## Supplementary Committee Agenda



## Cabinet Monday, 19th April, 2010

Place: Council Chamber, Civic Offices, High Street, Epping

**Time:** 7.00 pm

**Democratic Services:** Gary Woodhall (The Office of the Chief Executive)

Tel: 01992 564470

Email: gwoodhall@eppingforestdc.gov.uk

#### 8. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution require that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

#### 8.a E-LEARNING (Pages 3 - 14)

(Performance Management Portfolio Holder) To consider the attached report (C-109-2009/10).

#### 8.b ANNUAL LEAVE (Pages 15 - 22)

(Performance Management Portfolio Holder) To consider the attached report (C-110-2009/10).

# 9. LOCAL DEVELOPMENT FRAMEWORK CABINET COMMITTEE - 11 MARCH 2010 (Pages 23 - 28)

(Performance Management Portfolio Holder) To consider the minutes from the recent meeting of the Local Development Framework Cabinet Committee held on 11 March 2010 and the recommendations therein (C-107-2009/10).

Cabinet 19 April 2010

10. FINANCE & PERFORMANCE MANAGEMENT CABINET COMMITTEE - 15 MARCH 2010 (Pages 29 - 34)

(Finance & Economic Development Portfolio Holder) To consider the minutes from the recent meeting of the Finance & Performance Management Cabinet Committee held on 15 March 2010 and the recommendations therein (C-108-2009/10).

## Report to the Cabinet

Report reference: C-109n-2009/10
Date of meeting: 19 April 2010



Portfolio: Performance Management

Subject: E-Learning

Responsible Officer: Paula Maginnis (01992 564536).

Democratic Services Officer: Gary Woodhall (01992 564470).

#### **Recommendations/Decisions Required:**

- (1) That, as requested by the Joint Consultative Committee, the report is agreed subject to any amendments or suggestions made by Cabinet; and
- (2) That, as requested by the Joint Consultative Committee, Cabinet agree that an under spend of £8,000 from the 2009/2010 Training CSB budget is carried forward to 2010/2011 and ringfenced to developing e-learning modules.

#### **Executive Summary:**

The Essex Strategic HR Partnership has invested resources in developing an IT system hosted by a company called Learning Pool for use by Essex councils for their e-learning requirements.

Using the Learning Pool file-sharing environment the Council can share and download resources from other authorities so that time is saved by not starting from scratch with each course. The Council will be able to make changes to existing courses, use our own branding and amend them to fit the Council's needs, thus saving time and money.

A draft Project Plan to implement e-learning has been developed and attached at Appendix II for the Committee's consideration and comment.

The current Training CSB budget is predicted to show an under spend of £8,000 due to a number development projects not taking place in this financial year. The Cabinet is asked to agree that this under spend is carried forward to the next financial year and ringfenced to develop further e-learning modules.

#### **Reasons for Proposed Decision:**

To inform and consult members on the introduction of e-learning for staff and for members.

To allow an under spend from the 2009/2010 training budget be carried forward to 2010/2011 and ringfenced to develop further e-learning modules.

#### Other Options for Action:

Cabinet could decide not to agree the recommendations and substitute other options.

#### Report:

- 1. The Essex Strategic HR Partnership has invested resources in developing an IT system hosted by a company called Learning Pool for use by Essex councils for their elearning requirements.
- 2. Learning Pool was originally set up by the IDeA to provide a shared e-learning service to the public sector and is the only system of this type in the Country. By using Learning Pool Epping Forest District Council will be able to create, access and share e-learning material that is specifically designed for the public sector by the public sector which can easily be amended for the Council's needs, thus saving time and money.
- 3. A further advantage of using Learning Pool is that the system has a 'Dynamic Learning Environment' (DLE). This is a software package that allows the Council to evidence, monitor and record learning activity across the Council.
- 4. Work is currently being undertaken by staff across the Council in developing courses, for example, the Code of Connectivity (COCO) training for Benefits staff, IT courses for agency workers and temporary staff and in HR a Managing Absence course. It is proposed to launch these courses in June. The intention is to implement e-learning to blend with existing 'classroom' training, but in some areas such as IT and Health and Safety savings could be made by delivering the majority of this training by e-learning.
- 5. Basildon Council has launched 6 management courses which have been shared with the Partnership and they have also developed a set of protocols for their e-learning courses. Their protocols have been used as a basis for Epping's protocols and for information a copy is attached at Appendix I.
- 6. A draft Project Plan to implement e-learning has been developed and attached at Appendix II for consideration and comment by members.
- 7. The launch of e-learning throughout the Council is the first phase of this project. Phase 2 will consider how those staff without ready access to IT can benefit from e-learning. The third phase will consider using the 'Modern Councillor' suite of modules for member development and taken forward by Democratic Services.
- 9. Learning Pool has developed a package of modules called the 'Modern Councillor' which members can use to develop their skills through e-learning. Designed to be easy to use the courses are short, typically lasting 30 minutes and consisting of a few separate modules. The content is structured to allow members to dip in and out of a course as their schedules permit. There are 13 courses and members can revisit the material as often as they wish.

#### **Resource Implications:**

The current Training CSB budget is predicted to show an under spend of £8,000 due to a number development projects not taking place in the financial year 2009/2010. Cabinet is asked to agree that this under spend is carried forward to the financial year 2010/2011 and ringfenced to develop further e-learning modules.

In general, e-learning modules will be developed using existing resources, mainly the Corporate and IT training budgets and existing provision in the Benefits team training budget.

N/A	
Safer, Cleaner and Greener Implications:	
N/A	
Consultation Undertaken:	
N/A	
Background Papers:	
JCC Report 8 April 2010	
Impact Assessments:	
Risk Management N/A	
Equality and Diversity:	
Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications?	No
• • •	No

Legal and Governance Implications:

What equality implications were identified through the Equality Impact Assessment process?

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?

