

# Cabinet Agenda



**Date:** Thursday, 18 March 2021

**Time:** 12.00 pm

**Venue:** Virtual Meeting - Zoom Committee Meeting  
with Public Access via YouTube

## **Distribution:**

**Councillors:** Mayor Marvin Rees, Nicola Beech, Craig Cheney, Asher Craig, Kye Dudd, Helen Godwin, Helen Holland, Anna Keen, Steve Pearce and Afzal Shah

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**Date:** Wednesday, 10 March 2021



# Agenda

## **PART A - Standard items of business:**

### **1. Welcome**

### **2. Public Forum**

Up to one hour is allowed for this item

**(Pages 5 - 7)**

Any member of the public or Councillor may participate in Public Forum. Petitions, statements and questions received by the deadlines below will be taken at the start of the agenda item to which they relate to.

#### **Petitions and statements (must be about matters on the agenda):**

- Members of the public and members of the council, provided they give notice in writing or by e-mail (and include their name, address, and 'details of the wording of the petition, and, in the case of a statement, a copy of the submission) by no later than 12 noon on the working day before the meeting, may present a petition or submit a statement to the Cabinet.
- One statement per member of the public and one statement per member of council shall be admissible.
- A maximum of one minute shall be allowed to present each petition and statement.
- The deadline for receipt of petitions and statements for the 18<sup>th</sup> March Cabinet is 12 noon on Wednesday 17<sup>th</sup> March. These should be sent by e-mail to: [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

#### **Questions (must be about matters on the agenda):**

- A question may be asked by a member of the public or a member of Council, provided they give notice in writing or by e-mail (and include their name and address) no later than 3 clear working days before the day of the meeting.
- Questions must identify the member of the Cabinet to whom they are put.
- A maximum of 2 written questions per person can be asked. At the meeting, a maximum of 2 supplementary questions may be asked. A supplementary question must arise directly out of the original question or reply.
- Replies to questions will be given verbally at the meeting. If a reply cannot be given at the meeting (including due to lack of time) or if written confirmation of the verbal reply is requested by the questioner, a written reply will be provided within 10 working days of the meeting.



- The deadline for receipt of questions for the 18<sup>th</sup> March Cabinet is 5.00 pm on Friday 12<sup>th</sup> March. These should be sent by e-mail to: [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

#### **DEADLINE TO REGISTER TO SPEAK**

If you wish to attend the virtual meeting to speak to your statement/ask your question, you must register by 12 noon on Tuesday 16<sup>th</sup> March by sending an email to: [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk)

### **3. Apologies for Absence**

### **4. Declarations of Interest**

To note any declarations of interest from the Mayor and Councillors. They are asked to indicate the relevant agenda item, the nature of the interest and in particular whether it is a **disclosable pecuniary interest**.

Any declarations of interest made at the meeting which is not on the register of interests should be notified to the Monitoring Officer for inclusion.

### **5. Matters referred to the Mayor for reconsideration by a scrutiny commission or by Full Council**

(subject to a maximum of three items)

### **6. Reports from scrutiny commission**

### **7. Chair's Business**

To note any announcements from the Chair

## **PART B - Key Decisions**

### **8. Public Health Funding and Budget 2021/22**

Equalities Impact Assessment to follow

**(Pages 8 - 15)**

### **9. Delivery of Cleaning and Security Services**



Appendix A to follow

**(Pages 16 - 62)**



# Public Information Sheet

Inspection of Papers - Local Government (Access to Information) Act 1985

You can find papers for all our meetings on our website at <https://www.bristol.gov.uk/council-meetings>

Covid-19: changes to how we hold public meetings

Following changes to government rules, we will use video conferencing to hold all public meetings, including Cabinet, Full Council, regulatory meetings (where planning and licensing decisions are made) and scrutiny.

Councillors will take decisions remotely and the meetings will be broadcast live on YouTube.

Members of the public who wish to present their public forum in person during the video conference must register their interest by giving at least two clear working days' notice to Democratic Services of the request. To take part in the meeting, you will be required to register for a Zoom account, so that Democratic Services is able to match your named Zoom account to your public forum submission, and send you the password protected link and the instructions required to join the Zoom meeting to make your statement or ask your supplementary question(s).

**As part of our security arrangements, please note that we will not permit access to the meeting if your Zoom credentials do not match your public forum submission credentials. This is in the interests of helping to ensure a safe meeting environment for all attending or observing proceedings via a live broadcast.**

Please note: Members of the public will only be invited into the meeting for the duration of their submission and then be removed to permit the next public forum participant to speak.

Changes to Public Forum

Members of the public may make a written statement, ask a question or present a petition to most meetings. Your statement or question will be sent to the Committee Members and will be published on the Council's website before the meeting. Please send it to [democratic.services@bristol.gov.uk](mailto:democratic.services@bristol.gov.uk). The following requirements apply:

- The statement is received no later than **12.00 noon on the working day before the meeting** and is about a matter which is the responsibility of the committee concerned.
- The question is received no later than **5pm three clear working days before the meeting**.
- Any statement submitted should be no longer than one side of A4 paper. For copyright reasons, we are unable to reproduce or publish newspaper or magazine articles that may be attached to statements.
- **Your intention to attend the meeting must be received no later than two clear working days in advance. The meeting agenda will clearly state the relevant public forum deadlines.**

By participating in public forum business, we will assume that you have consented to your name and the details of your submission being recorded and circulated to the Committee, published on the website and within the minutes. Your statement or question will also be made available to the public via publication on the Council's website and may be provided upon request in response to Freedom of Information Act requests in the future.

We will try to remove personal and identifiable information. However, because of time constraints we cannot guarantee this, and you may therefore wish to consider if your statement contains information that you would prefer not to be in the public domain. Other committee papers may be placed on the council's website and information within them may be searchable on the internet.

### During the meeting:

- Public Forum is normally one of the first items on the agenda, although statements and petitions that relate to specific items on the agenda may be taken just before the item concerned.
- There will be no debate on statements or petitions.
- Public Forum will be circulated to the Committee members prior to the meeting and published on the website.
- If you have arranged with Democratic Services to attend the meeting to present your statement or ask a question(s), you should log into Zoom and use the meeting link provided which will admit you to the waiting room.
- The Chair will call each submission in turn and you will be invited into the meeting. When you are invited to speak, please make sure that your presentation focuses on the key issues that you would like Members to consider. This will have the greatest impact.
- Your time allocation may have to be strictly limited if there are a lot of submissions. **This may be as short as one minute, and you may need to be muted if you exceed your allotted time.**
- If there are a large number of submissions on one matter, a representative may be requested to speak on the group's behalf.
- If you do not attend the meeting at which your public forum submission is being taken your statement will be noted by Members.

For further information about procedure rules please refer to our Constitution  
<https://www.bristol.gov.uk/how-council-decisions-are-made/constitution>

The privacy notice for Democratic Services can be viewed at [www.bristol.gov.uk/about-our-website/privacy-and-processing-notice-for-resource-services](http://www.bristol.gov.uk/about-our-website/privacy-and-processing-notice-for-resource-services)

### Webcasting/ Recording of meetings

Members of the public attending meetings or taking part in Public forum are advised that all virtual public meetings including Full Council and Cabinet meetings are now broadcast live via the council's [webcasting pages](#). The whole of the meeting will be broadcast (except where there are confidential or exempt items).

## Other formats and languages and assistance for those with hearing impairment

You can get committee papers in other formats (e.g. large print, audio tape, braille etc) or in community languages by contacting the Democratic Services Officer. Please give as much notice as possible. We cannot guarantee re-formatting or translation of papers before the date of a particular meeting.





## Decision Pathway – Report

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**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 18 March 2021

<b>TITLE</b>	<b>Public Health funding and budget 2021/22</b>		
<b>Ward(s)</b>	All		
<b>Author:</b> Christina Gray	<b>Job title:</b> Director Communities and Public Health		
<b>Cabinet lead:</b> Cllr Asher Craig (Deputy Mayor, Cabinet Member for Public Health, Communities and Equalities)	<b>Executive Director lead:</b> Jacqui Jensen/Hugh Evans		
<b>Proposal origin:</b> BCC Staff			
<b>Decision maker:</b> Mayor			
<b>Decision forum:</b> Cabinet			
<b>Purpose of Report:</b>			
This report provides a summary of the indicative Central Government funding that the Council expects to receive (as a minimum) in 21/22 for Public Health with a breakdown of estimated revenue expenditure.			
<b>Evidence Base:</b>			
<ol style="list-style-type: none"> <li>1. Public health services are critical for preventing disease, reducing health inequalities, and improving the population’s health. Public Health services and functions transferred to the local authority under the terms of the 2012 Health and Social Care Act. Since 2013, local authorities have been responsible for most aspects of public health and receive a ring-fenced public health grant from the Department of Health and Social care to meet these duties. Local authorities have several mandated services they must provide, and the remainder of the public health grant funding can be used flexibly for public health purposes. Any under spend of grant from one year must be carried forward in the ring-fenced public Health reserve and applied to the budget in future years.</li> <li>2. The Public health grant for 2020/21 was £33.1 million. The Public Health budget in 2020/21 of £38.0 million included £4.9 million from North Somerset and South Gloucestershire councils which were contributions for jointly commissioned services managed by Bristol Public Health. A balanced budget is forecasted as at period 9.</li> <li>3. The Grant allocations for 2021/22 are yet to be announced and are expected in early March, however the spending review 2020 indicated that the grant will be maintained, indicating no increase from the 2020/21 grant of £33.1 million. There are still uncertainties and actual budget confirmation may vary from this indication. If the grant remains at £33.1million, inflationary costs will need to be met such as the cost of any pay uplifts for nursing staff in commissioned services. The long-term future of Public Health funding is uncertain and will be subject to the government’s fair funding review expected in 2021/22.</li> </ol>			
<b>Ring-fenced - Public Health £38.0 million</b>			
<ol style="list-style-type: none"> <li>4. The Public Health budget for 2021/22 is anticipated to be £38.0 million and a breakdown of spending against Public Health grant categories is noted in Appendix A .This includes( as for 2020 / 21) £33.1 million Public Health Grant and £4.9 million contributions to joint contracts commissioned by Bristol Public Health on behalf of neighbouring authorities.</li> <li>5. From the grant allocation of £33.1 million most of the expenditure is on externally commissioned services -</li> </ol>			



£28 million (85 %) and on transfers to other departments in the council to support delivery of agreed public health activity which is detailed in the appendices.

