

<b>ANIMAL WELFARE UPDATE AND NORTHERN REGION SERVICE LEVEL AGREEMENT (SLA) 2019-2021</b>	<b>5<sup>th</sup> March 2019</b>
<b>TO: ENVIRONMENTAL SERVICES REPORT</b>	
<b>FOR DECISION</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Resilient, Healthy and Engaged Communities
<b>Outcome</b>	To ensure the continued delivery of the Animal Welfare Service
<b>Lead Officer</b>	Head of Health & Built Environment
<b>Cost: (If applicable)</b>	N/A

### **Purpose**

The purpose of this report is to highlight to Elected Members the recently published Animal Welfare Service Delivery Statistical Bulletin 2017. In addition this report seeks approval for the Chief Executive to the sign a Northern Region Service Level Agreement (SLA) pertaining to the Shared Animal Welfare Service for the 2018-21 period.

### **Background**

Mid and East Antrim act as one of the five sub-regional Lead Councils within the province responsible for the implementation and the enforcement of the Welfare of Animals Act (NI) 2011 across the eleven council areas.

Mid and East Antrim provide this service provision in their own council area and across Antrim and Newtownabbey Borough Council and Causeway Coast and Glens Borough Council, collectively referred to as the Northern Region. The Animal Welfare Service is wholly funded through a regional grant from Department of Agriculture, Environment and Rural Affairs (DAERA).

Responsibility for the enforcement of the Welfare of Animals Act (NI) 2011 has been conferred on three enforcement agencies DAERA (farmed animals), PSNI (wildlife and animal fighting) and local Councils (companion animals and equines).

### **Animal Welfare Service Delivery Statistical Bulletin 2017**

The review of the implementation of the 2011 Act, in 2015, recommended that DAERA should publish an annual report setting out information in relation to the animal welfare service. This is the second statistical bulletin produced by the

Department, using information provided by the three enforcement bodies and detailing the range and level of animal welfare activities during 2017.

With regard to Councils there were 9,189 inspections carried out during 2017 and over 2,400 animals were assessed by council animal welfare officers. Faced with this level of activity, councils utilised the full range of enforcement options to achieve the best outcomes, including where appropriate, prosecutions and disqualification from keeping animals. Northern region carry 28% of the provincial workload. A statistical report specifically for the Causeway Coast and Glens Borough Council area will be provided to committee following the end of the financial year.

### **Renewal of a Northern Region Service Level Agreement (SLA)**

The Service Level Agreement between Mid and East Antrim BC, Antrim and Newtownabbey BC and Causeway Coast and Glens BC requires renewal. This agreement establishes the provisions under which Mid and East Antrim Borough Council provide the DAERA funded Animal Welfare Service. In addition to define the role, responsibilities and obligations of the stakeholders within the Northern Region.

The SLA has previously been renewed on an annual basis, however upon consultation with all concerned parties, it is proposed that the period of the SLA is extended to March 2021, as detailed in **Appendix One**. This SLA includes arrangements an Information Sharing Agreement (ISA) which is being developed to assist in the sharing of information between the three councils that will enhance any investigation and enforcement under the Welfare of Animals Act (NI) 2011 Act and/or the Dogs (NI) Order 1983 as amended. Information to be shared will include personal and non-personal data. The ISA will be subject to the agreement of all parties and to periodic review. The response to media, elected members, Freedom of Information and other enquiries has been revised and updated.

### **Implications for Council**

The provision of an Animal Welfare Service is wholly funded by DAERA. The SLA may be terminated by any of the Stakeholders by giving at least one month written notice to the other Stakeholders.

### **Recommendation**

It is recommended that Elected Members note the Animal Welfare Service Delivery Statistical Bulletin 2017. Further it is recommended that Elected Members approve the signing of a Northern Region Service Level Agreement pertaining to the Shared Animal Welfare Service for the 2018-21 period between Mid and East Antrim Borough Council, Antrim and Newtownabbey Borough Council and Causeway Coast and Glens Borough Council, and that the Chief Executive sign on Councils behalf.

**Appendix 1** -Service Level Agreement between Mid and East Antrim BC, Antrim and Newtownabbey BC and Causeway Coast and Glens BC for 2018-21.

**Appendix 2 Animal Welfare Service Delivery Statistical Bulletin 2017** - <https://www.daera-ni.gov.uk/sites/default/files/publications/daera/ANNEX%20A%2018.19.104%20Animal%20Welfare%20Enforcement%20-%20Stat%20Bulletin%20final%20V2.PDF>

**Service Level Agreement**  
**DAERA FUNDED ANIMAL WELFARE SERVICE**  
**2018/21**

**Between**

**Sub Regional Lead Council Mid and East**  
**Antrim Borough Council**

**AND**

**Antrim and Newtownabbey Borough Council**  
**and**  
**Causeway Coast and Glens Borough Council**

**January 2019**

# Service Level Agreement

## Between

Mid and East Antrim Borough Council, Antrim and Newtownabbey Borough Council and Causeway Coast and Glens Borough Council.

