

Council

Date: Thursday 17th November 2022

Time: 6.30 pm

Venue: Council Chamber - Guildhall, Bath

To: All Members of the Council

Dear Member

You are invited to attend a meeting of the **Council** on **Thursday 17th November 2022** in the **Council Chamber - Guildhall, Bath.**

The agenda is set out overleaf.

Yours sincerely



Jo Morrison
Democratic Services Manager
for Chief Executive

Please note the following arrangements for pre-group meetings:

Conservative	Kaposvar room, floor 1
Liberal Democrat	Brunswick room, ground floor
Labour	Labour Group room, floor 2
Independent	Independent Group room, floor 2

Jo Morrison

Democratic Services

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Web-site - <http://www.bathnes.gov.uk>

E-mail: Democratic_Services@bathnes.gov.uk

NOTES:

1. **Inspection of Papers:** Papers are available for inspection as follows:

Council's website: <https://democracy.bathnes.gov.uk/ieDocHome.aspx?bcr=1>

2. **Details of decisions taken at this meeting** can be found in the minutes which will be circulated with the agenda for the next meeting. In the meantime, details can be obtained by contacting as above.

3. **Recording at Meetings:-**

The Openness of Local Government Bodies Regulations 2014 now allows filming and recording by anyone attending a meeting. This is not within the Council's control. Some of our meetings are webcast. At the start of the meeting, the Chair will confirm if all or part of the meeting is to be filmed. If you would prefer not to be filmed for the webcast, please make yourself known to the camera operators. We request that those filming/recording meetings avoid filming public seating areas, children, vulnerable people etc; however, the Council cannot guarantee this will happen.

The Council will broadcast the images and sounds live via the internet www.bathnes.gov.uk/webcast. The Council may also use the images/sound recordings on its social media site or share with other organisations, such as broadcasters.

4. **Public Speaking at Meetings**

The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group.

Advance notice is required not less than two full working days before the meeting. This means that for meetings held on Thursdays notice must be received in Democratic Services by 5.00pm the previous Monday.

The Council now has a maximum time limit for this, so any requests to speak cannot be guaranteed if the list is full.

Further details of the scheme can be found at:

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=12942>

5. **Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are signposted. Arrangements are in place for the safe evacuation of disabled people.

6. **Supplementary information for meetings**

Additional information and Protocols and procedures relating to meetings

<https://democracy.bathnes.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13505>

Council - Thursday 17th November 2022

at 6.30 pm in the Council Chamber - Guildhall, Bath

A G E N D A

1. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 5.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

At this point in the meeting declarations of interest are received from Members in any of the agenda items under consideration at the meeting. Members are asked to complete the green interest forms circulated to groups in their pre-meetings (which will be announced at the Council Meeting) to indicate:

(a) The agenda item number in which they have an interest to declare.

(b) The nature of their interest.

(c) Whether their interest is **a disclosable pecuniary interest** or an **other interest**, (as defined in Part 4.4 Appendix B of the Code of Conduct and Rules for Registration of Interests)

Any Member who needs to clarify any matters relating to the declaration of interests is recommended to seek advice from the Council's Monitoring Officer or a member of his staff before the meeting to expedite dealing with the item during the meeting.

4. MINUTES - 13TH OCTOBER 2022 (Pages 7 - 14)

To be confirmed as a correct record and signed by the Chair

5. ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

These are matters of information for Members of the Council. No decisions will be required arising from the announcements.

6. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

If there is any urgent business arising since the formal agenda was published, the Chair will announce this and give reasons why it has been agreed for consideration at this meeting. In making this decision, the Chair will, where practicable, have consulted with the Leaders of the Political Groups. Any documentation on urgent business will be circulated at the meeting, if not made available previously.

7. QUESTIONS, STATEMENTS AND PETITIONS FROM THE PUBLIC

The Democratic Services Manager will announce any submissions received. The Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

8. EQUALITY IMPROVEMENT ACTION PLAN (Pages 15 - 42)

The Public Sector Equality Duty 2011 requires the Local Authority to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people. The Equality Improvement Action Plan (EIP) sets out how Bath and North East Somerset Council is committed to maintaining a focus on equality, diversity and inclusion.

The EIP was considered on 26th September 2022 by the Policy Development and Scrutiny Panel. Suggested amendments to the EIP format have been implemented.

9. HEALTH & WELLBEING BOARD - REVISED TERMS OF REFERENCE (Pages 43 - 52)

The Terms of Reference of the B&NES Health and Wellbeing Board have been updated in light of changes in legislation and in the wider integrated health and social care context.

10. TREASURY MANAGEMENT PERFORMANCE REPORT TO 30TH SEPTEMBER 2022 (Pages 53 - 70)

This report gives details of performance against the Council's Treasury Management Strategy for 2022/23 for the first six months of 2022/23.

11. AVON PENSION FUND ANNUAL REPORT (Pages 71 - 98)

The Avon Pension Fund Committee reports annually to Council on the work it has undertaken in the previous twelve months and reference is also made in the report to the future work programme. This report is for the 12 months to 31 March 2022.

12. CHARITABLE TRUST BOARD ANNUAL REPORT (Pages 99 - 102)

The purpose of this report is to update the Council on the work of the Charitable Trust Board over the past year.

13. MOTION FROM CLLR JOANNA WRIGHT - SUPPORT RENEWABLE ENERGY (Pages 103 - 106)

This item was deferred from the last meeting.

14. MOTION FROM CLLR JOANNA WRIGHT - MAKING VOTES COUNT WITH PROPORTIONAL REPRESENTATION (Pages 107 - 108)

15. MOTION FROM THE LIBERAL DEMOCRAT GROUP - LGA SAVE LOCAL SERVICES CAMPAIGN (Pages 109 - 110)

16. MOTION FROM THE LABOUR GROUP - ADDITIONAL COUNCIL SUPPORT FOR COMMUNITY WARM SPACES (Pages 111 - 112)
17. MOTION FROM CLLR ANDY FURSE - ENDING OF B&NES JIANXI PROVINCE FRIENDSHIP AGREEMENT (Pages 113 - 116)
18. QUESTIONS, STATEMENTS AND PETITIONS FROM COUNCILLORS

The Democratic Services Manager will announce any submissions received. The Council will be invited to decide what action it wishes to take, if any, on the matters raised in these submissions. As the questions received and the answers given will be circulated in written form there is no requirement for them to be read out at the meeting. The questions and answers will be published with the draft minutes.

The Committee Administrator for this meeting is Jo Morrison who can be contacted on 01225 394358.

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BATH AND NORTH EAST SOMERSET COUNCIL

MINUTES OF COUNCIL MEETING

Thursday, 13th October, 2022

Present:- **Councillors** Tim Ball, Sarah Bevan, Colin Blackburn, Alison Born, Shelley Bromley, Vic Clarke, Sue Craig, Gerry Curran, Chris Dando, Jess David, Sally Davis, Mark Elliott, Michael Evans, Andrew Furse, Kevin Guy, Liz Hardman, Steve Hedges, Joel Hirst, Lucy Hodge, Duncan Hounsell, Shaun Hughes, Dr Eleanor Jackson, Grant Johnson, Dr Kumar, Matt McCabe, Hal MacFie, Ruth Malloy, Paul May, Robin Moss, Paul Myers, Michelle O'Doherty, Lisa O'Brien, Bharat Pankhania, Vic Pritchard, Manda Rigby, Dine Romero, Mark Roper, Bruce Shearn, Brian Simmons, Alastair Singleton, Shaun Stephenson-McGall, Sarah Warren, Karen Warrington, Andy Wait, Ryan Wills and Joanna Wright

Apologies for absence: **Councillors** Neil Butters, Paul Crossley, Tom Davies, Douglas Deacon, Winston Duguid, Alan Hale, Sarah Moore, June Player, Richard Samuel, Karen Walker, Chris Watt and David Wood

[It was noted that Councillors who have been unable to attend Council meetings due to a higher risk of serious illness from covid infection are still covered by a dispensation.]

30 EMERGENCY EVACUATION PROCEDURE

The Chair drew attention to the emergency evacuation procedure, as set out on the agenda.

31 DECLARATIONS OF INTEREST

There were no declarations of interest made.

32 APPOINTMENT OF VICE CHAIR

As the Vice Chair, Councillor Sarah Moore, was unable to attend the re-convened meeting, arrangements were made for a Vice-Chair for this meeting only.

On a motion from Councillor Vic Pritchard, seconded by Councillor Kevin Guy, it was

RESOLVED that Councillor Lisa O'Brien stands in as Vice Chair for this meeting only.

33 MINUTES - 21ST JULY 2022

On a motion from Councillor Eleanor Jackson, seconded by Councillor Grant Johnson, it was unanimously

RESOLVED that the minutes of 21st July 2022 be confirmed as a correct record and signed by the Chair.

34 ANNOUNCEMENTS FROM THE CHAIR OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE

The Chair explained that this meeting had been postponed from 15th September 2022 due to the period of national mourning following the death of Queen Elizabeth II.

He explained, that since taking on the role of Council Chair, he had been endeavouring to visit as many Town and Parish Councils as possible. He had been impressed by the diversity of activities he had come across. He extended the invitation to any other local Councils and invited them to contact the Chairs office to arrange.

35 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

There were no items of urgent business.

36 QUESTIONS, STATEMENTS AND PETITIONS FROM THE PUBLIC

Statements were made by the following members of the public;

Caroline Heaton made a statement relating to the renewable energy motion on the agenda. She drew attention to this summer as highlighting the climate crisis and outlined how renewables provided an affordable, sustainable and non-polluting solution. Councillor Guy asked Ms Heaton if she agreed that it was important to also stand against fracking, to which she replied that she did. Councillor Pritchard asked if Ms Heaton considered there were any circumstances where nuclear power might be appropriate, to which she responded that she did not, as the dangers of disposing of long life toxic waste made it extremely unviable. The Chair thanked Ms Heaton for her statement which would be considered during the later motion debate.

Guy Norfolk made a statement relating to the renewable energy motion on the agenda. He outlined the case against nuclear power and made the case that non-proliferation treaties for weapons needed to extend to energy too. He explained that renewable options were affordable, safe and environmentally sound. The Chair thanked Mr Norfolk for his statement which would be considered during the later motion debate.

Dave Andrews made a statement relating to the renewable energy motion on the agenda. The full statement is available attached to the minutes. He explained that he was a former expert Advisor to the European Commission on power generation and provided a google search reference if more technical and factual information was needed. Councillor Guy asked Mr Andrews if he considered fracking was a solution to the energy crisis, to which he replied that it's not something we yet know so it's a gamble, whereas we do know that if investment is made in a wind farm, the power is available in 5 years. The Chair thanked Mr Andrews for his statement which would be considered during the later motion debate.

Charlotte Howell-Jones made a statement relating to the renewable energy motion on the agenda. A copy is available on the Minute book. She focussed on the world we were leaving for our children and called for a different energy strategy to swiftly lower our emissions. She also said that the benefit to the economy of renewable sources (up to 9 times cheaper) was frequently overlooked by Government. The

Chair thanked Ms Howell-Jones for her statement which would be considered during the later motion debate.

37 B&NES LOCAL PLAN PARTIAL UPDATE: MAIN MODIFICATIONS

The Chair announced that there would be no debate on this item. He explained that, following the postponement of the meeting and the need to agree the modifications for public consultation, this item had been handled under Constitutional rule 3.4.3 – Chief Officers action so no Council decision was now sought. <https://democracy.bathnes.gov.uk/ieDecisionDetails.aspx?ID=1768>.

38 CORPORATE AUDIT COMMITTEE ANNUAL REPORT

The Council considered the annual report of the Corporate Audit Committee.

On a motion from Councillor Mark Elliott, seconded by Councillor Vic Pritchard, it was unanimously

RESOLVED

1. To note the Annual Report of the Corporate Audit Committee; and
2. To approve the revised Terms of Reference for the Corporate Audit Committee.

39 STANDARDS COMMITTEE ANNUAL REPORT

The Council considered the annual report of the Standards Committee.

On a motion from Councillor Duncan Hounsell, seconded by Councillor Robin Moss, it was unanimously

RESOLVED to note the work of the Standards Committee, as set out in the Annual report.

40 ANNUAL REPORT ON THE USE OF THE REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) & INVESTIGATORY POWERS ACT (IPA) 2016

The Council considered the annual report on the use of the Regulation of Investigatory Powers Act 200 (RIPA) & Investigatory Powers Act (IPA) 2016.

On a motion from Councillor Kevin Guy, seconded by Councillor Shaun Hughes, it was unanimously

RESOLVED

1. To note the use of Regulation of Investigatory Powers Act 2000 and Investigatory Powers Act 2016 (RIPA/IPA) by the Council (Appendix 1); and

2. To note the changes to the Council's Policy on Regulation of Investigatory Powers Act 2000 and Investigatory Powers Act 2016 ("the Policy").

41 PROPORTIONALITY REVIEW

The Council considered a report following a change in political balance in the Council, in line with the requirements of the Local Government & Housing Act 1989. A revised proportionality table had been circulated following the despatch of the agenda.

On a motion from Councillor Kevin Guy, seconded by Councillor Robin Moss, it was unanimously

RESOLVED

1. To note that Councillor Pritchard has agreed that Councillor Kumar will remain on the Climate Policy Development & Scrutiny Panel as a Conservative member;
2. To further note that, following the departure of Councillor May from the Conservatives, Councillor Pritchard has offered up a place on the Children, Adults, Health & Wellbeing Policy Development & Scrutiny Panel to the Liberal Democrat Group, which has been allocated to Councillor May; and
3. To approve the revised political proportionality table.

42 MOTION FROM THE LABOUR GROUP - LOCAL GOVERNMENT PAY: A FULLY FUNDED, PROPER PAY RISE FOR COUNCIL AND SCHOOL WORKERS

Councillor Moss explained that this motion was put forward some time ago (before the meeting was postponed) and pointed out that paragraphs 8, 9 and 10 refer to the work done by Council officers during the pandemic, for which they should rightly be applauded. He further added that it's also right that they deserve a proper pay increase, especially in the light of rising inflation rates, from a central Government pay settlement. However, the motion in its generality is now no longer relevant due to recent events, so he explained that they were withdrawing the motion from this agenda.

43 MOTION FROM THE LIBERAL DEMOCRAT GROUP - BUS CUTS

On a motion from Councillor Matt McCabe, seconded by Councillor Sarah Warren, it was

RESOLVED that

Council:

1. Notes with dismay the cuts to essential, local bus routes in B&NES, including First bus service numbers 11, 12, 20, 42, and 171, and the timetable and route changes affecting many other local bus services, including the 178.

2. Notes that some mitigations to cuts have been announced, including re-routing some services, the new 379 route, and new operators stepping in on some routes.
3. Notes that the West of England Combined Authority (WECA) is the regional transport authority responsible for planning bus services, in cooperation with local bus operators.
4. Notes B&NES Council's Transport Levy contribution to WECA is £5,194,000 in 2022-23, of which £780,000 is a contribution to supported bus services.
5. Notes that bus operating companies have been affected by falling passenger journeys, rising costs and driver shortages, and notes government financial support to bus companies was recently extended to March 2023.
6. Welcomes the recently announced investment in bus stop facilities and reduced fares on many services. Notes however that reduced fares do not apply to all routes and have led to some popular ticketing options being discontinued and others increasing in price.
7. Notes with disappointment that communication and consultation by the West of England Combined Authority around the future of local bus services with local authorities (who know their local area best) has been inadequate and would welcome clarity in terms to the profitability or loss making of certain routes and the sharing of data to improve the general provision.
8. Believes that a reliable, comprehensive and affordable bus service is essential to all B&NES residents to access shops, services, leisure, employment and education, and to help tackle air pollution, congestion and the Climate Emergency.
9. Believes that bus service cuts will have an enormously negative impact on B&NES communities, particularly affecting rural and disadvantaged communities, residents who have no access to private transport, and anyone trying to reach key sites such as schools and the RUH.
10. Believes that any gap in service provision will drive residents away from public transport permanently.
11. Believes that the whole bus system is fundamentally broken and requires radical reform to make it fit for the future.

Council therefore:

12. Opposes cuts to essential bus services in B&NES.

13. Calls on the WECA Mayor to:

- a. Continue negotiations with bus providers to retain and reinstate as many routes as possible and to prevent a gap in service provision.

- b. Urgently bring forward new and innovative solutions, such as demand-responsive services, to supplement core routes.
- c. Develop a co-ordinated, imaginative, long-term approach to public transport in our area, through bus franchising or equivalent across the West of England area.

14. Calls on the government to:

- a. Overhaul public transport funding models and provide a sustainable, long-term funding deal to provide certainty and stability.
- b. Take action to address the driver shortage with a national effort to recruit and train more drivers and measures to improve retention.
- c. Restore transport authorities' ability to directly intervene in the public transport market and bring bus services back under public control.

15. Asks the Leader to communicate Council's views to the WECA Mayor, government and local MPs.

[Notes:

1. *During debate, an amendment had been moved by Councillor Joanna Wright, seconded by Councillor Robin Moss, to add a bullet point calling on the WECA Mayor to produce a bus network map. A copy of the amendment is attached to the record. This was lost on a vote of 7 Councillors in favour, 33 Councillors voting against and 5 abstentions.*
2. *A further amendment was moved during debate from Councillor Liz Hardman, seconded by Councillor Robin Moss, to provide further detail to the motion. A copy of the amendment is attached to the record. This was lost on a vote of 8 Councillors voting in favour, 36 Councillors voting against and 1 abstention.*
3. *The above successful resolution was carried with 41 Councillors voting in favour and 5 abstentions.]*

44 MOTION FROM CLLR JOANNA WRIGHT - SUPPORT RENEWABLE ENERGY

The motion as set out in the agenda and copied below was moved by Councillor Joanna Wright, and seconded by Councillor Robin Moss;

Council Notes:

1. The arguments for nuclear energy appear to be contentious and therefore decisions to continue to invest in expensive, long term nuclear projects require further scrutiny.
2. New research suggests that the assumption that nuclear energy is necessary to form a baseload of energy provision is no longer valid; neither is it valid to pursue the development of nuclear energy purely on economic grounds.
3. Nuclear energy is not a clean and safe technology and still has the potential to cause considerable harm.
4. The current planning policy that governs renewable energy infrastructure, and onshore wind turbines in particular, needs to be amended to encourage investment in this area.

Council therefore:

1. Calls on the Government to review approvals given for Sizewell C and for investment into nuclear energy in general.
2. Calls on the Government to back investment in renewable energy and provide financing for this.
3. Calls on the government to change the National Planning Policy on Solar Panels and Wind Turbines.
4. Requests that the Leader write to the Secretary of State at the Department of Business, Energy and Industrial Strategy and local MPs to inform them of the council's position.

The eventual decision, on an amendment from Councillor Matt McCabe, seconded by Councillor Vic Pritchard was that;

It was **RESOLVED** to defer this item to the following meeting, in order for recent related developments to be taken into account and incorporated if deemed appropriate. (The aspiration being for this to be a cross party motion).

[Notes;

1. *During debate, a proposed amendment from Councillor Alastair Singleton was moved introducing the subject of fracking and Oil & Gas exploration. A copy of the amendment has been attached to the record. This was challenged by Councillor Wright, under Constitutional rule 3.1.27 and following advice from the Monitoring Officer, the Chair deemed this proposed amendment to be invalid.*
2. *The above successful amendment to defer this item was, following further advice from the Monitoring Officer, deemed to be valid.*
3. *A proposal to move to the vote was moved by Councillor Kevin Guy, seconded by Councillor Vic Pritchard, and carried by a majority of Members standing.*
4. *The successful substantive was carried with 43 Councillors voting in favour, 1 Councillor voting against and 1 Councillor abstaining.]*

45 QUESTIONS, STATEMENTS AND PETITIONS COUNCILLORS

There were no items from Councillors.

The meeting ended at 8.37 pm

Chair

Date Confirmed and Signed

Prepared by Democratic Services

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Bath & North East Somerset Council		
MEETING	Council	
MEETING	17th November 2022	
TITLE:	Equality Improvement Action Plan	
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <ol style="list-style-type: none"> 1. Equality Improvement Action Plan (appendix 1) 2. Summary of Equality groups (appendix 2) 		

1 THE ISSUE:

The Public Sector Equality Duty 2011 requires the Local Authority to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people. The Equality Improvement Action Plan (EIP) sets out how Bath and North East Somerset Council is committed to maintaining a focus on equality, diversity and inclusion.

The EIP was considered on 26th September 2022 by the Policy Development and Scrutiny Panel. Suggested amendments to the EIP format have been implemented.

1 RECOMMENDATION

The Panel is asked to;

1.1 Agree the performance of the Council is measured against the highlighted performance indicators (below).

1.2 Adopt the Equality Improvement Plan as part of Council policy and practice

1.3 Note that Corporate Equality Diversity and Inclusion Steering Group is responsible for ensuring delivery on the EIP.

2 THE REPORT

3.1 The council's bi-annual Corporate Equality, Diversity and Inclusion Steering Group (CEDIS), chaired by the Chief Executive agreed at its first meeting on 3rd November 2020 that the council should measure its equality progress against the [Equality Framework for Local Government](#), setting targets for improvement where needed. An audit was undertaken during Spring 2021 which measured the council's performance and equality activity against the recommendations of the Equality Framework for Local Government. This audit was reviewed at the CEDIS on 24th November 2021, and an improvement plan has now been agreed. The improvement plan gives the council strategic direction in its equality work, and at the same time includes the actions we need to take in order to meet the agreed targets. An annual review will ensure that the Council maintains the required statutory duties (Equality Act 2010, Public Sector Equality Duty 2011).

