cuba/End the Blockade. As a result of the correspondence, Members requested that further info providing background on the Syringes for Cuba/End the Blockade campaign. The correspondence is attached as appendix A to this paper.
2.2	The United States embargo against Cuba prevents American businesses, and businesses organized under US law or majority-owned by citizens of the United States, from conducting trade with Cuban interests. It is the most enduring trade embargo in modern history and has been in place in some form since 1958.
2.3	Since 1992, the UN General Assembly has passed a resolution each year condemning the impact of the embargo and declaring it in violation of the Charter of the United Nations and of international law.
2.4	A recent Oxfam report detailed that the former US Presidential Administration imposed over 240 sanctions which has had the effect of strengthening the embargo policy, 55 of which were implemented with the backdrop of the COVID-19 pandemic.
<b>3.0</b>	<b>Main Report</b>
3.1	The Covid-19 pandemic has created an increased worldwide demand for syringes; which consequently has led to a worldwide shortage in syringes and an associated significant price increases.

3.2	Reports emerged in Summer 2021 that Cuba was experiencing a significant lack of supply of syringes. So while Cuba has developed its own Covid-19 vaccines, it does not have enough syringes to immunise its population against the virus. Therefore the vaccination of those living in Cuba is being hugely hampered.
3.3	At that time it was estimated that the country required an estimated 20 million syringes for the administration of the second doses of the vaccine. Further information on the shortages of syringes in Cuba and wider campaign is accessible accessed from the following:  <a href="https://cuba-solidarity.org.uk/">https://cuba-solidarity.org.uk/</a>  <a href="https://ghpartners.org/syringes4cuba/">https://ghpartners.org/syringes4cuba/</a>
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: N/A
	Human: N/A
	Risk Management: N/A
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: Not required for this report
	Rural Needs Implications: Not required for this report
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	It is recommended that Members note the content of this report providing background to the Syringes for Cuba/End the Blockade Campaign
<b>6.0</b>	<b>Documents Attached &amp; References</b>
6.1	Appendix A: Correspondence from Fermanagh & Omagh District Council <i>(previously taken at October 2021 Council meeting)</i>

Your Ref:

Our Ref:

Date: 20 September 2021

Email: Democratic.services@fermanaghomagh.com



Fermanagh & Omagh  
District Council

Comhairle Ceantair  
Fhear Manach agus na hÓmaí

Alison McCullagh  
Chief Executive

To: All Council Chief Executives on the island of Ireland

Dear Chief Executive,

**Re: Motion – Syringes for Cuba Campaign/End the Blockade**

At the Council meeting held on 7 September 2021, the following Motion was approved by the majority of votes cast: -

**That this council states its' continued opposition to the illegal and inhumane blockade of Cuba by the USA. Notes that, prior to the pandemic, this blockade has prevented essential supplies such as fuel entering the country which has far-reaching consequences. Further notes, with increased concern, the impact that this blockade is having during the Covid-19 pandemic whereby essential medical supplies, needed to save lives, are being restricted;**

**That this council sends its' solidarity to all those in our district who have loved ones in the country. Further, that this council sends our solidarity to Cuba through the Cuban Ambassador to Ireland, Hugo Ramos, and that we invite the Ambassador to meet with our council to express this directly and hear about how this blockade is affecting citizens in our district; That this council notes, despite the pressures caused by the imposition of unjust sanctions, the positive role that Cuba has played in providing practical solidarity and support to so many countries in the global struggle against Covid-19;**

**That this council praises the efforts of the Cuban Solidarity Forum Ireland, supports their 'Syringes for Cuba' campaign, and highlights this campaign to the people of our district using any means available to us. Further, that this council invites representatives from the Cuban Solidarity Forum Ireland to meet with council to update us on the campaign and ongoing situation;**

**That this council writes to both Health Ministers on the island to request that they explore ways in which assistance could be provided to assist in medical supply provision to Cuba. Further, that this council requests that,**

✉ [info@fermanaghomagh.com](mailto:info@fermanaghomagh.com)