6. The break down also includes the expenditure to be incurred for employees and costs for each of the service area. Previously approved contractual arrangements will continue into 2021/22, to be reviewed once full and final grant details are received. Any required readjustments will be undertaken in conjunction with the Cabinet Member and Cabinet Board and positive or adverse variations will be appropriately planned for.
7. The Government's presumption is that the grant will be spent in-year. If at the end of the financial year there is any underspend this should be carried over, as part of a ring-fenced public health reserve. In using those funds in future year's expenditure needs to comply with the grant conditions. The government may consider reducing future grant amounts to LAs that report significant expenditure which does not meet criteria and is considered a misuse of the grant.

#### **General Fund – Public Health £4.8 million**

8. The Public Health General Fund breakdown is detailed in Appendix A1.  
The Public Health Grant has been used to fund a proportion of General Fund Activities which are of specific public health benefit. The Public Health Grant pays for all drug and alcohol expenditure, a significant proportion of domestic abuse services and community and neighbourhood Services. Costs for Physical Activity and Sport development have also been absorbed. The Public Health General Fund also includes the Healthwatch contract and Hengrove Leisure Centre PFI contract.
9. During 2020/21 the general fund budget for the Safer Bristol element of the PH budget was transferred from Communities and Public Health to the Children and Families budget, however, the cost centre for Domestic Abuse was retained (service area 371).

#### **Additional income for specific areas of work**

10. In addition to the public health grant Bristol City Council will receive funding in 21/22 to deliver the statutory duties as part of the Domestic Abuse Bill and funding to enhance treatment for drug and alcohol misuse. These have been agreed in separate reports by Cabinet in 20/21. Domestic Abuse Bill - £1.1 million; Rough Sleepers drug and alcohol - £711,000; Inpatient Drug Treatment - £140,000; Drug Treatment Accelerator Programme – Approx. £1.7 million.

#### **The Future**

11. This has been an exceptional year for local authority public health services. The focus of public health programmes has by necessity pivoted to lead the Covid Outbreak Management Response at the expense of some other activity. During 2021/2022 we will be maintaining a strong focus on Health Protection capacity and expertise in order to effectively discharge the public health statutory duties in this respect; at the same time we will be focussing on the performance of public health services and core function and undertaking work on the following key priority areas: delivering a City Wide Drug and Alcohol Strategy; Supporting the Bristol Food Equality Programme – including healthy weight; maintaining fast Track Cities for HIV; delivering the Sport and Leisure Strategy; working with partners to deliver Thrive Bristol for positive mental health and wellbeing; recommissioning Domestic Abuse Services and supporting delivery of outcomes to reduce domestic abuse as part of the Domestic Abuse Bill statutory duties; working with health partners and communities to ensure that the new Integrated Health System addresses inequality; supporting the Health and Wellbeing Board and One City Partners to develop healthy policy for a healthy city; engaging schools in the healthy schools programme; and ensuring the delivery of a high performing public health nursing service.
12. The ring-fenced public health reserves (£3.8 million) utilisation is currently held against known risks and cost pressures against sexual health services, risk of overperformance or quality and safety issues within commissioned services for drugs and alcohol, domestic abuse and health protection, contribution to leisure services contract costs, risk mitigation against grant reduction and investment in healthy public policy for example sustainability, clean air and health inequality programmes.

13. A separate drug and alcohol reserve is also held (£2.0 million), which is made up from wider partner income and contribution from the Public Health Grant in previous years.

#### **Director of Communities and Public Health**

14. The Director of Communities and Public Health is satisfied that the budget meets the statutory requirements of the grant and it is being properly applied to meet the council's public health duties.

#### **Council Tax**

15. There will be no change to the current year's level of Council Tax arising from the recommendations in this report. The Band D equivalent will remain at £1,846.02 (£2,163.65 including precepts from Avon Fire Authority and the Police and Crime Commissioner for Avon and Somerset), as set by full Council on 23rd February 2021.

#### **Director of Finance - Financial Assurance Statement**

16. Section 25 of the Local Government Act 2003 requires that when a local authority is making its budget calculations, the Chief Finance Officer of the authority must report to the Council on the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves. The estimates are based on 2020/21 spending profiles and considered accurate. As outlined in the report they may be subject to change +/- to reflect the actual allocation.
17. Reserves are an important part of the Council's financial strategy and are held to create long term budgetary stability. They enable the Council to manage change and risk without undue impact on the Council Tax and are a key element of its financial standing and resilience. Council was provided with a detailed assessment of the adequacy of the reserves and the levels of risk inherent in the budget when the original Council budget was set in February 2020. That overall assessment remains unchanged.
18. The Public Health ring-fenced earmarked Reserve is expected to be £3.8 million as at 1 April 2021 and sufficient to meet any unforeseen demand. In addition the council has a general reserve, which is currently maintained at a minimum level of between 5% and 6% of the Council's net revenue budget is c.£20 million. A situation where the general fund reserve would be required would only arise as a short term measure if mitigations were not possible within the Public Health Grant itself for services agreed to be a strategic priority and additional savings would need to be identified as part of the future year budgets to replenish the general reserve to a level that provides the resilience the Council needs overall as we continue in this challenging period of financial uncertainty and risk.

#### **Cabinet Member / Officer Recommendations:**

That Cabinet

#### **Note:**

- a) The Council Tax Band D equivalent, as agreed in February 2021, remains unchanged.
- b) That all other budgets agreed by Council remain unchanged, subject to in year movements within delegated authorities
- c) The Director of Finance (s151 Officer) Assurance Statement; on the robustness of the budget and adequacy of reserves
- d) The Director of Public Health Assurance Statement.

#### **Approve the Public Health Budget of £38.0million for the 2021/22 financial year**

- e) Authorise the Director of Finance to make any necessary technical adjustments or adjustments to the overall budget upon receipt of the final allocation, with transfers to and or from reserves as appropriate.
- f) Authorise the Director of Communities and Public Health in consultation with the Deputy Mayor and Cabinet member for Communities, Equalities & Public Health and Director of Finance to take all steps required to

finalise and implement the 2021/22 Public Health budget following receipt of the grant.

**Corporate Strategy alignment:**

Public Health in Bristol is working to embed health and wellbeing in all decisions that are taken by the council

**Wellbeing:** Public health is embedded and crucial in ensuring delivery of all the ambitions in the corporate strategy that will make Bristol a healthier City.

**Empowering and caring:** The communities and Neighbourhoods team are working with communities to empower and, increase independence, support those who need it. This is particularly relevant during and post Corvid to enable communities to recover and regenerate. Public Health works to give children the best possible start in life, through its programme and in commissioning public health nursing services

**Fair and inclusive:** Public health, through its Alive and Thrive programmes work to Improving economic and social equality, public health's reason for being is to tackle social injustice and reduce inequalities in health outcomes

**Well-connected:** Through community development and neighbourhoods work to reduce social isolation

**City Benefits:**

The programme of work undertaken by Public health ensures that the city is working towards all the ambitions that the council has in making the city a fairer, more equitable, kind, and caring place to grow up in, live and work in. The programme of work aligns with both the One City ambitions and the Corporate Plan and is working closely with strategic partners to enable best use of resources.

**Consultation Details:** Individual aspects of the public health grant are consulted upon as required through the commissioning or decommissioning process.

**Background Documents:**

Public health grants to local authorities: 2020 to 2021 - GOV.UK ([www.gov.uk](http://www.gov.uk))

<b>Revenue Cost</b>	<b>£38.0m</b>	<b>Source of Revenue Funding</b>	<i>Ring fenced grant: £33.1m Partnership contribution: £4.9m</i>
<b>Capital Cost</b>		<b>Source of Capital Funding</b>	
<b>One off cost</b> <input type="checkbox"/>	<b>Ongoing cost</b> <input type="checkbox"/>	<b>Saving Proposal</b> <input type="checkbox"/>	<b>Income generation proposal</b> <input type="checkbox"/>

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

**1. Finance Advice:**

This is a budget report and full details are contained in the body of the report and associated appendix.

