

# (Informal Joint) Cabinet



**Forest Heath**  
District Council

<b>Title:</b>	<b>Agenda</b>
<b>Date:</b>	<b>Tuesday 27 February 2018</b>
<b>Time:</b>	<p><b>6.00 pm</b> <b>Open Forum</b></p> <p>At each Cabinet meeting, up to 15 minutes shall be allocated for questions from and discussion with, non-Cabinet members. Members wishing to speak during this session should if possible, give notice in advance. Who speaks and for how long will be at the complete discretion of the person presiding.</p>
	<p><b>6.00 pm</b> <i>(or at the conclusion of the Open forum, whichever is the later)</i></p> <p>Members of the public who live or work in the District are invited to put one question or statement of not more than three minutes duration relation to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.</p> <p>A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start.</p> <p>There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.</p>
	<p><b>6.00 pm</b></p> <p>The formal meeting of the Cabinet will commence at 6.00 pm or immediately following the conclusion of the informal discussions, whichever is the later, in the Conference Chamber West.</p>
<b>Venue:</b>	<p><b>Conference Chamber West (F1R09)</b> <b>West Suffolk House</b> Western Way Bury St Edmunds IP33 3YU</p>

<p><b>Membership:</b></p>	<p style="text-align: center;"><b>Leader</b> James Waters  <b>Deputy Leader</b> Robin Millar</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;"><b><u>Councillor</u></b></th> <th style="text-align: left;"><b><u>Portfolio</u></b></th> </tr> </thead> <tbody> <tr> <td>David Bowman</td> <td>Operations</td> </tr> <tr> <td>Stephen Edwards</td> <td>Resources and Performance</td> </tr> <tr> <td>Andy Drummond</td> <td>Leisure and Culture</td> </tr> <tr> <td>Robin Millar</td> <td>Families and Communities</td> </tr> <tr> <td>Lance Stanbury</td> <td>Planning and Growth</td> </tr> </tbody> </table>	<b><u>Councillor</u></b>	<b><u>Portfolio</u></b>	David Bowman	Operations	Stephen Edwards	Resources and Performance	Andy Drummond	Leisure and Culture	Robin Millar	Families and Communities	Lance Stanbury	Planning and Growth
<b><u>Councillor</u></b>	<b><u>Portfolio</u></b>												
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Lance Stanbury	Planning and Growth												
<p><b>Interests – Declaration and Restriction on Participation:</b></p>	<p>Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.</p>												
<p><b>Quorum:</b></p>	<p>Three Members</p>												
<p><b>Committee administrator:</b></p>	<p><b>Sharon Turner</b>  Democratic Services Officer (Cabinet)  <b>Tel:</b> 01638 719237  <b>Email:</b> <a href="mailto:sharon.turner@westsuffolk.gov.uk">sharon.turner@westsuffolk.gov.uk</a></p>												

# Public Information



**Forest Heath**

District Council

<b>Venue:</b>	<b>West Suffolk House</b> Western Way Bury St Edmunds Suffolk IP33 3YU	Tel: 01638 719000 Email: <a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a> Web: <a href="http://www.westsuffolk.gov.uk">www.westsuffolk.gov.uk</a>
<b>Access to agenda and reports before the meeting:</b>	Copies of the agenda and reports are open for public inspection and are available at the address below at least five clear days before the meeting. They are also available to view on our website: <b>District Offices</b> College Heath Road Mildenhall Bury St Edmunds IP28 7EY	
<b>Attendance at meetings:</b>	The District Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.	
<b>Public participation:</b>	Members of the public who live or work in the District are invited to put one question or statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply. A person who wishes to speak must register at least 15 minutes before the time the meeting is scheduled to start. There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chairman's discretion.	
<b>Disabled access:</b>	West Suffolk House has facilities for people with mobility impairments including a lift and wheelchair accessible WCs. However in the event of an emergency use of the lift is restricted for health and safety reasons.  Visitor parking is at the car park at the front of the building and there are a number of accessible spaces.	
<b>Induction loop:</b>	An Induction loop is available for meetings held in the Conference Chamber.	
<b>Recording of meetings:</b>	The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded).  Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.	

# Agenda

## Procedural Matters

All Members of St Edmundsbury Borough Council's Cabinet will be in attendance to enable informal discussions on the reports listed in Items 4. to 6. inclusive below to take place between the two authorities:

### Councillor

Carol Bull  
Robert Everitt  
John Griffiths  
Ian Houlder  
Sara Mildmay-White  
Alaric Pugh  
Jo Rayner  
Peter Stevens

### Portfolio

Future Governance  
Families and Communities  
Leader  
Resources and Performance  
Housing  
Planning and Growth  
Leisure and Culture  
Operations

*QUORUM: Three Members*

On the conclusion of the informal joint discussions, the Cabinet will hold its formal meeting in the Conference Chamber West as follows:

### **1. Apologies for Absence**

#### **Part 1 - Public**

### **2. Open Forum**

*(This item will be undertaken at the beginning of the informal discussions, to allow Members to consider the issues raised by the non-Cabinet Members)*

### **3. Public Participation**

*(This item will be undertaken at the beginning of the informal discussions, to allow Members to consider the issues raised by the members of the public)*

***(Following the informal discussions held with St Edmundsbury Borough Council's (SEBC) Cabinet on Items 4. to 6. inclusive below, Members are asked to refrain from partaking in any further discussion. Separate formal meetings of both SEBC and Forest Heath District Councils' Cabinets will then commence with Members being requested to formally resolve Items 4. to 6. inclusive below)***

KEY DECISIONS

- 4. Referrals Report of Recommendations from Council to Cabinet: Single Council for West Suffolk: Legislative Process** **1 - 14**

Report No: **CAB/FH/18/016**

**(A) Referral from Council: 20 February 2018**

1. Single Council for West Suffolk: Legislative Process  
**Portfolio Holder:** James Waters      **Lead Officer:** Ian Gallin

*(For reference purposes, St Edmundsbury Borough Council's Report Number is CAB/SE/18/014)*

NON KEY DECISIONS

- 5. Fair Funding Review - Response to Government Consultation** **15 - 30**

Report No: **CAB/FH/18/017**

Portfolio Holder: Stephen Edwards      Lead Officer: Rachael Mann

*(For reference purposes, St Edmundsbury Borough Council's Report Number is CAB/SE/18/015)*

- 6. Gender Pay Gap Report** **31 - 40**

Report No: **CAB/FH/18/018**

Portfolio Holder: Stephen Edwards      Lead Officer: Karen Points

*(For reference purposes, St Edmundsbury Borough Council's Report Number is CAB/FH/18/016)*

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# (Informal Joint) Cabinet



Forest Heath  
District Council

<b>Title of Report:</b>	<b>Referrals Report of Recommendations from Council to Cabinet</b>	
<b>Report No:</b>	<b>CAB/FH/18/016</b>	
<b>Report to and date:</b>	<b>SEBC/FHDC (Informal Joint) Cabinets</b>	27 February 2018
<b>Documents attached:</b>	<b>Appendix A:</b> Council Report No: COU/FH/18/005 'Single Council for West Suffolk: Legislative Process' and Update Report (Addendum to Report No: COU/FH/18/005).	