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## For consistency across all modules – please apply the following standards:

	Epping	Essex Strategic HR Partnership
Consistency	All e-learning modules will follow these protocols	
Quality	All e-learning modules will be signed off by both the content expert/sponsor and the Council's Learning and Development Manager, prior to launch.	Unique to each Council
Piloting	All e-learning modules will be piloted with a test group of staff prior to launch.	Unique to each Council
Platform	All e-learning modules will be placed and accessed on the Council's Dynamic Learning Environment call I-Train	Unique to each Council
Font	Arial 11 regular	same
Banner	As example  To be rebranded for EFDC with 'Our People' Learning & Development Logo	Unique to each Council
Buttons	Yellow Page 2 of 6 Page 2 of 6	Unique to each Council
Font screen	Every module is to have similar introductory wording protocols as shown here:  Welcome to themodule  This module outlines  This module will take you approximately	same
	Use the <b>Next</b> , <b>Previous</b> and <b>Menu</b> buttons	
	Selectfrom the menu	

	People Management Procedures  Capability Procedure  Welcome to the Capability Procedure module.  This module outlines the aims of the Capability Procedure must be carried out.  This module will take you approximately 20 minutes to complete.  Use the Next, Previous and Menu buttons to navigate the module.  Select Introduction from the menu on the right to continue.  Ext  Pasiton Council  1. Introduction  2. Identifying Problems of Capability  3. Dealing with Problems of Capability  4. Results of Capability Procedure  5. Summary  powered by learning-pool	
Module objectives	These need including for each module, and should begin:	Same
	After completing this module you will be able to	
	[then list the objectives using spaced bullet points]	
Images	Assign suitable 'text alternative for image tag' – for all images	same
Sound	Sound is not to be used at EFDC, due to lack of consistency with hardware.	Unique to each Council
Video	Video is not to be used at EFDC, due to lack of consistency with hardware.  Unique to	
Assessment/tests	Will be completed separately to the e-learning module.	
Pass rate standards For all final tests	80%	same
Number of retakes of final test allowed	If 80% not achieved first time, 2 further attempts are allowed. If 80% still not achieved learner will be referred to course sponsor.	same
Evaluation	All e-learning courses developed will have an associated evaluation form which will be	same

	completed before the a	assessment	
End of every page		Same	
Lina of every page	Include an instruction (in bold) at the end of every page, informing the learner where to navigate next. For example:		Jame
	havigate hexti i or exa		
	Click the arrow on th		
All instructions to		earner need to be in <b>bold</b> (after a line space).	same
learners			
	Examples for instruction	ons:	
	·		
	Multiple Choice	Select the correct option then click OK.	$\sqcap$
	(M/C) question	·	
	Select from list	Select the correct options then click OK. (note 'options')	$\Box$
	Hot text	Click each heading to learn more.	$\prod$
		OR	
		Click the list items for	
		(The instruction will vary depending on what they are clicking on	
		and why – but a similar approach to these examples should be	
		followed). For example in a summary section: <b>Click on each of</b>	
		the headings for a summary of the main points covered in	
		the module.	
	Clickable graphic	Click the photographs for	
		OR	
		Click the hot areas of the graphic for	
		OR	
		Click the graphic for	
		(The instruction will vary depending on what they are clicking on	
		and why - but a similar approach to these examples should be	
		followed).	
	Open input screens	Write some thoughts in the space provided. Then click the	
		arrow on the bottom RIGHT to go to the next page for	
		feedback.	
		OR	
		Jot down some notes onin the space provided. Then	
		click the arrow on the bottom RIGHT to go to the next	
		page for feedback.  (The instruction will vary depending on what they are clicking on	
		and why - but a similar approach to these examples should be	
		followed).	
		Tollowed).	

	Open input feedback	Listed below are Compare these to your comments.	
Initial feedback for question screens			same
question sercens	For Feedback on M/C	questions:	
	Correct	That's right.	
	If the learner is having a second attempt	That's not it, please try again.	
	Incorrect	That's not it.	
	For Feedback on Sele	ect from list questions:	
	Correct	That's right.	
	On second attempt (which is auto for this template)	That's not it, please try again. Remember to uncheck any options you wish to change before you click <b>OK.</b>	
	Incorrect	That's not it.	7
Links	If a page of links is incl	uded. Word as follows:	same
	Here is a list of docume Intranet.	ents related to this module. You can download them from our	
	[list the documents in r	normal font]	
	Download from: list the	he string url in normal font	
Next steps page in a 'Summary' section	Follow this <b>example</b> fo	r the wording for this screen:	same
	Next steps		

	need to click on the Module title on the Orange bar (after 'My Home Page'). You will then be able to access the Evaluation Form.	
End of `final' section	At the end of the final section, include a final instruction to: Click Menu on the bottom LEFT to continue. Then click the Exit button to leave this module. You then	same
End of section	Include a final instruction at the end of each section (sometimes in the last bit of clickable display text) to: Click Menu on the bottom LEFT to continue.	same
	There are $x$ questions for you to answer. You need to get $x$ questions right in order to pass this assessment. Good luck!	
	After that, you must complete Part 3, the Assessment Section.	
	You now need to complete Part 2, a short evaluation form.	
	Well done! You have completed Part 1 of this module.	

#### Common terms

How the council is referred to in the main	The full term is used:		
The state of the s	Epping Forest District Council		
How staff/employees are referred to in the main	Council employees		
	ORemployees		
When making more of a specific point to the learners and colleagues	an individualthe individual An Epping Forest District Council colleague		
How managers are referred to in the main	the Manager Managers A Manager for Epping Forest District Councilof their staff.		
How customers are referred to	Our customers		

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### EPPING FOREST DISTRICT COUNCIL

PHASE 1 - E-LEARNING PROJECT PLAN March 2010

ACTION	RESPONSIBILITY	TIMESCALE	MILESTONE
Report to JCC/Cabinet	Paula Maginnis (HR)	April 2010	Reports are submitted to JCC and Cabinet
Dynamic Learning Environment (DLE) to be rebranded	Julie Dixon (HR) with Learning Pool	April 2010	DLE reflects new Learning & Development branding.
Agree process for learner sign on	Julie Dixon (HR) and Chris Askew (ICT)	April 2010	Process in place.
Communicate EFDC e-learning protocols to all authors	Julie Dixon (HR)	April 2010	Meeting with all authors completed.
Completion of HR Absence Management e- learning course	Julie Dixon & Denise Tur HR	April 2010	Course sign off.
Completion of Benefits e-learning course 'In & Out of Work Process'	Zena Messitt (Finance)	April 2010	Course sign off.
Consultation with Trade Union Executive	Julie Dixon (HR), Paula Maginnis (HR)	April 2010	Courses and launch agreed.
Completion of ICT e-learning courses: 'Intro to ICT', 'Code of Connectivity' 'Changeover to Outlook'	Chris Askew (ICT)	May 2010	Course sign off.
Development of a pilot Health & Safety course as part of a suite of H&S training.	Wendy Gains (HR) and Essex H&S Partnership	May 2010	Course sign off.
Publicity of launch to staff and members	Julie Dixon (HR)	May 2010	HR Briefing and e mails sent.
Completion of Open Learning centre revamp	Julie Dixon (HR) & Frances Ball	June 2010	All works signed off.
Launch & demonstration of e-learning as a 'blended approach'. Staff and members to be invited.	Julie Dixon, Paula Maginnis (HR)	June 2010	Launch open afternoon completed.