**Finance Business Partner:** Denise Hunt 25/02/21

**2. Legal Advice:** The procurement process to spend the grant funding must be conducted in line with the 2015 Procurement Regulations and the Councils own procurement rules. Legal services will advise and assist officers with regard to the conduct of the procurement process and the resulting contractual arrangements.

**Legal Team Leader:** Husinara Jones, Solicitor/Team Leader, 5 March 2021

**3. Implications on IT:** No impact on IT services

**IT Team Leader:** Simon Oliver 01/03/21

**4. HR Advice:** There are no specific HR implication emerging from this report.

**HR Partner:** Lorna Laing HR business partner 25/02/21

<b>EDM Sign-off</b>	Jacqui Jensen Executive Director	1 <sup>st</sup> March 2021
<b>Cabinet Member sign-off</b>	Councillor Asher Craig	1 <sup>st</sup> March 2021
<b>For Key Decisions - Mayor's</b>		[date]

<b>Office sign-off</b>		
<b>Appendix A – Further essential background / detail on the proposal</b>		<b>YES</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>		<b>NO</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>		<b>NO</b>
<b>Appendix D – Risk assessment</b>		<b>NO</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>		<b>YES</b>
<b>Appendix F – Eco-impact screening/ impact assessment of</b>		<b>NO</b>
<b>Appendix G – Financial Advice</b>		<b>NO</b>
<b>Appendix H – Legal Advice</b>		<b>NO</b>
<b>Appendix I – Exempt Information</b>		<b>NO</b>
<b>Appendix J – HR advice</b>		<b>NO</b>
<b>Appendix K – ICT</b>		<b>NO</b>

## Appendix A

**Table 1 - Ring Fenced Public Health Divisional Summary**

**Note:**

This budget includes expenditure from the PH Grant £33.1million, plus £4.9 million income from other partners for jointly funded services.

**Proposed Budget 2021/22 - Divisional summary with savings**  
**Division: Public Health**

**Services provided by Public Health**

Public Health comprises health protection and sexual health protection, mental health and social inclusion, services for adults and older people, children and young people and core support provided to the CCG.

Summary by Service	2021/22 Budget					
	Base Budget 2021/22	Pay & Inflation	Virements	Growth	Savings and Efficiencies	Proposed 2021/22 Budget
Service	£000					

Summary by CIPFA group (Account Type)		2021/22 Budget					
CIPFA description		Base Budget 2021/22	Pay & Inflation	Virements	Growth	Savings and Efficiencies	Proposed 2021/22 Budget
		£000					
1	Employees	2,702	0	0	0	0	2,702
3	Transport-Related Expenditure	12	0	0	0	0	12
4	Supplies & Services	3,023	0	0	0	0	3,023
5	Third Party Payments	30,519	0	0	0	0	30,519
7	Support Services	1,693	0	0	0	0	1,693
<b>Expenditure</b>		<b>37,950</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>37,950</b>
9	Income	(37,950)	0	0	0	0	(37,950)
<b>Income</b>		<b>(37,950)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(37,950)</b>
<b>NET Expenditure</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Savings proposals within Public Health**

Saving Name	Description	Savings £000	Savings Reference

**Table 2 - Grant expenditure broken down by Public Health England designations**

Description	Total £
Sexual health services	4,296,859
Prescribed PH functions incl. NHS health checks and health protection	1,025,744
Child health: Obesity and physical activity	1,168,677
Adult obesity and physical activity	705,996
Substance misuse: Prevention and treatment services	9,915,776
Smoking and tobacco control (including Shisha)	657,980
Children's Public Health Nursing Programmes 0-19	10,438,780
Healthy People Healthy Place, mental health, domestic abuse, resilient communities	4,932,164
<b>Total</b>	<b>33,141,973</b>

## Appendix A1

**Table 1 - Public Health General Fund**

Note:

331 Does not include budget for clean streets

342 public health non PHE includes Healthwatch and Hengrove

371 should be re-labelled Domestic Abuse

### *Proposed Budget 2021/22 - Divisional summary with savings*

#### Division: Public Health - General Fund

#### Services provided by Public Health - General Fund

Public Health activity enabled by the general fund includes the management of our sports strategy, city-wide leisure contracts and sports and physical activity development

Summary by Service		2021/22 Budget					Proposed 2021/22 Budget
		Base Budget 2021/22	Pay & Inflation	Virements	Growth	Savings and Efficiencies	
£000							
331	Neighbourhood and Communities (Clean Streets)	268	0	0	0	0	268
336	Bristol Impact Fund	2,356	0	762	0	0	3,118
342	Public Health - Non PHE Funded	716	0	0	0	0	716
371	Safer Bristol	650	0	(0)	0	0	650
<b>Total Public Health - General Fund</b>		<b>3,991</b>	<b>0</b>	<b>762</b>	<b>0</b>	<b>0</b>	<b>4,753</b>

Summary by CIPFA group (Account Type)		2021/22 Budget					Proposed 2021/22 Budget
		Base Budget 2021/22	Pay & Inflation	Virements	Growth	Savings and Efficiencies	
£000							
1	Employees	1,065	0	0	0	0	1,065
2	Premises-Related Expenditure	25	0	0	0	0	25
3	Transport-Related Expenditure	10	0	0	0	0	10
4	Supplies & Services	262	0	0	0	0	262
5	Third Party Payments	8,917	0	(84)	0	0	8,833
7	Support Services	346	0	(200)	0	0	146
<b>Expenditure</b>		<b>10,625</b>	<b>0</b>	<b>(284)</b>	<b>0</b>	<b>0</b>	<b>10,340</b>
9	Income	(5,872)	0	284	0	0	(5,587)
<b>Income</b>		<b>(5,872)</b>	<b>0</b>	<b>284</b>	<b>0</b>	<b>0</b>	<b>(5,587)</b>
N	Income & Expenditure outside of Net Cost of Service	(762)	0	762	0	0	0
<b>Other items outside of the Net Cost of Service</b>		<b>(762)</b>	<b>0</b>	<b>762</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>NET Expenditure</b>		<b>3,991</b>	<b>0</b>	<b>762</b>	<b>0</b>	<b>0</b>	<b>4,753</b>

#### Savings proposals within Public Health - General Fund

Saving Name	Description	Savings £000	Savings Reference

**Table 2 - Service Area 331:**

#### **10303: Community Development Operations**

Salaries	1,192,278
Commissioned Services/Grants	154,557
Programme costs	58,890
Income other dept	-92,127
Income - HRA Grant	-116,350
Income - PH Grant	-929,000
<b>GF Budget</b>	<b>268,248</b>

#### Service Area 336: Bristol Impact Fund

The budget for the Bristol Impact fund is £3.1 million and incorporate community investments. The Bristol Impact Fund has been subject to separate report to cabinet in February 2021.

#### Service Area 341:

**Table 3 - Hengrove Leisure Centre  
(PFI Contract)**

Commissioned Services/Grants	3,500,000
Income - DCMS credits	-2,785,570
Hengrove reserve draw down	-213,630
<b>GF Budget</b>	<b>500,800</b>

**Table 4 – Healthwatch**

Commissioned Services/Grants	378,575
Income - LRCV grant	-163,025
<b>GF Budget</b>	<b>215,550</b>

**Service Area 371:**

**Table 5 - Domestic Abuse**

Commissioned Services/Grants	1,546,033
Income - PH Grant	-895,761
<b>GF Budget</b>	<b>650,272</b>



## Decision Pathway – Report

**PURPOSE:** Key decision

**MEETING:** Cabinet

**DATE:** 18<sup>th</sup> March 2021

<b>TITLE</b>	Delivery of cleaning and security services		
<b>Ward(s)</b>	City Wide		
<b>Author:</b> John Walsh	<b>Job title:</b> Director, Workforce and Change		
<b>Cabinet lead:</b> Cllr Cheney	<b>Executive Director lead:</b> Mike Jackson		
<b>Proposal origin:</b> Other			
<b>Decision maker:</b> Cabinet Member			
<b>Decision forum:</b> Cabinet			
<b>Purpose of Report:</b> To obtain approval to transfer cleaning and security functions, and associated contracts (soft FM) to Bristol Waste Company Limited with effect from 1 <sup>st</sup> June 2021 as described in Appendix A.			
<b>Evidence Base:</b>			
<ol style="list-style-type: none"> <li>1. Historic financial performance of services - the proposals and business case (appendix I) sets out a reduction in costs for these services</li> <li>2. Improving the service delivery of cleaning and security by benefiting the staff team through more supervision, investment in training and development, provision of new equipment and increasing head count in service delivery teams.</li> <li>3. The contractual terms and conditions of employment of the staff who are transferred to BWC are protected in accordance with the Transfer of Undertakings (Protection of Employment) Regulations 2006. Additional protections for staff will also apply and will be incorporated into the contract between BCC and BWC including protection against compulsory redundancies, protection of contractual terms and conditions of employment for the duration of the service agreement including pay and pensions, and the right to return to Bristol City Council when the service is brought back in-house including when the contract ends or if Bristol Waste defaults, is closed or sold off.</li> <li>4. Ensuring an efficient, compliant approach to service delivery in soft FM by not relying on lots of smaller contracts</li> <li>5. Investing in the development of the service team and organisational structure</li> <li>6. Supporting the development of Bristol Waste Company Limited by expanding their offer, in line with their business model</li> <li>7. BCC to retain governance through a joint executive board meaning that it would still retain strategic oversight</li> </ol>			
<b>Cabinet Member / Officer Recommendations:</b>			
<b>That Cabinet:</b>			
<ol style="list-style-type: none"> <li>1. Approve the award of a contract for the delivery of the council's cleaning and security services to Bristol Waste Company Limited from 1<sup>st</sup> June 2021, for a period of 4 +1+1+ 1 years at a cost of circa £5.8million per annum.</li> <li>2. Note the exceptional arrangements for staff, the costs of which are incorporated in annual cost of £5.8</li> </ol>			



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3. Authorise Director: Workforce and Change, in consultation with the Deputy Mayor for Finance, Governance and Performance, Director: Finance and Director: Legal & Democratic Services to negotiate the terms of and enter into all necessary legal agreements to give effect to this service transition, including the transfer of staff to Bristol Waste Company.