Townhall, 2 Townhall Street,  
Enniskillen, Co. Fermanagh,  
BT74 7BA

The Grange, Mountjoy Road,  
Lisnamallard, Omagh, Co. Tyrone,  
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TextPh. 028 8225 6216  
[www.fermanaghomagh.com](http://www.fermanaghomagh.com)

on behalf of the people of our district, both Health Ministers advocate for the inclusion of any successful medications and treatments, including those developed in Cuba, in the fight against Covid-19;

That this council notes the most recent vote on 23<sup>rd</sup> June 2021 by the UN General Assembly, and every vote since 1992, to demand the end of the US blockade by the international community;

That this council, on behalf of those in our district with loved ones in Cuba as well as everyone in our district who would benefit from Cuban Covid-19 medications, calls on the US government, via the US Ambassador to Ireland, to bring this blockade to an end, particularly due to the devastating effect it is having during the Covid-19 pandemic;

Finally, that this motion is circulated to all councils on the island of Ireland and that they are requested to adopt a similar position.

As outlined in the Motion, the Council requests that your Council adopts a similar position with regard to the Syringes for Cuba Campaign/End the Blockade.

The Council will also be making representations to the other relevant stakeholders as mentioned above in the Motion.

The Council looks forward to receiving your response in due course.

Yours sincerely



**Alison McCullagh**  
Chief Executive

<b>Report on</b>	Implementation of Motion Carried by Council May 2021 - Constitutional Change
<b>Date of Meeting</b>	Thursday 12 January 2022
<b>Reporting Officer</b>	Philip Moffett, Assistant Director: Organisational Development, Strategy & Performance
<b>Contact Officer</b>	Ann McAleer, Corporate Policy and Equality Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	The purpose of this report is to inform members on the implementation of the motion carried by the Council in May 2021 in the area of Constitutional Change.
<b>2.0</b>	<b>Background</b>
2.1	<p>The following Motion was approved at Mid Ulster District Council's May 2021 full Council meeting:</p> <p><i>That this Council recognises that the discussions about a constitutional change is now well underway and this Council has a duty to consult with its ratepayers on this important issue and the implications for the Council area. Therefore, calls on the Council to establish a working group on Irish unity and to begin a consultation with ratepayers and community and business representatives to assess views on the issues related to constitutional change.</i></p>
<b>3.0</b>	<b>Main Report</b>
3.1	<p>This report is to update members on activity to date. Following it being passed by Council it was reviewed by officers and determined that it be referred to the Council's Corporate Good Relations Working Group (CGRWG) for discussion to consider any potential negative Good Relations impacts. At a CGRWG meeting on (13/9/21) it was agreed that members would:</p> <ul style="list-style-type: none"> <li>• consider the scope of the motion in order to open discussion up across all communities in the District;</li> <li>• aspire to make this proposed consultation process as inclusive as possible across a wide range of community/business/sporting and voluntary organisations in the District;</li> <li>• carry out the consultation engagement broadly in line with the Community Planning Themes.</li> </ul>

3.2	<p>At the most recent meeting of the Corporate Good Relations Working Group held on 1<sup>st</sup> November 2021, in order to practically implement the motion, members further agreed and recommended to seek professional support for the preparation, planning and delivery of consultative workshops and the collation of the associated outworking's of the sessions.</p>
3.3	<p>It was also agreed that appropriate governance arrangements would form part of any project specification used in procuring the professional support referenced at 3.2. This was envisaged as the appointed individual/organisation providing regular check-ins with an appointed steering group of members, with relevant officer(s) in attendance.</p>
3.4	<p>A specification to secure quotations from suitably qualified/experienced providers is being developed in order to practically implement the requirements of the motion. This specification will be used to seek quotations in February 2022 with the workshops being delivered in late Spring 2022.</p>
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<p><b>Financial, Human Resources &amp; Risk Implications</b></p> <p>Financial: It is anticipated that a resource of £16,000 will be required as set out below and will be met from within existing budgets/resources. This will be broken down as follows within the quotation documentation:</p> <p>Management Fee £6,000  Workshop Promotion and Delivery budget to include indicative costs to the maximum value of £10,000 broken down as:</p> <ul style="list-style-type: none"> <li>- Speakers costs: £6,000</li> <li>- PR &amp; Marketing Costs:£2,000</li> <li>- Digital Set Up: £2,000</li> </ul> <p>Human: N/A</p> <p>Risk Management: N/A</p>
<b>4.2</b>	<p><b>Screening &amp; Impact Assessments</b></p> <p>Equality &amp; Good Relations Implications: A preliminary equality screening has been carried out by the Corporate Policy &amp; Equality Officer and a full screening will be developed prior to the seeking quotation for workshop delivery.</p> <p>Rural Needs Implications: A Rural Need Impact Assessment will be carried out prior to the seeking quotation for workshop delivery</p>
<b>5.0</b>	<b>Recommendation(s)</b>

