



**North
Northamptonshire
Council**



**West
Northamptonshire
Council**

Id Meeting: Shared Services Joint Committee

Date: Wednesday 17th August 2022

Time: 2.00 pm

Venue: Council Chamber, Swanspool House, Doddington Road, Wellingborough, NN8 1BP

To members of the Shared Services Joint Committee

Councillor Jonathan Nunn (Co-Chair), Councillor Jason Smithers (Co-Chair), Councillor Adam Brown, Councillor Lloyd Bunday, Councillor Helen Harrison, and Councillor Malcolm Longley

Members of the Panel are invited to attend the above meeting to consider the items of business listed on the agenda.

Agenda			
Item	Subject	Presenting Officer	Page no.
01	Apologies for Absence	Chair	
02	Declarations of Interest Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.	Chair	
03	Minutes To confirm the Minutes of the meeting of the Committee held on 13 July 2022.	Chair	5 - 8
04	Chair's Announcements To receive communications from the Chair.	Chair	
05	Hosted/Lead Disaggregation a) Sensory Impairment Service (SIS) Change Request b) Section 106 Disaggregation Variation Notice	AnnMarie Dodds/Chris Kiernan George Candler/Colin Walker	9 - 24
06	Inter Authority Agreements The Shared Services Joint Committee to consider the Inter Authority Agreement Public Health Intelligence Schedule 3	Susan Hamilton	25 - 34

07	Urgent Business The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.	Chair	
Catherine Whitehead, Monitoring Officer West Northamptonshire Council Proper Officer Tuesday 9 August 2022			

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Where a matter arises at a meeting which **relates to** other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but must not take part in any vote on the matter unless you have been granted a dispensation.

Where a matter arises at a meeting which **relates to** your own financial interest (and is not a Disclosable Pecuniary Interest) or **relates to** a financial interest of a relative, friend or close associate, you must disclose the interest and not vote on the matter unless granted a dispensation. You may speak on the matter only if members of the public are also allowed to speak at the meeting.

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If Members have any queries as to whether a Declaration of Interest should be made please contact the Monitoring Officer at – monitoringofficer@westnorthants.gov.uk

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Shared Services Joint Committee

Minutes of a meeting of the Shared Services Joint Committee held at The Forum, Moat Lane, Towcester, NN12 6AD on Wednesday 13 July 2022 at 2.00 pm.

- Present Councillor Jonathan Nunn (Co-Chair)
 Councillor Jason Smithers (Co-Chair)
 Councillor Adam Brown
 Councillor Lloyd Bunday
 Councillor Helen Harrison
 Councillor Malcolm Longley
 Councillor Jason Smithers
- Officers Martin Henry, Executive Director - Finance (Section 151 Officer WNC)
 Ann-Marie Dodds, Executive Director - Children's Services (NNC)
 Claire Edwards, Assistant Director - Finance Accountancy (NNC)
 Lisa Hyde, Director of Transformation (NNC)
 Fiona Unett, Assistant Director - Highways and Waste (WNC)
 Kerry Purnell, Assistant Director - Housing and Communities (NNC)
 Jonathan Waterworth, Assistant Director - Assets and Environment (NNC)
 Elaine Davis, PMO Transformation (NNC)
 Jeremy Rawling, PMO Transformation (NNC)
 Tracy Tiff, Deputy Democratic Services Manager (WNC)
 Richard Woods, Democratic Services Officer (WNC)

8. **Declarations of Interest**

There were no declarations of interest.

9. **Notification of requests to address the meeting**

There were no requests to address the meeting.

10. **Minutes**

The minutes of the meeting of the Committee held on 8 June 2022 were agreed as a correct record, subject to a minor typographical amendment to delete the duplicate entry of Cllr Adam Brown (WNC) on the attendance list, and add Cllr Phil Larratt (WNC) and Cllr Graham Lawman (NNC) to the attendance list.

11. **Chair's Announcements**

There were no announcements from the Chair.

12. **Hosted/Lead - Change Requests**

School Swim Service – IAA Variation Notice

The Committee considered a report from the Executive Director – Adults, Communities and Wellbeing (NNC) and the Assistant Director – Housing and Communities (WNC) which sought approval for the recommendation that the Councils cease the provision of the School Swimming Service

In introducing the report, the Assistant Director – Housing and Communities (NNC) outlined that the School Swimming Service was a traded service offered to schools and was not a statutory function for the local authorities, therefore it was the responsibility of individual schools to provide swimming services for its students.

Following a detailed disaggregation fact check, options appraisal and impact assessment, it had been identified that there was no longer a requirement for the Councils to deliver the service as schools could access swimming lessons directly through existing pool and leisure providers.

In response to questions from the Committee regarding how stakeholders would be consulted, the Assistant Director – Housing and Communities (NNC) advised that the Councils would commit to ensuring that alternative service providers and schools be made aware of the changes to minimise future disruption.

The Assistant Director – Housing and Communities (NNC) explained that the proposed change, if approved, would be effective from 31 December 2022, owing to there being insufficient time remaining in the current academic year for schools to make alternative provisions.

Resolved

- (1) That the recommendation that both Councils (NNC and WNC) are no longer providers of school swimming lessons with effect from 31 December 2022 be approved.
- (2) That authority be delegated to the Monitoring Officers of both Councils to put into place a deed of variation to the Inter Authority Agreement (IAA) for the service to exit the IAA.
- (3) That it be agreed that both WNC and NNC will act in accordance with Service Plans, Exit Plans, and any Collaborative Working Agreements agreed by both WNC and NNC service leads and approved by Monitoring Officers until such time as a formal Deed of variation has been completed.

Highways and Transport – Home to School Passenger Transport Disaggregation – Change to Timeline

The Assistant Director – Highways and Waste (WNC) submitted a report which sought the approval of the reprofiling of the hosted Place and Economy Service, Highways and Transport – Home to School Passenger Transport disaggregation timeline from September 2022 to the Autumn half-term 2022, in order to enable additional time to disaggregate the service in a safe and legal manner following the peak timeframe for service delivery and therefore reducing the potential disruption to the statutory service delivered by the Council.