**Corporate Strategy alignment:**

1. Workplace Organisational Priorities (WOP4) - Be responsible financial managers and explore new commercial ideas. This is a practical opportunity to allow these service lines to operate in a more commercial way, enabling them to bring income into the council as shareholders in BWC.

**City Benefits:**

1. **Equalities and Diversity** – BWC have a robust policy that fully supports equality and diversity (attached for reference). BWC offer language training, an employee assistance programme, they take a leading role in the Stepping Up mentoring programme, have an apprenticeship programme as well as a learning and development academy. The BWC Diversity and Inclusion Working Group has endorsed a D & I strategy (also attached) and is working on a number of initiatives and actions to support this strategy. For example, identifying local community groups, reviewing its online application process and highlighting barriers to for underrepresented groups.
2. **Health and Sustainability** – The proposed service introduces a number of features intended to improve the wellbeing of people. BWC already have an active programme of initiatives in this area that will be extended to the service team. These include mental health workshops, ‘buddy’ plans, webinars, staff engagement surveys, help lines, focus groups and healthy lifestyle training. A supportive structured approach towards sickness management is in place, which enables BWC and its service teams to operate at better levels than national rates. The new structure will increase in size and will be developed to enable career opportunities. A recognition and reward scheme is being extended to encourage innovation and continuous improvement. The BWC wellbeing strategy and model are attached for reference.
3. **Social Value** – BWC adopt and operate the same social value policy as BCC and this policy is also attached for reference. A number of features support the social value objectives. These include a regional network of service partners to deliver specialist, niche and commodity services, which will help to support the local economy and supplier base. The operations will extend the range of services of BWC as a trusted provider. Introducing a formal FM service apprenticeship programme will provide on-going opportunities for local people.

**Consultation Details:**

2 November 2020: Deputy Mayor Finance, Governance and Performance briefed  
Staff consultation from 10<sup>th</sup> November to 10<sup>th</sup> December 2020  
10 November 2020: Members and Shareholder Group briefed  
23 November 2020: discussed at Shareholder Group  
2nd December 2020: Resources EDM review of draft Cabinet Report  
7th December 2020: Cabinet member briefing on draft Cabinet Report  
18 January 2021: OSMB review draft Business Case  
18<sup>th</sup> February HR Committee  
24<sup>th</sup> February OSMB  
5<sup>th</sup> March HR Committee

**Background Documents:**

1. [Bristol City Council Corporate Plan](#)

<b>Revenue Cost</b>	<b>£5.8million in year reducing year on year to £5.2m in Yr4.</b>	<b>Source of Revenue Funding</b>	FM and BCC Cleaning and Security Budgets
<b>Capital Cost</b>	£	<b>Source of Capital Funding</b>	<i>e.g. grant/ prudential borrowing etc.</i>
<b>One off cost</b> <input type="checkbox"/>	<b>Ongoing cost</b> <input checked="" type="checkbox"/>	<b>Saving Proposal</b> <input checked="" type="checkbox"/>	<b>Income generation proposal</b> <input type="checkbox"/>

**Required information to be completed by Financial/Legal/ICT/ HR partners:**

**1. Finance Advice:** It's proposed that BCC Facilities Management (FM) outsources its Cleaning and Security Services to Bristol Waste Company (a BCC wholly owned Teckal company). The FM division faces ongoing pressures to its annual budget. This approach is intended to relieve some element of these financial pressures, in addition to modernising the services and aligning to various priorities within BCC's corporate strategy. These services combined currently cost £6.0m per annum. BWC have tendered £5.8m in year 1 of the proposed contract representing a saving of £0.2m. By year 4 the annual contract price will be £5.2m representing an in year saving of £0.8m and delivering £2.0m cumulative saving over the 4 years. (Details of the annual profiling are set out in Appendix G).

- It is key that BCC reduces its £0.2m budget of Overhead costs identified as being directly linked to BCC's current provision of these services i.e. within Finance, HR, IT, Procurement and Premises. (Also set out in Appendix G).
- For Budget 21/22 it will be necessary to centralise within FM those elements of the current budget which sit outside the FM division.
- Care must be taken as contract terms are drawn up to ensure that terms set don't undermine the planned financial position.
- No additional costs linked to the TUPE-ing of staff to BWC has been assessed at this time.
- No onerous existing supplier contract terms have been identified.
- This contract is to sit outside the existing Paymech agreement between BCC and BWC.

**Finance Business Partner:** Jemma Prince, 10 March 2021

**2. Legal Advice:** Legal Services will advise and assist in reviewing the current contractual arrangements for the affected services and identify any wider contractual implications arising from any service transfer e.g. finalise our understanding of termination; scope for assignment/novation etc. The objectives of BWC may need to be revisited to ensure they encompass the additional services. (The Articles do provide for the company, with the Councils consent, as a reserved matter, to add/alter these objectives. This would require a decision by the Shareholder). The form of contract proposed by BW is an industry model – Integrated Workforce & Facilities Management Service Contract. An initial review suggests this will, subject to some amendments, be acceptable, but will require appropriate service specifications, KPI's, payment profile etc to be produced. The Transfer of Undertaking (Protection of Employment) Regulations 2006 provide for the protection of contractual terms and conditions of employment for staff who will transfer to BWC.

**Legal Team Leader:** Eric Andrews/Husinara Jones, Legal Services, 10 March 2021

**3. Implications on IT:** No anticipated adverse impact on IT Services. A solution to enable BWC staff to utilise both BCC systems and also utilise BWC systems will need to be considered and costed into the transition planning. Information Assurance colleagues will want to ensure that building Physical Access and Monitoring controls remain appropriate to achieve our Information Security standards, and that access to our Monitoring systems by BWC staff is appropriately controlled

**IT Team Leader:** Simon Oliver, IT, 07/01/2021

**4. HR Advice:** All employees will be transferred to the Bristol Waste Company in accordance with the provisions of the Transfer of Undertakings Protection of Employment Regulations (TUPE). It has been agreed with BWC that the terms and conditions of the employees who transfer will be protected for the lifetime of the contract. In addition, as a minimum, annual pay settlements will be uplifted in line the NJC pay award for local government staff. In addition, BWC is an accredited Living Wage Employer so staff on the living wage rate will automatically have their pay uplifted annually on 1 April.

All employees who transfer to the service provider will continue to be members of the Local Government Pension (LGPS). The right to be a member of the LGPS is also retained for employees who have opted out of the LGPS at the point of transfer and will continue in perpetuity after the transfer.

The service provider is already a designated employer in the Avon Pension Fund. The Board of the Bristol Waste Company will need to pass a resolution admitting the transferring staff into the LGPS including providing continuing access to the scheme for those employees who transfer who have opted out of the scheme. These arrangements are a condition of the transfer.

**HR Partner:** Mark Williams, Head of HR, December 21 2020

<b>EDM Sign-off</b>	Mike Jackson	09/12/2020
<b>Cabinet Member sign-off</b>	Cllr Craig Cheney	25/01/21
<b>For Key Decisions - Mayor's Office sign-off</b>	Mayor's Office	10/03/21

<b>Appendix A – Further essential background / detail on the proposal</b> A: Overview of process undertaken to identify BWC as suitable provider	<b>YES</b>
<b>Appendix B – Details of consultation carried out - internal and external</b>	<b>YES</b>
<b>Appendix C – Summary of any engagement with scrutiny</b>	<b>YES</b>
<b>Appendix D – Risk assessment</b>	<b>YES</b>
<b>Appendix E – Equalities screening / impact assessment of proposal</b>	<b>YES</b>
<b>Appendix F – Eco-impact screening/ impact assessment of proposal</b>	<b>YES</b>
<b>Appendix G – Financial Advice</b>	<b>YES</b>
<b>Appendix H – Legal Advice</b> ( <i>Legal Services must be the author of the advice</i> ) <i>Ref earlier note above</i>	<b>NO</b>
<b>Appendix I – Exempt Information</b> “I BWC Business Case EXEMPT”	<b>YES</b>
<b>Appendix J – HR advice</b>	<b>NO</b>
<b>Appendix K – ICT</b>	<b>NO</b>
<b>Appendix L – Procurement</b>	<b>NO</b>



## **Staff Consultation Summary- Cleaning and Security transfer to Bristol Waste**

**Dates:** 10<sup>th</sup> November to 10<sup>th</sup> December 2020

**Report by:** David Martin, Head of Facilities Management, 23/12/2020

### **Background**

The proposal to transfer cleaning and security teams to Bristol waste company included a month long meaningful consultation process in order to engage with the staff and relevant trade unions in respect to the potential transfer. The process aimed to talk to the staff about the proposal and consider the opinions of the team, and also looked to answer any questions and queries that they had.