# Page 14

## EPPING FOREST DISTRICT COUNCIL

PHASE 1 - E-LEARNING PROJECT PLAN March 2010

ACTION	RESPONSIBILITY	TIMESCALE	MILESTONE
Pilot all modules and gather staff feedback	Julie Dixon (HR) with e-learning group	June 2010 – Dec 2010	Comments and scores analysed & developed into improvement plan.
Agree 5 further e-learning priority modules for development in 2010/11. To include relevant recommendations (agreed by CEF) from the review of member and staff induction undertaken by the Management Development Programme project group.	Julie Dixon (HR) with e-learning group	July 10	CEF agreement.

## Report to the Cabinet

Report reference: C-110-2009/10
Date of meeting: 19 April 2010



Portfolio: Performance Management

Subject: Annual Leave

Responsible Officer: Paula Maginnis (01992 564536).

Democratic Services Officer: Gary Woodhall (01992 564470).

#### **Recommendations/Decisions Required:**

That, as requested by the Joint Consultative Committee, the Council adopts the Annual Leave Policy attached at Appendix I.

#### **Executive Summary:**

The attached Annual Leave Policy codifies existing annual leave provisions, takes into account recent legislative changes with regard to sickness absence and annual leave, and formalises requests for unpaid leave that can be considered by Directors.

The Policy clarifies the contractual leave entitlements of different groups of staff, sets out the proper procedure for requesting annual leave, and underlines the responsibility that both the employee and the manager have for ensuring that all annual leave is taken within the leave year.

#### **Reasons for Proposed Decision:**

The Policy codifies and brings together into one document existing practice and clarifies the procedure for calculating and requesting annual leave. The Policy will provide a consistent approach for managers to apply.

#### **Other Options for Action:**

The Cabinet could decide not to agree the Policy or substitute it with another approach.

#### Report:

- 1. The attached Annual Leave Policy codifies existing annual leave provisions, takes into account recent legislative changes with regard to sickness absence and annual leave, and formalises requests for unpaid leave that can be considered by Directors. It clarifies the contractual leave entitlements of different groups of staff, sets out the proper procedure for requesting annual leave, and underlines the responsibility that both the employee and the manager have for ensuring that all annual leave is taken within the leave year.
- 2. Recent legislative changes (Stringer v HMRC) provides for employees to carry forward a maximum of 20 days statutory leave to the following leave year, if they are prevented from taking their leave by sickness absence. This is set out in the Policy, together

with details on the procedure to be followed should an employee become ill during, or immediately before, annual leave.

- 3. The Cabinet considered the consequences of this case law at the November 2009 meeting when asked to comment on amendments to the Managing Absence Policy. The same provisions have been set out in the Annual Leave Policy.
- 4. There are currently no formal arrangements with regards to unpaid leave, and the policy proposes that Directors have the authority to agree up to 5 days unpaid leave per year for staff when unexpected caring responsibilities arise.

#### **Resource Implications:**

N/A

#### **Legal and Governance Implications:**

Adoption of the Policy will ensure that the Council is meeting its obligations under the Working Time Directive 1999 and subsequent case law.

#### Safer, Cleaner and Greener Implications:

N/A

#### **Consultation Undertaken:**

N/A

#### **Background Papers:**

JCC Report 8 April 2010.

#### **Impact Assessments:**

#### Risk Management

The Policy clarifies the contractual leave entitlements of different groups of staff, sets out the proper procedure for requesting annual leave, and underlines the responsibility that both the employee and the manager have for ensuring that all annual leave is taken within the leave year.

#### **Equality and Diversity:**

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications?

Where equality implications were identified through the initial assessment No process, has a formal Equality Impact Assessment been undertaken?

What equality implications were identified through the Equality Impact Assessment process?

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?

#### **EPPING FOREST DISTRICT COUNCIL**

#### **ANNUAL LEAVE POLICY**

1.	INTRODUCTION	Page 1
2.	SCOPE	Page 1
3.	PRINCIPLES	Page 1
4.	ENTITLEMENTS	Page 2
5.	ANNUAL LEAVE & BANK HOLIDAY ENTITLEMENTS FOR	
	PART-TIME EMPLOYEES	Page 3
6.	ANNUAL LEAVE AND SICKNESS ABSENCE	Page 4
7.	ANNUAL LEAVE AND MATERNITY LEAVE	Page 5
8.	ANNUAL LEAVE AND PATERNITY LEAVE	Page 6
9.	UNPAID LEAVE	Page 6

#### 1. INTRODUCTION

- 1.1 This policy sets out to inform managers and staff of the amount of annual leave which employees are entitled to request, and the proper procedure for requesting annual leave. It is also intended to ensure that annual leave is arranged and monitored in a consistent manner that is fair to all, whilst taking into account the exigencies of the service.
- 1.2 Both the employee and the manager have a responsibility under this policy to ensure that all annual leave is taken within the leave year.

#### 2. SCOPE

2.1 All employees of Epping Forest District Council (EFDC) are covered by this Policy.

#### 3. PRINCIPLES

- 3.1 The annual leave year runs from 1<sup>st</sup> April to 31<sup>st</sup> March in the following year.
- 3.2 Managers must keep accurate annual leave records for all their employees. Leave cards should be stored in a location accessible to the manager and employee.
- 3.3 The timing of annual leave shall be fixed by mutual agreement in advance between the Employee and their line manager.
- 3.4 Line managers have the right to refuse an application for annual leave if granting the leave would have an unacceptable impact on service provision.
- 3.5 Notice given by employees to take their leave must be equal to at least double the length of the annual leave to be taken, and the line manager may refuse a

request for leave by giving the employee notice equivalent to the length of absence requested.

