



### NOTICE OF COUNCIL MEETING

You are hereby summoned to a meeting of the EPPING FOREST DISTRICT COUNCIL to be held in the COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING at 7.00 pm on Tuesday 9 April 2024 for the purpose of transacting the business set out in the agenda.

A handwritten signature in blue ink, appearing to read 'G Blakemore'.

**Georgina Blakemore**  
Chief Executive

**Democratic Services  
Officer:**

Gary Woodhall      Tel: (01992) 564243  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

#### WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact the Public Relations Manager on 01992 564542.

## **BUSINESS**

### **1. WEBCASTING INTRODUCTION**

This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking. The Team Manager for Democratic and Electoral Services will read the following announcement:

“The Chairman would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

### **2. APOLOGIES FOR ABSENCE**

To be announced at the meeting.

To report non-attendance before the meeting, please use the [Members Portal webpage](#) to ensure your query is properly logged.

Alternatively, you can access the Members portal from the front page of the [Council's website](#), at the bottom under 'Contact Us'.

### **3. DECLARATIONS OF INTEREST**

To declare interests in any item on the agenda.

### **4. MINUTES**

To approve as a correct record and sign the minutes of the meeting held on 20 February 2024 (to follow).

### **5. ANNOUNCEMENTS**

(a) Chairman's Announcements

### **6. PUBLIC QUESTIONS (IF ANY)**

To answer questions asked after notice in accordance with the provisions contained within Part 4 of the Council Rules of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

(a) to the Leader of the Council;

(b) to any Portfolio Holder; or

(c) to the Chairman of the Overview and Scrutiny Committee.

Questions, if any, will follow if not received in time to be incorporated into the agenda.

## **7. QUESTIONS BY MEMBERS UNDER NOTICE**

To answer questions asked after notice in accordance with the provisions contained within the Council's rules in Part 4 of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

- (a) to the Chairman of the Council;
- (b) to the Leader of the Council;
- (c) to any Member of the Cabinet; or
- (d) the Chairman of any Committee or Sub-Committee.

The Council's rules provide that answers to questions under notice may take the form of:

- (a) direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Answers to questions falling within (a) and (b) above will be made available to the member asking the question one hour before the meeting. Answers to questions falling within (c) above will be circulated to all councillors.

Questions, if any, will follow if not received in time to be incorporated into the agenda.

## **8. REPORTS FROM THE LEADER & MEMBERS OF THE CABINET (Pages 7 - 26)**

To receive reports and any announcements from the Leader and members of the Cabinet on matters falling within their area of responsibility:

- (a) Report of the Leader of Council (verbal);
- (b) Report of the Place Portfolio Holder (attached);
- (c) Report of the Finance & Economic Development Portfolio Holder (attached);
- (d) Report of the Housing & Strategic Health Partnerships Portfolio Holder (attached);
- (e) Report of the Community Health & Wellbeing Portfolio Holder (attached);
- (f) Report of the Contracts, Service Delivery & Improvement Portfolio Holder (attached); and
- (g) Report of the Regulatory Services Portfolio Holder (attached).

## **9. QUESTIONS BY MEMBERS WITHOUT NOTICE**

The Council's rules provide for questions by any member of the Council to the Leader or any Portfolio Holder, without notice on:

- (i) reports under the previous item; or
- (ii) any other matter of a non operational character in relation to the powers and duties of the Council or which affects all or part of the District or some or all of its inhabitants.

The Council's rules provide that answers to questions without notice may take the form of:

- (a) a direct oral answer from the Leader or, at the request of the Leader, from another member of the Cabinet;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner; or
- (d) where the question relates to an operational matter, the Leader or a member of the Cabinet will request that a response be given direct to the questioner by the relevant Service Director.

In accordance with the Council's rules, a time limit of thirty minutes is set for questions. Any question not dealt with within the time available will receive a written reply. The Chairman may extend this period by up to a further ten minutes at their discretion.

## **10. MOTIONS**

To consider any motions, notice of which has been given under the Council's rules.

Motions, if any, will follow if not received in time to be incorporated into the agenda.

## **11. REPORT OF THE CABINET - PAY POLICY STATEMENT (Pages 27 - 32)**

(Leader of the Council) To consider the attached report recommending the approval of the Pay Policy Statement for 2024/25.

## **12. REPORT OF THE CONSTITUTION WORKING GROUP - REVIEW OF ARTICLE 17 - ACCESS TO INFORMATION (Pages 33 - 50)**

(Chairman of the Constitution Working Group) To consider the attached report seeking approval for revisions to Article 17 within the Constitution.

## **13. REPORT OF THE AUDIT & GOVERNANCE COMMITTEE - APPOINTMENT OF CO-OPTED MEMBERS (Page 51)**

(Chairman of the Audit & Governance Committee) To consider the attached report to appoint two new co-opted members to the Audit & Governance Committee.

## **14. REPORT OF THE AUDIT & GOVERNANCE COMMITTEE - ANTI-FRAUD & CORRUPTION STRATEGY (Pages 52 - 79)**

(Chairman of the Audit & Governance Committee) To consider the attached report to approve the Anti-Fraud & Corruption Strategy.

**15. OVERVIEW AND SCRUTINY COMMITTEE**

To receive the report of the Chairman of the Overview and Scrutiny Committee and to answer any questions without notice asked in accordance with Council Rules.

**16. JOINT ARRANGEMENTS & EXTERNAL ORGANISATIONS**

(a) To receive from Council representatives the reports (attached - if any) on the business of joint arrangements and external organisations and to receive answers to any questions on those bodies which may be put without notice; and

(b) To request written reports from representatives on joint arrangements and external organisations for future meetings.

**17. EXCLUSION OF PUBLIC AND PRESS****Exclusion:**

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Informa Paragraph Num
18	Epping Forest Operations Hub	3

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

**Background Papers:**

Article 17 of the Constitution (Access to Information) define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

(a) disclose any facts or matters on which the report or an important part of the report is based; and

(b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

**18. REPORT OF THE CABINET - EPPING FOREST OPERATIONS HUB (Pages 80 - 86)**

(Contracts, Service Delivery & Improvements Portfolio Holder) To consider the attached restricted report from the Cabinet regarding the Epping Forest Operations

Hub.

## ***Report to the Council***

**Committee:** Cabinet

**Date:** April 2024

**Subject:** Place Portfolio

**Portfolio Holder:** Councillor Nigel Bedford

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**Recommending:**

**That the report of the Place Portfolio Holder be noted.**

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### **1. Harlow and Gilston Garden Town (HGGT)**

EFDC officers continue to liaise with key stakeholders across the five Harlow and Gilston Garden Town (HGGT) authorities and relevant site promoters. This is undertaken in the context of wider Garden Town activities. Key updates in terms of the Garden Town are:

- Inter Authority Agreement for a Joint Committee has been agreed by all parties and is in the process of being implemented.
- The Latton Priory Design Code public consultation has concluded and is being updated in response. It is being brought to the March 2024 Cabinet for endorsement as a material consideration in planning decisions.
- The East of Harlow masterplanning guidance Supplementary Planning Document consultation has concluded and the document updated in response. The final Supplementary Planning Document is programmed to be brought to Cabinet in May or June 2024 for endorsement as a material consideration in planning decisions.

A newly appointed EFDC HGGT lead liaison officer, Adeola Pilgrim, will start with the Council on 2<sup>nd</sup> April to fill the vacant post last occupied by Lone Braddick before she left last year.

### **2. Other Strategic Masterplans**

The public consultation on the North Weald Bassett Strategic Masterplan Framework concluded on 16<sup>th</sup> January 2024. Feedback has been reviewed and amendments made to the masterplan. The final Strategic Masterplan Framework is being brought to March 2024 Cabinet for endorsement as a material consideration in planning decisions. An outline planning application for 780 of the homes provided for in the masterplan has now been received and is under consideration by officers. Discussions are underway with key technical stakeholders on the application including Essex County Council highways and National Highways in relation to capacity improvements to J7 of the M11. Determination of this application will have due regard to the final endorsed Strategic Masterplan Framework.

The site promoters of the South Epping masterplan are engaged with Council officers on the development of a Strategic Masterplan for the site. It is currently anticipated that consultation on a draft masterplan will take place in summer 2024.

Masterplan discussions have commenced with the two promoters of the West Ongar Concept Framework. The programme for this is under review but it will be subject to a public consultation exercise prior to an endorsement by the Council.

The South Nazeing Concept Framework is under development, including a review by the Quality Review Panel. A parallel planning application has been received for the site, but its determination will be dependent on the finalisation and endorsement of the Concept Framework.

The developers of the Waltham Abbey North masterplan are engaged with officers and receipt of a draft Strategic Masterplan Framework document is currently awaited.

### **3. Climate Change**

The developers of the Waltham Abbey North masterplan are engaged with officers and receipt of a draft Strategic Masterplan Framework document is currently awaited.

EFDC have supported Essex County Council in their development of Net Zero planning policies. This approach to building standards achieves energy efficient, net zero buildings, while also reducing energy costs for future residents. With the approach backed by legal advice, viability, and technical studies.

A [Written Ministerial Statement](#) (WMS) published on 13 December 2023 looks to restrict the ability of local authorities to set more ambitious energy standards. The Town and Country Planning Authority (TCPA), industry leaders and local authorities, are concerned about the impact of this WMS on the ability of local authorities to require emissions reductions from new development. Along with other Essex planning authorities, we are supporting the TCPA, who have drafted a letter to the secretary of state asking for clarity on the policy in the WMS and make clear that local planning authorities can adopt standards in local plans which go beyond building regulations if it is robust and viable.

### **4. Sustainable Travel**

- A 1.5 FTE HGGT resource has been secured from Sustrans using UKSPF allocations for community/business engagement on sustainable travel, starting in April for one year.
- The new Sport England Place Partnership Expansion in Harlow will include a major focus on active and sustainable travel and large-scale funding opportunities via Active Essex (details tbc).
- Local Cycling Walking Infrastructure Plan (CWIP) for Waltham Abbey initial report will be launched at the annual Ninefields Stakeholder Conference on 20<sup>th</sup> March – aims include better access to employment to the west along with leisure and wellbeing access to Lea Valley Regional Park/National Cycle Route 1 via Lea Valley etc.
- Rapid EV charger base has more than doubled in the district in a year, due largely to our partnership with Instavolt (14 chargers across 5 car parks) – continued growth in usage and additional car parking revenues.
- Working with ECC on their county-wide Local Electrical Vehicle Infrastructure (LEVI) fund bid for a network of lower cost ‘fast’ chargers which will meet the needs of those with no off-street parking, fleets, lower income areas.



# ***Report to the Council***

**Committee:** Full Council  
**Date:** 9<sup>th</sup> April 2024  
**Subject:** Finance & Economic Development  
**Portfolio Holder:** Councillor John Philip

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## **Recommending:**

**That the report of the Finance, Qualis Client and Economic Development Portfolio Holder be noted.**

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### Meet the Construction Buyer Event

Funded via the UK Shared Prosperity Fund, an inaugural Meet the Construction Buyer event was facilitated by the Council's Economic Development Team on Thursday 14<sup>th</sup> March at the Civic Offices in Epping.

Twenty-five different exhibitors from across the construction industry, along with representatives from three regional colleges and Council Planning and Procurement staff, attended with stalls, banners and merchandise. Construction companies included Qualis, Vistry, Weston Homes, British Offsite, Pellikaan and Davis Construction.

Running from 4pm to 8pm, over 120 attendees were able to network and secure advice and guidance on how to move their businesses to the next level. Organisations such as TrAc were on hand to discuss apprentice placements, and free business advice resources were promoted by NWES and Backing Business Support. Feedback from attendees was resoundingly positive with numerous delegates reporting that they felt in an excellent position to move towards bidding for work and local contracts as a result of attending the event.

The event enabled the Council's Economic Development Team to build its construction business database and to gain valuable insight into the sector in order to provide further support moving forwards.

### Federation of Small Business Subsidised Membership Scheme

As at the end of February, 36 businesses in the district have taken up the Federation of Small Businesses subsidised membership offer, offered via the UK Shared Prosperity Fund. Combined, they represent 313 employees, 19 of the businesses are sole traders, 7 have 50+ employees and the rest have up to 10 employees. Since joining, businesses have taken advantage of 52 different products, with insurance and legal products being the most popular.

The offer continues into the new fiscal year with a further promotional event planned in Ongar on Monday 13<sup>th</sup> May.

Businesses that have taken up the offer reported; "We are accessing the legal, employment and health and safety advisory support that the FSB membership provides. We are also

about to use the FSB's database for standard contracts, leases and licences that we use in our everyday business".

### Monthly Business E-Newsletter

The Economic Development Team recently released its latest edition of the 'Business Matters' e-newsletter to over 2,000 local businesses with topics focusing on a new West Essex business support programme, a practical summary of the Spring Budget announcement from the Federation of Small Businesses and finance support from the British Business Bank. The next edition is currently being developed and will be released at the end of the month.

### Visitor Economy

The tourism season begins at Easter and all the district's attractions are now fully open and expecting a busy season. Tourism economy data for both the district and Essex shows that the sector has recovered from the pandemic and grown beyond 2019 performance (£252,561,640 in 2022 vs £242,151,200 in 2019). Visitors and local residents alike are increasingly looking for free or low-cost activities and taking a day out or shorter breaks. This plays to the strengths of the district's offer, which is featured on the recently launched Discover App which has recently had pages covering Theydon Bois and North Weald added, as well as a new section featuring the activities offered by the Council's Communities Team. To support the Discover App and local tourism, 70 existing lamppost banners around the district are being updated. The new banners feature the App details on one side and a series of free local attractions on the reverse.

The district's tourism website is attracting 4,000 visitors weekly. The top pages visited in the last 28 days include North Weald Market, the Epping Forest Shopping Park, the Funky Monk Hotel, Theydon Bois Earthworks and North Weald Airfield. The top search areas are Events, Accommodation, Travel Information and Pubs & Bars. The DMS system used to host the site has recently added a range of analytical functions which will be integrated to enhance page-level information on the websites performance. This will work seamlessly alongside the information already being gathered from Google Analytics. Additional training will also be provided to officers to understand the new software functions.

### Essex + Herts Digital Innovation Zone (DIZ)

The Digital Innovation Zone (DIZ) delivered the latest in its ongoing series of Smart Place Seminars on Friday 8<sup>th</sup> March. More than 80 attendees registered for 'How Can Data Transform Our Place' which brought together the usual mix of local, regional and national speakers to explore how the public sector can collaborate to generate the best value from the data it creates, collects and stores in order to transform resident and business experience of public sector services. Attendees heard from speakers from the Local Government Association (LGA), London Office of Technology and Innovation (LOTI), Hertfordshire County Council and Anglia Ruskin University and were introduced to a range of approaches in which organisations can begin or develop their own journeys with data, as well as details of the support that is available.

The Sustainable Digital Special Interest Group of the DIZ is holding a 'Priority Setting' Workshop in March, which will explore opportunities to collaborate across partner organisations in order to enhance the sustainability of the digital technology and applications we use, as well as looking at how digital technology and applications might be deployed to enhance the sustainability of non-digital services.

## ICT

Matthew White has been appointed as the workstream lead for Shared Service across ICT for Epping Forest District Council and Colchester City Council.

### ICT Projects

Priorities for ICT to deliver in the next few months continues:

- Ward Boundaries change
- Preparation for up-and-coming Elections
- Moving to a Software-as-a-Service, for our payments application (Pay360)
- Finalising plan of works for 2024/2025
- E5 License Project (Microsoft Enterprise Licencing)
- Investigation of Shared Services opportunities with Colchester City Council
- Museum migration to Trust
  - Email creation, disclaimer, and logo
  - Wi-Fi
  - Security cameras
  - Infrastructure
- Supporting the Waste project (in-house), providing:
  - ICT Kit & Mobile devices
  - Infrastructure
  - Customer interface (web-based forms for customer interactions)
- Final stage on Lone working application replacement (officer safety)
- Approval to commence a new website platform which can be used by Epping Forest District Council and Colchester City Council
- PSTN Update (also known as the Big Switch Off – removal of legacy copper telephone lines)

### PMO Corporate Update

The Project Management Office (PMO) provides governance, assurance, project management resources and support to the business.

The PMO continues to work with service areas and the Senior Management Team (SMT) to review, assure, align, and agree key projects for EFDC's corporate objectives so that time, effort, and money can be directed and supported on the right projects.

Through the collaborative work that is underway, the following projects are noted as EFDC's agreed 'Corporate Priority Projects' which will be strategically aligned to EFDC's Corporate Objectives. Not all projects are governed through the PMO and may have governance arrangements agreed elsewhere within the business. Corporate Priority Projects will be reported on a quarterly basis through Overview and Scrutiny. In addition, there will be a number of other projects are also expected to be developed throughout 2024.