### **How did we engage?**

There were several mechanisms used in order to engage with this large, operational team, which is spread across many locations and with different working patterns. The impact of COVID 19 also meant that traditional large group meetings were difficult to implement in a safe way.

We began the process with sending all staff a hard copy letter, outlining the proposal and the consultation process and requesting personal contact information so they could be communicated with (lots of team members do not have BCC accounts as their roles do not utilise a computer). This was an attempt to ensure that all staff in scope had chance to have their say in the process, to allow their voice to be heard. We had a Somali staff member support translating any information in the letter to ensure that the contents of this letter could be understood.

We ran a series of group consultation meetings via a digital meeting platform. We initially targeted managers and supervisors to support an information cascade and also ran a group session with all staff invited to it. The unions were also invited to all meetings. In these meetings we introduced members of the Bristol Waste team to staff and allowed for free discussions and questions.

During the process we requested that questions got fed into the HR Resources inbox. These were then collated and responded to throughout the consultation period. There were 4 versions of the document circulated, with a total of 60 queries responded to.

There were also a series of 1-1 meetings with individual officers on request. On the whole these related to specific situations of the members of staff, some of the 1-1 sessions included union members representing their staff.

### **Summary**

There were some challenges to the consultation, given the large frontline workforce, and also the impact of COVID 19.

The consultation was collaborative and the team members really engaged in the process, which is evidenced by the fact that we had some many questions. Many of the queries understandably centred on the impact of any contractual arrangements and their terms and conditions, which I feel have been adequately covered during the process.

Other queries were around protection of contractual rights, HR policies, operational queries and the strategic direction of the services.

**Bristol City Council  
Minutes of the Human Resources Committee**

**5 March 2021 at 10.00 am**



**Members Present:-**

**Councillors:** Jon Wellington (Chair), Richard Eddy, Margaret Hickman (substitute for Jeff Lovell), Gary Hopkins, Paula O'Rourke, Ruth Pickersgill

**Officers in Attendance:-**

Husinara Jones, James Brereton (HR Advisor - HR Policy and Engagement) and John Walsh (Director: Workforce & Change) and Jeremy Livitt (Clerk – Democratic Services)

**Representatives of the Bristol Waste Company:** Tony Lawless, Frank Rodriguez and Karen Stephens

**1. Welcome, Introductions and Safety Information**

The Chair welcomed all parties to the meeting.

**2. Apologies for Absence**

Apologies for absence were received from Councillor Jeff Lovell (Councillor Margaret Hickman substituting).

**3. Declarations of Interest**

There were no Declarations of Interest made at the meeting.

**4. Public Forum**

Public Forum statements were made by the following. Details of these statements have been published and can be found on the relevant pages of the Bristol City Council website:

- (1) Jeff Sutton – GMB
- (2) Tom Merchant – UNISON
- (3) Steve Davies – UNITE



## 5. Delivery of Cleaning and Security Services

Following a request by the Deputy Mayor, Human Resources Committee had been reconvened to further discuss this issue.

A summary had previously been circulated of the recent discussion at the Overview and Scrutiny Management Board's meeting on 24th February 2021.

Members attention was drawn to the Cabinet report which had been withdrawn from the 25th February 2021 Cabinet meeting at the HR Committee's request and had been circulated to the Committee for discussion. A summary had also been circulated of the recent discussion at the Overview and Scrutiny Management Board's meeting on 24th February 2021.

It was noted that an additional meeting of Cabinet had been fixed for Tuesday 13th April 2021. The Chair advised that he had received indications that it was likely that this item would be considered at this meeting.

Members of the Bristol Waste Company introduced themselves – Tony Lawless, Frank Rodriguez and Karen Stephens.

The Committee was reminded that any detailed discussion of the Business Plan would require the meeting to move into exempt session.

The Chair noted with concern suggestions from one member of the Committee that staff had been unable to put their views forward on this proposal to the previous meeting of the HR Committee and advised that any such allegations be directed to the Monitoring Officer. The Democratic Services Officer confirmed that all Public Forum Statements sent to them were always submitted to meetings provided they complied with the required rules concerning deadlines.

Committee members noted the report and made the following comments:

- There was an overrepresentation of Over 55 and BAME staff in the workforce affected by the proposal. Further work was required on Bristol Waste Company's Policies and Governance
- If the Business Plan had been available at the time of the last HR Committee, this would have helped Councillors understand much clearer how the process would operate. Further scrutiny on the Business Plan was important to fully assess the proposal
- BWC seemed a very male-dominated Company. It was important that the process should take account of the needs of BCC staff, many of whom were cleaners from the Somali community and from particular parts of the city (ie Lawrence Hill)



- The scrutiny of Companies like this was a key element of effective governance. Auditors' previous recommendations to Full Council on this needed to be fully implemented. A checklist was required to show that this would take place and an effective monitoring process put in place.
- It was a concern that the last Job Evaluation within BWC had taken place 17 years ago. There was a lack of meaningful consultation and of feedback from customers on the proposal
- BWC did not appear to have the wider experience to carry out this work
- There was no reliable independent assessment of the proposal through audit

In response, officers and Bristol Waste Company representatives made the following points:

- All staff had to abide by the Code of Conduct and could not prevent any member of staff from expressing their view on any proposal
- There had been a statutory consultation process together with FAQs produced to explain how it would operate. Staff had also been able to meet collectively and individually throughout
- Any decision to proceed with the process would take place under TUPE. Since there were no proposed changes in Terms and Conditions, formal negotiations were not required. There would be an assessment of the contract cost and regular monitoring arrangements. Committee members were free to attend the Joint Executive Board to observe this process if they wished to do so
- As part of the contractual arrangements for the transfer of Terms and Conditions, a Diversity and Inclusion Policy had been created and BWC had its own staff led group. BWC also was involved in the Step Up Programme, Triodos Bank and the Translating and Interpreting Team. Monitoring of cultural issues would take place as part of the contract monitoring process
- Savings made during the process would either be re-invested in the business or returned to BCC

The Chair indicated that, in conjunction with the Clerk to the committee and Bristol City Council officers, he would prepare a note setting out the views of the Committee for submission to the Deputy Mayor.

At the end of the discussion, the Committee passed the following resolution:

Councillor Ruth Pickersgill moved, seconded by Councillor Paula O'Rourke and it was

**RESOLVED (5 for, 1 against) – that Cabinet is requested to note the concerns raised by the Committee and Trade Unions and to consider how Bristol City Council can influence the Bristol Waste Company's management of TUPE staff to ensure the highest level of support and wellbeing for them, to also request that Cabinet monitors the situation and reports back to HR Committee throughout the contract and to further request that any decision made is in line with the recent auditors' recommendations on governance made to Full Council concerning companies such as the Bristol Waste Company.**

The meeting ended at 11.40 am

**CHAIR** \_\_\_\_\_







Dear Mike Jackson and Councillor Craig Cheney,

**RE: Delivery of Cleaning and Security Services**

- The Delivery of Cleaning and Security Services item was previously considered at the HR Committee meeting of 18<sup>th</sup> February, where Members recommended that it be removed from the Cabinet agenda of 25<sup>th</sup> February in order to receive appropriate Scrutiny. The discussion held in OSMB 24<sup>th</sup> February was not intended to fulfil this function but was a pre-scheduled item prior to the anticipated Cabinet meeting.
- Officers outlined the process that the proposal had been through, including the creation of a cross departmental Executive Board to consider and check the viability of the options for delivery of commercial services. The Board made the recommendation to transfer cleaning and security services to Bristol Waste Company on receipt of a Full Business Case to show viability. The resultant Cabinet Paper was due to be received on 25<sup>th</sup> February.
- Officers outlined the due diligence the proposal had been through, including meetings with staff, and stated that Unions had not engaged in those discussions.
- Scrutiny Members held a range of views on the proposal, including:
  - A Member strongly recommended making greater efforts to re-engage with the Union to address their concerns. The difference between the views expressed to Members by Officers as opposed to Union representatives demonstrates conflicting understandings which will need to be resolved.
  - A Member considered the Cabinet paper to have been poorly prepared, focused on justification of the decision made rather than providing the aims of the project.
  - Members strongly felt that it was unclear why this route had been chosen rather than make the improvements needed in-house (ie. within Bristol City Council). Without this clarity it was easy to see how the affected staff have concerns over the nature of this venture.
  - While Officers maintained the primacy of ensuring appropriate Terms and Conditions for the TUPEd staff, Members raised ongoing concerns around the unknown impact of working policies and practices. The Contract has not yet been finalised, therefore the final Terms and Conditions have not yet been seen. Members requested assurance that staff are aware of and in favour of the Terms and Conditions.
  - A Member raised a concern over where the opportunity for Scrutiny of the new venture lay, and asked that this be considered and built in. Full Scrutiny prior to Cabinet approval has not yet been determined.
  - Some clarity over the Teckel rules was required; a Member considered that the 20% allowance for additional business should be restricted to Waste Management initiatives rather than diversifying the business.