(Hereafter referred to as the Agreement and the Stakeholders within the Northern Region)

## 1.0 Background

Prior to Local Government Reform the DAERA funded Animal Welfare Service was managed and delivered by Ballymena Borough Council on behalf of the 10 constituent Councils including the legacy Antrim BC; Ballymoney BC; Carrickfergus BC; Coleraine BC; Cookstown BC, Larne BC; Magherafelt DC; Moyle DC; and Newtownabbey BC on a sub-regional basis with Ballymena BC assuming the Lead regional Council role.

A Governance paper on a new delivery model was produced and presented to the LGCEG on 13<sup>th</sup> March 2015.

Councils have since agreed to reconfigure the Regional Service to a four centre model with Fermanagh and Omagh Council taking on the Lead Regional Council role.

Mid and East Antrim BC will act as one of the four Sub-regional Lead Councils responsible for service delivery in its own area and across, Antrim and Newtownabbey Borough Council and Causeway Coast and Glens Borough Council. i.e. Northern Region.

## 2.0 Shared Objectives

### 2.1 The Objectives of the Agreement are:

- To establish provision under which Mid and East Antrim Borough Council may provide DAERA funded Animal Welfare Service.
- To define the role, responsibilities and obligations of the stakeholders within the Northern Region

2.2 The Agreement shall commence on the date of signing by the last of the Stakeholders, and shall continue in force indefinitely unless superseded by another SLA or equivalent document, or unless terminated by any of the Stakeholders. ('the Period')

### **3.0 Review of the Service Level Agreement**

**3.1** The Review Process will be initiated and facilitated by Mid and East Antrim Borough Council 3 months prior to the end of the financial year.

**3.2** The Stakeholders may propose at any time during the Period to revise the Agreement, and agree any reasonable alteration or addition to or omission from the Agreement. In the event of such a revision being proposed, Mid and East Antrim Borough Council (Lead Council) shall assess what resources, if any, will be involved, prior to agreeing to the revision, and shall agree these costs with the other Stakeholders prior to any implementation of the revision

### **4.0 Performance Review and Reporting**

**4.1** The Stakeholders shall jointly review performance under the Agreement on a quarterly basis. Progress reports will be provided by Mid and East Antrim Borough Council (Lead Council) to inform the process. A summary report for the 12 month period will be provided as an addendum to the fourth quarter report. Where significant variances are highlighted, a rationale will be provided.

**4.3** Mid and East Antrim Borough Council shall ensure that necessary action agreed is taken to maintain a high level of service delivery.

### **5.0 Level of Service Delivered**

**5.1** Mid and East Antrim Borough Council (Lead Council) is responsible for ensuring the service is delivered within the Agreement and that it is reported on as detailed in section 4.

**5.2** The service covered by this Agreement is:

**Enforcement of the Welfare of Animals Act in respect of non-farmed animals.**

### **5.3 Financial Arrangements**

Confirmation of the amount of grant funding for Animal Welfare will be provided by DAERA in advance of the start of each financial year. A draft budget summary will then be submitted to the Department by the Board and the budget available split over the 4 regions based on previous experience.

**The Animal Welfare budget will be managed via Memorandums of Understanding** between the Department and the Regional Lead and sub-regional Councils. Due to variable sub-regional demands on the service, the use of the budget allocated will be flexible to allow for the movement of financial resources between sub-regions in year. Councils will ensure that the Service is delivered in the most efficient and effective manner to ensure value for money. Councils will monitor expenditure on a monthly basis and if there is a potential significant variation on the profiled spend, then they

will liaise with DAERA and take appropriate action e.g. bid for additional resources, surrender monies, make necessary modification to service provision, etc. Subject to Project Board approval, sub regions will be able to avail of an under-spend in other sub regions to offset their overspend in the first instance. In the very unlikely event that that an overspend is incurred, in the Northern Region and, not funded by DAERA, the cost will be shared equally between Mid and East Antrim BC , Causeway Coast and Glens BC and Antrim and Newtownabbey BC but discussions would take place with the sub regional group as soon as this becomes evident. This is subject to the current level of funding (section 5.4) being provided by DAERA and if funding levels were reduced then the SLA would be subject to a review.

Any under-spend in one sub-region will be available to contribute towards overspends in another. There is no intention of any overspend in any sub-region as sub-regional budgets will be monitored on a monthly basis as well as projected spend for the following month. The Project Board will inform DAERA as soon as possible if they believe that the annual allocation is not enough to fulfil the demands of the service in year so a case can be made to obtain additional funding from DAERA. Councils have no budget to fund an over spend in relation to animal welfare expenditure and the sub-region Councils will take certain measures to reduce spend and proceed within budget. However in the event of any overspend, the Regional Council and Sub-regional Councils will expect DAERA to underwrite such overspend as part of the fully funded service.

**5.4 Funding Allocation** - The Department will make available to Councils funding for the period (2018-2021) in respect of implementation of the 2011 Act for non-farmed animals. The level of available funding for 2018/19 is currently £1.25M, which will be subject to ongoing monitoring throughout each financial year. The Department will advise the Project Board of subsequent funding provision when the information is available. The Regional Lead Council shall provide in year monitoring information to allow the Department to meet Department of Finance and Personnel timelines. Additional detail on financial monitoring is provided in Part I of Annex A.