Example: On the 1<sup>st</sup> of the month, an employee requests four days annual leave, to be taken 9<sup>th</sup>-12<sup>th</sup> of the month. The manager needs to notify the employee by the 5<sup>th</sup> if the leave cannot be granted.

- 3.6 Holidays should not be booked in advance of formal agreement of annual leave requests.
- 3.7 Managers should ensure that staff plan their annual leave effectively throughout the year and try to ensure that they have some unallocated annual leave to take in the event of emergencies or unplanned events.
- 3.8 Requests for blocks of more than 15 days annual leave must be authorised by the Director, Deputy Chief Executive or Chief Executive.
- 3.9 Managers will give priority consideration to leave requests in relation to religious observance.
- 3.10 Directors can give employees permission to carry forward 5 days annual leave, which is to be taken by 31 May in the following leave year.
- 3.11 A minimum of 28 days, inclusive of bank holidays and statutory days must be taken in a leave year. This will mean that not all staff are eligible to carry over 5 days. Employees will need to consider this when applying to bank annual leave under the Council's Extended Leave Policy. (See section 6 regarding Sickness Absence).

#### 4. ENTITLEMENTS

4.1 Annual leave entitlements are as follows:-

#### 4.1.1 Former APT&C officers

GRADE	BASIC	AFTER 5 YRS *	AFTER 10 YRS*
Up to and including SCP28	21	25	26
SCP 29 and above	23	27	28
Chief Executive/ Deputy Chief Executive/ Directors	25	30	33

4.1.2 In addition to the above entitlement, 2 extra statutory days are granted. The Council has fixed these 2 days until 2013 to facilitate a shutdown over the Christmas and New Year period. These arrangements will be reviewed in 2013.

#### 4.2.1 Grounds Maintenance Staff

BASIC	AFTER 5 YRS *	AFTER 10 YRS *
21	25	26

- 4.2.2 In addition to the above entitlement, 2 extra statutory days are granted.
- 4.2.3 Due to the pattern of seasonal hours working, annual leave is distributed as follows:-

Period	Staff with 21 days	Staff with 25 days	Staff with 26 days
Summer(1 April to	10*	15	16
31 October)			
Winter(1 November	10*	10	10
to 28 February)			

- \*One additional day's leave will be added to either summer or winter allowance which will be decided by Grounds Maintenance management.
- 4.2.4 As the seasonal hours working pattern generates 5 lieu days, these days will be taken during the Christmas period each year. Precise dates will be determined by management, depending how the Bank Holidays fall each year.

#### 4.3.1. Works Unit Staff

**BASIC AFTER 5 YRS \*** 

21 26

- \* Service requirement must be completed by 1<sup>st</sup> April to qualify for enhanced leave entitlement
- 4.3.2 In addition to the above entitlement, 2 extra statutory days are granted. The Council has fixed these 2 days until 2013 to facilitate a shutdown over the Christmas and New Year period. These arrangements will be reviewed in 2013.
- 4.4 All entitlements are for full time staff who remain in employment for the entire leave year. Pro-rata entitlements will apply to part-time staff, and those staff who are in service for less than the entire leave year.

#### 4.5 Entitlements on Termination of Employment

- 4.5.1 If an employee resigns or is dismissed part way through the leave year, they will be paid for any outstanding leave. If more leave has been taken than the employee is entitled to, then the overpayment will be deducted from their final salary.
- 4.5.2 Statutory days are fixed at Christmas/New Year and are treated in the same way as bank holidays and should not be used to calculate an employee's annual leave entitlement. This means that if the employee leaves the Council before the bank holiday or statutory day, it will not be included as part of the final calculation of annual leave entitlement.
- 4.5.3 If an employee leaving the Council takes outstanding annual leave before their last day of service, the leave will be rounded up to the next 15 minutes. If an employee receives pay for outstanding annual leave, then an exact calculation will be made, and payment made accordingly

#### 5. Annual Leave and Bank Holiday Entitlements for Part-time Employees

#### 5.1 Annual Leave for Part-time Employees

- 5.1.1 For recording purposes the actual hours that would have been worked on the day the annual leave was taken should be recorded and deducted from the leave entitlement
- 5.1.2 If there is a contractual change to the number of part time hours worked, then the annual leave entitlement must be recalculated.
- 5.1.3 Calculation

Contracted hours per week 5 (Standard Council days per working week) x Full Annual Entitlement in days

#### 5.2 Bank Holiday for Part-time Employees

- 5.2.1 Part-time employees are entitled to public holidays on a pro rata basis in the same way they are entitled to annual leave on a pro rata basis. The formula in 5.2.4 takes account of any working arrangements in hours. Entitlements should be calculated in hours for each annual leave year as the number of bank holidays may vary each leave year. Once the entitlement to bank holidays has been calculated the hours must be recorded as a separate entitlement to annual leave.
- 5.2.2 For recording purposes, where a bank holiday falls on a day when the employee would normally be at work, average hours should be deducted from their bank holiday entitlement. The hours for bank holidays which do not fall on an employee's work day or for those who actually work would remain on the leave card and can be taken in accordance with the normal rules that apply for booking annual leave. However, the remaining hours must be taken as soon as possible after the bank holiday.
- 5.2.3 If a part-time employee's normal working day occurs on a bank holiday day then their average working day (in hours) shall be deducted from their bank holiday entitlement.
- 5.2.3 Calculation

<u>Contracted hours per week</u> x Total number of Bank Holidays = Bank Holiday 5 days\* in annual leave year Entitlement (**not** calendar year)# in hours

\*This will always be 5 days regardless of actual days worked #Regardless of actual week days worked staff will receive the same amount of bank holidays as a full time employee