## (A) Referral from Council: 21 February 2018

### 1. Single Council for West Suffolk: Legislative Process

*(This referral has been compiled before the meeting of Council on 21 February 2018 and is based on the recommendation contained within the report listed below. Any amendments made by Council to the recommendation within this report will be notified to the Cabinet meeting)*

**Portfolio Holder:** Cllr Stephen Edwards

**Report No:**  
**COU/FH/18/005**  
**(attached as Appendix A to this report)**

**Addendum to Report No: COU/FH/18/005**  
**(Circulated following the publication of the agenda and Report No: COU/FH/18/005 – also attached as Appendix A to this report)**

#### **RECOMMENDED:**

**That delegated authority be given to the Chief Executive, in consultation with the Leaders of Forest Heath District and St Edmundsbury Borough Councils, and the Chairman and Vice-Chairman of the Future Governance Steering Group, to**

***authorise the relevant Orders to create a single Council for West Suffolk on the condition that they remain in line with the policy requirements within Report No: COU/FH/18/005.***

- 1.1 For ease of reference, the full Council report (Report No: COU/FH/18/005) 'Single Council for West Suffolk: Legislative Process' and the Update Report that was circulated to Council as an addendum to Report No: COU/FH/18/005 following the publication of the agenda and the original report, is attached as Appendix A to this referrals report.



# Council



**Forest Heath**  
District Council

<b>Title of Report:</b>	<b>Single Council for West Suffolk: Legislative Process</b>	
<b>Report No:</b>	<b>COU/FH/18/005</b>	
<b>Report to and date/s:</b>	Council	21 February 2018
<b>Portfolio holder:</b>	Councillor Stephen Edwards Portfolio Holder for Resources and Performance <b>Tel:</b> 01799 530325 <b>Email:</b> <a href="mailto:Stephen.edwards@forest-heath.gov.uk">Stephen.edwards@forest-heath.gov.uk</a>	
<b>Lead officer:</b>	Leah Mickleborough Service Manager, Democratic Services and Monitoring Officer <b>Tel:</b> 01284 757162 <b>Email:</b> <a href="mailto:leah.mickleborough@westsuffolk.gov.uk">leah.mickleborough@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	This report requests Council to consider the expected legislative process and policy requirements of the Ministry of Housing, Communities and Local Government (MHCLG), seeking Members' support towards the proposed next steps set out in this report.	
<b>Recommendation:</b>	<b>It is recommended that Council endorses the policy requirements and next steps as set out in this report to create a single Council for West Suffolk; and recommends Cabinet to delegate the Chief Executive, in consultation with the Leaders of the Councils and the Chairman and Vice-Chairman of the Future Governance Steering Group to authorise the relevant Orders on the condition that they remain in line with the policy requirements within this report.</b>	
<b>Consultation:</b>	The expected policy requirements have been developed based on the requests of Council in October, and in consultation with the Future Governance Steering Group.	

<b>Alternative option(s):</b>		None. Rejection at this stage would not stop the single council process, but could cause significant delays to the programme due to the need to revisit steps in the legislative process.	
<b>Implications:</b>			
Are there any <b>financial</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> This decision only relates to approval of the Order itself, which does not affect any previous financial decisions taken regarding forming a single council.	
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> Consent to this report will allow the legislative process to proceed.	
Are there any <b>equality</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Risk/opportunity assessment:</b>		Risks associated with becoming a single Council have been outlined previously in the business case agreed by Councils in September 2017.	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
Major and unexpected event occurs which reduces parliamentary time to undertake the necessary legislative processes	Low	Officers continue to work alongside colleagues in MHCLG / LGBCE to ensure progression of the legislation	Low
<b>Ward(s) affected:</b>		All wards	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		<a href="#">Council 18 October 2017 – Report No COU/FH/17/029</a>	
<b>Documents attached:</b>		None	

**1. Background**

- 1.1 In September 2017, Forest Heath District Council and St Edmundsbury Borough Council both agreed to support a business case to become a single council. Following this, in October 2017, both Councils agreed a set of “requests” to be made to the (now) Ministry of Housing, Communities and Local Government (MHCLG).
- 1.2 In November, the Secretary of State for Communities and Local Government indicated that he was minded to support the case for a new, single district-tier council for West Suffolk. A period of public engagement followed, during which respondents were provided a further opportunity to provide their views on the proposals. The engagement demonstrated that there continued to be support for the case and, as a result, the Secretary of State issued his final minded to opinion on 8 February 2018.

**2. Legislative Process**

- 2.1 In practice, there will be a number of orders to create the Council, which will follow differing legislative processes. We understand the first order is likely to be purely procedural, relating to how the Secretary of State will consider the proposal under the relevant legislation (the Cities and Local Government Devolution Act 2016, and the Local Government and Public Involvement in Health Act 2007).
- 2.2 The second order is likely to attract more interest, as it will address how the current Councils will be abolished, and the new Council for West Suffolk will be created; this is addressed below. Both Houses of Parliament are required to approve these two current orders, but will only be able to do so if we have consented to them. As with previous such decisions (and in accordance with the Constitution), the decision is an executive one i.e. both Cabinets will need to make the final decision, or delegate the decision. However, both Cabinets have indicated they would not make the decision until both Councils have had the opportunity to debate the policy requirements set out in this report.
- 2.3 It is not possible at this stage to include the draft orders as part of this report. The relevant legislation under which the orders are being developed is still relatively new, and it is necessary under established protocol to ensure that the relevant parliamentary legal teams are satisfied before they can be published. With the relatively recent announcement, further progress needs to be made before these can be published. Members will be kept informed as this process develops, and we hope the necessary legislative steps will be concluded by June.
- 2.4 The Ministry have, though, requested that delegated authority be provided for final authorisation, to ensure that any minor drafting amendments made during the Government’s own scrutiny can be resolved quickly. Whilst the legislative process is currently ahead of the Ministry’s timetable, if we do not delegate the final sign-off we could risk there being insufficient parliamentary time to consider the proposals.
- 2.5 As a delegated decision, this would necessarily follow the same constitutional safeguards as other such decisions; with a written notice being issued that the

decision is to be made, and, following this, a 5 day period before it comes into effect.

### **3. Requests from Council**

3.1 The October report identified those requests the councils agreed to make to MHCLG as the orders are drafted. Our present understanding is that the Ministry accepts the requests made, although the following points should be noted:

- Councils requested to name the future Council “West Suffolk District Council” although for branding purposes, the name West Suffolk Council would be used. At the time, it was understood that the Council would legally be required to have the term District in its title, although the Ministry has since clarified the “West Suffolk Council” title is likely to be acceptable for inclusion within the Order.
- In October, councils agreed that the Implementation Executive (which, in the order, is called the Shadow Executive) should have at least three members from each council plus the leaders of the councils. The Ministry has indicated it is policy to have a maximum figure for executives, and we anticipate this may be 15 members.