1. Shared Services Programme
2. Waste Services Programme
  - a. a. Workstream 1: Future Waste Services Delivery
  - b. b. Workstream 2: Environment Operations Hub
  - c. c. Workstream 3: Procurement of Waste Fleet Vehicles
3. Housing and Asset Management Project (HAM's)
4. Public Protection Project (Formally known as M3PP)

5. Epping Leisure Centre Project
6. Finance Systems Replacement Project
7. Pay 360
8. EFDC Website Replacement
9. File Server Data Cleanse (Migration to Cloud based storage and improved data Governance and Compliance)
10. The Big Switch Off
11. Infrastructure Architecture (Review of the Council's ICT platforms)
12. Work Management Solution

The programme management office continues to work to align resources with all projects to ensure correct prioritisation and the appropriate allocation of resources. This work will help inform the critical path with a view to complete a forward plan.

The PMO is considering new tools, which will provide EFDC with a platform where all our processes, tools, and teams work together to boost teams' alignment, efficiency, and productivity. This is being considered as a shared project across EFDC, Colchester City Council and Braintree District Council. A Project Brief has been submitted and approved by EFDC's Portfolio Steering Group and an Outline Business Case will be submitted to outline options for consideration for a Proof of Concept (POC) and Minimal Viable Product (MVP).

Any further questions can be directed to Matthew White and Melissa Kemp-Salt at regular meetings.

## ***Report to the Council***

**Committee:** Cabinet  
**Date:** March 2024  
**Subject:** Housing and Communities Portfolio  
**Portfolio Holder:** Councillor Holly Whitbread

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### **Recommending:**

**That the report of the Housing and Communities Portfolio Holder be noted.**

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### **1. Assets**

#### **a) Energy Efficiency Retrofit**

Works to improve the energy efficiency at 16 properties are in progress. This is the first batch of the 132 homes we will be improving as a part of EFDC's first significant retrofit project. The work is being delivered by E.ON and is part funded by the Social Housing Decarbonisation Fund (SHDF). The project is due to complete by April 2025.

More broadly, our ambition is to improve the energy efficiency of all our housing properties so they will be ready for net zero by 2050 and, we are working on plans to help us achieve this.

#### **b) Major Works at The Broadway, Debden**

Major works at The Broadway are planned to start later this year. This will include works to make the buildings watertight, external redecorations and other ancillary works and repairs. A consultation event was held with the commercial leaseholders on the 14<sup>th</sup> March and with residents on 21<sup>st</sup> March. The Notice of Intention was sent to residential leaseholders on 18<sup>th</sup> March in accordance with the Landlord and Tenant Act 1985.

We expect to put the contract out to tender by the end of April. Liaising with residents and commercial leaseholders along with delivering quality customer service will also be key considerations in the selection of the contractor.

#### **c) Major Works at Limes Farm Estate**

Practical Completion of the major works scheme at Limes Farm Estate is planned for 12<sup>th</sup> April. On this day, the contractor, Equans, will offer 'handover' of the works to EFDC. We will accept handover if we are satisfied the works have been completed to the specified standard. Following Practical Completion, there will be a 12-month defect liability period during which Equans will be responsible for rectifying any defects in their work that arise.

#### **d) Stock Condition Survey**

During 2023, Ridge and Partners surveyed 51% of the dwellings in our housing stock and 87% of the blocks. During 2024, Ridge and Partners have been commissioned to survey the remaining stock. They will start this second phase of surveys in April. Access permitting, we aim to have surveyed all our housing properties during 2024/25.

This will strengthen the existing data we hold and, support us in identifying and carrying out works to properties to ensure we continue to meet the Decent Homes Standard. It will also ensure we are aware of all cases of damp and mould and arrange remedial works as necessary.

The surveys will provide us with up-to-date estimates of the remaining lives of building components (kitchens, windows, roofs etc.). This will enable us to develop a cost-effective planned replacement programme.

e) Landlord Compliance (at 18 March)

Over the 'Big Six' areas of landlord compliance we are at 100% for asbestos, water hygiene, lift safety and fire risk assessments.

We are at 99.97% compliance for gas safety with safety checks overdue on just two properties for which steps are being taken to gain access. We are at 99.69% compliance for CO detectors with 18 properties still requiring a detector, again steps are being taken to work with tenants to ensure installation.

## 2. Housing

a) Homelessness

We continue to see an increase in the number of people presenting to the Homelessness team as homeless. Approaches from people due to domestic abuse in particular has increased during the course of the year. The team are prioritising those most vulnerable and ensuring we meet legislative timescales for dealing with cases.

We have made best use of the dispersal funding from the Home Office, using it to bolster resources in our Integrated Support Services (ISS) team. The ISS work in both our refugee sites, supporting people with next steps, finding employment with accommodation attached and, working with people in relation to their homelessness applications. Our two interim posts include a temporary homelessness officer working several days each week directly in the hotel housing refugees. The second interim officer resource is focussed on sourcing private sector accommodation for those who might otherwise struggle to obtain this kind of accommodation without support.

b) EHOH Housing Management Sub-Group Discussions

Key discussions in this forum have included:

- The move away from fixed term tenancies back to lifetime tenancies
- The Government plan to create a smoke free generation by 2030
- Tenants Satisfaction performance with average performance across Essex being between 65% and 80% satisfaction
- Professionalisation of the Social Housing sector

c) Digital Switchover Independent Living

Contracts were awarded for both, equipment works and monitoring to Appello. Work is due to start in June of this year.

**3. Housing Strategy**

a) Consultations

Recently Completed:

- *Awaab's Law*: Consultation on timescales for repairs in the social rented sector

Underway:

- *The Future Homes and Buildings Standards: 2023 consultation* – DLUHC is seeking views on requirements for energy efficiency and heating in new homes and non-domestic buildings. Development colleagues are reviewing to see if a response is required. Assets have reviewed and no response form them is appropriate just now.
- *Consultation on reforms to social housing allocations* - The consultation proposes a series of changes to the allocations system and looks to prioritise those who have a strong connection to the UK. It aims to introduce measures to address anti-social behaviour or terrorism offences.
- *Competence and Conduct Standard for social housing* - aims to introduce a national framework for promoting high standards and professionalism new measures on professionalisation.

b) Key Documents

- Annual Report to Tenants 2023 - published
- Strategies for Home Ownership and Older People – published
- Decant policy – drafted and being considered by Service Managers
- Housing Strategy Delivery Plan & Homelessness and Rough Sleeping Delivery Plan – update underway.
- Disposals Policy – draft prepared and out for comment with relevant managers
- Annual Report to Tenants 2024 – outline draft to be prepared.

c) Other key Items for Noting

- The next round of *TSMs* will be finished by 22 March
- *Housemark* benchmarking is live. The Strategy Team are uploading the monthly data
- *Key performance indictors* – a new suite for Housing & Property for 2024/25 is being developed
- *LAHS* – the portal for amendments on 2022/23 data was opened and some amendments agreed and uploaded. LAHS 2024 will be required by mid-July 2024
- *Consultation on the consumer standards* – we're now working on the implications of the new consumer standards in terms of data and other evidence
- We are supporting a review of *tenancy agreements* and the *tenancy handbook*.

**Surjit Balu**  
Interim Director of Housing and Property

## ***Report to the Council***

**Committee:** Council  
**Date:** 9<sup>th</sup> April 2024  
**Subject:** Community & Wellbeing  
**Portfolio Holder:** Councillor Smruti Patel

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### **Recommending:**

**That the report of the Community, Health & Wellbeing Portfolio Holder be noted.**

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#### Epping Forest Youth Council Elections 2024

Over 60 young candidates stood during the February and March elections for 25 Youth Council seats - the highest number of candidates on record to date. Roding Valley High School, in particular, had a remarkable 17 candidates stand. Seven school elections were held between Monday 26 February and Friday 22 March. Results were announced on Tuesday 26 March. The new cohort of Youth Councillors will take up office on Monday 8 April.

#### “Stop & Think Roadshows” for local Secondary Schools

Funded by the Community Safety Partnership, seven Secondary Schools are currently receiving the 60-minute performance for Year 7 or Year 8 pupils, using forum theatre to stimulate discussion and learning. The Roadshow focusses on Police Stop and Search, and also Stop and Account practices and provides a platform to explore behaviours and attitudes when engaging with the Police.

#### Youth Council support for an Independent Advisory Group Survey

A Youth Safety Survey was recently conducted by the five youth representatives on the Independent Advisory Group and a total of 474 surveys were completed by local school pupils; 178 Davenant Foundation School; 176 Roding Valley High School; 101 Epping St John's and 19 Waltham Holy Cross Primary Academy.

#### Limes Farm Youth Provision

Youth Unity has submitted a bid to the Police Fire & Crime Commissioner's Community Safety Development Fund for a mentor to support the transition of pupils between Years 6 and 7 as they move into secondary school. The bid builds on the work which the Council currently commission Youth Unity to deliver at the Limes Farm Youth Club.

Limes Farm Colts Football Team took part in a friendly match at Grange Farm Trust on Saturday 9 March. The Chairman of Council attended and presented a Chairman's Award, trophies and medals to the young players.

#### Community Cafe in Waltham Abbey

The Waltham Abbey Community Cafe celebrated its 2-year anniversary in February. This has become a self-sustainable session, originally started by the Council's Community Team and now being run by local volunteers. The Community Café has gone from strength to strength providing a safe, friendly, fun and welcoming environment for local residents. This particular



celebration enabled 'cafe goers' to share what the Community Cafe means to them. Attendees commented; *"The café is a happy place and I love to attend as I live alone. Recently we created a WhatsApp group including everyone who attends and feel I can call on any of them if I ever need anything"* and *"My husband and I love the café; we have formed great friendships and really enjoy the chat each week. My husband often asks if we are 'going down the Abbey' today."*

The Waltham Abbey Community Café runs every Wednesday from 12noon – 1.45pm in Epping Forest District Museum.

#### Epping Forest Dementia Friendly Communities

Plans are underway for a 2024 Epping Forest Dementia Fair. A working group has been created through the Dementia Friendly Community Group. This is the third of its kind and last year's event provided support to over 140 people. This year the event will take place on Saturday 11 May, 10am – 2pm at St John's Church in Epping.

#### Care To Move Project

A third Council Independent Living setting is making use of specially adapted cycling equipment purchase from RideLondon 2023 funding. During February, the Care to Move Project expanded to Hyde Mead House in Nazeing and residents were inducted on how to use the equipment. A Nazeing Community Champion oversees and monitors the activity which supports residents to improve their mobility and increase general physical activity levels.

#### Play in the Park School – Easter and Summer School Holiday Sessions

School holiday family fun "Play in the Park" activities continue to be being delivered by the Council in partnership with local Town and Parish Councils.

For children aged 5-12, Play in the Park is all about playing games and having fun outdoors. The sessions are fully inclusive and work on a 'drop in' basis. The Play in the Park Team provide a range of sports equipment, including bikes and arts & crafts resources, for children and their parents/carers to enjoy together at a range of green spaces across the district.

As part of a wider RideLondon funded programme, the Council organised FREE bike maintenance over Easter via the Essex Cycle Training Team. The Council has also linked Town and Parish Councils with the scheme for their Town Shows, and these will include Waltham Abbey in June, Epping in July, and Loughton in September.

#### Oakwood Hill Community Hub and Consultation

An exciting re-launch of the Oakwood Hill Community Centre as a multi-service Community Hub took place on Thursday 21 March, between 9:30am – 1pm in Loughton. Hosted by Restore Community, the Community Development & Wellbeing Team, along with staff from Tenancy & Estates, Income, Rehousing and Qualis formed part of the multi-service offer at the launch. Numerous partner organisations, such as Peabody, were also in attendance. In addition to the formal launch of the Community Hub, the Council's Community Development & Wellbeing Team, in partnership with wider health partners, undertook a community consultation exercise. The aim was to gather an understanding of what services, activities and opportunities residents would like to see in the Oakwood Hill area. This assists the Communities Team and wider Council with its whole system partnership approach and will enable the mobilisation of system partners to deliver services to meet the identified needs.

The consultation took the form of a door knocking exercise to get a better understanding from residents themselves of their needs and aspirations. A flyer with a QR code was also produced

so that residents could complete the survey online. Results of the survey are currently being collated.

#### Stay Safe & Well Community Events

Another of the Community Team's popular Stay Safe & Well events took place at Zinc Arts in Ongar on 12 March. The stimulating, interactive health and wellbeing event saw over 60 local residents visit multi-agency information stands and listen to informative talks from the blue light services and specialist health advisors.

Health checks were provided on the day, a seated exercise session suitable for all abilities warmed participants up, followed by a free lunch and information bag, and then an interactive theatre performance about the perils of scamming.

The next Spring event will take place in Sheering on 11 April.

Winter Stay Safe & Well events will be delivered in Roydon on 29 October and Theydon Bois on 30 October when flu jabs will also be available.

#### Epping Forest Community Champions

Two new Community Champions have been successfully recruited from Moreton and Buckhurst Hill and one more Champion is in the process of being onboarded from Nazeing, which will bring the total number of Community Champions to 28.

First Aid training will be provided to Champions in May.

Nazeing's long-standing Community Champion has been successful in securing £500 from the Qualis Community Benefit Fund towards a Canalability trip for the residents of Hyde Mead House and wider Nazeing.

#### Funding Secured

With support from the Community Development & Wellbeing Team's Senior Community Engagement Officer, the Upshire School Community Train Carriage Project has secured £5000 from the Community Safety Partnership, £5000 from the Epping Forest Public Health Community Fund and £5000 from the Qualis Community Benefit Fund.

Initiated by the Communities Team, the Buckhurst Community Pantry received £3000 and Limes Farm Community Pantry received £7000 from Essex County Council. Both of these initiatives are run by the Council's Community Champions.

#### Epping Forest District Museum

On 1<sup>st</sup> April the Epping Forest District Museum Charity Incorporated Organisation (CIO) formally assumed responsibility for the delivery of the Museum service on behalf of the Council. Through an initial four-year Service Level Agreement with the CIO, the Council has provided a robust platform from which the Museum can flourish and further build a sustainable community-focused Museum service for the district for years to come.

The 'Towns Through Time' exhibition continues to attract a regular flow of visitors to the Museum and the feedback captured on the associated memory wall clearly illustrates the value and affection the community has for the Museum.

#### Customer Service Contact Centre

A report on the progress of the Council's Contact Centre over the past 12 months and associated Customer Services Key Performance Indicators (KPIs) was presented to the Community Scrutiny Committee on 5<sup>th</sup> March.

Details of proactive continuous improvement initiatives and enhancements were shared with Members including; a comprehensive benchmarking exercise which has been undertaken with other Councils across Essex to highlight and learn from best practice, and work to further explore the benefits and capabilities of the Council's new telephony system.

The detailed presentation highlighted that lead officers in the Customer Services team have established regular meetings with the new telephony provider, Cirrus/Gamma. Through close liaison with Cirrus/Gamma reps, further enhancements to the telephony platform are being progressively secured. Robust and more meaningful data and insight in respect of matters such as the swift resolution of calls (known as first point resolution) is proving to be the catalyst for early performance improvement and there is now, for example, clear "in the moment" visibility available in respect of Planning Services related calls into the Contact Centre.

Following careful consideration and detailed discussion, the Committee was happy to accept the recommendation to remove the historic overly generic "Customer Satisfaction" KPI in its current format, in favour of more meaningful and measurable indicators being adopted corporately. Regular meetings with wider Council service areas will continue in order to further improve the Council's customers' experience.

Customer Services staff are supporting the Council's new waste service project by undertaking a review of existing procedures to identify efficiencies and the simplification of online services. Meetings are planned with Granicus and Whitespace (the core existing and specialist waste system providers) to look at the automation of current processes as a whole "customer journey" and the integrations required to improve processes generally and to ensure customers are kept updated throughout. Various elements will be built in phases and prioritised accordingly.

#### Complaint Handling Code 2024

The joint Housing Ombudsman and Local Government Ombudsman Complaint Handling Code will take effect 1st April 2024. The Council will be fully compliant with the new Complaint Handling Code. Furthermore, staff are reviewing the Council's Complaints Policy, Response Templates, Complaints Form and Handling Code Self-Assessment in order to deliver excellence in this area.

Staff refresher training workshops covering the management of any complaints which may come into the Council will be rolled out from April. The Council acknowledges that data protection is especially important when handling complaints, hence, the Council's Data Protection Officer will also input into the training workshops. Interactive online training resources will also be created by Customer staff for the online training portal, Litmos.

The Housing Team has introduced complaints benchmarking through Housemark. The aim is to measure how the Council is performing from a Housing perspective compared to other authorities. The Customer Services team assists Housing staff by uploading Housing complaints data monthly to ensure that Housemark produces an all-encompassing and accurate report.

Analysing complaints which come to the Council enables staff to improve services. Quarterly review meetings are held with each Services area in order to analyse root causes and identify trends in order to drive up performance wherever possible.

# ***Report to the Council***

**Committee:** Full Council  
**Date:** 9 April 2024  
**Subject:** Contracts, Service Delivery, and Improvements  
**Portfolio Holder:** Councillor Ray Balcombe and Councillor Ken Williamson (Parking)

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**Recommending:**

**The report of the Contracts, Service Delivery, and Improvements.**

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## **Leisure Management**

### **New Epping Leisure Centre**

Main construction works for the Epping Leisure has commenced and the contractor, Pellikaan, are currently working on the reduced dig exercise and sheet piling installation.