5.1	That members note the update on the practical implementation of this motion carried by Council on Constitutional Change and the associated plans for undertaking a quotation process to seek appropriate professional support to deliver same.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	N/A



<b>Report on</b>	Performance Improvement: Local Government Auditor's Audit and Assessment Report 2020-21
<b>Date of Meeting</b>	Wednesday 12 <sup>th</sup> January 2022
<b>Reporting Officer</b>	P Moffett, Assistant Director: Org. Development, Strategy & Performance
<b>Contact Officer</b>	L Jenkins, Performance & Quality Officer

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

<b>1.0</b>	<b>Purpose of Report</b>
1.1	To update the committee and members of the key findings of the Local Government Auditor's Audit and Assessment Report 2020-21.
<b>2.0</b>	<b>Background</b>
	<b>Local Government Auditor's Improvement Audit and Assessment Report 2020-21</b>
2.1	Part 12 of the Local Government Act (NI) 2014 places a duty on Councils' to make arrangements to secure continuous improvement in the exercise of their functions. This includes setting improvement objectives for each financial year and putting in place arrangements to achieve those objectives, as well as publishing annual progress reports.
2.2.	The requirement to set improvement objectives and publish an improvement plan was not required for 2020-21 under the <i>Local Government (Meetings and Performance) (Northern Ireland) Act 2021</i> . The Council was required to gather information to assess improvements in its services and to issue a report annually on its performance against indicators and standards which it has set itself or which have been set for it by Government departments. The Act requires the Council to publish a self-assessment before 30 September in the financial year following that to which the information relates, or by any other such date as the Department for Communities may specify by order. The Act also requires that the Council has regard to any guidance issued by the Department in publishing its assessment.
2.3	The NI Audit Office is required to determine and report each year on whether: <ul style="list-style-type: none"> <li>1. The Council has discharged its duties in relation to improvement planning, published the required improvement information and the extent to which the Council has acted in accordance with the Department's guidance (LG Circular 21/2016 - <i>Guidance for Local Government Performance Improvement 2016 onwards</i>) in relation to those duties; and</li> <li>2. The Council is likely to comply with the requirements of Part 12 of the Act.</li> </ul>
<b>3.0</b>	<b>Main Report</b>

**LGA Audit Opinion, Assessment and Findings - (Section 95) Report 2020/21 and Certificate of Compliance**

3.1 The NI Audit Office issued correspondence on the 30<sup>th</sup> of November 2021, which included a letter to the Chief Executive (Appendix One), a Section 95 Report (Appendix Two) and a Certificate of Compliance (Appendix Three).

**Audit Opinion**

3.2 The Local Government Auditor (LGA), has certified the performance arrangements with an unqualified audit opinion, without modification and confirms that an improvement audit and improvement assessment has been conducted. In line with the Local Government (Meetings and Performance) (Northern Ireland) Act 2021, councils were not required to publish an improvement plan for 2020-21 and therefore no audit of a plan could be undertaken.

The audit opinion has therefore been amended from that provided in previous years. The LGA also states that, as a result, she believes that the Mid Ulster District Council has discharged its performance improvement reporting duties, by publishing its assessment of performance for 2019-20, and has acted in accordance with the Guidance.