### **4. Policy Requirements**

4.1 The main legislation will need to include various aspects of how the new Council will come into being. Some of these will be legislative requirements, and some will be a matter of policy i.e. requirements the Secretary of State will place to ensure the process is robust and transparent.

4.2 As a first principle, the Order will need to abolish the existing councils and create a new Council, West Suffolk. It will also need to establish a body – a shadow council – to oversee the period until the new Council comes into being on 1 April 2019.

4.3 Inevitably, it would be expected that shadow council would consist of all 72 Councillors from Forest Heath and St Edmundsbury. As with similar previous orders, it would be our expectation that the councillors will remain as councillors on the West Suffolk Council until 4 days after the May 2019 elections, even though Forest Heath and St Edmundsbury would have been abolished in April.

4.4 The shadow council would be responsible for oversight of the necessary arrangements for West Suffolk Council to assume the powers, functions and responsibilities on 1 April. To do so, it would have to create its Executive (as above), elect its own Leader, elect a Chairman, and appoint statutory officers and standing orders.

4.5 Officers are well advanced in preparing the necessary implementation planning for the new Council, following agreement of the business case in September 2017. The shadow council would become responsible for oversight of the implementation plan, and the programme board.

- 4.6 Within the business case, a budget was agreed for the work necessary to transition from the existing councils to the new Council. These costs would be incurred by the existing councils but we understand it is also necessary for the shadow council to prepare its own accounts which, as with other public sector bodies, would require appropriate audit to ensure accountability and transparency. We are liaising with our audit teams as to how this would operate.
- 4.7 It will also be necessary for a new Council to adopt a scheme of allowances. To allow the new Council to do so, the shadow council would have to be responsible for developing a scheme. The shadow council would also have to be responsible for development of the budget for the 2019-20 financial year.

## **5. Elections and Warding**

- 5.1 The first elections to the new Council would take place on 2 May 2019. Legislation requires new electoral arrangements to be stated in any order but, in this instance, the actual arrangements are still to be developed as part of the agreed timetable. Therefore, it will be a requirement for the Order to contain a notional warding pattern as a stop-gap measure, until the LGBCE undertake their boundary review (at which point, the legislation allows their new scheme to replace any predecessor in the Order).
- 5.2 We are in the process of ongoing discussion with MHCLG to determine the pattern of warding that will be reflected within the draft order, and it is proposed to issue an update report that will contain further information regarding potential proposals to members ahead of the meeting.
- 5.3 Whatever the case, this warding pattern would **not** represent the Council's view on what the boundaries should be in the future (see Paragraph 5.4 below) but it is unavoidable in procedural terms. Furthermore, immediately after the legislative process is concluded, the Local Government Boundary Commission for England (LGBCE) process will commence. Although there could be reasons outside of the control of all parties that the electoral review could be delayed by a lack of parliamentary time, the Commission have offered assurances that, as things stand, there is time to complete their review before the electoral process starts for May 2019. Officers will also continue to liaise with the MHCLG and LGBCE to minimise any risks occurring.
- 5.4 Our own warding proposals, which are currently being developed by the Future Governance Steering Group, will come before the April Council meetings and then submitted to LGBCE.

## **6. Next Steps**

- 6.1 Should Council endorse the principles within this report, it will be considered by both Cabinets at their joint meeting on 27 February 2018. On the condition that the subsequent orders are in line with these principles, Cabinets will be asked to delegate the Chief Executive, in consultation with the Leaders of the Councils, to authorise the orders prior to them being considered by the Houses of Parliament.

As above, Members will be kept informed as the process progresses and, if

- 6.2 there are further significant risks or issues arising during the legislative procedure, reports will be brought before councils as necessary.

# Council



Forest Heath  
District Council

<b>Title of Report:</b>	<b>UPDATE: Single Council for West Suffolk: Legislative Process</b>	
<b>Report No:</b>	<b>COU/FH/18/005 (Addendum)</b>	
<b>Report to and date:</b>	<b>St Edmundsbury Borough Council</b>	20 February 2018
	<b>Forest Heath District Council</b>	21 February 2018
<b>Portfolio holder:</b>	Councillor Stephen Edwards Portfolio Holder for Resources and Performance <b>Tel:</b> 01799 530325 <b>Email:</b> <a href="mailto:stephen.edwards@forest-heath.gov.uk">stephen.edwards@forest-heath.gov.uk</a>	
<b>Lead officer:</b>	Leah Mickleborough Service Manager, Democratic Services and Monitoring Officer <b>Tel:</b> 01284 757162 <b>Email:</b> <a href="mailto:leah.mickleborough@westsuffolk.gov.uk">leah.mickleborough@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	This report seeks to inform Members on the proposed "stop-gap" warding pattern as outlined in Report No: COU/FH/18/005.	
<b>Recommendation:</b>	<b>This report is supplemental to the recommendations in Report No: COU/FH/18/005.</b>	
<b>Key Decision:</b> <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<b>Consultation:</b>	None specific to this report	
<b>Alternative option(s):</b>	Officers understand that the proposals within this report will be the sole option put forward by the MHCLG	
<b>Implications:</b>		
<i>Are there any <b>financial</b> implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any <b>staffing</b> implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

<i>Are there any <b>ICT</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<i>Are there any <b>legal and/or policy</b> implications? If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The proposals in this report will inform the legislative process to create the new Council for West Suffolk	
<i>Are there any <b>equality</b> implications? If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Risk/opportunity assessment:</b>		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
As per COU/SE/18/003, should a major or unexpected event occur which reduces parliamentary time to undertake legislative processes	Low	Officers continue to work alongside colleagues in MHCLG / LGBCE to ensure progression of the legislation	Low
<b>Ward(s) affected:</b>		All wards	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		Council Report: 21 February 2018 <a href="#">Report No: COU/FH/18/005</a>	
<b>Documents attached:</b>		<b>Appendix 1:</b> MHCLG note on proposed warding pattern to be included in West Suffolk structural change report	



## **1. Key issues and reasons for recommendation(s)**

- 1.1. In Report No: COU/FH/18/005, it was highlighted that a further update report would be sent outlining how discussions had progressed with the Ministry of Housing, Communities and Local Government (MHCLG) regarding the pattern of warding to be included in the draft order to create the new Council.
- 1.2. Pending new electoral arrangements from the Local Government Boundary Commission for England (LGBCE), the warding pattern for the order must be based on an existing, agreed principal council structure. The only existing structures are county divisions or the existing St Edmundsbury and Forest Heath wards. The existing wards cannot be adopted in full for the new Council as they are based on 72 councillors, and not the 64 that we have proposed for the new Council.
- 1.3. As a result, MHCLG have formed a proposal that is based on the 14 existing county divisions but is broken down, within each division, using the existing St Edmundsbury and Forest Heath wards as building blocks. This provides four West Suffolk councillors for each division in combinations of 1, 2 and 3 Member Wards. This is the only option put forward by MHCLG and an explanation of their approach is attached as Appendix 1 to this report.
- 1.4. As stated in the previous report, this does not represent the Council's view on what the wards should be. Further, this is also simply a stop-gap position for the order until the LGBCE undertakes their review of the ward boundaries, which, barring a significant unexpected event, would be complete in time for the 2019 elections.