A groundbreaking ceremony took place on 6 March to formally mark the start of the works. Children from Epping Primary School, Councillors and representatives from EFDC, Places Leisure and Pellikaan Construction attended the groundbreaking ceremony. Pupils from Epping Primary School attended to bury the time capsule they had put together as part of the project.

Pellikaan attended the Meet the Buyer event at the Civic Offices on 14 March to interact with local businesses and explore what opportunities could be offered.

## **Civic Offices Community Hub - Partner Agencies Annual Review**

Customer Services staff have facilitated a 'Let's Talk' session with representatives from all the partner agencies who operate as part of the Civic Offices Community Hub in Epping. The purpose of the exercise, which is undertaken annually, is to gauge how partners are finding working in the Council's Community Hub setting, and to provide an open forum through which to propose and discuss any changes partners feel would benefit the multi-agency space.

Partners unanimously praised the Civic Offices Community Hub for its relaxed feel and were all delighted to be part of the Council's innovative, one-stop-shop approach to the provision of services to local residents. To further enhance the space, four partners highlighted the potential benefits of providing ambient background music in the Hub as a way to ensure sensitive conversations are not overheard. Partner agencies were also able to liaise with each other regarding their attendance days and times, and these were adjusted to maximise the benefits to visiting residents in a number of cases.

A new Health Coach from the Essex Wellbeing Service who undertakes health checks is a new monthly addition to the Hub and has been welcomed by residents. Partners from an organisation called The Change Project have confirmed that they will be attending the Hub on Tuesdays from 9th April and the Council's Customer Services staff are in dialogue with a Credit Union, Energy Advisor, Employment Retention Specialist and Mental Health Coach to secure their support for the Hub in due course.

# ***Report to the Council***

**Committee: Cabinet**

**Date: April 2024**

**Subject: Technical Services Portfolio Holder**

**Portfolio Holder: Councillor Ken Williamson**

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**Recommending:**

**That the report of the Portfolio Holder be noted.**

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## **1. Regulatory & Technical Services:**

### **Private Sector Housing**

The team has been busy dealing with a number of illegal evictions, unlicensed HMOs, filthy and verminous premises, alleged carbon monoxide poisoning and have supervised an exhumation in March.

Officers were called to a multiple occupied property where a landlord had changed the locks on the room for arrears, thus illegally evicting the occupier from the property. Using experienced negotiation skills with the intervention of the team, the tenant was back in their room within hours. Enforcement action is underway against the landlord for the unlicensed HMO.

The team have also dealt with a number of hoarded properties, known as filthy and verminous (F&V). Often these properties come to light after the residents are taken into hospital and we become aware of the conditions via third parties. These cases are always highly sensitive, complex, and challenging to deal with as there are usually deep-seated mental health issues behind the conditions. Officers have to work closely with the resident, mental health, and social work professionals to achieve a good outcome. It is important to strike a balance between going at the correct pace for the resident and resolving the matter as quickly as possible.

As well as health concerns for householders, hoarding can lead to further problems such as rat infestations affecting neighbouring properties. In such circumstances, the Council can use powers under the Public Health Act to employ pest control for the eradication of the rats, and contractors for clean-up of the hoarding property to remove the environment in which the rats thrive. Cost of the clean-up and pest control are passed onto the resident or property owner.

### **Private Sector Grants**

As of 29 February 2024, the team have paid a total of £1,069,641.52 for completed Disabled Facilities Grants. The budget for the year was £971,213.00 and in September 2023 we also received an additional £84,748.00 from the Better Care Fund making our total budget for 2023/24 £1,055,961.00. We have exceeded our own expectations with one month to go and can comfortably continue to complete and pay as many grants as possible in March by tapping into our accumulated pot of unspent monies from previous years as this is 'ring-fenced' and cannot be used for any other purpose. The team have also approved over £152,000 in

Disabled Facilities Grants for the residents of Castlepoint Borough Council which is another excellent achievement in such a short time period.

### **Environmental Health**

The team are investigating a number of complaints relating to Brazilian Butt/Bum Lift (BBL) procedures carried out at premises within the district. As a result of we have issued a Prohibition Notice preventing one practitioner from carrying out any further procedures in an unsafe way and has also issued Improvement Notice under the Health and Safety at Work etc Act 1974. Further investigation is ongoing. We are working with several other councils across the UK in areas where BBL procedures are taking place to investigate complaints that such procedures are not being undertaken safely. Practitioners undertaking these procedures are not legally required to have any medical qualification and are not subject to mandatory licensing. The Government has recognised concerns at the lack of a licencing regime for such procedures, and the Health and Care Act 2022 includes a provision for the Secretary of State to introduce a national licencing scheme for a range of aesthetic procedures. This scheme is still being developed and currently at the consultation stage.

Procedures including BBL, thread lifting, and platelet-rich therapy are not always performed by medically trained practitioners. Outside the medical profession, there are few, if any, training courses that are accredited by an awarding body that oversees the content and quality of the training being provided. Basic training courses like the one featured in recent ITV News coverage are unlikely to give the quality of the training needed.

The team have also run a competition for the food businesses to raise the profile of allergen labelling for pre-packed foods for direct sale (PPDS). Those entering needed to complete the Food Standards Agency free online allergen labelling. They then sent us a certificate of completion and they were entered into a free draw for a label printer. The team has delivered two label printers to those who were successful in the draw. The money to purchase the printers came from funds provided to each LA to raise the awareness of changes to allergen labelling for pre-packed foods for direct sale (PPDS).

### **Licensing**

#### **Taxi Tariff**

On 9 October 2023 Cabinet agreed to the public consultation on the proposed taxi tariff increase and to reconsider the proposal, in light of any objections received.

Cabinet met to consider the responses on 15 January 2024, and agreed that the tariff detailed in the consultation represented a fair increase for drivers, whilst maintaining a reasonable fare that passengers can be expected to pay. In reaching its decision, Cabinet acknowledged the concerns expressed by some respondents who believe the starting fare for the first mile to be too low and agreed that the fare will be subject to further review in 12 months' time following the implementation of the new tariff and at regular intervals going forward to ensure that fares remain reasonable and fair to both the licensed taxi trade and the fare paying public.

The taxi tariff proposed in the consultation was agreed and came into effect on 28<sup>th</sup> February 2024. All Hackney Carriage drivers were advised of the decision and the meter update took place at North Weald Airfield on 28, 29 February and 7 March 2024.

Over this three-day period, the Council updated 173 meters to the new tariff, which represents 81% of the fleet. The remaining 19% of drivers have been given guidance on how to update their meters going forward.

It should be noted that the Council can only set a maximum taxi tariff, it is permissible for Hackney Drivers to charge a lesser fare should they wish to do so. The remaining 19% of drivers can continue to operate under the previous taxi tariff until such time as the meter is updated to reflect the increased permitted fare.

### **Community Resilience**

Fly tipping is increasing and has increased by 33% in the same period for last year, which has increased active investigations by 79%.

The PFCC visited the district looking at our Safer Streets and Operation Dial areas. We received great feedback from the PFCC office on the work that has been achieved so far and the improvements made.

A Crimestoppers zone day of action at Ninefields, Waltham Abbey was held on 5 February. The team engaged with the community and gave Crimestoppers literature out.

As part of the ongoing work for Project Minerva- Violence against women and girls, two team members have been trained as safe space quality assurance officers. This means they can go into establishments in the district and ensure they know how to respond to their safe space for domestic abuse victims. Self-defence sessions have also been held in February as part of the Project Minerva work.

The team attended PFCC Expo 2024 conference on 29 February. The conference enables the team to understand the wider work that is happening in Essex and gives ideas and direction for our current work.

The CCTV project strategy for 2023/24 has been completed ahead of time and on budget with over 12 projects delivered.

### **EFDC Policing Team**

In February PS Fitt was tasked with arranging police resources to assist with the production of a short video for the Association of Police Crime Commissioners highlighting the good work being done on the Broadway as part of Op-Dial.

PC Baggley joined the CRT for Ninefields Crimestoppers Zone engagement event, and as this is linked in with "Op-Grenadier" burglary intensification week he also handed out burglary prevention information. During free time for the rest of the week we concentrated on burglary hotspot zone patrolling.

While off duty PC Amner was doing his weekly shop and spotted a shoplifting in progress, he assisted store staff in detaining the suspect who was then arrested when on duty officers arrived.

Week of 19 Feb was "Op-Stronghold" which is an intensification week around town centres, ASB related to these areas and local crime trends that plague our high streets.

### **Highway Rangers**

The Highway Rangers have undertaken some successful project work recently including the installation of Speed Indicator Devices for Buckhurst Hill Parish Council. This required new equipment and training for the team to work at height and linked well with existing highways experience.

The Rangers can now provide this service to help parishes with similar projects to both help raise speed awareness and safety and as an on-going service to periodically move the devices.

Recently the team have installed a brand-new finger post at Manor Road Chigwell as the previous finger post was rotten and damaged and removed from site. The team have replaced plastic bollards in Epping that have been missing for many years and some recently vehicle damaged bollards in Buckhurst Hill. The Rangers have also replaced concrete bollards as they become damaged and constantly remove fly posting and graffiti and pass information to our Community Resilience team to contact companies undertaking the flyposting.

In recent wind and storm conditions the Rangers have assisted in keeping paths clear with minor tree branch clearances that have come down in winds. Many reports that are made to the team are rejected as they are works that the rangers cannot work on such as defective streetlights, potholes or private hedges which remain the responsibility of Essex Highways.

Appendix 1 contains pictures of some of the Ranger's work detailed above.

### **Grounds Maintenance**

The grounds maintenance winter-works programme is drawing to a close, the Qualis gardening teams have made a tentative, but necessary start to the grass cutting programme. However, with the ground conditions still very soft, the mower operators must proceed with caution and only cut the grass where it is safe to do so. This may result in certain areas such as grass banks and slopes being excluded from the initial cut; these will be picked up as ground conditions improve. Hand-mowing has also commenced within communal lawn areas and back gardens. Suitably trained staff are undertaking weed spraying operations around obstructions within the grass verges, this single application of herbicide significantly reduces the number of mechanical operations required throughout the growing season.

The Qualis nursery team continue to maintain the numerous seasonal bedding displays located throughout the district. The many hundreds of winter flowering pansies, and spring flowering bulbs are bringing a welcome splash of colour to our towns and villages. The nursery staff will also be responsible for providing the numerous floral displays required for this year's Civic Awards ceremony.

### **Tree Team**

The team has been busy with planting this Winter, with the additional street tree planting funded by the Forestry Commission, and undertaken by Essex County, under our stewardship. We have also been implementing the New Winter works programme which we have created to proactively manage the street trees, which have been overlooked for some time, as well as looking forward to creating similar systems in the future for Housing trees, beginning with an initial asset survey, which we hope to continue rolling out throughout the spring and summer months.

An updated Council Wide Tree Policy has been drafted and went to Place Scrutiny for consideration in February, it is on the Cabinet agenda recommended for approval in March.

### **Fleet Operations**

Fleet recently supported the licensing team in carrying out taxi meter calibrations and meter replacements to support the new increase in taxi charging tariff.



A new SLA has been agreed with Oak tree group of schools 36-month contract for the supply of servicing and maintenance the Oak Trees fleet of 26 motor vehicles. A very busy February for public MOT's and third-party work, work slots at 85% capacity. All Council vehicle and plant tyres are now carried out at the fleet workshop facility, we no longer use third party suppliers a saving of more than £40k pa.

## **2. Planning Services:**

### **Building Control**

#### Registration of Inspectors

The Building Control team have been heavily focussed on 6 April deadline for all staff delivering newly designated 'restricted functions' to be competency validated and registered with the Building Safety Regulator. Authorities that do not have registered staff will not be able to deliver their statutory service and there is concern in the industry about the knock-on effect on housebuilding delivery. I am pleased to report that the team at Epping Forest now have one member registered as a Specialist Inspector (able to work on all types and heights of buildings) and two members registered as General Inspectors (able to work on most buildings in our district). This reassuring position will enable the team to continue to work with supervision arrangements in place for those still awaiting results or their exam date.

#### Operational Standards Rules

From 6 April all Building Control Bodies (private or Local Authority) will be regulated by the Building Safety Regulator at the Health and Safety Executive. New protocols require regular reporting of substantial and detailed information concerning the handling of applications, inspections, and enforcement activities. We are working with our back-office software supplier to build additional data collection and reporting tools and are running workshops with the staff to convey the additional requirements. The additional time collecting, recording, and reporting on data is substantial enough to affect the cost of delivering the service. This will need to be monitored and reflected in future schemes of charges.

#### Cancellation of Private Building Control Providers notices

All existing Approved Inspectors wishing to continue to provide a private Building Control service must register with the Building Safety Regulator as a Registered Building Control Approver. As they are unable to enforce against a breach of Building Regulations, they are required to cancel their notice and hand work back to the Council where non-compliance is not addressed in a timely manner. This was previously a rare event, however as the date for the new regime approaches all Councils are experiencing an influx of cancelled notices for historic works where the Approved Inspector has not issued a Final Certificate. This is creating substantial work for Local Authority teams as they attempt to obtain records, gain access to inspect and make reasoned decisions over enforcement interventions.

### **Development Management**

#### Planning Appeals

Members are reminded that Planning Appeal details are published in the weekly Bulletin, and links to the appeal documents are now provided to enable members to view a relevant appeal by clicking the link.

#### Planning Skills Delivery Funding

Planning Services were partially successful in their bid for Planning Skills Delivery Funding from Central Government and were awarded £36,000 to assist in clearing a backlog of planning applications. This funding has subsequently been utilised to bring in two short term contractors to help with the processing of planning applications to reduce the backlog of planning cases and assist the overall workload of permanent staff.

#### Planning recruitment

As part of the 10% budget savings that Planning Services recently offered up, some resources are to be reallocated across the service where they are most needed, particularly to boost Development Management in the assessment and determination of planning applications and meet customer needs. As a result, several new and existing vacant positions are soon to be advertised to supplement the existing teams.

#### Enforcement action

The following enforcement notices have been issued:

**Location:** Hainault Hall, Lambourne Road, Chigwell, Essex, IG7 6JU

**Alleged breach of planning control:** Without planning permission, the installation of a swimming pool

**Date issued:** 20 February 2024

**Date compliance due by:** 25 March 2024

**Appeal received:** not at present

#### Enforcement Appeal Decisions

None in this period.

### **Parking**

#### National Parking Platform

The Council has expressed an interest in the National Parking Platform (NPP), which has been established by the Department for Transport to simplify cashless parking in local authority car parks. The NPP would enable motorists to use any parking app in any car park nationally, with future enhancements to link up Electric Vehicle charging and payment into any providers' phone app, without having to struggle with new apps or account every time. This lays the groundwork for future vehicles to handle parking payments for themselves, paving the way to truly effortless parking.

Further information on the platform is expected to be launched later in the year. There is no obligation for the Council to join the scheme, however, the expression of interest means the joining fee is £0, should the Council decide to join in future (otherwise £10,000).

## ***Report to the Council***

**Committee:** Cabinet  
**Date:** 18 March 2024  
**Subject:** Pay Policy Statement  
**Portfolio Holder:** Councillor C Whitbread (Leader Portfolio)

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### **Recommending:**

**That the Cabinet recommended the Pay Policy Statement to Council for approval.**

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1. Section 38 (1) of the Localism Act 2011 requires the Council to produce a Pay Policy Statement for each financial year setting out details of its remuneration policy. Specifically, it should include the Council's approach to its highest and lowest paid employees. It draws on the Review of Fair Pay in the Public Sector (Will Hutton 2011) and concerns over low pay. Specifically, it should include the Council's approach to its highest and lowest paid employees and is published annually on the Council's website. For further information: [Cabinet report C-045-2023-24 can be viewed on this link.](#)
2. The Cabinet raised no questions on the Pay Policy Statement 2024/25 (attached) at the meeting on 18 March.
3. Therefore, we recommend to Council the approval of the Policy Statement 2024/25.

# **EPPING FOREST DISTRICT COUNCIL**

## **PAY POLICY STATEMENT 2024/25**

### **Introduction**

Epping Forest District Council is located adjacent to three outer London boroughs and on the Central Line into the City of London. Residents have easy access to major motorway routes as both the M11 and M25 run through the district. There is a high incidence of commuting from the district which impacts on the local labour market and levels of pay, particularly for jobs that require skills that are in relatively short supply.

There are some long standing recruitment difficulties and retention issues in key skill areas and the Council is making every effort to manage skill shortages with apprenticeships, including higher level apprenticeships, introducing a new recruitment strategy and streamlined processes, working with Public Practice to encourage planners, designers working in the private sector to work in the public sector.

The situation is not static and can change very rapidly, but the Council continually considers steps regarding pay and allowances that are designed to assist with recruitment and retention.

This Statement reflects the Council's current pay, pension and leave policies and strategies which will be amended over time to deal with changing circumstances. These documents play an important role in attracting and retaining the best people to the Council.

