

Somerset West and Taunton

Taunton Deane and West Somerset Councils
working together

Somerset West and Taunton Shadow Council

Shadow Corporate Governance & Standards Committee – 28
January 2019

Policies - Adoption and Minor Changes

This matter is the responsibility of the Leader of the Shadow Council
Report Author: Paul Harding – New Council Workstream Lead

1 Executive Summary

- 1.1 When Somerset West and Taunton Council (SWT) comes into existence on 1 April 2019 it will take on all of the statutory functions previously exercised by Taunton Deane Borough Council (TDBC) and West Somerset Council (WSC).
- 1.2 In order to carry out these functions, SWT officers will need to rely on a suite of policies. This report seeks the adoption of existing TDBC and WSC policies as policies of SWT.
- 1.3 A number of policies have already been considered, and approved for adoption, by the Shadow Authority. These have generally been where a WSC policy and a TDBC policy have been merged into a new joint policy for SWT, containing a material change from the perspective of one or both existing councils.
- 1.4 Where new policies are proposed for SWT that are materially different from those created by WSC or TDBC it is proposed that such policies would continue to be subject to approval through the democratic process; be that of the Shadow Authority or SWT.
- 1.5 However, for those policies of WSC or TDBC that require only minor updating (eg to reflect the new Council's identity or new officer titles) but do not change the intent or substance of the policy this report also proposes a practical and proportionate approach for updating such policies which avoids taking up valuable committee time on what is largely an administrative task.

2 Recommendations

- 2.1 That the Shadow Authority for Somerset West and Taunton Council adopt the existing West Somerset Council (WSC) and Taunton Deane Borough Council (TDBC) policies

as Somerset West and Taunton Council (SWT) policies, where not already succeeded and approved by Shadow Authority. This still allows for SWT to review and amend any policy at any time once it comes into existence if required.

- 2.2 Delegated authority be given to the Monitoring Officer (of the Shadow Authority or SWT as the case may be) to approve any necessary grammatical or branding/formatting changes to existing policies, to reflect those matters in 3.5 of this report where, in his or her opinion, the proposed changes are minor in nature and make no change to the intent or substance of the policy.

Risk Assessment

Risk Matrix

Description	Likelihood	Impact	Overall
Somerset West and Taunton Council does not have a framework of polices under which to operate from 1 April 2019.	3	5	15
<i>The mitigations for this is the proposal described in this report.</i>	1	5	5

Risk Scoring Matrix

Likelihood	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
			Impact				

Likelihood of risk occurring	Indicator	Description (chance of occurrence)
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

3 Background

- 3.1 In November 2018 The Local Government (Boundary Changes) Regulations 2018 were approved by Parliament.
- 3.2 These Regulations provide for, amongst other matters, the transfer of plans, schemes, statements and strategies from WSC and TDBC to SWT.
- 3.3 No specific mention is made of policies although the inclusion of ‘decisions’, as other things which will automatically transfer, is likely to also cover policies.
- 3.4 However, in order to avoid any possible ambiguity, this report seeks firstly to formalise the transfer and adoption of policies from WSC / TDBC to SWT. These relate to matters such as Human resources (HR), Housing and Health & Safety etc.
- 3.5 Secondly, this reports recommends authority be given to the Monitoring Officer (of the Shadow Authority or SWT as the case may be) to approve any necessary grammatical or branding/formatting changes to existing policies, to reflect those matters in 3.6 below, where in his or her opinion the proposed changes are minor in nature and make no change to the intent or substance of the policy:
- 3.6 Minor changes:
- (a) Update logo/branding to the new SWT logo/branding;
 - (b) Change wording from TDBC or WSC to SWT;
 - (c) Remove any references to TDBC or WSC or geographical areas unless necessary due to local differences in policy;
 - (d) Change the reference from the word ‘councils’ to ‘council’;
 - (e) Change any other plurals as necessary, such as Leader(s),
 - (f) Change references from Cabinet to Executive
 - (g) Reflect SWT contact information (e.g. telephone number, website, email address);
 - (h) Reflect new officer titles within the operating model (e.g. Change Assistant Directors to Heads of Function).
- 3.7 Policy relating to Town and Country planning, and specifically local development documents, are outside the scope of this report as they are dealt with specifically within Part 9 of The Local Government (Boundary Changes) Regulations 2018).

4. Finance / Resource Implications

4.1 No specific impact.

5 Legal Implications

5.1 Having policies available against which to make sound decision is a key element of having a legal, safe and functioning council from 1 April 2019.

6 Environmental Impact Implications

6.1 No specific impact.

7 Safeguarding and/or Community Safety Implications

7.1 No specific impact.

8 Equality and Diversity Implications

8.1 This report has been prepared having taken into account the fact that all policies have been adopted previously by WSC and TDBC under their normal procedures. This would include the carrying out of an Equality Impact Assessment, where required. These proposals will not change the intention or application of these policies, but will simply convert the documents to a SWT format. As no changes will be made to the substantive content of the policies, it is not considered that an equality impact assessment for what are, essentially, presentational changes, is required.

9 Social Value Implications

9.1 No specific impact.

10 Partnership Implications

10.1 No specific impact.

11 Health and Wellbeing Implications

11.1 No specific impact.

12 Asset Management Implications

12.1 No specific impact.

13 Consultation Implications

13.1 No specific implications.

Democratic Path:

- Shadow Governance & Standards Committee - Yes

List of Appendices

- None

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