

DRAFT SERVICE LEVEL AGREEMENT DAERA FUNDED ANIMAL WELFARE SERVICE	7th November 2017
TO: ENVIRONMENTAL SERVICES COMMITTEE	
FOR DECISION	

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

Background

A revised Service Level agreement has been prepared by Mid and East Antrim Borough Council for 2017-2018. Minor amendments have been made to accommodate information sharing in line with the requirements of Data Protection Act 1998.

A copy of the service level agreement which has been agreed by the Project Board and each of the sub regional lead Councils may be found at Appendix 1 to this report.

Recommendation

It is recommended that Causeway Coast and Glens Borough Council grant authority to the Head of Health & Built Environment to sign the above service level agreement.

Service Level Agreement
DAERA FUNDED ANIMAL WELFARE SERVICE
2017/18

Between

Sub Regional Lead Council Mid and East
Antrim Borough Council

AND

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

October 2017

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 13th 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 (2016/17) in respect of implementation of the 2011 Act for non-farmed animals. The level of available funding for 2016/17 is currently £990K (however a business case was submitted by DAERA in June 2016 to bring total funding to £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 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.

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

Chief Executive

Antrim and Newtownabbey Borough Council

Chief Executive

Causeway, Coast and Glens Borough Council

Chief Executive