All decisions on pay and reward for Chief Officers will comply with the Council's current Pay Policy Statement.

### **Legislation**

Section 38 (1) of the Localism Act 2011 requires English and Welsh Councils to produce a Pay Policy Statement for 2012/2013 and for each financial year thereafter.

The Council's Pay Policy Statement;

- Must be approved formally by the Council;
- Must be approved each year;
- May be amended during the financial year; and
- Must be published on the Council's website.

The Pay Policy Statement must include;

- The level and elements of remuneration for each of the Chief Officers;
- The remuneration of its lowest paid employees (together with its definition of 'lowest paid employees' and the Council's reasons for adopting that definition);
- The relationship between the remuneration of its Chief Officers and other Officers; and
- Other aspects of Chief Officers' remuneration; remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments and transparency.

Remuneration is defined widely, to include not just pay but also charges, fees, allowances, benefits in kind, increases/enhancements of pension entitlements and termination payments.

All salaries and calculations are based on full time equivalent (fte).

## **Publication of the Pay Policy Statement**

The Policy has been made available on the Council's website.

## **Effect of this Policy Statement**

Nothing in this Policy Statement enables unilateral changes to employee's terms and conditions. Changes to terms and conditions of employment must follow consultation and negotiation with individuals and recognised trade unions as set out in other agreements and in line with legislation..

## **Pay Arrangements**

The Council operates under a local pay agreement via a Collective Agreement which was effective from 1<sup>st</sup> October 2019. The local pay scales can be found at Appendix 1 (pay rates are as at 1 April 2023).

Employees are paid at a spot salary within their grade which is made up of a Growth, Core and Exception zone salary range. Placement within the respective Grade Zones is in accordance with pay policy.

Grades for roles will continue to be determined by the NJC Job Evaluation Scheme implemented through our Job Family Framework.

## **Pay Awards**

For the future, Epping Forest salary ranges will be benchmarked against the Public & Not for Profit Market, and NJC pay awards will no longer apply, although the Council has agreed that annual pay awards will be no less than the NJC Award.

The Council will consider pay awards annually, and any award agreed will be applied at 1 April.

## **Remuneration of Chief Officers**

The Council will not agree any pay arrangement which does not reflect the correct employment and/or tax/NI status of a Chief Officer or employee.

It will be the responsibility of Council to agree the initial salaries for Chief Officers following external advice/evaluation/benchmarking. At Epping, Chief Officers are determined as the Chief Executive, Strategic Directors and Chief Operating Officer.

## **Chief Executive**

The Chief Executive is paid a spot salary of £154,140 which includes compensation for all other allowances that might normally apply (i.e. evening meeting payments). The Chief Executive may also benefit from a performance payment of up to £5,000 (non-consolidated) if targets and objectives, set by the Leader of the Council and Chair of the Overview and Scrutiny and Committee, together with an independent facilitator, are met.

The Chief Executive is also the Council's Head of Paid Service and the Returning Officer (for which additional fees are paid).

## **Strategic Directors**

The role of Strategic Director and Chief Operating Officer are paid a spot salary of £123,227 together with the opportunity of flexibility of benefits. This figure includes all statutory responsibility payments.

## **Termination Payments**

On ceasing to be employed by the Council, individuals will only receive compensation:

- in circumstances that are relevant (e.g. redundancy), and
- in accordance with our published Pension Policy on how we exercise the various employer discretions provided by the Local Government Pension Scheme (LGPS), and/or that complies with the specific term(s) of a compromise agreement.

All employees with contracts of 3 months or more are automatically enrolled into the Local Government Pension Scheme (LGPS), which is administered by Essex County Council. Payments on grounds of Redundancy are covered by the Council's Redundancy and Efficiency Payments Policy.

All employees are treated in the same way regarding the calculation of severance payments in situations of redundancy.

## **Statutory Roles**

The statutory roles of Monitoring Officer and 'Section 151' Officer are currently carried out by the Head of Legal Services and the Strategic Director with Finance responsibility. These positions do not need to be held by Chief Officers. The Monitoring Officer role will receive an additional £5,000 supplement for these statutory responsibilities. The 'Section 151' Officer has this in their base salary.

## **Definition of Lowest Paid Employees**

For the purpose of this Policy Statement, employees on grade A are defined as our lowest-paid employees.

At 1 April 2023, the fte annual value of the lowest paid employee was Grade A – salary for role rate £23,428.

The exceptions to the lowest grade are Apprentices who are paid £5.28 per hour. When apprentices move into year 2 of their placement, they receive the hourly minimum wage for their age.

## Pay Multiples

The Hutton Review raised concerns about multiples in the order of 20 or higher between the lowest and the highest paid employees in local authorities. However the Interim Report noted that the most top to bottom pay multiples in the public sector are in the region of 8:1 to 12:1. The Council is therefore content that having due regard for the level of responsibilities and personal accountability between the lowest and highest paid roles, the current multiple of 6.57 seems to be both justifiable and equitable.

The council does not set the remuneration of any individual or group of posts by reference to a multiple. However, as suggested by the Hutton Review the Council will monitor multiples over time to ensure they are appropriate and fair and will explain significant changes in pay multiples. The multiples are as following;

Role	2023/2024	
	Multiple	Salary
Chief Executive compared to lowest salary	x 6.57	£154,140
Strategic Directors compared to lowest salary	x 5.25	£123,227
Average salary compared to Chief Executive	x 3.75	£39,978
Average salary compared to lowest salary	x 1.70	£39,978

- The average salary is based on fte and has not been pro-rata'd for part-time employees
- The average salary calculation is based on Grades A to K only.

## Other Payments

Market Supplements may be paid in accordance with the Council's Local Pay guidance (although where necessary to secure or retain the employment of essential staff, other means may be applied to achieve the same outcome).

Other payments will be paid in accordance with our Local Pay Guidance.

The Council does not currently apply performance related pay or bonuses (except for in the case of the Chief Executive), but this could be considered at a future date, and may be applied as part of a personal contract of employment if required to secure the employment and retention of essential employees. Under local pay arrangements, the Council may consider the award of a Council wide or Team bonus at any point, paid on the basis of agreed targets/outputs. Such bonus will take the form of an unconsolidated payment and will not affect substantive pay.

These policies are applied consistently to all employees.

**APPENDIX 1**

<b>Grade</b>	<b>Growth Zone £</b>	<b>Salary for Role £</b>	<b>Exception Zone £</b>
<b>A</b>	22871 – 23328	23428	23438 - 24133
<b>B</b>	24134 – 24191	24291	24391 - 25373
<b>C</b>	25473 - 25915	26015	26115 – 27848
<b>D</b>	28018 – 28712	28812	28912 – 30284
<b>E</b>	30384– 32658	32758	32858 – 35742
<b>F</b>	35842 – 36815	36915	37015 – 39815
<b>G</b>	39915 – 41807	41907	42007 – 44713
<b>H</b>	44813 – 46930	47030	47130 - 49508
<b>I</b>	49533 - 52181	52285	52389 - 57130
<b>J</b>	57235 - 59458	59562	59666 - 64071
<b>K</b>	64175 - 66653	66756	66860 - 72545



## ***Report to the Council***

**Title:** Review of Article 17 – Access to Information

**Committee:** Constitution Working Group (Councillor A Lion)

**Date:** 14 March 2024

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- (1) That the updated version of Article 17 (attached at Appendix A) be approved.

### **Report:**

- 1.1 The Cabinet [Forward Plan](#) has recently been restyled and for reasons of public transparency it has been decided that it should be referred to in the Constitution as the Forward Plan, in preference to the Key Decision List. Currently both names are used which may cause confusion to the public, Members and officers that the Forward Plan is the same document as the Key Decision List. In addition, it was previously a legal requirement to publish the Forward Plan at least 14 days prior to its start date; however, this stipulation was removed by the Access to Information Regulation enacted in 2016.
- 1.2 In revising this Article, it was noticed that it contained references to practices that the Council has long since ceased to do. These include placing a hard copy of the agenda in the Welcome Area, referring to the Section 151 Officer as the Chief Financial Officer and the posting of notices at the Civic Offices,
- 1.2 The proposed updates to Article 17 are attached as Appendix A. For information: additional text is highlighted in yellow, while red strikethroughs refer to text that will be deleted.
- 1.3 Therefore, it is recommended to Council that the amended version of Article 17 – Access to Information be approved.

### ARTICLE 17 - ACCESS TO INFORMATION

(Please note: **yellow highlighted** text = additions & **red text strikethroughs** = deletions)

#### Scope

1. This Article applies to all meetings of the Council, the Overview and Scrutiny Committee, all committees and regulatory committees and other public meetings of decision-making bodies. Access to information provisions specific to the Cabinet are set out separately within this Article.

#### Additional Rights to Information

2. These rules do not affect any more specific rights to information contained elsewhere in the Constitution or the law.

#### Right to Attend Meetings

3. Members of the public may attend all meetings subject only to the exceptions set out in this Article.
4. Any meeting of a decision-making body will be held in public, and the public may only be excluded in the following circumstances:
  - (a) if any part of the meeting is likely to disclose confidential or exempt information; or
  - (b) if a lawful power of exclusion is used to maintain orderly conduct or prevent misbehaviour.
5. Definitions of confidential and exempt information are set out within the glossary to the Constitution. The categories of exempt information are detailed in Appendix 1 to this Article.
6. Any person attending a meeting for the purpose of reporting the proceedings, will be afforded reasonable facilities for the purpose. The Council has a protocol for filming and photographing meetings and complies with the requirements of the Openness of Local Government Bodies Regulations 2014 in this regard.

#### Notice of Meeting

7. The Council will give at least five clear **working** days' notice of any meeting by ~~posting details of the meeting at the Civic Offices, High Street, Epping, Essex CM16 4BZ and publishing details~~ on its website.

#### Access to Agenda and Reports before a Meeting

8. The Council will make copies of all agenda and reports for meetings that are open to the public available ~~for inspection at the Civic Offices and its information centres~~ at least five clear days before the meeting **on its website**. If an item is added to an agenda later, such supplementary agenda will be ~~open to inspection~~ available from the time that the item was added to the agenda **on its website**.

9. Agenda (and supplementary agenda) will be sent to members of the Council by electronic means. ~~or to their designated postal address.~~ Physical copies of agenda will only be issued **on request** to those councillors appointed to ~~membership~~ the Chairmanship of each ~~decision-making body~~ **committee**.

### **Supply of Copies**

10. The Council will supply copies of the following to any other person, subject (where necessary) to the payment of appropriate costs in respect of copying and postage etc.:
- (a) any agenda and reports which are open to public inspection;
  - (b) any further statements or particulars necessary to indicate the nature of the items in an agenda; and
  - (c) if the Monitoring Officer thinks fit, copies of any other document(s) supplied to councillors in connection with an item in an agenda.

### **Access to Minutes and Decisions after a Meeting**

11. The Council will make copies of the following available for six years after a meeting:
- (a) the minutes of the meeting and/or records of decisions taken, together with reasons, for all meetings, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
  - (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
  - (c) the agenda for the meeting; and
  - (d) reports relating to items considered when the meeting was open to the public.

### **Background Papers**

12. The Council will set out in every report a list of those documents (called background papers) relating to the subject matter of the report, which in his or her opinion:
- (a) disclose any facts or matters on which the report or an important part of the report is based; and
  - (b) which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information and, in respect of Cabinet reports, the advice of any political advisor.
13. The definition of a political advisor is set out within the glossary to the Constitution.
14. The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

### **Exclusion of Access to Meetings by the Public**

15. The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings, that confidential information would be disclosed.
16. The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.
17. Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of Schedule 1 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in that Schedule.

### **Exclusion of Access to Reports by the Public**

18. If the Monitoring Officer thinks fit, the Council may exclude access by the public to reports which in his or her opinion relate to items during which the meeting is likely not to be open to the public. Such reports will be marked 'Not for publication' together with the category of exempt information likely to be disclosed.

### **Additional Rules Applicable to the Cabinet**

19. The following rules apply to the Cabinet, its Committees, individual Cabinet members and officers (where appropriate). These rules summarise the provisions of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.
20. Members of the Cabinet or its committees will be entitled to receive five clear working days' notice of a meeting to which they are summoned, unless the meeting is convened at shorter notice as a matter of urgency. Notice and papers will be sent to all other members of the Council.

#### **(a) Private Meetings of the Cabinet**

21. A 'private' meeting of the Cabinet or its Committees is any meeting, either wholly or in part, where a decision will be made in private session as a result of the consideration of exempt information.
22. Notice of the Cabinet's intention to hold a private meeting (whether a whole meeting or a part) shall be given at least twenty-eight days in advance on the Council's website. The notice must give reasons for holding the meeting (whether wholly or in part) in private.
23. Further notice, in the form of the agenda for the meeting, must be given of a private meeting at least five clear days before the meeting ~~at the Civic Offices and~~ on the Council's website, giving the reasons for holding the meeting in private and any representations received from the public about why it should be held in public.
24. Where the date of a meeting is such that it is impracticable to comply with the above requirements, a meeting may only be held in private where:
  - (a) the approval of the Chairman of Overview and Scrutiny Committee has been obtained or, in his or her absence, that of the Chairman of the Council; or

- (b) a notice has been published ~~at the Civic Offices and~~ on the Council's website indicating the reasons as to urgency and why the meeting cannot reasonably be deferred.

**(b) Attendance at Private Meetings of the Cabinet**

25. All members of the Cabinet will be served notice of all private meetings of committees of the Cabinet, whether or not they are members of that committee. All members of the Cabinet are entitled to attend a private meeting of any committee of the Cabinet.
26. Notice of private meetings (as defined by the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012) of the Cabinet and its committees will be served on the Chairman of the Overview and Scrutiny Committee at the same time as notice is served on members of the Cabinet. If the Chairman of the Overview and Scrutiny Committee is unable to act, the notice will be served on all the members of the committee.
27. The Head of Paid Service, the ~~Chief Finance Officer~~ **Section 151 Officer** and the Monitoring Officer (or their nominees) are entitled to attend any meeting of the Cabinet and its committees. The Cabinet may not meet unless the Proper Officer has been given reasonable notice that a meeting is to take place. A private Cabinet meeting may only take place in the presence of the Proper Officer or his or her nominee with responsibility for recording and publicising the decisions.
28. The provisions of this Article relating to the recording and publicising of decisions will apply to all private meetings of the Cabinet.

**(c) Procedures prior to Public Meetings of the Cabinet**

29. Public meetings of the Cabinet may only be held where:
- (a) the time and place of the meeting has been published ~~at the Civic Offices and~~ on the Council's website at least five clear days before the meeting; or
- (b) if the meeting is convened at shorter notice, the time and place of the meeting has been published ~~at the Civic Offices and~~ on the Council's website from the time at which it is convened; and
- (c) a copy of the agenda (or part thereof) has been available for inspection by the public at least five clear days before the meeting (or at such shorter notice as indicated above).

**(d) Access to Cabinet Agenda and Reports for Public Meetings**

30. There is no requirement for a copy of the agenda, item or report to be available for inspection by the public until a copy is available to members of the decision-making body concerned.

**Key Decisions**

31. The definition of a key decision is set out within the glossary to the Constitution.

**(a) Publicity for Key Decisions**

32. Where the Cabinet intends to make a key decision, it may not be made until a public notice to that effect has been available ~~at the Civic Offices and~~ on the Council's website for at least twenty-eight days beforehand. **A schedule of the key decisions is published as the Cabinet Forward Plan and** ~~The notice~~ **it** must include:
- (a) the subject matter;
  - (b) the name of the decision-maker;
  - (c) the date on or period during which the decision will be made;
  - (d) a list of documents submitted to the decision taker for consideration in connection with the decision; **and**
  - ~~(e) the address where copies can be obtained (subject to any redacted content); and~~
  - (e) any other documents to be provided to the decision taker and how details may be requested.
33. The ~~notice~~ **Forward Plan** must not disclose any exempt or confidential information but must, otherwise, give particulars of the subject matter.
- (b) Period of the Key Decision List Forward Plan**
34. The ~~Key Decision List~~ **Forward Plan** will be prepared by the Leader of the Council to cover a period of four months. ~~beginning with the first day of any month. The Key Decision List~~ **It** will be ~~prepared~~ updated on a monthly ~~basis and subsequent plans will cover a period beginning with the first day of the second month covered in the preceding plan.~~ rolling programme to coincide with the requirements of the of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012. ~~The Key Decision List will be published at least 14 days before the start of the period covered.~~
- (c) Contents of the Key Decision List Forward Plan**
35. The ~~Key Decision List~~ **Forward Plan** will contain matters which the Leader has reason to believe will be ~~the~~ subject of a key decision to be taken by the Cabinet, a committee of the Cabinet, individual members of the Cabinet, officers (if specifically delegated), area committees or under joint arrangements in the course of the discharge of an executive function during the period covered by the plan. The ~~Key Decision List~~ **Forward Plan** will incorporate details of proposed private decisions and describe the following particulars in so far as the information is available or might reasonably be obtained:
- (a) the matter in respect of which a decision is to be made;
  - (b) where the decision taker is an individual, his or her name and title, if any and where the decision taker is a body, its name and details of membership;
  - (c) the date on which, or the period within which, the decision will be taken;
  - (d) the identity of the principal groups whom the decision taker proposes to consult before taking the decision;
  - (e) the means by which any such consultation is proposed to be undertaken;

- (f) the steps any person might take who wishes to make representations to the Cabinet or decision taker about the matter in respect of which the decision is to be made, and the date by which those steps must be taken; and
  - (g) a list of the documents submitted to the decision taker for consideration in relation to the matter.
36. Exempt information need not be included in the ~~Key Decision List~~ Forward Plan. Confidential information cannot be included in the ~~Key Decision List~~ Forward Plan.