#### 6. ANNUAL LEAVE AND SICKNESS ABSENCE

6.1 Annual leave entitlement continues to accrue during sickness absence

- 6.2 Employees who become ill during annual leave and wish to claim back their leave entitlement of 8 days or more will need to provide a medical certificate before any leave is reimbursed. Employees shall be regarded as being on sick leave from the date of the medical certificate.
- 6.3 Where employees become ill immediately before or during annual leave and wish to claim back their leave entitlement of 7 days or less they are required to notify their line manager as soon as possible. If it is not possible to have the discussion before the intended leave, then it must be within 5 working days of the employee's return to work for any reimbursement of leave to take place.
- 6.4 Permission can be obtained to carry forward 5 days' annual leave which is to be taken by 31 May in the next leave year (subject to para 3.11)
- 6.5. It is permissible, in cases of long-term absence, for employees to take annual leave during a period of sickness if they obtain the normal permissions for taking annual leave from their line manager.
- 6.6. If it is not possible for an employee who is on long-term absence to take their annual leave during sick leave, and they subsequently leave the Council, or are dismissed, they will be paid their outstanding statutory leave. The Council will off-set this payment against any debt the employee may have with the Council.
- 6.7 If the employee remains in employment any statutory leave can be carried over to the next annual leave year. Depending on the number of days to carry forward, the deadline of 31 May need not apply. Managers are advised to discuss any issues or concerns with HR.
- 6.8 The leave applicable in paras 5.6 and 5.7 is a maximum of 20 days statutory leave, which is provided by the Working Time Directive. It does not include any additional occupational leave, which is any leave entitlement above the 20 statutory days leave. Any additional occupational leave will be lost. Statutory leave will always be taken first before any occupational leave.
- 6.9 Statutory leave will be pro-rata for part-time employees.
- 6.10 It is not acceptable to use annual or flexi-leave instead of sickness absence.

#### 7. ANNUAL LEAVE AND MATERNITY LEAVE

- 7.1 The employee will accrue annual leave during maternity leave.
- 7.2 Employees can carry forward 5 days annual leave from one year to the next but are advised to take any outstanding annual leave before commencement of maternity leave
- 7.3 Where maternity leave starts close to the beginning of the annual leave year and the employee takes their full maternity leave entitlement they will be able to carry over all their accrued leave. Managers are advised to discuss any issues or concerns with HR.
- 7.4 If the employee arranges to take annual leave immediately after any maternity leave they will be considered to have returned to work.

7.5 Employees will be paid for any bank/public holiday or statutory day that falls during both ordinary maternity leave and additional maternity leave.

#### 8. ANNUAL LEAVE AND PATERNITY LEAVE

- 8.1 The employee will accrue annual leave during paternity leave.
- 8.2 Employees can carry forward 5 days annual leave from one year to the next (subject to para 3.11) but are advised to take any outstanding annual leave before commencement of paternity leave otherwise it will be lost.

#### 9. UNPAID LEAVE

- 9.1 Directors will have authority to consider requests for up to 5 days unpaid leave per year (pro-rata for part time staff), for occasions when caring responsibilities arise for a dependent or close family member, e.g. extended hospital admissions or gaps in normal care arrangements that cannot be bridged in any other way.
- 9.2 If in exceptional circumstances, a request for an extension beyond 5 days is made, this will need to be considered by CEF.
- 9.3 It is expected that annual and flexi-leave will be exhausted before any application for unpaid leave is made, but this will be at the Director's discretion.

# EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Local Development Framework Date: 11 March 2010

**Cabinet Committee** 

Place: Council Chamber, Civic Offices, Time: 7.30 - 9.05 pm

High Street, Epping

Members R Bassett (Chairman), M Cohen, B Rolfe, Mrs M Sartin and Ms S Stavrou

Present:

Other

Councillors: Mrs D Collins, R Frankel, Mrs A Grigg, J Philip, Mrs C Pond, D Stallan,

C Whitbread and J M Whitehouse

Apologies: -

Officers K Polyzoides (Assistant Director (Policy & Conservation)), I White (Forward Present: Planning Manager), A Wintle (Principal Planning Officer), D Clifton (Principal

Housing Officer [IT]) and G J Woodhall (Democratic Services Officer)

#### 21. ELECTION OF CHAIRMAN

In the absence of the Chairman, the Democratic Services Officer opened the meeting and requested nominations for the role of Chairman.

#### **RESOLVED:**

That Councillor R Bassett be elected Chairman for the duration of the meeting.

#### 22. WEBCASTING INTRODUCTION

The Chairman made a short address to remind all present that the meeting would be broadcast on the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

#### 23. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

#### 24. MINUTES

#### **RESOLVED:**

That the minutes of the meeting held on 9 November 2009 be taken as read and signed by the Chairman as a correct record.

#### 25. TERMS OF REFERENCE

The Cabinet Committee noted its Terms of Reference, as agreed by the Council on 17 February 2009 (minute 113(a) refers).

#### 26. ANY OTHER BUSINESS

The Forward Planning Manager gave the Cabinet Committee a briefing upon the progress made with the evidence base for the Core Strategy.

The Cabinet Committee was informed that the reports upon the Landscape Character Assessment, the Settlement Edge Landscape Sensitivity Study, the Strategic Housing Market Assessment and the Harlow Options Appraisal, which would eventually form part of the evidence base, were background technical documents not policy documents. Therefore there was no need for the Cabinet Committee to formally adopt them but just note them as part of the developing evidence base. The purpose of these documents would be to assist in the preparation of the Issues and Options for the first round of consultation in respect of the Core Strategy during the summer of 2010. Following their consideration by the Cabinet Committee, they would be published on the Council's website as technical documents. Reports on further studies, which would also form part of the evidence base, would be considered at future meetings.

The Cabinet Committee had concerns about noting the contents of documents that they had not seen, and that the reports presented to the Cabinet Committee contained too many technical terms. The Cabinet Committee felt strongly that as the Local Development Framework was an important piece of work, all the information and reports should be made available to Members to enable informed decisions to be made.

#### 27. EPPING FOREST LANDSCAPE STUDIES

This matter was deferred until a future meeting when it would be considered in conjunction with the Landscape Character Assessment and Settlement Edge Landscape Sensitivity Study produced by Chris Blandford Associates. The Chairman also requested that copies of both reports be placed in the Members' Room before it was next considered.