**Audit Assessment**

3.3 The LGA has a responsibility on assessing whether the Council is likely to comply with its performance improvement responsibilities under Part 12 of the Local Government Act (Northern Ireland) 2014 (the Act) for 2020-21 (known as the improvement assessment). In normal circumstances this work would have been undertaken in time for this report to be issued by 30 November 2020. However this was delayed whilst awaiting legislation to clarify the performance improvement arrangements for this period. In light of the impact of the COVID-19 pandemic on council services, the LGA has concluded that she is unable to reach an opinion on whether the Council was likely to have complied with its performance improvement responsibilities for 2020- 21. The LGA did not exercise her discretion to assess and report whether the council is likely to comply with these arrangements in future years.

**Audit Findings**

3.4 During the audit and assessment the NIAO identified no issues requiring a formal recommendation under the Act. NIAO stated they identified no issues requiring a Proposal for Improvement, which represents good practice to assist the Council in meeting its responsibilities for performance improvement.

In line with discussions with the Department and Councils on the impact of COVID-19 on council resources it was agreed that consideration of performance improvement themes would be restricted for this year to considering the collection, use and publication of performance information in the self-assessment report. Detailed observations on this theme are provided in Appendix Two (Annex B).

3.5 **Other Matters**

The LGA has no recommendations to make under section 95(2) of the Local Government (Northern Ireland) Act 2014. It is not minded to carry out a special inspection under section 95(2) of the Act.

3.6	<p><b>Status of the Audit</b></p> <p>The LGA's audit and assessment work on the Council's performance improvement arrangements is now concluded. By March 2022 the LGA will publish an Annual Improvement Report on the Council on the NIAO website, making it publicly available. This will summarise the key outcomes in this report and work conducted in 2021.</p> <p>The LGA did not undertake any Special Inspections under the Act in the current year. As a result of the changes made to performance improvement requirements in light of the pandemic, the extent of audit work undertaken reduced compared to that in previous years. This will be reflected in the audit fee for this work, which will be confirmed shortly.</p> <p>A typographical error in the S95 report has been queried by Council with Deloitte (who undertook) the Audit and this has been passed to NIAO, Council is awaiting this response from NIAO at the time of papers being prepared for committee.</p>
4.0	<p><b>Other Considerations</b></p>
4.1	<p><b>Financial, Human Resources &amp; Risk Implications</b></p> <p><b>Financial:</b> not applicable, arrangements being delivered within existing resource</p> <p><b>Human:</b> not applicable, arrangements currently being delivered within existing resource</p> <p><b>Risk Management:</b> Will assist in council's compliance with Part 12 of the Local Government (NI) Act 2014</p>
4.2	<p><b><u>Screening &amp; Impact Statements</u></b></p> <p><b>Equality &amp; Good Relations Implications:</b> Not applicable No specific implications neutral impact on S75 groups and neutral impact on promotion of good relations</p> <p><b>Rural Needs Implications:</b> not applicable</p>
5.0	<p><b>Recommendation(s)</b></p>
5.1	<p>That the committee notes the findings of Audit and Assessment (Section 95) Report 2020-21 and LGA Certificate of Compliance issued by the Northern Ireland Audit Office</p>
6.0	<p><b>Documents Attached &amp; References</b></p> <p>Appendix One: NIAO Correspondence dated 30<sup>th</sup> November 2021</p> <p>Appendix Two: Audit and Assessment (Sec. 95) Report 2020-21</p> <p>Appendix Three: LGA Certificate of Compliance</p>





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**Colette Kane**  
**Local Government Auditor**

Mr Adrian McCreesh  
Chief Executive  
Mid Ulster District Council  
Ballyronan Road  
Magherafelt  
BT45 6EN

30 November 2021

Dear Adrian

**Mid Ulster District Council: Section 95 of the Local Government Act 2014  
Improvement Audit and Assessment – Audit and Assessment Report 2020-21**

The Local Government Auditor has now certified the improvement audit and assessment for the Council with a standard, unqualified opinion. I attach a copy of our final audit and assessment report.

The report sets out the findings and conclusions from our work, it includes the audit and assessment certificate as an Annex. I also attach a copy of the audit certificate signed by the Local Government Auditor.

This letter and attachments have been copied to the Department for Communities as the legislation requires. I would like to thank you and your staff for the assistance and co-operation we received throughout the audit.