**(d) General Exception**

37. If a matter which is likely to be a key decision has not been included in the ~~Key Decision List~~ Forward Plan, subject to the Special Urgency provisions below, the decision may still be taken if:
- (a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next ~~Key Decision List~~ Forward Plan and until the start of the first month to which the next forward list relates;
  - (b) the Proper Officer has informed the Chairman of the Overview and Scrutiny Committee or, if the Chairman of the Committee is unable to act, each member of the committee in writing, by notice, of the matter to which the decision is to be made;
  - (c) the Proper Officer has made copies of that notice available to the public ~~at the offices of the Council~~ on the Council's website; and
  - (d) at least five clear days have elapsed since the Proper Officer complied with (a) and (b) above. Where such a decision is taken collectively, it must be taken in public.

**(e) Special Urgency**

38. If by virtue of the date by which a decision must be taken, General Exception procedure above cannot be followed, the decision may only be taken if the decision-taker (if an individual) or the chairman of the body making the decision, obtains the agreement of the Chairman of the Overview and Scrutiny Committee that the taking of the decision cannot be reasonably deferred. If the Chairman of the Committee is unable to act, the agreement of the Chairman of the Council, or in his or her absence the Vice-Chairman of the Council, will suffice.

**(f) Reports to the Council Where Key Decision Procedures Not Followed**

39. If the Overview and Scrutiny Committee considers that a key decision has been taken which was not:
- (a) included in the ~~Key Decision List~~ Forward Plan; or
  - (b) the subject of the general exception procedure; or
  - (c) the subject of an agreement with the Chairman of the Overview and Scrutiny Committee, or the Chairman/Vice-Chairman of the Council under the procedures set out above:



the Committee may require the Cabinet to submit a report to the Council within such reasonable time as the committee specifies. The power to require a report rests with the Committee, but is also delegated to the Proper Officer, who shall require such a report on behalf of the committee when so requested by the chairman or any five members. Alternatively, the requirement may be raised by resolution passed at a meeting of the Overview and Scrutiny Committee.

**(g) Cabinet Report to Council**

40. The Cabinet will prepare a report for submission to the next available meeting of the Council. However, if the next meeting of the Council is within seven days of the receipt of a notice requiring the Cabinet to submit a report to the Council, or a resolution of the Overview and Scrutiny Committee, the report may be submitted to the meeting after that. The report to Council will set out particulars of the decision, the individual or body making the decision, and if the Leader is of the opinion that it was not a key decision the reasons for that opinion.

**(h) Reports on Special Urgency Decisions**

41. The Leader will submit a report to the Council on any Cabinet decision taken in the circumstances set out in the Special Urgency provisions above. The report will include a summary of the matter in respect of which such decision was taken.

**(i) Recording of Cabinet Decisions at Meetings and by Individuals**

42. After any meeting of the Cabinet or any of its committees, whether held in public or private, the Chief Executive or, where no officer was present, the person presiding at the meeting, will produce a record of every decision taken at that meeting. All Cabinet decisions (including those of individual Portfolio Holders) must be recorded by means of a written statement, which must be produced within twenty working days after the decision is made. The written statement must include the following:

- (a) a record of the decision and the date on which it was made;
- (b) the reasons for the decision;
- (c) alternative options considered and rejected;
- (d) any conflict of interest declared; and
- (e) any dispensation granted by the Monitoring Officer.

43. These requirements apply to decisions made by the Cabinet, a Cabinet Committee, Portfolio Holders and officers acting under specific delegations approved by the Cabinet at a meeting or by a Portfolio Holder. The requirement to record executive decisions made by officers does not extend to the management of services or the exercise of delegated authorities for service provision as recorded in the section of the Constitution setting out responsibility for functions.

**(j) Inspection of Documents and Background Papers following Cabinet Decisions**

44. The provisions of this Article in relation to the inspection of documents and background papers shall apply to all recorded Cabinet decisions.



### **(k) Additional Rights of Access to Documents by Councillors**

45. Any document in the possession of the Cabinet and which contains material relating to business at a public meeting, must be available for inspection by any Councillor at least five clear days before any relevant meeting. Where a meeting is convened or an item is added to an agenda at shorter notice, relevant documents must be available when the meeting is convened or the item added.
46. Documents relating to decisions at private meetings by Portfolio Holders or by an officer, must be available no later than 24 hours after the meeting concludes or the decision is made.
47. Documents disclosing exempt information are not required to be available for inspection. Documents disclosing Category 3 exempt information shall only be available in so far as they relate to any terms for a contract with the Council or any contract negotiations.
48. A member of the Overview and Scrutiny Committee is entitled to a copy of any document:
  - (a) under the control of the Cabinet; and/or
  - (b) containing material relating to business transacted at a public meeting or a decision of a Portfolio Holder or officer.
49. When requested the document must be provided by the Proper Officer no later than ten clear days after the request is received. There is no entitlement to a copy of any such document if it contains exempt or confidential information unless:
  - (a) it is relevant to a review or scrutiny of a decision with which that member is carrying out; or
  - (b) it is relevant to a review being conducted by the Overview and Scrutiny Committee or any other Scrutiny Committee or Task and Finish Panel and which is contained in their programme of work.
50. If the Cabinet determines that there is no entitlement to any such document, a written statement must be provided to the Overview and Scrutiny Committee by the Proper Officer.

### **(l) Cabinet Meetings Relating to Matters Which are not Key Decisions**

51. The Cabinet will decide whether meetings relating to matters, which are not key decisions, will be held in public or private.

### **(m) Decisions by Individual Members of the Cabinet**

52. As soon as reasonably practicable after a Cabinet decision has been taken by an individual member of the Cabinet or a key decision has been taken by an officer, he or she will prepare, or instruct the Proper Officer to prepare, a record of the decision, a statement of the reasons for it and any alternative options considered and rejected.  
~~The record of the decision will utilise the pro-forma decision sheet maintained by Democratic Services.~~
53. The provisions of this Article relating to the inspection of documents after meetings will also apply to the making of decisions by individual members of the Cabinet. Details

of all decisions taken will be published in the Council Bulletin to facilitate the commencement of the period for call-in.

**(n) Overview and Scrutiny Committee - Access to Documents**

54. The Overview and Scrutiny Committee (including any other Scrutiny Committees or Task and Finish Panels) will be entitled to a copy of any document which is in the possession or control of the Cabinet or its committees and which contains material relating to:

(a) any business transacted at a public or private meeting of the Cabinet or its committees; or

(b) any decision taken by an individual member of the Cabinet.

55. The Overview and Scrutiny Committee will not be entitled to:

(a) any document that is in draft form; or

(b) any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to scrutinise.

**(o) Additional Rights of Access for Members**

56. All members will be entitled to inspect any document which is in the possession or under the control of the Cabinet or its committees and contains material relating to any business previously transacted at a private meeting unless it contains exempt information falling within the categories of exempt information.

57. All members of the Council will be entitled to inspect any document (except those available only in draft form) in the possession or under the control of the Cabinet or its committees which relates to any key decision unless paragraph 24.1 (a) or (b) above applies.

58. These rights of a member are additional to any other right he or she may have.

**Conventions on the Relationships between Political Groups and Councillors with Officers**

59. The formal business of the Council is regulated by the Constitution and supplementary guidance. The conventions set out in Appendix 2 to this Article are for the guidance of members of the Council and Directors and are aimed at supplementing such rules and guidance.

## **APPENDIX 1 (ARTICLE 17)**

### **EXEMPT INFORMATION**

#### **1. EXEMPT INFORMATION**

1.1 Exempt information is any information falling within the seven categories applied by Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

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

#### **2. QUALIFICATIONS**

2.1 Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under:

- (a) the Companies Act 1985;
- (b) the Friendly Societies Act 1974;
- (c) the Friendly Societies Act 1992;
- (d) the Industrial and Provident Societies Act 1965 to 1978;
- (e) the Building Societies Act 1986; or
- (f) the Charities Act 1993.

2.2 Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

2.3 Information which:

- (a) falls within any of paragraphs 1 to 7 above; and
- (b) is not prevented from being exempt by virtue of paragraph 10.5 (sub paragraphs 1 or 2) above;

is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

## APPENDIX 2 (ARTICLE 17)

### CONVENTIONS ON THE RELATIONSHIPS BETWEEN POLITICAL GROUPS & COUNCILLORS WITH OFFICERS

#### Entitlement to Information

1. Any member of the Council may ask the appropriate Service Director for written factual information about a Directorate (or part thereof) or service. Such requests will be met, subject to any legal requirements (including the Freedom of Information and Data Protection Acts).
2. A Councillor may require the Service Director to treat the request for information as confidential and this confidentiality will be respected unless it is agreed with the Councillor concerned that request no longer needs to be treated in that way.
3. All such requests shall be made to the appropriate Service Director or a level 2 Officer if nominated by them.
4. Where a Service Director on his own initiative provides information to any political group, the information will also be supplied to the other Groups unless it is of a routine or minor nature.

#### Briefing Meetings

5. Formal briefings may be arranged for meetings to discuss business to be transacted at meetings. Briefings will only be attended by the Chairman and Vice-Chairman concerned.
6. Briefing meetings will deal only with procedural matters and the up-dating of information contained in agenda items by officers. All briefings will be held at a mutually convenient time, usually on the day of the meeting in question.
7. Group Leaders and independent members may attend the briefing for Council meetings.

#### Briefing of Political Groups

8. The Chief Executive, Strategic Directors and Service Directors of the Council shall attend meetings of political groups only if this is for the purpose of assisting Council business. Where a political group invites an officer to attend a meeting, such invitations should be accepted only if the same opportunity is afforded to all political groups. Where officers have doubts about the appropriateness of accepting such an invitation, the Chief Executive will make a final decision.
9. Where an officer considers that it would assist Council business to attend a political group meeting for the purpose of briefing and makes a proposal that he or she should attend, the officer concerned shall be careful to extend that offer to all political groups.
10. Meetings of Group Leaders may be held. Such meetings will have no executive powers but will be authorised to meet with the Chief Executive on an informal basis to discuss business to be considered by the Council. Group Leaders' meetings shall be chaired by the Leader of the largest political group present.

## Relations with the Media

11. Official media statements will be issued on behalf of the Council, a Portfolio Holder, ~~an~~ or the Chairman of the Overview and Scrutiny or other Committee. Such statements may be prepared in consultation with appropriate Directors but must be approved by the quoted Members before issue. Quoted members will also be consulted on statements issued within the broader context of ~~a~~ proactive media releases and in response ~~to~~ media enquiries. Statements issued through the Corporate Communications Team (Including quoted comments by members) must reflect the nature of decisions or Council policy and exclude 'political' comment.
12. Members may speak directly to the media on any given issue (subject to legal constraints such as the Data Protection Act 1998) in order to express personal or political points of view.
13. Political Groups may issue their own press releases either through group leaders or group representatives. These will be solely the province of the political group concerned and will not involve officer input except in so far as a group wish to check factual information. Press statements arising from Council business and issued in a party capacity by a Leader or Group Representative must be careful to differentiate between the Council's policy and the views of the group concerned.
14. Political groups and individual councillors should bear in mind the special rules which apply to Council publicity during election periods and shall bear in mind the guidance set out as an annex to this Appendix.

## Officer Support Arrangements

15. The Overview and Scrutiny Agenda Planning Group will manage the business submitted to the Cabinet and Overview and Scrutiny. The Chief Executive will be the lead officer for the Cabinet with chief officers attending when required. The Chief Executive will appoint a senior officer to be the lead officer for the Overview and Scrutiny Committee.
16. Democratic Services will support both the Cabinet and non-Executive sides of the Council and Agenda Planning Groups will be held for ~~the~~ the Cabinet and the Overview and Scrutiny Committee. The Agenda Planning Group for the Cabinet will be chaired by the Chief Executive whilst the Overview and Scrutiny Committee Agenda Planning Group will be chaired by the officer nominated above. These arrangements may change from time to time.
17. Draft minutes for all meetings will be cleared with the relevant Chairman.

## Review of Conventions

18. The Chief Executive may initiate a special review at any time if required by a change in the political balance on the Council or on the request of any of the political groups.

## ANNEX TO APPENDIX 2 (ARTICLE 17)

### RELATIONS WITH POLITICAL GROUPS ETC AT THE ELECTION PERIOD AND AT OTHER TIMES

#### FREQUENTLY ASKED QUESTIONS

##### 1. What is the Election Period?

The Election Period is the period of time from when the Returning Officer issues a notice of an election until after the election is held. It is sometimes referred to as the “Purdah” period, although this description is not regarded as appropriate to the subject matter. This period usually lasts 25 days. Ordinary local government elections in England are held on the first Thursday in May every year unless changed by Order of the Secretary of State (Section 37 of the Representation of People Act 1983).

##### 2. What does the Law state about the Election Period?

It is a statutory duty to have regard to the Code of Recommended Practice on Local Authority Publicity. The Code of Recommended Practice on Local Authority Publicity, 2011, which applies to all local authorities in England states: “The period between the notice of an election and the election itself should preclude proactive publicity (in all forms) of candidates and other politicians involved directly in the election.”

##### 3. What are the implications of the Election Period for the Council?

The Government Code explains that Directors should not deal with controversial issues or report views, proposals or recommendations in such a way that identifies them within individual members or groups of members. During this period, there is a ban in place on publicising the views of political parties, issuing press releases or promoting initiatives with quotes and photos which would favour a particular candidate.

##### 4. What are the implications of the Election Period for individual Service Directors?

The basic principle is that any activity which could call into question a Service Director’s impartiality or could give rise to the criticism that public resources are being used for party political purposes, must be suspended during the Election Period.

##### 5. How do I find out who the candidates are?

The Returning Officer will have details of all candidates standing in any election (Parliamentary, District, Parish and Police Commissioner) within the Epping Forest District once the notice of the election is published **and is also available on the Council’s website.**

##### 6. What kind of information can I supply to candidates?

A Director can only supply factual information to candidates if asked and must not offer views and opinions during the Election Period as this will compromise rules of impartiality.

##### 7. If I am approached by more than one political party to supply information to candidates, what should I do?

Service Directors must undertake an ‘even-handed’ approach to the supply of information to political parties and independent candidates so as not compromise their impartiality of

politics. All political parties and independent candidates should be regarded as having equal rights when requests are received.

**8. What information can I supply to Members of the Council who are not standing for election?**

Requests for information by Members of the Council who are not standing for election must also be treated with care. Service Directors might tactfully ask whether the Member is using the information for their Ward or to assist a candidate in an election. If the latter is implied, Service Directors must only offer factual information to the Member that does not compromise impartiality (see 6 above). Normal briefings on agenda for Chairmen, Vice-Chairmen, and Cabinet members will continue throughout the Election Period.

**9. What material can I publish during the Election Period to members of the public?**

Service Directors can issue official press statements about the District Council's decisions on a factual basis for public information purposes without naming individual members, except where there is a genuine need for a Council comment or response at member level.

Political material should not be posted on official notice boards (or the website) for public consumption. This includes publicity issued by, or on behalf of, a trade union, as any such information would compromise officers in that it could be seen as giving support to a political party using Council facilities.

**10. Am I allowed to give professional advice during a Council meeting in the Election Period?**

Service Directors and other officers attend scheduled meetings of the Council and other bodies as arranged at the start of the Council year and must give advice on Council business as normal. Officers should be careful only to offer professional advice and factual information to Members in such circumstances and avoid expressing any views or opinions about political campaigns that could compromise their impartiality.

**11. I have been invited by a candidate to attend a political meeting or election meetings, what should I do?**

Service Directors and other officers are strictly forbidden to attend any political meeting of any sort in the Election Period.

**12. Can I meet with a candidate?**

Service Directors should be open to meeting with candidates for election if asked. In such meetings, they must not be drawn into discussing political views and opinions or campaign issues with candidates. Directors can only provide candidates with factual information during such meetings.

**13. Can I canvass or campaign for a candidate or political party?**

Senior positions with the Council like the Chief Executive, Strategic Directors, Services Directors and some other posts are subject to a legal restriction which prevents their involvement. These are known as politically restricted posts. Some other more junior staff may also occupy such restricted posts such as those who brief the media or are involved in giving advice to Councillors. If your post is politically-restricted, canvassing or campaigning



for a political party in any capacity is strictly forbidden. Those in such posts must not undertake work with a public political profile.

Staff who are not in a politically restricted post should check with their line-manager if they would like to become involved. If you are unsure whether you hold a politically-restricted post information is available in your job description, contract of employment, or from Human Resources.