The Committee was of the opinion that it was not acceptable to publish technical documents without Members first having the opportunity to read them. The provision of a glossary for the two reports was also requested.

#### 28. STRATEGIC HOUSING MARKET ASSESSMENT - FINAL REPORT

The Cabinet Committee again agreed to defer consideration of this report until a future meeting after copies of the final report of the Strategic Housing Market Assessment had been provided for members of the Cabinet Committee.

The Principal Planning Officer explained the differences between the different types of housing, that an assessment of the viability of affordable housing was being

undertaken, and clarified the figures quoted in the report regarding house sizes and their relative need within the District.

It was noted that house prices within the District were generally much higher than other comparable areas of the country, and that there was a need for affordable housing within the District, primarily for young people.

#### 29. LOCAL DEVELOPMENT FRAMEWORK - PROGRESS UPDATE

The Principal Planning Officer provided an update on the progress made with the different background studies for the Local Development Framework, which would contribute to the evidence base and guide future decision making on planning matters within the District.

It was reported that the Employment Land Study was being jointly managed with Brentwood Borough Council and would indicate the capacity and need for employment land within the District during the period to 2031. A meeting had been arranged with the local Chamber of Commerce to discuss the initial draft report, and the final report was expected at the end of April 2010. The Strategic Flood Risk Assessment was being prepared in collaboration with Harlow District Council and would examine the nature and extent of the flood risk across the District. The final report was expected in April 2010. A draft of the Town Centres Study had been presented to Officers and was currently being updated following the publication of Planning Policy Statement 4: Planning for Sustainable Economic Growth in December 2009, and would include traffic and parking issues. The final report was due by the end of March 2010.

The Cabinet Committee was informed that the Strategic Housing Land Availability Assessment was a key piece of the evidence base and was intended to be an objective assessment of potential housing sites within the District over the next fifteen years. It was emphasised that the assessment would only provide information on potential housing sites and would not make any decisions on which sites were most suitable. It was felt that external consultants should be engaged to complete this piece of work, particularly the site visits and viability testing. It was estimated that this would cost approximately £30,000, for which a supplementary estimate would be sought in due course. The draft methodology would be presented to the Cabinet Committee in the near future for agreement, along with the criteria for identifying sites.

A review of planning policy on the Lea Valley glasshouse industry was also planned. The last study of the glasshouse industry had been published in 2003, and this had influenced the policies in the adopted Local Plan Alterations. It had always been the intention to review these policies after a suitable period, and a recent planning application within the Lea Valley had highlighted the need for a review of those sites identified for potential de-designation. The large glasshouse development undertaken in Thanet would also be investigated as to its potential long-term impact on the viability of the Lea Valley industry where the individual holdings were much smaller. The work was highly specialised and would need to be carried out by external consultants; the estimated cost was in the region of £30,000 for which a supplementary estimate would again be required.

In response to questions from the Cabinet Committee, it was reiterated that the release of Green Belt land for housing was not inevitable; existing urban areas would be examined first. The most likely scenario would be for approximately 3,000 new houses to be built within the District between 2021 and 2031. Land held by public

bodies would also form part of the assessment. It was understood that large scale developments on Green Belt land would not be popular, both with Councillors and residents. Highway infrastructure information could be provided by Essex County Council, and it was intended to engage with key stakeholders to ascertain the infrastructure requirements for future possible housing developments.

#### **RESOLVED:**

- (1) That the progress on the background studies required for the Local Development Framework be noted; and
- (2) That, although funding would initially be contained within the existing budgets for the Local Development Framework, a future maximum supplementary estimate in the sum of £60,000 (£30,000 each) could be required for the:
- (a) Strategic Housing Land Availability Assessment; and
- (b) review of planning policy on the Lea Valley glasshouse industry.

# 30. "GENERATING AND APPRAISING SPATIAL OPTIONS FOR THE HARLOW AREA" - SCOTT WILSON REPORT

This report was deferred until a future meeting when it would be considered in conjunction with the full report compiled by Scott Wilson. A glossary was also requested to explain some of the technical terms within the report.

# 31. PLANNING ADVISORY SERVICE DIAGNOSTIC ON THE LOCAL DEVELOPMENT FRAMEWORK

The Forward Planning Manager presented a report regarding the results of the diagnostic tool offered by the Planning Advisory Service on the Council's preparation of the Local Development Framework.

The Cabinet Committee was informed that a consultant on behalf of the Planning Advisory Service had visited the Council and had conducted a number of interviews concerning the preparation of the Local Development Framework on 12 October 2009. The final report, containing recommendations for actions, had been received in December 2009. The recommendations in the report covered matters such as the further involvement of non-executive Members in the Local Development Framework process, the need to address the governance arrangements for the delivery of the proposed growth of Harlow, and further liaison with other key stakeholders.

The Cabinet Committee expressed their dissatisfaction that only one Councillor (The Leader of Council who was responsible for Forward Planning) had been included in the interview process conducted by the Consultant, and that consequently there was not enough evidence in the report to support some of its assertions. It was felt that a number of other Councillors, both executive and non-executive, should have been interviewed as well before commenting upon the behaviour of Councillors.

The Leader and the Deputy Leader of the Council informed the Cabinet Committee that the recommendations within the report encouraged the further involvement of Councillors with the process. The partnership working with Harlow and East Herts District Councils was still only at the Leader and Chief Executive level, but all Members of the Council would be encouraged to attend the proposed joint training

sessions. It was suggested that the last recommendation should read Epping Forest Local Strategic Partnership, not the County, and that a number of seminars should be organised as part of the joint briefing/awareness programme.

#### **RECOMMENDED:**

- (1) That the following recommendations, listed in order of priority, made by the Planning Advisory Service in relation to the preparation of the Local Development Framework be recommended to the Cabinet for adoption:
- (a) That steps be taken to ensure that the Leader and the Chief Executive were engaged with the partnership work with East Herts and Harlow to champion the development of joint or co-ordinated work and documents in a timely way;
- (b) That an engagement plan be produced which identified the key stakeholders, including internal services, across the area, and how best to engage with them throughout the preparation of the joint or co-ordinated Development Plan Document;
- (c) That a joint briefing/awareness programme for key internal partners and Members be developed, including the organisation of joint seminars, to raise understanding of the benefits of the Local Development Framework;
- (d) That non-executive Members be involved as part of the visioning and objective setting process to increase ownership of the Local Development Framework;
- (e) That the issues connected with the sharing of information, monitoring of the core (strategy) Development Plan Document, consultation processes and evaluation, including the need for ICT systems, be addressed and planned for;
- (f) That Councillors be encouraged to seek support through the Planning Advisory Service Planning Members' and Leaders' networks; and
- (g) That further support be sought from the Epping Forest Local Strategic Partnership on best practice and sign-posting to information; and
- (2) That the concerns expressed by the Cabinet Committee over the lack of Member involvement in the initial interview process be noted.