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**Local government reorganisation in West Suffolk**

*Proposed warding pattern to be included in the West Suffolk Structural Change Order*

1. Following the announcement on 8 February, the plan is for an Order to be laid before Parliament and if approved by Parliament to be made and to come into force by early June at the latest. This will establish the new West Suffolk Council from 1 April 2019, provide for elections in May 2019, and allow the independent Local Government Boundary Commission for England (LGBCE) to undertake an electoral review and provide new warding arrangements in advance of the May 2019 elections.
2. However as is always the case with any Order making provision for local government reorganisation, there must be provision in the Order for warding arrangements which would be used as a fall back if, for any reason, the electoral review was not completed in time for the May 2019 elections. Whilst the expectation is that these fall-back warding arrangements will never be used, the Ministry aims to provide as soundly based as possible arrangements using (which is much necessarily do) existing “lines on the map”.
3. When developing a warding schedule to be included in the Order, the Ministry has regard to the guidance issued by LGBCE. The Commission’s [guidance](#)<sup>1</sup> explains that it is required by law to meet three key objectives when considering electoral boundaries:
  - To secure equality of representation (ie, each councillor represents a broadly equal number of voters)
  - To reflect the identities of local communities
  - To secure effective and convenient local government
4. There is no upper limit in legislation regarding the number of councillors that may be returned to each ward or division. However, particularly with the third objective in mind, the LGBCE are of the view that “wards or divisions returning more than three councillors results in a dilution of accountability to the electorate”. There are currently no principal authority wards or divisions in England that return more than three councillors.
5. It is the view of MHCLG that the proposal to use the fourteen existing county divisions would not meet the objectives and guidance of the LGBCE. It was previously proposed that the following county divisions and councillor allocation be used as the fall-back warding schedule for the new council:

Existing county division	Electorate	Number of Cllrs
BLACKBOURN	8,242	4
BRANDON	6,901	4
CLARE	8,917	4
EASTGATE & MORETON HALL	7,447	4

<sup>1</sup> <https://www.lgbce.org.uk/policy-and-publications/guidance>

Existing county division	Electorate	Number of Cllrs
EXNING & NEWMARKET	8,106	4
HARDWICK	6,844	4
HAVERHILL CANGLE	13,616	8
HAVERHILL EAST & KEDINGTON	7,084	4
MILDENHALL	7,231	4
NEWMARKET & RED LODGE	9,550	4
ROW HEATH	8,372	4
THINGOE NORTH	7,284	4
THINGOE SOUTH	7,495	4
TOWER	15,859	8
<b>(14 divisions)</b>	<b>122,948</b>	<b>64</b>

6. The Ministry is concerned that using the county divisions and electing four or eight councillors to each, would risk criticism, particularly during the Parliamentary consideration of the Order, that it was making provision for warding arrangements which diverged significantly from the commission's guidance and which risked weakening local accountability and hence weakening effective and convenient local government. The Ministry is therefore proposing a warding pattern which significantly mitigates these risks by ensuring significantly greater compliance with the guidance issues by the LGBCE.

# (Informal Joint) Cabinet



Forest Heath  
District Council

<b>Title of Report:</b>	<b>Fair Funding Review – Response to Government Consultation</b>	
<b>Report No:</b>	<b>CAB/FH/18/017</b>	
<b>Report to and date:</b>	<b>(Informal Joint) FHDC/SEBC Cabinets</b>	27 February 2018
<b>Portfolio holder:</b>	Councillor Stephen Edwards Portfolio Holder for Resources and Performance <b>Tel:</b> 01799 530325 <b>Email:</b> <a href="mailto:stephen.edwards@forest-heath.gov.uk">stephen.edwards@forest-heath.gov.uk</a>	
<b>Lead officer:</b>	Rachael Mann Assistant Director (Resources and Performance) Tel: 01638 719245 Email: <a href="mailto:rachael.mann@westsuffolk.gov.uk">rachael.mann@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	This report summarises the Government’s Fairer Funding Review consultation and proposes a draft response on behalf of West Suffolk Councils and proposed handling arrangements.	
<b>Recommendation:</b>	<b>That Cabinet agree to the:</b>  1) <b>Submission of the draft response, at Appendix A to Report No: CAB/FH/18/017, to the Ministry of Housing, Communities and Local Government (MHCLG) by 12 March 2018.</b>  2) <b>Proposals for wider influencing associated with local government finance, including the Leaders lobbying MPs.</b>	
<b>Key Decision:</b>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed.</i>		
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>As detailed in the body of this report</li> </ul>	

<b>Alternative option(s):</b>	Would be to not respond, however this is our opportunity to ensure that the specific challenges that face West Suffolk are fed into this process and recognised in terms of the funding allocation
<b>Implications:</b>	
Are there any <b>financial</b> implications? <i>If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>The consultation relates to the future funding West Suffolk Council will receive from central Government</li> </ul>
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>As detailed in the body of this report</li> </ul>
Are there any <b>equality</b> implications? <i>If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> <li>The future arrangements for Government funding for West Suffolk Council will take account of the rural nature of the area, which forms part of the current equality impact assessment framework.</li> </ul>
<b>Risk/opportunity assessment:</b>	Not applicable
<b>Ward(s) affected:</b>	All Wards
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>	DCLG - Fair funding review: a review of relative needs and resources (consultation document link) <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/669440/Fair_funding_review_consultation.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/669440/Fair_funding_review_consultation.pdf</a>
<b>Documents attached:</b>	<b>Appendix A</b> – List of Questions asked in the Technical Consultation and proposed responses

## **1. Fair Funding Review – Background**

- 1.1. Funding baselines for local authorities, as determined by the local government finance settlement, are based on an assessment of local authorities' relative needs and resources. The methodology behind this assessment was introduced over ten years ago, and has not been updated since the introduction of the 50% business rates retention system in 2013/14.
- 1.2. Over the past 12 months DCLG has worked with local authorities and the LGA, this work has resulted in this Technical Consultation and associated questions on approach (see Appendix A).
- 1.3. This fair funding review will:
  - set new baseline funding allocation for local authorities in 2020/21 (current timing estimate).
  - bring the assessment of the relative needs of local authorities more up to date.
  - look at the relative resources of local authorities. This includes looking at how council tax and other income are taken into account when redistributing business rates.
  - focus on services currently funded through the local government finance settlement.
- 1.4. The Government is using a set of principles to guide the work of this fair funding review. These are:
  - Simplicity.
  - Transparency. To make it straightforward to understand the factors that have influenced the results.
  - Contemporary. To use the most up to date information available.
  - Sustainability. Identify factors that drive costs today and in the future.
  - Robustness.
  - Stability. To support long-term funding allocations.
- 1.5. This consultation is specifically concerned with **the measurement of relative need** and is relatively technical as it attempts to set out the formulae that could be used to arrive at an overall allocation figure.
- 1.6. This is our opportunity to ensure that the specific challenges that face West Suffolk are fed into this process and recognised in terms of the funding allocation that we will receive following this review. It should be noted that, given the timing of the review, any changes that come about would only relate to West Suffolk Council, and not to Forest Heath and St Edmundsbury.
- 1.7. It is also important to note that the assessment of relative need would stay the same irrespective of the proportion of business rate retained. The current assumption is that the future scheme will be based on 75% retention, but the way in which need and therefore baseline funding is calculated would apply even if this proportion were to change.