#### **14. Can normal Council decision-making continue during the Election Period?**

In a landmark Court of Appeal judgement (“the Redcar Case”), the Courts found that decision making however controversial this might be should continue provided it is part of a process which was set in train before the election period started. However, what is ruled out is any manipulation of an ongoing process of decision for political purposes.

For instance, it would not be proper for a decision which might give advantage to one candidate or party to be brought forward so that it was taken during the election period to give an advantage at the polls. Likewise, it is not proper to ask officers to defer decisions from the election period for political reasons.

It is quite possible that the schedule of decisions to be taken during the Election Period could be changed for other reasons, but it must not be changed for political reasons.

#### **15. Does the Redcar Case mean that the Council can still make controversial decisions during the Election Period?**

Yes. The Council can take such decisions if there is a requirement to make them at that time. (e.g. planning decisions). However, officers should be wary of requests to manipulate such decision timetables for campaign reasons as explained in section 14.

#### **16. What should I do if I receive a request for a decision to be brought forward or to be deferred?**

All requests for earlier action or postponement by individual members (particularly from those who are candidates or thought to be assisting in an election campaign), should be treated with caution. Service Directors should seek further information and advice from the Monitoring Officer.

#### **17. What should I do in an emergency situation?**

If there is an emergency request brought forward to Service Directors that does not compromise impartiality, then Service Directors must react. In an emergency or where there is a genuine need for a Director-level response to an important event outside the Council’s control, Service Directors should be able to comment, take action or seek member decisions if such a situation arises.

#### **18. Can Council premises be used for political meetings?**

During the Election Period there should be a presumption against political meetings being held on Council premises. Particular care needs to be taken in regard to venues such as public halls, elderly persons’ accommodation and sports centres where there may be restrictions governing the operation of such premises which preclude political activity.

If a request is made and it is not clear whether it relates to a political meeting, further information should be sought regarding the purpose of the event and the organiser. This

may assist in deciding whether approval to the use of the accommodation is appropriate. In the event of any doubt, advice should be sought in accordance with section 19 below. If any premises are to be made available, they should be offered on an even-handed basis to all political parties.

#### **19. What happens during the rest of the Council Year?**

Staff should be clear that for the rest of the year, outside the Election Period, officers are still required to maintain a strict impartiality in dealing with political groups, the Council and individual members. This requirement is set out in the Council's constitution in a special protocol regarding the management of relations with political groups and in the officers' Code of Conduct which applies to all staff.

The same requirements are set out in the Code of Conduct for elected members, in which all Councillors are advised not to seek to compromise the impartiality of officers or their advice. If a member of staff is concerned that what they are being asked to do breaches the rules of impartiality, they must draw this to the attention of their line manager.

#### **20. Where Can I Obtain Advice?**

Please speak with your line manager in the first instance. Further advice is available from the Monitoring Officer.

## Report to the Council

**Report of:** Audit and Government Committee

**Date:** 9 April 2024.

**Chairman:** Cllr Peter Bolton

**Item:**

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**1. AUDIT AND GOVERNANCE COMMITTEE – APPOINTMENT OF CO-OPTED MEMBERS**

**RECOMMENDING:**

- (1) That the Council be asked to appoint at this Council meeting two independent members of the Audit and Governance Committee, selected by a Panel of 3 Councillors (including the Chairman of the Audit and Governance Committee), namely Sissel Heiberg and Hardul Singh.**
  - (2) That the Council's appreciation of the contribution of Tony Jarvis as co-opted member of the Committee be recorded.**
- 

1. Under Article 11 of the Council's Constitution relating to the Audit and Governance Committee there should be two co-opted members of the Committee, A competitive recruitment and selection process has been completed for the independent co-opted members of the Audit & Governance Committee. Based on their professional expertise, experience and background as relevant to the role and responsibilities of the Audit and Governance Committee, Sissel Heiberg and Hardul Singh were selected as suitable candidates for the role.
2. Tony Jarvis was a long-standing independent member of the Audit & Governance Committee whose term of office came to an end on the 30 November 2023.
3. We recommend as set out at the commencement of the report and wish to pay tribute to the contribution of Tony Jarvis as the out-going co-opted member.

# Agenda Item 14

## ***Report to the Council***

**Committee:** Cabinet  
**Date:** 9 April 2024  
**Subject:** Anit-Fraud and Corruption Strategy  
**Portfolio Holder:** Councillor P Bolton

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**Recommending:**

**That the Anti-Fraud and Corruption Strategy by approved.**

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1.1 The Council's Anti-Fraud and Corruption Strategy is attached as an Appendix. The strategy remains largely the same as last year but the policy is now aligned with the UK Government's Economic Crime Plan 2023/26.

1.2 The Audit and Governance Committee reviewed the revised Anti-Fraud and Corruption Strategy at its meeting on 15 February 2024 and recommended this Strategy to Council for approval.

1.3 We recommend as set out at the commencement of this report.

Epping Forest District Council

# Anti-Fraud and Corruption Strategy

(Including Anti-Money Laundering Policy)

<b>Version</b>		<b>Status</b>	
<b>Implementation Date</b>	<b><u>February 2024</u></b>	<b>Next Review Date</b>	<b><u>February 2025</u></b>
<b>Revised by</b>	Martin Crowe (Corporate Fraud Team Manager)	<b>Policy Lead Officer</b>	Sarah Marsh (Head of Internal Audit)

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# Anti-Fraud and Corruption Strategy

## Section 1 – Purpose of the Strategy

Epping Forest District Council (EFDC) is committed to high legal, ethical, and moral standards, and the proper accountability of public funds.

The Council will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the Council.

The Council's expectation of propriety and accountability is that Members and staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures, and practices.

The Council also expects that individuals and organisations with which it comes into contact will act towards the Council with integrity.

The purpose of this Anti-Fraud and Corruption Strategy is to support the Council's 2018 -23 Corporate Plan by protecting the public purse as every pound lost through fraud cannot be spent on Council services. This strategy:

- Sets out the aims and long-term vision of the Council's Anti-Fraud and Corruption framework
- Outlines the Council's approach to Anti-Fraud and Corruption
- Outlines the expected outcomes along with how the Council intends to achieve and monitor these

## Section 2 – Key Objectives

The key objectives of the Council's Anti-Fraud and Corruption framework are to:

- protect the Council's resources and assets, ensuring they are used as intended.
- maintain a culture where fraud or corruption is not tolerated; and
- ensure staff and Members demonstrate the highest standards of honesty and integrity at all times.

This Strategy also supports the national Fighting Fraud and Corruption Locally Strategy 2020 which advocates turning strategy into action by councils considering their counter fraud response and performance against each of the six 'C' themes:

- **Culture** – creating a culture where countering fraud and abuse is an accepted part of the Authority's normal business model and where fraud and corruption are unacceptable in line with the Council's Values & Behaviours
- **Capability** - Assessing the full range of fraud risks and ensuring that the range of anti-fraud measures deployed is appropriate and proportionate to those risks.
- **Capacity** – deploying the correct level of resources to deal with the level of fraud risk including the maintaining of a Corporate Fraud Investigation Team staffed by fully accredited

investigators and ensuring that these resources are monitored by those charged with the Council's governance.

- **Competence** – having the right skills and standards throughout the Council's services which are commensurate with the full range of counter fraud and corruption activity
- **Communications** – raising awareness internally and externally, deterring fraudsters, sharing information, and celebrating successes
- **Collaboration** – working together across internal and external boundaries, with colleagues, with other local authorities, and with other agencies; sharing resources, skills and learning, good practice, innovation, and information.

### Section 3 – Definitions

In law, fraud is deliberate deception to secure unfair or unlawful gain, or to deprive a victim of a legal right. The purpose of fraud may be monetary gain or other benefits, such as obtaining a home or a job with the Council by way of false statement

Corruption is a form of dishonest or unethical conduct by a person entrusted with a position of authority, often to acquire personal benefit. Corruption may include many activities including bribery which can be defined as the offering, giving, soliciting or acceptance of an inducement or reward which may influence the action of any person”.

Both can be encompassed by the term “economic crime”, which refers to a broad category of activity involving money, finance or assets, the purpose of which is to unlawfully obtain a profit or advantage for the perpetrator or cause loss to others.

### Section 4 – Strategic Response

The principles of the Council's Anti-Fraud and Corruption Strategy are focussed on the following four pillars of activity (as taken from the aforementioned 2020 Fighting Fraud and Corruption Locally Strategy). These are:

- Govern
- Acknowledge
- Prevent
- Pursue
- These principles are supported by one overarching pillar which is Protect.

<b>Govern</b>	<b>Acknowledge</b>	<b>Prevent</b>	<b>Pursue</b>
Having a holistic approach to tackling fraud is part of good governance	Acknowledge and understanding fraud and corruption risks	Preventing and detecting more fraud and corruption	Being stronger in punishing fraud and corruption/recovering losses
Having robust arrangements and executive support to ensure anti-fraud,	Assessing and understanding fraud and corruption risks	Making better use of information and technology	Prioritising fraud recovery and the use of civil sanctions



<p>bribery and corruption measures are embedded throughout the organisation.</p>	<p>Committing the right support and resources to tackling fraud and corruption</p> <p>Maintaining and demonstrating a robust anti-fraud and corruption response</p> <p>Communicating the risks to those charged with governance</p>	<p>Enhancing fraud and corruption controls and processes</p> <p>Developing a more effective anti-fraud and corruption culture</p> <p>Communicating its activities and processes</p>	<p>Developing capability and capacity to punish corruption and fraudsters</p> <p>Collaborating with fellow practitioners across geographical and sectoral boundaries</p> <p>Learning lessons and closing the gaps</p>
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Govern	Acknowledge	Prevent	Pursue
<b>Some specific examples for Epping Forest District Council</b>			
<ul style="list-style-type: none"> <li>Corporate Fraud Team that reports into the Corporate Governance Group and the Audit and Governance Committee</li> <li>Counter Fraud activities and monitoring included in the Audit Committee's Terms of Reference</li> </ul>	<ul style="list-style-type: none"> <li>Risk management process</li> <li>Fraud /corruption proofing policy and processes</li> <li>Fraud and corruption awareness and training</li> </ul>	<ul style="list-style-type: none"> <li>Whistleblowing policy</li> <li>Strong internal control culture</li> <li>Staff and supplier vetting</li> <li>Participation in the National Fraud Initiative and the Pan-Essex Council tax matching campaign</li> <li>Staff and Member Code of Conduct and Declarations of Interest</li> <li>Information security and IT policies</li> </ul>	<ul style="list-style-type: none"> <li>Fraud response plan</li> <li>Appropriate levels of powers, application of sanctions and prosecutions</li> <li>Collaboration and where practicable, joint investigations / prosecutions with other Authority fraud teams</li> </ul>

<b>Protect</b>
<p>Recognising the harm that fraud and corruption can cause both in the Authority and the community. Protecting itself and its' residents from fraud.</p>
<ul style="list-style-type: none"> <li>Protecting against serious and organised crime, protecting individuals from becoming victims of crime and protecting against the harm that fraud can do to the community.</li> <li>For Epping Forest District Council, this will also cover protecting public funds, protecting the Council from fraud and cybercrime and also protecting itself from future frauds.</li> </ul>

## Section 5 – Key Fraud and Corruption Risks

It is important that the Council recognises and manages the risks relating to fraud and corruption to prevent them from occurring. Furthermore, it is imperative that these risks are routinely considered as part of the Council's overall approach to risk management. To understand the nature of these risks, the following have been identified as key issues that are relevant to EFDC:

- Social Housing Tenancy Fraud – this includes risks such as fraudulent housing applications, mutual exchanges, illegal subletting etc.
- The Right to Buy scheme – fraudulent applications and suspected money laundering
- Money Laundering – Exposure to suspect transactions
- Council Tax – fraudulently claimed discounts (including Local Council Tax Support), refund scams
- Non-Domestic Rates – fraudulent applications for exemptions, unlisted properties
- Grants (including Disabled Facilities Grants) – false eligibility and applications, diverted funds, works not carried out.
- Insurance Fraud – suspected false claims particularly those relating to personal injury
- Planning Fraud – risk of manipulation, collusion, potential conflicts of interest, bribery etc.
- No recourse to public funds – fraudulent eligibility for Council services such as Social Housing
- Payroll Fraud – false and “ghost” employees, overtime and mileage claims, expenses.
- Internal Frauds – such as fund diversion, accepting bribes, stealing monies and / or Council property, social housing misallocations for personal gain, working elsewhere whilst off sick, abuse of position such as misuse of assets / resources.
- HR related fraud – such as false information on job applications, bogus qualifications / references, failing to declare previous convictions etc.
- New Responsibilities – Areas of work that have transferred to local authority responsibility such as business grants etc.
- Procurement Fraud – tendering issues, split contracts, double invoicing
- Cyber Crime / Fraud – frauds such as false applications for services, fund diversion.
- Commission of Services: including joint commissioning, joint ventures, commercial services, third sector partnerships – conflicts of interest, collusion etc.

It is important to note that the above represents the key fraud risk areas and examples of each. It is not intended to be an exhaustive list.

As with the culture, the concept of fraud prevention applies to the organisation from top to bottom.

**The United Kingdom Economic Crime Plan (2) 2023-2026 in conjunction with the United Kingdom Fraud Strategy 2023 sets out a long-term framework for tackling corruption. For local government, including Epping Forest District Council, this sets out the following goals which have been considered as part of this strategy:**

- **Greater procurement transparency, enabling better identification and mitigation of corruption risks.**
- **Strengthened awareness and capability within contracting authorities leading to a stronger awareness of corruption risks and more capability to detect and deter illegality. Under the new Economic Crime Plan, focus will be on the following themes:**
  - **Reduce money laundering and recover more criminal assets**
  - **Combat kleptocracy and drive down sanctions evasion – *kleptocracy is a society or system ruled by people who use their power to steal their country's resources:***
  - **Cut fraud**

**Economic crime refers to a broad category of activity involving money, finance or assets, the purpose of which is to unlawfully obtain a profit or advantage for the perpetrator or cause loss to others.**

## **Section 6 – The Council’s Approach to combatting Fraud & Corruption.**

The prevention and detection of fraud and corruption and the protection of the public purse is everyone’s responsibility, and this should permeate throughout the authority at every level. The key components in achieving this are:

### **Being Proactive**

- Actively strengthening the anti-fraud culture to increase resilience to fraud
- Preventing fraud through the implementation of appropriate and robust internal controls including robust procurement and cyber security measures
- Increasing fraud and corruption awareness of Council officers, Members, Contractors and residents
- Deterring fraud attempts by publicising the actions the Council takes against corruption and fraudsters

### **Reactive Responses**

- Detecting fraud and corruption through data and intelligence analysis
- Implementing effective whistleblowing arrangements
- Robustly investigating fraud and corruption referrals
- Applying sanctions, both civil and criminal
- Seeking redress, including the recovery of assets and money utilising all methods available.

### **The Role of the Corporate Fraud Team**

The Corporate Fraud Team role is in both the prevention and investigation of instances of suspected fraud against the Council. Fraud awareness training is given to officers within the Council to assist in ensuring that any cases referred to the team contain good quality information to assist with the investigation. All investigations are carried out in accordance with the respective legislation.

In cases where the offence is deliberate and serious enough to warrant prosecution, consideration will be given to the Council’s own policies as well as The Code for Crown Prosecutors. If deemed appropriate legal proceedings will be undertaken in conjunction with Legal Services and / or other bodies such as the Police. Utilising the provisions of Section 222 of The Local Government Act 1972, the Corporate Fraud Team in conjunction with Legal Services are appropriately authorised to undertake criminal prosecutions.