Yours sincerely

A handwritten signature in blue ink that reads "Colette Kane".

**Colette Kane**  
**Local Government Auditor**

## Mid Ulster District Council

### Audit and Assessment Report 2020-21

Report to the Council and the Department for Communities under Section 95 of the Local Government (Northern Ireland) Act 2014



**30 November 2021**

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*We have prepared this report for sole use of Mid Ulster District Council and the Department for Communities. You must not disclose it to any third party, quote or refer to it, without our written consent and we assume no responsibility to any other person.*

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## 1. Key Messages

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### Summary of the audit

<b>Audit outcome</b>	<b>Status</b>
Audit opinion	Unqualified opinion
Audit assessment	The LGA has concluded that she is unable to assess whether Council was likely to comply with Part 12 of the Local Government Act (Northern Ireland) 2014 (the Act) during 2020-21 due to the impact of the COVID-19 pandemic on normal services.
Statutory recommendations	The LGA made no statutory recommendations
Proposals for improvement	The LGA made one new proposal for improvement

This report summarises the work of the Local Government Auditor (LGA) on the 2020-21 performance improvement audit and assessment undertaken on Mid Ulster District Council. We would like to thank the Chief Executive and his staff, particularly the Performance Improvement Manager, for their assistance during this work.

We consider that we comply with the Financial Reporting Council (FRC) ethical standards and that, in our professional judgment, we are independent and our objectivity is not compromised.

### Audit Opinion

The LGA has certified the performance arrangements with an unqualified audit opinion, without modification and confirms that an improvement audit and improvement assessment has been conducted. In line with the Local Government (Meetings and Performance) (Northern Ireland) Act 2021, councils were not required to publish an improvement plan for 2020-21 and therefore no audit of a plan could be undertaken. The audit opinion has therefore been amended from that provided in previous years.

The LGA also states that, as a result, she believes that the Mid Ulster District Council has discharged its performance improvement reporting duties, by publishing its assessment of performance for 2019-20, and has acted in accordance with the Guidance in this regard.

## Audit Assessment

The LGA has assessed whether the Mid Ulster District Council is likely to comply with its performance improvement responsibilities under Part 12 of the Local Government Act (Northern Ireland) 2014 (the Act) for 2020-21 (known as the improvement assessment). In normal circumstances this work would have been undertaken in time for this report to be issued by 30 November 2020. However this was delayed whilst awaiting legislation to clarify the performance improvement arrangements for this period. In light of the impact of the COVID-19 pandemic on council services, the LGA has concluded that she is unable to reach an opinion on whether the Council was likely to have complied with its performance improvement responsibilities for 2020-21. The LGA did not exercise her discretion to assess and report whether the council is likely to comply with these arrangements in future years.

## Audit Findings

During the audit and assessment we identified no issues requiring a formal recommendation under the Act. We also identified no issues requiring a Proposal for Improvement, which represents good practice to assist the Council in meeting its responsibilities for performance improvement. In line with discussions with the Department for Communities and Councils on the impact of COVID-19 on council resources it was agreed that consideration of performance improvement themes would be restricted for this year to considering the collection, use and publication of performance information in the self-assessment report. Detailed observations on this theme are provided in Annex B.

## Status of the Audit

The LGA's audit and assessment work on the Council's performance improvement arrangements is now concluded. By March 2022 she will publish an Annual Improvement Report on the Council on the NIAO website, making it publicly available. This will summarise the key outcomes in this report and work conducted in 2021.

The LGA did not undertake any Special Inspections under the Act in the current year.

As a result of the changes made to performance improvement requirements in light of the pandemic, the extent of audit work undertaken reduced compared to that in previous years. This will be reflected in the audit fee for this work, which will be confirmed shortly.

## Management of information and personal data

During the course of our audit we have access to personal data to support our audit testing. We have established processes to hold this data securely within encrypted files and to destroy it where relevant at the conclusion of our audit. We can confirm that we have discharged those responsibilities communicated to you in accordance with the requirements of the General Data Protection Regulations (GDPR) and the Data Protection Act 2018.