**5.5 Resource** - The resource allocated to the needs of the service will be as required taking into consideration the regionally agreed Prioritisation Guidance and funding allocation. There are currently 2 FTE (Full Time Equivalent) Animal Welfare Officers appointed to work across the Northern Region. They like all 9 Animal Welfare Officers are appointed to work across all eleven Councils as required and all 9 Officers will undertake Out of Hours responsibilities across all eleven councils.

**5.6 Line Management for the Animal Welfare Officers and Admin staff** involved will be provided by Mid and East Antrim Borough Council.

**5.6 Mid and East Antrim Borough Council** shall ensure where possible, that the staff resources necessary to deliver the agreed level of services are available.

**5.7 Mid and East Antrim Borough Council** is responsible for monitoring the delivery of services on an ongoing basis.

## **5.8 Enforcement Decisions**

All decisions pertaining to enforcement action in relation to prosecutions within the Causeway Coasts and Glens BC and Antrim and Newtownabbey BC will be signed off by the Designated Officer from which ever Council area the offence took place in line with the Councils Generic Enforcement Policy and Animal Welfare Enforcement Guidelines.

Currently Prosecutions within Mid and East Antrim BC require Council approval.

## **5.8 Sub-regional Animal Welfare Forum (AWF)**

The sub-regional **Animal Welfare Forum (AWF)** will comprise of one officer representative from each of the sub-regional Councils and the Sub-regional lead Council Animal Welfare Line Manager and will call on Animal Welfare Officers, PSNI, DAERA enforcement other organisations as and when deemed necessary. The secretariat will be managed by the Sub-regional Lead Council Animal Welfare Line Manager. A Chair will be appointed at the first meeting of the sub-regional Animal Welfare Forum. Councils represented at the Animal Welfare Forum shall each possess a single vote in elections and in forum decisions.

**The Sub-regional Animal Welfare Forums (AWF) shall:**

- have a primary focus to ensure consistency and efficient working practice across the sub-regional councils;
- implement agreed policy from Animal Welfare Project Board;
- provide the means to translate central government and Animal Welfare Project Board recommendations into policy appropriate for local government;
- develop work-plan targets that meet Animal Welfare Project Board Strategy objectives;
- Provide sub-regional liaison between Animal Welfare Project Board and sub-regional councils, in particular in terms of financial updates and profiling of spend..
- maintain an overview of Animal Welfare tasks and duties;
- deal with routine issues arising from Animal Welfare Project Board and subgroups;

## **5.9 Media, FOI, Elected Member and other enquiries,**

Media enquiries will be dealt with as per Project Board Media Protocol i.e. local issues dealt by local Council Media officer with information provided by Animal Welfare Line Manager (lead Council) and regional issues dealt with by Chair of Project Board.

A draft response to FOI, Elected Member and other enquiries will be prepared by MEABC in a timely fashion to meet both statutory and internal timeframes, on behalf of CCCGC and ANBC.

## **6.0 Information Sharing Agreement**

An Information Sharing Agreement (ISA) shall be developed to assist in the sharing of information that will enhance any investigation and enforcement under the Welfare of Animals Act (NI) 2011 Act and/or the Dogs (NI) Order 1983 as amended. Information to be shared will include personal and non-personal data. The ISA will be subject to the agreement of all parties and to periodic review.

## **7.0 Health and Safety**

**7.1** Health and Safety of staff employed by Mid and East Antrim Borough Council is the responsibility of Mid and East Antrim Borough Council

**7.2** Mid and East Antrim Borough Council employees must adhere to the Health and Safety requirements of their employer Council. This includes adherence to health and safety requirements specific to Council offices as well as in the delivery of services external to the Council offices such as lone working and site specific requirements.

## **8.0 Termination**

This SLA may be terminated by any of the Stakeholders where any of the other Stakeholders is in breach of any of its obligations under this Agreement, and in the case of a breach capable of rectification, where the defaulting Stakeholder fails to remedy the breach within 28 days of having been given notice of same by one of the other Stakeholders.

The SLA may be terminated by any of the Stakeholders by giving at least 1 months written Notice to the other Stakeholders

Termination of the SLA shall not, in any way, remove any responsibility of any of the Stakeholders for enforcement of the 2011 Act

## **9.0 Resolution of Disputes**

**9.1** Any day to day matters which give cause for concern or dispute, which have the potential to impact on the fulfilment of requirements within the Agreement, and which cannot be resolved by the Officers directly involved, will be referred to Line Management.

**9.2** If a situation arises which Line Managers are unable to resolve, it will be referred to the relevant Head of Service / Director.



**SIGNED ON BEHALF OF**

**Mid and East Antrim Borough Council**

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Chief Executive

Dated

**Antrim and Newtownabbey Borough Council**

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Chief Executive

Dated

**Causeway, Coast and Glens Borough Council**

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Chief Executive

Dated