Resolved

- (1) That the reprofiling of the timeline to disaggregate the Highways and Transport – Home to School Passenger Transport service be approved.
- (2) That the disaggregation blueprint be amended accordingly to reflect the new disaggregation timeline of Autumn half-term 2022 (end of October 2022).

Parking and Bus Lane Enforcement Disaggregation – Change to Timeline

The Committee considered a report from the Assistant Director – Assets and Environment (NNC) which sought approval for the reprofiling of the hosted Place and Economy service, Highways and Transport – Parking and Bus Lane Enforcement disaggregation timeline from September 2022 to March 2023.

In presenting the report, the Assistant Director – Assets and Environment (NNC) outlined that this reprofiling proposal had been put forward to enable sufficient time to disaggregate the service in a safe and legal manner due to the need for North Northamptonshire Council to procure key contracts and arrangements which underpin enforcement activity, therefore ensuring there is minimum disruption to the service delivered by the Council.

In response to questions from the committee regarding whether any additional costs would be incurred by North Northamptonshire Council as a result of the reprofiling of the disaggregation timeline, the Assistant Director – Assets and Environment (NNC) advised that there would be no additional costs incurred to either Council.

Resolved

- (1) That the reprofiling of the timeline to disaggregate the Highways and Transport – Parking and Bus Lane Enforcement service be approved.
- (2) That the disaggregation blueprint be amended accordingly to reflect the new disaggregation timeline of 31 March 2023.

13. **Hosted/Lead - Disaggregation**

Safeguarding in Education Services – Variation Notice

The Committee considered a report from the Transformation Project Manager (WNC) which sought the Committee's approval to proceed with the disaggregation of the Safeguarding in Education Services (SIES) which is currently hosted by North Northamptonshire Council (NNC) and provided to West Northamptonshire Council (WNC) via an Inter Authority Agreement (IAA).

The report outlined that there was a requirement to disaggregate the SIES Team, which was formerly employed by Northamptonshire County Council prior to the implementation of Unitary governance arrangements. The proposed disaggregation date for the SIES team was 1 September 2022 following which employees would either transfer to West Northamptonshire Council under TUPE regulations or remain in their current roles employed by North Northamptonshire Council.

In response to questions from the Committee regarding the future safeguarding arrangements for both Councils, the Transformation Project Manager explained that both authorities wished to disaggregate the service to allow them to tailor future arrangements to the strategic direction of the individual Councils.

Resolved

- (1) That the disaggregation of the Safeguarding in Education Services (SIES) by 1 September 2022 be approved.
- (2) That authority be delegated to the Monitoring Officers of both Councils (NNC and WNC) to put into place a deed of variation to the Inter Authority Agreement (IAA) for the service to exit the IAA Schedule 2C3.
- (3) That it be agreed that both Councils will act in accordance with service plans and any collaborative working agreements agreed by both NNC and WNC service leads and approved by the Monitoring Officers until such time as a formal Deed of Variation has been completed.

14. **Urgent Business**

There were no items of urgent business.

The meeting closed at 2.13 pm

Chair: _____

Date: _____



Shared Services Joint Committee Wednesday 17th August 2022

Report Title	Sensory Impairment Service (in Education) Disaggregation – Change to Approach
Report Author	Neil Goddard, Assistant Director for Education, NNC Chris Kiernan, Director for Children’s Services, WNC
Executive Member	Cllr Scott Edwards, Executive Member for Children, Families, Education and Skills, NNC Cllr Fiona Baker, Portfolio Holder for Children, Families and Education, WNC

Key Decision	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	

Contributors/Checkers/Approvers

Approver	Officer Name	Date Officer Approved Report
North MO	Adele Wylie	22/07/22
North S151	Janice Gotts	JOB 13/07/22
Other Director/SME	Lisa Hyde	JOB 13/07/22
West MO	Catherine Whitehead	25/07/22
West S151	Martin Henry	JOB 13/07/22
Other Director/SME	Ann Marie Dodds	22/07/22

List of Appendices

None

1. Purpose of Report

- 1.1 To seek approval for a revised delivery model for the disaggregation of the hosted Sensory Impairment Service, Education (Children’s Services), with work to commence immediately to finalise the legal and financial agreements that will underpin this new approach.

- 1.2 To seek approval to amend the originally planned schedule of disaggregation to reflect this proposal and revise the Inter Authority Agreement accordingly. This is to ensure a safe and resilient service with the least amount of risk to service users.

2. Executive Summary

- 2.1 The Sensory Impairment Service (SIS) is hosted by North Northamptonshire Council and provides services across both North and West Northamptonshire. The hosted arrangement is governed and monitored by the Inter Authority Agreement (IAA) between both councils and is made up of 58 employees.
- 2.2 The Sensory Impairment Service aims to raise the aspirations and improve the outcomes of children and young people (CYP) with hearing/ vision impairment (ages 0-19yrs) by identifying and meeting their needs at an early stage and positively impacting on their progress within educational settings and the home. The service contributes to the multi-agency planning for CYP with Special Educational Needs or Disability (SEND). This specialist service aims to improve self-esteem and to promote independence and ensure broad access to the school curriculum.
- 2.3 The team currently has a caseload of 1,025 Children, Young People (CYP) spread broadly evenly across both NNC and WNC. The students supported by the sensory impairment service are some of the most vulnerable, with a significant high level of need but low incidence, it is vital that this very vulnerable cohort of students does not have their education disrupted. Intervention needs to be at the earliest stages to ensure optimum outcomes and to develop skills leading to maximum independence as they prepare for adulthood.
- 2.4 The Sensory Impairment Service is responsible for delivering statutory services which must be delivered within a legislative framework. In developing options explored, the need to meet these statutory obligations have remained a key driver in assessing and determining risk factors.
- 2.5 Several options have been explored to mitigate some of the core risks identified with proposed disaggregation of the service. This included the recommendation to not disaggregate the service into a traditional North/West model, but instead review alternative ways of delivering the service for both authorities including considering a single service owned by North Northamptonshire offering specialist service provision to both West and North Northamptonshire Council, and potentially other Councils through a traded model.