The table below lists the suggested approach and expected outcomes against each of the four pillars of the Council’s Anti-Fraud and Corruption Strategy, which will be supported by a rolling action plan and annual Corporate Fraud Team Strategy:

Principle	Approach	Expected Outcome
Govern by having a holistic approach to tackling fraud	Oversight and performance monitored through the regular Corporate Fraud Team updates, Corporate Governance Group and the Audit and Governance Committee meetings	Delivery of the Council's Anti-Fraud and Corruption Plan that tackles both internal and external fraud
Acknowledging and understanding fraud and corruption risks	<p>Using the risk management process to assess current and future fraud and corruption risks</p> <p>Continued cultural change and increase in fraud and corruption awareness both internally and outside of the Council</p> <p>Annual fraud report through central collection of fraud data</p> <p>Improved sharing of fraud and corruption threats, information, and intelligence both internally and externally</p>	<p>Increased reporting of cases</p> <p>Increased awareness of anti-fraud and corruption process and procedures throughout the Council</p> <p>Making service areas become more responsible for their own fraud risks</p>
Preventing and detecting more fraud and corruption	<p>Fraud and corruption proofing of policy and processes</p> <p>Better use of data and technology to prevent and detect fraud and corruption</p> <p>Assessment of the Council's internal controls framework to ensure it remains robust</p> <p>Supporting anti-fraud and corruption policies and procedures including whistleblowing and money laundering</p>	<p>Increased levels of anti-fraud and corruption awareness</p> <p>When fraud or corruption has occurred because of a breakdown in the Council's systems or procedures, the Section 151 Officer will ensure that the appropriate improvements in the control systems are implemented to prevent a recurrence.</p> <p>Any significant control issues are reported in the Annual Governance Statement along with actions taken to address the issue.</p>
Be stronger in punishing fraud and corruption and recovering losses	<p>Maintain and further develop capacity and capability to investigate and prosecute fraud and corruption</p> <p>Consistent and effective response for dealing with fraud and corruption cases</p>	<p>Successful use of sanctions and/or prosecution</p> <p>Reduce the losses because of fraud or corruption and to commit to the consideration of all available methods of loss recovery.</p>

## Section 7 – Responsibility for implementing this strategy

Responsibility	Role
Chief Executive	Ultimately responsible for preventing and detecting theft, fraud and corruption and promoting an anti-fraud and corruption culture.
Members	As elected representatives, all Members of the Council have a duty to the public to maintain the highest standards of conduct and ethics, and to ensure the Council is open and transparent in all the decisions it makes. Members are required to adhere to the Council's constitution, which incorporates a Member Code of Conduct.
Standards Committee	Monitoring the operation of the Code of Conduct and to take remedial action when required.
Audit and Governance Committee	To satisfy itself there are adequate arrangements in place to manage risk (including that relating to fraud and corruption) effectively. To monitor Council policies on Anti-Fraud and Corruption and to receive periodic reports on fraud and corruption.
Corporate Governance Group	Develop, review and maintain the Anti-Fraud and Corruption Framework.
Senior Management Team	Ensuring all Staff follow this Strategy and any related policies and procedures, supported by the Council's Internal Audit, Corporate Fraud and Human Resources functions.
Section 151 Officer	Has a statutory responsibility under the Local Government Act 1972 for the proper administration of the Council's financial affairs. Where irregularities, fraud or corruption are suspected the S151 Officer should be informed. On being informed of an alleged irregularity, fraud or corruption the S151 Officer will determine the arrangements for investigating the matter in line with the Council's Fraud Response Plan.
Monitoring Officer	Statutory responsibility to ensure that the council operates within the law. Overall responsibility for the Members Code of Conduct and the maintenance and operation of the Confidential Reporting Procedure for Employees (Whistleblowing Under the Local Government Act 1972 has the specific duty to ensure that the Council, its Officers, and its Elected Councillors, maintain the highest standards of conduct in all they do.
Managers (all levels)	Responsible for preventing and detecting fraud and corruption and ensuring they operate effective mechanisms in their area of control to: <ul style="list-style-type: none"> <li>• Prevent theft, fraud and corruption thereby safeguarding the Council's assets and interests</li> <li>• Promote employee awareness and take ownership of the fraud risks specific to their area(s)</li> <li>• Assess the risk of fraud and corruption and take appropriate action</li> <li>• Take prompt action in line with the Fraud Response</li> </ul>

Responsibility	Role
	Plan where they suspect or are alerted to possible theft, fraud, or corruption
All staff	All staff have a responsibility to prevent, detect and report on fraud and corruption or suspected cases.
Partners and Contractors	Required to comply with the Council's policies and procedures when undertaking work for and jointly with the Council
External Audit	Under the International Standard on Auditing 240, when conducting an audit External Audit are responsible for obtaining reasonable assurance that the financial statements taken as a whole are free from material misstatement, whether caused by fraud or error.
Internal Audit	<p>Providing assurance on the effectiveness of systems and procedures to prevent and detect fraud and corruption (by undertaking audits).</p> <p>Supporting managers in minimising fraud and corruption related risk and are alert in all their work to risks and exposures that could allow fraud and corruption to take place.</p>

## Section 8 - Supporting Policies, Procedures and Processes

In addition to this document, the Council has a range of policies, procedures, and processes in place to formalise arrangements for the prevention, detection and investigation of fraud and corruption. These include:

- Fraud Response Plan (Appendix 1 of this document)
- Anti-Bribery Policy (Appendix 2 of this document)
- Anti-Money Laundering Policy (Appendix 3 of this document)
- Whistleblowing Policy and Procedure (located on the Council's Intranet)
- Employee and Member Codes of Conduct (located on the Council's Intranet, Public facing website and published as part of the Constitution)
- Financial Regulations (located on the Council's Intranet and published as part of the Constitution)
- Procurement Rules located on the Council's Intranet and published as part of the Constitution)
- CIPFA Fighting Fraud and Corruption Locally Strategy 2020:  
<https://www.cifas.org.uk/insight/public-affairs-policy/fighting-fraud-corruption-local-authorities/FFCL-Strategy-2020>
- **United Kingdom Economic Crime Plan (2) 2023**  
[https://assets.publishing.service.gov.uk/media/642561b02fa8480013ec0f97/6.8300\\_HO\\_Economic\\_Crime\\_Plan\\_2\\_v6\\_Web.pdf](https://assets.publishing.service.gov.uk/media/642561b02fa8480013ec0f97/6.8300_HO_Economic_Crime_Plan_2_v6_Web.pdf)
- **United Kingdom Fraud Strategy 2023**  
[https://assets.publishing.service.gov.uk/media/64539087faf4aa0012e132cb/Fraud\\_Strategy\\_2023.pdf](https://assets.publishing.service.gov.uk/media/64539087faf4aa0012e132cb/Fraud_Strategy_2023.pdf)

## **Section 9 - Policy Reporting, Review and Monitoring Performance**

This Strategy can only be varied with the collective agreement of the Chief Executive, the Section 151 Officer, and the Monitoring Officer.

It will be the responsibility of the Senior Leadership Team, via the Corporate Governance Group, to ensure there are adequate resources to support the action plan.

The Audit and Governance Committee will receive regular fraud updates to assist in their oversight of the Council's Anti-Fraud and Corruption Strategy and arrangements.

## Appendix 1

### Epping Forest District Council Fraud Response Plan

#### Introduction

The Fraud Response Plan defines the way in which the Council applies its various policies and procedures to suspected instances of theft, fraud corruption and bribery. It fits in with and is designed to be read in conjunction with the Council's Anti-Fraud and Corruption Policy, Anti-Bribery Policy, Anti Money Laundering Policy, and the Whistleblowing / Confidential Reporting Policy. The aim of this plan is to provide clear guidance for dealing with these issues, access to rapid relevant advice and a guide for managers on how to react and deal with suspicions of fraud, theft, corruption, and bribery.

Additionally, it seeks to give a brief outline on how investigations will be progressed (although no detail will be given regarding investigation techniques etc.).

The Fraud Response Plan is designed to ensure timely and effective action in the event of suspected fraud by:

- Seeking to minimise the extent of the fraud by taking prompt action
- Preventing further losses where fraud had occurred.
- Maximising the recovery (or the chances of recovering) any financial losses
- Ensuring the accuracy and integrity of evidence for successful criminal prosecution and / or disciplinary action
- The early identification of any system weaknesses and the lessons to be learnt for preventing them in the future
- Maximising positive publicity where frauds are discovered and dealt with.
- Deterring others from any illegal / inappropriate conduct they may be committing or contemplating.

#### The Manager's Role in dealing with suspected fraud

##### First Response

Where managers suspect a fraud or involvement in a fraud is taking place, the first course of action must be to contact the Section 151 Officer, Head of Internal Audit or the Corporate Fraud Manager who will ensure that the Section 151 Officer and the Chief Executive are informed.

Although, the Council no longer investigates Housing Benefit fraud, where a suspicion occurs of a staff member's involvement in a Housing Benefit (including Local Council Tax Support) fraud, the above steps should still be followed.

All other suspicions of benefit fraud (including Local Council Tax Support) must be reported to the Compliance Manager within the Revenue and Benefits Division. Suspicions can also be reported directly to The Department for Work and Pensions (DWP) via their website ([www.gov.uk/report-benefit-fraud](http://www.gov.uk/report-benefit-fraud)) or by calling the National Benefit Fraud Hotline on 0800 854440 or by textphone on 0800 328 0512. It may be prudent to seek the advice of either The Corporate Fraud Manager or The



Compliance Manager before contacting the DWP as Local Council Tax Support cannot be investigated by the DWP.

In usual circumstances, the suspicion will be passed to the Corporate Fraud Team to assess and undertake an investigation if appropriate. The Corporate Fraud Manager / Head of Internal Audit will retain overall responsibility for the conduct of the investigation; however, it is probable that the matter will be allocated to a member of the Corporate Fraud Team to undertake any investigation. As part of the Internal Audit service, the Corporate Fraud Team will be independent of any service area under investigation and all the officers comprising the Corporate Fraud Team are fully trained and accredited investigators each holding the qualification of Accredited Counter Fraud Officer / Specialist whilst the Corporate Fraud Manager also holds the qualification of Accredited Counter Fraud Manager.

There may be circumstances where it is appropriate for managers to undertake some preliminary enquiries to ascertain the validity of an allegation or irregularity (for example, to establish whether on the face of it, there is a case to be investigated), however, before embarking on such action, advice should always be sought from a member of the Corporate Fraud Team as such action may alert the fraudster and could result in the concealing or destroying of vital evidence or compromise the investigation and the collection of further evidence.

The investigating officer will liaise and work with The People Team at the earliest available opportunity on disciplinary matters such as suspending the staff member to enable further investigation and protect vital evidence.

### **Initial Enquiries**

As stated above, the manager may make discreet initial enquiries to:

- Determine any facts that gave rise to the suspicion
- Examine any factors to determine whether there has been a genuine mistake made or whether an irregularity has occurred

Any actions and findings should be clearly recorded and documented ensuring that access is restricted (for example, not held on an "open" area of the computer network or in the case of paper notes, making sure they are securely locked away).

It is important that the suspected perpetrator is not interviewed at this stage, nor any allegations / suspicions put to them. If in doubt at any point, the manager must seek the guidance of the Corporate Fraud Team or the Head of Internal Audit.

### **Formal Investigation**

If a formal investigation is required, it will be conducted by a qualified Corporate Fraud Investigator unless determined otherwise by the Section 151 Officer or Chief Executive. The nature of the investigation, lines of enquiry followed, and evidence obtained will vary depending on the irregularity being investigated and will, for the most part be fluid and reactive. Generally, however, the investigating officer will be seeking to gather evidence by way of interviews, the taking of written witness statements and the obtaining of evidence be it physical, documentary etc.

The investigating officer will consult and take advice from The People Team particularly on matters regarding employment law, policies, and procedural matters. It is imperative however, that a clear distinction must be made in these circumstances between those advising the investigating officer and those advising the staff member.

Legal Services will be consulted as appropriate to advise or seek external advice in order to support any investigation.

Any investigation will be conducted with full compliance with The Criminal Procedures and Investigations Act 1996 which governs the conduct of a criminal investigation (such as obtaining and recording evidence etc.) as well as any other legislation that may apply such as The Police and Criminal Evidence Act 1984 (PACE), The Regulation of Investigatory Powers Act 2000 (RIPA), The Human Rights Act 1998, The General Data Protection Regulation / Data Protection Act 2018 etc. (this list is meant as an example and is not exhaustive).

In general terms however, the following principles will apply to the investigation:

- Any investigation will be conducted promptly (subject to evidence gathering activities) with periodic updates given as appropriate to the Head of Internal Audit / the relevant Service Director or the Section 151 Officer
- All actions and evidence will be recorded either by written or electronic means and stored securely with access given purely on a “need to know” basis.
- Enquiries and evidence gathering activities will be undertaken as discreetly as possible with sensitivities observed where appropriate.
- Confidentiality will be maintained throughout with information only shared where circumstances and the law allows.

Where it is considered appropriate, the investigation may involve the input of other agencies such as local authorities as well as other law enforcement agencies such as the Police and HM Revenue & Customs. Liaison and / or joint working will be conducted in accordance with established guidelines and protocols.

The investigating officer must not and will not accept any offer of repayment of monies or resignation at any stage during the investigation, however, any such offers will be noted and recorded on the investigation file and reported to the Head of Internal Audit and responsible Service Director.

The Council has a right to suspend any employee involved pending the outcome of an investigation. Any such suspension, is, in the opinion of the Council, a neutral act and does not imply any guilt on behalf of the suspended employee. The suspension of an employee can, in some circumstances aid the speed in which an investigation can be conducted and serve to preserve vital evidence.

When suspects are not suspended, supervision of the employee will usually need to be increased and any manager should seek the advice of The People Team and ICT on how this can best be accomplished.

### **Actions following the completion of an investigation**

Upon the completion of an investigation, the investigating officer will report their findings in the first instance to the Corporate Fraud Manager, Head of Internal Audit and S151 Officer, who will in turn make the findings known to The People Team, relevant Service Director, or the Chief Executive as appropriate.

In the case of any monetary losses, a report will be given to the Council’s Insurance Officer.

Should any control weaknesses be identified, the Service Director and relevant manager will be informed, and remedies be actioned immediately. The Head of Internal Audit / Internal Audit Service will be able to provide advice and support regarding effective control mechanisms.

Should there be disciplinary issues identified as part of the investigation, a full report will be made to The People Team who will work with the relevant Service Director and manager to decide what happens next. Should any course of action result in a disciplinary hearing, the investigating officer will (if required) make themselves available to give evidence at the hearing.

Although some organisations delay the bringing of any disciplinary action pending the outcome of any criminal prosecution, the Council will seek to deal with any disciplinary matters using the appropriate processes.

Should it be the case that criminal action presents itself as an option, this decision will be fully explored and subject to the Council's Fraud Prosecution Policy.

Should fraud be proven, the Council will make every effort to recover any monetary losses. The method of doing so may vary depending on the type of loss and relevant legislation, however all options will be explored including civil court proceedings and in the case of criminal prosecution, proceedings brought under The Proceeds of Crime Act 2002.

# Anti-Bribery Policy

### Objective of this policy

This policy provides a coherent and consistent framework to enable Epping Forest District Council (EFDC) Members and employees to understand and implement arrangements enabling compliance. In conjunction with related policies and key documents it will also enable Members and employees to identify and effectively report a potential breach.

We require that Members and all staff, including those permanently employed, temporary agency staff and contractors:

- act honestly and with integrity at all times and safeguard the organisation's resources for which they are responsible
- comply with the spirit, as well as the letter, of the laws and regulations of all jurisdictions in which the Council operates, in respect of the lawful and responsible conduct of activities.

### Scope of this policy

This policy applies to all the Council's activities. For partners, joint ventures, agents, and suppliers, we will seek to promote the adoption of policies consistent with the principles set out in this policy.

Within the Council, the responsibility to control the risk of bribery occurring resides at all levels of the Council. It does not rest solely within assurance functions, but in all business units and corporate functions.

This policy covers all staff, including all levels and grades, those permanently employed, temporary agency staff, contractors, agents, elected Members, co-opted members of the public, volunteers and consultants.

### The Council's commitment to action

The Council commits to:

- Setting out a clear anti-bribery policy and keeping it up to date
- Making all Members and employees aware of their responsibilities to always adhere strictly to this policy
- Raising awareness and where appropriate offer training so Members and employees can recognise and avoid the use of bribery by themselves and others
- Encouraging its Members and employees to be vigilant and to report any suspicions of bribery, providing them with suitable channels of communication and ensuring sensitive information is treated appropriately
- Rigorously investigating instances of alleged bribery and assisting police and other appropriate authorities in any resultant prosecution
- Taking firm and vigorous action against any individual(s) involved in bribery
- Provide information to Members and employees to report breaches and suspected breaches of this policy
- Include appropriate clauses in contracts to prevent bribery.

## **Facilitation payments**

Facilitation payments are not tolerated and are illegal. Facilitation payments are unofficial payments made to public officials to secure or expedite actions.

## **Gifts and hospitality**

This policy does not change the requirements of our gifts and hospitality policy. This makes it clear that:

Sample tokens of modest value (for example, pens, diaries, or calendars) whether given personally, or received in the post, may be retained unless they could be regarded as an inducement or reward.

You should refuse the offer or invitation (or return the gift) unless your Service Director has advised you that it may be accepted or retained. This agreement needs to be documented.

## **Public contracts and failure to prevent bribery**

One of the main changes introduced by the Public Contracts Regulations 2015 is that a company will no longer face permanent debarment (referred to as an 'exclusion' in the 2015 Regulations) from bidding for public contracts following a corporate conviction for certain economic crimes. Instead, a company will face a period of debarment and will be able to recover eligibility to bid for public contracts if it has undergone a 'self-cleaning' process.

## **Member and Staff responsibilities**

All Members and staff are required to avoid activity that breaches this policy. The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the Council or under its control.

Members and staff must:

- ensure that they read, understand, and comply with this policy
- raise concerns as soon as possible if they believe or suspect that a conflict with this policy has occurred or may occur in the future.

## **Staff**

As well as the possibility of civil action and criminal prosecution, staff who breach this policy may face disciplinary action, which could result in summary dismissal for gross misconduct. Dismissal can still be an outcome with or without civil action or criminal prosecution.

## **Members**

The Member Code of Conduct requires that where a Member acts as a representative of the Council he or she must not use or attempt to use their position as a Member improperly to confer on or secure for them self or any other person, an advantage or disadvantage.