The scope of the current consultation is the assessment of **relative need** amongst local authorities. It does not cover the assessment of **relative**

**resources**, including how income from council tax will be taken into account. This is due to be covered in a forthcoming technical paper, at which point it is anticipated that West Suffolk will need to engage with Government on the issue of council tax foregone due to the US Visiting Forces presence in the area. It is proposed that West Suffolk should flag our interest in this issue in the current response, and also raise it via our MPs (see below).

## **2. Proposed cost drivers**

- 2.1. The Government is proposing to structure the allocation between a foundation formula, area cost adjustments, locally significant duties and service specific cost drivers.
- 2.2. The foundation formula is proposed to be based on three cost drivers:
  - Population (including demographics)
  - Rurality
  - Deprivation
- 2.3. Of the proposed service specific cost drivers the only current proposal relevant to West Suffolk relates to waste collection and they are:
  - Number of Households
  - Types of Property
  - Travel times
  - Deprivation

## **3. West Suffolk cost drivers**

- 3.1. There are several key themes that need to be recognised in terms of areas that drive cost or loss of revenue within West Suffolk. These must be expressed clearly in any response to Government.
- 3.2. Those key themes are:
  - The US Visiting Forces presence in the area. Services are provided for US Visiting Forces personnel living in the local community but there is no associated council tax income.
  - The cost of providing services across a geographically wide rural area.
  - Specific costs such as payment for Internal Drainage Boards are not currently funded (or at least not visibly so). For final version include reference to why its unique to Rural Councils/West Suffolk
  - Any allocation must be completely transparent as to how it has been arrived at and simple enough to see how the input data arrived at the conclusion.
- 3.3. Some of these themes are already called out as a focus in the review (rurality, transparency and simplicity) but they should still be highlighted as of critical importance to West Suffolk.
- 3.4. A proposed response to the consultation is attached at Appendix A which seeks to draw out the above themes.



#### **4. Influencing approach**

In line with our Strategic Plan ambition to of having an influential voice with the Government, it is proposed that we take the opportunity of the consultation to ask to consider how they would like to proceed with lobbying on this issue, particularly around the need to factor in the impact of US Visiting Forces and rurality.


##### **4.1 It is recommended that:**

- Both Leaders send a joint letter to the local MPs, inviting them to write to the Secretary of State, supporting our approach and flagging the fact that we also have a big interest in the forthcoming work on relative resources due to council tax exemptions for overseas armed forces;
- We share our proposed draft response with the Local Government Association and Rural Services Network, and request that they refer to it in their wider responses.
- We share our proposed response with Suffolk County Council and encourage them to echo our comments, particularly around the need to factor in the impact of US Visiting Forces and rurality.

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**RESPONSE FROM WEST SUFFOLK COUNCILS – FOREST HEATH DISTRICT COUNCIL AND ST EDMUNDSBURY BOROUGH COUNCIL**

**Note:** This response assumes that from 1 April 2019, Forest Heath District Council and St Edmundsbury Borough Council will have been replaced by a single West Suffolk Council, in line with the current Parliamentary process.

<p><b>Question 1): What are your views on the Government’s proposals to simplify the relative needs assessment by focusing on the most important cost drivers and reducing the number of formulas involved?</b></p>	<p><b>West Suffolk Councils welcome the Government’s proposals to simplify the relative needs assessment by focusing on the most important drivers and reducing the number of formulas.</b> However, this simplification must not be at the expense of transparency or accuracy, especially where individual councils’ circumstances are affected by unique considerations (see below).</p> <p>West Suffolk Councils’ past experience is of a lack of transparency in funding formulas, as exemplified by our attempts to understand the funding allocated by the Ministry of Defence in lieu of council tax foregone due to overseas military personnel in the district (see letter from DCLG).</p> <p>MHCLG is urged to ensure that in future there is greater transparency over the basis on which funding is allocated to individual councils.</p> <div style="text-align: right;">  <p>Adobe Acrobat Document</p> </div>
<p><b>Question 2): Do you agree that the Government should use official population projections in order to reflect changing population size and structure in areas when assessing the relative needs of local authorities?</b></p>	<p><b>The Councils do not agree with the use of the Government’s official population projections in all cases.</b></p> <p>West Suffolk is host to the largest population of US Visiting Forces in the UK, which poses significant challenges to population forecasting and measurement. The Office for National Statistics has agreed to put in place a Special Population Adjustment for Forest Heath District Council but this has not yet been finalised, and so it is not clear whether it will mean that Sub-National Population Projections can be used for a future West Suffolk Council.</p> <p>A background paper outlining the challenges associated with forecasting future population growth in West Suffolk is submitted alongside this response. But the key issue is the extreme</p>

	<p>variability of the projected growth patterns due to the artificially high birth rate associated with US Visiting Forces, and the presence of high numbers of younger adults who remain in the area for around 3 years. This variability has led to percentage changes in mid-year population estimates of between -0.9% and +2.6% between adjacent years within an 8 year period (2006 and 2014), when the baseline population change in the county as a whole has remained between +0.3% and +0.7% and there has been no major observable change in the military population.</p> <p>Using Office for National Statistics estimates as a basis for needs assessment in West Suffolk could therefore lead to anomalous funding levels between different years, due to artificial changes in population.</p>
<p><b>Question 3): Do you agree that these population projections should not be updated until the relative needs assessment is refreshed?</b></p>	<p>Please see response to question 2 above regarding the use official population projections.</p> <p>On balance we support that any population projections should not be updated until the relative needs assessment is refreshed. We only support this in the context of ensuring medium term financial certainty for local authorities.</p>
<p><b>Question 4): Do you agree that rurality should be included in the relative needs assessment as a common cost driver?</b></p>	<p><b>The councils strongly agree that rurality should be included as a common cost driver in a relative needs assessment.</b> The current councils are Mainly Rural (Forest Heath – 100% rural) and Largely Rural (St Edmundsbury – 61.4% rural); and a new West Suffolk Council would be largely rural (74.9%) using the current Defra classifications.</p> <p>Recent national research (e.g. from Rural Services Network and Public Health England) has highlighted the challenges facing rural populations in accessing opportunities, and it is our experience that delivering services in these areas is more challenging and costly than in areas of higher population density.</p> <p>In West Suffolk, there is a particular issue around the interaction of an ageing population with a largely rural one. In some of our rural wards, over one third of our population will live in households where everyone is aged over 65 by the year 2037, increasing the demand for services such as assisted waste collections and the need for community capacity building work to reduce isolation and vulnerability.</p>