- Some Members felt they required more information and time to digest the proposal before drawing conclusions. All members agreed that protection of staff is the primary concern.
- It was agreed that this note would be prepared to provide the Deputy Mayor with responsibility for Finance, Governance and Performance an indication of Members views after an initial consideration of the Cabinet Report.
- It is understood that this item will be returning to HR Committee on 5<sup>th</sup> March.

**Councillor Geoff Gollop**

**Chair of Overview and Scrutiny Management Board.**

Title		Performance	Current Risk Level			What we are doing	Tolerance Risk Level		
Risk title and description	What we have done		Likelihood	Impact	Risk Rating		Likelihood	Impact	Risk Rating
<p><b>The efficient and effective delivery of Cleaning and Security services by Bristol Waste Company on behalf of Bristol City Council</b>, should the transfer proceed.</p> <p>Key potential causes are:</p> <ul style="list-style-type: none"> <li>Staff availability to carry out work plans in a safe way</li> <li>Lack of information on the potential or known risks.</li> <li>Inadequate contract management arrangements.</li> <li>Lack of effective processes and systems consistently being applied.</li> <li>Policies are not kept up to date.</li> <li>Restrictions for operating normally caused by external factors i.e. Covid-19 pandemic.</li> </ul>	<p>A concept proposal was originally presented to Bristol City Council (BCC) by Bristol Waste (BWC) on 19 September 2019. The concept proposal came from BWC as an attempt to expand their business in line with their business objectives and expertise- and the identification that the council could benefit from a different approach to some FM service delivery. This was presented to the BCC commercial team, who have subsequently been disbanded. The FM services covered by the proposal were transferred to Workforce and Change in February 2020. There was a re-engagement in February 2020 from BWC with relevant team members in BCC. Following this there was an agreement made (underpinned by a letter of intent from BCC) to explore the proposals further and enter a Due Diligence phase to ensure that the proposals offered value for money.</p> <p>BCC representatives have been working with the management team from its teckal enterprise Bristol Workplace (an operating division of Bristol Waste) to determine the feasibility of introducing an integrated facilities management (FM) service. A key aspect of this work was a partnership approach to identifying and managing risks.</p> <p>The Due Diligence stage was to validate the financial solutions proposed by BWC and to review their Target Operating Model (TOM). There was an initial period of information gathering where BWC and BCC contacts in respective teams exchanged information in order to help with benchmarking and validation.</p> <p>A BCC internal governance board was set up (FM, Legal, Procurement, HR, Finance and IT). The group scrutinise proposals in order to reach a decision about progressing forward to cabinet and to identify and manage any substantive and emerging risks. The internal board made a unanimous decision on the 27 October 2020 to explore set service lines (Security and Cleaning and associated contracts).</p> <p>During Due Diligence there were joint weekly meetings to cover any queries from either team in relation to the information being provided. The main areas of information were financial, procurement and HR. Individual meetings were also held by BWC and their respective counter parts in BCC.</p> <p>A Joint Executive Board was set up in August 2020 including members from BWC and BCC.</p> <p>BCC has set up an internal Board with FM, Legal, Shareholder liaison, IT, HR and procurement representation.</p> <p>We also ran a meaningful initial consultation process with the staff group and allowed them to raise questions and queries in respect to the transfer.</p>	<p>Ne w</p>	3	5	15	<p>We are preparing a draft contract to manage / mitigate several key risks including cost management, standard of service delivery and protection for transferring staff over and above TUPE.</p> <p>The contract will also set several means of identifying the standard of service provision measurement and this will be linked to a disincentive regime.</p> <p>There will be increased internal resource to manage the contract drafting and finalisation process to ensure that the contract is fit for purpose.</p> <p>We will be utilising key internal expertise to validate the contract when a draft is produced to ensure it covers off any identified risks.</p> <p>A strategic oversight of any operation, should it transfer would still be held by BCC to ensure that any risks are managed and mitigated.</p> <p>The working risk register will be a standing item on the Joint Executive Board Agenda should the services transfer. This will involve close working with relevant BCC officers to ensure that risk management assessment was a key factor in supporting service delivery.</p> <p>There will be the development of a well-structured 'on-boarding' programme for staff involved which would include 1-2-1 development sessions to ensure that any emerging risks are identified and managed accordingly.</p> <p>There will be a clear communications plan and strategy in place to manage any reputational narrative and support staff welfare during the process.</p>	4	5	20
<p>Risk Owner: Director, Workforce and Organisational Change</p>	<p>Action Owner: Head of Facilities Management</p>	<p>Portfolio Flag: Finance, Governance and Performance</p>	<p>Strategy Theme: Workplace Organisational Priorities WOP4 Be responsible financial managers and explore new commercial ideas. This is a practical opportunity to allow these service lines to operate in a more commercial way, enabling them to bring income into the council as shareholders in BWC</p>						

More information is available on request.

**Risk Scoring Matrix**

		Threat Impact (Negative risks)					Opportunity Impact (Positive Risk)						
Threat Likelihood	Almost certain	4	4 (Low)	12 (Medium)	20 (High)	28 (Critical)	28 (Significant)	20 (High)	12 (Medium)	4 (Low)	4	Almost certain	Opportunity Likelihood
	Likely	3	3 (Low)	9 (Medium)	15 (High)	21 (High)	21 (High)	15 (High)	9 (Medium)	3 (Low)	3	Likely	
	Unlikely	2	2 (Low)	6 (Medium)	10 (Medium)	14 (High)	14 (High)	10 (Medium)	6 (Medium)	2 (Low)	2	Unlikely	
	Rare	1	1 (Low)	3 (Low)	5 (Medium)	7 (Medium)	7 (Medium)	5 (Medium)	3 (Low)	1 (Low)	1	Rare	
			1	3	5	7	7	5	3	1			
			Minor	Moderate	Major	Critical	Exceptional	Significant	Modest	Slight			

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Threat Level	Opportunity Level	Level of Risk	Actions Required
1-4	1-4	Low	May not need any further action / monitor at the Service level.
5-12	5-12	Medium	Action required, manage and monitor at the Directorate level.
14-21	14-21	High	Must be addressed - if Directorate level consider escalating to the Corporate Risk Report, if Corporate consider escalating to the Cabinet Lead.
28	28	Critical / Significant	Action required - escalate if a Directorate level risk, escalate to the Corporate Level, if Corporate bring to the attention of the Cabinet Lead to confirm action to be taken.

**Current and Tolerance risk ratings:** The ‘Current’ risk rating for both threats and opportunities refer to the current level of risk taking into account any strategies to manage risk - management actions, controls and fall back plans already in place. The ‘Tolerance’ rating represents what is deemed to be a realistic level of risk to be achieved once additional actions have been put in place. On some occasions the aim will be to contain the level of the risk at the current level.

**Positive Risks (Opportunities):** Where the risk is an opportunity, a cost benefit analysis is required to determine whether the opportunity is worth pursuing, guided by the score for the matrix, e.g. an opportunity with a score of 28 would be pursued as it would offer considerable benefits for little risk.

## LIKELIHOOD AND IMPACT RISK RATING SCORING

## Likelihood Guidance

Likelihood	Likelihood Ratings 1 to 4			
	1	2	3	4
Description	Might happen on rare occasions.	Will possibly happen, possibly on several occasions.	Will probably happen, possibly at regular intervals.	Likely to happen, possibly frequently.
Numerical Likelihood	Less than 10%	Less than 50%	50% or more	75% or more

Severity of Impact Guidance (Risk to be assessed against all of the Categories, and the highest score used in the matrix).