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## 2. Audit Scope

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Part 12 of the Act provides all councils with a general duty to make arrangements to secure continuous improvement in the exercise of their functions. It sets out:

- a number of council responsibilities under a performance framework; and
- key responsibilities for the LGA.

The Department for Communities (the Department) has published '*Guidance for Local Government Performance Improvement 2016*' (the Guidance), which, the Act requires councils and the LGA to follow. Further guidance to clarify the requirements of the general duty to improve was issued by the Department during 2019.

The improvement audit and assessment work is planned and conducted in accordance with the Audit Strategy issued to the Council, the LGA's Code of Audit Practice for Local Government Bodies in Northern Ireland and the Statement of Responsibilities.

### *The improvement audit*

Each year the LGA has to report whether each council has discharged its duties in relation to improvement planning, the publication of improvement information and the extent to which each council has acted in accordance with the Department's Guidance. In line with the Local Government (Meetings and Performance) (Northern Ireland) Act 2021, councils were not required to publish an improvement plan for 2020-21. The procedures conducted in undertaking this work are referred to as an "improvement audit". During the course of this work the LGA may make statutory recommendations under section 95 of the Act.

### *The improvement assessment*

The LGA also has to assess annually whether a council is likely to comply with the requirements of Part 12 of the Act, including consideration of the arrangements to secure continuous improvement in that year. This is called the 'improvement assessment'. She also has the discretion to assess and report whether a council is likely to comply with these arrangements in future years.

### *The annual improvement report on the Council*

The Act requires the LGA to summarise all of her work (in relation to her responsibilities under the Act) at the Council, in an 'annual improvement report'. This will be published on the NIAO website by March 2022, making it publicly available.

### *Special inspections*

The LGA may also, in some circumstances, carry out special inspections which will be reported to the Council and the Department, and which she may publish.

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### *3. Audit Findings*

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This section outlines key observations in the form of proposals for improvement, arising from the audit of the Council's collection, use and publication of performance information.

These are not formal recommendations, which are more significant matters which require action to be taken by the Council in order to comply with the Act or Guidance. Proposals for improvement include matters which, if accepted, will assist the Council in meeting its performance improvement responsibilities. The LGA may follow up how key proposals have been addressed in subsequent years. We recommend however that the Council's Audit Committee track progress on all proposals for improvement.

Our procedures were limited to those considered necessary for the effective performance of the audit and assessment. Therefore, the LGA's observations should not be regarded as a comprehensive statement of all weaknesses which exist, or all improvements which could be made.

Detailed observations can be found at Annex B. No new Proposals for Improvement have been made.

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## *4. Annexes*

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### **Audit and assessment of Mid Ulster District Council’s performance improvement arrangements**

#### **Certificate of Compliance**

I certify that I have audited Mid Ulster District Council’s (the Council) assessment of its performance for 2019-20 in accordance with section 93 of the Local Government Act (Northern Ireland) 2014 (the Act) and the Code of Audit Practice for local government bodies.

I also certify that I have performed an improvement assessment for 2020-21 on whether the Council is likely to have complied with the requirements of Part 12 of the Act.

This is a report to comply with the requirement of section 95(2) of the Act.

#### **Respective responsibilities of the Council and the Local Government Auditor**

Under the Act, the Council has a general duty to make arrangements to secure continuous improvement in the exercise of its functions and to set improvement objectives for each financial year. The requirement to set improvement objectives and publish an improvement plan was not required for 2020-21 under the Local Government (Meetings and Performance) (Northern Ireland) Act 2021. The Council is required to gather information to assess improvements in its services and to issue a report annually on its performance against indicators and standards which it has set itself or which have been set for it by Government departments.

The Act requires the Council to publish a self-assessment before 30 September in the financial year following that to which the information relates, or by any other such date as the Department for Communities (the Department) may specify by order. The Act also requires that the Council has regard to any guidance issued by the Department in publishing its assessment.

As the Council’s auditor, I am required by the Act to determine and report each year on whether:

- The Council has discharged its duties in relation to improvement planning, published the required improvement information and the extent to which the Council has acted in accordance with the Department’s guidance in relation to those duties; and
- The Council is likely to comply with the requirements of Part 12 of the Act.