Allegations against a Member for breach will be routed through the Standards complaints process administered by the Monitoring Officer.

## **Raising a concern**

This Council is committed to ensuring that all of us have a safe, reliable, and confidential way of reporting any suspicious activity. We want Members and every member of staff to know how they can raise concerns.

We all have a responsibility to help detect, prevent, and report instances of bribery. If you have a concern regarding a suspected instance of bribery or corruption, please speak up – your information and assistance will help. The sooner you act, the sooner it can be resolved.

Preferably the disclosure will be made and resolved internally (e.g., to a Service Manager/Service Director or the Head of Internal Audit). Secondly, where internal disclosure proves inappropriate, concerns can be raised with the External Auditor or relevant professional bodies or regulatory organisations.

Concerns can be reported anonymously. In the event that an incident of bribery is reported, we will act as soon as possible to evaluate the situation. We have a clearly defined Anti-Fraud and Corruption Strategy which sets out procedures for investigating fraud, misconduct, and non-compliance issues and these will be followed in any investigation of this kind.

Members and staff who refuse to accept a bribe, or those who raise concerns can understandably be worried about the repercussions. The Council aims to encourage openness and will support anyone who raises a genuine concern in good faith under this policy, even if they turn out to be mistaken.

The Council is committed to ensuring nobody suffers detrimental treatment through refusing to take part in bribery, or because of reporting a concern in good faith.

## Appendix 3

### Anti-Money Laundering Policy

#### Introduction

The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (MLR 2017) came into force on 26 June 2017. They implement the EU's 4th Directive on Money Laundering. In doing so, they replace the Money Laundering Regulations 2007 (MLR 2007) and the Transfer of Funds (Information on the Payer) Regulations 2007 which were previously in force.

A key difference is that relevant persons are obliged to adopt a more risk-based approach towards anti-money laundering, in particular in how they conduct due diligence. Determining the appropriate level of due diligence requires analysis of risk factors based on the EU Directive and which are set out in MLR 2017.

Whilst Local Authorities are not directly covered by the requirements of the Money Laundering Regulations 2017, guidance from finance and legal professions, including the Chartered Institute of Public Finance and Accounting (CIPFA), indicates that public service organisations should comply with the underlying spirit of the legislation and regulations and put in place appropriate and proportionate anti-money laundering safeguards and reporting arrangements. Epping Forest District Council is committed to the highest possible standards of conduct and has, therefore, put in place appropriate and proportionate anti-money laundering safeguards and reporting arrangements.

#### Scope of the Policy

This policy applies to all employees and contractors, whether permanent or temporary, and Members of the Council.

Its aim is to enable employees and Members to respond to a concern they have in the course of their dealings for the Council. Individuals who have a concern relating to a matter outside work should contact the Police.

#### Definition of Money Laundering

The most common motive for crime is financial gain or to obtain valuable property. Whenever criminals do anything with that financial gain or criminal property, they 'launder' it. Money laundering offences are serious; they carry sentences of up to 14 years imprisonment, but criminals and their associates still commit them every day.

Money laundering is the process by which criminals try to hide the origin of the proceeds of their crimes, making it look as if those proceeds were acquired legitimately. In doing so, criminal property obtained unlawfully is turned into property or money that can be accessed via legitimate methods without arousing suspicion. In other words, 'laundering' is the process of turning 'dirty' money into 'clean' money.

Money laundering has three distinct phases. They are:

- Placement: the movement of criminally obtained money into the wider economy.
- Layering: undertaking transactions (perhaps bogus) to conceal the origin of the money; and
- Integration: making it look as if money has come from a legitimate source.

Two distinct offences affect employees, contractors, and Members of the Council

- Failure to disclose one of the offences listed above, where there are reasonable grounds for knowledge or suspicion.
- Tipping off a person(s) who is or is suspected of being involved in money laundering in such a way as to reduce the likelihood of or prejudice an investigation.

Although the term 'money laundering' is generally used to describe the activities of organised crime, for most people it will involve a suspicion that someone they know, or know of, is benefiting financially from dishonest activities.

Successful money laundering means criminals can enjoy the fruits of their criminality and fund further criminal activity. Stopping money laundering disrupts organised crime by removing the lifeblood of the 'business' and prevents low level criminals from moving up into major level crime.

### **Requirements of the Money Laundering Legislation**

The main requirements of the legislation are:

- To appoint a money laundering reporting officer.
- Maintain client identification procedures known as know your customer (KYC) and know your business (KYB).
- Implement a procedure to enable the reporting of suspicions of money laundering.
- Maintain record keeping procedures.

### **The Money Laundering Reporting Officer (MLRO)**

The Council must appoint an MLRO to act as the focal point within the organisation for money laundering matters. The MLRO is responsible for:

- receiving disclosures from other staff; and
- deciding whether disclosures should be passed on to National Crime Agency (NCA).

The MLRO must keep copies of all disclosures received by them, notes of action taken and copies of all correspondence with NCA and other agencies.

### **Identifying and disclosing suspicious transactions**

Whilst the risk to the Council of contravening the legislation is low, it is extremely important that all are familiar with their legal responsibilities; serious criminal sanctions may be imposed for breaches of the legislation.

**A key requirement is for every-one to promptly report any suspected money laundering activity to the Money Laundering Reporting officer (MLRO)**

### **Possible Signs of Money Laundering**

It is not possible to give a definitive list of ways in which to spot money laundering but facts which tend to suggest that something "odd" is happening may be sufficient for a reasonable suspicion of money laundering to arise. The following are the types of risk factors which may, either alone or cumulatively with other factors suggest the possibility of money laundering activity:



- A new customer with no previous history with the Council
- A secretive customer: for example, one who refuses to provide requested information without a reasonable explanation
- Concerns about the honesty, integrity, or identity of a customer
- Illogical third-party transactions: for example, unnecessary routing or receipt of funds from third parties or through third party accounts
- Involvement of an unconnected third party without logical reason or explanation
- Payment of a substantial sum in cash
- Overpayments by a customer
- Absence of an obvious legitimate source of the funds
- Movement of funds to and from overseas
- Where, without reasonable explanation, the size, nature and frequency of transactions or instructions is out of line with normal expectations
- Cancellation or reversal of an earlier transaction
- Cash transactions made that are significantly outside of normal expectations

Epping Forest District Council will consider the threats to Council being used by money launderers and put systems in place to guard against them. Policies and procedures should be laid out clearly so that all relevant staff understand and have access to them.

The officer nominated to receive disclosures about money laundering activity within the Council is the Section 151 Officer Andrew Small. He can be contacted as follows:

Andrew Small - Section 151 Officer / Strategic Director  
 Civic Offices  
 Epping  
 Essex  
 CM16 4BZ

Email: [asmall@eppingforestdc.gov.uk](mailto:asmall@eppingforestdc.gov.uk)

In the absence of the MLRO, Christopher Hartgrove the deputy MLRO (also the deputy Section 151 Officer) should be contacted in their absence on Extension 2532 or by email at: [chartgrove@eppingforestdc.gov.uk](mailto:chartgrove@eppingforestdc.gov.uk)

All suspicions should be reported directly to the MLRO or his deputy using the relevant documentation, which can be found at Appendix Four of this document.

### **Client Identification Procedures**

The Council has developed formal client identification procedures which must be followed when Council land or property is being sold. These procedures require individuals and if appropriate, companies to provide proof of identity and current address (KYC).

All verification documents are capable of being forged and can be bought over the internet. For this reason, industry guidance usually recommends face-to-face meetings with new clients. Excuses for non-attendance and excuses for missing documents should be explored and treated with some scepticism.

The Council must identify its customers and verify that identity based on documents, data or information obtained from a reliable source. Where there is a beneficial owner who is not the customer then the Council must identify that person and verify the identity and where the beneficial owner is a trust or similar then the Council must understand the nature of the control structure of that trust. Finally, the Council must obtain information on the purpose and intended nature of the business relationship. The MLR 2017 introduces the need for the Council to consider both customer and geographical risk factors in deciding what due diligence is required.

If satisfactory evidence is not obtained at the outset of a matter, then the transaction must not be progressed, and a disclosure report must be submitted to the Money Laundering Reporting Officer.

The Council is also obliged to maintain ongoing monitoring of its business relationships which means it must scrutinise transactions throughout the course of the relationship to ensure that the transactions are consistent with the Council's knowledge of the customer and keep the information about the customer up to date.

### **Enhanced Customer Due Diligence and Ongoing Monitoring**

In certain circumstances, it will be necessary to undertake what is known in the Regulations as Enhanced Customer Due Diligence. In summary, this will be necessary where:

- The customer has not been physically present for identification purposes; or
- In any other situation which by its nature can present a higher risk of money laundering or terrorist financing.

Where this applies, the Council will need to take adequate measures to compensate for the higher risk. For example, this will mean ensuring that the customer's identity is established by additional documents, data, or information.

Similarly, where the Council is in an ongoing business relationship with a customer, the Regulations impose a special obligation to carry out ongoing monitoring. This means that the Council must:

- scrutinise transactions undertaken throughout the course of the relationship to make sure that these transactions are consistent with the Council's knowledge of the customer and their business and risk profile
- keep documents, data or information obtained for the purpose of applying Customer Due Diligence measures up to date.

All personal data must be collected, kept, or destroyed in compliance with the General Data Protection Regulation and The Data Protection Act 2018.

For the Council to be as effective at combatting this type of crime as possible, the following measures should be implemented wherever possible:

- No payment to the Council should automatically be accepted in cash (including notes, coins, or travellers' cheques in any currency) if it exceeds £10,000. This can be a single transaction, or a group of related transactions. However, it is important to be vigilant when receiving any cash payment over £1,000. This does not, however, mean that cash transactions below this value will be valid and legal and should not arise any suspicion. Professional scepticism should always remain.
- Staff who collect cash payments are asked to provide the details of any cash transaction over £10,000 to the MLRO so that precautionary checks can be performed. It is best practice to insist on payment by cheque or electronically from a UK clearing bank.
- The Council, in the normal operation of its services, accept payments from individuals and organisations. If an employee has no reason to suspect or know that money laundering activity is taking/has taken place and if the money offered is less than £10,000 in cash as payment or part payment for goods/services offered by the Authority, then there is no need to seek guidance from the MLRO. If a member of staff has reasonable grounds to suspect

money laundering activities or proceeds of crime, or is simply suspicious, the matter should still be reported to the MLRO. If the money offered is £10,000 or more in cash, then payment must not be accepted until guidance has been received from the MLRO even if this means the person must be asked to wait.

- Any officer involved in a transaction of this kind should ensure that the person provides satisfactory evidence of their identity personally, through passport/photo driving licence plus one other document providing evidence of current address in the form of a bank statement, credit card statement, mortgage or insurance details or a utility bill covering the previous 3-month period. Where the other party is a company, this can be done through company formation documents or business rate bill.

## **Reporting Procedure for Suspicions of Money Laundering**

Where you know or suspect that money laundering activity is taking/has taken place or become concerned that your involvement in a matter may amount to a prohibited act under the Act, you must disclose this as soon as practicable to the MLRO. The disclosure should be within “hours” of the information coming to your attention, not weeks or months later.

Your disclosure should be made to the MLRO using the disclosure report; the report must include as much detail as possible including

- Full details of the people involved
- Full details of the nature of their/your involvement.
- The types of money laundering activity involved
- The dates of such activities
- Whether the transactions have happened, are ongoing or are imminent.
- Where they took place.
- How they were undertaken.
- The (likely) amount of money/assets involved.
- Why, exactly, you are suspicious.

Along with any other available information to enable the MLRO to make a sound judgment as to whether there are reasonable grounds for knowledge or suspicion of money laundering and to enable him to prepare his report to the National Crime Agency (NCA), where appropriate. You should also enclose copies of any relevant supporting documentation.

Once you have reported the matter to the MLRO you must follow any directions he may give you. You must NOT make any further enquiries into the matter yourself: any necessary investigation will be undertaken by the NCA. Simply report your suspicions to the MLRO who will refer the matter on to the NCA if appropriate. All members of staff will be required to co-operate with the MLRO and the authorities during any subsequent money laundering investigation.

Similarly, at no time and under no circumstances should you voice any suspicions to the person(s) whom you suspect of money laundering, even if the NCA has given consent to a particular transaction proceeding, without the specific consent of the MLRO; otherwise, you may commit a criminal offence of “tipping off”.

Do not, therefore, make any reference on a client file to a report having been made to the MLRO –

should the client exercise their right to see the file, then such a note will obviously tip them off to the report having been made and may render you liable to prosecution. The MLRO will keep the appropriate records in a confidential manner.

### **Consideration of the disclosure by the Money Laundering Reporting Officer**

Upon receipt of a disclosure report, the MLRO must note the date of receipt on his section of the report and acknowledge receipt of it. They should also advise you of the timescale within which he expects to respond to you.

The MLRO will consider the report and any other available internal information they think relevant e.g.:

- reviewing other transaction patterns and volumes.
- the length of any business relationship involved.
- the number of any one-off transactions and linked one-off transactions.
- any identification evidence held.

And undertake such other reasonable inquiries they think appropriate to ensure that all available information is taken into account in deciding whether a report to the NCA is required (such enquiries being made in such a way as to avoid any appearance of tipping off those involved). The MLRO may also need to discuss the report with you.

Once the MLRO has evaluated the disclosure report and any other relevant information, he must make a timely determination as to whether:

- there is actual or suspected money laundering taking place; or
- there are reasonable grounds to know or suspect that is the case; and
- whether he needs to seek consent from the NCA for a particular transaction to proceed.

Where the MLRO does so conclude, then they must disclose the matter as soon as practicable to the NCA on their standard report form and in the prescribed manner, unless they have a reasonable excuse for non-disclosure to the NCA (for example, if you are a lawyer and you wish to claim legal professional privilege for not disclosing the information).

Where the MLRO suspects money laundering but has a reasonable excuse for non-disclosure, then they must note the report accordingly; they can then immediately give their consent for any ongoing or imminent transactions to proceed.

In cases where legal professional privilege may apply, the MLRO must seek independent legal advice or consult with an Accredited Financial Investigator to decide whether there is a reasonable excuse for not reporting the matter to the NCA.

All disclosure reports referred to the MLRO and reports made by him to the NCA must be retained by the MLRO in a confidential file kept for that purpose, for a minimum of five years.

The MLRO commits a criminal offence if they know or suspect, or has reasonable grounds to do so, through a disclosure being made to them, that another person is engaged in money laundering, and they do not disclose this as soon as practicable to the NCA.

## **Training**

Officers considered likely to be exposed to suspicious situations, will be made aware of these by their senior officer and provided with appropriate training.

Additionally, all employees and Members will be familiarised with the legal and regulatory requirements relating to money laundering and how they affect both the Council and themselves.

Notwithstanding the paragraphs above, it is the duty of officers and Members to report all suspicious transactions whether they have received their training or not.

### **Additional Information can be obtained from:**

- <https://www.nationalcrimeagency.gov.uk/what-we-do/crime-threats/money-laundering-and-illicit-finance>

## Appendix 4

### Money Laundering Reporting Form

**CONFIDENTIAL**  
**Report to the Money Laundering Reporting Officer (MLRO)**  
**Report of Suspected Money Laundering Activity**

**To: Money Laundering Reporting Officer (Epping Forest District Council)**

**From:**

Name of Staff Member Reporting Suspicion	
Job Title	
Service Area	
Telephone Number (inc. any extension)	
Email address	

#### Details of Suspected Activity

Name and address of ALL persons involved  If a company / public body, please include details of the nature of their business	
Nature, value, timing of activity involved  Please include full details (what, when, where and how)	Continue on a separate sheet if necessary)
Please explain the nature of your suspicions regarding such activity in as much detail as possible.	Continue on a separate sheet if necessary
Has any form of investigation been undertaken? If, Yes, please explain what.	Continue on a separate sheet if necessary
Have you discussed your suspicions with any other person? If so, whom?	
Have you consulted any Regulatory / Supervisory Body (e.g., The Law Society)	

**Please do not discuss the content of this report with anyone you believe to be involved in the suspected money laundering activity described above. To do so, may constitute the offence of “tipping off” which can carry, upon conviction a maximum penalty of 5 years imprisonment.**

**Signed..... Date.....**

**For Completion by MLRO (EFDC)**

Date SAR Received	
Date SAR acknowledged	
Unique Case Reference Number	
Are there reasonable grounds to suspect money laundering activity?	
If Yes, confirm date of report made to NCA	
Is consent required from the NCA to any ongoing or imminent transactions which would otherwise be a prohibited act? If yes, please give full details.	
Date consent received from the NCA	
Date consent given to employee for the transaction to proceed.	

If there are reasonable grounds to suspect money laundering but you have not or do not intend to report the matter to the NCA, please set out the reasons for non-disclosure	
Date consent given by you to the employee for the transaction to proceed	

**Signed..... Date.....**

**THIS REPORT TO BE RETAINED FOR A MINIMUM OF FIVE YEARS**

# Agenda Item 18

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

Document is Restricted