Impact Category	Impact Levels 1 to 7			
	1	3	5	7
Service provision	Very limited effect (positive or negative) on service provision. Impact can be managed within normal working arrangements.	Noticeable and significant effect (positive or negative) on service provision. Effect may require some additional resource, but manageable in a reasonable time frame.	Severe effect on service provision or a Corporate Strategic Plan priority area. Effect may require considerable /additional resource but will not require a major strategy change.	Extremely severe service disruption. Significant customer opposition. Legal action. Effect could not be managed within a reasonable time frame or by a short-term allocation of resources and may require major strategy changes. The Council risks 'special measures'. Officer / Member forced to resign.
Communities	Minimal impact on community.	Noticeable (positive or negative) impact on the community or a more manageable impact on a smaller number of vulnerable groups / individuals which is not likely to last more than six months.	A more severe but manageable impact (positive or negative) on a significant number of vulnerable groups / individuals which is not likely to last more than twelve months.	A lasting and noticeable impact on a significant number of vulnerable groups / individuals.
Environmental	No effect (positive or negative) on the natural and built environment.	Short term effect (positive or negative) on the natural and or built environment.	Serious local discharge of pollutant or source of community annoyance that requires remedial action.	Lasting effect on the natural and or built environment.
<b>Financial Loss / Gain</b>	<b>Under £0.5m</b>	<b>Between £0.5m - £3m</b>	<b>Between £3m - £5m</b>	<b>More than £5m</b>
Fraud & Corruption Loss	Under £50k	Between £50k - £100k	Between £100k - £1m	More than £1m
Legal	No significant legal implications or action is anticipated.	Tribunal / BCC legal team involvement required (potential for claim).	Criminal prosecution anticipated and / or civil litigation.	Criminal prosecution anticipated and or civil litigation (> 1 person).
Personal Safety	Minor injury to citizens or colleagues.	Significant injury or ill health of citizens or colleagues causing short-term disability / absence from work.	Major injury or ill health of citizens or colleagues may result in. long term disability / absence from work.	Death of citizen(s) or colleague(s). Significant long-term disability / absence from work.
Programme / Project Management (Including developing commercial enterprises)	Minor delays and/or budget overspend but can be brought back on schedule with this project stage. No threat to delivery of the project on time and to budget and no threat to identified benefits / outcomes.	Slippage causes significant delay to delivery of key project milestones, and/or budget overspends. No threat to overall delivery of the project and the identified benefits / outcomes.	Slippage causes significant delay to delivery of key project milestones; and/or major budget overspends. Major threat to delivery of the project on time and to budget, and achievement of one or more benefits / outcomes.	Significant issues threaten delivery of the entire project. Could lead to project being cancelled or put on hold.
Reputation	Minimal and transient loss of public or partner trust. Contained within the individual service.	Significant public or partner interest although limited potential for enhancement of, or damage to, reputation. Dissatisfaction reported through council complaints procedure but contained within the council. Local MP involvement. Some local media/social media interest.	Serious potential for enhancement of, or damage to, reputation and the willingness of other parties to collaborate or do business with the council. Dissatisfaction regularly reported through council complaints procedure. Higher levels of local or national interest. Higher levels of local media / social media interest.	Highly significant potential for enhancement of, or damage to, reputation and the willingness of other parties to collaborate or do business with the council. Intense local, national and potentially international media attention. Viral social media or online pick-up. Public enquiry or poor external assessor report.

## Bristol City Council Equality Impact Assessment Form

(Please refer to the Equality Impact Assessment guidance when completing this form)



Name of proposal	Transfer of Cleaning & Security staff to Bristol Waste Company
Directorate and Service Area	Resources; Facilities Management
Name of Lead Officer	David Martin

### Step 1: What is the proposal?

Please explain your proposal in Plain English, avoiding acronyms and jargon. This section should explain how the proposal will impact service users, staff and/or the wider community.

1.1 What is the proposal?
To transfer Cleaning & Security staff from the Council to Bristol Waste Company, which is wholly-owned by BCC.

### Step 2: What information do we have?

Decisions must be evidence-based, and involve people with protected characteristics that could be affected. Please use this section to demonstrate understanding of who could be affected by the proposal.

2.1 What data or evidence is there which tells us who is, or could be affected?					
Data is from iTrent. Significant over-representation is as follows and highlighted in the tables below:					
<ul style="list-style-type: none"> <li>• Black African and White, Caribbean, Other African, Other Black Background and Somali</li> <li>• Those aged 65+</li> <li>• Men</li> <li>• Other religion/belief</li> <li>• Other sexual orientation</li> </ul>					
			<b>BCC Workforce</b>		
<b>Disability</b>	<b>Headcount</b>	<b>%</b>	<b>Headcount</b>	<b>%</b>	
Communication		0 0.00%	1	0.02%	
Development		0 0.00%	1	0.02%	

Hearing	0	0.00%	39	0.71%
Impairment memory / concentration or ability to understand	0	0.00%	1	0.02%
Learning	0	0.00%	51	0.93%
Long-term illness or health condition	2	1.12%	128	2.34%
Mental ill health	1	0.56%	51	0.93%
Mobility or physical	0	0.00%	61	1.11%
Other	5	2.79%	184	3.36%
Visual	0	0.00%	8	0.15%
<b>No - I am not disabled</b>	<b>171</b>	<b>95.53%</b>	<b>4955</b>	<b>90.42%</b>
<b>Unknown</b>	<b>36</b>		<b>1157</b>	
<b>Grand Total</b>	<b>215</b>	<b>100.00%</b>	<b>6637</b>	<b>100.00%</b>

			<b>BCC Workforce</b>	
<b>Ethnicity</b>	<b>Headcount</b>	<b>%</b>	<b>Headcount</b>	<b>%</b>
Arabic	0	0.00%	2	0.03%
Asian and White	0	0.00%	36	0.60%
Bangladeshi	0	0.00%	10	0.17%
<b>Black African and White</b>	<b>2</b>	<b>1.16%</b>	<b>30</b>	<b>0.50%</b>
Black Caribbean and White	2	1.16%	75	1.24%
<b>Caribbean</b>	<b>15</b>	<b>8.67%</b>	<b>174</b>	<b>2.88%</b>
Chinese	0	0.00%	18	0.30%
English/Welsh/Scottish/Northern Irish/British	102	58.96%	4909	81.37%
Gypsy/Roma/Traveller/Irish Traveller	0	0.00%	8	0.13%
Indian	0	0.00%	51	0.85%

Irish	2	1.16%	67	1.11%
<b>Other African</b>	<b>20</b>	<b>11.56%</b>	<b>73</b>	<b>1.21%</b>
Other Asian background	0	0.00%	31	0.51%
<b>Other Black background</b>	<b>6</b>	<b>3.47%</b>	<b>102</b>	<b>1.69%</b>
Other ethnic group	0	0.00%	26	0.43%
Other European	1	0.58%	36	0.60%
Other mixed ethnic background	1	0.58%	64	1.06%
Other White background	5	2.89%	236	3.91%
Pakistani	1	0.58%	43	0.71%
<b>Somali</b>	<b>16</b>	<b>9.25%</b>	<b>42</b>	<b>0.70%</b>
<b>Unknown</b>	<b>42</b>		<b>604</b>	
<b>Grand Total</b>	<b>215</b>	<b>100.00%</b>	<b>6637</b>	<b>100.00%</b>

<b>BCC Workforce</b>				
<b>Age</b>	<b>Headcount</b>	<b>%</b>	<b>Headcount</b>	<b>%</b>
16 to 24	3	1.40%	236	3.56%
25 to 34	24	11.16%	1228	18.50%
35 to 44	46	21.40%	1500	22.60%
45 to 54	64	29.77%	1838	27.69%
55 to 64	51	23.72%	1615	24.33%
<b>65 plus</b>	<b>27</b>	<b>12.56%</b>	<b>220</b>	<b>3.31%</b>
Unknown	0		0	
<b>Grand Total</b>	<b>215</b>	<b>100.00%</b>	<b>6637</b>	<b>100.00%</b>



			BCC Workforce	
Gender	Headcount	%	Headcount	%
Female		118 54.88%	3987	60.07%
Male		97 45.12%	2650	39.93%
Unspecified		0 0.00%	0	0.00%
Unknown		0	0	
<b>Grand Total</b>		<b>215 100.00%</b>	<b>6637</b>	<b>100.00%</b>

			BCC Workforce	
Religion/Belief	Headcount	%	Headcount	%
No religion or belief		40 32.00%	1801	39.13%
Christian		37 29.60%	1767	38.39%
Other religion or belief		48 38.40%	1035	22.49%
Unknown		90	2034	
<b>Grand Total</b>		<b>215 100.00%</b>	<b>6637</b>	<b>100.00%</b>

			BCC Workforce	
Sexual Orientation	Headcount	%	Headcount	%
Bisexual		3 2.73%	102	2.30%
Gay Man		0 0.00%	89	2.01%
Gay Woman/Lesbian		1 0.91%	79	1.78%
Heterosexual/Straight		104 94.55%	4140	93.33%
Other		2 1.82%	27	0.61%
Unknown		105	2201	
<b>Grand Total</b>		<b>215 100.00%</b>	<b>6637</b>	<b>100.00%</b>

	%	%
2.2 Who is missing? Are there any gaps in the data?		
Gaps are highlighted above. A data collection/reminder exercises is planned for 2020/21.		
2.3 How have we involved, or will we involve, communities and groups that could be affected?		
We started consultation with current staff and trade unions representatives on 10 <sup>th</sup> November. The consultation period is due to close on 10 <sup>th</sup> December.		

### Step 3: Who might the proposal impact?

Analysis of impacts on people with protected characteristics must be rigorous. Please demonstrate your analysis of any impacts in this section, referring to all of the equalities groups as defined in the Equality Act 2010.