<p><b>Question 5): How do you think we should measure the impact of rurality on local authorities' 'need to spend'? Should the relative needs assessment continue to use a measure of sparsity or are there alternative approaches that should be considered?</b></p>	<p><b>West Suffolk Councils believe that a simple local authority level measure of rurality is not the best indicator of sparsity and that the Government should also use Lower Super Output Area and/or Output Area measures to assess sparsity.</b></p> <p>For example, by using the Defra classification West Suffolk Councils would have a district-level percentage of rural population 74.9%, according to the Defra classifications.</p> <p>When looked at the Output Area level, around 24% of West Suffolk's output areas fall into the categories of E1 (rural villages) and F1 (rural hamlets and isolated dwellings).</p> <p>Using the current Forest Heath classifications as a comparison, it can be seen that an area with a higher concentration of E1 and F1 output areas (i.e. those that have additional service challenges) would actually appear to be <i>less</i> rural than one with its population more concentrated in hub towns, where there are fewer additional service delivery costs.</p> <table border="1" data-bbox="622 730 2042 951"> <thead> <tr> <th>District</th> <th>LA level rural %</th> <th>% of Output Areas in villages, hamlets and isolated dwellings (E1 and F1)</th> </tr> </thead> <tbody> <tr> <td>West Suffolk Council</td> <td>74.9% (largely rural)</td> <td>24</td> </tr> <tr> <td>Forest Heath District Council</td> <td>100% (predominantly rural)</td> <td>12</td> </tr> </tbody> </table> <p>This example shows that a more sophisticated measure of rurality is needed than simply the LA level Defra classification.</p>	District	LA level rural %	% of Output Areas in villages, hamlets and isolated dwellings (E1 and F1)	West Suffolk Council	74.9% (largely rural)	24	Forest Heath District Council	100% (predominantly rural)	12
District	LA level rural %	% of Output Areas in villages, hamlets and isolated dwellings (E1 and F1)								
West Suffolk Council	74.9% (largely rural)	24								
Forest Heath District Council	100% (predominantly rural)	12								
<p><b>Question 6): Do you agree that deprivation should be included in the relative needs assessment as a common cost driver?</b></p>	<p><b>The councils strongly agree that deprivation should be included as a common cost driver in a relative needs assessment.</b></p>									
<p><b>Question 7): How do</b></p>	<p><b>The councils do not agree that the Index of Multiple Deprivation alone should be used</b></p>									

<p><b>you think we should measure the impact of deprivation on 'need to spend'? Should the relative needs assessment use the Index of Multiple Deprivation or are there alternative measures that should be considered?</b></p>	<p><b>to measure the impact of deprivation on the need to spend.</b> As agreed by officials at the (then) DCLG, the Index of Multiple Deprivation as currently constructed does not take account of the presence of US Visiting Forces in West Suffolk, and artificially dampens the levels of deprivation in the area.</p> <p>The policy paper submitted with this response sets out the issue in more detail, but put simply, the total "at risk" population for some IMD indicators (denominator) includes US Visiting Forces personnel and dependents, when they are not in actual fact able to be "at risk". For example, the income indicator includes data on the proportion of the working age population in receipt of Income Support, whereas US military personnel and dependents are not eligible for Income Support, so need to be removed from the Working Age Population denominator.</p> <p>The Councils would therefore wish to see other measures of deprivation used for the purposes of calculating need; or an exception applied to the case of West Suffolk.</p>
<p><b>Question 8): Do you have views on other common cost drivers the Government should consider? What are the most suitable data sources to measure these cost drivers?</b></p>	<p><b>West Suffolk Councils would like to propose that a specific cost driver / Area Cost Adjustment be developed to deal with Overseas Military populations whose exemption from council tax and unique patterns of service use significantly affect the cost of service delivery.</b></p> <p>Data obtained direct from the Ministry of Defence could be used for this purpose</p>
<p><b>Question 9): Do you have views on the approach the Government should take to Area Cost Adjustments?</b></p>	<p>See answer to question 8, above.</p>
<p><b>Question 10a): Do you have views on the approach that the Government should take when considering areas</b></p>	<p><b>Levies paid by councils to Internal Drainage Boards for inland flood defence should be taken account of in the relative needs assessment.</b></p> <p>In 2017-18, West Suffolk Councils paid £78,919 in levies to the Mildenhall, Lakenheath and Burnt Fen internal drainage boards. These payments need to be factored into the relative needs</p>

<b>which represent a small amount of expenditure overall for local government, but which are significant for a small number of authorities?</b>	assessment as they are significant for small district authorities.
<b>Question 10b): Which services do you think are most significant here?</b>	NO RESPONSE PROPOSED
<b>Question 11a): Do you agree the cost drivers set out above are the key cost drivers affecting adult social care services?</b>	NO RESPONSE PROPOSED

<p><b>Question 11b): Do you have views on what the most suitable data sets are to measure these or other key cost drivers affecting adult social care services?</b></p>	
<p><b>Question 12a): Do you agree that these are the key cost drivers affecting children’s services?</b></p>	<p>NO RESPONSE PROPOSED</p>
<p><b>Question 12b): Do you have views on what the most suitable data sets are to measure these or other key cost drivers affecting children’s services?</b></p>	<p>NO RESPONSE PROPOSED</p>
<p><b>Question 13a): Do you agree that these are the key cost drivers affecting routine highways maintenance and concessionary travel services?</b></p>	<p>NO RESPONSE PROPOSED</p>
<p><b>Question 13b): Do you have views on what the most suitable data sets are to measure these or other key cost drivers affecting routine highways maintenance</b></p>	<p>NO RESPONSE PROPOSED</p>



or concessionary travel services?	
<b>Question 14a): Do you have views on what the most suitable cost drivers for local bus support are?</b>	NO RESPONSE PROPOSED
<b>Question 14b): Do you have views on what the most suitable data sets are to measure the cost drivers for local bus support?</b>	NO RESPONSE PROPOSED
<b>Question 15a): Do you agree that these are the key cost drivers affecting waste collection and disposal services?</b>	<b>In addition to the cost drivers proposed, West Suffolk Councils would like to propose that the proportion of households where all residents are aged over 65 should be added as a cost driver, to take account of the additional costs associated with assisted bin collections.</b>
<b>Question 15b): Do you have views on what the most suitable data sets are to measure these or other key cost drivers affecting waste collection and disposal services?</b>	ONS data on the proportion of households where all residents are aged over 65.
<b>Question 16a): Do you agree these remain the key drivers affecting the cost of delivering fire and rescue services?</b>	NO RESPONSE PROPOSED
<b>Question 16b): Do you</b>	NO RESPONSE PROPOSED

<p><b>have views on which other data sets might be more suitable to measure the cost drivers for fire and rescue services?</b></p>	
<p><b>Question 17a): Do you agree these are the key cost drivers affecting the cost of legacy capital financing?</b></p>	<p>NO RESPONSE PROPOSED</p>
<p><b>Question 17b): Do you have views on what the most suitable data sets are to measure these or other key cost drivers affecting legacy capital financing?</b></p>	<p>NO RESPONSE PROPOSED</p>
<p><b>Question 18a): Are there other service areas you think require a more specific funding formula?</b></p>	<p>No</p>
<p><b>Question 18b): Do you have views on what the key cost drivers are for these areas, and what the most suitable data sets are to measure these cost drivers?</b></p>	<p>NO RESPONSE PROPOSED</p>