#### **Scope of the audit and assessment**

For the audit I am not required to form a view on the completeness or accuracy of information or whether the improvement plan published by the Council can be achieved. My audit of the Council’s assessment of performance, therefore, comprises a review of the Council’s publication to ascertain whether it included elements prescribed in legislation. I also assessed whether the arrangements for publishing the document complied with the requirements of the legislation, and that the Council had regard to statutory guidance in preparing and publishing them.

For the improvement assessment I am required to form a view on whether the Council is likely to comply with the requirements of Part 12 of the Act, informed by:

- A forward looking assessment of the Council’s likelihood to comply with its duty to make arrangements to secure continuous improvement; and

- A retrospective assessment of whether the Council has achieved its planned improvements to inform a view as to its track record of improvement.

My assessment of the Council's improvement responsibilities and arrangements, therefore, comprised a review of certain improvement arrangements within the Council, along with information gathered from my improvement audit.

The work I have carried out in order to report and make recommendations in accordance with sections 93 to 95 of the Act cannot solely be relied upon to identify all weaknesses or opportunities for improvement.

### **Audit opinion**

#### **Publication of improvement information**

As a result of my audit, I believe the Council has discharged its duties in connection with the publication of improvement information in accordance with section 92 of the Act and has acted in accordance with the Department for Communities' guidance sufficiently.

#### **Improvement assessment**

In light of the impact of COVID-19 on Council services I have been unable to assess whether the Council has discharged its duties under Part 12 of the Act and has acted in accordance with the Department for Communities' guidance sufficiently during 2020-21.

I have not conducted an assessment to determine whether the Council is likely to comply with the requirements of Part 12 of the Act in subsequent years. I will keep the need for this under review as arrangements become more fully established.

#### **Other matters**

I have no recommendations to make under section 95(2) of the Local Government (Northern Ireland) Act 2014.

I am not minded to carry out a special inspection under section 95(2) of the Act.



COLETTE KANE  
Local Government Auditor  
Northern Ireland Audit Office  
1 Bradford Court  
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BT8 6RB

30 November 2021

## Annex B – Detailed observations on the collection, use and publication of performance information

Observations
<p>The collection and use of timely and relevant performance information on a council's broad-ranging service areas is essential to the operation of an effective performance improvement framework. It enables the Council to measure and evaluate any improvement, assists in the identification of priority areas for improvement, facilitates comparison and benchmarking and supports the communication of outcomes and progress with its citizens and other stakeholders.</p> <p>The type of information required to be collected, used and reported falls under three key areas:</p> <ul style="list-style-type: none"><li>• the general duty to improve – reflected by “self-imposed” performance indicators and standards;</li><li>• the improvement objectives – with specific associated performance measures and indicators; and</li><li>• statutory indicators.</li></ul> <p>In September 2020, the Council published its ‘Annual Report Performance Improvement Plan Self-Assessment 2019-20. This gives an overview and a self-assessment of the performance of the Council during the previous financial year in accordance with its legislative requirements.</p> <p>The key purpose of the report is to show citizens and other stakeholders how the Council is discharging its duty under legislation to secure continuous improvement as set out in its 2019-20 Performance Improvement Plan. It enables the Council to communicate progress against its improvement objectives and to highlight what visible improvements it has made to its functions and services.</p> <p>There was one inaccuracy identified within the wording of improvement project 1 (objective 2) which stated; ‘All Council Visitor Information Centres (VICs) maintain Tourism Northern Ireland’s (TNI) four-star attraction grade (minimum standard) and achieve an improved positive rating from mystery shopper exercises (target 95%). It is not possible to obtain a four-star attraction grade on VICs as this relates to attractions only and therefore the wording of the objective is inaccurate. It should be noted this does not affect any progress reported in respect of the objective as the VICs met TNI’s minimum standards during the year.</p>

## Observations

Good progress was reported against each of the four improvement objectives. Baseline figures were included where possible and performance in the year was measured against this, with commentary provided. The Council also set out for each objective what was achieved in terms of improvement and whether the objective was achieved, substantially achieved, partially achieved or not achieved. This provided a useful link between the previous Improvement Plan, past performance and the current Improvement Plan, which helps to demonstrate continuous improvement.