3.2 The objectives of the EIP are:

- To ensure and enable corporate oversight of equality and diversity issues within B&NES Council.
- To review and develop the Council's equality objectives and, with reference to the Council's Corporate Strategy, to develop an equalities improvement strategy
- To monitor progress against the equalities improvement strategy to ensure that we improve people's lives across all protected characteristics of the Equality Act 2010.
- To ensure a consistent approach to progressing our equality objectives across all service areas of the council.
- To provide a formal mechanism for the staff equality networks and member representatives to provide feedback and challenge

Members of CEDIS	
Name	Job Title
Will Godfrey	Chief Executive (Chair)
Cherry Bennett	Director of People & Policy
Mary Kearney-Knowles	Director of Children's Services and Education/DCS
Chris Wilford	Director of Education & Safeguarding and Deputy DCS
David Trethewey	Director – External Affairs
Rebecca Reynolds	Director of Public Health and Prevention
Tracey Long	Head of Digital & Customer Services
Jackie Vowles	Senior Manager – HR&OD Advisory
Samantha Jones	Inclusive Communities Manager
Rebecca Jones	Deputy Team Leader – Legal Services
Michael Hewitt	Head of Legal and Democratic Services and Monitoring Officer
Juliet Davies	Corporate Equalities & Diversity Officer
Jon Poole	Business Intelligence Officer
Sara Banks	Executive Support Assistant (Disabled Staff Network Chair)
Louise Madden	Project Co-ordinator (LGBT+ Staff Network Chair)
Dan Obi	Service Designer (Ethnic Minority Staff Network Chair)
Cllr Kevin Guy	Leader of the Council, Liberal Democrat Group Leader
Cllr Dine Romero	Children and Young People, Communities and Culture
Cllr Yuktेशwar Kumar	Member advocate for Ethnic Minorities
Cllr Karen Warrington	Chair of Corporate PDS panel, Conservative Party
Cllr Sarah Moore	Member advocate for Accessibility

3.3 The actions in the plan fall into the following four broad themes:

- A. Leadership and organisational commitment to equality and diversity - Lead Officer Will Godfrey
- B. Understanding and working with our communities – Lead Officer Chris Wilford
- C. Responsive services and customer care – Lead Officer Tracey Long
- D. An engaged and diverse workforce – Lead Officer Cherry Bennett

3.3.1 Each theme has a section lead and membership of these groups includes officers with appropriate knowledge and influence to be able to implement the actions they are responsible for. There is representation from a range of services across the organisation including the staff network groups and the corporate equalities officer on each section.

The strategic leadership team have a renewed commitment to prioritise the focus on Equality across the organisation and it is a key performance objective for senior colleagues.

3.3.2 The following points outline some of the highlights of the EIP. Members should be aware that progress against the delivery of the Action Plan has been hindered due to the release dates of the 2021 ONS Census data. (Equalities data was expected in early 2021 and is now scheduled for release in 2023 with no date given). Despite not knowing the specific up to date makeup of the population of B&NES good progress has been made, on other actions for instance:

A Demonstrating leadership and partnership working

- Corporate EDI group (CEDIS) – comprises strategic leaders from across the organisation and leadership is demonstrated by the Chief Executive chairing meetings and leading the work on this theme. Elected members attend.
- A Race Equality Schools task force has been set up and includes partner organisations (SARI, BFESG) schools and council officers. The Race Equality Charter has been introduced and 32 schools in B&NES have signed up and there is an aspiration for this to increase to 100% of schools in B&NES by the end of the academic year in 2023.
<https://beta.bathnes.gov.uk/race-equality-charter-schools>
- Working with other West of England public bodies (local authorities, universities, NHS and blue light) via Partners in Procurement, the team encourage the Council to work with a range of companies and 3rd sector organisations who are committed to equality, diversity and inclusion.

B Training, development and support

- A strategy is in place for induction training, including mandatory equalities training, for elected members from the 2023 intake.

- There are a range of structures in place to enable active and effective two-way communication with our community, including the following equality related groups (appendix 2):
 - ❖ Staff Networks
 - ❖ CEDIS
 - ❖ Independent Equality Advisory Group
 - ❖ B&NES Council Race Panel
 - ❖ Race Equality Hate Crime Task Force
- We have staff network groups for Ethnic Minority, Disabled and LGBT+ staff. All network chairs are actively involved in CEDIS and each section of the EIP. They are working together to improve engagement, provide alternative perspectives and challenge across the organisation.
- Since 2018 – 18 women have completed the Springboard Women’s Development programme and 2 ethnic minority staff have completed the Stepping Up programme. We continue to promote opportunities such as these where appropriate.
- We have a set of 11 videos we are about to launch as part of our employer brand work, highlighting our inclusive and flexible working practices through interviews with a range of staff members.

C Evidence based practice, legislative compliance

- The Council’s Strategic Evidence base has equality considerations incorporated within it and will inform the Health and Wellbeing Strategy, Economic Strategy and new Corporate Strategy.
- The Strategic Procurement Team has ensured that its webpages and intranet guidance (including templates and standard documentation) are up to date with relevant equalities legislation as well as providing regular guidance on any relevant procurement case law.
- We have new corporate Performance Management systems. This will enable quantifiable equality indicators to be captured within Director dashboards for the % of Equality Impact Assessments (EQIA) completed by their services.

D Identified areas for development:

- Understanding the make up of our local population and being responsive to the needs within our communities (census data).
- Using this census data to develop targets to meet our vision to *“Ensure that the workforce is representative of the community and that everyone in the organisation feels a sense of inclusion and belonging”* (working title) and that the vision is embedded in our People Strategy
- Exploring how to assess our ethnicity pay gap, We need to increase the completeness of our employee data, which will help us assess our performance
- Increasing the number and quality of completed and published Equality Impact Assessments (EQIA). Data informs us that there has been a decline on the

completion of EQIA's however there is a drive within CEDIS to rectify this through the following actions:

- ❖ Service managers to identify and capture equality related issues early within the Medium Term Financial Strategy
- ❖ Systematic approach to identifying corporate/cumulative effects of policy development and service changes to ensure we identify where proposals, if implemented, could create disproportionate impact on people with protected characteristics.
- ❖ Develop staff competencies in the completion of EQIA in a thorough and robust way that considers all aspects of equalities and diversity.
- ❖ Updated budget template to include EQIA
- ❖ Service procurement templates have had EQIA added
- ❖ Updated templates accessible via the website
- Developing and engaging new staff networks, 62% of the staff identify as female, plans are in place to gauge interest in establishing a women's career staff network and a carers staff network.
A menopause group is established and provides peer support both as a group and to individuals through regular meetings and a confidential Yammer group.

3 STATUTORY CONSIDERATIONS

3.1 The Council has statutory obligations re: The Equality Act 2010 and the Public Sector Equality Duty 2011

4 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

4.1 As stated in the report

5 RISK MANAGEMENT

5.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

6 EQUALITIES

6.1 As stated in the report

Contact person	Juliet Davies Juliet_Davies@Bathnes.gov.uk
Background papers	n/a
Please contact the report author if you need to access this report in an alternative format	

B&NES Council Equality Improvement Plan

November 2022

Introduction

The council's Corporate Equality, Diversity and Inclusion Steering Group (CEDIS) has agreed that the council should measure its equality progress against the Equality Framework for Local Government, setting targets for improvement where needed. An audit was undertaken during Spring 2021 which measured the council's current performance and equality activity against the recommendations of the Equality Framework for Local Government. This audit was reviewed at the CEDIS on 24th November 2021, and an improvement plan has been agreed. The improvement plan gives the Council strategic direction in its equality work, and at the same time includes the actions we need to take in order to meet the agreed targets. An annual review will ensure that the council maintains the required statutory duties (Equality Act 2010; Public Sector Equality Duty 2011).

The Improvement plan also incorporates specific race equality issues and actions (highlighted in blue) that the council has committed to. Also included are the actions set out in our Gender Pay gap report (highlighted in green). Thus, this plan brings all our equality related work into one document.

Background

The Equality Action plan is set out in four sections, each representing one of the four equality objectives we have set for the Council. The Council is committed to the following objectives:

1. Showing leadership and organisational commitment to equality
2. Understanding and working with our communities
3. Providing responsive services and customer care
4. Employing a diverse and engaged Workforce

Leadership and organisational commitment to equality and diversity

Our aspirations

- Our political and executive leaders demonstrate personal knowledge and understanding of local communities and show commitment to reducing inequality
- There is a coherent, shared vision of equality for the B&NES area, with clear priorities which have been agreed and understood by all key stakeholders, including the voluntary and community sector.
- Equality analysis/ impact assessment is integrated systematically into planning and decision making across the council
- Specific and measurable equality objectives have been integrated into our key strategies and plans and action is being taken to achieve them. Outcomes are measured and monitored regularly by senior leaders.
- The setting and monitoring of equality objectives is subject to challenge, including through any organisational bodies or groups and the political Policy Development and Scrutiny (PDS) process

Lead Officer for the section: Will Godfrey, B&NES Council Chief Executive

What can the Council already evidence?	What are the gaps/what needs to be done?	By when	Responsible officer	RAG	RAG update
Structures in place: Corporate EDI group (CEDIS) – comprises senior Leaders from across the organisation – and chaired by Chief Executive shows clear senior buy in. Elected members also attend.	Increase diversity of membership of the Corporate Equality Diversity and Inclusion Steering Group.		Equalities Team	G	
	Consider and address training needs of the group - Inclusive Leadership Training has been arranged to be delivered by The Diversity Trust for CEDIS members. Review potential ongoing training needs	Nov 2022 & Ongoing	CEDIS Equalities Team/CB	A	
Plans in place: Equality Objectives and Equality Improvement Plan have been developed	The Equality Improvement Plan has been agreed at CEDIS; Identified CEDIS group members have taken responsibility for defined areas of the plan; Regular updates and progress reports to be given to CEDIS group.	November 2022	CEDIS Group	G	

	The Equality Improvement Plan to be shared across the organisation and public through publication on the website		CEDIS Group	G	
The Corporate Strategy has equality considerations incorporated within it and was presented to IEAG.	Review the Council's main organisational plans and strategies to integrate with Equality Improvement Plan (Strategic Evidence base to be refreshed with new population statistics with Census data, reliant on office for national statistics release date during 2023)	2023	Business Intelligence/ Equalities Team	A	
<p>Key leaders appointed for equalities: We have Director sponsors of worker groups (Cherry Bennett is the lead for Domestic abuse). We have a lead member for equalities (Dine Romero, who also attends CEDIS), and a new elected Member role specialising in access issues</p>	Invite Member advocate for access to the CEDIS group and Lead Member for equalities to the Diversity Trust Training	Nov 2022	Equalities Team	G	
<p>We communicate about equality: We maintain a positive narrative around equality – key equality events are highlighted to staff and members of the public (e.g. Black History Month, LGBTQ+ History month, International Women's Day etc.)</p>	Review equality calendar to ensure all Protected Characteristics are covered in the events we highlight and promote (with reference to Communication teams calendar).	Ongoing	Equalities Team	A	
We have made use of FAQ pages used as myth busting on public interest projects	Share more celebrating success stories internally and externally about the work that has been done. Share messages of support when key events happen locally, nationally or internationally (Queen's death, Black History Month 2022)	Ongoing	Chief Executive/Leader/ Equalities Team	A	
<p>We look for equalities impacts: Equality Impact Assessments are carried out using the council's own template. The Report Template now ensures officers make reference to the EQIA and complete one if proportionate.</p>					

<p>An EIA appendix is always included within the council's budget reports, and this aims to capture cumulative impacts</p>	<p>Set timetable for Equality Team to be included at the early stages of service planning and budget setting so equality analysis is an integral part of decision making not just a final check. EQIA template for budgets is available All budget plans must now include a completed EQIA.</p>		<p>Equalities Team Finance Team</p>	<p>A</p>	
<p>We make sure members and officers are trained: LT/MT Group had an opportunity to attend AR training. Training on equalities available for all staff. Members have been encouraged to complete LGA online equalities training. Political group reps attended AR staff training.</p>	<p>A strategy is in place for induction training, including mandatory equalities training, for elected members from the 2023 intake</p>	<p>April 2023</p>	<p>Democratic Services Equalities Team</p>	<p>G</p>	
<p>We scrutinise our work: Policy Development and Scrutiny - PDS panels have received equality reports and briefings (e.g. on Budget Scrutiny from an equality perspective)</p>	<p>Present the Equality Improvement Plan to the Corporate PDS panel and thereafter make annual reports on progress. (Section Leads to report to PDS)</p>	<p>Sept 2022 & Ongoing</p>	<p>Democratic Services Equalities Team</p>	<p>G</p>	
<p>Corporate PDS panel receives the equality appendix in relation to budget setting annually.</p>	<p>Schedule in full Council Equalities update, (Reporting back on BLM, Race Panel, CEDIS, Improvement Plan, Training, Disability Access, Refugee Resettlement)</p>	<p>Nov 2022</p>	<p>Democratic Services Equalities Team</p>	<p>A</p>	

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Understanding and working with our communities

Our aspirations:

- *Information about the local communities and their protected characteristics is being gathered and shared across the organisation and with partners*
- *Data is disaggregated and analysed to support the assessment of local need, impacts of changes to services and priorities*
- *Engagement mechanisms and structures are in place to involve equality stakeholders and scrutinise service delivery, decision making and progress.*
- *The organisation engages with all its communities when making decisions, including those with protected characteristics*
- *The organisation and its partners understand and monitor relations between different communities, and plan and deliver activities that foster good relations*
- *Local people are encouraged to participate in public life or in other activities where they are under-represented.*

Lead Officer for the section: Christopher Wilford, Director of Education and Safeguarding

What can the Council already evidence?	What are the gaps/what needs to be done?	By when	By whom	RAG	
<p>We collect and share information: The Council has published its Strategic Evidence Base (SEB) for Bath and North East Somerset. This fulfils the statutory duty to undertake a joint strategic needs assessment of local health and care needs.</p>	<p>The SEB is published and will be iterated as new intelligence is made available</p>	Ongoing	Business Insight/ Research and Intel Team	A	
<p>The Council has Memorandums of Understanding in place between statutory partners (and others) regarding data sharing protocols.</p>	<p>Equality related data/data related to protected characteristics is largely based upon the last Census (2011) and is therefore quite out of date. Detailed demographic during 2023 and updates to the SEB will be released following that.</p>	2023	Business Intelligence Team	A	
<p>We analyse and use data: The Council uses evidence-based commissioning practices (see Service delivery section 3.) and we use information and data to</p>	<p>We need to review and revise our EQIA template and guidance to emphasise the importance of referring to data and new legislation</p>	Ongoing	Equalities Team	A	

inform our priorities/service design					
Our report template for decision making now triggers officers to engage with the Equality Impact Assessment process e.g. mapping gaps	The use of EQIAs provides essential equalities evidence required at the commencement of effective commissioning and procurement practices. CEDIS review practice as a regular agenda item.	Ongoing	CEDIS members	A	
We have engagement mechanisms and structures in place	We have ensured that new Community Engagement Guidance that accompanies the Community Engagement Charter has equality issues and considerations embedded within in	complete	Communities Team/ Equalities Team	G	
Giving people a bigger say' is one of our corporate priorities and we have a dedicated Communities Team that supports community engagement.					
Our Community Engagement Charter (approved in Feb 2020) is part of the Corporate Strategy (thus reviewed every 4 years). New guidance has been developed in relation to community consultation.	Guides are available for staff on the intranet and a training programme is currently being developed https://intranet.bathnes.gov.uk/our-community-engagement-framework-%E2%80%93-stakeholder-mapping	complete	Communities Team	G	
Our EQIA process contains a section relating to consultation.	We need to improve our feedback. Our new Community Engagement Guidance include recommendations on how to feed back after consultations, and where to post results. To review at next CEDIS meeting (Nov 22)	Under development	Corporate Comms Team Communities Team	A	
We actively encourage people from protected groups to take part in consultations and decision making	We need to incorporate guidelines on how to engage with seldom heard groups/those with protected characteristics within the forthcoming Community Engagement Guidance.		Communities Team	A	
We carry out specialist engagement where needed (e.g. Accessibility Study, Bath City Centre Security proposals 2021)	We have engaged consultants and gained advise on how we capture the views of seldom heard groups in B&NES. Information on methodologies used will be sought.				
Equalities Forums help scrutinise our	We need to review the terms of reference for the	Nov 22	Equalities	A	

work/service plans (appendix 2)	groups		Team	
We have an Equality Groups page on website for groups to consult with.	To be reviewed and update	Oct 22	Equalities Team	A
We use a range of different consultation methods and formats for consultation (e.g. paper surveys, online, stakeholder meetings)	We need a more consistent approach to the consultation methods we use. Some use E-consult, Mail Chimp, Survey monkey etc. New guidance on Community Consultation to include recommended consultation methodologies. Training is being developed through a range of formats	Nov 22	Communities Team/Highways and Traffic/Equalities Team	A
We are tackling racism and fostering good community relations: A Race Equality Schools task force has been set up and includes partners organisations (SARI, BFESG) schools and council officers	Key issues arising from the Race Equality Schools Task Force to be shared with CEDIS and actions incorporated into this improvement plan.	Ongoing	Director of Education	G
	Race Equality School Task Force is looking at the disproportionate school exclusions.	Ongoing	Director of Education	A
We have set up a Race Panel made up of members of the local Community, Chaired by Cabinet Member, Councillor Dine Romero	The group has carried out a number of work streams to address racism in schools. The Race Charter is active. https://beta.bathnes.gov.uk/race-equality-charter-schools The race panel has been working on a number of projects including raising awareness of Bath's links to the International Slave Trade. Race Panel progress to be shared with CEDIS and actions incorporated into this improvement plan.	Ongoing	Member for Equalities	G
We work in partnership with Ethnic Minority led/focused organisations.	Continue to work in partnership (e.g on projects related to Black History Month; Webinars	Ongoing	Equalities Team	G

	relating to Bath's history; Films relating to BLM). The Ethnic Minority Staff Network are leading on celebrating 'Success Stories' of Black people who live in, work in or visit B&NES (Oct 22)				
We have a Strategic Partnership Against Hate Crime with Police, SARI, CURO etc. This group receives data on incidents, which is analysed and acted upon.	Summary reports on hate crime to be taken to the CEDIS group	Ongoing	Community Safety	G	
We monitor and provide support to schools in respect of Serious Equality Incidents.	Continue to encourage schools to engage with local services e.g. SARI, SPACE LGBTQ+ Youth group.	Ongoing	Equalities Team	G	
We involve local people, including underrepresented groups, in opportunities for public participation.	We will encourage participation of a wide cross section of adults and young people in panels that will replace the Area Forums.	Ongoing	Communities Team	G	
We have Policy Development Scrutiny panels, and PDS Enquiry days.					
Responding to the recommendations in the Avon and Somerset Identifying Disproportionality report	The report has been widely disseminated locally and the YOS Management Board is overseeing the local response. Some of the issues are being followed up by the task and finish group on permanent exclusions, led by the Black Families Education Support Group and we have raised the need for ethnicity recording to be based on the 18+1 categories across all our systems. We await further guidance from the Avon and Somerset Criminal Justice Board about the introduction of a group to oversee the youth recommendations. Overall, the response is being led Chief Constable.	Ongoing	YOS Management Board	G	
The recently established Race Panel is providing a way for community members to engage with us in respect of race equality issues.	A Twitter account will be set up for the Race Panel and a member of the group will receive social media training	TBC	Race Panel Comms Team		

<p>Throughout the pandemic we have developed ways of engaging through Webinars, and have managed to reach many protected groups in this way. (e.g. Young people's experience of covid; Black Lives Matter; Holocaust Memorial Day; LGBT History tour of Bath)</p>	<p>We need to continue with the webinar approach post pandemic, as well as face to face engagement.</p>	<p>Ongoing</p>	<p>All</p>	<p>A</p>	
<p>For Elected Members we have a Parental leave policy and a dependent/carers element of the allowance scheme</p>	<p>We need to support political groups to undertake outreach to increase diversity of candidates particularly in relation to ethnicity in the run up to the next election in 2023 (liaising with Electoral Services and Legal Services).</p>	<p>Jan 23</p>	<p>Democratic Services/ Equalities Team</p>	<p>R</p>	

1. Responsive services and customer care

Our Aspirations:

- *Mechanisms are in place to ensure that equality standards are embedded throughout the procurement cycle*
- *Equality objectives are integrated into service plans across the organisation, with progress towards them performance managed by key decision makers*
- *There is evidence that services are meeting the needs of a diverse community, and that take up of services is representative of the wider community*

Lead Officer for this section: Tracey Long, Head of Customer Access & Improvement

What can the Council already evidence?	What are the gaps/what needs to be done?	By when	By whom	RAG	
<p>We look for equalities impacts in our service development and delivery: EQIA's are carried out using the council's own template and we can evidence some very thorough EQIAs that capture issues & mitigations</p>	RE-publicise 1-1 support with EQIA available from the Equality Officer (consider resources and strategy to support this objective at CEDIS)	Nov 22	Equalities Team	A	
EQIAs are all signed off by Heads of service, so there is some engagement with issues relating to service accessibility and appropriateness.	Review the EIA template to increase the focus on customer focused contact management, encourage services to use and analyse data (e.g. in respect of service demand and which channels customers are using to access).	Jan 2022	Equalities Team	A	
<p>We're embedding equality considerations in our procurement Our procurement processes incorporate all legal requirements in respect of equalities legislation, and all 'above threshold' procurement exercises incorporate equality considerations.</p>	Review intranet pages and templates to ensure we take all opportunities to promote equality in our procurement work.	Complete	Equalities Team	G	

<p>Templates are compliant – e.g. the Selection Questionnaire – asks about tribunal cases, and asks to see equality policy</p> <p>We have taken part in an initiative aimed at getting more Ethnic Minority businesses into the SME supply chain</p>	<p>Ensure intranet pages have been updated with relevant equalities information and guidance. Ensure intranet pages link to the council's Equality Impact Assessment pages/advice on EQIAs from the equalities team, and also to the JSNA pages.</p>	Complete	Procurement manager/ team	G	
<p>Equality objectives are integrated into service plans across the council</p> <p>Through our new Corporate Business Planning timeline and new Service Planning Templates we have the opportunity to embed equalities in our service planning processes. This will help us measure the extent that services are meeting the needs of a diverse community, and that take up of services is representative of the wider community</p>	<p>Equality analysis/impact assessment to be built into the corporate service planning template (and guidance notes will refer to the Equalities Team for advice and guidance). New template currently being developed (August – Sept 2022)</p>	Nov 22	Corporate Governance/ Equalities Team	A	
<p>We have to balance our budget – Our Medium-Term Financial Strategy (MTFS) drives the service planning process. This shows how we will do this, maximising income, and reviewing other areas to make savings. The annual MTFS is subject to equality analysis</p>	<p>Ensure managers identify and capture equality issues early on in the process, and the earlier involvement of Equalities Team in carrying out equality analysis of the budget as a whole.</p>	Jan 23	Corporate Governance/ Equalities Team	R	
<p>We have new Performance Management coming in. The most important thing will be to ensure there are equality indicators within Directors dashboards</p>	<p>Directors to include equality related performance indicators within the new Integrated Reporting Framework (Power BI dashboard). This will include quantifiable indicators (% of services who have completed an EQIA).</p> <p>CEDIS – to play monitoring role</p>	TBC	CEDIS Corporate Governance/ Equalities Team	A	

<p>Council services are meeting the needs of our diverse community, and take up of services is representative of the wider community</p> <p>The Director of Business Change & Customer Services, reporting to the Chief Operating Officer will oversee a new Customer Contact Strategy and consistent Standards of customer handling for the council as a whole, bringing us together in a cohesive and consistent approach to customer service, with the core aim of Improving People's Live</p> <p>Staff in customer facing roles will access training on a regular basis and on initial contact users will be asked if they have any accessible needs</p> <p>We have developed monitoring guidelines of categories to use to monitor customer handling. Service Delivery standards may still vary due to legislative and policy regulations but standards for customer handling will be consistent.</p> <p>There are some good practice examples of where we have made important changes in redesigning our services (e.g. Children's</p>	<p>Equalities Team are feeding into the new strategy and standards to ensure equality issues are embedded.</p> <p>CEDIS to play a role in monitoring equality related access/appropriateness of services.</p>	Sept 22	Customer Services/Business Change Hub Equalities Team	A	
	<p>Intranet pages to be updated as well as the website to advise staff of the support available for access needs (translation, accessible formats, language, cultural differences, experiences of public services, access and use of digital resources etc)</p>	Dec 22	Corporate governance/ IT Digital Team/ Equalities Team	R	
	<p>Accessible formats training has been developed and will be delivered to Council staff following a pilot session and any required adaptations/amendments</p>	Oct 22	IT Digital Team/Equalities Team	A	
	<p>Customer service standards have been defined and a plan is being developed for implementation,</p>	Sept 23	Customer Services/Business Change Hub/IT Digital Team	A	
	<p>Ensure equality issues are managed when Agile Service Interventions are being carried out by the service redesign team with services to improve</p>	Oct 22 & Ongoing	Business Change Hub	A	

<p>services 'front door review' reviewing the referral mechanism.</p>	<p>customer focused and efficient service delivery by ensuring EQIA's are in place as standard when opportunities are agreed for progression</p>				
<p>We are developing our website development to focus more on the needs of the customer.</p>	<p>The website will continue to be developed ensuring it is accessible, easy to navigate and complies with relevant legislation. When newer emerging technologies are explored, and online forms developed equalities impacts will always be considered</p>	<p>Ongoing</p>	<p>It Digital Team</p>	<p>A</p>	

SECTION Four: Diverse and Engaged Workforce

Our aspirations:

- *We demonstrate movement towards greater diversity in our workforce profile compared with previous years, including increasing levels of previously under-represented groups at all levels of the organisation*
- *Our workforce strategies and policies include equality considerations and objectives*
- *We monitor, analyse and publish employment data in accordance with our statutory duties*
- *We provide a range of accessible learning and development opportunities to support councillors and officers in achieving equality objectives and outcomes*
- *We promote the health and well-being of staff*

Lead Officer for this section: Cherry Bennett, Director People and Policy

What can the Council already evidence?	What are the gaps/what needs to be done?	By when	By whom	RAG
<p>We have taken some steps towards increasing the diversity of our workforce</p> <p>Our workforce profile is published on the council's website here Data from the past 4 years shows that we have increased diversity slightly in relation to ethnicity, but our figures for disability remain at 3%</p>	<p>We will examine our current workforce profile data and set targets (Why, how- what will this tell us, how will this make a difference, represent the profile of the community) that are appropriate for our local area, in order to increase diversity where needed. (Census 2021 equalities data not published until 2023)</p>	2023	HR/Equalities Team/CEDIS	A
<p>We are trying to increase diversity in management: Stepping Up Programme – we are offering Ethnic Minority members of staff the opportunity to attend leadership training.</p>	<p>We have missing ethnicity data (20% unknown and additional 2% prefer not to say); sexual orientation data (17% unknown and additional 28% prefer not to say) and disability status (18% unknown and 7% prefer not to say). We need to continue to encourage staff to update their details on Itrent, giving them the confidence to disclose this information where they have</p>	Dec 22	Managers and staff Supported by HR and staff networks	A

<p>Since 2018 – 18 women have completed the Springboard Women’s Development programme and 2 ethnic minority staff have completed the Stepping Up programme. We continue to promote opportunities such as these where appropriate.</p>	<p>indicated that they prefer not to say.</p>				
<p>HR People Strategy 2019-23 states that “we want to promote and enhance diversity across the organisation” and includes specific areas of work. 11 staff videos are due to be launched in Sept 2022 promoting our inclusive and flexible working arrangements.</p>	<p>In process of being developed for Sept 22 - Development + Staff Network Group (for staff who identify as female) and a Carers Staff Network Group.</p>	<p>Sept 22</p>	<p>HR/OD and Equalities team</p>	<p>G</p>	
<p>Our Strategic Leadership Team is comprised of 2 males and 3 females. Our wider Corporate Management Team (all Directors) is comprised of 6 males and 7 females.</p>	<p>The People Strategy will be refreshed in 2023 in line with the Corporate Strategy refresh and will include a stronger and more detailed workforce inclusion section. Our vision is to “Ensure that the workforce is representative of the community and that everyone in the organisation feels a sense of inclusion and belonging”</p>	<p>Dec 23</p>	<p>Director Of People and Policy</p>	<p>A</p>	
<p>Our policies and strategies are inclusive</p> <p>Reasonable Adjustment process and panel; Disability Leave Policy. Flexible working Policies for those with caring responsibilities We are a Disability Confident Employer Foster Friendly Employer Recruitment Resolution Policy</p>	<p>As above, we will set profile targets to ensure that all levels of council management are diverse and representative.</p>	<p>April 23 & Ongoing</p>	<p>Director of People & Policy</p>	<p>A</p>	
<p>As set out above, our HR People Strategy 2019-23 states that “we want to promote and enhance diversity across the organisation” and includes specific areas of work (e.g., Worker group</p>	<p>Undertake a comprehensive review of our existing Equality Impact Assessment for our main Employment related Policies and Procedures to ensure they are inclusive and that we have assessed the equality impact of our policies</p>	<p>Nov 22</p>	<p>HR&OD/ Equalities Team/Staff Network Chairs</p>	<p>A</p>	
	<p>We need to review our People Strategy to include additional equality related actions that are highlighted as necessary in this audit or in any Equality Impact Assessments we undertake.</p>	<p>Ongoing</p>	<p>HR/Equalities Team/ Director of People and Policy</p>	<p>G</p>	

refresh; 'Development Plus for Women'	Planned review 2023				
We review harassment and bullying claims, grievances etc at our 6 weekly casework meeting. This enables us to check if there are problems for staff in particular departments.	Regular reports on equalities aspects of casework (including bullying/harassment) made to CEDIS group	Nov 22 & Ongoing	HR&OD/ Director of People and Policy	G	
We analyse and publish workforce data Employee data on workforce profile, leavers, grievances and disciplinaries is published here annually	We need to analyse the data we have available to see if there are any trends (e.g. Less likely to shortlist Ethnic Minorities etc). Put on CEDIS agenda	Ongoing	HR/CEDIS/ Business Intel	A	
We have started to explore how we might assess our race pay gap	We need to increase the completeness of our employee data, which will help us assess our performance (e.g. more complete ethnicity data will help us better assess our race pay gap). Regular comms out to all staff began in Sept 2022	Ongoing	HR/CEDIS/ Equalities Team	A	
We are taking action to address our Gender Pay Gap Our Gender Pay Gap compares very favourably to other local authorities and is reducing. In 2019 the mean average hourly rate of pay of female employees across the council was £14.74 while the average hourly rate of men was £15.10. It means that over the past year the mean gender pay gap has reduced from 96 pence to 36 pence. See our Gender Pay Gap Report - March 2020	Put Gender Pay Gap report on CEDIS group agenda	Complete	HR	G	
	Ensure payments are appropriately paid (so there are fewer ex gratia payments and therefore a reduction in bonus payments and increasing accuracy of hourly rate data)	Complete	HR	G	

Arrange further Job Evaluation training	Complete	HR	G	
Continue with the piece of work to identify gaps in data.	Dec 2022	HR	A	
Improve our reporting capability to have data to enable some detailed analysis on the gender balance within the employee lifecycle e.g. re. interest in posts, shortlisted candidates, successful appointed candidates	Dec 2022	HR	A	
Identify key areas of underrepresentation and further action	Complete	HR	G	
Continue to embed unconscious bias training in our own practice and corporate training recruitment programmes	Sept 2022 & ongoing	HR	G	
Support the development of women: Support a further cohort of the Springboard Development Plus programme for women, (2 B&NES employees signed up for the April 2022 cohort and finished in July 2022)	Ongoing	HR	G	
Support the Stepping Up programme. Programme details for 2022 have been released and we are promoting to ethnic minority staff now	Ongoing	HR	G	
Support training and apprenticeships that support women's development into senior roles:	Ongoing	HR	G	
Continue with workforce monitoring analysis in relation to change programmes	Ongoing	HR	G	
Continue to promote flexible working – particularly within Managers @MyBest essential managers package and as part of the wider Preparing for the Future programme	Ongoing	HR	G	
Review Staff Engagement survey results to	Published	HR	G	

	understand barriers to flexible working				
	Introduce Blended Working Charter as part of Preparing for the Future and new ways of working post-Covid		HR	G	
We train our staff and elected members so they are knowledgeable and skilled in respect of equality issues and working with diverse communities		Sept 22	OD/IT/ Equalities Team	A	
Equalities training is available to staff via the @MyBest training Offer, and is also a part of corporate induction course. We use a wide variety of methods including standard courses, e-learning, 1-1 coaching	Conduct an overarching equalities audit of @my best training offer to ensure equality issues are integrated (in terms of content, materials, methods). Under review with new online EDI training provider being explored. In-person training now available for customer facing roles. Accessible training has been developed and will be piloted in Sept 22				
An Anti-racist/equalities course run by the Equality Academy was rolled out to MT/LT group in 2020-21.	CEDIS members who did not attend the anti-racism course will be invited to attend 'Equalities for Team and Service' delivered by the Equality Academy as part of the Corporate Training Programme. Inclusive Leadership Training through Diversity Trust is booked for Oct 22, this includes unconscious bias, and how to create new habits.		CEDIS	G	
In children's services, we are exploring 'mentoring that offers different perspectives for personal growth'	Explore how reverse mentoring could be rolled out across other parts of the Council. Suggest that we seek nominations from the workforce and leaders and invite to have a conversation	Oct 22	Director of Children's Services & Education/ EM Staff Network Chair	A	
Councillors to complete an online LGA course. R& S course includes equalities scenarios; Customer First, customer service course makes	Review recruitment and selection course materials. Review R&S course and R&S guidance – to ensure equality considerations are embedded within it	Oct 22 & Ongoing	HR	A	

reference to equalities.	Explore how we can adapt the PDC templates to include specific equality references and objectives, e.g. <i>'I am confident that I can deliver services in a way that meets the needs of our diverse community'</i>				
	Publicise a summary of our local community profile to staff following release of Census 21 data		Research & Business Intel	R	
	Include within next Staff Survey Qs relating to understanding of equality objectives and delivering services to diverse customers		HR/ Research & Business Intel	R	
Undertake smaller staff engagement pulse surveys to measure and explore levels of staff engagement and feedback about specific issues	Smaller staff poll – for example a small survey in September to understand how the cost of living crisis is affecting staff	Sept 22	HR/ Research & Business Intel	R	
<p>We support the health and wellbeing of our staff</p> <p>See this comprehensive range of support here: which addresses a range of issues including MH; Employee Assistance Programme; Health Champions; Staff Groups and more</p> <p>We have a range of Wellbeing training on the Learning Zone. We have made the 'MH at Work Commitment'; We have supported 'Time to Change' since 2017. We have Wellness Action Plans and resources for managers to use.</p> <p>We have Staff Network Groups for Disabled, LGBT+ & Ethnic Minority</p>	Focus groups/world café/marginalisation of staff Please add comments and info – Lived experiences of staff – focus groups for policy/practice development (staff networks)	Jan 23	Staff network Chairs	G	
		Ongoing	HR/Staff Engagement	G	
	All staff networks chairs are invited to CEDIS group and contribute to all discussions as well as having a slot for updates. Gauge interest in a woman's career network group and carers group.		Staff Network chairs	G	
Menopause staff support group established and a development of a managers training package (40 females attended <i>Menopause Awareness</i> session, 24 managers attended Managers		Ongoing	HR/Staff Engagement	A	

session (4 males) 19 male employees attended <i>Men: Let's talk menopause</i> June 2021. There is an active closed group on Yammer that offers ongoing peer support.					
We have a 'Reasonable Adjustment Process' and Panel in place ensuring consistency (see 4.2).	We need to regularly remind managers and staff of the RAP panel and process.	Ongoing	HR	A	
H & B Incidents are not included in our annual Employee Data Reports as this would compromise anonymity. However, the CEDIS group can be given an overview to highlight the numbers of equality related H&B cases	Include H&B incident reporting on the CEDIS Group forward agenda.	Bi-annual	HR	A	

B&NES equality groups reporting to CEDIS

Staff Network Groups

Our staff groups help to:

- Improve working life
- Identify common workplace issues for the council to address
- Provide a forum to share ideas and best practice
- Provide information about opportunities for personal development

We believe that engaging with and supporting staff will help to progress our work in ensuring equality for all. We encourage staff to participate.

LGBT+

The LGBTQ+ staff network provides a space and a collective voice for LGBTQ+ staff.

The network is a forum to share experiences, offering peer support and networking as well as promoting a safe, inclusive and diverse workplace, where every member of staff gets fair and equal treatment.

As a collective voice for LGBTQ+ staff, we engage with the Council and our partners, giving consultation feedback and contributing to the development of fair and inclusive policies, procedures, and practices.

Ethnic Minority

The group has been established to provide a forum for Ethnic Minority staff to share expertise, experience and discuss issues relevant to staff within Bath & NE Somerset Council.

We want to develop a framework around diversity that will embrace the richness of cultures both within our organisation and in our client groups.

We will help all who work for Bath & NE Somerset Council to improve their understanding of issues that affect ethnic minorities.

Disabled

The disabled Workers Network provides a safe space and a collective voice for Disabled Staff

The network allows disabled staff to share their experiences which in turn helps B&NES create a working environment which embraces disabilities of all kinds.

As the voice of disabled staff the network is often called upon as a consultee on major decisions.

Corporate Equality, Diversity & Inclusion Steering Group

The Council wants to capture and co-ordinate our actions in respect of equality and have a mechanism to ensure that the good practice being developed in some sections of the council is shared across other departments. It has set up this 'corporate oversight' group for equalities to help us with this and ensure that we develop and monitor future equalities related targets and actions across the Council. The group meets biannually is chaired by Will Godfrey, Chief Executive.

Independent Equality Advisory Group

Equalities governance and scrutiny in the council is currently undertaken via the council's Independent Equalities Advisory Group (IEAG). IEAG is supported and facilitated by the Equalities Team, and membership includes Council officers, health colleagues and voluntary/community sector organisations with equalities focus (e.g. SARI; Black Families Education Support Group). IEAG meets three times per year and its remit is to act as a 'critical friend' to the council, helping to review the council's equality related actions and assessing the equality impacts of council proposals. The chairs of the Ethnic Minority, LGBT+ and Disabled staff networks are invited to IEAG meetings. This group is chaired by the Corporate Equalities Officer

B&NES Council Race Panel

The B&NES Race Panel aims to address systemic inequality, racism and discrimination which disadvantage the people of Bath and North East Somerset because of their culture, ethnicity or race. The purpose of the panel is to:

- advise and challenge B&NES public sector bodies on their work to tackle systemic inequality, racism and prevent discrimination
- increase the visibility of issues relating to race, and to recommend solutions

The panel is made up of individuals who have volunteered to represent the B&NES communities. The way that race intersects with other personal characteristics will also be an important part of the panel's work. This group is chaired by Cllr Dine Romero

Race Equality Hate Crime Task Force

Aims & Objectives of the partnership:

- Ensure persistent challenge against institutional racism in B&NES schools
- Support B&NES schools to achieve race equality in all areas including representation, outcomes for pupils and dealing effectively with racist incidents and discrimination
- Support B&NES schools to achieve best practice policies, procedures and response to hate crime

This group is chaired by Chris Wilford, Director of Education and Safeguarding

Bath & North East Somerset Council	
MEETING:	Council
MEETING DATE:	17 November 2022
TITLE:	Approval of revised Terms of Reference for the Health and Wellbeing Board
WARD:	All
AN OPEN PUBLIC ITEM	
List of attachments to this report:	
Revised Terms of Reference for the Health and Wellbeing Board	

1 THE ISSUE

- 1.1 The Terms of Reference of the B&NES Health and Wellbeing Board have been updated in light of changes in legislation and in the wider integrated health and social care context.

2 RECOMMENDATION

The Council is asked to;

- 2.1 Note the proposed changes to the Health and Wellbeing Board's Terms of Reference, which include changes to the Board's vision and membership in particular.
- 2.2 Note the addition of the Bristol, Swindon and Wiltshire Integrated Care Board to its membership, as part of the statutory requirements of the 2022 Health and Care Act.
- 2.3 Approve the updated Terms of Reference for the B&NES Health and Wellbeing Board.

3 THE REPORT

- 3.1 Health and Wellbeing Boards were established under the Health and Social Care Act 2012 for every upper tier local authority to build strong and effective partnerships and have a set of functions and a core membership. The statutory requirements of the Board are outlined in the attached Terms of Reference.

3.2 Core statutory membership includes the following:

- (1) At least one councillor of the upper tier local authority nominated by the Leader of the council
- (2) The director of adult social services for the upper tier local authority
- (3) The director of children's services for the upper tier local authority
- (4) The director of public health for the upper tier local authority
- (5) A representative of the Local Healthwatch organisation for the area of the local authority
- (6) A representative of each relevant Integrated Care Board

3.3 The Health and Care Act (2022) amends the Health and Social Care Act (2012) replacing the representative of the Clinical Commissioning Group with a representative from the Integrated Care Board (ICB). The Act also details other requirements relating to the ICB's Joint Forward Plan and strategy documents which will require the Integrated Care Board to engage with the Health and Wellbeing Board formally. This relationship is set out in the revised Terms of Reference.

3.4 In advance of the creation of the new B&NES, Swindon and Wiltshire Integrated Care Board on 1st July 2022, the B&NES Health and Wellbeing Board embarked on a development programme with the Local Government Association to clarify its leadership roles and responsibilities within the context of wider system changes.

3.5 Three key issues were identified by the HWB during this process:

- (1) The need for the Board to develop a vision, strategy and compelling narrative for Health and Wellbeing in B&NES
- (2) Greater clarity on the role and purpose of the HWB in the context of the new integrated health & care landscape
- (3) How the HWB should operate to ensure it maximises its potential and the contribution on all partners.

3.6 In response, the Health and Wellbeing Board has taken the following action:

- (1) The Terms of Reference have been updated to include the new vision, new statutory requirements, the role of the Board in being concerned with the broad range of factors that influence health and wellbeing, and its relationship to the wider integrated health and care landscape.
- (2) Work has begun on updating the Joint Health and Wellbeing Strategy through a wide engagement process with stakeholders and local communities. The updated strategy should be available by end January 2023.
- (3) A new vision for the Board and strategy has been developed and agreed, that reflect the purpose and scope of the Board, is aligned with the vision of the Integrated Care Alliance, and which included a focus on addressing inequalities.
- (4) Work is ongoing to address issue (3) in section 3.5.

4 STATUTORY CONSIDERATIONS

4.1 The statutory considerations are set out in section 3 of this report.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 The direct resource implications have been the time and capacity of Health and Wellbeing Board members.

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

7 EQUALITIES

7.1 One of the functions of the Health and Wellbeing Board is to improve health and reduce inequalities. The plans, programmes and activities that different partnership boards will develop and implement in fulfilment of the Board's Health and Wellbeing Strategy would be expected to complete EIAs as appropriate.

8 CLIMATE CHANGE

8.1 The work of the Health and Wellbeing Board aims to have a positive impact on the current climate position.

9 OTHER OPTIONS CONSIDERED

9.1 None. Not updating the Terms of Reference is not an option in light of the abolition of Clinical Commissioning Groups and the establishment of Integrated Care Boards.

10 CONSULTATION

10.1 This report has been considered by the relevant Council officers.

Contact person	Becky Reynolds, Director of Public Health and Prevention Rebecca_reynolds@bathnes.gov.uk
Background papers	Updated Terms of Reference
Please contact the report author if you need to access this report in an alternative format	

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Bath and North East Somerset Health and Wellbeing Board – Terms of Reference and Procedure (draft 02/11/2022)

TERMS OF REFERENCE

1. Background

- 1.1 Health and Wellbeing Boards were required to be established in all local authorities under the Health and Social Care Act 2012 as a key mechanism for driving joined up working at a local level.
- 1.2 Health and Wellbeing Boards are committees of the local authority.
- 1.3 The legislative framework for Health and Wellbeing Boards is within the Health and Social Care Act 2012 and the Health and Care Act 2022.

2. Vision

- 2.1 Together we will address inequalities in Bath and North East Somerset so people have the best start in life, live well and age well in caring, compassionate communities, and in places that make it easier to live physically and emotionally healthy lives
- 2.2 BaNES local authority works with local partners, in partnership with Swindon and Wiltshire as part of the Integrated Care System and with other local authority partners in the West of England Combined Authority to ensure that those services that are shared across a wider population meet the requirements.