#### **Reasons for Decision:**

The Planning Advisory Service had undertaken the review in order to aid the Council's preparation of a sound Local Development Framework. The final report had been received and the recommendations had been proposed to the Cabinet for adoption. The Cabinet Committee had raised concerns over the lack of Member involvement in the initial interview process.

#### Other Options Considered and Rejected:

To not take action following the recommendations of the Planning Advisory Service.

#### 32. GYPSY & TRAVELLER DEVELOPMENT PLAN DOCUMENT

It was reported that the Council was still awaiting a response from the Minister regarding its request to hold a meeting to discuss this issue.

#### 33. SUSTAINABILITY APPRAISAL SCOPING REPORT

Copies of the draft Sustainability Appraisal Scoping Report were distributed to members of the Cabinet Committee. The Council was under a statutory obligation to consult upon the document, and it would be considered at the next meeting of the Cabinet Committee.

**CHAIRMAN** 

#### **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

Committee: Finance and Performance Date: 15 March 2010

**Management Cabinet Committee** 

Place: Committee Room 1, Civic Offices, Time: 6.30 - 7.30 pm

High Street, Epping

Members C Whitbread (Chairman), R Bassett, Mrs D Collins, Mrs M Sartin, D Stallan

Present: and Ms S Stavrou

Other

Councillors: D Jacobs and J M Whitehouse

Apologies:

Officers D Macnab (Deputy Chief Executive), R Palmer (Director of Finance and ICT), Present:

B Bassington (Chief Internal Auditor), P Maddock (Assistant Director

(Accountancy)), E Higgins (Insurance & Risk Officer) and G J Woodhall

(Democratic Services Officer)

#### 41. **DECLARATIONS OF INTEREST**

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

#### **MINUTES** 42.

#### **RESOLVED:**

That the minutes of the meeting held on 25 January 2010 be taken as read and signed by the Chairman as a correct record.

#### 43. **ANY OTHER BUSINESS**

It was noted that there was no other urgent business for consideration by the Cabinet Committee.

#### 44. **KEY PERFORMANCE INDICATORS - 2010/11 TARGETS**

The Deputy Chief Executive presented a report regarding the Key Performance Indicators for 2010/11 and their targets.

The Cabinet Committee was reminded that a range of Key Performance Indicators (KPIs) were adopted each year, to focus improvement on key objectives and achieve comparable performance with that of the top performing local authorities (where appropriate), and to then maintain or improve further on that level of performance. Progress in achieving target performance was reported to the Finance and Performance Management Scrutiny Panel and the relevant Portfolio Holder at the conclusion of each quarter. The Deputy Chief Executive stated that the Council had to adopt the National Indicators proscribed by the Government, but that it had more latitude with the Local Performance Indicators.

The Deputy Chief Executive added that the process had been progressed earlier than in previous years and the Medium-Term Aims and Key Priority Objectives had been agreed before the budget was set. Further links with the budget setting process would be desirable in future years. It was reported that the likely outturn for the year would be for approximately 57% of the adopted indicators to achieve top-quartile performance for 2009/10. Although this would not meet the Council's initial aim of 80%, it was an improvement on previous years and it was suggested that this particular target should be reviewed as it was felt to be over-ambitious. Some changes were proposed for Local Performance Indicator 23(a) regarding Major Capital Schemes, whereby now capital schemes with a budget in excess of £500,000 would be included - the current definition was for schemes in excess of £2million and that the definition should now read "for 90% of all projects, final costs should be within +/- 10% of the budget set for the scheme currently being undertaken", which might not be the original budget set for the scheme. The indicators proposed for adoption, along with their suggested target for 2010/11, were listed at Appendix 1 of the report; these had already been endorsed by the Corporate Executive Forum

The Cabinet Committee were sceptical of the usefulness of some National Indicators, with no data from previous years to compare performance. It was felt that a better approach would be to identify those Performance Indicators which were relevant to the Cabinet's Key Priority Objectives and where ongoing improvement was being made. This would then demonstrate to the Audit Commission the progress being made by the Council, especially as the various assessments tended to give more credit for small improvements on badly performing Indicators. The problem of yearend Indicators was also highlighted, whereby the result was not known until the end of the municipal year with no effective monitoring possible throughout the year. It was acknowledged that there were still possible problems with the quality of returns made by other Councils to the Audit Commission, as highlighted by the Council's Value for Money analysis undertaken in 2008. It was recognised that more caution could be exercised when setting top-quartile targets for the Key Performance Indicators. The Council needed to set testing targets, but that perhaps 80% had been too high; perhaps a more realistic target would be for 65% of Indicators to achieve top quartile performance. The Cabinet Committee accepted that the Key Performance Indicators needed to be further aligned with the Council's Key Priority Objectives, and that further reports should be considered by both the Scrutiny Panel and the Cabinet Committee regarding this and the proposed top quartile performance target for 2010/11.

#### **Decision:**

- (1) That proposals for the adoption of Key Performance Indicators for 2010/11, including draft targets and linkages with the Council's Medium Term Aims, be agreed;
- (2) That a further report be submitted to the Finance & Performance Management Scrutiny Panel, and Cabinet Committee in due course, regarding:
- (a) the setting of a corporate target for the accomplishment of year-on-year improvement via the achievement of top quartile performance for the adopted Key Performance Indicators in 2010/11; and
- (b) the further integration and alignment of the adopted Key Performance Indicators with the Cabinet's Key Priority Objectives for 2010/11; and

- (3) That the following changes to Local Performance Indicator 23(a) concerning Capital Projects be agreed:
- (a) to include all capital expenditure schemes in excess of £500,000; and
- (b) for 90% of all projects, the final costs should be within +/- 10% of the budget set for the scheme currently being undertaken.