A comprehensive Impact and Options Assessment was subsequently completed which explored in more detail the various options which would both meet business requirements for each authority but, more importantly, minimise risk to service continuity and delivery for the vulnerable end users.

- 2.6 The recommendations outlined in the Impact and Options Assessment are included and presented to Members for consideration, with a further recommendation to develop a comprehensive Business Case to present to Members for consideration.

3. Recommendations

3.1 That the Shared Services Joint Committee:

- a) Agree that the disaggregation of the Children's Sensory Impairment Service is reprofiled to enable a more detailed Business Case with recommendations for a potential alternative model to be developed.
- b) Agree that the Children's Sensory Impairment Service remains within the current IAA until a further decision is made regarding the future model of delivery.
- c) Note that a Business Case will be presented to both the West Northamptonshire Council's Cabinet and North Northamptonshire Council's Executive by December 2022 to consider alternative service delivery models.
- d) Grant delegated authority to the Monitoring Officers for North and West Northamptonshire Councils to amend or terminate the relevant provisions within the IAA if an alternative delivery model has been approved and commenced, subject to an agreed Exit Plan.

3.2 Reasons for the Recommendation

- a) The proposed option to delay disaggregation until the Councils have had the opportunity to consider alternative service delivery models for the Sensory Impairment Service will ensure continuous effective service delivery within this statutory function. It also considerably reduces the risk of service failures or issues as a result of limited specialist resources and capacity to support the vulnerable end-users, as well as reputational damage.
- b) This arrangement will provide greater flexibility for both authorities to develop potential future service delivery models.

3.3 Alternative Options Considered

3.3.1 Continue with full disaggregation (split between both authorities) but at a later date than the original September 2022. For the main reasons outlined below this option is not recommended:

- a) Statutory responsibilities may not be met as developing an appropriately skilled service with capacity to meet needs for each Council could not be achieved without investment of significant time and resources and may still not be successful. A National shortage of specialist teachers already leads to recruitment difficulties.
- b) Reduced size of individual services would limit resilience due to specialisms of teachers and difficulty in accessing appropriately skilled and qualified contingency cover. Additionally, needing to duplicate specialist roles within teams is likely to incur increased costs for both Councils.

- c) Smaller disaggregated teams are likely to lead to a less responsive service due to reduced capacity and resilience. This would pose a significant risk to the current highly regarded and effective service which is meeting the needs of very vulnerable children.

4. Report Background

- 4.1 The Sensory Impairment Service is made up of a wide range of highly specialist unique roles meeting highly complex specific needs. Traditional disaggregation with the aspiration of creating two equally effective teams would not fulfil the user need without the requirement of significant growth and the duplication of key roles. There is a national shortage of specialist qualified teachers, and so the required recruitment would expose both Councils to significant risk of being unable to meet their statutory requirements, a fall in service standards and failing vulnerable children and young people.
- 4.2 The service aims to raise the aspirations and improve outcomes of children and young people (CYP) with hearing/ vision impairment (ages 0-19yrs) by identifying and meeting their needs at an early stage and impacting on progress within educational settings and the home. The service contributes to the multi-agency planning for CYP with special educational needs or disability (SEND). This specialist statutory service aims to improve self-esteem and to promote independence and ensure access to the school curriculum. Service offered may include:
- To support pupils, educational setting staff and parents/carers to understand sensory impairment and how this may impact on the child or young person's learning;
 - To support and advise educational settings in how to close/narrow the gap between pupils with a sensory impairment and their main cohort of pupils, through specialist knowledge, strategies, IT and resources;
 - To contribute towards improved access to the curriculum and learning in order for pupils to be able to make expected or exceeded progress;
 - To support and advise parents/carers in how to support their child's learning and development, through specialist knowledge, strategies and resources;
 - To directly teach pupils specific skills which will enable them to independently access learning, improve their self-advocacy skills, improve their mobility and improve their self-confidence, social, emotional and well-being;
 - To monitor the progress of pupils over time in terms of the support and interventions SIS provide and to hold educational settings to account where necessary; and
 - To directly teach an Additional Core Curriculum (sign language, auditory processing skills, braille, tactual skills, IT skills, social emotional/well-being, self- advocacy, mobility and independence).

- 4.3 Research from other local authorities (LA) suggests that a centrally based team (in the case of NNC, a remodelled team) ensures most effective and resilient service delivery. Other LA's that have moved to smaller or locality-based teams, report that skills of specialist teachers have become diluted, and standards have dropped.
- 4.4 One option being explored is the potential move to a traded model - this is not an untested model of delivery, as other authorities successfully work in this way, for example Rutland County Council. The former Northamptonshire County Council was previously approached to provide services for another authority through a traded model as specialist teachers could not be recruited due to the national shortage of these skills.
- 4.5 It was agreed as part of the new unitary authorities Blueprint that the Sensory Impairment Service would be disaggregated. Further detailed review has highlighted some significant risks associated with this approach – most of which would have a direct impact on the ability of both Councils to deliver a safe and effective model to service users. Therefore, in looking to put forward a proposal for the future of the service, both authorities have used the opportunity to think more innovatively about service delivery in its totality with children and young people at the heart of service design and delivery.
- 4.6 The timeline for disaggregation of the Sensory Impairment Service is currently set for September 2022. However, this is no longer achievable given the limited timeline and processes required to consider and seek approval from each authority on an alternative service delivery model.

5. Options and Recommendation

5.1 The options for delivery of the service set out within the report look to disaggregate the service in line with the blueprint whilst establishing new arrangements that effectively, and with resilience, meet the needs of vulnerable children across West and North Northamptonshire. The proposals are relevant to the entire Sensory Impairment Service, currently operating under a hosted arrangement by North Northamptonshire Council.

5.2 The following options are to be considered:

Option 1

Continue with full disaggregation – originally planned for September 2022, but earliest achievable date would likely be by March 2023. Given the potential impact associated with implementing two much smaller and less resilient teams, this option is deemed the highest risk to end users of the service and the least effective/efficient model for each Council.

Option 2

Retain existing arrangement - this would mean that the current Sensory Impairment Service remains under a hosted (or lead) arrangement across both Councils, delivered through North Northamptonshire Council and managed accordingly through existing IAA arrangements.

Option 3 (Preferred and Recommended)

Develop a comprehensive Business Case, which fully explores all alternative options for safe and sustainable future service delivery and provides a suitable recommendation to mitigate risks identified. The intention would be to present this to North Northamptonshire Executive and West Northamptonshire Cabinet in December 2022 for consideration and approval. One of these options will be to explore a commercial model arrangement, as outlined in the Impact and Options Assessment.

5.3 **Option 3** is the recommended option for the following reasons:

5.3.1 It will enable a more detailed assessment of safe and suitable options for the future delivery model of the Sensory Impairment Service. Members from both authorities will be presented with comprehensive information and recommendations to enable robust and informed decision making.

5.4 The recommended option has been developed based on a detailed investigation of possible service delivery models and the need to mitigate high levels of risk identified with the proposed split of the service, as per the original Blueprint.

5.5 The disadvantages / risks of this option are:

5.6 Delayed implementation of the service model as identified in the original Blueprint.

5.7 Imposing any change on a successful and high performing service increases risk of impact on sustained performance.

6. Implications (including financial implications)

6.1 Resources and Financial

6.1.1 There are no direct financial or resource implications as a result of the recommendation. The current arrangement will continue until agreement has been made relating to the future delivery model, as a result of the Business Case. A thorough financial assessment will be undertaken and incorporated into the Business Case against options identified and recommended.

6.2 Legal and Governance

6.2.1 The Shared Services Joint Committee is responsible for “ensuring there are robust plans for any disaggregation of services and that there is a smooth transition to new service delivery arrangements”. They are also responsible for ensuring that statutory arrangements are in place for each Council.

6.2.2 The service is currently operating in accordance with the Inter Authority Agreement that exists between North Northamptonshire Council and West Northamptonshire Council. This would continue until an alternative model has been agreed and safely implemented.

6.3 Relevant Polices and Plans

6.3.1 All relevant policies will need to be reviewed and updated to ensure they remain fit for purpose following implementation and are agreed for the respective authorities as necessary.

6.4 Risk

6.4.1 If the service is disaggregated in accordance with the original plan to split the service equally between each authority, the following risks and issues will arise:

Risk Assessment	Mitigating Action
Availability of highly specialist roles is limited and considerable risk of being unable to consistently fill key roles.	Risk is mitigated by the recommended alternative delivery model. In the event of disaggregation, a skills audit would need to be carried out to equitably split the existing cohort and separate recruitment carried out as necessary to fill vacancies.
Inability to recruit to specialist roles to create safe and legal teams to deliver statutory service requirements within each authority	Salary provisions would need to be reviewed (e.g. market supplements) and third-party providers engaged to delivery aspects of the service.
Effective county wide working relationships with health services, Multi Academy Trusts etc are weakened	Activities would be duplicated under a disaggregated Service delivery arrangement.
Highly regarded and effective service meeting needs of very vulnerable children is broken up risking continuation of delivery	Collaboration working arrangements would be implemented for a time limited period to maintain service levels.

6.5 Consultation

6.5.1 This report does not meet the parameters required for public consultation.

6.6 Consideration by Executive Advisory Panel

6.6.1 No immediate considerations arising from this report. However, if recommendations are agreed, the future Executive Committee report would also likely be taken for consideration by the Executive Advisory Panels (Education, Skills and Employment as well as Service Delivery, Performance and Customers).

6.7 Consideration by Scrutiny

6.7.1 No immediate considerations arising from this report. However, if recommendations are agreed, then a further report will be presented to NNC Executive Committee and WNC Cabinet. Therefore a future report to scrutiny may be required.

6.8 Equality Implications

6.8.1 No considerations arising from this report. An Equality Impact Assessment will be undertaken as part of the Disaggregation process.

6.9 Climate Impact

6.9.1 No negative impacts arising from this report.

6.10 Community Impact

6.10.1 None arising from this report

6.11 Crime and Disorder Impact

6.11.1 None arising from this report

7. Background Papers

7.1 Sensory Impairment Service Impact and Options Review

Shared Services Joint Committee Wednesday 17th August 2022

Report Title	Development Services, Section 106 Disaggregation variation request
Report Author	Rob Harbour, Assistant Director, NNC Colin Walker, Assistant Director, WNC
Executive Member	Councillor David Brackenbury Executive Member Portfolio Holder for Growth & Regeneration, NNC Councillor Rebecca Breese, Portfolio Holder for Planning WNC

Key Decision	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	

Contributors/Checkers/Approvers

Approver	Officer Name	Date Officer Approved Report
North MO	Adele Wylie	07/06/2022
North S151	Janice Gotts	07/06/2022
Other Director/SME	Lisa Hyde	07/06/2022
West MO	Catherine Whitehead	07/06/2022
West S151	Martin Henry	07/06/2022
Other Director/SME	Stuart Timmis (WNC) George Candler (NNC)	06/06/2022

List of Appendices

None

1. Purpose of Report

- 1.1. To seek approval of the recommendations to disaggregate the former NCC Development Services – Section 106 service.
- 1.2. To seek approval of the recommendation following the completion and review of an Impact Assessment, set out within this report for the Committee's consideration, based on Officers' assessment for both authorities in relation to

the disaggregation of the former NCC Development Services – Section 106 service.

2. Executive Summary

- 2.1.** The NNC team (2 posts and no vacancies) manage the ex-Northamptonshire County Council (NCC) Section 106 (S106) for Education, Fire and Rescue, libraries, and Broadband with additional monitoring responsibilities for Highways and Public Transport. The team currently provide services to West Northamptonshire Council (WNC) under the IAA (Inter Authority Agreement) as a host authority.
- 2.2.** A change request asking for an extension to this arrangement until April 2023 was considered by the Shared Services Joint Committee (SSJC) on 27th April 2022. In accordance with the decision made by SSJC the former NCC S106 service will now disaggregate by September 2022 as per original blueprint.
- 2.3.** To meet the required disaggregation timelines, it is proposed handover of the function will take place by the end of September 2022. Staff TUPE activity to follow as soon as practicable once vacant posts within both authorities are recruited to. A collaborative working arrangement (CWA) will be required to ensure that a robust handover of live s106 negotiations and agreements can take place and that any risks identified can be minimised. To ensure that the CWA can function effectively, delegated authority will be requested for the appropriate officers to deal with matters until such a time as full handover is achieved

3. Recommendations

3.1. That the Shared Services Joint Committee:

- a) Approve the disaggregation of the former NCC Economic Growth and Regeneration Development Services, Section 106 function by 30th September 2022, with staff transfer to follow as soon as practicable thereafter.
- b) Approve the proposed arrangements for disaggregation, budget, staffing, contract and cost implications, as set out in section 5 and section 7.
- c) Grant delegated authority to the Monitoring Officers for North Northamptonshire Council and West Northamptonshire Council to complete the decisions and actions necessary to give effect to the recommendations and conclude the requirements for the exit plan, collaborative working arrangements and associated officer delegations, as well as any required variation to the IAA.

3.2. Reasons for recommendation

- a) The proposed option to disaggregate the former NCC Economic Growth and Regeneration – Section 106 (S106) adopts the local government reform blueprint, whereby a service has been led for a period of time before

- it can safely and legally disaggregate and reflects the Joint Committee decision on to disaggregate by the blueprint timeline of September 2022.
- b) Ensures TUPE process and staff transfer are carried out in accordance with appropriate guidelines and timescales and allows for new staff to be recruited and trained in role before fully disaggregating.
 - c) Ensures a robust collaborative working arrangement is in place so that knowledge sharing, negotiations and relationship management of Section 106 agreements can smoothly transition minimising any operational or reputational risks.
 - d) Disaggregation of the former NCC Development Services, Section 106 service function can be completed by 30th September 2022.

3.3. Alternative Options Considered

- a) The former NCC Development Services – Section 106 service is currently delivered as a host authority service in accordance with the Administrative Agreement for the hosted/ lead provision of functions and services between North Northamptonshire Council (NNC) and West Northamptonshire Council (WNC). NNC provides management and operational duties to both North Northamptonshire and West Northamptonshire administrative areas. This arrangement could continue until April 2023 (Option 2 shown below at 5.1.2)

4. Report Background

- 4.1.** The Growth and Regeneration – Section 106 (S106) service manage, the ex-NCC S106 for Education, Fire and Rescue, libraries, and Broadband with additional monitoring responsibilities for Highways and Public Transport S106.
- 4.2.** Since the launch of the two new unitary authorities in April 2021, the Growth and Regeneration – S106 service has been led by North Northamptonshire Council (NNC) who currently deliver the service for both NNC and West Northamptonshire Council (WNC).
- 4.3.** Disaggregation of the service will facilitate both NNC and WNC integrating the former NCC Economic Growth and Regeneration – Section 106 (S106) functions and agreements into their respective organisational restructures and operations.
- 4.4.** A request to extend the host arrangement to April 2023 to allow services to complete operational redesign and wider staff restructure prior to disaggregation was presented to the Shared Services Joint Committee on 27th April 2022. The Committee resolved “That the reprofiling of the timeline to disaggregate the Section 106 function to be concluded by 1st April 2023 not be approved”. Disaggregation by the original deadline of September 2022 is required.
- 4.5.** An Impact Assessment has been completed and options and recommendations around the approach to disaggregation considered. The outcome of this work and timescale limitations has resulted in an approach which proposes disaggregation of the function by September 2022 with staff TUPE to follow as soon as practicable following recruitment and training of new Section 106 staff.

5. Issues and Choices

5.1 The following options were considered:

Option 1 – Disaggregation of the function by September 2022 with staff TUPE to follow as soon as practicable thereafter. New roles to be created and recruited to in both authorities to allow for staff training, knowledge sharing and ensure a robust handover of negotiations prior to staff disaggregation.

Option 2 – Delay disaggregation to April 2023.

5.1.1. **Option 1** is the recommended option for the following reasons:

- A change request asking for an extension to this arrangement until April 2023 was considered by Shared Services Joint Committee on 27th April 2022. In accordance with the decision made by Shared Services Joint Committee the S106 service will disaggregate by September 2022 as per original blueprint.
- Fulfils the strategic vision to disaggregate the service and form two independent teams.
- S106 staff roles can be aligned to organisational restructure and new team formation taking place within both authorities.
- Ensures that any staff vacancies identified can be recruited to and new staff are in role and appropriately trained to mitigate any operational and reputational risk arising from disruption of service.
- Ability to put in place any necessary collaborative working arrangements to ensure smooth handover.
- Ability to improve and tailor services, policies and processes to the strategic vision and priorities of the individual authorities.
- Ability for each authority to create robust operational processes to ensure oversight of how S106 funds are managed and can be considered as a whole, rather than the current management in silos
- Ability to offer developers and residents services/negotiations aligned to any local consultation and engagement feedback.

Mitigations required to enable option 1 are:

- Staff costs will need to be considered by the services, and budget identified as the required duplication of staff in both authorities will incur additional costs.
- Current negotiations, management, and monitoring of the S106 agreements will require a robust handover. Relationships will need to be developed between developers and new team members and live negotiations fully handed over. There is a risk to both authorities reputationally and financially that must be considered, collaborative working arrangements, appropriate officer delegations and a robust handover process must be in place to mitigate this.
- There is a possibility of cross financial impacts where 106 funding is provided by developers across the borders of WNC and NNC areas. These need to be further understood and clear joint working arrangements considered.

5.1.2 **Option 2** – Delay disaggregation until April 2023

The service would continue as currently under the host arrangement with an extension until April 2023 to allow for staff TUPE and handover to be jointly completed.

- This option was considered was considered by Shared Services Joint Committee on 27th April 2022. In accordance with the decision made the S106 service will disaggregate by September 2022 as per original blueprint.

5.2 **Core Impact and Considerations**

5.2.1 **Policy/Service Delivery** – Through disaggregation of the service both authorities will integrate the former Northamptonshire County Council (NCC) Section 106 delivery into their relevant NNC and WNC services. This includes disaggregation of the staff, contracts, policies, statutory processes, GDPR requirements, IT and business support provision.

5.2.2 **Staff** – There are 2 members of staff, and it is proposed these roles will be split between North and West. Agreement is required on how the staff split will be delivered as the affected staff currently have different levels of responsibility and experience. A full and proper consultation will be undertaken with all staff directly affected by the disaggregation.

5.2.3 **Resources** – Although a North led service this is a joint project between West and North, it has been agreed that the West will provide a lead Project Manager, with a Project Manager also assigned in the North as a supporting role. Additional resources will be required from the enabler services to support the disaggregation process and TUPE of staff.

5.2.4 **Assets/ Equipment** - As per the Inter Authority Agreement (IAA, the agreement that sets out the general terms on which the hosted and lead functions and services will be discharged and delivered between the Councils). All equipment in WNC/NNC is owned by the appropriate authority and will remain at the existing locations.

5.3 **Benefits**

The core benefits of this proposed approach are:

5.3.1 Meets the request of the Shared Services Joint Committee for disaggregation of the service by September 2022 with provision for staff changes soon after.

5.3.2 Delivers all the benefits as identified in the options appraisal section 5.1.1.

5.3.3 Allow the Councils to set their own processes, procedures and policies aligned with their own council strategy and priorities.

5.3.4 To integrate the Section 106 staff within equivalent functions in each respective council, offering opportunities for full management of the ex-NCC Section 106 agreements and income generation enabling enhanced service delivery and efficiency.

6. Next Steps

- 6.1. Should the Shared Services Joint Committee approve the recommendations shown in section 3 above, an exit plan and any collaborative working arrangements would be developed in accordance with the requirements of the Inter Authority Agreement (IAA) for the hosted provision of functions and services between North Northamptonshire Council and West Northamptonshire Council.

7. Implications (including financial implications)

7.1. Resources and Financial

- 7.1.1. Payments and receipts (AP/AR): In line with any transfer of contracts, respective contractors must be set up in the relevant Authority's ERP to ensure contractors can be paid in a timely manner and any receipts taken.

7.2. Legal and Governance

- 7.2.1. Legal resource will be required to support the development of the IAA Exit plan and collaborative working agreement for the proposed approach. This should include elements such as outstanding financial and obligatory commitment from developers.
- 7.2.2. Legal services hold Section 106 agreements, and these will need to sit within the appropriate authorities.
- 7.2.3. There are statutory requirements around time limits to respond to planning applications in line with planning regulations. There are also legal obligations attached to each S106, which place obligations on the Council to monitor spending of S106 and delivery of related infrastructure.
- 7.2.4. Each Council also has a statutory responsibility to publish an Infrastructure Funding Statement annually, which report on S106 funding secured, collected, and spent by the authority.
- 7.2.5. A Memorandum of Understanding (MOU) is in place with Fire and Rescue Service and arrangements will need to be made regarding future management.

7.3. Relevant Policies and Plans

- 7.3.1. The proposal will assist delivery of the North Northamptonshire Corporate Plan 2021-2025 "modern public services" priority.
- 7.3.2. The proposal will assist delivery of the West Northamptonshire Council Plan 2021-2025.

7.4. Risk

- 7.4.1. Risks are regularly reviewed by the Project and Programme teams and will be monitored via approved project governance.

7.4.2. There has been a significant risk identified around resourcing and the impact of a full September disaggregation, which would not allow sufficient time for the required staff to be recruited and trained and a robust handover completed. This has been mitigated by the proposal that the function is to disaggregate by September with the staffing element to follow as soon as practicably possible with collaborative working arrangements in place to mitigate any risks identified during disaggregation activity.

7.4.3. A recent audit completed by NNC has identified a number of areas for improvement within the Section 106 function. Delivering the action plan arising from this audit to the timeframe agreed by NNC's Audit & Governance Committee may impact the resource required to support disaggregation and could affect the ability to disaggregate the function by September. An exercise to prioritise and align identified actions with disaggregation tasks wherever possible will be required to mitigate this risk.

7.5. Consultation

7.5.1. Service areas from North and West have been consulted in this report with both Executive Directors agreeing the approach. The public facing element of the service is not changing.

7.5.2. There is no statutory requirement for public consultation.

7.5.3. Consultation with affected staff, supported by the Trade Unions, will commence from 18th August 2022.

7.6. Consideration by Executive Advisory Panel

7.6.1. No considerations arising from this report.

7.7. Consideration by Scrutiny

7.7.1. No considerations arising from this report.

7.8. Equality Implications

7.8.1. At this point in the process, it is not possible to fully assess the actual impact on all protected characteristic groups. The disaggregation proposal and processes are restricted to the method of delivery of the service rather than changes to service delivery itself, as such it is unlikely that there will be an impact of the proposal on equality groups. However, during consultation the situation will be reviewed and as any impact becomes apparent, appropriate mitigating action will be taken (where this is possible).

7.8.2. Standard Council HR policies and procedures will apply, and all of these have been equality impact assessed.

7.9. Climate Impact

7.9.1. There are minimal impacts arising from this change.

7.10. Community Impact

7.10.1. There are no direct community impacts arising from this change.

7.11. Crime and Disorder Impact

7.11.1. None arising from this report.

8. Background Papers

Appendix A

Section 106 Change Request



Shared Services Joint Committee

17th August 2022

Report Title	Inter Authority Agreement - Public Health - Health Intelligence and STP
Report Author	<p>Susan Hamilton, Consultant in Public Health susan.hamilton@northnorthants.gov.uk on behalf of</p> <p>John Ashton, NNC Interim Director of Public Health, john.ashton@northnorthants.gov.uk</p> <p>Sally Burns, WNC Interim Director of Public Health, sally.burns@westnorthants.gov.uk</p>
Executive Member	<p>Councillor Helen Harrison, Executive Member for Adults, Health and Wellbeing, NNC</p> <p>Councillor Matt Golby, Portfolio Holder for Adult Care, Wellbeing and Health Integration, WNC</p>

Key Decision	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	

List of Appendices

Appendix A – Business Intelligence and STP IAA

1. Purpose of Report

- 1.1. To present Service Plan for the Public Health - Health Intelligence and STP function and seek approval of the performance measures and financial information contained in the Inter Authority Agreement.

2. Executive Summary

- 2.1. The Public Health – Health Intelligence and STP function is detailed in Schedule 2C5 of the Local Government Reform (LGR) Blueprint as lead service delivered from North Northamptonshire Council to West Northamptonshire Council.
- 2.2. The Service Plan contained in the Inter Authority Agreement identifies Key Performance Indicators (KPIs) in relation to these functions to be monitored on a quarterly basis and the financial agreements for the service between North Northamptonshire Council and West Northamptonshire Council.

3. Recommendations

- 3.1. It is recommended that the Committee approve the proposed Service Plan for Public Health – Health Intelligence and STP.
- 3.2. Reason for recommendation:
To ensure that the completed Service Plan for Public Health – Health Intelligence and STP is agreed and mechanisms are in place for monitoring.
- 3.3. Alternative options considered:
The alternative of not approving the recommendations would create a delay to the reporting and monitoring of the performance measure while adjustments are made to the Service Plan.

4. Report Background

- 4.1. The Public Health Intelligence and STP function is detailed in Schedule 2C5 of the Local Government Reform (LGR) Blueprint as lead service delivered from North Northamptonshire Council to West Northamptonshire Council.
- 4.2. The Public Health Intelligence functions includes submission of statutory returns to the Office for Health Improvement and Disparities (OHID), delivery of the Joint Strategic Needs Assessment (JSNA), preparation of intelligence for the annual Director of Public Health report and intelligence to inform the commissioning and delivery of Public Health Services and strategic priorities of the Integrated Care System (ICS).
- 4.3. An Inter Authority Agreement is required for delivery for this function after October 2022. The Service Plan and KPIs set out in appendix A enable delivery of this function to be monitored. The financial arrangements for this service are detailed.

5. Issues and Choices

- 5.1. The Service Plan now requires Committee approval. Should the Committee be minded to not approve the Service Plan, this may create delay to the

reporting and monitoring of the performance measures while the required adjustments are made to the Service Plan.

6. Next Steps

6.1. Approval of the Service Plan.

7. Implications (including financial implications)

7.1. Resources and Financial

7.1.1. This is being delivered within existing resource and there are no resources or financial implications arising from the proposals. The financial arrangements between North Northamptonshire Council and West Northamptonshire Council are set out in the Service Plan.

7.2. Legal and Governance

7.2.1. The Shared Services Joint Committee are responsible for “Approving the Service Plans for the Specified functions including targets for service quality, performance and efficiency.” As well as “Agreeing the responsibilities of each Council to deliver the Service Plans and agreed strategy, including any specific responsibilities of the Provider Council and that the responsibilities are documented within the Service Plans.” The Service Plan for Public Health Business Intelligence has been reviewed by the Legal Team. No additional issues were identified.

7.3. Relevant Policies and Plans

7.3.1. The Public Health Intelligence and STP function is detailed in Schedule 2C5 of the Local Government Reform (LGR) Blueprint.

7.3.2. The proposal will assist delivery of the North Northamptonshire Corporate Plan 2021-2025 “Safe and thriving places” priority.

7.3.3. The proposal will assist delivery of the West Northamptonshire Council Plan 2021-2025 by enabling greater “connected communities”.

7.4. Risk

7.4.1. No risks identified.

7.5. Consultation

7.5.1. No consultation activity is required due to the nature of this activity.

7.6. Consideration by Executive Advisory Panel

7.6.1. Consideration by the Executive Advisory Panel has not been requested.

7.7. Consideration by Scrutiny

7.7.1. No consideration by Scrutiny has been requested.

7.8. Equality Implications

7.8.1. There is no equality impact arising from the recommendations in this report.

7.9. Climate Impact

7.9.1. There is no climate impact arising from the recommendations in this report.

7.10. Community Impact

7.10.1. There is no community impact because of this report.

7.11. Crime and Disorder Impact

7.11.1. There is no anticipated crime and disorder impact due to this report.

8. Background Papers

8.1. Administrative agreement

<https://northnorthants.moderngov.co.uk/documents/s1068/7.%20Appx%20B%20-%20IAA%20and%20Schedules.pdf>

SERVICE PLAN

SERVICE AREA	Adults – Public Health
FUNCTION	Public Health – Public Health Intelligence and STP
SERVICE TREATMENT	Host
PROVIDER AUTHORITY	North Northamptonshire Council (“NNC”)
RECEIVING AUTHORITY	West Northamptonshire Council (“WNC”)

1. OVERVIEW

- 1.1 This Service Plan sets out the approved budget and key performance indicators (KPIs) in respect of the delegated Function(s) and Services detailed in the corresponding Schedule 3C5.

2. CRITICAL SERVICE FAILURE(S)

- 2.1 Critical service failures in respect of the Delegated Functions in this Schedule 3C5 are:

- 2.1.1 Failure to complete and submit statutory returns to the Office for Health Improvement and Disparities (OHID) in line with the agreed deadlines for each statutory return. The list of statutory returns required is set out within 4.1 of this schedule.
- 2.1.2 One or more locally agreed KPIs, documented within section 4.2 of this schedule, report a red outturn for two consecutive quarters.

3. NOTICE PERIOD

- 3.1 The Notice period for termination of this Delegated Function is 6 months.

4. KEY PERFORMANCE INDICATORS

4.1 National / Statutory key performance indicators and reporting requirements

KPI ref	KPI description	KPI Target	Performance threshold levels	Guidance	Reporting frequency	Who measure is reported to? (e.g. Govt dept)
PHI01	Statutory return submitted for Health Checks dataset	Data return fully submitted within OHID deadline	Green = national data return submitted within agreed timeframe Amber = national data return partially submitted or submitted late Red = national data return not submitted	Statutory return to be completed and submitted in line with the OHID guidance published and within the deadline set.	Quarterly To be submitted in line with OHID published dates	Office for Health Improvement and Disparities (OHID)
PHI02	Statutory return submitted for National Childhood Measurement Programme dataset	Data return fully submitted within OHID deadline	Green = national data return submitted within agreed timeframe Amber = national data return partially submitted or submitted late Red = national data return not submitted	Statutory return to be completed and submitted in line with the OHID guidance published and within the deadline set.	Annual in Q2 To be submitted in line with OHID published dates	Office for Health Improvement and Disparities (OHID)
PHI03	Statutory return submitted for Early Years (Health Visitor) dataset	Data return fully submitted within OHID deadline	Green = national data return submitted within agreed timeframe Amber = national data return partially submitted or submitted late Red = national data return not submitted	Statutory return to be completed and submitted in line with the OHID guidance published and within the deadline set.	Quarterly To be submitted in line with OHID published dates	Office for Health Improvement and Disparities (OHID)

KPI ref	KPI description	KPI Target	Performance threshold levels	Guidance	Reporting frequency	Who measure is reported to? (e.g. Govt dept)
PHI04	Statutory return submitted for Adult Weight Management dataset	Data return fully submitted within OHID deadline	<p>Green = national data return submitted within agreed timeframe</p> <p>Amber = national data return partially submitted or submitted late</p> <p>Red = national data return not submitted</p> <p>Green = 3 x monthly returns submitted</p> <p>Amber = 2 out of 3 monthly returns submitted</p> <p>Red = 0 or 1 monthly returns submitted</p>	Statutory return to be completed and submitted in line with the OHID guidance published and within the deadline set.	<p>Monthly</p> <p>To be submitted in line with OHID published dates</p>	Office for Health Improvement and Disparities (OHID)

4.2 Locally agreed key performance indicators

KPI ref	KPI description	Target	Performance threshold levels	Reporting frequency	Overview / Supporting notes (May include references to baseline data)
PHI05	Agreed data and information for inclusion within the Public Health section of the corporate performance report for North and West is provided on monthly basis within agreed timescales.	All data provided within agreed deadlines	<p>Green = monthly data submitted for 3 out of 3 months during quarter</p> <p>Amber = data submitted for 2 out of 3 months during quarter</p> <p>Red = monthly data submitted for 0 or 1 out of 3 months</p>	Quarterly	Public health submits performance indicator data to both NNC and WNC performance teams monthly. Reviewed in line with corporate schedule.

KPI ref	KPI description	Target	Performance threshold levels	Reporting frequency	Overview / Supporting notes (May include references to baseline data)
PHI06	Quarterly data and intelligence reports to support the development of the Joint Strategic Needs Assessment (JSNA) are completed in line with the JSNA annual work plan.	All planned quarterly data and intelligence reports produced within agreed timescales	Green = All planned reports produced and provided within agreed timescale Red = All planned reports NOT produced and/or provided within agreed timescales	Quarterly	<p>The PH Intelligence team undertakes analysis and produces intelligence to inform commissioning or service delivery plans as part of the JSNA. Management of the production of the JSNA products and ongoing development of the JSNA is included in the remit of the PH Intelligence Team.</p> <p>An annual JSNA workplan will be developed, reviewed and agreed quarterly following discussions with senior public health managers and DPHs. This KPI will measure completion of the planned activity for each quarter.</p>
PHI07	Performance information and supporting data is collated and provided on a quarterly basis to support the preparation of the Director of Public Health's annual health report	All planned quarterly information and data provided on a quarterly basis (as per agreed plan)	Green = all information provided within agreed timescale Red = all information provided within agreed timescale	Quarterly	<p>A plan of activity will set out what performance information and data is required to be produced on a quarterly basis to feed into the DPH Annual Health Report. This KPI will measure the completion of the planned activity for each quarter.</p> <p>An annual workplan relating to production of the Annual Public Health Report will be developed, reviewed and agreed quarterly following discussions with senior public health managers and DPHs. This KPI will measure completion of the planned activity for each quarter.</p>
PHI08	All agreed performance dashboards and other required reports are produced and provided to relevant forums in line with the agreed quarterly work plan	All dashboards or reports are produced in	Green = all performance dashboards provided within agreed timescales Red = All performance dashboards are not	Quarterly	Performance dashboards will be produced and provided to relevant forums as per the annual reporting plan, and will include the Health Protection Board, PH Quality and Performance Board, ICS work programs

KPI ref	KPI description	Target	Performance threshold levels	Reporting frequency	Overview / Supporting notes (May include references to baseline data)
		line with agreed quarterly work plan	provided within agreed timescale		<p>and other system wide partnerships, and support to public health programs.</p> <p>Examples of this include business intelligence reports for non-COVID health protection; flu immunization uptake; smoking cessation; suicide prevention; breastfeeding; and substance misuse.</p> <p>An workplan will be developed, reviewed and agreed quarterly following discussions with senior public health managers and DPHs. This KPI will measure completion of the planned activity for each quarter.</p>

5. FINANCIAL INFORMATION

Recharging Principles

- 5.1. All costs and income associated with running the service will be recovered during the financial year in line with the disaggregated budget as approved by each Council respectively.
- 5.2. The lead authority shall invoice the receiving authority for the payments quarterly, each payment will be an equivalent proportion of the budget for quarters 1-3, as set out in table 1. Quarter 4 will be a balancing payment or refund to reflect actual expenditure incurred by the host authority, following a reconciliation process as set out in the financial KPI's.

6. Public Health

The Public Health Business Intelligence Team is funded out of the main Public Health Grant from OHID. The funding relates to the establishment costs for the Business Intelligence Team.

As the North are the lead, broadly all expenditure occurs in the North, with the Public Health grant received split in North and West authorities.

Disaggregated Budget

PH Grant	51.4%	48.6%
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Service Area	Gross Budget	WNC Expenditure Budget	NNC Income Budget	Q1 Recharge April-June 2022	Q2 Recharge July-Sept 2022	Q3 Recharge Oct-Dec 2022	Q4 Recharge Jan-Mar 2023	Comment
BI Team	307,515	158,063	158,063	39,516	39,516	39,516	39,516	Recharge will be based on actual costs per quarter.