3 Functions

- 3.1 The Board must undertake the following statutory functions:
 - Prepare and publish a Joint Health and Wellbeing Strategy (JHWS) for B&NES, setting the vision for desired population level outcomes, strategic direction and high-level priorities for system partners to operationalise, to meet needs identified in the Joint Strategic Needs Assessment (JSNA), referred to locally as the Strategic Evidence Base.
 - Prepare and publish a JSNA (Joint Strategic Evidence Base) of current and future health, care and wellbeing needs of the population and ensure this informs the B&NES JHWS and the B&NES, Swindon and Wiltshire (BSW) Integrated Care Strategy.
 - Encourage integrated working between health and social care commissioners, and the use of the Health and Care Act 2022 and the NHS Act 2006 flexibilities to increase joint commissioning, pooled and aligned budgets (where appropriate), to support the effective delivery of the JHWS.

- Encourage closer working in planning, commissioning and delivery of services to improve the health and wellbeing of the population of B&NES and reduce health inequalities.
- Prepare and publish a Pharmaceutical Needs Assessment for pharmaceutical services in B&NES.
- Receive and respond to the draft/revised joint forward plan of the BSW Integrated Care Board.
- Be the accountable partnership for the Better Care Fund.

3.2 Achieving the vision and fulfilment of the statutory functions will be supported by the following actions. The Board will:

- Be visible and influential, championing the improvement of health and wellbeing and reduction in inequalities as important strategic issues. It will influence organisations and partnerships both within and external to the B&NES locality and wider Integrated Care System in reflecting this in their operational and commissioning plans.
- Develop strong links with and influence developments in wider services that impact on health and wellbeing including planning, transport, housing, environment, economic development, education and community safety in order to address the wider determinants of health, wellbeing and inequalities, and ensure a focus on mental well-being in conjunction with good physical health.
- Ask partners to show how they embed and deliver meaningful action against the priorities in the Health and Wellbeing Strategy.
- Periodically refresh the Health and Wellbeing Strategy in line with evidence from the Joint Strategic Evidence Base.
- Monitor progress of implementation of the Health and Wellbeing Strategy, and ensure action is taken to improve outcomes when monitoring or performance indicators show that plans are not working.
- Ensure there are effective and sufficient mechanisms and resource to communicate, engage on and co-produce Health and Wellbeing Strategy priorities with local people and stakeholders, working closely with the Third Sector.
- Consider the Integrated Care Partnership's Integrated Care Strategy when preparing or revising its Health and Wellbeing Strategy; and be active participants in the development of the Integrated Care Strategy.
- Consider whether the ICB's joint forward plan (previously the CCG's commissioning plan) has given due regard to the Health and Wellbeing Strategy.
- Strengthen its attention on community resilience and on identifying and building on community assets.
- Work closely with the B&NES Healthwatch and Third Sector partners to ensure appropriate engagement, involvement and feedback with residents, patients and service users.

- Encourage partners to consider sufficient resourcing, both fiscal and human, of the prevention and inequality agendas.
 - Seek to secure collaboration in the system to reduce duplication and make best use of available resources.
 - Receive a copy of the ICB's joint capital resource plan outlining planned capital resource use, so to help align local priorities and provide consistency with strategic aims and plans.
 - Provide strategic oversight and direction to ensure that the approaches adopted for health and wellbeing services are aligned with the aspirations of local partners to operate in a sustainable manner and to address the climate emergency.
 - Produce an annual report presented to Cabinet/full Council outlining achievements of the Board in respect of the improvement of health and wellbeing, a reduction of health inequalities for the population of B&NES and influencing Council priorities on the wider determinants of health.
- 2.3 Responsibility for the scrutiny of health and wellbeing will continue to lie with the Council's Policy Development and Scrutiny Panels.

3. Scope

- 3.1 The Board's scope shall be set out within the Joint Health and Wellbeing Strategy.
- 3.2 The Health and Wellbeing Board may consider services beyond health and social care enabling the Board to look more broadly at factors affecting the health and wellbeing of the B&NES population.

4. Accountability

- 4.1 Those stakeholders with statutory responsibilities will retain responsibility for meeting their individual duties and responsibilities.
- 4.3 The Board will establish on-going and short lived sub-groups as needed that will report to it. Subgroups established will reflect the priorities of the Health and Wellbeing Board such as children and young people, JSNA, updating the Health and Wellbeing Strategy etc.
- 4.4 Accountability for safeguarding lies with the B&NES Community Safety and Safeguarding Partnership (BCSSP)

PROCEDURE

5. Membership

- 5.1.1 The Membership of the Board is:
- B&NES Council x 7 (Cabinet Member for Adult Services, Cabinet Member for Children's Services, Chief Executive, Director of Adult Social Care,

Director – Children and Young People, Director of Public Health, Director of Sustainable Communities)

- B&NES Swindon and Wiltshire Integrated Care Board x 2 (ICB Place Director, nominated ICB Executive Officer)
- Healthwatch B&NES x 1
- Avon and Somerset Police x 1
- Avon Fire and Rescue x 1
- Housing provider representative x 1
- Higher and further education representative x 3
- Health and social care provider and Third Sector representatives x 5 (acute care, community care, primary care, mental health service, and voluntary, community and social enterprise sector)
- NHS England x 1

5.2 The Board will be chaired by a Cabinet Member nominated by the Leader of the Council and supported by a Vice Chair agreed by the Board.

5.2.1 The Council will provide secretariat support to the Chairperson in setting dates for meetings, preparing agendas, and minuting meetings

5.3 In the event of a vote on a substantive matter, the quorum for the meeting will be:

- 3 members of the Council
- 1 member of the Integrated Care Board
- 1 member of Healthwatch B&NES
- 1 health and social care provider or Third Sector representative
- 1 member from either of Avon and Somerset Police or Avon Fire and Rescue
- 1 member from either Higher and Further Education or Housing

5.4 Board members may nominate a named substitute from an appropriate member of their organisation or service.

6. Wider engagement

6.1 By working together the Health and Wellbeing Board will proactively embed good public and patient engagement within the day-to-day business of the Board through adhering to the following principles:

- Taking responsibility for good public engagement
- Clarity about purpose
- Harnessing a range of engagement methods
- Engaging with everyone

- Committed to cultural change
- Providing access to information
- In partnership with Healthwatch B&NES and 3SG
- Feeding back engagement results
- Evaluating engagement

6.2 The Board will seek to engage all stakeholders (including key health and social care providers) on the JHWS and commissioning plans.

6.2 The Council's policy development and scrutiny function offers an opportunity for broader engagement on key issues.

6.3 It is intended that one representative of each Political Group on the council, not currently represented on the board, be invited to formal Board meetings in an observer capacity.

7. *Business management*

7.1 The Board is a statutory committee of the Council and will be treated as if it were a committee appointed by the Council under section 102 of the Local Government Act 1972.

7.2 The Board will act in accordance with the Council's committee procedures.

7.3 Formal Board meetings shall be held in public. The Board may resolve to hold closed sessions in accordance with the Access to Information rules.

7.4 The Board will develop a work programme framed by the HWS which will guide its work.

7.5 The Board will meet at least 5 times per year in public as a minimum, with the flexibility for development sessions and agenda planning meetings held in private.

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Bath & North East Somerset Council	
MEETING	Council
MEETING DATE:	17th November 2022
TITLE:	Treasury Management Performance Report to 30th September 2022
WARD:	All
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report:</p> <p>Appendix 1 – Performance Against Prudential Indicators Appendix 2 – The Council’s Investment Position at 30th September 2022 Appendix 3 – Average monthly rate of return for 1st 6 months of 2022/23 Appendix 4 – The Council’s External Borrowing Position at 30th September 2022 Appendix 5 – Arlingclose’s Economic & Market Review Q2 of 2022/23 Appendix 6 – Interest & Capital Financing Budget Monitoring 2022/23 Appendix 7 – Summary Guide to Credit Ratings Appendix 8 – Extract from Treasury Management Risk Register</p>	

1 THE ISSUE

- 1.1 Treasury risk management at the Authority is conducted within the framework of the Chartered Institute of Public Finance and Accountancy’s Treasury Management in the Public Services: Code of Practice 2017 Edition (the CIPFA Code), which requires the Council to approve a Treasury Management Strategy before the start of each financial year, review performance during the year, and approve an annual report after the end of each financial year.
- 1.2 This report gives details of performance against the Council’s Treasury Management Strategy for 2022/23 for the first six months of 2022/23.

2 RECOMMENDATION

The Council agrees that;

- 2.1 The Treasury Management Report to 30th September 2022, prepared in accordance with the CIPFA Treasury Code of Practice, is noted.
- 2.2 The Treasury Management Indicators to 30th September 2022 are noted.

3 THE REPORT

Summary

- 3.1 The estimated average rate of investment return for the first six months of 2022/23 is 1.32%, which is 0.05% above the benchmark rate which has averaged 1.27% over the period.
- 3.2 The Council's Prudential Indicators for 2022/23 were agreed by Council in February 2022 and performance against the key indicators is shown in **Appendix 1**. All indicators are within target levels.
- 3.3 The Council's revenue budget for interest & capital financing costs for 2022/23 is currently forecast £950k under budget, due to higher than budgeted investment income and a delay to borrowing requirements and associated interest costs. This is due to both the increase in interest rates since the budget was set, along with the continuing high levels of cash balances currently held following the advance payment of grants and the profiling of capital expenditure. The breakdown of the 2022/23 revenue budget for interest and capital financing, and the forecast year end position is included in **Appendix 6**.

Summary of Returns

- 3.4 The Council's investment position as at 30th September 2022 is given in **Appendix 2**, along with the previous quarter's position for comparison. The balance of deposits as at 30th September 2022, compared to those of the previous four quarters, are also set out in the charts in this appendix.
- 3.5 Gross estimated interest earned on investments totalled £580k. **Appendix 3** details the investment performance, showing the average rate of interest earned over this period was 1.32%, which was 0.05% above the benchmark rate of average 7 day SONIA (1.27%). This excess is mainly due to the £5m investment held in the CCLA Local Authority Property Fund and £5m invested in ESG focussed funds, which are long term strategic investment earning a higher estimated rate of interest of 4.20%, based on the first six months of 2022/23. The prior year comparators are also included in this appendix.
- 3.6 Following the discontinuation of published 7 Day LIBID rates, from 2022/23 onwards the Council is benchmarking its investments rates to the average 7 Day SONIA (Sterling Overnight Index Average) rate as an alternative. This is being used as the comparative benchmark as SONIA can be seen as the average interest rate at which a selection of financial institutions lend to one another with a maturity of 1 day (overnight), therefore reflecting the callable nature of the majority of the Council's short-term investments.

Summary of Borrowings

- 3.7 The Council's external borrowing as at 30th September 2022 totalled £217.3 million and is detailed in **Appendix 4**. Due to the levels of cash balances currently held by the Council, there has not been any new borrowing taken out during the quarter. A summary of the current movement in borrowing during 2022/23 is shown in the following table:

2022/23 Borrowing Portfolio Movements	£m
2022/23 Opening Balance	218.287
New Loans Taken	0.000
Loans Repaid	0.000
PWLB Annuity Loan principal repayments	(0.947)
2022/23 Revised Balance	217.340

3.8 The Council's Capital Financing Requirement (CFR) as at 31st March 2022 was £328.2 million. This represents the Council's underlying need to borrow to finance capital expenditure, and demonstrates that the borrowing taken to date relates to funding historical capital spend.

3.9 The difference between the CFR and the current borrowing of £217.3 million represents re-investment of the internal balances including reserves, reducing the in-year borrowing costs in excess of the potential investment returns.

3.10 Following Local Government Reorganisation in 1996, Avon County Council's residual debt is administered by Bristol City Council. All successor Unitary Authorities make an annual contribution to principal and interest repayment, for which there is a provision in the Council's revenue budget. The amount of residual debt outstanding as at 31st March 2022 apportioned to Bath & North East Somerset Council is £10.5m. Since this borrowing is managed by an external body and treated in the Council's Statement of Accounts as a deferred liability, it is not included in the borrowing figures referred to in paragraph 3.7.

Strategic & Tactical Decisions

As shown in the charts in **Appendix 2**, the investment portfolio of £64.4 million as at 30th September 2022 is diversified across Money Market Funds, Local Authorities, Strategic funds and in highly rated UK & Foreign Banks. The Council uses AAA rated Money Market funds to maintain short term liquidity.

3.11 The Council does not hold any direct investments with banks in countries within the Eurozone reflecting both on the underlying debt issues in some Eurozone countries and the low levels of interest rates.

3.12 The Council's investment portfolio as at 30th September 2022 includes a total of £10m invested longer term, including £5m in ESG focussed funds and £5m in a property fund, as listed below:

- £5m CCLA Local Authorities Property Fund.
- £3m FP Foresight UK Infrastructure Income Fund.
- £2m VT Gravis Clean Energy Income Fund.

3.13 The Council's average investment return for the first six months for short-term investments is currently 0.95%, which is 0.70% above the budgeted level of 0.25%. The estimated average return for the first six months on the £10m long-term strategic investments is estimated to be 4.2%, slightly above the budgeted rate of 3.5%. The combined average return on all investments is 1.32%. The current forecast is for an overachievement of interest income from investments of £450k due to the Council's

cash balances being higher than was forecast when the budget was set, as well as recent increases in interest rates.

Investment Type	Average YTD Investment Return
Short Term Investments Total	0.95%
Long Term Strategic Investments (Estimated)*:	
CCLA Local Authorities Property Fund	3.5%
FP Foresight UK Infrastructure Income Fund	5.2%
VT Gravis Clean Energy Income Fund	4.4%
Long Term Strategic Investments Total (Est.)	4.2%
Overall Total (Estimated)	1.32%

* The investment returns on the Long Term Strategic Investments are currently estimates based on the previous quarter. The actual return for the second quarter is not available until it's been declared a month after the quarter has finished.

Future Strategic & Tactical Issues

- 3.14 The Council's Treasury Management Advisor's economic and market review for the second quarter of 2022/23 is included in **Appendix 5**.
- 3.15 Over the April-September period PWLB rates rose dramatically, particular in late September after the Chancellor's 'mini-budget', included unfunded tax cuts and additional borrowing to fund consumer energy price subsidies. Exceptional volatility threatened financial stability, requiring Bank of England intervention in the gilt market. Over a twenty-four-hour period some PWLB rates increased to 6%, before the intervention had the desired effect, bringing rates back down by over 1% for certain maturities. A truly unprecedented period in fixed income markets, with a direct impact on PWLB rates.
- 3.16 Interest rates rose by over 2% during the period in both the long and short term. As an indication the 5-year maturity certainty rate rose from 2.30% on 1st April to 5.09% on 30th September; over the same period the 30-year maturity certainty rate rose from 2.63% to 4.68%
- 3.17 The benefits of the Council's current policy of internal borrowing will continue to be monitored against forecast movements in borrowing rates and the Council's cash position. Any future borrowing decisions, should they be required during the remainder of the year, will be discussed with our treasury advisors in terms of duration and timing given the current volatility in the gilt market and PWLB interest rates.
- 3.18 A review of the capital programme is being undertaken by the Council's Capital Strategy Group to assess potential for pausing, re-phasing or holding projects that are reliant on borrowing, to mitigate potential future revenue pressure if borrowing interest rates remain at their current elevated levels.

Budget Implications

- 3.19 The breakdown of the 2022/23 revenue budget for interest and capital financing, and the forecast year end position based on the period April to September 2022, is included in **Appendix 6**. An overall underspend of £0.950m is currently forecast due to higher than budgeted investment income and a delay in borrowing. This is due to

both the increase in interest rates since the budget was set, along with the temporary high levels of cash balances currently held following the advance payment of grants and the profiling of capital expenditure.

4 STATUTORY CONSIDERATIONS

4.1 This report is for information only.

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 The financial implications are contained within the body of the report.

6 RISK MANAGEMENT

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

6.2 The Council's lending & borrowing list is regularly reviewed during the financial year and credit ratings are monitored throughout the year. All lending/borrowing transactions are within approved limits and with approved institutions. Investment and borrowing advice is provided by our Treasury Management consultants, Arlingclose.

6.3 The CIPFA Treasury Management in the Public Services: Code of Practice requires the Council nominate a committee to be responsible for ensuring effective scrutiny of the Treasury Management Strategy and policies. The Corporate Audit Committee carries out this scrutiny.

6.4 In addition, the Council maintain a risk register for Treasury Management activities, which is regularly reviewed and updated where applicable during the year. An extract from the risk register, detailing how the top 5 risks are managed, is included as **Appendix 8**.

7 EQUALITIES

7.1 As this report contains performance information for noting only, an Equality Impact Assessment is not considered necessary.

8 CLIMATE CHANGE

8.1 The Council will continue to avoid any direct treasury management investments in fossil fuel related companies and will engage with its advisors to explore and assess the potential for any future investment opportunities in funds with a Renewable Energy & Sustainability focus as these products continue to be developed by the market in response to the Climate & Nature Emergency agenda.

8.2 An ESG section is included the Treasury Management Strategy document for 2022/23, with the treasury team monitoring investment options permitted under the new guidelines.

8.3 The Council holds £5m in longer term investments, split across two ESG focussed Strategic Funds, as detailed under 3.13.

9 OTHER OPTIONS CONSIDERED

9.1 None

10 CONSULTATION

10.1 Consultation has been carried out with the Cabinet Member for Resources, Chief Finance Officer and Monitoring Officer.

Contact person	<i>Gary Adams - 01225 47 7107; Jamie Whittard - 01225 47 7213</i> Gary_Adams@BATHNES.GOV.UK : Jamie_Whittard@BATHNES.GOV.UK
Background papers	<i>2022/23 Treasury Management & Investment Strategy</i>
Please contact the report author if you need to access this report in an alternative format	

APPENDIX 1

Performance against Treasury Management Indicators agreed in Treasury Management Strategy Statement

1. Treasury Borrowing limits

These limits include current commitments and proposals in the budget report for capital expenditure, plus additional headroom over & above the operational limit for unusual cash movements.

The Authorised limits for external debt include current commitments and proposals in the budget report for capital expenditure, plus additional headroom over and above the operational limit for unusual cash movements.

The Operational boundary for external debt is based on the same estimates as the authorised limit but without the additional headroom for unusual cash movements. This level also factors in the proposed approach to use internal cash-flow and future capital receipts as the preferred financing method for the capital programme.

	2022/23 Prudential Indicator	Actual as at 30 th Sept. 2022
Operational boundary – borrowing	£435m	£217.3m
Operational boundary – other long-term liabilities	£4m	£0m
Operational boundary – TOTAL	£439m	£217.3m
Authorised limit – borrowing	£464m	£217.3m
Authorised limit – other long-term liabilities	£4m	£0m
Authorised limit – TOTAL	£468m	£217.3m

2. Security: Average Credit Rating*

The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. A summary guide to credit ratings is set out at **Appendix 7**.

	2022/23 Prudential Indicator	Actual as at 30 th Sept. 2022
	Rating	Rating
Minimum Portfolio Average Credit Rating	A-	AA+

* The calculation excludes the strategic investment in the CCLA Local Authority Property Fund and ESG focussed Investment Funds, which are unrated.

3. Liquidity

The Authority has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing.

Liquidity risk indicator	2022/23 Prudential Indicator	Minimum During Quarter	Date of minimum
Minimum total Cash Available within 3 months	£15m	£52.2m	28-Sep-22

4. Interest rate exposures

This indicator is set to control the Council's exposure to interest rate risk. The upper limit represents the maximum one-year revenue impact of a 1% rise or fall in interest rates.

	2022/23 Prudential Indicator	Actual as at 30 th Sept. 2022
Upper limit on one-year revenue impact of a 1% rise in interest rates	+/- £1m	£0.469m
Upper limit on one-year revenue impact of a 1% fall in interest rates	+/- £1m	£0.469m

The impact of this limit is that the Council should never be holding a maturity adjusted net debt / investment position on variable rates of more than £100m.

The impact of a change in interest rates is calculated on the assumption that maturing loans and investments will be replaced at new market rates, which includes amounts which are maturing each year in PWLB annuity loans.

5. Maturity Structure of borrowing

This indicator is set to control the Council's exposure to refinancing risk.

	Upper Limit	Lower Limit	Actual as at 30 th Sept. 2022
	%	%	%
Under 12 months	50	Nil	2.3
12 months and within 24 months	50	Nil	0
24 months and within 5 years	75	Nil	0
5 years and within 10 years	75	Nil	6.9
10 years and within 25 years	100	25	49.7
Over 25 years	100		41.1

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date that the lender can demand repayment. For LOBO's, this is shown at the date of maturity.

6. Upper limit for total principal sums invested for over 364 days

The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end will be:

Price risk indicator	2022/23 Prudential Indicator	Actual as at 30 th Sept. 2022
Limit on principal invested beyond 31 st March 2023	£50m	£10m*
Limit on principal invested beyond 31 st March 2024	£20m	£10m*
Limit on principal invested beyond 31 st March 2025	£10m	£10m*

*The Council includes the CCLA LA Property Fund & two long term ESG focussed Investment Funds against this indicator as they are both held as Long Term Strategic Investments.

APPENDIX 2

The Council's Investment position at 30th September 2022

The term of investments is as follows:

Term Remaining	Balance at 30 th Sept. 2022	Comparator Balance at 30 th June 2022
	£m	£m
Notice (instant access funds)	39.4	57.6
Up to 1 month	5.0	5.0
1 month to 3 months	10.0	5.0
3 months to 6 months	0	5.0
6 months to 12 months	0	0
Strategic Funds	10.0	10.0
Total	64.4	82.6

The investment figure is made up as follows:

	Balance at 30 th Sept. 2022	Comparator Balance at 30 th June 2022
	£m	£m
B&NES Council	61.5	79.9
Schools	2.9	2.7
Total	64.4	82.6

The Council had a total average net positive balance of £87.4m during the period April 2022 to September 2022.

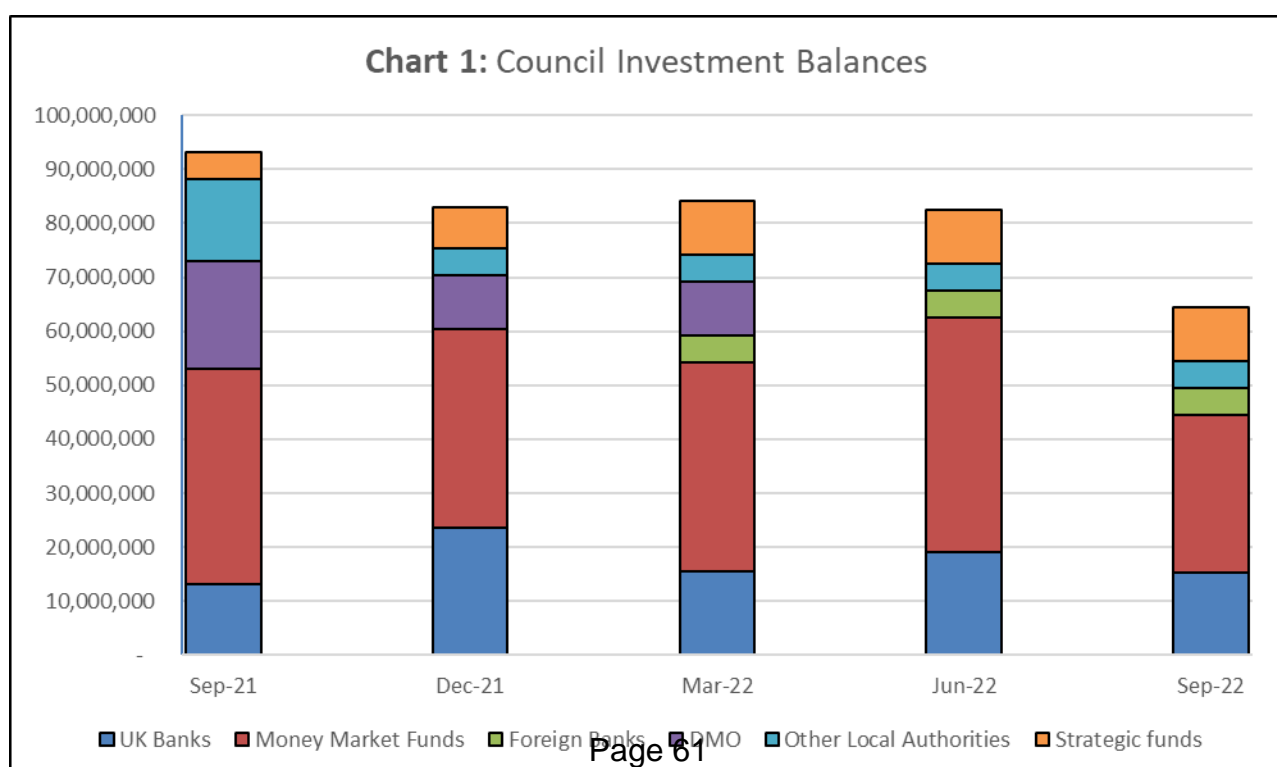
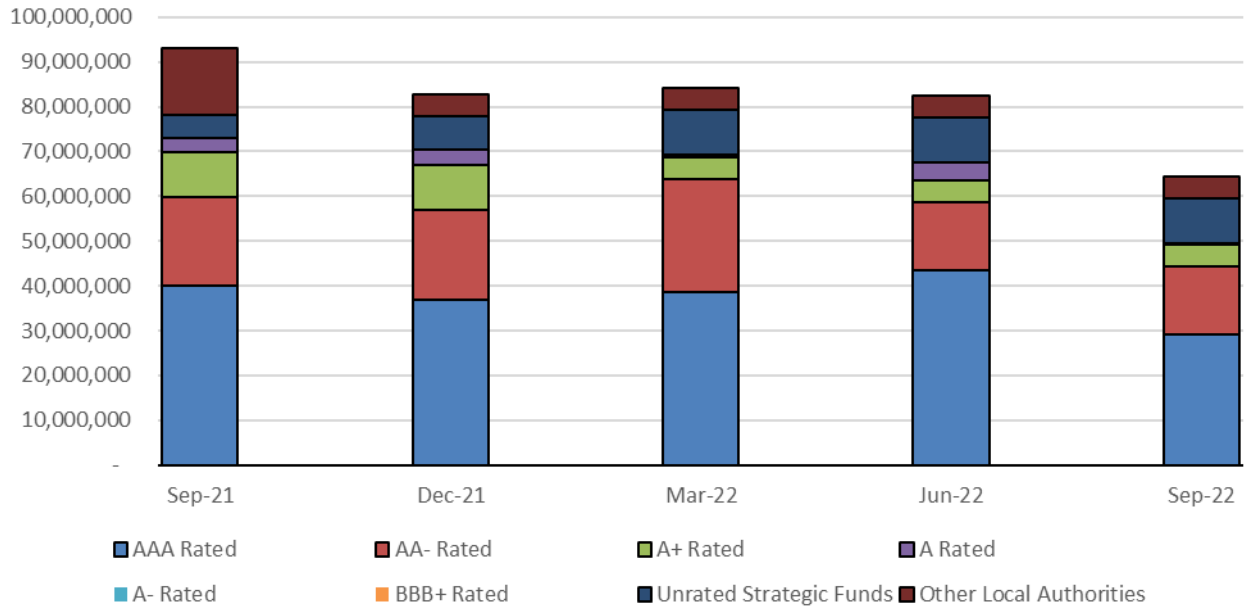


Chart 2: Council Investments Per Lowest Equivalent Long Term Credit Rating



APPENDIX 3

Average rate of return on investments for 2022/23

	Average rate of interest earned	Benchmark = Average 7 Day SONIA rate	Performance against Benchmark
April 2022*	0.90%	0.67%	+0.23%
May 2022*	1.11%	0.94%	+0.18%
June 2022*	1.21%	1.13%	+0.08%
July 2022#	1.34%	1.21%	+0.13%
August 2022#	1.63%	1.67%	-0.04%
September 2022#	1.85%	2.00%	-0.15%
Average#	1.32%	1.27%	+0.05%

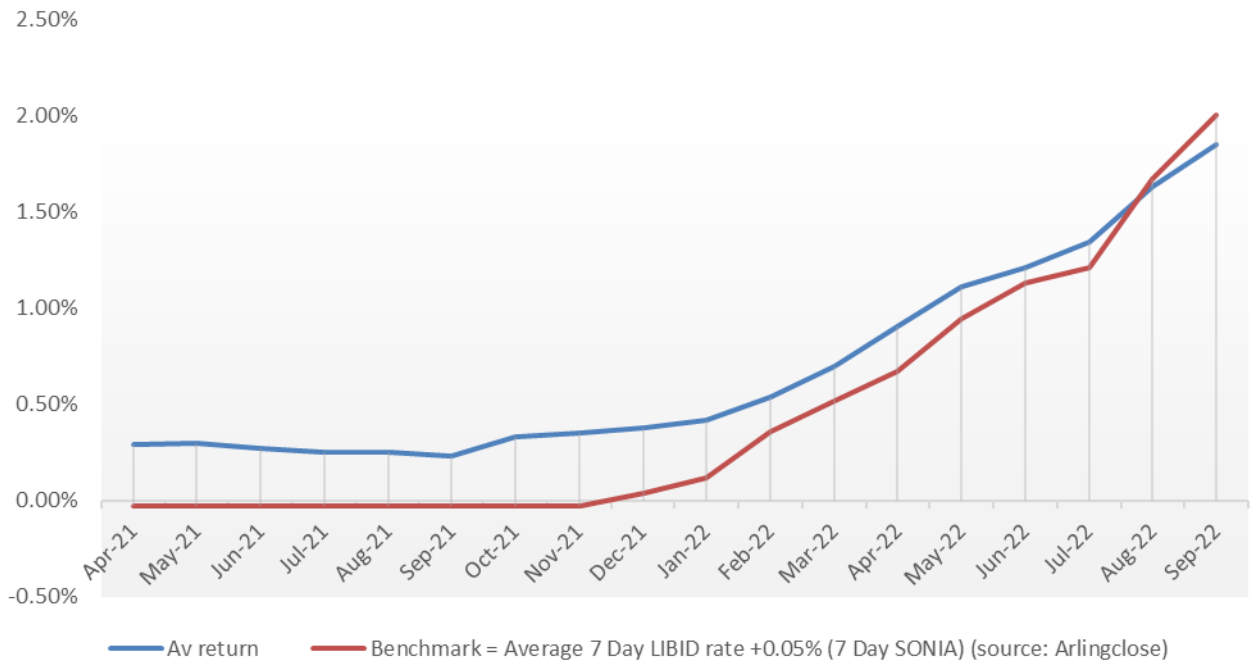
* Updated from Q1 Report to reflect ACTUAL Strategic Investment returns (these were included as estimates in Q1 report, due to timing of report dispatch)

Includes **estimates** for Q2 Strategic Investments returns – actuals will not be known until after dispatch so will be updated in Q3 report.

For Comparison, the average rate of return on investments for 2021/22 was as follows:

	Average rate of interest earned	Benchmark = Average 7 Day LIBID rate +0.05% (7 Day SONIA – 0.08%)	Performance against Benchmark %
April 2021	0.29%	-0.03%	+0.32%
May 2021	0.30%	-0.03%	+0.33%
June 2021	0.27%	-0.03%	+0.30%
July 2021	0.25%	-0.03%	+0.28%
August 2021	0.25%	-0.03%	+0.28%
September 2021	0.23%	-0.03%	+0.27%
October 2021	0.33%	-0.03%	+0.36%
November 2021	0.35%	-0.03%	+0.38%
December 2021	0.38%	0.04%	+0.34%
January 2022	0.42%	0.12%	+0.30%
February 2022	0.54%	0.36%	+0.18%
March 2022	0.70%	0.52%	+0.18%
Average	0.36%	0.06%	+0.30%

Average Return on Investments 2021/22 & 2022/23 compared to Benchmark



APPENDIX 4

Council's External Borrowing at 30th September 2022

Lender	Amount outstanding @ 30th June 2022	Change in Quarter	Amount outstanding @ 30th Sept. 2022	Start date	End date	Interest rate
	£	£	£			
Long term						
PWLB489142	10,000,000	-	10,000,000	15/10/2004	15/10/2034	4.75%
PWLB497233	5,000,000	-	5,000,000	12/05/2010	15/08/2035	4.55%
PWLB497234	5,000,000	-	5,000,000	12/05/2010	15/02/2060	4.53%
PWLB498834	5,000,000	-	5,000,000	05/08/2011	15/02/2031	4.86%
PWLB498835	10,000,000	-	10,000,000	05/08/2011	15/08/2029	4.80%
PWLB498836	15,000,000	-	15,000,000	05/08/2011	15/02/2061	4.96%
PWLB503684	5,300,000	-	5,300,000	29/01/2015	08/04/2034	2.62%
PWLB503685	5,000,000	-	5,000,000	29/01/2015	08/10/2064	2.92%
PWLB505122	16,210,402	-	16,210,402	20/06/2016	20/06/2041	2.36%
PWLB508126	8,769,505	-	8,769,505	06/12/2018	20/06/2043	2.38%
PWLB508202	9,586,307	-	9,586,307	12/12/2018	20/06/2068	2.59%
PWLB508224	4,375,462	-	4,375,462	13/12/2018	20/06/2043	2.25%
PWLB505744	8,196,276	(191,874)	8,004,402	24/02/2017	15/08/2039	2.28%
PWLB505966	8,422,529	(167,716)	8,254,813	04/04/2017	15/02/2042	2.26%
PWLB506052	7,157,675	(142,677)	7,014,998	08/05/2017	15/02/2042	2.25%
PWLB506255	6,638,222	-	6,638,222	10/08/2017	10/04/2067	2.64%
PWLB506729	8,602,616	-	8,602,616	13/12/2017	10/10/2042	2.35%
PWLB506995	8,629,260	-	8,629,260	06/03/2018	10/10/2042	2.52%
PWLB506996	8,949,910	-	8,949,910	06/03/2018	10/10/2047	2.62%
PWLB507749	8,934,808	(159,624)	8,775,184	10/09/2018	20/07/2043	2.42%
PWLB508485	19,364,192	(110,690)	19,253,502	11/02/2019	20/07/2068	2.52%
PWLB509840	9,149,528	(173,683)	8,975,845	04/09/2019	20/07/2044	1.40%
KBC Bank N.V *	5,000,000	-	5,000,000	08/10/2004	08/10/2054	4.50%
KBC Bank N.V *	5,000,000	-	5,000,000	08/10/2004	08/10/2054	4.50%
Commerzbank AG Frankfurt*	10,000,000	-	10,000,000	27/04/2005	27/04/2055	4.50%
Medium term						
Portsmouth C.C.	5,000,000	-	5,000,000	19/12/2019	19/12/2022	1.65%
Total Borrowing	218,286,693	(946,265)	217,340,428			

*All LOBO's (Lender Option / Borrower Option) have reached the end of their fixed interest period and have reverted to the variable rate of 4.50%. The lender has the option to change the interest rate at 6 monthly intervals. Should the lender use the option to change the rate, then at this point the borrower has the option to repay the loan without penalty.

The "Change in Quarter" movement on some of the PWLB loans reflects that these loans have an annuity repayment profile, so repayments of principal are made on a 6 monthly basis throughout the life of the loans.

APPENDIX 5: Arlingclose Economic & Market Review

Economic background: The ongoing conflict in Ukraine has continued to put pressure on global inflation and the economic outlook for UK and world growth remains weak. The UK political situation towards the end of the period following the 'fiscal event' increased uncertainty further.

The economic backdrop during the April to September period continued to be characterised by high oil, gas and commodity prices, ongoing high inflation and its impact on consumers' cost of living, no imminent end in sight to the Russia-Ukraine hostilities and its associated impact on the supply chain, and China's zero-Covid policy.

Central Bank rhetoric and action remained robust. The Bank of England, Federal Reserve and the European Central Bank all pushed up interest rates over the period and committed to fighting inflation, even when the consequences were in all likelihood recessions in those regions.

UK inflation remained extremely high. Annual headline CPI hit 10.1% in July, the highest rate for 40 years, before falling modestly to 9.9% in August. RPI registered 12.3% in both July and August. The energy regulator, Ofgem, increased the energy price cap by 54% in April, while a further increase in the cap from October, which would have seen households with average energy consumption pay over £3,500 per annum, was dampened by the UK government stepping in to provide around £150 billion of support to limit bills to £2,500 annually until 2024.

The labour market remained tight through the period but there was some evidence of easing demand and falling supply. The unemployment rate 3m/year for April fell to 3.8% and declined further to 3.6% in July. Although now back below pre-pandemic levels, the recent decline was driven by an increase in inactivity rather than demand for labour. Pay growth in July was 5.5% for total pay (including bonuses) and 5.2% for regular pay. Once adjusted for inflation, however, growth in total pay was -2.6% and -2.8% for regular pay.

With disposable income squeezed and higher energy bills still to come, consumer confidence fell to a record low of -44 in August, down -41 in the previous month. Quarterly GDP fell -0.1% in the April-June quarter driven by a decline in services output, but slightly better than the 0.3% fall expected by the Bank of England.

The Bank of England increased the official Bank Rate to 2.25% over the period. From 0.75% in March, the Monetary Policy Committee (MPC) pushed through rises of 0.25% in each of the following two MPC meetings, before hiking by 0.50% in August and again in September. August's rise was voted by a majority of 8-1, with one MPC member preferring a more modest rise of 0.25%. The September vote was 5-4, with five votes for an 0.5% increase, three for an 0.75% increase and one for an 0.25% increase. The Committee noted that domestic inflationary pressures are expected to remain strong and so given ongoing strong rhetoric around tackling inflation further Bank Rate rises should be expected.

On 23rd September the UK government, following a change of leadership, announced a raft of measures in a 'mini budget', loosening fiscal policy with a view to boosting the UK's trend growth rate to 2.5%. With little detail on how government borrowing would be returned to a sustainable path, financial markets reacted negatively. Gilt yields rose dramatically by between 0.7% - 1% for all maturities with the rise most pronounced for shorter dated gilts. The swift rise in gilt yields left pension funds vulnerable, as it led to margin calls on their interest rate swaps and risked triggering large scale redemptions of

assets across their portfolios to meet these demands. It became necessary for the Bank of England to intervene to preserve market stability through the purchase of long-dated gilts, albeit as a temporary measure, which has had the desired effect with 50-year gilt yields falling over 100bps in a single day.

Bank of England policymakers noted that any resulting inflationary impact of increased demand would be met with monetary tightening, raising the prospect of much higher Bank Rate and consequential negative impacts on the housing market.

After hitting 9.1% in June, annual US inflation eased in July and August to 8.5% and 8.3% respectively. The Federal Reserve continued its fight against inflation over the period with a 0.5% hike in May followed by three increases of 0.75% in June, July and September, taking policy rates to a range of 3% - 3.25%.

Eurozone CPI inflation reached 9.1% y/y in August, with energy prices the main contributor but also strong upward pressure from food prices. Inflation has increased steadily since April from 7.4%. In July the European Central Bank increased interest rates for the first time since 2011, pushing its deposit rate from -0.5% to 0% and its main refinancing rate from 0.0% to 0.5%. This was followed in September by further hikes of 0.75% to both policy rates, taking the deposit rate to 0.75% and refinancing rate to 1.25%.

Financial markets: Uncertainty remained in control of financial market sentiment and bond yields remained volatile, continuing their general upward trend as concern over higher inflation and higher interest rates continued to dominate. Towards the end of September, volatility in financial markets was significantly exacerbated by the UK government's fiscal plans, leading to an acceleration in the rate of the rise in gilt yields and decline in the value of sterling.

Due to pressure on pension funds, the Bank of England announced a direct intervention in the gilt market to increase liquidity and reduce yields.

Over the period the 5-year UK benchmark gilt yield rose from 1.41% to 4.40%, the 10-year gilt yield rose from 1.61% to 4.15%, the 20-year yield from 1.82% to 4.13% and the 50-year yield from 1.56% to 3.25%. The Sterling Overnight Rate (SONIA) averaged 1.22% over the period.

Credit review: In July Fitch revised the outlook on Standard Chartered from negative to stable as it expected profitability to improve thanks to the higher interest rate environment. Fitch also revised the outlook for Bank of Nova Scotia from negative to stable due to its robust business profile.

Also in July, Moody's revised the outlook on Bayerische Landesbank to positive and then in September S&P revised the GLA outlook to stable from negative as it expects the authority to remain resilient despite pressures from a weaker macroeconomic outlook coupled with higher inflation and interest rates.

Having completed its full review of its credit advice on unsecured deposits at UK and non-UK banks, in May Arlingclose extended the maximum duration limit for five UK banks, four Canadian banks and four German banks to six months. The maximum duration for unsecured deposits with other UK and non-UK banks on Arlingclose's recommended list is 100 days. These recommendations were unchanged at the end of the period.

Arlingclose continued to monitor and assess credit default swap levels for signs of credit stress but made no changes to the counterparty list or recommended durations. Nevertheless, increased market volatility is expected to remain a feature, at least in the near term and, as ever, the institutions and durations on the Authority's counterparty list recommended by Arlingclose remains under constant review.

APPENDIX 6

Interest & Capital Financing Costs – Budget Monitoring 2022/23

April 2022 to September 2022	YEAR END POSITION			ADV/FAV
	Budgeted Spend or (Income) £'000	Forecast Spend or (Income) £'000	Forecast over or (under) spend £'000	
Interest & Capital Financing				
- Debt Costs	8,031	7,531	(500)	FAV
- Internal Repayment of Loan Charges	(13,052)	(13,052)	0	
- Ex Avon Debt Costs	980	980	0	
- Minimum Revenue Provision (MRP)	9,678	9,678	0	
- Interest on Balances	(425)	(875)	(450)	FAV
Total	5,212	4,262	(950)	FAV

APPENDIX 7

Summary Guide to Credit Ratings

Rating	Details
AAA	Highest credit quality – lowest expectation of default, which is unlikely to be adversely affected by foreseeable events.
AA	Very high credit quality - expectation of very low default risk, which is not likely to be significantly vulnerable to foreseeable events.
A	High credit quality - expectations of low default risk which may be more vulnerable to adverse business or economic conditions than is the case for higher ratings.
BBB	Good credit quality - expectations of default risk are currently low but adverse business or economic conditions are more likely to impair this capacity.
BB	Speculative - indicates an elevated vulnerability to default risk, particularly in the event of adverse changes in business or economic conditions over time.
B	Highly speculative - indicates that material default risk is present, but a limited margin of safety remains. Capacity for continued payment is vulnerable to deterioration in the business and economic environment.
CCC	Substantial credit risk - default is a real possibility.
CC	Very high levels of credit risk - default of some kind appears probable.
C	Exceptionally high levels of credit risk - default is imminent or inevitable.
RD	Restricted default - indicates an issuer that has experienced payment default on a bond, loan or other material financial obligation but which has not entered into bankruptcy filings, administration, receivership, liquidation or other formal winding-up procedure, and which has not otherwise ceased operating.
D	Default - indicates an issuer that has entered into bankruptcy filings, administration, receivership, liquidation or other formal winding-up procedure, or which has otherwise ceased business.

APPENDIX 8

Extract from Treasury Management Risk Register – Top 5 Risks

Risk Nr	Description	Current Risk Score									This Period	Trend			Management Action			
		Likelihood					Impact					Periods Ago	1	2		3		
		1	2	3	4	5	1	2	3	4							5	
L	M	H	L	M	H	1	2	3	1	2	3							
1	R01	Liquidity Risk - The risk that cash will not be available when it is needed, that ineffective management of liquidity creates additional unbudgeted costs, and that the organisation's business/service objectives will be thereby compromised.		2							3			6	6	6	6	Obtain approval of annual Treasury Management Strategy by February Council. Carry out weekly reviews of investment portfolio and planned actions. Carry out monthly dashboard meeting with Chief Finance Officer. Consider short and medium term cash balances and cashflows to inform any short - medium term borrowing requirement.
2	R02	Interest Rate Risk - The risk that fluctuations in the levels of interest rates create an unexpected or unbudgeted burden on the organisation's finances, against which the organisation has failed to protect itself adequately				4					3			12	9	9	4	Monitor interest rates on a monthly basis and compare with budget to determine impact on Council finances and report through monthly Treasury Dashboard. Report implication of interest rate changes to Cabinet as part of quarterly Treasury Management Performance Report. Explore alternative potential investment products following new freedoms - including corporate bonds, gilts, Certificate of Deposits etc. Discussion with our treasury advisors on any new borrowing in terms of duration and timing given the current volatility in the gilt market and PWLB interest rates.
3	R04	Inflation Risk - The risk that prevailing levels of inflation cause an unexpected or unbudgeted burden on the organisation's finances, against which the organisation has failed to protect itself adequately.				4					3			12	12	9	4	Liaise with Chief Finance Officer to ensure Inflation both current and projected forms part of the medium term financial planning framework.
4	R05	Credit and Counterparty Risk - The risk of failure by a third party to meet its contractual obligations to the organisation under an investment, borrowing, capital, project or partnership financing, particularly as a result of the third party's diminished creditworthiness, and the resulting detrimental effect on the organisation's capital or current (revenue) resources.			3						4			12	12	12	12	Complete annual review of Counterparty List with external advisors to feed into Treasury Management Strategy. Regular review of counterparty financial standing through use of credit ratings, credit default swap rates and national press coverage and liaison with Chief Finance Officer and external advisors to consider any issues / change in circumstances of counterparties.
5	R09	Key Personnel - There is a risk that staff absence results in the inability to process Treasury Management transactions.			3						3			9	9	9	9	Produce & maintain a Business Continuity Plan to manage staff absences Provide refresher training and periodically ask secondary process operators to run the treasury process to ensure that there are a number of people able to perform the treasury activity

Bath & North East Somerset Council		
MEETING:	Council	
MEETING DATE:	17 November 2022	
TITLE:	Avon Pension Fund Annual Report to Council	
WARD:	All	
AN OPEN PUBLIC ITEM		
<p>List of attachments to this report:</p> <p>Appendix 1 – The Avon Pension Fund Committee’s Annual Report to Council 2021/22</p> <p>Appendix 1a – Committee’s progress against workplan</p> <p>Appendix 2 – Local Pension Board – Annual Report 2021/22</p> <p>Appendix 3 – Terms of Reference for Committee & Investment Panel</p>		

1 THE ISSUE

- 1.1 The Avon Pension Fund Committee discharges the responsibilities of the Council in its role as the administering authority of the Avon Pension Fund in accordance with the Local Government Pension Scheme Regulations 2013 (as amended).
- 1.2 The Committee reports annually to Council on the work it has undertaken in the previous twelve months and reference is also made in the report to the future work programme. This report is for the 12 months to 31 March 2022.
- 1.3 As background to this report members should be aware that Bath & North East Somerset Council has a dual interest in the Avon Pension Fund, firstly as administering authority and secondly as one of the employing bodies. This report focuses entirely on the Council’s role as administering authority.

2 RECOMMENDATION

The Council is asked;

- 2.1 To note the Committee’s Annual Report to Council
- 2.2 To note the Pension Board’s Annual Report

3 THE REPORT

- 3.1 The Annual Report for 2021/22 is attached as Appendix 1 to this report. The document is primarily for the Council's purposes. However, it will be circulated to the employing bodies within the Fund to improve transparency about the Committee's activities and the decisions taken.
- 3.2 The Public Service Pensions Act 2013 required the Council to establish a local pension board to assist the administering authority with the effective and efficient management and administration of the scheme. The Avon Fund Pension Board has published its annual report for 2021/22 which is included in Appendix 2 for completeness.
- 3.3 Following the retirement of the Head of Business Finance & Pensions the reporting lines have been changed so the Fund now reports to the Director-One West. In June the Council constitution was updated to reflect this change. A new Head of Pensions has been appointed and will be starting with the Fund from 10 October 2022.

4 STATUTORY CONSIDERATIONS

- 4.1 The Council is required to put in place arrangements for the effective discharge of its business

5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 5.1 The costs of administering the Avon Pension Fund are recharged to the employing bodies through the employer contribution rates which are set by the actuary every three years as part of the valuation.

6 RISK MANAGEMENT

- 6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision
- 6.2 making risk management guidance.

7 EQUALITIES

- 7.1 A proportionate equalities impact assessment has been carried out using corporate guidelines and no significant issues have been identified.

8 CLIMATE CHANGE

- 8.1 The Fund is implementing a digital strategy across all its operations and communications with stakeholders to reduce its internal carbon footprint in line with the Council's Climate Strategy. The Fund acknowledges the financial risk to its assets from climate change and is addressing this through its strategic asset allocation to Paris Aligned Global Equities, Sustainable Equities and renewable energy opportunities. The strategy is monitored and reviewed by the Committee.

9 OTHER OPTIONS CONSIDERED

- 9.1 None

10 CONSULTATION

10.1 The Pension Fund Committee delegated the drafting of the Annual Report to Council to Officers and the Chair (subject to informal consultation with Committee members prior to the Chair approving the report).

Contact person	Carolyn Morgan, Governance & Risk Advisor, 01225 395240
Background papers	<i>Pension Fund Committee papers</i>
Please contact the report author if you need to access this report in an alternative format	

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AVON PENSION FUND COMMITTEE ANNUAL REPORT TO COUNCIL (April 2021 - March 2022)

1 INTRODUCTION

This is the annual report to Council detailing the work carried out by the Avon Pension Fund Committee for the period from 1 April 2021 to 31 March 2022.

The Council has delegated responsibility for the Fund to the Avon Pension Fund Committee (the “Committee”) which is the formal decision-making body for the Fund. The Committee’s role is strategic in nature, setting policy framework and monitoring implementation and compliance within that framework.

Due to the wide scope of the Committee’s remit it is supported by the Investment Panel (the “Panel”) which considers the investment strategy and investment performance in greater depth. The Committee has delegated authority to the Panel for specific investment decisions.

The Pensions Committee and administering authority are scrutinised by the Local Pension Board ensuring that the governance surrounding the scheme remains robust and fit for purpose.

The scheme is regulated and overseen by the Pensions Regulator. Other bodies and agencies undertake key roles, particularly the LGPS Scheme Advisory Board, the Department for Levelling Up, Housing and Communities, and CIPFA, which sets the accounting standards.

Brunel Pension Partnership Ltd (Brunel), the company established by the Brunel pool to implement the Fund’s investment strategy is regulated by the Financial Conduct Authority.

The Avon Pension Fund is a statutory scheme regulated by the Local Government Pension Scheme Regulations 2013 (as amended) and the Local Government Pension Scheme Regulations (Management and Investment of Funds) Regulations 2016 (as amended).

Bath & North East Somerset Council (“the Council”) administers the Fund on behalf of approximately:

- 464 employing bodies
- 130,000 members

The value of the Fund as at 31 March 2021 was £5.8 billion.

In 2021/22 the Fund:

- received £186m in pension contributions
- paid out £192m in pension payments and benefits

Full details can be found in the Fund’s annual report
<https://www.avonpensionfund.org.uk/finance-and-investments>)

2 COMMITTEE MEMBERSHIP

The Committee structure is as follows:

Voting members (14)	5 elected members from B&NES (subject to the rules of political proportionality of the Council) 3 independent members 1 elected member nominated from each of Bristol City Council, North Somerset Council and South Gloucestershire Council 1 nominated from the Higher and Further Education bodies 1 nominated from Academy bodies 1 nominated by the Trades Unions
Non-voting members (3)	1 nominated from the Town & Parish Councils 2 nominated from different Trades Unions

3 COMMITTEE ACTIVITIES & REVIEW OF THE YEAR

It has been another challenging period for the Fund with Covid-19 continuing to affect our ability to deliver our service. By the end of the year just as normality was being restored, we were confronted by the repercussions of the war in Ukraine. This geopolitical event has serious consequences for us all, most notably a cost of living crisis here in the UK. For a pension scheme whose pension benefits are indexed by inflation the current spike in inflation puts significant upward pressure on the liabilities and means our investment strategy must work harder to achieve the real, after inflation, returns we require to fund those liabilities.

The Fund is however in a good place with all staff now fully equipped to work in a hybrid way, both in the office and remotely. Our investment returns are still ahead of expectations and the transition of our assets to Brunel has successfully been completed. Pooling has so far achieved lower management fees compared to pre pooling fee rates, enabling more efficient implementation of our investment strategy and has transferred much of the operational risk to Brunel.

The administration service has been particularly challenged over the last 2 years of working remotely, exacerbated by high staff turnover. The Committee has approved a plan to fully digitalise the service and introduce a new operating model to support this transformation which will be completed over a 2-year period.

It has been a busy year for our Responsible Investing strategy. We issued our first FRC UK Stewardship Code 2022 report as well as our first TCFD statement. During the year the Committee received statements from members and the public requesting that the Fund divests from fossil fuels. Whilst we understand the reasoning, our approach is to invest our assets to enable the transition to the low carbon economy and achieve real world reductions in carbon. To achieve this we have increased our alignment to the net zero transition by investing in a new Brunel Paris Aligned equity portfolio and set new intermediate climate targets to reduce the absolute emissions of the equity portfolio by 43% by 2025 and 69% by 2030 (versus 2020 baseline); these provide clear milestones during the transition period for the Fund to achieve net zero

by 2050. Lastly, we achieved our target to be 30% less carbon intensive across the equity portfolios 2 years earlier than planned.

We have listened to our stakeholders who want better and more informed communications from us. One development was a member survey on Responsible Investments which included their views on our approach to climate risk. We have also introduced 'ESG', an online magazine focusing on environmental, social and governance issues relating to our investments.

Ahead of the 2022 valuation we have engaged with our employers to help shape the funding strategy especially in respect of the affordability of contributions given the cost pressures they are all now facing. There will be more interaction with our employers as the valuation progresses during the latter half of 2022/23.

Progress against the Committee's workplan is set out in appendix A.

4 FUTURE ACTIVITY

Over the year ahead the Committee's focus will be on the digital transformation project, addressing the climate emergency and managing employer risk.

We will be looking forward to the Fund's return to the office which will assist enormously in developing and training staff as well as working together to execute the significant projects planned for the next couple of years

During 2022/23 the triennial valuation and investment strategy review will focus on ensuring the funding strategy can achieve its strategic objectives over the next 3-5 years against a difficult economic backdrop.

We are also discussing with Brunel and our partner LGPS funds in the pool, the strategic direction for the next 3-5 years now that the transition period is behind us.

Our forward looking 3-year Service Plan sets out the Pension Fund's objectives and priorities with a budget that supports the objectives and actions arising from the plan.

August 2022

Avon Pension Fund Committee Review		April 2021 to March 2022	On Target
Progress in Year			
Governance			
1	Governance Review	Conducted annual review of governance arrangements inc Terms of Reference, Governance Compliance Statement, roles & responsibilities. Terms of Reference approved by Council annually	
2	Committee Meeting Attendance	The Committee meets quarterly. Attendance at the meetings was 88% for the voting members and 58% for the non-voting members.	
3	Investment Panel Attendance	The Panel consists of up to six voting members from the Committee and meets at least quarterly ahead of Committee meetings. The Panel met formally four times during the year, with attendance of 96%.	
4	Risk Register	Reviewed quarterly by officers, committee and Pension Board	
5	Workplans	Reviewed quarterly by officers, committee and Pension Board	
6	Training	Achieved through committee reports, workshops, conference & seminar attendance, online training	
7	Annual Report	Work on the annual report including the final accounts is on course to be published by 1 December deadline	
8	Internal Audits	Internal audits of Pensions Payroll, and The Pension Regulator's (TPR) Code of Practice 14 - maintaining contributions and member information received an overall assurance level of 4 - Good	
9	Local Pension Board	Pension Board on course with Work and training plans. All meetings held as planned. Minutes reviewed by Committee quarterly	
10	CIPFA Benchmarking	The CIPFA benchmarking data highlights the Fund's comparative performance in key cost areas. They demonstrate the Fund's positive cost performance when compared with national averages. Full details can be found in the Fund's annual report. Net admin cost per FTE = £47,782 v national average of £135,958 Net admin cost per member = £19.62 v national average of £31.90 Overall costs per member = £189.17 v national average of £316.16	
Financial			
11	Service Plan & Budget	Each year the Committee approves the Service Plan which sets out the Pension Fund's objectives for the next three years together with a three year budget to deliver the plan.	
12	Budget & cashflow monitoring	During the year to 31 March 2022, total administration costs (excluding advisory and investment management costs) were £2.7 million, 18% below the budget of £3.2 million. Annual investment management fees paid in the year were on budget at £19 million. The budget for governance costs was £2.2 million with actual costs just under budget at £1.9 million.	
13	Treasury management Policy	The Committee approves the Fund's Treasury Management Policy annually. The cash managed under this policy is 0.5-1% of the Fund's value (up to c. £45m).	
Investment management			
14	Investment Strategy & Performance	The transition of The Multi Asset Credit assets in 2021 into Brunel marked the completion of the transition. Brunel now manage over 83% (or £4.9 billion) of the Fund's assets	
15	Brunel Pension Partnership	In 2021/22 fee savings were achieved on the assets that transferred.	
16	Risk Management Strategies	Restructured the Equity Protection Strategy for it to adapt to evolving market conditions, thus removing timing risk and reducing the governance burden	
17	FRC Stewardship Code	Created a Funding and Risk Management Group to provide a more robust and efficient governance framework for the Investment Risk Management Strategies Submitted statement based on the new Financial Reporting Council's (FRC) UK Stewardship Code in Oct 2021. Application outcome was successful and the Fund is now listed as a signatory to the Code. Fund will need to submit a new statement on an annual basis.	
18	Responsible Investing & Climate Emergency	Increased the alignment to the net zero transition by switching from the passive Low Carbon Equity portfolio to the new Brunel Paris Aligned portfolio and exiting the dedicated Emerging Market Equity portfolio New intermediate climate targets to reduce the absolute emissions of the equity portfolio by 43% by 2025 and 69% by 2030 (versus 2020 baseline); these provide clear milestones during the transition period for the Fund to achieve net zero by 2050 Published our 1st Task Force on Climate-Related Financial Disclosures (TCFD) statement in 2021 demonstrating our commitment to reducing our carbon exposure We increased scheme member communications with a short animation focussing on our climate policy and member survey on Responsible Investing	
Funding Strategy			
19	Annual Employer Update	Given the impact of the pandemic and rising costs on the scheme employers, affordability of pension costs will be a key consideration in managing financial risk for both employers and the Fund at the 2022 valuation	
20	Interim valuation Results / Section 13	The last actuarial valuation was in 2019 which projected a deficit of £284m and a funding level of 96%. Despite increased volatility in the markets at the end of March 2022 the funding position rose over the year to c 100%.	
21	Review of FSS	The interim valuation at 31 March 2021 indicated a relatively benign outcome for the 2022 valuation. However, rising inflation, further stoked by the war in Ukraine, means the current outlook for asset returns and inflation have deteriorated, putting slightly more pressure on the valuation. The Funding Strategy Statement for 2022 valuation is being set against this backdrop.	
Administration			
22	Review of Admin Strategy - Digital Transformation & new operating model	Member digital engagement - project work completed to enable secure access to digital online Annual Benefit Statements for deferred members. The project is ongoing and will be further developed to capture active members as part of the 2022 exercise Committee approved the proposed administration operating model to enable the digital transformation	
23	Performance Indicators	The Fund continues to operate below its desired target of >90% for most case types, although the case-by-case breakdown evidences an overall improvement in critical processes for retirements and death cases from the previous quarter. Generally, however, key performance indicators (KPI) benchmarking performance has declined over the past year.	
24	The Pension Regulator's Standards of data requirements	The Fund regularly tests its data against The Pension Regulator's (TPR) requirements. In the TPR Scheme Return submitted in September 2021 the Fund reported a data score of 95% for common data and 95% for scheme specific data	
Legislation			
25	Update on legislation	McCloud/Sargeant (Age discrimination) – Ongoing Project team with additional temporary resource to undertake specific data gathering exercise pending regulatory changes and implementation of McCloud remedy expected from October 2023. Pensions Dashboards Programme – Ongoing project in place with key officer resource to ensure the Fund's compliance with the onboarding of the PDP. Regulations are pending and the deadline for all LGPS data providers to connect to the Dashboard Ecosystem is 30 th September 2024.	

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Avon Pension Fund – Local Pension Board – Annual Report 2021/22

1. Chairman's Summary

Welcome to the Annual Report of the Local Pension Board (LPB) of Avon Pension Fund.

The Board was established in 2015 arising from the Public Sector Pension Act 2013 and Local Government Pension Scheme (Governance) Regulations 2015.

The purpose of the Board is to assist the Administering Authority (BANES Council) of the Avon Pension Fund (APF) secure compliance with the LGPS regulations and requirements of the Pensions Regulator (TPR) and ensure efficient and effective governance and administration of the fund.

This report covers the period 1st August 2021 to 31st July 2022 within which the Board has held four formal meetings & joined the committee in two Valuation Workshops.

The year saw a few changes to board members, with Pete Sloman retiring in November 21 and Mark King standing down, following the completion of his second term at the end of April 22. The Board was pleased to welcome Stuart Anstead as its new employer representative and Alison Wyatt as its new member representative, replacing Pete and Mark respectively.

The LPB has continued to focus on the Fund's operational arrangements as the post Covid new normal saw services delivered in a mixed environment of virtual and office working. The Board has challenged officers over key performance indicators with a view to ensuring that the Fund delivered a good service to members and employers, whilst considering the wellbeing of staff and acknowledging the challenges the Fund faces with ongoing recruitment.

I am pleased to say that with the support of the officers to the APF, the LPB has made good progress in fulfilling its terms of reference and continuing to support the administering authority in its statutory duties. During this period the members of the LPB have also continued to develop their knowledge and understanding of the LGPS and governance arrangements as required by law.

Over the year it has reviewed a wide range of LGPS regulations, governance requirements and received regular updates on its pooling arrangements with the Brunel Pensions Partnership. Of particular note it reviewed key issues around data quality for both the McCloud remedy and the introduction of the Pensions Dashboard, as well as the Fund's plan for the implementation of the SAB's Good Governance Review.

In November 2021 it carried out a review of all the Fund's statutory annual requirements covering the year end process, issue of annual benefit statements and pension savings statements. It also had a more detailed look at the risk register and the breaches log and made recommendations as appropriate.

In March 2022 the LPB welcomed an update on the proposed three-year service plan including more detailed plans for a revised operating model to deliver the Fund's digital transformation project.

Looking ahead the LPB will continue to assist and support the APF and will be particularly looking at how the Fund implements the requirements of the Good Governance review and the Pension Regulator's single code of practice. Following the introduction of Hymans' LGPS Online Learning Academy, Pension Board members have started to study modules to improve their understanding of various topics discussed at meetings.

Last but not least could I thank my fellow Board members for their commitment to their roles on the LPB and I commend this report to you.

Nick Weaver
Independent Chair

2. Legal basis of Local Pension Board

Background

At the request of central government Lord Hutton conducted a review into public service pensions in 2010 and published his findings in March 2011 which recommended significant change to the governance of the pensions *'to make...schemes...more transparent'*.

Subsequently legislation was introduced in the form of the Public Sector Pension Act 2013 along with the Local Government Pension Scheme (Governance) Regulations 2015. These required each Local Government Pension Scheme (LGPS) administering authority to establish a new body known as a Local Pensions Board (LPB) to assist the Council (LGPS Administering Authority).

One of the key aims of the reform was to raise the standard of management and administration of public service pension schemes and to achieve effective representation of employer and employee interests. The LPB must have equal representation of scheme members and scheme employers.

The APF LPB is a separate legal entity from the APF Pensions Committee (Section 101 committee) to which as administering authority (BANES Council) has delegated its functions in relation to the administration of the LGPS.

Specific Role and Purpose

The Public Sector Pension Act 2013 sets out the requirements for the establishment of a LPB with the responsibility for assisting the LGPS local scheme manager (BANES) in relation to the following:

- a) Securing compliance with the regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation and:
- b) To ensure the effective and efficient governance and administration of the Scheme.

The LPB assists the 'scheme manager' by monitoring and advising on compliance with the pension scheme regulations, along with all other legislation and the requirements imposed by the Pensions Regulator to ensure the effective and efficient governance and administration of the scheme.

The role of the LPB can be likened to that of a "critical friend" but is not a decision making body. It has an important advisory role for the APF and works with the Pensions Committee to scrutinise its decision making processes and to ensure the Fund's compliance with all its legislative requirements.

The Pension Regulator (TPR)

From April 2015, the Pension Regulator had responsibility for the LGPS. Therefore, one focus for the LPB is ensuring the fund's compliance with TPR Codes of Practice. This is split into several areas which covers governance, risk management and resolving issues.

The LPB as part of their work plan has needed to consider these areas, to ensure the Fund is compliant and if not to make recommendations to the APF Pensions Committee to address these requirements.

Terms of Reference

Terms of Reference for the LPB are available through the following link.

<http://www.avonpensionfund.org.uk/>.

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3. Establishment of Local Pension Board

The requirement for an Independent Chair and Board Membership was outlined in the terms of reference to the LPB which were agreed by full BANES Council on the 15th January 2015.

One member of the Pension Board retired this year and one member left on completion of their second, four year term. Following a successful recruitment campaign a replacement member and employer rep were appointed.

Details of the Local Pension Board Members

Independent Chairman:

Nick Weaver. Appointed 1st November 2019. Term of office 4 years.

Employer Member Representatives:

Steve Harman, active member. Appointed 1st July 2015. Term of office extended to 30th June 2023.

Tony Whitlock, active member. Appointed 1st May 2016. Extended to 1st May 2024

Pete Sloman, active member. Appointed 1st March 2020. Retired 30th Nov 2021

Stuart Anstead, active member. Appointed 1st Dec 2021. 4 year term of office to 30th Nov 2025

Scheme Member Representative:

David Yorath, retired member. Appointed 1st July 2015. Extended to 30th June 2023.

Mark King, active member. Appointed 1st May 2016. Term ending 30th April 2022

Helen Ball, retired member. Appointed 1 March 2020. 4 year term of office to 28th February 2024

Alison Wyatt, retired member. Appointed 1st May 2022. 4 year term of office to 30th April 2026

Details of each Board members experience and register of interests are available through the following link.

<http://www.avonpensionfund.org.uk/>.

Attendance at Local Pension Board Meetings – August 2021 – July 2022

Due to the Covid 19 Pandemic all meetings & workshops over the last year continued to take place remotely.

Role	Board Member	Attendance
Independent Chairman	Nick Weaver	4/4
Employer Representative	Steve Harman	3/4
	Tony Whitlock	2/4
	Pete Sloman	1/1
	Stuart Anstead	2/3
Member Representative	David Yorath	3/4
	Mark King	2/3
	Helen Ball	3/4
	Alison Wyatt	1/1

4. Training

Background

In accordance with the Pension Regulator (TPR) Code of Practice 14 every member of a LPB must:

- Be Conversant with the rules of the local government pension scheme (LGPS) &
- Have knowledge and understanding of the law relating to pensions

These responsibilities begin from the date the LPB member takes up their role. The knowledge and understanding requirements apply to every individual member of a LPB rather than as a group.

Degree of Knowledge and Understanding

The legal requirement is that members of the LPB must be conversant with the rules of the LGPS and any document recording policy about the administration of the fund. This is implied as a working knowledge so that members are aware of which legislation/policies to refer to when carrying out their role.

Areas of Knowledge and Understanding

LPB Members should be conversant with, but not limited to the following areas:

- a) Scheme approved policies
- b) Risk assessment/management
- c) Scheme booklets/members communications
- d) Role of LPB Members and the scheme manager
- e) Policies in relation to discretions
- f) Communications with scheme members and employers
- g) Key policy documents on administration, funding and investment

Training Undertaken

During the year on-going technical training was provided to LPB members by officers from or advisors to the APF on a full range of topics covering the LGPS framework and TPR requirements.

The Pension Board joined the Committee for a couple of workshops held by Mercer explaining the valuation process and the results of the interim valuation.

Training also took place to introduce Pension Board members to Hymans' LGPS Online Learning Academy. Members are undertaking a series of modules to improve knowledge and understanding as recommended as part of the SAB's Good governance review and in line with upcoming agenda items.

Throughout the year members attended various seminars and conferences such as CIPFA's Pension Board autumn & spring events, LGE's Trustee Fundamentals and Governance Conference plus Brunel Investor Days. These events help to broaden understanding of topics of relevance to the LGPS and the role of a pension board member.

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The LPB training plan is a topic at each board meeting and a training log is maintained to assist in the identification of on-going training needs.

5. Local Pension Board Code of Conduct and Conflicts of Interest Policy

Code of Conduct

All LPB members have signed up to BANES Council's Code of Conduct policy, which emphasises that as a holder of public office there is an expectation that LPB members will comply with the 'seven principles of public life', also known as the 'Nolan Principles'.

Conflicts of Interest

All LPB members have also signed up to the Fund's Conflicts of Interest Policy. This requires all members to notify BANES Democratic Services team of any potential conflict of interest arising as a result of their position on the Board.

All meetings of the LPB include a standing item titled 'Declaration of Interests' at the start of the meeting where any declaration in relation to the items on the agenda should be made.

All LPB members have formally completed their declaration of interest forms and at the four formal meetings which have been held during the year only one conflict was declared, but agreement was reached that this did not constitute a conflict of interest. For more information on conflicts of interest and declarations at each meeting please use the following link –

<https://democracy.bathnes.gov.uk/mgCommitteeDetails.aspx?ID=563>

6. Pension Board Costs & Budget

In meeting the requirements of the Public Sector Pension Act (2013) and establishing a Local Pensions Board, Bath & North East Somerset approved terms of reference and necessary supporting arrangements at its meeting of its full Council on the 15th January 2015.

The LPB agrees a budget on an annual basis to enable the Board to perform its duties and a summary of the costs is included below:

Summary Financial Table

Budget Area	2021/22 Budget	2021/22 Actual Spend
LPB Members Allowances	£8,000	£7,306
LPB Members Training Costs & External Support	£6,000	£195
Pension Board Recruitment	£25,000	£0
LPB Meeting & Democratic Services Costs	£20,700	£8,252
Total	£59,700	£15,753

As with all elements of the public sector there is exceptional pressure to ensure value for money can be demonstrated and the Board will continue to consider this in its future operations.

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7. Local Pension Board Compliance with the Pension Regulator’s Code of Practice No.14

In 2021 Internal Audit carried out a governance review against the requirements of TPR’s Code of Practice and their report is available via the following link <http://vm-civ-mgov/ieListDocuments.aspx?CId=563&MId=5944&Ver=4>

Overall, the control framework in place and operating for the management of the ‘Governing your Scheme’ section of Code of Practice 14 was found to be effective and given an assurance rating of “**Substantial Assurance**”. A total of 3 audit recommendations, and 1 area of good practice, are detailed in the Action Plan.

Amongst the strengths identified were:

- The Terms of Reference for the Pension Board can be found in The Council’s constitution.
- Pension Board members are asked to declare any conflicts of interest at the start of each meeting. This is recorded in the minutes of the meeting.
- Members are expected to observe the general principles of conduct identified by the Committee on Standards in Public Life (Nolan Principles) and signed declarations can be evidenced.
- There are more than four participants, on the Pension Board, with an equal split between employers and members. This structure complies with the requirements of the Local Government Pension Scheme regulations.
- When new members to the board are appointed, they are provided with detailed training material as well as attend an induction training session. Attendance at the training was 100% for new members.
- A “Training and Attendance” log is maintained and kept up to date.
- The Pension Board’s work plan and training plan forms part of the standard Pension Board agenda.
- There are several communication channels to inform and educate Board Members, such as the LGE monthly bulletin that explains any regulatory updates and changes to the scheme, LGPS regulatory update is a standard agenda item for Pension Board meetings, Invitations and attendance at LGPS seminars and workshops.

The following weaknesses were identified:

- Internal Audit was informed that all original members have completed the Pension Regulator’s Toolkit, but this could not be evidenced for all members.
- One out of three new Board Members had not completed a Register of Interest Form and signed a declaration that they agree to abide by the Code of Conduct.
- An Independent Officer has not provided assurance that the declarations are not in conflict based on the interest declared and the members responsibility.

Internal Audit also identified the following opportunity

- A checklist should be developed that would enable measurement of the Pension Board’s governance arrangements, including the requirements of COP-14, against governance best practice.

Following the audit an annual governance check was put in place to capture the requirements of the audit recommendations. The first governance review was reported to the LPB in May 2022. The report can be found here <http://vm-civ-mgov/ieListDocuments.aspx?CId=563&MId=6200&Ver=4>

8. Pension Fund Communications

Effective member and employer communications form a core part of the role of the APF. During the year the Board reviewed at a high level the APF’s communications strategy and website.

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The Board continue to work with APF officers on assessing all methods of communication both with Members and Employers, especially where issues have been identified and greater engagement or training is required.

Reviewing the strategy and approach to how the fund communicates to its many stakeholders will remain a key element of the work plan of the Board on a rolling basis.

9. Risk Management

Risk management processes for the APF follow the framework laid down by the LGPS administering authority (BANES Council) as well as CIPFA guidance. The APF Risk Register identifies the significant risks that could have a material impact in terms of value, reputation, compliance or provision of service and sets out the mitigating action taken to manage down each risk.

The Register is reviewed regularly and the key risks fall into one of the following categories –

- (i) Failures in the fund administration & control of operational processes and strategic governance processes and TPR compliance
- (ii) Service delivery partners not delivering in line with their contracts or SLAs
- (iii) Financial loss due to payments in error, loss of assets due to investment strategy and/or managers failing to deliver required return, fraud or negligence of investment managers or custodian
- (iv) Changes to the LGPS nationally and increasing political pressure to reform the scheme structure, governance frameworks and to centrally direct investment decisions

The LPB's ongoing review of the risk register concurred with the Pensions Committee that the top risks facing the fund revolve around –

- Brunel PP Governance, asset pooling and benefit realisation
- Delivering the future funding & investment strategies
- Significant growth of new employers, especially Academies as well as the ongoing financial stability of employers (employer covenants)
- Recruitment and Retention of staff
- Compliance with Legal Timeframes & service delivery to members
- Data Protection & Cyber Security
- Business Continuity in response to the Covid-19 outbreak
- Impacts of McCloud Judgement
- Climate change emergency

The Fund continues to invest significantly in systems and resources to ensure the risks are managed effectively and resilience is built into the service and the arrangements in place are supported by external and internal audit reviews.

The LPB has actively engaged on the key risks facing the APF and supports increases in resources to mitigate some of these risks as well as discussing issues around capacity, skills gaps and recruitment and retention.

The LPB will continue to ensure that a review of the funds risk register will remain a regular agenda item at each meeting.

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10. Review of Areas Covered in 2021/22 & Recommendations Made

Over the last year of operation of the LPB was focussed on key governance themes of legal compliance, risk management, and best practice as well as monitoring the significant developments connected to asset pooling and the Brunel Pensions Partnership. A summary of the areas covered is as follows: –

Review of LPB Arrangements	Review of Pension Fund Activities	Review of Pension Fund Administration	Independent Assurance
Review of LPB Terms of Reference, Code of Conduct, Conflicts of Interest, Breaches Review of Training Requirements Review of Work Plan	Review of Avon Pension Fund Committee & Investment Panel Minutes Review of Project Brunel, Brunel Oversight Board Review of Funding Strategy Statement Review of Investment Strategy Statement Review of Scheme Employers & Admitted Bodies Review of Business Continuity	Review of Compliance Reports & legal timeframes at all meetings Review of Risk Register at all meetings Review of Service Plan annually Review of Statutory Annual Requirements eg ABSs & PSS Review of McCloud remedy implementation plan Review of Annual Report	Review of TPR, SAB & CIPFA external benchmarking exercises Review of External Audit plan and reports Review of Internal Audit plan and reports Hymans’ gap analysis of requirements of the SAB’s Good Governance Review
Meeting	Area	Action/Minutes	
21/09/21	LGPS Regulatory Update Fund & Employer Performance Brunel Update Annual audit review Pension Board’s Annual Report Risk Register Update PB’s Workplan & Training Plan	http://vm-civ-mgov/ieListDocuments.aspx?CId=563&MId=5944&Ver=4	
30/11/21	Update on Legislation Fund & Employer Performance (including service plan update) Brunel Update Annual review of regulatory & data breaches Review statutory annual requirements APF Communications Update Risk Register Update PB’s Workplan & Training Plan	http://vm-civ-mgov/ieListDocuments.aspx?CId=563&MId=5945&Ver=4	
22/03/22	Regulatory Update Pension Fund Administration: Overview & summary performance report plus update on Service Plan Brunel Update Risk Register Update PB’s Workplan & Training Plan	http://vm-civ-mgov/ieListDocuments.aspx?CId=563&MId=6177&Ver=4	
09/06/22	Brunel Update Regulatory Update Pension Fund Administration: including update on CIPFA benchmarking & Admin Strategy Annual review of committee & PB governance arrangements Risk Register Update PB’s Workplan & Training Plan	http://vm-civ-mgov/ieListDocuments.aspx?CId=563&MId=6200&Ver=4	

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11. Forward Plan for 2021/22

The work plan for the next 12 months is detailed as follows and will be kept under regular review.

AGENDA ITEM	13/09/22	08/12/22	02/22	05/22
Board Governance				
Terms of Reference (Governance) review				X
Code of Conduct/ Conflicts of Interest policy				X
Work Plan (to be dynamically updated)	X	X	X	X
Annual budget setting and monitoring				X
Training Plan (to be updated as required)	X	X	X	X
Annual Report to PC and Council approval	X			
Scheme and Fund Governance				
Legal, policy, regulatory developments	X	X	X	X
Minutes PC, IP, BOB	X	X	X	X
Annual Service Plan				X
Risk Register review	X	X	X	X
Governance Review				X
TPR Code 14 Compliance updates	X	X	X	X
Internal Audit plan/reports on APF	X			
External Audit Governance Report and Accounts	X			
Funding/Investments				
BPP update (delivery/savings)	X	X	X	X
Benefits Admin/Comms				
Admin Strategy Review			X	
Fund and employers' compliance/TPR reporting	X	X	X	X
Breaches policy/register/TPR reporting		X		
GDPR compliance		X		
Record keeping, data security, business recovery		X		
ABS process annual review		X		
Admin performance benchmarking			X	
Comms policy statement and website review		X		
Complaint's policy, IDRPs, PO cases review		X		

Pension Board Training Plan

Training Plan	Type of Training	Date planned / delivered
Trustee Fundamentals	Seminar	Autumn 2022
Brunel Investor Days	Seminar	Autumn 2022
Governance Conference	Conference	19 & 20 January 2023
Hymans' LGPS Online Learning Academy	Online modules	2022
Cyber Security Review	Workshop	TBA

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Appendix 1

(1) AVON PENSION FUND COMMITTEE

Committee Scope

Bath and North East Somerset Council, in its role as administering authority, has executive responsibility for the Avon Pension Fund. The Council delegates its responsibility for administering the Fund to the Avon Pension Fund Committee which is the formal decision-making body for the Fund.

The Avon Pension Fund is a member of the Brunel Pension Partnership (Brunel). Brunel Pension Partnership Ltd (BPP Ltd) who will be responsible for implementing the Fund's Investment Strategy. Most of the Fund's assets have transferred to portfolios offered by Brunel with only less liquid legacy assets remaining under direct management of the Fund. Once Avon's assets are held within a Brunel portfolio, the appointment, monitoring and deselection of managers will be the responsibility of BPP Ltd.

Functions and Duties

To discharge the responsibilities of Bath and North East Somerset Council in its role as lead authority for the administration of the Avon Pension Fund. These include determination of all Fund specific policies concerning the administration of the Fund, the investment strategy and the investing of Fund monies and the management of the Fund's solvency level. In addition, the Committee is responsible for all financial and regulatory aspects of the Fund. At all times, the Committee must discharge its responsibility in the best interest of the Avon Pension Fund.

The key duties in discharging this role are:

1. Having taken appropriate advice determining the following:
 - a. the investment strategy and strategic asset allocation
 - b. the administration strategy
 - c. the funding strategy.
2. Monitoring the performance of the investment strategy, scheme administration, and external advisors.
3. Ensuring that the investment strategy can be delivered by the portfolios offered by BPP Ltd. If not, agree alternative arrangements. In relation to Brunel Pension Partnership:
 - a. Monitoring the performance of BPP Ltd in delivering investment services to the Fund. Make representations to the Brunel Oversight Board on matters of concern regarding the service provided by BPP Ltd and the performance of its portfolios.
 - b. Monitoring the governance of Brunel Pension Partnership and making recommendations to the Brunel Oversight Board. Terminating the Service Agreement with BPP Ltd.
4. Approving and monitoring compliance of statutory statements and policies required under the Local Government Pension Scheme Regulations.

5. Approving the annual budget and 3-year Service Plan and resource requirements to deliver the work plan.
6. Approving variances to budget within a financial year.
7. Approving the annual budget for the Pension Board subject to the approval of Pension Board's work plan.
8. Commissioning actuarial valuations in accordance with the provisions of the Local Government Pension Scheme Regulations.
9. Making representations to government and responding to consultations as appropriate concerning any proposed changes to the Local Government Pension Scheme.
10. Nominating a representative (and named substitute) from the Committee to represent the Committee on the Oversight Board for Brunel Pension Partnership.

Delegations

In discharging its role, the Committee can delegate any of the above or implementation thereof to the Sub-Committee (referred to as the Investment Panel) or Officers. The current delegations are set out below.

Composition

Voting members (14)	5 elected members from B&NES (subject to the rules of political proportionality of the Council) 3 independent members 1 elected member nominated from each of Bristol City Council, North Somerset Council and South Gloucestershire Council 1 nominated from the Higher and Further education bodies 1 nominated from the Academy bodies 1 nominated by the trades unions
Non-voting members (3)	1 nominated from the Parish Councils Up to 2 nominated from different Trades Unions

The Council will nominate the Chair and Vice Chair of the Committee. The Vice Chair will be the Chair of Investment Panel.

Meetings

Meetings will be held at least quarterly. Meetings will be held in public, though the public may be excluded from individual items of business in accordance with the usual exemption procedures.

Quorum

The quorum of the Committee shall be 5 voting members who shall include at least 1 member from Bath and North East Somerset Council

Substitution

Named substitutes to the Committee are allowed.

(2) INVESTMENT PANEL

Committee Scope

The role of the Avon Pension Fund Committee Investment Panel shall be to consider, in detail matters relating to the investment of the assets within the strategic investment framework and performance of investment managers in achieving the Fund's investment objectives.

Functions

The Investment Panel will:

1. Review strategic and emerging opportunities outside the strategic asset allocation and make recommendations to the Committee.
2. Review the performance of the investment and risk management strategies
3. Report matters of strategic importance to the Committee.

And have delegated authority for:

4. Monitoring the transition of assets to the Brunel portfolios and allocate assets to the relevant portfolio offered by Brunel
5. Approve and monitor tactical positions within strategic allocation ranges.
6. Approve allocations to emerging opportunities within the strategic allocations.
7. Approve commitments to Brunel's private market portfolios at each commitment cycle to maintain strategic allocations.
8. For the Risk Management Strategies monitor the outcome versus strategic objectives and consider whether any strategic changes are required to manage emerging risks.
9. For assets held outside Brunel:
 - a) Implement investment management arrangements in line with strategic policy.
 - b) Monitor investment managers' investment performance and make decision to terminate mandates on performance grounds.
10. Monitor the investment performance of the portfolios managed by BPP Ltd and report to Committee on investment matters with specific reference to strategy delivery.
11. Delegate specific decisions to Officers as appropriate.

Composition

The Panel shall comprise a maximum of 6 voting Members of the Avon Pension Fund Committee, of which 3 shall be Bath and North East Somerset Councillors (including the Chair and Vice-Chair of the Committee) and 3 will be the Independent Members.

Note: The appointment of Bath and North East Somerset Councillors to the Panel is subject to the rules of political proportionality of the Council.

Members shall be appointed to the Panel for a full 4-year Committee term.

The Council will nominate the Chair of the Panel.

Panel Meetings

Though called a "Panel", it is an ordinary sub-committee of the Committee. Accordingly, meetings must be held in public, though the public may be excluded from individual items of business in accordance with the usual exemption procedures.

The Panel shall meet at least quarterly ahead of the Committee meeting on dates agreed by Members of the Panel.

Quorum

The quorum of the Panel shall comprise 3 Members, who shall include at least one Member who is not a Bath & North East Somerset Councillor.

Substitution

Substitutes for the Panel must be members of Committee or their named Committee substitute.

Minutes

Minutes of Panel meetings (whether or not approved by the Panel) shall appear as an item on the next agenda of the meeting of the Committee that follows a meeting of the Panel.

(3) BRUNEL OVERSIGHT BOARD REPRESENTATIVE

Committee Scope

Brunel Oversight Board (the Board) is the primary governance body within the Brunel Pension Partnership. Each Fund within the partnership has a representative on the Board and this representative represents the Committee when discharging its duties. The Fund's representative will be the Committee Chairperson.

Functions

Acting for the administering authorities in their capacity as shareholders in BPP Ltd., the Board has responsibility for ensuring that BPP Ltd delivers the services required to achieve investment pooling across the Brunel Pension Partnership.

Subject to the terms of reference for the Board and the applicable shareholder documentation, the Board's role is to consider and address relevant matters on behalf of the administering authorities. These include the monitoring and strategic oversight functions necessary to its role, as well as acting as a conduit and focus of shareholder requirements and views.

Consistent with this role, the Board's duties include reviewing and discussing any matter which it considers appropriate in relation to BPP Ltd including BPP Ltd.'s services, performance, operations, governance, strategy, financing and management.

The main duties of the Board Representative are:

1. To represent the Committee and Shareholder on the Brunel Oversight Board.
2. To ensure that the Committee's views are communicated to the Board and BPP Ltd.
3. To ensure the Fund's and shareholder's interests are protected within Brunel in line with the legal framework within which Brunel operates.
4. To report back to the Committee and Shareholder all relevant issues discussed by the Board and recommendations to the Brunel Client Group and/or the Shareholders.
5. To seek the consensus view of the Committee for Shareholder and Board matters where necessary.
6. To raise issues with the Board at the request of Committee members, the shareholder representative or Head of Pensions.

(4) BRUNEL PENSION PARTNERSHIP WORKING GROUP

Committee Scope

This is a group of Committee members whose role is to consider in greater detail any issues arising from Brunel Pension Partnership with Officers, for example Reserve Matters, papers to be discussed at BOB. This will not include routine investment matters which are monitored by the Investment Panel.

Functions

With regard to any matters arising from Brunel Pension Partnership where the Avon Pension Fund have an interest:

- a) to consider each matter that will be brought to the Pension Committee and/or Shareholder representative for decisions in due course
- b) to provide guidance to the Pension Committee and/or Shareholder Representative in relation to each matter when they are being considered
- c) to provide guidance to the BOB representative as required
- d) to make recommendations to the Pension Committee regarding general oversight of the pool, as considered appropriate.

Composition

This group will consist of:

- a) the BOB Representative,
- b) named BOB substitute
- c) the Chair and/or Vice Chair if not the BOB representative /substitute
- d) an independent committee member.
- e) Head of Pensions
- f) Group Manager, Funding, Investments and Risk

Quorum

The Working Group shall be quorate if three members are in attendance, with at least 2 that are not fund officers. The Head of Pensions shall chair the Working Group.

Meeting Arrangements

The Working Group shall meet as and when required as determined by the Head of Pensions. Meetings may be via telephone conference.

Key discussions and action points from the Working Group will be recorded and the committee will be updated at the next committee meeting.

(5) OFFICER DELEGATIONS

In addition to the responsibilities listed in the Council's scheme of delegation, some additional responsibilities for functions specifically related to pension fund activities and the authorisation of transactions have been delegated to officers by the Pension Fund Committee. These are set out in the Fund's Scheme of Delegation and include the following:

1. Implementation and day to day monitoring of the administration, investment and funding strategies and related policies.
2. Implementing investments in emerging opportunities within strategic allocations, either to be managed outside Brunel or instruct allocation to Brunel portfolio.
3. Implementing investment management arrangements in line with the strategic policy as follows:
 - a. For assets managed outside Brunel, this includes the setting of mandate parameters and the appointment of managers, in consultation with the Investment Panel.

- b. For assets managed within Brunel, deciding and instructing the allocation to each Brunel portfolio.
4. Implement the strategic risk management objectives of the Fund and take necessary action to ensure delivery of strategic outcomes. Ongoing consideration of these issues will be undertaken by the Funding and Risk Management Group (see section 6) who will report decisions and ongoing considerations to the Investment Panel.
5. Rebalancing the investment assets to target strategic allocations, when deemed prudent to do so, taking account of tactical allocations approved by the Investment Panel.
6. Representing the Fund on the Brunel Client Group to develop Brunel investment strategies and policies which effectively support the interests of the Fund.
7. Commissioning Elective Services from BPP Ltd and issuing instructions as permitted by the Brunel Service Agreement to BPP Ltd.
8. The appointment of specialist advisors to support the Committee and Officers in discharging their functions.
9. Determining policies that support the investment and funding strategies having taken expert advice.
10. In consultation with the Chair of the Committee, the Head of Pensions will approve the draft Statement of Accounts and Annual Report for audit.
11. Authorising expenditure from the Fund in accordance with the annual budget.
12. Admitting new admitted bodies into the Fund subject to them meeting Fund policy.
13. The Director - One West has authority to dismiss investment managers, advisors and 3rd party providers if urgent action is required (does not refer to performance failures but to their inability to fulfil their contractual obligations or a material failing of the company).
14. The Director - One West has authority to suspend policy (in consultation with the Chairs of Committee and Panel) in times of extreme market volatility where protection of capital is paramount.
15. Under its wider delegated powers, the Director - One West has delegated authority to effectively manage the liabilities of the Fund including the recovery of debt.
16. Exercising the discretions specified in the Local Government Pension Scheme Regulations in connection with deciding entitlement to pension benefits or the award or distribution thereof.
17. The Scheme Advisory Board's (SAB) Good Governance Review recommends that "*Each administering authority must have a single named officer who is responsible for the delivery of all LGPS related activity for that fund (the LGPS senior officer).*" The Head of Pensions has been formally recognised as the LGPS Senior Officer in the Council's constitution at Council Meeting held 21 July 2022.

(6) FUNDING AND RISK MANAGEMENT GROUP

Committee Scope

The Funding and Risk Management Group (FRMG) is a group of Avon Pension Fund officers and specialist advisors whose role is to consider in greater detail all strategic and operational aspects of the Risk Management Strategies.

Functions

In addition, it has specific delegated authority as follows:

1. Agree the operational structures to meet the strategic objectives determined by the Avon Pension Committee
2. Make changes to the structures as needed to ensure strategic outcomes continue to be achieved or to manage emerging risk
3. Implement the strategies including
 - a. Counterparty selection
 - b. Trigger frameworks
 - c. Collateral arrangements
 - d. Setting benchmarks
4. Determine the framework for monitoring the strategies and reporting to Panel & Committee

Composition

The Group will consist of the following:

From the Avon Pension Fund:

- Head of Pensions
- Group Manager, Funding, Investments and Risk
- Investment Manager
- Senior Investments Officer
- Other Fund Officers as required (for example Funding Manager, Governance & Risk Advisor)

Advisors

- Investment Consultant or deputy
- Risk Consultant or deputy
- Scheme Actuary or deputy
- Investment Manager as required

Quorum

FRMG shall be quorate if the following are in attendance:

- 2 Pension Fund Officers one of which must be the Head of Pensions or Group Manager, Funding, Investments and Risk
- Risk Consultant or deputy
- Investment Consultant or Scheme Actuary

Meeting Arrangements

FRMG will meet as and when required as determined by the Head of Pensions/Group Manager, Funding, Investments and Risk, but at a minimum quarterly. Meetings will be virtual.

Meetings will be chaired by the Head of Pensions or Group Manager, Funding, Investments and Risk. Key discussion and action points will be recorded, and minutes will be circulated to the Investment Panel. The group will also update the Panel at the following meeting.

Approved by the Avon Pension Fund Committee 24 June 2022

Bath & North East Somerset Council	
MEETING:	Council
MEETING DATE:	17 November 2022
TITLE:	Annual Report of the Charitable Trust Board
WARD:	All
AN OPEN PUBLIC ITEM	
List of attachments to this report: None	

1 THE ISSUE

- 1.1 The purpose of this report is to update the Council on the work of the Charitable Trust Board over the past year.

2 RECOMMENDATIONS

- 2.1 To note the report.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The purpose of the Charitable Trust Board is to facilitate the management of the charitable trusts for which the Council is the sole trustee; independently, in accordance with their governing documents and in the best interests of the charity. Currently the only charitable trust which the Board oversees is the Alice Park Trust. This is managed by a Sub-Committee consisting of voting members (elected members of the Council) and independent non-voting members.
- 3.2 The Charitable Trust Board is satisfied that the finances of the charity are being managed adequately with the support of the Council's finance team. The Alice Park Trust annual report and accounts for 2020/21 have been submitted to the Charity Commission.

4 THE REPORT

- 4.1 The Charitable Trust Board received the Annual Report of the Alice Park Trust Sub-Committee on 4 October 2022 and is satisfied that the Alice Park Trust is:

- Being managed in pursuit of its charitable purposes.
- Maintaining a balanced account.
- Acting within the requirements of its governing documents.
- Dealing with its regulatory and public accountability obligations.

- 4.2 The Alice Park Trust accounts for 2020/21 were submitted to the Charity Commission by the required deadline of 31 March 2022.
- 4.3 Expenditure incurred for Alice Park Trust in 2020/21 was £41,309; this was offset by income of £19,907.
- 4.4 The deficit of £21,402 has been subsidised from the Bath & North East Somerset Council Parks revenue budget, to ensure the Trust operates on a going concern basis. This is the same process that has been undertaken in previous years.
- 4.5 Net Assets of the Trust are valued at a cost of £189,664. Net assets include investments held, land at Alice Park, car park, cottage number one, tea chalet and storage shed, public conveniences, tennis courts, garden shelter and play equipment.
- 4.6 The accounts for 2020/21 have been prepared by the Council's Finance team and have been independently examined by One West.
- 4.7 The accounts for the Trust are prepared on a cash basis, in line with reporting requirements and guidelines issued by the Charity Commission.
- 4.8 An annual report for the Trust has also been prepared for submission to the Charity Commission. All members of the Alice Park Trust Sub-Committee during the period 2 April 2020 to 31 March 2021 are listed in the Annual Return.
- 4.9 Subject to Covid closures, the park was open for public access throughout the year, including use of the tennis courts and tea chalet, and has been suitably maintained. The cottage property was let and the income used in the upkeep of the park.

5 RATIONALE

- 5.1 Under its terms of reference, the Charitable Trust Board is required to submit an annual report to the Council.

6 EQUALITIES

- 6.1 An Equalities Impact Assessment has not been carried out as this report is for information only.

7 OTHER OPTIONS CONSIDERED

- 7.1 None

8 CLIMATE CHANGE

- 8.1 This is an internal matter, so climate change considerations are not relevant.

9 CONSULTATION

- 9.1 The Section 151 and Monitoring Officer have had opportunity to review and input into this report.

10 RISK MANAGEMENT

10.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision-making risk management guidance.

Contact person	Corrina Haskins – Democratic Services Officer Email: Corrina_Haskins@bathnes.gov.uk Tel: 01225 394357
Background papers	None
Please contact the report author if you need to access this report in an alternative format	

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Bath and North East Somerset Council

Full Council meeting 15 September 2022

Green Party Motion on the impact of increasing taxation on the inhabitants of B&NES as a result of the Government's continued support and funding of nuclear power in preference to renewable energy generation.

To be proposed by Cllr Joanna Wright

Council Notes:

1. The arguments for nuclear energy appear to be contentious and therefore decisions to continue to invest in expensive, long term nuclear projects require further scrutiny.
2. New research suggests that the assumption that nuclear energy is necessary to form a baseload of energy provision is no longer valid; neither is it valid to pursue the development of nuclear energy purely on economic grounds.
3. Nuclear energy is not a clean and safe technology and still has the potential to cause considerable harm.
4. The current planning policy that governs renewable energy infrastructure, and onshore wind turbines in particular, needs to be amended to encourage investment in this area.

Council therefore:

1. Calls on the Government to review approvals given for Sizewell C and for investment into nuclear energy in general.
2. Calls on the Government to back investment in renewable energy and provide financing for this.
3. Calls on the government to change the National Planning Policy on Solar Panels and Wind Turbines.
4. Requests that the Leader write to the Secretary of State at the Department of Business, Energy and Industrial Strategy and local MPs to inform them of the council's position.

Background information to the Motion

Nuclear versus Renewable Energy

The UK Government is continuing with its commitment to nuclear energy, giving the go ahead for the Sizewell C nuclear plant on 20th July 2022 with funding approved in August 2022.

The move has prompted the Claverton Energy Research Group (CERG (1), to publicly join the large and growing number of scientists, academics, energy professors and campaigners in opposing new nuclear development on purely economic grounds (2).

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- *Councillors are reminded of their public sector equality duty which requires the Council to consider or think about how their policies or decisions may affect people who are protected under the Equality Act.*

Available on the CERG website is research by Professor Mark Barratt at University College London (UCL) (2) which shows that “baseload generators” such as nuclear power plants are not needed in an all-renewable future and their use will almost certainly increase the cost of energy to consumers. Professor Barratt’s research modelled the comparative costs and performance of nuclear and renewable power using hour by hour wind and solar data and 35 years of weather data. The research simulated the entire power demand needed to sustain the UK, including meeting the demand for electric vehicles, shipping fuel, and heating buildings.

The modelling showed that

- the total cost of renewable generation would be less than nuclear, and would be just as able to provide continuous power even with wind and solar droughts.
- The continuing fall in wind and solar energy costs, along with cheaper storage of heat and power means that an entirely renewable and highly reliable power supply as a replacement for fossil fuels is available for the UK at a lower cost than any alternative.
- 7 GW of wind will generate about 40% more electricity than Hinkley at 30 – 50% of the cost per kWh and will be built in half the time.
- Under no scenario did nuclear add value to the mix.

Long term effects of Nuclear Energy

Dr Paul Dorfman, Chair of the Nuclear Consulting Group and Associate Fellow, Science Policy Research Unit, University of Sussex states that the idea that the new generation of nuclear will be safe and clean is a fiction (3). “The reality is nuclear is an extremely costly and inflexible technology with the potential to cause significant harm. Not forgetting that coastal nuclear is at ramping risk from climate-driven sea level, storm surge and flooding – with the nuclear industry and regulatory mitigation efforts becoming increasingly obsolete.”

The CERG also notes that safe solutions for the disposal of nuclear waste still need to be found also as outlined by Greenpeace (The Global Crisis of Nuclear Waste – Greenpeace France November 2018) (4).

The CERG also notes that nuclear in the UK and Europe has proved to be unreliable with French nuclear currently only 50% available.

National Planning policies

Wind turbines

As attention continues to grow on the role that renewable energy plays in improving our energy security, new research from UWE Bristol (5) has revealed the impact of current policy on restricting onshore wind farm development in England. The combined impact of a removal of financial subsidies and policy change has led to a 97% decrease in the number of onshore wind turbines that have been granted planning permission in the period 2016-2021 compared to the period 2009-2014. While financial subsidies have now returned, there is a clearly need to address the planning policy.

Solar Energy

Solar energy applications have been rejected in unprecedented numbers (6). Planning permission for 23 solar farms was refused across England, Wales and Scotland between January 2021 and July 2022, which could have produced enough renewable energy to power an estimated 147,000 homes

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annually, according to analysis of government figures by the planning and development consultancy Turley.

The refusals have jumped significantly since the start of 2021 – the research found only four projects were refused planning permission during 2017, 2018, 2019 and 2020 combined.

Carbon Brief, a UK-based website covering the latest developments in climate science, climate policy and energy policy states that solar not being a threat to prime agricultural land, as it currently occupies only 0.1% of UK land area – less than half that occupied by golf courses – and will rise to only 0.3% if the government meets its net zero pledge (7).

Notes

- (1) <https://claverton-energy.com/energy-experts-online>
- (2) <https://claverton-energy.com/baseload-power-generators-such-as-nuclear-power-plant-are-not-needed-in-an-all-renewable-future-and-their-use-would-simply-increase-costs.html>
- (3) <https://committees.parliament.uk/writtenevidence/108306/pdf/>
- (4) <https://www.greenpeace.org/static/planet4-belgium-stateless/2019/03/f7da075b-18.11.gp-report-global-crisis-of-nuclear-waste.pdf>
- (5) <https://info.uwe.ac.uk/news/uwenews/news.aspx?id=4220>
- (6) <https://www.theguardian.com/environment/2022/aug/25/solar-farm-plans-refused-highest-rate-five-years-great-britain>
- (7) <https://www.carbonbrief.org/factcheck-is-solar-power-a-threat-to-uk-farmland/>

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Bath and North East Somerset Council

Full Council meeting 17th November 2022

Motion from Cllr Joanna Wright (Green party) on Making Votes Count with Proportional Representation

To be proposed by Cllr Joanna Wright

Council notes:

- Within Europe, only the United Kingdom and authoritarian Belarus still use the archaic First Past the Post (FPTP) system for General and Local Elections. Whilst internationally, Proportional Representation (PR) is used to elect parliaments in more than 80 countries.
- The UK's First Past the Post voting system curtails voter choice, making millions of votes ineffective, and leaving millions feeling unrepresented and unheard.
- MPs and other elected representatives would better reflect their communities, leading to improved decision-making, wider participation and increased levels of ownership of decisions taken.
- PR is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland.

Council believes that:

- The FPTP system has contributed to dangerous levels of distrust and disillusionment with our democratic processes and politicians.
- It is essential that faith is restored in our democratic system and that the public see Parliament as fairly reflecting their views.
- Our First Past the Post voting system is a significant barrier to restoring this faith and all but guarantees that the balance of opinion among the electorate is not reflected in Parliament.
- A system of Proportional Representation in which seats match votes and all votes count equally would help to rebuild public trust by ensuring that all political views are represented in Parliament in proportion to their level of public support.

Council therefore resolves:

1. To write to his Majesty's Government calling for a change in our outdated electoral laws to enable Proportional Representation to be used for general and local authority elections; and
- *Unless where specifically set out in the statute, motions approved at Council do not bind the Executive (Cabinet) but may influence their future decisions.*
 - *Councillors are reminded of their public sector equality duty which requires the Council to consider or think about how their policies or decisions may affect people who are protected under the Equality Act.*

2. To call upon Bath and North East Somerset's two MPS to push for a change to electoral law to permit Proportional Representation and to promote the matter for debate within Parliament.

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Bath and North East Somerset Council

Full Council meeting 17 November 2022

Liberal Democrat Motion on LGA Save Local Services campaign

To be proposed by Councillor Richard Samuel

Council:

1. Notes the *Save Local Services* campaign by the Local Government Association (LGA), which emphasises the importance of local government services to every person in every community, particularly in light of the cost-of-living crisis.
2. Notes, with concern, that the Chancellor has signalled a reduction in spending on public services and /or the imposition of tax rises and requested government departments to cut their budgets.
3. Believes the LGA is correct to warn that the future financial sustainability of councils and local services is on a cliff-edge. The scale of inflation in the economy and demand-related pressures cannot be met by reducing costs, making efficiencies, or raising council tax. Non-statutory services, such as parks, leisure and neighbourhood services, are under sustained pressure. Councils will be hard-pressed to limit damage to the local services upon which so many people rely.

Council therefore:

4. Resolves to support the *Save Local Services* campaign and to call on government to:
 - a. Put local government finances on a sustainable footing.
 - b. Provide adequate funding, in line with inflation and the demand for services and provide powers that enable councils to extend the scope of charged for services.
 - c. Agree longer-term settlements of at least three years, giving Councils certainty to plan budgets and minimise service disruption.
5. Asks the Leader of Council to communicate Council's views to government, local MPs and the LGA.

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Bath and North East Somerset Council

Full Council meeting 17 November 2022

Labour Motion on Additional Council Support for Community Warm Spaces

To be proposed by Cllr Moss. Seconded by Cllr Dando.

Council:

1. Welcomes the creation of its Warm Welcome package as a first step - creating library “hublets”, a warm places map and an associated standards charter.
2. Notes that energy prices are more than double their autumn 2021 levels, inflation is now over 10% and threats of Covid and ‘flu cause great concern.
3. Notes that libraries are few and far between, and other public spaces can be very hard to reach, especially in rural areas, and are sometimes only open for a few hours a week.
4. Is aware that time is of the essence when it comes to reassuring the public that B&NES Council will keep them safe and warm this winter.
5. Recognises that Council must work smartly within its budgets
6. Understands that smart working on immediate needs is an investment that will save both financial and human costs later.

Council therefore:

7. Resolves to draw on the significant experience it has, from the pandemic and from housing refugees from the illegal Ukraine war, to leverage B&NES’ unparalleled local scale to set up a community organisation network, whose goal is to get as close as possible to the following:
 - 7.1 Work with partners to ensure that vulnerable residents have the shortest possible journey to a warm space
 - 7.2 Help residents access community transport that enables access and safe travel home
 - 7.3 Wherever possible, place other useful facilities e.g. food banks, on-site
 - 7.4 Build community organisations’ capabilities and capacity: e.g. help with volunteer training / DBS checks; refreshment facilities; insurance; secure fuel storage, risk assessments and more

- *Unless where specifically set out in the statute, motions approved at Council do not bind the Executive (Cabinet) but may influence their future decisions.*
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7.5 Provide secure and hygienic facilities which take Covid and 'flu into consideration, as well as facilities outside of office hours.

8 Recommends that this network's first meeting should be no later than 30 November.

Council further:

9 Appreciates the scale of the task at hand but also recognises its moral duty to do all it can to protect all vulnerable residents in our community.

10 Agrees to take this action to work collaboratively cross-partnership and cross-party, and in so doing, to help save lives this winter.

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Bath and North East Somerset Council

Full Council meeting 17th November 2022

Motion from Councillor Andy Furse - Ending of B&NES Jianxi Province (and city of Jingdezhen) Friendship Agreement

To be proposed by Councillor Andy Furse

Council notes:

In view of the OHCHR Report released on 1st September on Human Rights concerns with Xinjiang Uyghur region in China, it is now time we ceased our Friendship agreement with Jianxi Province and City of Jingdezhen.

The creation of such a Friendship agreement with Jianxi Province (a province of approximately 45million people) in October 2009 was at a time when the PRC was considered to be respecting the freedoms of its people, respecting the international agreements in Hong Kong and not showing any aggression in the region.

However, over the time we have had our agreement in place there has been: political suppression and the breaking of international agreements in Hong Kong, expansionism in the South China Sea, serious military threats to democratic Taiwan, and now the United Nations report on human rights abuses on the Uyghur population specifically in Xinjiang region.

Our friendship agreement signals a friendship with the Chinese Communist Party in Jianxi Province. The same regime that is criticised in the UN Report in Xinjiang.

Furthermore, at a local level there has been no news of this friendship agreement from either the cabinet or council officers for a long time and no known economic benefit to B&NES.

Corresponding with Council officers and economic development officers recently, has confirmed that there hasn't been any involvement on this for around 6-7 years (since John Wilkinson was head of Economic Development). So, there is no value or benefit in the relationship and it would appear to be non-functioning anyway.

To retain such an agreement gives tacit support to Jiangxi province, and the Chinese Communist Party and thus its human rights abuses of Uyghurs, oppression of Hong Kong and threats to democratic Taiwan. The Chinese Communist regime's actions repeatedly demonstrate that it is not concerned with upholding the universal values we safeguard and does not adhere to international rules of conduct for example: -

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- It is widely reported and well documented that at least a million Uyghurs have been forcibly detained in so called “re-education” camps in China.
- Survivors who have escaped have talked about their experience which include internment, rape, torture, forced sterilisation.
- There have been reports of organ harvesting against Uyghurs by the Chinese government, with evidence presented to the UN Human Rights Council
- A number of Uyghurs have submitted evidence to the International Criminal Court calling for an investigation for Crimes of Genocide & Crimes Against Humanity.
- In its latest report, Amnesty International states that: “The human rights situation across China continued to deteriorate. Human rights lawyers and activists reported harassment and intimidation; unfair trials; arbitrary, incommunicado and lengthy detention; and torture and other ill-treatment for simply exercising their right to freedom of expression and other human rights. The government continued a campaign of political indoctrination, arbitrary mass detention, torture and forced cultural assimilation against Muslims living in Xinjiang. Thousands of Uyghur children were separated from their parents.

The National Security Law for Hong Kong enabled human rights violations which were unprecedented since the establishment of the Special Administrative Region.”

- Last year UK academics have been sanctioned by China for research and activism on the plight of Uyghur Muslims. Such sanctions pose a serious threat to the freedom of UK nationals with the potential risk of extradition to China when travelling abroad to friendly nations.

Already, Newcastle, Wakefield and Newport Councils have passed motions to end twinning and friendship agreements with cities in China.

Bath and North East Somerset has a proud history of promoting the advancement of human rights and standing in solidarity with those oppressed. In 1936 Bath became home to Emperor Haile Selassie, home to his campaign for international support of his homeland, Ethiopia, which had been invaded by Mussolini's fascist regime.

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- *Councillors are reminded of their public sector equality duty which requires the Council to consider or think about how their policies or decisions may affect people who are protected under the Equality Act.*

Council therefore resolves;

1. To give notification that Bath & NE Somerset Council will terminate our friendship agreement with Jianxi province and City of Jingdezhen;
2. To express condemnation of the Chinese government's treatment of Uyghur Muslims and human rights activists;
3. To show solidarity with the people campaigning for freedom and democracy in mainland China, Hong Kong and Macau; and
4. To write to the MPs for Bath and for NE Somerset urging them to lobby the Government for action in relation to the treatment of Uyghur Muslims.

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