#### **Reasons for Decision:**

To adopt the Key Performance Indicators for 2010/11 and set targets that reflected the Council's core business and corporate priorities.

The Council was obligated to collect data for the National Indicators and subsequently report.

To provide more meaningful monitoring data for Local Performance Indicator 23(a) regarding the costs of major capital projects undertaken by the Council.

#### Other Options Considered and Rejected:

To not adopt any Key Performance Indicators for 2010/11, however this could mean that opportunities for improvement were lost, and could have a negative impact upon both the Council's reputation and the scores achieved in numerous corporate assessment processes.

#### 45. INTERNAL AUDIT BUSINESS PLAN 2009/10

The Chief Internal Auditor presented the proposed Internal Audit Plan for 2010/11 and highlighted the areas of emphasis within the Plan.

The Chief Internal Auditor reported that all the fundamental financial systems had been included to provide assurance that good financial management controls had been put in place. The Risk Registers of each Directorate had been reviewed with any high risk areas had been included, and greater emphasis would also be placed on the inclusion of value for money aspects. A contingency provision had been made for investigations and other unplanned work during the year, whilst progress against the Plan would be kept under review throughout the year by the Audit & Governance Committee.

In response to questions from the Cabinet Committee, the Chief Internal Auditor stated that Deloitte & Touche had been contracted to perform nine audits per year. It had been difficult to estimate the length of some of the audits included in the Plan, particularly for areas such as Grounds Maintenance which had not been reviewed for some time. No decision had yet been made on whether to include ICT procurement within the Plan for 2010/11, hence its status as a reserve audit.

#### **RESOLVED:**

That the proposed Internal Audit Plan for 2010/11 be noted.

#### 46. QUARTERLY FINANCIAL MONITORING - THIRD QUARTER 2009/10

The Assistant Director (Accountancy) presented the Quarterly Financial Monitoring Report for the third quarter of 2009/10, which provided a comparison between the

original profiled budgets and the actual expenditure or income as applicable for the period ended 31 December 2009. The revised estimate had now been compiled and this had indicated that there was likely to be little change between the originally expected use of General Fund Balances of £704,000 and the revised projection of £837,000.

The Assistant Director reported that there was particular concern over the anticipated level of income from Building Control fees and Investment Interest. The ring fenced Building Control account would be close to breaking even this year but might return a small deficit. There was little scope for improving investment returns significantly without taking on additional risk, which was considered unacceptable. The expected income had been revised downwards but should be met. Additionally, income from Development Control and Land Charges had also been closely monitored. Land Charge income would probably exceed the budgeted income levels, whilst Development Control income would be in line with the reduced, revised estimate. Three capital projects had exceeded £1million in expenditure and the final accounts for each scheme would be reported to the Cabinet during 2010.

In response to questions from the Cabinet Committee, the Assistant Director stated that the Employers and Trade Unions were still in negotiations regarding the 2010/11 pay award, and the VAT recovery claim was still in progress. It had been pleasing to report an additional 5% return from the Council's investment with Heritable Bank, giving a total of 85p per £1 originally invested, especially as the Government had only provided investment protection for individuals, not organisations.

#### **RESOLVED:**

That the Revenue and Capital financial monitoring report for the third quarter of 2009/10 be noted.

#### 47. RISK MANAGEMENT - UPDATED CORPORATE RISK REGISTER

The Senior Finance Officer (Risk & Insurance) presented a report concerning the updated Corporate Risk Register.

The Senior Finance Officer informed the Cabinet Committee that the Corporate Risk Register had been considered by the Risk Management Group on 23 February and the Corporate Governance Group on 24 February. These reviews had identified a need to update the vulnerability for risk 9 (Depot Accommodation) as there were several different services that used the depot at Langston Road in Loughton. Although there were regular liaison meetings between the different users of the depot, it was still felt that the vulnerability for this risk should be updated to include the lack of an overall Depot Manager at the site. The Deputy Chief Executive stated that concerns had been raised at the Council's Health & Safety Forum, and it was not a satisfactory situation. The Cabinet Committee was reassured that the Council did have adequate insurance cover for any accidents.

The Senior Finance Officer added that the Corporate Governance Group had felt that, given the complexity of the issues surrounding the London Olympics in 2012, there were two further potential risks for the Council to consider: possible disruption to services and travel, albeit for a relatively short period; and the opportunity to achieve additional income for the Council. The Deputy Chief Executive added that the County Council's Portfolio Holder for the Olympics was engaged in discussions with Parish and Town Councils over possible issues, whilst a Joint Working Group with Broxbourne Borough Council was being considered over the Lea Valley White

Water Course. It was anticipated that the trial events planned before the Olympics would not cause any significant problems.

The Cabinet Committee felt that the potential risks posed by the London Olympics in 2012 should be further considered by both the Risk Management and Corporate Governance Groups, with recommendations for consideration at a future meeting of the Cabinet Committee. It was also felt that the rating for Risk 22, Failure of Key Partnerships, was too low and should be reviewed as some Partnerships were stronger than others. The Deputy Chief Executive advised the Cabinet Committee that the sharing of Risk Registers was on the agenda for the next meeting of the Local Strategic Partnership. The Cabinet Committee decided that the rating for this risk should also be reviewed and reported back.

#### **RECOMMENDED:**

- (1) That the vulnerability for the risk relating to Depot Accommodation be updated to include the lack of an overall Depot Manager at the site;
- (2) That possible risks to the Council arising from the 2012 London Olympics be further considered and reported back to the Cabinet Committee;
- (3) That the rating for the risk relating to the Failure of Key Partnerships be reviewed and reported back to the Cabinet Committee;
- (4) That the current tolerance line on the risk matrix be considered satisfactory and not be amended; and
- (5) That, incorporating the above agreed changes, the amended Corporate Risk Register be approved.

#### **Reasons for Decision:**

It was essential that the Corporate Risk Register was regularly reviewed and kept relevant to the threats faced by the Council.

#### Other Options Considered and Rejected:

To score the risks differently or to consider alternative actions if necessary.

CHAIRMAN

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