3.1 Does the proposal have any potentially adverse impacts on people with protected characteristics?
Not directly, but indirectly, given the representation. Contractual terms and conditions (including pay and pension) are protected in law, and it would be unlawful for the new employer to seek to change these for any reason connected with the transfer unless they have a justifiable Economic, Technological or Organisational Reason for doing so. Non-contractual elements – such as HR policies – would change to those of the new employer, which may be more or less generous than those currently in place at BCC. For example, if the transfer were to go ahead and a current employee were to be offered a new or additional job with BWC then that would be on BWC rather BCC terms, where the pay may be more favourable but the pension may be less favourable than the BCC equivalent.
3.2 Can these impacts be mitigated or justified? If so, how?
Negotiations between BCC and BWC may secure greater protection of non-contractual terms, subject to this being affordable within the overall business case for the proposal.
3.3 Does the proposal create any benefits for people with protected characteristics?
Not directly, but indirectly, given the representation. As part of the BCC family, BWC is committed to diversity and fairness, and proposes to invest in the development of staff, including offering progression opportunities across its business, as well as updating the practices and equipment used to the benefit of both the Council as client and the employees providing the service.

3.4 Can they be maximised? If so, how?
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BCC could seek to agree with BWC targets in relation to progression in line with workforce representation.
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**Step 4: So what?**

The Equality Impact Assessment must be able to influence the proposal and decision. This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment can be measured going forward.

4.1 How has the equality impact assessment informed or changed the proposal?
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To be completed following consultation
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4.2 What actions have been identified going forward?
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To be completed following consultation
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4.3 How will the impact of your proposal and actions be measured moving forward?
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To be completed following consultation
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Service Director Sign-Off:
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David Martin
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Equalities Officer Sign Off:
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Helen Sinclair-Ross
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Date:
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06/01/2021
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Date:18/01/2021
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## Eco Impact Checklist

Title of report: Co Sourced Soft FM service delivery model				
Report author: David Martin				
Anticipated date of key decision- January 2021				
Summary of proposals: Essential repair and maintenance to prevent litigation and ensure the lower carbon operation of BCC estate				
Will the proposal impact on...	Yes/ No	+ive or -ive	If Yes...	
			Briefly describe impact	Briefly describe Mitigation measures
Emission of Climate Changing Gases?	Yes	-ve  +ve	There will be some vehicle emissions, but these will be reduced.	Electric vehicles will progressively replace conventional vehicles for service delivery to regional locations  The service team will be aligned in accordance with regional service clusters to enable local travel using a walk-to-work and cycle-to-work ethos or other emission friendly methods such as vehicle sharing (if required). By example, this will greatly reduce the need to travel by car to work locations
Bristol's resilience to the effects of climate change?	Yes	+ve	Reduction of vehicle emissions  Optimising the use of eco-friendly / sustainable consumable products for service delivery	See notes above  A large number of the key service delivery equipment to be used will be eco-friendly. By example general vacuum cleaners are made from 75% recycled components. Re-cycled and nano-particle products will be employed in cleaning schedules. Digital service management technology is being introduced to reduce paper-based management tools, needs for service

				manuals etc..
Consumption of non-renewable resources?	Yes	+ve and -ve	<p>Some of solutions and products used in intensive or sanitised (deep cleans) are not likely to be re-used.</p> <p>Some of the new digital technology platforms such as smart phones and computers will be difficult to fully re-use.</p> <p>It is unlikely that cleaning equipment such as heavy-duty burnishing equipment will be fully renewable</p>	<p>An eco / sustainable product catalogue will be produced and this will be used at all times. Where this is not possible, products and / or equipment will be segregated for disposal by our integrated waste organisation, who will consider the best re-use / re-cycling routes.</p> <p>Where possible digital equipment / technology will be diverted into the BWC re-use scheme or disposal in accordance with WEEE methods. Waste management forms part of the integrated service package</p>
Production, recycling or disposal of waste	Yes	+ve and -ve	<p>Management of general office and food waste waste streams.</p> <p>Management of feminine hygiene waste streams</p>	<p>All waste streams will be fully managed in accordance with regional and national regulations by our waste company, who form part of the integrated service solution. As such, all waste streams are optimised for re-use, re-cycling and minimum environmental impact</p> <p><b>Hazardous waste will be separated and disposed of correctly.</b></p>
The appearance of the city?	Yes	+ve	A positive and welcoming appearance of all facilities. Provision of safe and healthy workspaces	Performance service level agreements will be established to underpin both agile and positive service delivery levels that will contribute to the appearance and use of

				BCC facilities
Pollution to land, water, or air?	Yes	+ve	There are no extraordinary or foreseen environmental impacts to land, water or air	The integrated service operation will have a dedicated SHEQ manager / team and bespoke system that includes environmental impact awareness and management training. Current environmental controls and accreditations will be extended to include the soft FM activities, providing a focus for corporate compliancy and awareness in this area
Wildlife and habitats?	Yes	+ve and -ve	There are no extraordinary or foreseen impacts to wildlife and habitats. However, it is a requirement to provide pest control services for BCC facilities which may result in controlled considerations ie. bird nestings	All pest management control plans developed for the soft FM services will be considered for impact in this area, with appropriate management plans being agreed with controlling authorities prior to any control action being undertaken.
<b>Consulted with: BCC Climate Change Team</b>				
<b>Summary of impacts and Mitigation - <u>to go into the main Cabinet/ Council Report</u></b>				
<b>Checklist completed by:</b>				
Name:	David Martin			
Dept.:	Facilities Management			
Extension:	74910			
Date:	22/12/2020			
Verified by Environmental Performance Team	Giles Liddell			

## Appendix G

### Co-Sourced Delivery of Cleaning and Security Services

#### Comparison of BCC 20/21 outturn position with BWC proposed annual contract price

	Bristol City Council	Bristol Waste Company				
	Outturn 20/21 £'000	21/22 £'000	22/23 £'000	23/24 £'000	24/25 £'000	25/26 £'000
Cleaning	3,121	3,274	3,134	3,054	2,976	2,900
Security and Cash in Transit	2,565	2,474	2,354	2,294	2,235	2,177
<b>Total Direct Cost</b>	<b>5,686</b>	<b>5,748</b>	<b>5,488</b>	<b>5,348</b>	<b>5,211</b>	<b>5,078</b>
Transitional adjustment		84	28			
Overheads	239	Incl in Direct Costs above				
Traded Services	47					
<b>Total Costs</b>	<b>5,972</b>	<b>5,832</b>	<b>5,516</b>	<b>5,348</b>	<b>5,211</b>	<b>5,078</b>
<b>BWC variance to BCC 20/21 Outturn</b>		<b>21/22</b>	<b>22/23</b>	<b>23/24</b>	<b>24/25</b>	<b>25/26</b>
		£'000	£'000	£'000	£'000	£'000
Cleaning		(153)	(13)	67	145	221
Security and Cash in Transit		92	212	272	331	388
<b>Total Direct Cost Savings/(Pressure)</b>		<b>(61)</b>	<b>199</b>	<b>339</b>	<b>475</b>	<b>609</b>
Overheads Savings /(Pressure)		202	258	286	286	286
<b>Annual Savings /(Pressure)</b>		<b>141</b>	<b>457</b>	<b>625</b>	<b>761</b>	<b>895</b>
<b>Cumulative Savings</b>		<b>141</b>	<b>598</b>	<b>1,222</b>	<b>1,984</b>	<b>2,879</b>

#### Overhead savings assumed

Overhead Category	Activity	Unit of Measure	Unit	Unit Cost £	Cost Per Annum £
HR	Employee and Resourcing Cycle and Payroll	BG8 incl. NI and Pension	20%	31,885	6,377
	HR Consultancy	BG12 incl. NI and Pension	20%	49,993	9,999
	Health and Safety Officer	BG12 incl. NI and Pension	10%	49,993	4,999
	Senior Management Overhead	TP2 incl. NI and Pension	15%	84,318	12,648
	Director Overhead	Director	4%	165,400	6,892
Finance	Financial Management / ad hoc Cash Counting	BG11 incl. NI and Pension	25%	45,719	11,430
IT	Equipment	9x Laptops	9	795	-
	Equipment	8x Workstations	8	1,000	-
	Equipment	10X I Phones	10	600	-
	Equipment	8X Basic Mobile	8	500	-
	Licencing	17x User	17	344.02	5,848
	Resourcing	Technical Support	5%	41,149	2,057
	Telecom	Call Charges	18	180	3,240
Admin Business Support	Admin and invoicing management	BG6 incl. NI and Pension	60%	25,941	15,564
	Admin and invoicing management	BG7 incl. NI and Pension	30%	27,602	8,281
Procurement	Contract tender exercises / management /DD	BG13 incl. NI and Pension	1.03	55,385	57,312
	Contract Advice	TP1 incl. NI and Pension	0.24	88,148	21,079
Legal				-	-
Premises Costs	Rent for unit 5 &6 at Brunel lock	Rent	1.00	39,532	39,532
	Rates payable on unit 5&6 at Brunel lock	NNDR	1.00	13,870	13,870
	Repair and maintenance of premises	G&M of unit 5&6 at brunel lock	1.00	6,440	6,440
	Utilities meter reading	Electricity	1.00	12,784	12,784
	Utilities meter reading	Water	1.00	918	918
<b>Total Overhead costs</b>					<b>239,269</b>

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted