

# CHESHIRE EAST COUNCIL

## Portfolio Holder for Performance

---

<b>Date of Meeting:</b>	13 October 2014
<b>Report of:</b>	Head of Governance and Democratic Services
<b>Subject/Title:</b>	THE SETTING OF FEES & CHARGES FOR THE HEALTH & SAFETY SERVICE TO CEC SCHOOLS DURING 2014 – 2015
<b>Portfolio Holder:</b>	Cllr. Barry Moran

---

### 1.0 Report Summary

- 1.1 This report seeks agreement in respect of a 2% increase in fees and charges for all academic establishments within CEC who buy- back a health and safety service. This increase will be effective for the academic year of 2014 – 2015 i.e.: September 2014 to August 2015.

### 2.0 Recommendations

- 2.1 That fees be increased by 2% in respect of delivering health and safety services to CEC schools, during the academic year of 2014 – 2015.
- 2.2 That upon consultation with the Portfolio Holder, the Head of Governance & Democratic Services will have the flexibility to allow for an agreed percentage reduction in fees, in such circumstances where:
- there is a joint approach from several schools (e.g. a Trust which represents 1 or more Academies and associated Feeder Schools who are seeking a best price for all Trust allied schools) and
  - where it is possible that the business might be lost otherwise due to robust competition from external providers
- 2.3 That the Corporate Health & Safety Manager be authorised to take all necessary actions to implement the proposal

### 3.0 Reasons for Recommendations

- By increasing fees by 2%, the total fees received will cover the salary costs of the Officers delivering the service in line with an expected reduction in the number of schools buying back the service in 2014 – 2015

- 2% is broadly in line with inflation and therefore a generally expected figure to calculate through
- 2% is very close to the figure which HR Schools expect to charge
- Care should be taken not to price the service out of the market as there is growing competition in this arena

#### **4.0 Wards Affected**

4.1 N/A

#### **5.0 Local Ward Members**

5.1 N/A

#### **6.0 Policy Implications**

6.1 For the reasons already shown in the report, a 2% increase is a reasonable increase when recognising a policy of increasing fees and charges in line with inflation

#### **7.0 Implications for Rural Communities**

7.1 N/A

#### **8.0 Financial Implications**

8.1 Based on the 2013/14 level of schools buying back Health & Safety services from Cheshire East, a 2% increase in charges would generate £1,800 additional income.

8.2 When added to the previous year's income from schools, a 2% increase will cover the salary cost of two Officers in delivering this service, taking into account an expected reduction in the number of schools buying back the service in 2014 – 2015. Purchasing opportunities through ChESS have closed and the final buy-back position is 96%. Six academic institutions have not purchased a health & safety service from the Council – these being four Academies and two High Schools. Additional costs in the forthcoming academic year include qualifying a Corporate Safety Adviser on an intensive course in local exhaust ventilation testing and monitoring (which is an additional service sold to schools), along with the calibration costs of for various items of equipment for associated workplace testing and training opportunities for Officers to maintain their IOSH CPD programmes.

#### **9.0 Legal Implications**

9.1 The Local Government Act 2003 introduced a general power to charge for the provision of any discretionary service. The charging power is available to all 'best value authorities'. This includes all counties,

unitary authorities, London boroughs, metropolitan boroughs, and districts councils alongside a number of other local authorities.

- 9.2. The charging powers do not apply to services which an authority is mandated or has a duty to provide. However, councils can charge for discretionary services (that is, services they have power to provide but are not obliged or have a duty to provide by law) on a cost recovery basis only.
- 9.3. The charging provisions contained in the Localism Act 2011 follow, very closely, the requirements of the 2003 Act to allow local authorities to charge up to full cost recovery for discretionary services. That is taking one financial year with another, the income from charges does not exceed the costs of provision.
- 9.4 In setting charges the Council must adhere to the Council's Charging and Trading Strategy 2013/2016

## **10.0 Risk Management**

10.1 N/A

## **11.0 Background and Options**

- 11.1 CEC has a dedicated team which delivers a service to the schools which buy-back this option via ChESS.

## **12.0 Access to Information**

The background papers relating to this report can be inspected by contacting the report writer:

Name: >Bronwen MacArthur-Williams

Designation: >Corporate Health & Safety Manager

Tel No: >07970 146 943

Email: >bronwen.macarthur-williams@cheshireeast.gov.uk