<b>Question 19): How do you think the Government should decide on the weights of different funding formulas?</b>	NO RESPONSE PROPOSED
<b>Question 20): Do you have views about which statistical techniques the Government should consider when deciding how to weight individual cost drivers?</b>	NO RESPONSE PROPOSED
<b>Question 21): Do you have any comments at this stage on the potential impact of the options outlined in this consultation document on persons who share a protected characteristic? Please provide evidence to support your comments.</b>	NO RESPONSE PROPOSED

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# (Informal Joint) Cabinet



Forest Heath  
District Council

<b>Title of Report:</b>	<b>Gender Pay Gap Report</b>	
<b>Report No:</b>	<b>CAB/FH/18/018</b>	
<b>Report to and date:</b>	<b>(Informal Joint) FHDC/SEBC Cabinets</b>	27 February 2018
<b>Portfolio holder:</b>	Councillor Stephen Edwards Portfolio Holder for Resources and Performance <b>Tel:</b> 07904 389982 <b>Email:</b> <a href="mailto:stephen.edwards@forest-heath.gov.uk">stephen.edwards@forest-heath.gov.uk</a>	
<b>Lead officer:</b>	Karen Points Assistant Director (Human Resources, Legal & Democratic Services) <b>Tel:</b> 01284 757015 <b>Email:</b> <a href="mailto:karen.points@westsuffolk.gov.uk">karen.points@westsuffolk.gov.uk</a>	
<b>Purpose of report:</b>	A requirement to share and publish gender pay gap information by 31 March 2018, in accordance with The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017.	
<b>Recommendation:</b>	<b>It is <u>RECOMMENDED</u> that Cabinet note the contents of the gender pay gap information, as set out in Appendix A to Report No: CAB/FH/18/018 for Forest Heath District Council, prior to publication by 31 March 2018.</b>	
<b>Key Decision:</b>  <i>(Check the appropriate box and delete all those that <b>do not</b> apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<i>The decisions made as a result of this report will usually be published within <b>48 hours</b> and cannot be actioned until <b>five clear working days of the publication of the decision</b> have elapsed. This item is included on the Decisions Plan.</i>		
<b>Consultation:</b>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	
<b>Alternative option(s):</b>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>	

<b>Implications:</b>			
Are there any <b>financial</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>staffing</b> implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Consider any action that needs to be taken to minimise/maintain pay gap	
Are there any <b>ICT</b> implications? <i>If yes, please give details</i>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Are there any <b>legal and/or policy</b> implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Statutory requirement to calculate and report	
Are there any <b>equality</b> implications? <i>If yes, please give details</i>		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> This is an 'equality of opportunity' based piece of legislation	
<b>Risk/opportunity assessment:</b> <i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>			
<b>Risk area</b>	<b>Inherent level of risk</b> (before controls)	<b>Controls</b>	<b>Residual risk</b> (after controls)
This is a statutory requirement	Low	This is a statutory requirement	Low
<b>Ward(s) affected:</b>		None	
<b>Background papers:</b> <i>(all background papers are to be published on the website and a link included)</i>		<a href="#">West Suffolk Councils Pay Policy Statement 2017/2018</a> <i>(as approved by SEBC/FHDC Councils in July 2017)</i>	
<b>Documents attached:</b>		Appendix A - Gender Pay Gap Report	

## **1. Key issues and reasons for recommendation(s)**

### **1.1 Gender Pay Gap**

- 1.1.1 By April 2018, public, private and voluntary sector organisations with 250 or more employees will have had to report on their gender pay gaps, using six different measures.

The first report must be published, on our own website and on a government site by 31 March 2018.

The data is only meaningful if looked at for the shared workforce (West Suffolk) but Forest Heath District Council, as an employer, has to report its data separately.

The Gender Pay Gap data has been shared with the Branch Secretary of Unison.

- 1.1.2 Cabinets are asked to note the gender pay gap information contained in Appendix A, prior to publication of the data with the associated narrative. An explanation of the gender pay gap and the data is also contained in the report.

### **1.2 Gender Pay Gap Data**

- 1.2.1 The gender pay gap for West Suffolk shows no disadvantage for women in the workforce.

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## **GENDER PAY GAP REPORT**

By April 2018, public, private and voluntary sector organisations with 250 or more employees will have had to report on their gender pay gaps, using six different measures (Figure 1).

The first report must be published, on our own website and on a government site by 31 March 2018.

### **What is the Gender Pay Gap?**

A gender pay gap is a measure of disadvantage (a gap) expressed as a comparison between what, on average, men earn and what, on average, women earn (gender pay). It is not 'equal pay'.

### **What is equal pay?**

Equal pay means that there should be no difference in the pay and contractual terms of a woman and a man doing equal work (or work of equal value) for the same employer.

### **How is the Gender Pay Gap Expressed?**

As above, the gender pay gap is a measure of disadvantage (a gap) expressed as a comparison between what, on average, men earn and what, on average women earn (gender pay).

A positive pay gap means that females on average earn less than males. A pay gap of zero means the average pay across the entire workforce is exactly the same for males and females. A negative pay gap means that the average for female employees is higher than that for males.

In 2016 the national gender pay gap for full-time employees was 9.4%, meaning that average pay for full-time female employees was 9.4% lower than for full-time male employees. The gap was down from 17.4% in 1997.

The gap for all employees, full- and part-time, was 18.1%, down from 27.5% in 1997.

The Government considers that this rate of progress is too slow, and has committed to closing the gender pay gap within a generation. There is an expectation that where a gender pay gap exists employers will take actions to increase the number of females in senior roles through removing any glass ceiling and ensuring that their reward strategies, policies, practices and procedures reduce any gender pay gap and, in particular, remove any obstacles having a negative effect on the pay of female employees (or potential employees) or from applying for jobs or promotions.

## Productivity

It has been estimated that the under-utilisation of women's skills costs the UK economy 1.3-2% of GDP annually, and that eradicating the full-time gender pay gap would contribute additional spending into the economy of £41 billion each year.

## The reporting requirements

West Suffolk has a shared workforce and leadership team delivering the corporate priorities of Forest Heath District and St Edmundsbury Borough Councils. The workforce data is meaningful, therefore, only if considered together, but the legislation requires each employer to report separately. Three metrics will, therefore, be reported. (Forest Heath DC is not actually required to report by law this year).

Figure 1: The gender pay gap reporting measures

Mean gender pay gap	<i>The difference between the mean hourly rate of pay of male full-pay employees and that of female full-pay employees</i>
Median gender pay gap	<i>The difference between the median hourly rate of pay of male full-pay employees and that of female full-pay employees</i>
Mean bonus gap	<i>The difference between the mean bonus pay paid to male employees and that paid to female employees</i>
Median bonus gap	<i>The difference between the median bonus pay paid to male employees and that paid to female employees</i>
Bonus proportions	<i>The proportions of male and female relevant employees who were paid any bonus pay during the relevant period</i>
Quartile pay bands	<i>The proportions of male and female full-pay employees in the lower, lower middle, upper middle and upper quartile pay bands</i>

## The Mean or the Median

The ONS prefers median earnings because the median is not affected by extreme values, such as changes in the earnings of small numbers of very high earners. However, as the mean gap captures the fact that the upper end of the earnings distribution is dominated nationally by men, the mean is an important measure of women's labour market disadvantage. Both averages are therefore published and equally useful in understanding the gender pay issue.

Composition of Workforce (West Suffolk)

Male	50.81%
Female	49.19%
No. of relevant employees	557

Mean Gender Pay Gap

Forest Heath District Council	-9.12%
St Edmundsbury Borough Council	1.92%
<b>West Suffolk Councils</b>	<b>-1.00%</b>

Median Gender Pay Gap

Forest Heath District Council	-11.46%
St Edmundsbury Borough Council	-7.70%
<b>West Suffolk Councils</b>	<b>-10.22%</b>

Mean Bonus Gender Pay Gap

Forest Heath District Council	-1.40%
St Edmundsbury Borough Council	15.37%
<b>West Suffolk Councils</b>	<b>12.21%</b>

Median Bonus Gender Pay Gap

Forest Heath District Council	0%
St Edmundsbury Borough Council	0%
<b>West Suffolk Councils</b>	<b>0%</b>

Proportion of Males and Females receiving a Bonus Payment

Forest Heath District Council - Males	19.74%
Forest Heath District Council - Females	32.29%
St Edmundsbury Borough Council - Males	32.24%
St Edmundsbury Borough Council - Females	31.91%
<b>West Suffolk Councils - Males</b>	<b>28.97%</b>
<b>West Suffolk Councils - Females</b>	<b>32.04%</b>

### Proportion of Males and Females in Each Quartile Pay Band

#### Lower Quartile

Forest Heath District Council - Males	63.41%
Forest Heath District Council - Females	36.59%
St Edmundsbury Borough Council - Males	59.18%
St Edmundsbury Borough Council - Females	40.82%
<b>West Suffolk Councils - Males</b>	<b>64.29%</b>
<b>West Suffolk Councils - Females</b>	<b>35.71%</b>

#### Lower Middle Quartile

Forest Heath District Council - Males	33.33%
Forest Heath District Council - Females	66.67%
St Edmundsbury Borough Council - Males	54.08%
St Edmundsbury Borough Council - Females	45.92%
<b>West Suffolk Councils - Males</b>	<b>46.04%</b>
<b>West Suffolk Councils - Females</b>	<b>53.96%</b>

#### Upper Middle Quartile

Forest Heath District Council - Males	40.48%
Forest Heath District Council - Females	59.52%
St Edmundsbury Borough Council - Males	47.42%
St Edmundsbury Borough Council - Females	52.58%
<b>West Suffolk Councils - Males</b>	<b>43.17%</b>
<b>West Suffolk Councils - Females</b>	<b>56.83%</b>

#### Upper Quartile

Forest Heath District Council - Males	38.10%
Forest Heath District Council - Females	61.90%
St Edmundsbury Borough Council - Males	54.64%
St Edmundsbury Borough Council - Females	45.36%
<b>West Suffolk Councils - Males</b>	<b>49.64%</b>
<b>West Suffolk Councils - Females</b>	<b>50.36%</b>

### West Suffolk Pay Gap Data

- West Suffolk data shows that females on average earn more than males (Mean -1% and Median -10.22%), compared to national pay gap of +18.1%.
- The mean average is negligible given the relevant workforce of 557.
- The gap between median average shows that the average female (median) earns 10.22% more than the average male. This reflects the fact that 64% of those at the lower end of the pay scale (i.e. in the lower quartile) are males, many of whom work in operations roles. There are no female waste operative, at present, and this is a large occupationally segregated group. (50/139 employees in lower quartile)
- The councils have no discretionary bonus or commission payments. This measure is to identify any inequalities in the distribution of, or ability to, earn commission or extra bonus payments. There is an annual payment made to staff who are performing at the highest level (performance related pay assessed through the annual PDR Scheme) whom are already paid the maximum point for the role, as recognition of their performance, and the amount is small and annually set at a level of around £200. It is a one-off payment.
- There is no gap between the median average bonus payments (0%). This reflects the fact that the only bonus paid is based on a set annual figure (c£200) to those who are performing well at the top of their pay band (so there is no pay progression available to them). There is little difference in the number of males and females receiving a bonus payment (28.97% of males and 32.04% females) indicating that there is no significant difference between males and females who have reached the top of their pay bands and are performing well, and no difference of approach based on gender) .
- There are more females in the other three higher paid quartiles indicating that females have the opportunity to progress to roles attracting the higher levels of pay and progression is not restricted in any way.

### West Suffolk Pay and Reward

West Suffolk adopted a single Pay and Reward Strategy in 2013 and as detailed in the annual [Pay Policy Statement](#)

The leadership and culture of the West Suffolk councils has been consistent in assuring that all aspects of people management including recruitment, and access to development opportunities and promotion, has been fair and transparent. Practices have not been more favourable to one gender than the other. The data demonstrates that there is no significant difference in equality of opportunity or in average levels of pay.

The councils have a number of approaches and policies that underpin this transparency, fairness and equity and provide opportunity for progression and development. These include

- Culture based on trust and outcomes, and a set of clear values
- Recruitment based on merit and competency
- Performance linked to outcomes and delivery in the role rather than working hours
- Clear, consistent, single approach to pay and reward; formal authorisation processes for any changes in pay
- Job Evaluation for all roles (NJC)
- Well designed and controlled pay scale with limited overlap between bands; no discretionary payments
- Robust appraisal (PDR) scheme, linked to performance and behaviours and with a moderation process
- Strong relationship with Unison, working to achieve fair and equitable outcomes for all employees
- A clear policy on appointment which should be at first point of grade unless approved by AD (HRLDS)
- No market supplements in place
- Enhanced occupational maternity pay and shared parental leave
- Wide ranging options and availability of flexible working
- Exit interviews offered to all leavers to gain feedback on employment experiences
- Successful and expanding apprenticeship opportunities in range of occupational areas, and accessible intern and graduate schemes
- Partnership with local schools and colleges including attendance at careers fairs to raise awareness of different career opportunities and to help dispel myths and stereotypes
- Formal career pathways in place in a number of services including planning, legal, revenues and benefits, economic development, housing with more being developed.
- Extensive learning and development programme available through a self-booking system to all staff. For the period, for example, 1 April 2017 – 31 December 2017, 572 learners attended a training/development event of which 208 were male and 296 were female, demonstrating accessibility to all including 78 who were part-time employees. On-line learning is, also, available to all.

Given the information in this report it is not felt that a specific remedial action plan is required and that future approach (for example a renewed focus on flexible, parent and home working options) should be included in the new Workforce Strategy 2018 -2020.

This report will be published on the Gov.uk website and the councils' website and communicated to Unison and staff.

Karen Points, Assistant Director  
15.02.18