The Council's assessment of its performance and its published report now contains a comparison of its performance with previous years, and where reasonably practicable, with other councils. In future years, year-on-year trend analysis should continue.

The report includes a comparison of its performance statutory indicators to other councils. The issue of benchmarking with other councils is part of the work plan of the Multi-Stakeholder Group and it is expected that progress on this issue will continue to be made to allow a broader range of functions to be compared.

The report also includes a section on the Council's achievement of its self-imposed performance measures based on the corporate plan priorities and commitments during the year.

## **Audit and assessment of Mid Ulster District Council's performance improvement arrangements**

### **Certificate of Compliance**

I certify that I have audited Mid Ulster District Council's (the Council) assessment of its performance for 2019-20 in accordance with section 93 of the Local Government Act (Northern Ireland) 2014 (the Act) and the Code of Audit Practice for local government bodies.

I also certify that I have performed an improvement assessment for 2020-21 on whether the Council is likely to have complied with the requirements of Part 12 of the Act.

This is a report to comply with the requirement of section 95(2) of the Act.

### **Respective responsibilities of the Council and the Local Government Auditor**

Under the Act, the Council has a general duty to make arrangements to secure continuous improvement in the exercise of its functions and to set improvement objectives for each financial year. The requirement to set improvement objectives and publish an improvement plan was not required for 2020-21 under the Local Government (Meetings and Performance) (Northern Ireland) Act 2021. The Council is required to gather information to assess improvements in its services and to issue a report annually on its performance against indicators and standards which it has set itself or which have been set for it by Government departments.

The Act requires the Council to publish a self-assessment before 30 September in the financial year following that to which the information relates, or by any other such date as the Department for Communities (the Department) may specify by order. The Act also requires that the Council has regard to any guidance issued by the Department in publishing its assessment.

As the Council's auditor, I am required by the Act to determine and report each year on whether:

- The Council has discharged its duties in relation to improvement planning, published the required improvement information and the extent to which the Council has acted in accordance with the Department's guidance in relation to those duties; and
- The Council is likely to comply with the requirements of Part 12 of the Act.

### **Scope of the audit and assessment**

For the audit I am not required to form a view on the completeness or accuracy of information or whether the improvement plan published by the Council can be achieved. My audit of the Council's assessment of performance, therefore, comprises a review of the Council's publication to ascertain whether it included elements prescribed in legislation. I also assessed whether the arrangements for publishing the document complied with the requirements of the legislation, and that the Council had regard to statutory guidance in preparing and publishing them.

For the improvement assessment I am required to form a view on whether the Council is likely to comply with the requirements of Part 12 of the Act, informed by:

- A forward looking assessment of the Council's likelihood to comply with its duty to make arrangements to secure continuous improvement; and
- A retrospective assessment of whether the Council has achieved its planned improvements to inform a view as to its track record of improvement.

My assessment of the Council's improvement responsibilities and arrangements, therefore, comprised a review of certain improvement arrangements within the Council, along with information gathered from my improvement audit.

The work I have carried out in order to report and make recommendations in accordance with sections 93 to 95 of the Act cannot solely be relied upon to identify all weaknesses or opportunities for improvement.

### **Audit opinion**

#### **Publication of improvement information**

As a result of my audit, I believe the Council has discharged its duties in connection with the publication of improvement information in accordance with section 92 of the Act and has acted in accordance with the Department for Communities' guidance sufficiently.

#### **Improvement assessment**

In light of the impact of COVID-19 on Council services I have been unable to assess whether the Council has discharged its duties under Part 12 of the Act and has acted in accordance with the Department for Communities' guidance sufficiently during 2020-21.

I have not conducted an assessment to determine whether the Council is likely to comply with the requirements of Part 12 of the Act in subsequent years. I will keep the need for this under review as arrangements become more fully established.

#### **Other matters**

I have no recommendations to make under section 95(2) of the Local Government (Northern Ireland) Act 2014.

I am not minded to carry out a special inspection under section 95(2) of the Act.



COLETTE KANE  
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Northern Ireland Audit Office  
1 Bradford Court  
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30 November 2021