

**Public Document Pack**  
**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Cabinet**

**Date: Tuesday, 7th November, 2017**

**Time: 2.00 pm**

**Place: Committee Room 1 - Civic Suite**

**Contact: Colin Gamble**

**Email: [committeesection@southend.gov.uk](mailto:committeesection@southend.gov.uk)**

**AGENDA**

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Minutes of the Meetings held on Tuesday 19th September and Tuesday 10th October 2017 (Pages 1 - 14)**  
Minutes attached.
- 4 Reference from Council, Thursday 19th October 2017 - Compulsory Licensing Scheme and Rents Control (Pages 15 - 16)**  
Report of the Deputy Chief Executive (People) attached.
- 5 Monthly Performance Report**  
Report circulated separately.
- 6 Comments, Compliments and Complaints (Pages 17 - 80)**  
Report of the Chief Executive attached.
- 7 Information Governance and the GDPR (Pages 81 - 92)**  
Report of the Chief Executive attached.
- 8 Alternative Delivery Models - Governance Arrangements**  
Report of the Chief Executive to follow.
- 9 Capital Monitoring for 2017/18 and Revised Capital Programme 2017/18 to 2020/21 (Pages 93 - 136)**  
Report of the Chief Executive attached.
- 10 Mid-Year Treasury Management Report 2017/18 (Pages 137 - 160)**  
Report of the Chief Executive attached.
- 11 Corporate Debt Management Policy (Pages 161 - 198)**  
Report of the Chief Executive attached.
- 12 Discretionary Relief Policy (Pages 199 - 248)**  
Report of the Chief Executive attached.
- 13 Transport Review (Policy) (Pages 249 - 286)**  
Report of the Deputy Chief Executive (People) attached.
- 14 Transport Review (Delivery Models) (Pages 287 - 302)**

- Report of the Deputy Chief Executive (People) attached.
- 15 **Careline Consultation** (Pages 303 - 310)  
Report of the Deputy Chief Executive (People) attached.
  - 16 **Mid-Year Adoption Report & RAA Update** (Pages 311 - 318)  
Report of the Deputy Chief Executive (People) attached.
  - 17 **Corporate Parenting Annual Report** (Pages 319 - 356)  
Report of the Deputy Chief Executive (People) attached.
  - 18 **Local Account**  
Report of Deputy Chief Executive (People) to follow
  - 19 **Annual Report of Implementation of SEN Strategy** (Pages 357 - 366)  
Report of the Deputy Chief Executive (People) attached.
  - 20 **Success for All Annual Report** (Pages 367 - 424)  
Report of Deputy Chief Executive (People) attached.
  - 21 **Airport Business Park** (Pages 425 - 428)  
Report of the Deputy Chief Executive (Place) attached.
  - 22 **Low Carbon Strategy** (Pages 429 - 454)  
Report of Deputy Chief Executive (Place) attached.
  - 23 **Council Procedure Rule 46** (Pages 455 - 456)  
Report attached.
  - 24 **Minutes of the Conservation Working Party held Tuesday 26th September 2017**  
(Pages 457 - 460)  
Minutes attached.
  - 25 **Minutes of the Public Transport and Buses Working Party held Monday 23rd October 2017** (Pages 461 - 464)  
Minutes attached.
  - 26 **Minutes of the London Southend Airport Monitoring Working Party held Tuesday 24th October 2017** (Pages 465 - 466)  
Minutes attached.
  - 27 **Exclusion of the Public**  

To agree that, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act, and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
  - 28 **Council Procedure Rule 46 - Confidential Sheet** (Pages 467 - 468)  
Report attached

**Members:**

Cllr J Lamb (Chair), Cllr A Holland (Vice-Chair), Cllr T Byford, Cllr J Courtenay, Cllr T Cox, Cllr M Flewitt, Cllr A Moring and Cllr L Salter

# **SOUTHEND-ON-SEA BOROUGH COUNCIL**

## **Meeting of Cabinet**

**Date: Tuesday, 19th September, 2017**

**Place: Committee Room 1 - Civic Suite**

**Present:** Councillor J Lamb (Chair)  
Councillors A Holland (Vice-Chair), T Byford, J Courtenay, T Cox,  
M Flewitt, A Moring and L Salter

**In Attendance:** Councillors B Arscott, D McGlone and C Mulroney  
A Griffin, J K Williams, S Leftley, A Lewis, A Atherton, J Chesterton,  
S Dolling, P Geraghty, B Martin, C Robinson, T MacGregor,  
A Keating, K Clarke, J Astle, J Tompson and C Gamble

**Start/End Time:** 2.00 p.m. - 3.10 p.m.

### **304 Apologies for Absence**

There were no apologies for absence at this meeting.

### **305 Declarations of Interest**

The following Members declared interests as indicated:

(a) Councillor Flewitt – Agenda Item No. 10 (Secondary School Placements) – Non-pecuniary interest: Ward Councillor for St Laurence Ward and has been communicating with residents;

(b) Councillor Holland – Agenda Item No. 4 (Fire Safety Measures following Grenfell Tower Tragedy) – Non-pecuniary interest: Vice-Chair of the Essex Fire Authority; and

(c) Councillor Lamb – Agenda Item No. 12 (Co-ordinated Admissions Scheme) – Non-pecuniary interest: School governor.

### **306 Minutes of the Meeting held on Tuesday 20th June 2017**

Resolved:-

That the Minutes of the Meeting held on Tuesday 20<sup>th</sup> June 2017 be confirmed as a correct record and signed.

### **307 Fire Safety Measures following Grenfell Tower Tragedy**

The Cabinet considered a report of the Deputy Chief Executive (Place) advising of the action the Council has taken following the Grenfell Tower fire tragedy.

Resolved:

1. That the action taken to date, be noted.

2. That it be noted that a further report will be submitted to Cabinet detailing the outcomes of the first phase of the Fire Safety review being undertaken by the Council, South Essex Homes and Essex Fire & Rescue Service.

3. That it be agreed that there is consideration in the Capital Budget proposals for 2018/19 to fund any necessary remedial work or fire safety improvements that are identified by the review set out in resolution 2 above.

Reason for Decision:

To reassure Members that the Council has reviewed the fire safety management measures across its own property portfolio and that assurance is being sought from other public and private sector building owners that they are also reviewing safety measures.

Other options

None.

Note:- This is an Executive function  
Eligible for call in to Place Scrutiny Committee  
Executive Councillor: Flewitt  
**\*Called in to:- Place Scrutiny Committee**

### **308 Monthly Performance Report (July)**

Resolved:

That the submitted report be noted.

Note: This is an Executive function.  
Eligible for call in to all three Scrutiny Committees  
Executive Councillor: as appropriate to the item  
**\*Referred direct and called in to:- all three Scrutiny Committees**

### **309 Risk Based Verification Framework**

The Cabinet considered a report of the Chief Executive proposing the adoption of a policy for risk based verification within the benefits service.

Resolved:

That the implementation of the Risk Based Verification Policy attached at Appendix 1 to the submitted report, be approved.

Reason for Decision

To improve performance in reducing fraud and error leading to additional Government funding through the Right Benefit initiative.

## Other Options

To continue to work as we are but this would not free up the additional resources required to do the further checks.

Note: This is an Executive function

Eligible for call in to Policy & Resources Scrutiny Committee

Executive Councillor: Moring

**\*Called in to:- Policy & Resources Scrutiny Committee**

### 310 Quarter One Treasury Management Report

The Cabinet considered a report of the Chief Executive covering the treasury management activity for the period from April 2017 to June 2017.

Resolved:

1. That the Quarter One Treasury Management Report for 2017/18, be approved.
2. That it be noted that the Treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to June 2017.
3. That it be noted that the loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.
4. That it be noted that an average of £48.6m of investments were managed in-house. These earned £0.052m of interest during the three month period at an average rate of 0.43%. This is 0.32% over the average 7-day LIBID and 0.18% over the bank base rate.
5. That it be noted that an average of £5.0m was managed by an enhanced cash fund manager. This earned £0.006m during this three month period at an average rate of 0.52%.
6. That it be noted that an average of £15.2m was managed by two short dated bond fund managers. This earned £0.046m during this three month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 1.21%.
7. That it be noted that an average of £15.9m was managed by two property fund managers. These earned £0.403m during this three month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 10.14%.
8. That it be noted that the level of borrowing from the Public Works Loan Board (PWLb) (excluding debt relating to services transferred from Essex County Council on 1<sup>st</sup> April 1998) remained at the same level of £227.8m (HRA: £77.0m, GF: £150.8m) during the period from April to June 2017.

9. That it be noted that during the quarter the level of financing for 'invest to save' schemes increased from £7.90m to £8.75m.

Reason for Decision

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2017/18 sets out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other options

None.

Note: This is an Executive Function

Eligible for call in to: Policy & Resources Scrutiny Committee

Executive Councillor: Moring

### **311 Debt Position at 31 July 2017**

The Cabinet considered a report of the Chief Executive informing Members of the current position on the outstanding debt to the Council as at 31<sup>st</sup> July 2017.

Resolved:

1. That the current outstanding debt position as at 31<sup>st</sup> July 2017 and the position of debts written off to 31<sup>st</sup> July 2017 as set out in Appendices A and B of the submitted report, be noted.
2. That the write offs as detailed in Appendix B, be approved.

Reason for Decision

All reasonable steps to recover the debt have been taken and therefore where a write-off is recommended it is the only course of action available.

If the Council wishes to pursue debts for bankruptcy proceedings, it will follow the agreed and published recovery policy that covers this.

Other options

None

Note: This is an Executive function

Eligible for call in to: Policy and Resources Scrutiny Committee

Executive Councillor: Moring

**\*Called in to:- Policy & Resources Scrutiny Committee**

### **312 Appropriation of Land at Burr Hill Chase**

The Cabinet considered a report of the Chief Executive proposing the appropriation of land at Priory School and Burr Hill Chase from education use for

planning purposes to enable the wider redevelopment of the land following the relocation of the school.

Resolved:

That under S122 (1) of the Local Government Act 1972, the land at Priory School and Burr Hill Chase be appropriated from education use for planning purposes immediately following the vacation of the site to enable its redevelopment following relocation of the school in accordance with the consent of the Secretary of State for Education.

Reasons for Decision

The appropriation of land is required to ensure that the use is appropriately recorded and the land is enabled for future development.

Other options

As the Cabinet has agreed the future use of land subject to the consent of the Secretary of State for education which has now been received, other options are not relevant in this case.

Note: This is an Executive Function

Eligible for call in to: Policy and Resources Scrutiny Committee

Executive Councillor: Moring

**\*Called in to:- Policy & Resources Scrutiny Committee**

### **313 Secondary School Placements**

The Cabinet considered a report of the Deputy Chief Executive (People) updating Members on the progress of the Secondary School Places Programme and the progress on identifying a site for a new Free School.

Resolved:

1. That current progress on the progression of current expansion projects at good and outstanding secondary schools for September 2018, namely Shoeburyness High School and St Thomas More High School, be noted.

2. That the continuation of expansion discussions with remaining Good and Outstanding Schools, namely Belfairs Academy, The Eastwood Academy and St Bernard's High School, to secure the remaining 60 places still required for September 2018, be approved.

3. That work continues on securing the plot of land identified in the submitted report to support an application to the Department of Education for a new secondary free school for September 2019.

Reasons for Decision

The Council has a statutory duty to ensure sufficient places for all statutory school aged children

## Other Options

The Council has no option other than to provide sufficient school places if it is to meet its statutory duties.

Note: This is an Executive Function  
Eligible for call in to: People Scrutiny Committee  
Executive Councillor: Courtenay

### **314 School Performance Report Summer 2017 - Outcomes KS2 and KS4**

The Cabinet considered a report of the Deputy Chief Executive (People) which informed Members of the high level performance outcome for all Southend schools at all key stages following the summer tests and examinations.

On consideration of the report, the Chairman referred to the excellent school examination results and thanked the relevant officers and others for their contribution towards the positive outcomes.

Resolved:

That the overall performance of Southend schools at each of the key stages, in particular relative to the emerging national benchmarks, be noted.

Reasons for Decision

To note the performance of Southend schools.

Other Options

None.

Note: This is an Executive function  
Eligible for call in to: People Scrutiny Committee  
Executive Councillor: Courtenay

### **315 Co-ordinated Admissions Scheme**

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the Coordinated Admissions Scheme for 2019 onwards and the Published Admission Limits for community schools.

Resolved:

1. That a consultation with governing bodies of community schools takes place on the published admission numbers for community infant, junior and primary schools for September 2019, as set out in Appendix 1 to the submitted report.

2. That the proposed Coordinated Admissions Scheme for 2019 onwards (as set out at Appendix 2 to the submitted report), in principle, be approved, and if there are minor areas to be resolved following the consultation with all schools, the decisions on minor amendments be delegated to the Deputy Chief Executive (People) in consultation with the Executive Councillor for Children & Learning.



#### Reasons for Decision

The determination of admission arrangements for community schools and the provision of a coordinated admissions scheme is a statutory requirement.

#### Other Options

None.

Note: This is an Executive function  
Eligible for call in to: People Scrutiny Committee  
Executive Councillor: Courtenay

### **316 Suicide Prevention Strategy**

The Cabinet considered a report of the Deputy Chief Executive (People) presenting the draft Suicide Prevention Strategy for Southend, Essex and Thurrock entitled 'Let's Talk About Suicide.'

#### Resolved:

That the Suicide Prevention Strategy and associated actions, be approved.

#### Reasons for Decision

To reduce suicide rates.

#### Other Options

None.

Note: This is an Executive function  
Eligible for call in to: People Scrutiny Committee  
Executive Councillor: Salter  
**\*Called in to:- People Scrutiny Committee**

### **317 Skills Strategy**

The Cabinet considered a report of the Deputy Chief Executive (Place) updating Members on the development of a Skills and Labour Market Strategy for Southend-on-Sea 2018-2022.

#### Resolved:

That the Towards a Skills and Labour Market Strategy for Southend-on-Sea, attached at appendix 1 to the submitted report, for wider consultation, be approved.

#### Reasons for Decision

The strategy aims to improve the Southend skills support landscape, raise ambition and skills levels, increase employment opportunities in local jobs and

enable economic growth through equipping residents with the skills needed by business. A clear strategy for the Council and its stakeholders will play an integral role in maximising the benefit realised by local residents facilitating economic growth.

#### Other Options

Decide not to pursue the development of a Skills and Labour Market Strategy and allow the market to continue as it is. The result of this would be an absence of community leadership on the subject and a lack of response to the issues identified in the first stage consultation and assessment.

Note: This is an Executive function  
Eligible call in to: Place Scrutiny Committee  
Executive Councillor: Holland  
**\*Called in to:- Place Scrutiny Committee**

### 318 Energy Opportunities

The Cabinet considered a report of the Deputy Chief Executive (Place) which sought approval to launch a set of energy generation, storage and management services under the Southend Energy brand underpinned by minimum standards and an associated marketing campaign.

Resolved:

1. That a set of minimum standards for energy generation and storage devices and associated management services to be managed through the proposed governance process, be established.
2. That the devices and services be marketed to help households to save money and reduce their net energy consumption.
3. That the scheme be supported by an appropriate governance process, as set out in paragraph 5 of the submitted report, that will approve suppliers and processes for the scheme and the marketing for both the scheme, as a whole, and individual suppliers.
4. That it be noted that the scheme will be funded over time by referral fees and marketing contributions from suppliers with an initial investment of £50k from the Business Transformation Fund (already approved) to launch the scheme and to fund one staffing post until revenues cover on-going costs. Over time, any net revenues will be used to fund the energy team.

#### Reasons for Decision

The savings to households together with other benefits of the proposals are detailed in the report.

#### Other Options

Doing nothing will remove the opportunity for Southend residents to make significant savings on their energy costs in the face of rising energy prices and

remove the opportunity for improved local grid resilience. Households wishing to engage with the market would be exposed to a confusing marketplace without support.

Note: This is an Executive function

Eligible for call in to: Place Scrutiny Committee

Executive Councillor: Holland

**\*Called in to:- Place Scrutiny Committee**

### **319 S-CATS (London Road Projects)**

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on the progress of the 'Southend Central Area Transport Scheme (S-CATS).

Resolved:

1. That either of the two design options for London Road (between Queensway and College Way) be taken forward to construction which will allow selection of the final design to be carried out in consultation with stakeholders and public.
2. That the drainage works can be started along London Road in September 2017, in preparation for the scheme construction to start in October 2017.
3. That the authority be delegated to the Chief Executive and Deputy Chief Executive (Place), in consultation with the Leader of the Council and the Executive Councillor for Transport, Waste and Regulatory Services, to agree the final design option, Option A or Option B, selected after stakeholder and public consultation, to be taken forward to implementation with a programmed commencement in October 2017, together with the advertisement of any necessary Traffic Regulation Orders.

Reasons for Decision

Southend Central Area Transport Scheme represents a major opportunity to support the continued growth and regeneration of the Southend Central Area.

Other Options

If no action was taken, the investment opportunity would be lost. This would reduce the contribution to supporting local health and wellbeing and restrict accessibility and local mobility, and potentially undermine business confidence and investment within the area.

Note: This is an Executive function.

Eligible for call in to: Place Scrutiny Committee

Executive Councillor: Cox

**\*Called in to:- Place Scrutiny Committee**

### 320 Museums Service – Large Objects Collection

The Cabinet considered a report of the Deputy Chief Executive (Place) informing Members of the large object social history collection of Southend Museums Service and set out a future plan for maximising related resources.

Resolved:

That the submitted proposals for the future of the Museum Service's large object social history collection, be approved.

Reasons for Decision

This is essential to the maintenance and development of the Museums Service and its collections.

Other Options

None.

Note: This is an Executive function

Eligible for call in to: Place Scrutiny Committee

Executive Councillor: Holland

**\*Called in to:- Place Scrutiny Committee**

### 321 Highway Infrastructure Asset Management Plan

The Cabinet considered a report of the Deputy Chief Executive (Place) providing an update on progress in developing the Council's approach to Highways/Transport Infrastructure Asset Management (HIAM) and requesting that consideration be given to the Highways Infrastructure Asset Management Plan (HIAMP).

Resolved:

1. That the HIAMP and associated appendices as the Council's approach to asset management and operational service delivery, be approved.

2. That continued cross boundary joint working on asset management, enabling better understanding and development of collaborative working, benchmarking and efficiency, resilience, customer communications and operation delivery to support the management of assets in Southend-on-Sea, be approved.

3. That the lifecycle plans which form the basis for the prediction of future performance of a group of assets, based on investment scenarios and maintenance strategies, be noted.

4. That it be agreed that the HIAMP and appendices will influence the Council's approach to highway maintenance and management of assets in order to meet the requirements as set out by the Department of Transport.

5. That the increase of the Council's banding for the next Department for Transport self-assessment questionnaire (SaQ) return, be noted. (The result of

which will be the Council will receive its full funding awards and improve the case for additional funding grants by adopting asset management principles).

#### Reasons for Decision

To establish a framework which has the means to deliver a more efficient and effective approach to the management of highway infrastructure assets.

#### Other Options

Do nothing and settle for a lower band score. However, this would mean that the Council has no credible strategy for investing in assets and result in a significant loss of external funding for maintenance.

Note: This is an Executive function

Eligible for call in to: Place Scrutiny Committee

Executive Councillor: Cox

**\*Called in to:- Place Scrutiny Committee**

### **322 Essex & Southend Waste Local Plan**

The Cabinet considered a report of the Deputy Chief Executive (Place) presenting the Essex and Southend-on-Sea Waste Local Plan.

#### Recommended:

1. That all the recommendations of the Inspector's Report set out at Appendix 1 to the submitted report and the revised version of the Essex and Southend-on-Sea Waste Local Plan set out at Appendix 2 to the report, be approved.
2. That the Essex and Southend-on-Sea Waste Local Plan as set out at Appendix 2 to the report, in accordance with Planning Regulations, be approved.
3. That it be noted that the Essex and Southend-on-Sea Waste Local Plan Proposed Submission version, approved by Council for publication and submission in February 2016 has been amended as per:
  - a) the main modifications recommended by the Inspector in her report and agreed for consultation under delegated authority in 2016 (attached at Appendix 1);
  - b) The minor modifications agreed for consultation under delegated authority in 2016 (attached at Appendix 3); and
  - c) The further minor modification (attached at Appendix 4).

#### Reasons for Decision:

It is clearly advantageous for the Council to have a new Waste Local Plan in place as soon as possible. This would avoid the risk of new planning applications for waste related development being considered without an up-to-date Plan - one of the consequences being a lack of certainty regarding where new waste development will take place in future and whether such development is indeed required in the Plan area.

## Other Options

Do nothing – work on the Plan would cease and the joint planning authorities would be forced to rely on national planning policy and guidance in making planning decisions in future. This option risks penalties for the Councils levied by the Government for the absence of an up-to-date Waste Local Plan

Note: This is a Council function

Eligible for call in to: Place Scrutiny Committee

Executive Councillor: Flewitt

### **323 Council Procedure Rule 46**

Resolved:

That the submitted report be noted.

Note: This is an Executive function

Eligible for call in to: As appropriate to the item

Executive Councillor: As appropriate to the item

### **324 Minutes of the Grants Strategy Working Party held on Tuesday 5th September 2017**

The Cabinet considered the recommendations of the Grants Strategy Working Party held on 5<sup>th</sup> September 2017 regarding a Community Commissioning Prospectus 2018-21

Resolved:

That the proposals put forward for a Community Commissioning Prospectus 2018-21, be approved.

Note: This is an Executive Function

Eligible for call in to: Policy & Resources Scrutiny Committee

Executive Councillor: Moring

**Chairman:** \_\_\_\_\_

# **SOUTHEND-ON-SEA BOROUGH COUNCIL**

## **Meeting of Cabinet**

**Date: Tuesday, 10th October, 2017**

**Place: Committee Room 1 - Civic Suite**

**Present:** Councillor J Lamb (Chair)  
Councillors A Holland (Vice-Chair), J Courtenay, M Flewitt, A Moring and L Salter

**In Attendance:** Councillors B Arscott, A Chalk, C Mulroney and P Wexham  
A Griffin, J K Williams, S Leftley, A Lewis, C Gamble, C Braun, B Martin and A Keating

**Start/End Time:** 4.00 - 4.55 pm

### **362 Apologies for Absence**

Apologies for absence were received from Councillors Byford and Cox.

### **363 Declarations of Interest**

The following Members declared interests as indicated:

(a) Councillor Arscott – Minute 364 (School Admissions for Community Schools 2019/20) – non-pecuniary interest – lives within Darlington School catchment area;

(b) Councillor Lamb – Minute 364 (School Admissions for Community Schools 2019/20) – non-pecuniary interest – Lives in West Leigh catchment area and Governor of West Leigh Junior School;

(c) Councillor Mulroney - Minute 364 (School Admissions for Community Schools 2019/20) – non-pecuniary interest – lives in North Street school catchment area;

(d) Councillor Salter - Minute 364 (School Admissions for Community Schools 2019/20) – non-pecuniary interest – lives in the Chalkwell Hall School catchment area;

(e) Councillor Wexham – Minute 364 (School Admissions for Community Schools 2019/20) – non-pecuniary interest – lives in the West Leigh School catchment area.

### **364 School Admissions for Community Schools 2019/20**

The Cabinet considered a report of the Deputy Chief Executive (People) which outlined the reasons for the review of Admission Arrangements for Southend Community Schools for the academic year 2019/20 and summarised the recent

public engagement exercise regarding changes to catchment areas for primary schools in Leigh-on-Sea.

On consideration of the report, the Chairman acknowledged the sterling work undertaken by the Portfolio Holder for Children and Learning and the relevant officers in relation to the pre-consultation and engagement process.

Resolved:

1. That the proposed Admission Arrangements for Southend Community Schools for the academic year 2019/20 (incorporating revised admission criteria), as set out in Appendix 1 to the submitted report, be approved for a formal consultation process in accordance with the Admissions Code 2014.
2. That the proposed changes to catchment areas for primary community schools in Leigh-on-Sea, as set out in Section 5.10 of the report (and Appendix 2) be approved for a formal consultation process in accordance with the Admissions Code 2014.
3. That the formal consultations referred to in recommendations 1 and 2 above be undertaken between 6<sup>th</sup> November and 15<sup>th</sup> December 2017 in accordance with the Admissions Code 2014.

Reasons

To formally consult on the proposed Admission Arrangements for Southend Community Schools and changes to catchment areas for primary community schools in Leigh-on-Sea in accordance with the Admissions Code 2014.

Other Options

As set out in the submitted report.

Note: This is an Executive function  
Referred direct to: People Scrutiny Committee  
Executive Councillor: Courtenay

**Chairman:** \_\_\_\_\_



# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of Deputy Chief Executive (People)

to  
**Cabinet**

on  
**7<sup>th</sup> November 2017**

Report prepared by: Sharon Houlden, Director of Adult  
Services and Housing

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**Compulsory Licensing Scheme and Rents Controls  
Reference from Council, 19<sup>th</sup> October 2017**

**Policy and Resources Scrutiny Committee  
Executive Councillor: Councillor Flewitt  
Part 1 (Public Agenda Item)**

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## **1. Purpose of Report**

- 1.1 To consider the resolutions adopted by Council on 19<sup>th</sup> October 2017 regarding the introduction of a compulsory licensing scheme and rent controls on private sector landlords.

## **2. Recommendations**

- 2.1 The Cabinet is asked to consider the resolutions of Council.

## **3. Background**

- 3.1 At the meeting of Council held on 19<sup>th</sup> October 2017, Members received the proposals put forward by Councillor Woodley (under Opposition Business) in relation to the introduction of a compulsory licensing scheme for all residential landlords and rent controls on private sector landlords. Council resolved to recommend to Cabinet:

(a) To introduce a compulsory licensing scheme for all residential landlords in the Borough, such scheme to supersede the voluntary arrangements with South East Alliance of Landlords (SEAL).

(b) To lobby the Government for changes in the law so that there are rent controls on private sector landlords letting properties to tenants and those rent controls to have the effect of reducing private sector rents to the level of social housing rents over the life time of parliament. (i.e 5 years).

- 3.2 The resolutions are therefore before the Cabinet for their consideration.

#### **4 Other Options**

4.1 The Cabinet may accept, reject or amend the proposals.

#### **5. Reasons for Recommendations**

5.1 To respond to the resolutions of Council.

#### **6. Corporate Implications**

6.1 Contribution to Council's Vision & Corporate Priorities

None

6.2 Financial Implications

None

6.3 Legal Implications

None

6.4 People Implications

None

6.5 Property Implications

None

6.6 Consultation

None

6.7 Equalities and Diversity Implications

None

6.8 Risk Assessment

None

6.9 Value for Money

None

6.10 Community Safety Implications

None

6.11 Environmental Impact

None

#### **7. Background Papers**

None

#### **8. Appendices**

None

# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of the Chief Executive  
to  
Cabinet

On  
7<sup>th</sup> November 2017

Report prepared by:  
Val Smith – Knowledge and Information Manager  
Charlotte McCulloch – Customer Service & Complaints Manager  
Michael Barrett – Complaints Officer

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**Annual Report – Comments, Complaints and Compliments – 2016/17**  
**All Scrutiny Committees**  
**Executive Councillors: Councillors Courtenay, Cox, Lamb and Salter,**  
**A Part 1 Public Agenda Item.**

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## 1. Purpose of Report

1.1 This report is to:

- Fulfil the Council's statutory duty to produce an annual report on compliments and complaints received about its Children and Adult social care functions.
- Provide performance information about comments, complaints and compliments received across the Council for 2016-17
- Fulfil the duty of the Monitoring Officer to report to members on the findings of certain Local Government Ombudsman investigations
- Seek agreement for minor updating of the Corporate comments, complaints and compliments process
- Contribute towards the Council's values to be open, honest and transparent.

## 2. Recommendation

2.1. **To note the Council's performance in respect of compliments, comments and complaints for 2016-17 and to refer each separate report to the respective Scrutiny Committee.**

## 3. Background

- 3.1. Legislation requires that statutory processes are in place to deal with complaints relating to children and adults social care, to advertise that process and produce annual reports.
- 3.2. As the statutory process requires the Children and Adults' Social Care reports to be shared with the Care Quality Commission and the Department of Health this necessitates three separate reports for the Council, including a separate report on the Council's corporate comments, complaints and compliments process.

- 3.3. The latter encompasses the Monitoring Officer's duty under section 5(2) of the Local Government and Housing Act and the Local Government Act 1974 to report to members a summary of the findings of the Local Government Ombudsman.
- 3.4. Details of performance are contained in the respective reports under:  
**Appendix A** – Compliments, Concerns and Complaints – Adult Social Care Services.  
**Appendix B** – Compliments and Complaints – Children's Social Care Services.  
**Appendix C** - Corporate Comments, Complaints and Compliments and Monitoring Officer report.
- 3.5. The table below sets out a comparison of the total number of complaints received for the previous three years by Department.

As can be seen, the figures reflect a steady upward trend in the number of complaints being received by the Council.

The largest increase in volume was in the Department for Place and was as a result of a peak in complaints over a 3 month period following major alterations to refuse collection days.

Department	2013/2014	2014/2015	2015/16	2016/17
Department of the Chief Executive	44	43	66	54
Department for People (including statutory)	227	246	304	326
Department for Place	375	376	351	486
Public Health	0	0	1	0
<b>Grand Total</b>	<b>646</b>	<b>665</b>	<b>722</b>	<b>777</b>

- 3.6. Comments and compliments are also received, with numbers shown below.

Department	2013/2014	2014/2015	2015/16	2016/17
Department of the Chief Executive	1694	1326	1673	1301
Department for People (including statutory)	521	474	416	302
Place	288	222	337	838
<b>Grand Total</b>	<b>2503</b>	<b>2022</b>	<b>2426</b>	<b>2462</b>

The largest increase in volume was in the Department for Place and resulted from a large number of comments about alterations to refuse collection days.

## **4. Lessons Learnt and Service Improvements**

4.1 Whilst responding to feedback in a timely manner it is important for Council services to reflect on lessons learnt and improving outcomes. This is recognised by the Local Government Ombudsman's principles of good complaints handling of being customer focused, putting things right and seeking continuous improvement.

Examples of service improvements undertaken throughout the year as a result of customer feedback include:

- Individual complaint findings being fed directly into the review of anti-social behaviour service provision
- Website content with advice for those with suicidal thoughts, training being commissioned for staff who may interact with customers with suicidal thoughts
- The introduction of an independent formal Subject Access Request review process for customers who feel they have not been supplied with all relevant information
- Guidance for Housing staff regarding housing applicants with overnight care and for certain applicants for housing who have a previously un-discharged main homelessness duty
- Improved explanatory information for customers about charges for adult social care
- Introduction of real-time alerts for missed adult social care appointments
- Staff reminded to involve both parents when concerns about a child are raised
- Staff reminded to ensure families are told of changes to their child's social worker

More detailed examples are contained in App A (Appendix 8), Appendix B (paragraph 12) and Appendix C (para 4.7).

## **5. Future developments**

5.1 In the process of preparing this report, informal discussions were held with a number of senior officers to identify changes which might be necessary to the complaints procedures.

5.2 It is intended that there will be changes to the level within the organisation at which responsibility for complaints responses within the corporate non-statutory procedure will lie. In future, this will be as follows:

- Stage 1 response – Supervisor, Team Leader or similar
- Stage 2 response – Group Manager or Director
- Stage 3 response – Chief Executive or Deputy Chief Executive and Leader or Deputy Leader

This will better reflect the current senior management structure and will provide more flexibility within the process, aiming to avoid the delays which can occur at peak times or in periods of absence.

- 5.3 To ensure quality of response, those unfamiliar with the role will receive appropriate training and guidance before taking on the responsibility.
- 5.4 It is recognised that more effective and contemporaneous use could be made of insight from complaints. Data will in future be analysed to a greater extent and more frequently to learn lessons, identify areas of concern and improve service delivery.
- 5.5 To recognise a change in methods of communication, the corporate non-statutory procedure will be expanded to include complaints received over Social Media. Any response to such a complaint will however be routed through more conventional channels. The procedure will in future also include any complaints regarding the standard of spoken English of frontline staff. This is to comply with the Code of Practice on the English language requirements for public sector workers (Part 7 of the Immigration Act 2016).
- 5.6 The review highlighted that a small number of customers are behaving in an unreasonable manner when interacting with the Council. This might be abusive, threatening or offensive in nature or overly frequent contact which inhibits the Council's ability to carry out essential work.
- 5.7 Although this applies to a minority of customers, such contacts can result in a disproportionate uptake of Council resources and may be distressing to the parties concerned. For this reason guidance on how the Council will respond to unreasonable complainant behaviour will be produced. In the interest of transparency, it will be published on the Council's website.
- 5.8 In a separate matter, the Local Government Ombudsman service has recently renamed itself as the Local Government and Social Care Ombudsman. This is to better reflect their jurisdiction over all registered social care providers and their ability to investigate complaints about care funded and arranged privately, as well as that arranged through local authorities.

## **6. Corporate Implications**

### **6.1 Contribution to Council's Vision & Corporate Priorities**

Customer feedback and complaints management is directly relevant to the Council's corporate priorities to deliver strong, relevant and targeted services that meet the needs of our community. This remains important in the coming years as budget constraints continue to impact on service delivery.

### **6.2 Financial Implications**

The commissioning of independent people to deal with children's stage two statutory complaints incurs additional cost. The continued decrease in stage 2 complaints this year has reduced the costs of investigations. The use of mediation and early intervention within all the processes is used in an effort to restrict the number of complaints escalating, limiting the amount of officer time spent on complaints as well as improving the outcome for the complainant.

In 0.5% of complaints, payments have been made to customers to recognise difficulties they have experienced when interacting with the Council. Separately, in the course of investigating complaints, monies found to be owed to complainants has been paid. All payments made are within the existing budgets of Council Departments.

### 6.3 Legal Implications

These reports ensure compliance with statutory complaints processes and reporting obligations.

### 6.4 People and Property Implications

People and property implications are considered through the Council's normal business management processes.

### 6.5 Consultation

The Advocacy Services and Representations Procedure (Children) (Amendment) Regulations 2004 confer a duty on local authorities to provide information about advocacy services and offer help to obtain an advocate to a child or young person wishing to make a complaint. All children and young people wishing to make a complaint are offered the services of an advocate.

### 6.6 Equalities and Diversity Implications

All three processes are receiving feedback from customers from Southend communities including minority groups. Similarly, alternative approaches to facilitate complaint resolution are offered including advocacy and meetings.

Corporate equalities considerations continue to be part of the process.

### 6.7 Risk Assessment

Processes are reviewed periodically and reduce any risk which could adversely affect the Council's reputation in the community and reduce public trust/satisfaction. Whilst an anticipated increase in complaints did materialise after 2013, notably in respect of services delivered corporately, the number recorded is still significantly less than the 1100 reported for 2009 at the beginning of the revised process.

### 6.8 Value for Money

Early resolution of complaints, together with learning lessons from the process, contribute to service improvements and getting things right first time.

### 6.9 Community Safety and Environmental Impact Implications

The process is implemented to ensure both community safety and effects on the environment are fully considered.

**7. Background Papers**

None

**8. Appendices**

**Appendix A** - Compliments Concerns & Complaints received throughout 2016/17  
for Adult Social Care Services

**Appendix B** - Compliments and Complaints – Children’s Social Care 2016/17

**Appendix C** - Corporate Comments, Complaints and Compliments – 2016/17



## Appendix A

### Compliments Concerns & Complaints received throughout 2016/17 for Adult Social Care Services



# Southend-on-Sea Borough Council

Report of Deputy Chief Executive (People)  
to  
**Cabinet**  
on  
**7 November 2017**

Report prepared by: Charlotte McCulloch

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**Compliments Concerns & Complaints received throughout 2016-17  
for Adult Social Care Services**

**People Scrutiny Committee – Executive Councillor: Lesley Salter  
A Part 1 Public Agenda Item**

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## **1. Purpose of Report**

- 1.1 To discharge the local authority's statutory duty to produce an annual report on compliments concerns and complaints received about its adults' social care function throughout the year.
- 1.2 To provide statistical and performance information about compliments concerns and complaints received throughout 2016/2017.

## **2. Recommendation**

- 2.1 That the Department's performance during 2016/2017, and comparison to the previous three years be noted.
- 2.2 That the report be referred to the People Scrutiny Committee for detailed examination.

## **3. Background**

- 3.1 This is the eighth Annual Report following the changes to the legislation governing the statutory complaints process for adult social care services. The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 came into force on 1 April 2009 and created a single process for health and social care services. With the increase in integrated services, the single process makes it easier for patients and service users to make complaints and allows them to make their complaint to any of the organisations involved in their care. One of the organisations will take the lead and co-ordinate a single response.
- 3.2 Strong working relationships have been established with complaints colleagues within the Health organisations in the area. This, together with a joint protocol agreed by the Essex Complaints Network, has made it easier for people making

complaints that span Health and social care services. In 2016/2017 there were 0 joint complaints.

- 3.3 The new process is based on the principles of the Department of Health's *Making Experiences Count* and on the Ombudsman's principles of good complaints handling:
- Getting it right
  - Being customer focused
  - Being open and accountable
  - Acting fairly and proportionately
  - Putting things right
  - Seeking continuous improvement.
- 3.4 There is a single local resolution stage that allows a more flexible, customer focused approach to suit each individual complainant. At the outset, a plan of action is agreed with the complainant to address their complaint. Amendments to the plan can be agreed at any stage of the process.
- 3.5 The regulations do not specify timescales for resolution and a date for response is agreed and included in each plan. Response times are measured against the agreed dates in the plans.
- 3.6 When the local authority believes that it has exhausted all efforts to achieve a local resolution, and the customer remains dissatisfied, the next step is referral to the Local Government Ombudsman.

#### **4 Compliments; concerns and comments received in 2016/2017**

- 4.1 Compliments are a very important feedback and motivational tool and members of staff are encouraged to report all compliments they receive to the Customer Services Manager for recording. All compliments are reported to the Group Manager of the Service to pass on their thanks to the staff member and the team. This practice has been well received by staff. Data gathered from compliments are used to inform commissioning decisions of the authority.
- 4.2 Adult and Community Services received 269 compliments about its social care services in 2016/2017.

*Table to show the number of compliments received in 2016/2017 and a comparison with previous three years*

Apr 13- Mar 14	Apr 14 – Mar 15	Apr 15 – Mar 16	Apr 16 – Mar 17
Number	Number	Number	Number
470	407	341	269

There has been a decline in the number of recorded compliments received, however we are unable to ascertain why this is the case. It could simply be that compliments are not being passed to the Complaints Team to be formally logged.

Examples of the types of compliments received can be found in Appendix 1

- 4.3 The current regulations require the local authority to record concerns and comments as well as complaints. Some people wish to provide feedback to help improve services but they do not wish to make a complaint, and this process facilitates that.
- 4.4 Adult and Community Services received 3 concerns about its social care services in 2016/2017. Of these, 2 were regarding commissioned homecare services and 1 was about an internal service provided directly by Southend Council.
- 4.5 All concerns and comments are considered to identify areas for improvement and responses are made where appropriate or requested.

## 5 Complaints received in 2016/2017

- 5.1 Adult and Community Services received 190 complaints about its social care services in 2016/2017. 74 of which were about internal services provided directly by Southend Council, and 116 were about services supplied through externally commissioned providers (domiciliary care & residential care)

*Table to show the total number of complaints received during 2016/2017 and comparison with previous three years*

Apr 13 – Mar 14	Apr 14 – Mar 15	Apr 15 – Mar 16	Apr 16 – Mar 17
Number	Number	Number	Number
136	166	176	190

This represents an overall increase of 8% in the number of complaints received during the previous year, and a 40% increase in the last 4 years.

There has been an increase in complaints year on year and 190 complaints represents 6.6% of the number of service users receiving support throughout the year.

The main increase in complaints this year has been seen within the commissioned services with an increase from 101 in 2015/16 to 116 in 2016/17, an increase of 14.8%.

Complaints about domiciliary care = 107 (56% of all complaints received in 16/17)

Complaints about Residential care = 9 (4.8% of all complaints received in 16/17)

Our Contracts Team and Complaints Team continue to work with the residential and domiciliary care providers to address issues and effect improvements around complaints handling.

Complaints about internal services have remained level, with 75 in 2015/16 and 74 in 2016/17 (39% of all complaints received in 2016/17)

- 5.2 Appendix 2 shows complaints by internal and commissioned services. Appendix 3 shows the number of complaints received about internal services by team. Appendix 4 shows the number of complaints by service user group. The majority of complaints (161) were received about services to older people. This is the largest service user group and the 161 complaints represent 7.8% of the number of older people who receive services from the department.
- 5.3 Southend Borough Council commissions Essex Partnership University Trust (EPUT, formally known as SEPT) to provide its mental health and substance misuse services and EPUT received 12 complaints from Southend clients. 4 were not upheld, 1 was upheld, and 6 were partially upheld. Also 1 was not investigated due to information not provided by the complainant. These were dealt with by EPUT and are not included in the figures in the table in section 5.1 above.
- 5.4 Under the current regulations, any complaints received verbally and resolved to the complainant's satisfaction within 24 hours do not have to be recorded as complaints.

## 6. Complaints subject to independent investigation

- 6.1 An independent investigation is an option for reaching a local resolution but it is not an automatic progression. Action taken to address a complaint will be discussed with the complainant at the outset and the primary aim is to find a resolution but action must be proportionate.
- 6.2 There were no independent investigations in 2016/2017. An independent investigation can be costly and it is to everyone's advantage if staff can resolve complaints satisfactorily without them.

*Table to show the number of complaints subject to independent investigation, and as a percentage of the total number complaints during 2016/2017, and comparison with the previous three years.*

Apr 13 – Mar 14	Apr 14 – Mar 15	Apr 15 – Mar 16	Apr 16 – Mar 17
Number	Number	Number	Number
0 (0%)	0 (0%)	0 (0%)	0 (0%)

- 6.2 Other ways used to resolve complaints include:
- Written response/explanation
  - Acknowledgment if there has been a failure
  - Apology
  - Change to service
  - Mediation/conciliation
  - Meeting
  - Internal review
  - Redress

## **7 Complaints referred to the Local Government Ombudsman**

- 7.1 There were 5 social care complaints considered by the Local Government Ombudsman in 2016/2017.
- 7.2 One complaint was referred to the LGO, they found a minor fault and we agreed to apologise to the complainant.
- 7.3 One complaint was referred to the LGO, following an investigation no fault found
- 7.4 Three complaints that were referred to the LGO and following an investigation did find fault with SBC. Apologies were sent to the complainants and amendments were made to financial information provided.

## **8 Response times**

- 8.1 Adherence to response times is measured by compliance with the agreed dates set out in the individual complaints plans. There is no statutory requirement with regards to response timescales, however we recognise the importance of trying to achieve a speedy resolution to complaints and generally aim to resolve complaints within 10 working days. Depending on the complexity of the complaint raised, agreement is made with complainants on an acceptable timescale for a response
- 8.2 104 complaints were responded to within the timescales agreed locally between the complaints service and the complainant. This represents 54.7% of responses made.
- 8.3 Of the 86 not responded to within the agreed timescale, 49 were attributed to our contracted care providers. Our Contracts Team and Complaints Team continue to work with our commissioned providers to address this issue and effect improvements around complaints handling. A target has been introduced and their performance will be discussed with each provider at their quarterly contract review meetings.
- 8.4 Compliance with response times is shown at [Appendix 2](#)

## **9 Types of issues raised**

- 9.1 The bar chart at [Appendix 5](#) shows all the issues split between internal and commissioned services.
- 9.2 Overall, the top 5 issues were:
  - I. Missed Calls
  - II. Late Calls
  - III. Communication/ Consultation
  - IV. Quality of Service
  - V. Conduct/Behaviour of Staff

## **10 Outcome status of complaints (upheld; partially upheld; not upheld)**

- 10.1 190 complaints received refer to 223 issues which were reported and responded to. 96 were upheld; 34 were partially upheld; 85 were not upheld; 14 were unable to reach a finding; 3 were not progressed and 1 was not responded to by the provider; this was addressed with the provider with a re-imbusement resolution for the complainant.
- 10.2 Overall the number of complaints upheld or partially upheld has remained the same at 58% for both 2016/17 and 2015/16.
- 10.3 Tables at Appendix 7 show outcomes of the main issues in internal, homecare and residential complaints. There has been increase in complaints upheld or partially upheld regarding missed and late home care calls from 40 in 2015/16 to 55 in 2016/17 and there remains the challenge by many providers to recruit and retain good quality care staff. Work continues with providers to develop the existing electronic systems to give real time alerts to providers to enable a proactive approach to delivering care.

## **11. Monitoring & Reporting**

- 11.1 Statistical data regarding complaints about our commissioned home care providers are provided quarterly to inform the Contract Monitoring Meetings.
- 11.2 Complaints are monitored by the Complaints Manager for any trends/emerging themes and alerts the relevant service accordingly.
- 11.3 Complaints information is fed into the monthly operational meetings where issues regarding providers are shared. This is to ensure that a full picture is gathered regarding the providers service delivery and indentify any concerns or trends that may be emerging.

## **12 Learning from Complaints**

- 12.1 The Council continues to use complaints as a learning tool to improve services and to plan for the future. Local authorities are being asked to show what has changed as a result of complaints and other feedback that it receives.
- 12.2 Improvements have been categorised under the following headings:
- Improved process
  - Increased awareness of improved outcomes for Adults
  - Increased staff awareness/training
  - Improved conduct of staff
  - Improved performance of provider

Examples of improvements made as a result of complaints are shown in Appendix 8.

- 12.3 Complaints about communication are a reoccurring theme for internal services and whilst they are not particularly high in proportion to the number of service users being dealt with on a daily basis, this is the most common issue. The



Complaints Manager continues to work with the Service Managers & Team Managers on identifying ways to improve client satisfaction with all channels of communication.

### **13. Corporate Implications**

#### **13.1 Resource Implications (Finance, People, Property).**

If resolutions are not found at an early stage and there are undue delays, compensation may have to be paid to acknowledge the time and trouble that the complainant has expended.

In some cases, the initial input in terms of staff time to find a resolution through a meeting/conciliation may be quite intensive but where the complainant has an ongoing relationship with the service, it can save resources in the long term.

#### **13.2 Contribution to Council's Vision & Critical Priorities**

A robust and responsive complaint handling process adds to the public's confidence and satisfaction with the way they are dealt with by the local authority when they have concerns to raise.

Effective complaints handling and a well advertised procedure contributes to the corporate priorities:

- EXCELLENT - Work with and listen to our communities and partners to achieve better outcomes for all
- SAFE - Look after and safeguard our children and vulnerable adults

#### **13.3 Equalities and Diversity Implications**

All those involved in dealing with complaints are mindful of ensuring a consistent approach with all complainants in line with Equalities principles.

#### **13.4 Value for Money**

Some complaints may have elements where improvements may be made to ensure value for money.

#### **13.5 Community Safety Implications**

Some complaints may have elements where improvements may be made to ensure community safety.

## 14. Background Papers

Complaints papers are kept by the Customer Services & Complaints Manager. Data about individual compliments concerns comments and complaints are held electronically.

## 15. Appendices

Appendix 1	Examples of complimentary comments received regarding Internal teams
Appendix 2	Number of complaints by internal and commissioned services (residential & homecare) Compliance with response times
Appendix 3	Internal service complaints by team
Appendix 4	Commissioned and internal service complaints by service user group
Appendix 5	Issues raised in complaints
Appendix 6	Issues outcomes split between internal and commissioned services
Appendix 7	Outcome status of the top issues split between internal; homecare and residential care complaints
Appendix 8	Examples of learning/service improvements

Appendix 1

Compliments received 2016 -17

Some examples from the 269 compliments received about Southend Council's Internal Services :-

**Superb service given all round, Supply of equipment quick & well designed.  
Glynns professional attitude & caring empathy exceeded all I expected.  
Thanks again**

~

**To All Staff at Priory House; I would just like to thank all the management & staff for the love & care you showed my mother while she was under your care. I know my mother was happy & contented living at Priory in her twilight years**

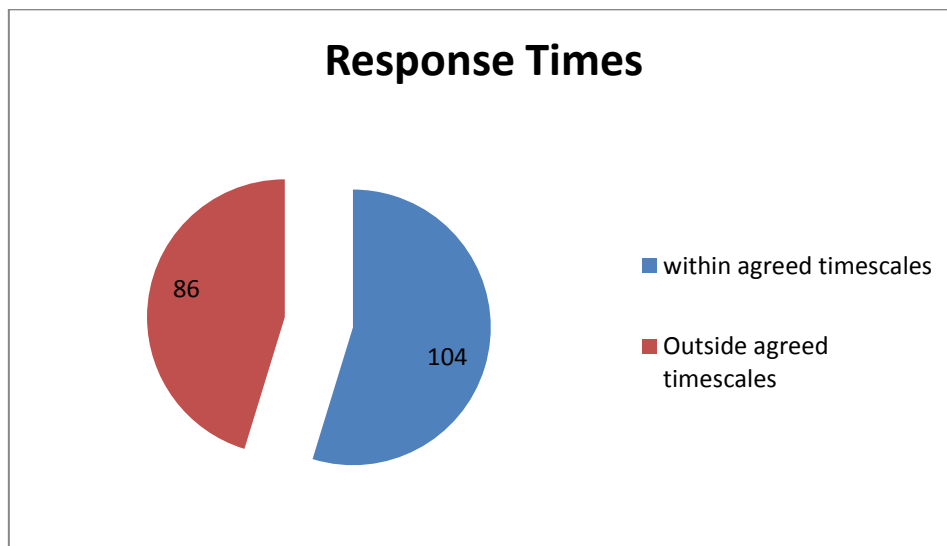
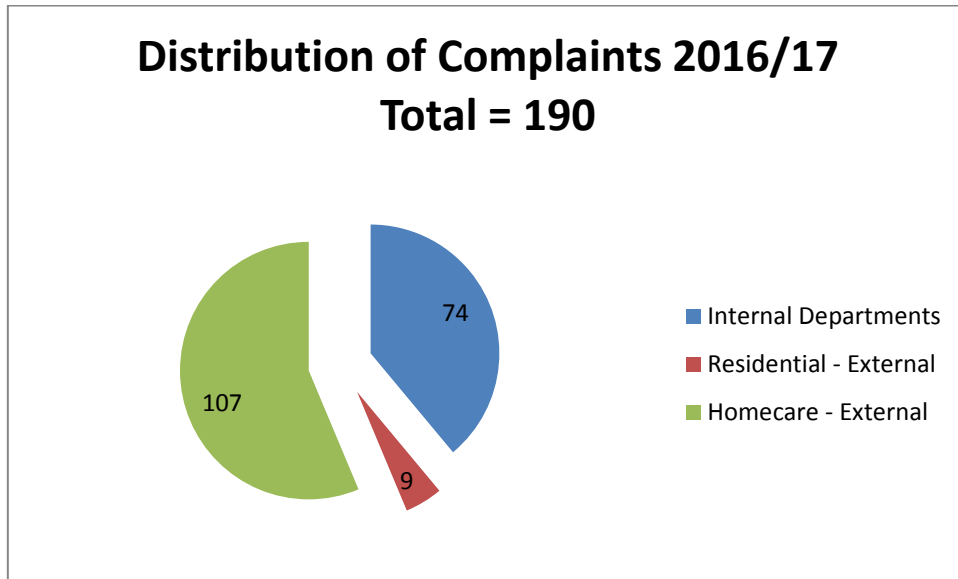
~

**Firstly I would just like to thank you for all that you did for xxx and the kindness and compassion that you extended to her. You have been an enormous help during a very difficult time and I have really appreciated your help and guidance and nothing was too much trouble, that meant a lot. Once again my sincere thanks for all that you have done.**

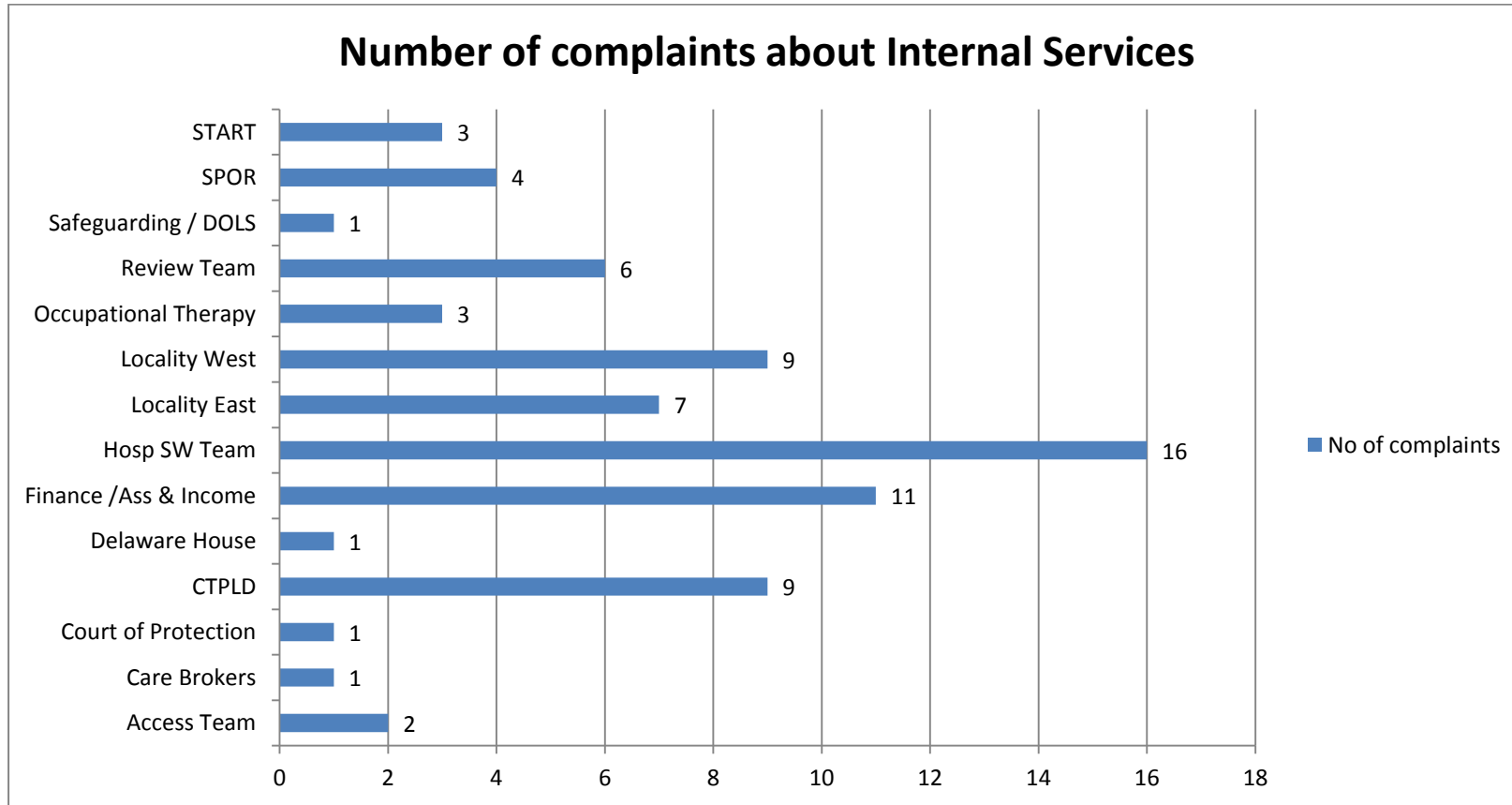
~

**Both Sue & Rob were brilliant. Could not have been kinder or more helpful & efficient. We are very grateful to them**

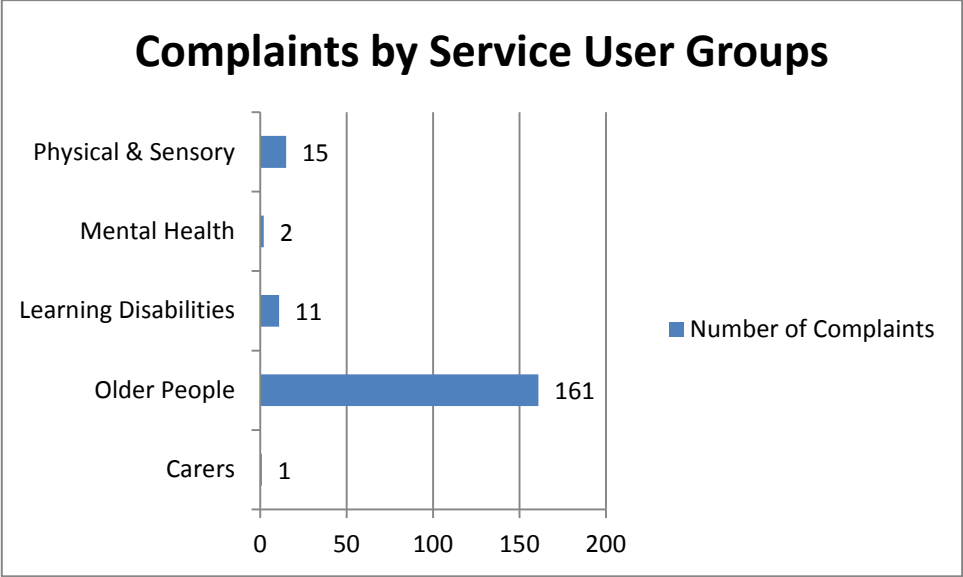
Appendix 2



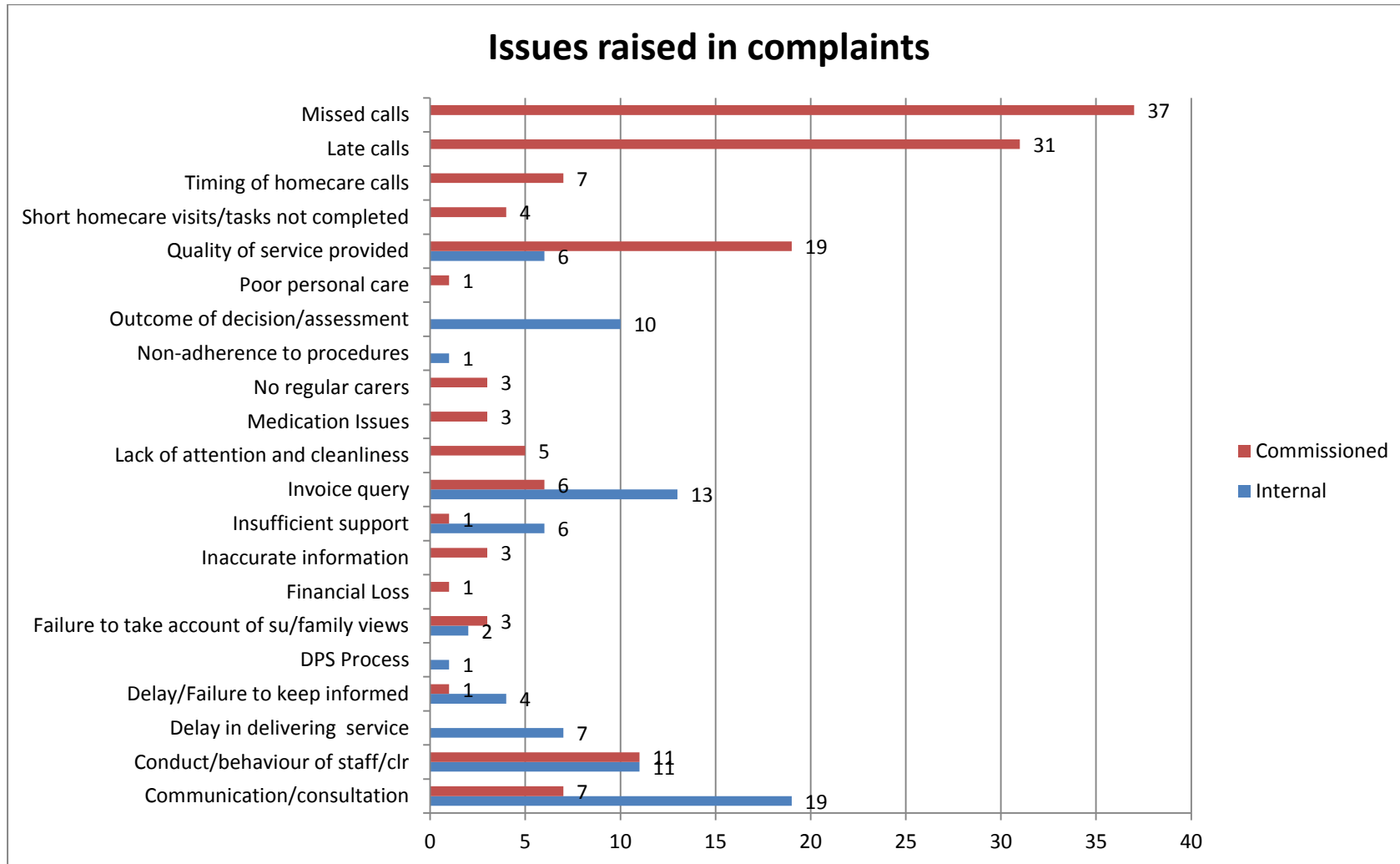
Appendix 3



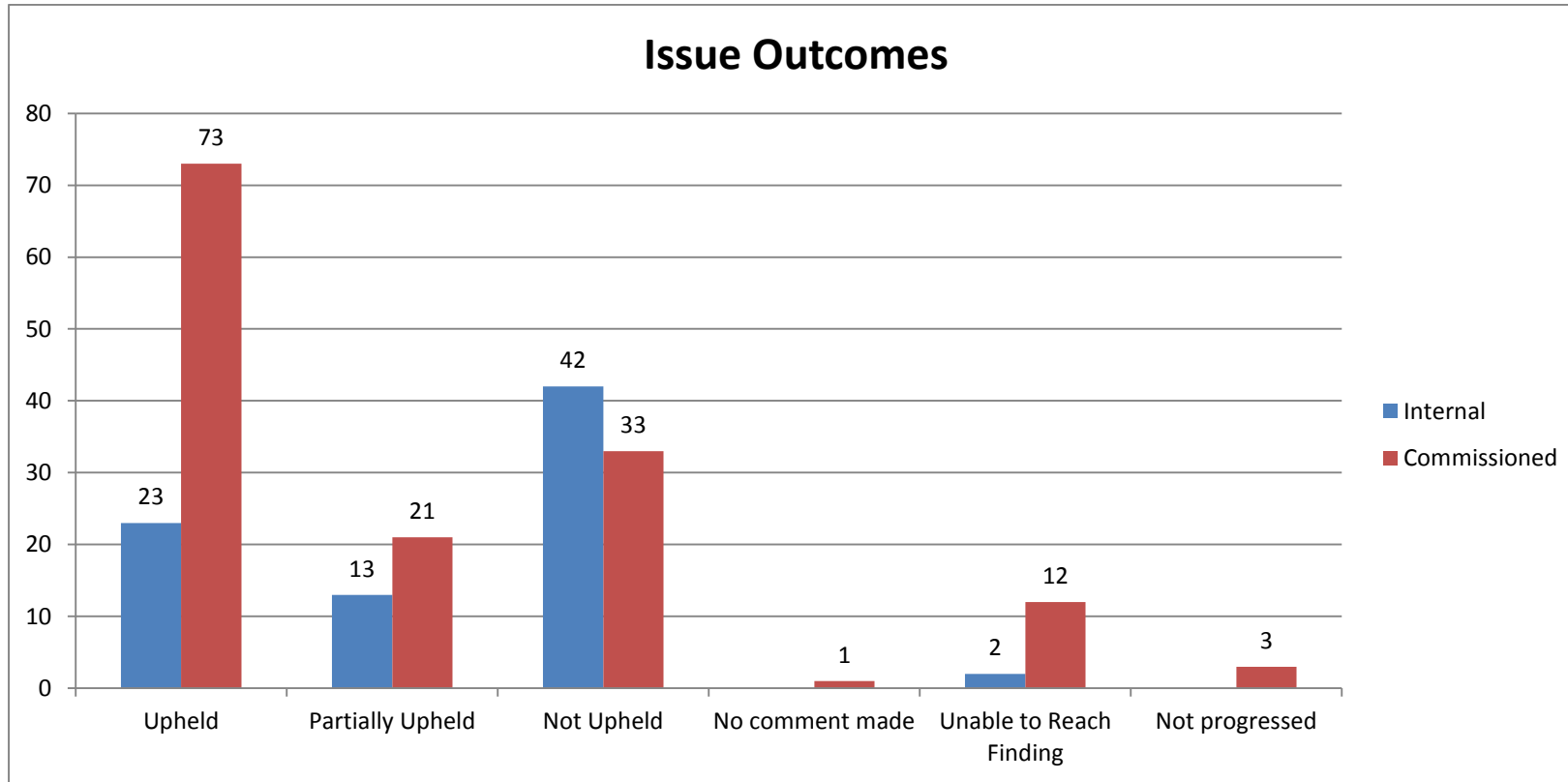
Appendix 4



Appendix 5



Appendix 6





## Appendix 7

### Top issues complained about

<b>SBC - Internal Service</b>	Upheld	P/upheld	not upheld
Communication/consultation	6	5	8
Invoice Query	5	2	6
Conduct/behaviour of staff	2	3	6
Outcome of decision/assessment	1	1	8

<b>Commissioned Services (Homecare &amp; Residential)</b>	Upheld	P/upheld	not upheld	Unable to reach a finding	Not progressed
Missed calls	26	3	8		
Late calls	24	2	3		1
Quality of Service	4	7	4	3	1
Conduct Behaviour of staff	2	2	3	4	

Appendix 8

Issue	Improvements
Concern about letters sent via finance, outlining the hourly charge for care. The letter did not make it clear that the hourly charge was per carer.	Updated to letter to make the charges clearer, that if a service user was receiving 2 carers then the hourly charge would be per carer.
Issue with the number of missed calls or late calls.	Trial of real time alerts on the electronic call monitoring system (CM2000) this meant the care provider could identify where calls have not been made, and be pro-active in making alternative arrangements if necessary.
Confusion caused by the terminology used by Social Workers when explaining the costs associated with care.	Complaints and their outcomes are fed back to Social Workers within team meetings to make Social Workers aware of the language they use verbally and in writing and the confusion it could cause.

## Appendix B

### Compliments and Complaints – Children’s Social Care 2016/17



# Southend-on-Sea Borough Council

Report of Deputy Chief Executive (People)

to

**Cabinet**

on

**7 November 2017**

Report prepared by: Michael Barrett

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**Compliments and Complaints relating to Children's Social Care Services  
People Scrutiny Committee - Executive Cllr James Courtenay  
A Part 1 Public Agenda Item**

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## **1 Purpose of Report**

- 1.1 To fulfil the local authority's statutory duty to produce an annual report on compliments and complaints received about its children's social care function throughout the year.
- 1.2 To provide statistical and performance information about compliments and complaints received from April 2016 to March 2017 at all three stages of the statutory process.

## **2 Recommendation**

- 2.1 That the Department's performance during 2016/2017 be noted.

## **3 Summary**

- We received 20 compliments in 2016/17 a reduction from the 65 received in 2015/16.
- Statutory complaints at Stage 1 have increased by 4 (4.7%) to a total of 89 in 2016/17.
- 37% of Stage 1 complaints were responded to within 10 working days, the 2015/16 rate was 51%
- 18% of stage 1 complaints were responded to in a period between 10 and 20 working days.
- 55% of stage 1 complaints were responded to within 20 working days compared to 87% in 2015/16.
- 45% of stage 1 complaints were responded to in over 20 working days compared to 13% in 2016/17

- 5 complaints escalated to stage 2 in 2016/17, a decrease of 1 from 6 2015/16. Of these 5, 3 then escalated to stage 3.
- 3 complainants approached the Local Government Ombudsman in 2016/17. It was 7 in 2015/16.

## 4 Background

4.1 The statutory process for complaints regarding children’s services has three stages. Stage 1 affords an opportunity to try to find a local resolution usually at team manager level. If the complainant is not satisfied with the stage 1 process or the outcome, they may request to proceed to stage 2. At stage 2, the Department appoints an Investigating Officer, and an Independent Person to investigate the complaint. The Investigating Officer is a senior social worker who has not been associated with the case, and the Independent Person is someone who is not employed by the council, but has experience of children’s issues, social care or investigations. The stage 2 response is reviewed and approved by the Head of Service. If the complainant is still not satisfied, they may proceed to stage 3. At this stage, the complaint is referred to an Independent Review Panel of three independent panel members with one member acting as Chair. They will review the stage 2 investigation and outcome, and will make recommendations. These recommendations are reviewed by the Corporate Director, who formally responds to the complainant. The process is based on the premise that at each stage, a more senior officer responds on behalf of the Department.

If complainants remain dissatisfied at the end of the three stages, they may refer their complaint to the Local Government Ombudsman.

Some complainants welcome an independent investigation of their concerns; for others, the process can seem unwieldy. The regulations encourage consideration of alternative dispute resolutions where appropriate and with the Complainant’s agreement. The Complaints team encourages and supports Team Managers to resolve complaints at the earliest stage, including before they become formal complaints.

## 5 Compliments received in 2015/2016

5.1 The Department recorded 20 compliments about Children’s Social Care in 2016/17 compared with 65 in 2015/16. We believe this is an issue of recording and communication within the department, rather than an actual decline in the quality of support provided. This is also supported by the fairly consistent number of complaints. The table below shows the number of compliments received in 2015/16 in comparison with previous years.

Apr 11 – Mar 12	Apr 12 – Mar 13	Apr 13 – Mar-14	Apr 14 – Mar-15	Apr 15 – Mar 16	Apr 16 – Mar 17
25	41	44	60	65	20

## 6 Number of complaints received in 2015/2016

### 6.1 Stage 1

- 6.1.1 The Department received 89 statutory complaints directly at stage 1 in 2016/17 compared with 85 in 2015/16. This represents an increase of 4.7%. Complaints are always welcomed and viewed as a way to improve practice and Managers are informed of any emerging trends in complaints.
- 6.1.2 94% of complaints were resolved at Stage 1 which is consistent with the figure from the previous year which was 93%.
- 6.1.3 The table below shows the number of Stage 1 complaints received in 2016/17 in comparison with previous years.

Apr 11 – Mar 12	Apr 12 – Mar 13	Apr 13 – Mar-14	Apr 14 – Mar-15	Apr 15 – Mar 16	Apr 16 – Mar 17
58	60	38	61	85	89

Since 20011/12 statutory complaints have increased by 31 or 65%.

### 6.2 Stage 2

- 6.2.1 A total of 5 statutory complaints were not resolved at Stage 1 and progressed to Stage 2 of the complaints process during 2016/17, a decrease of 1 from 2015/16. 2 of these were resolved at stage 2, with 3 going to stage 3.

### 6.3 Stage 3

- 6.3.1 3 complaints went to stage 3, the same number as in 2015/16.

## 7 Complaints by category

- 7.1 Complaints were categorised by the main issues raised. The table below shows the percentage of complaints in each category in 2016/17.

Category of complaint	2016/17 Total	% of Total
Children's Social care	2	2.2%
Communication	12	13.5%
Council decision making	14	15.7%
Data Protection Breach	1	1.1%
Policy or procedure	3	3.4%
Providing a service	5	5.6%
quality of service	3	3.4%
Staff conduct / Employee Behaviour	49	55.1%
	89	100.0%

The selection of categories is fairly subjective and many of the complaints could comfortably fit a number of the complaint descriptions, which makes a year on year comparison less useful

The 3 categories with the highest percentage of complaints were:

- Staff conduct / Employee Behaviour 55.1%
- Council decision making 15.7%
- Communication 13.5%

These 3 categories represent over 84% of all complaints received.

- 7.2 Social workers have been reminded of their responsibilities about returning calls, responding to correspondence promptly and that regular communication is key to positive working relationships with service users.

It is apparent that many Complainants still believe that it is the Social Worker alone who makes decisions regarding child protection procedures and agreed actions. Work needs to continue to ensure that Service Users and their families understand the role of the Social Worker. There is a need for Social Workers to be more conscious of ensuring that explanations about difficult decisions are given in the context of wider policies when discussing and meeting with Service Users.

- 7.3 After investigation of each complaint at stage 1, 66 or 74% of complaints were not upheld. This is a slight increase from 2015/16 when 69% were not upheld.

## 8 Response times and the Department's performance

### 8.1 Stage 1

- 8.1.1 In statutory Stage 1 complaints the timescale for responses is 10 working days, with a further 10 days for more complex complaints or additional time if an advocate is required. However, in these cases it is important that the complainant is kept informed about any progress or delays in dealing with the complaint.

- 8.1.2 The percentage of stage 1 complaints responded to within the statutory timescale of 0–20 working days in 2016/17 was 55% compared with 88% in 2015/16.

- 8.1.4 The table below shows response times for all the stage 1 complaints received in 2016/17 compared with the previous 2 years.

Response Performance	2014-15 % of total	2015-16 % of total	2016-17 % of total
Within 10 working days	73.7	51	37
10 – 20 days	19.7	37	18
Over 20 days	6.6	12	45



## 8.2 Stage 2

### 8.2.1 Stage 2 statutory response times:

A stage 2 complaint should be investigated and responded to within 25 working days, with a maximum extension to 65 working days.

The Stage 2 process starts as soon as a complainant decides to pursue their complaint to stage 2.

Stage 2 complaints are likely to involve an investigating officer, an independent person and an advocate if the complainant wishes. The Investigating Officers are SBC staff who has not been involved with the case previously. In the process at stage 2, complaints are subject to independent investigations involving interviews with the complainant and relevant members of staff, and the submission of a report to be responded to by the Head of Service. Delivering this is often a challenge within 65 days.

### **5 complaints were pursued to Stage 2 in 2016/17.**

This year one of the Stage 2 investigations was completed within 65 working days. Previously this has proved a challenge and we have completed none within the timescale. However, regular contact has been maintained in each case, between the complainant and the Investigating Officer.

## 8.3 Stage 3

### 8.3.1 Stage 3 statutory response times:

The recommendations from a Stage 3 Review Panel should be responded to within 15 working days of the date of the meeting.

### 8.3.2 **3 complaints were escalated to stage 3 during 2016/17, there was 1 in 2015/16.**

8.3.3 Two Stage 3 complaints were responded to within the timescale of 15 working days, the third is review panel is due to sit in early October 2017.

## 9 Outcome status of complaints

### 9.1 Stage 1

Whatever the outcome of these complaints, we can classify them as either upheld or not upheld. In 2016/17, of the 89 complaints received, 66 (74%) were not upheld, and 23 (26%) were upheld.

### **Stage 2 & 3**

There are often several points in a complaint at Stage 2 & 3 and these are addressed separately in a single response. The complaint may be upheld; not upheld; partially upheld, or inconclusive/no finding.

**Stage 2** – Of the 89 complaints received, 5 escalated to Stage 2. From these 5 complaints, there were 26 separate issues. 4 of the stage 2 complaints have

been resolved, and the 5<sup>th</sup> is due to be completed soon. The 4 completed complaints had 21 issues to be considered. The following table shows the outcomes from the 4 completed complaints of these issues;

<b>Upheld</b>	<b>Partially Upheld</b>	<b>Not Upheld</b>	<b>No Finding</b>
<b>4</b>	<b>4</b>	<b>13</b>	<b>0</b>

**Stage 3** – Of the 5 complainants at stage 2, 3 requested that their complaint be escalated to Stage 3. 2 of the stage 3 complaints have been concluded, and they had 13 issues to be considered. The following table shows the outcomes from the 2 completed complaints of these issues;

<b>Upheld</b>	<b>Partially Upheld</b>	<b>Not Upheld</b>	<b>No Finding</b>
<b>4</b>	<b>0</b>	<b>7</b>	<b>2</b>

## **10 Local Government Ombudsman**

10.1 Of the complaints arising in 2016/17, 5 complainants approached the Local Government Ombudsman. 3 of these had been through the 3 stages of the process, while the other 2 approached the LGO directly earlier in the process.

## **11 Developments in the complaints process**

11.1 Senior Managers receive regular reports from the Complaints Manager which serve to highlight trends and performance.

11.2 The Complaints Manager offers ongoing support and advice to Team Managers on how to appropriately respond to complaints.

## **12 Areas for improvement / Learning from Complaints**

12.1 Service Managers and social workers are being asked to ensure that families are aware of changes in their children's social worker.

12.2 Team Managers have been reminded that when concerns are raised it essential that every effort is made to contact **both** parents to inform them of the concerns and offer an opportunity for them to be involved in the resolution of the concern.

12.3 Complaints about Communication issues continue to be an issue. All staff have been reminded that if a call cannot be answered by a member of staff, the call should be passed to the duty team, who will deal with the issue or will pass a message on to the appropriate social worker.

## **13 Corporate Implications**

13.1 Contribution to Council's Vision & Corporate Priorities.  
Complaints management is relevant to the Council's corporate priority of continuing to improve the outcomes for vulnerable children.

### 13.2 Financial Implications

The commissioning of independent people to investigate Stage 2 complaints incurs additional cost. The Department seeks to provide efficient resolution to complaints at the earliest stage possible, as well as securing value for money from Investigating Officers. Costs are met from the existing base budget.

### 13.3 Legal Implications –

The complaints process complies with statutory requirements.

### 13.4 People Implications

None.

### 13.5 Property Implications

None.

### 13.6 Consultation

The Advocacy Services and Representations procedure (Children) (Amendment) Regulations 2004 confer a duty on local authorities to provide information about advocacy services and offer help to obtain an advocate to a child or young person wishing to make a complaint. The Authority has a contract with the National Youth Advocacy Service.

In 2016/17 3 complaints (3.5%) were made by children/young people. This is the same number as in 2015/16. All children and young people wishing to make a complaint in were offered the services of an advocate.

### 13.7 Equalities and Diversity Implications

All those involved in dealing with complaints are mindful of ensuring a consistent approach with all complainants in line with Equalities principles.

### 13.8 Value for Money

Since the joining of the Adult and children's complaints teams, the complaint process is implemented by 2fte posts with support from the Customer Service Manager, when needed.

We now use SBC Managers to undertake the role of Investigating Officers, which has reduced the use of external Investigating Officers for Stage 2 complaints.

13.9 Community Safety Implications

None

13.10 Environmental Impact

None

14. Background papers

None

## Appendix C

### Corporate Comments, Complaints and Compliments Report



# Southend-on-Sea Borough Council

Agenda  
Item No.

## Report of the Chief Executive

to  
**Cabinet**  
on

**7 November 2017**

Report prepared by: Val Smith, Knowledge and Information  
Advisor and John Williams, Monitoring Officer

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### Corporate Comments, Complaints and Compliments and Local Government and Social Care Ombudsman Annual Report - 2016-17

**All Scrutiny Committee – Executive Councillor: Councillor Lamb**

#### **A Part 1 Public Agenda Item**

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#### **1. Purpose of Report**

- 1.1 To report on the performance relating to the Corporate Comments, Complaints and Compliments procedure and to provide comparisons with previously reported results.

(Certain complaints and compliments in respect of adult and children's social care functions are subject to their own statutory processes and are not monitored by the Corporate procedure. Their results are reported separately.)

- 1.2 To fulfil the Monitoring Officer's duty under section 5(2) of the Local Government and Housing Act 1989 and the Local Government Act 1974 to report to Members a summary of the findings of all complaints relating to the Council where in 2016/17 the Local Government and Social Care Ombudsman (LGO) has conducted an investigation and upheld the complaint.

#### **2. Recommendations**

- 2.1 **To note the performance relating to the Corporate Comments, Complaints and Compliments process between 1<sup>st</sup> April 2016 and 31<sup>st</sup> March 2017.**
- 2.2 **To note the summary of LGO findings.**

### **3. Background**

3.1 The Council's Corporate Comments, Complaints and Compliments procedure deals with all general feedback about the Council. It has been in place since 2009 and is well established throughout the organisation. Along with the children and adult social care statutory complaints there are certain other functions which are outside of the Corporate procedure and which have their own processes. Examples include appeals against parking tickets and concerns about schools.

3.2 The benefits in operating a feedback process include:

- To learn lessons from the types of feedback made
- To help improve service delivery
- To improve the consistency and timeliness of responses
- To reflect sector wide and LGO best practice.

3.3 This report provides:

- an update on how the process is working
- an analysis of customer feedback data
- A particular focus on the Council's performance in connection with complaints under the 3 Stage process outlined in [Appendix 1](#)
- A summary of LGO findings
- details of minor changes to the process

### **4. PERFORMANCE TO DATE**

#### **4.1 Performance in respect of complaints**

Detailed performance data for 2016/17 is set out in [Appendices 2 to 5](#).

545 Stage 1 complaints were received during 2016/17, reflecting an increase of 35.6% compared to the 402 complaints reported for 2015-2016 and 425 complaints in 2014-15.

The increase in volume of Stage 1 complaints can be attributed to the challenges of changing waste collection days with the introduction of the Veolia contract. The Department for Place received 48% of their annual complaints in the three months following the change (235 complaints).

The monitoring system that is in place highlights trends and issues that are subject to complaints. Areas that have been of note, at all stages, for 2016/17 include:

- Providing a service – 28.4%
- Quality of service – 22.3%
- Staff conduct/employee behaviour – 12.7%



## 4.2 Complaints by Department with Response Times

Department	Stage 1 & 2 Total Complaints Apr 2014-Mar 2015	Responded to in 10 working days	Stage 1 & 2 Total Complaints Apr 2015-Mar 2016	Responded to in 10 working days	Stage 1 & 2 Total Complaints Apr 2016-Mar 2017	Responded to in 10 working days
Dept. of the Chief Executive	38	92%	62	81%	52	94%
Department for People	44	80%	41	68%	41	49%
Department for Place	379	92%	344	83%	479	85%
Public Health			1	100%		
<b>Grand Total</b>	<b>461</b>	<b>87%</b>	<b>448</b>	<b>80%</b>	<b>572</b>	<b>84%</b>

## 4.3 Stage 3 Complaints

There were 15 complaints received at Stage 3 of the complaints procedure, the same number as in 2015/16. Two further complaints were raised at Stage 3 but then not pursued by the complainant.

Complaints that escalate to Stage 3 are by their nature more complex and sometimes involve situations where it is not possible for the Council to meet complainants' wishes.

In 2016/17 over 50% of the Stage 3 complaints for the year were received in June and July. This peak of work resulted in multiple complaints having to be processed simultaneously and had a negative impact on response times for the remainder of the year.

From June 2017 a new structure has been introduced within Policy, Engagement and Communication (where Stage 3 complaints are investigated) combining a variety of Knowledge and Information functions over several posts. This approach allows more flexibility in investigative resources and improves resilience by being less susceptible to peaks of work. Now that historic complaints are completed, there will be an improvement in the timely resolution at Stage 3 of the process.

#### 4.4 Nature of Complaints

[Appendix 2](#) sets out the nature of all complaints under the following headings:

- Communication
- Decision making
- Discrimination
- Policy or procedure
- Providing a service
- Service not provided by council
- Staff conduct/staff behaviour
- Quality of service

The main areas of concern for 2016-17 were: providing a service (167); quality of service (131); staff conduct/behaviour (75) and communication (55).

#### 4.5 How the Complaints Were Received

The four year trend chart in [Appendix 3](#) shows that 93% of complainants contacted the Council by e-mail or through the website, an increase from 65% for 2015/16 (and 62% in 2013/14). This reflects the work undertaken to encourage customers to use electronic means as their channel of choice. It may however not be a complete picture if customer service officers have completed an on-line form on behalf of a telephone caller.

Complaints submitted by letter, phone and face to face are consequently on a downward trend. The Council remains committed to keeping all complaint channels available in order to meet its equalities obligations and to comply with LGO best practice. A formal complaint may be received over social media but would be moved to more conventional channels for resolution.

#### 4.6 Progression of complaints and satisfaction

- 93% of Stage 1 complainants were satisfied with their response and did not take their complaint further through the process. This is an increase when compared with the 2015/16 reported figure of 89%.
- Of the 44 complaints that were addressed at Stage 2 (there were 45 in 2015/16) 11 related to the providing of a service and a further 11 to decision making.
- Of the 44 Stage 2 complaints, 17 went on to Stage 3 (although 2 were not pursued).
- In 2016/17, six complaints that had completed the full Corporate process were investigated by the LGO. In four cases the LGO found no fault with the Council. In two cases they agreed with the fault that had already been identified by the Council and found that it had been appropriately remedied at Stage 3 and needed no further remedy from the LGO.

## 4.7 Complaint Resolution

The emphasis on learning from customer feedback continues. This is evidenced by how complaints have been resolved:-

- Specific action has been taken in 81.8% of cases - by doing something that had not been done, carrying out work or putting something right.
- 7.0% of customers that complained received an apology when the Council had not got things right and no further action was needed, other than to apologise, or explain why the Council had taken a particular course of action.
- 8.3% of complaints required no action. This was where our actions were reviewed but deemed to be correct and no apology was required.
- No cases required a process review.

The chart in [Appendix 4](#) reflects the breakdown of complaints by resolution.

## 4.8 Learning Points

Feedback through the complaints procedure from customers is continuously reviewed to establish where improvements to services are required.

In particular, Stage 3 of the process includes an organisation-wide view of the complaint to identify lessons learned and to inform broader service reviews where appropriate. In this way an individual complaint can have an impact on organisational change.

Examples of service improvements as a result of complaints and customer feedback include:

- Individual complaint findings being fed directly into the review of anti-social behaviour service provision (currently underway)
- Website content being commissioned to provide a pathway to advice for those with suicidal thoughts or those who might be concerned about someone with suicidal thoughts
- Training being commissioned for staff who may interact with customers with suicidal thoughts
- Nominated points of contact being put into place for customers experiencing difficulty in their interactions with the Council or with whom officers are experiencing difficulty
- The introduction of an independent formal Subject Access Request review process for customers who feel they have not been supplied with all relevant information
- Guidance for Housing staff regarding bedroom need allocation for housing applicants with overnight care
- Guidance for Housing staff regarding applicants for housing who have a previously un-discharged main homelessness duty

## 4.9 Comments and Compliments

GovMetric, the customer satisfaction measurement tool used by the Council, specifically captures the provision of face to face and telephone service by the Customer Service Centre and over the Council's primary website. These figures are reflected in the Department of the Chief Executive analysis. Compliments are most frequently received in relation to face to face or telephone contact, with the helpful or pleasant nature of the member of staff often being cited as the reason for the compliment.

It is anticipated that as we move more towards increased use of on-line channels with less personal interaction between the Council and its customers, so the opportunities to receive compliments will decrease.

Of the 1,301 comments and compliments recorded by the Department of the Chief Executive, 487 were categorised as compliments, which compares to 814 recorded last year.

When comments are received they are responded to by the service concerned and the person making the comment is acknowledged and where appropriate advised if their suggestion is to be taken up. Compliments are acknowledged and shared with the appropriate line management to inform the service or member of staff. This may then inform the staff member's performance review discussion.

The table below shows a 3 year comparison of the total number of comments and compliments received by each Department.

<b>Department</b>	<b>Total 2014/2015</b>	<b>Total 2015/2016</b>	<b>Total 2016/2017</b>
Department of the Chief Executive	1326	1673	1301
Department for People (excluding statutory complaints)	7	2	19
Department for Place	222	337	838
Public Health			21
<b>Grand Total</b>	<b>2022</b>	<b>2426</b>	<b>2462</b>

#### 4.10 Minor Revisions to the Procedure

The Corporate Comments, Complaints and Compliments procedure is having minor revision to reflect the revised senior management structures; a requirement that the Deputy Leader acts in the absence of the Leader and that LGO best practice is incorporated. The revised procedure for customers is attached at [Appendix 1](#).

### 5. Local Government and Social Care Ombudsman (LGO)

The Local Government and Social Care Ombudsman (LGO) has provided an annual summary of statistics for the year ended 31 March 2017. This relates to cases upon which they have made a decision in that year.

The LGO's annual review letter, including the breakdown of the results is attached at [Appendix 5](#).

58 decisions relating to the Council were made by the Ombudsman. This compared to 56 for 2015/16.

24 cases were referred back for local resolution, 9 directly to the Council. This is most commonly because the complainant has approached the LGO without first going through the Council's complaints procedure.

14 cases were closed after the LGO had made initial enquiries, 13 of these involved SBC providing supporting information.

2 cases were incomplete or invalid, and for 3 more, advice to the complainant from the LGO was considered sufficient action.

In 15 cases the LGO decided to conduct a detailed investigation. In 8 of these the LGO upheld the complaint, in 7 cases they did not, an uphold rate for detailed investigations of 53% (the average LGO uphold rate being 54% in a range of 64% to 44%).

Of the 8 detailed investigations where the complaint was upheld, 5 were in relation to Adult Care Services, 1 was in relation to Housing and 2 to Education and Children's services.

A breakdown of approaches to the LGO is attached at [Appendix 6](#) and a summary of findings for those cases where the LGO found fault is included at [Appendix 7](#).

Alongside statistical information, the LGO also publishes a yearly report on local government complaint handling. The report includes a summary of complaint statistics for every local authority in England which provides an opportunity for the Council to compare its performance against other Councils. The table below shows comparisons with a small number of similar authorities.

Local authority	Complaints/ enquiries made 15/16	Complaints upheld 14/15	Complaints/ enquiries made 16/17	Complaints investigated & upheld 16/17	Uphold rate
Southend on Sea	54	7	54	8	53%
Blackpool	47	7	45	8	53%
Medway	97	19	87	13	50%
Plymouth	102	19	98	15	56%
Thurrock	82	9	65	10	59%
Isle of Wight	60	14	43	13	68%
Central Bedfordshire	65	10	54	8	53%

## 6 MONITORING AND REPORTING

Regular reporting continues within Departmental Management Teams to coincide with their monthly report on performance.

## 7 CONCLUSIONS

The process continues to deliver a professional response to individual complaints, a robust system of complaint monitoring and real service improvements. Minor updating of the procedure is underway as outlined in 4.10 above.

## 8 Corporate Implications

### 8.1 Contribution to Council's Vision & Corporate Priorities

Customer feedback and complaints management is directly relevant to the Council's Corporate priorities.

### 8.2 Financial Implications

Service improvements continue to result in meaningful outcomes for customers. A robust complaint process with thorough investigation and a positive approach reduces the likelihood of financial penalties from the LGO.

### 8.3 Legal Implications

This process is overseen by the Local Government and Social Care Ombudsman

### 8.4 People Implications

Effective complaint handling is resource intensive but benefits the organisation by identifying service improvements and managing the process for customers who are dissatisfied.

### 8.5 Property Implications

None

### 8.6 Consultation

None

### 8.7 Equalities and Diversity Implications

The complaints process is open to all and has multiple methods of access for customers. Equality and diversity implications are a routine part of the process in recording customer details and are considered as part of any response.

Although most commonly the process is accessed through e-mail and on-line forms, traditional methods such as post are available and where necessary a complaint can be transcribed over the telephone or be made in person.

This supports persons who might otherwise be inhibited from using the process, perhaps through vulnerability.

### 8.8 Risk Assessment

Personal data regarding complaints are recorded in an approved centralised system which can only be accessed by nominated officers.

### 8.9 Value for Money

Resolving a complaint as early as possible in the process reduces officer time spent dealing with concerns as well as providing the opportunity to improve service delivery.

### 8.10 Community Safety Implications - None

### 8.11 Environmental Impact - None

## **9 Background Papers – None**

## **10 Appendices**

- Appendix 1 Summary of the Council's Comments, Complaints and Compliments Procedure
- Appendix 2 Nature of Complaints
- Appendix 3 How Stage 1 Complaints Were Received
- Appendix 4 Complaint Resolution
- Appendix 5 Local Government Ombudsman Annual Review Letter 2017
- Appendix 6 Breakdown of approaches to the LGO by Service
- Appendix 7 Summary of complaints upheld by the LGO



# Appendix 1 – Complaints Leaflet







[www.southend.gov.uk/complaints](http://www.southend.gov.uk/complaints)



Safe • Clean • Healthy • Prosperous • Excellent

## Comments, Complaints and Compliments Procedure

*'Creating a better Southend'*

- |   |   |
|---|---|
|  Braille       |  Audio           |
|  Large print   |  EasyRead        |
|  Disk or email |  BSL & subtitles |



B20 Comment Complaint or Compliment – October 2017

A summary of this booklet can be provided in alternative formats such as Braille, audio-tape or in large print. Translations of this document in alternative languages are also available

**Albanian:** Nëse dëshironi një kopje të kësaj fletushke në gjuhën tuaj amtare, ose nëse doni të në kontaktoni, ju lutemi telefononi në numrin e poshtë-shënuar. Ne do të përdorim një përkthyes për mes telefonit të ndihmojmë me kërkesën tuaj.

**Czech:** Zkrácená verze této publikace je k dostání i v alternativních formátech, konkrétně v Braillu, na audiokazetě a tištěná ve kláms typem písma, které je snadno čitelné. Tento dokument byl přeložen i do dalších jazyků a tyto překlady jsou vám také k dispozici.

**Ndebele:** Lolugwalo luyatholakala njalo lunciphisiwe ngalezi indlela; ngombhalo weziphofu (Braille), kasethi (audio tape), loba lulotshwe ngamabala amakhulu. Luyatholakala njalo lolugwalo lulotshwe ngezihlobo ezitshiyeneyo.

**Polish:** Streszczenie tej publikacji jest dostępne w innych formach, takich jak pismo Braille'a, taśmy audio lub w dużym druku. Dostępne są także przekłady tego dokumentu na inne języki.

**Portuguese:** Um resumo desta publicação pode ser fornecida em formatos alternativos tais como Braille, cassete áudio ou em impressão de letras grandes. Também temos disponíveis traduções deste documento em outros idiomas.

### **Punjabi**

ਦਿਸ ਪੁਸਤਕ ਦਾ ਸਾਰ ਸ਼੍ਰੇਣੀ, ਆਡੀਓ-ਟੇਪ ਵਰਗੇ ਬਦਲਵੇਂ ਰੂਪਾਂ ਜਾਂ ਵੱਡੇ ਫਿੰਟ ਵਿੱਚ ਉਪਲਬਧ ਕਰਵਾਇਆ ਜਾ ਸਕਦਾ ਹੈ। ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਬਦਲਵੀਆਂ ਭਾਸ਼ਾਵਾਂ ਵਿੱਚ ਅਨੁਵਾਦ ਵੀ ਉਪਲਬਧ ਹੈ।

Pfupikiso yegwaro iri inowanika zvakare seBraille (bhuku rinoverengwa nemapofu), tepi yekuteerera nezvakanyorwa nerunyororunooneka. Gwaro iri rakaturikirwa mune imwe mitauro zvakare, uye magwaro acho aripo

### **Chinese**

如欲索取本雜誌的其他語文或格式版本、或希望訂閱更多份雜誌，請致電下列號碼

### **Urdu**

اس رسالے کی کاپی کسی بھی دیگر زبان یا شکل میں حاصل کرنے یا اس کی مزید کاپیاں آرڈر کرنے کے لیے برائے مہربانی درج ذیل نمبر ڈائل کریں۔

### **Bengali**

অন্য কোন ভাষা, আকারে এই ম্যাগাজিনের কপির জন্যে, অথবা অতিরিক্ত কপি অর্ডার করার জন্যে অনুগ্রহ করে যে নম্বরে ফোন করবেন সে নম্বর নিচে উল্লেখ করা হলো

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## 1. OUR COMMITMENT TO YOU

Every day we make thousands of decisions and try hard to give the best possible service. If you are unhappy about the standard of service you receive, our actions or lack of action, please tell us. Your comments – good or bad – help us plan for the future.

- We aim to provide a full and clear response to your comment or complaint within 10 working days.
- We will look into your comment or complaint fully and fairly. If your comment is not to be progressed we will explain why.
- We will be honest and polite.
- We will preserve the confidentiality of information supplied as far as possible.
- We will apologise if we have made a mistake.
- We will tell you what we are doing to put things right.
- We are totally opposed to all forms of unfair discrimination. We are committed to conducting Council business in a way that is fair and appropriate to all sections of the community.
- We recognise the need to deliver services in ways that are appropriate to everyone and whenever possible removing barriers that will limit access.
- We will tell staff when a compliment is received about them.

## 2. MAKING COMMENTS AND COMPLIMENTS

If you have made a comment on how to improve our services we will respond to you within 10 working days.

To make a comment or compliment you can complete our online form at [www.southend.gov.uk/complaints](http://www.southend.gov.uk/complaints) or alternatively you can [download a form to complete](#). Details on how to contact us are published on page 9. If you make a comment that is not to be progressed then we will explain why.

## 3. COMPLAINTS

### 3.1 What is a complaint?

We want our services to be excellent but we know things can go wrong. A complaint is:

“an expression of dissatisfaction about a Council service (whether that service is provided directly by the Council or by a contractor or partner) that requires a response.”

A complaint can highlight any of following:

- A failure to provide a Council service at an appropriate level or standard.
- A slow response in dealing with a matter raised with us, such as a query or request for a service.
- Unsatisfactory behaviour by a member of staff, for example rudeness, unfair discrimination, malice or bias.

- Failure to follow agreed policies or procedures, or to take relevant factors into account.
- Failure to inform you of your rights, relative to a matter raised with the Council.

### 3.2 Are there matters outside this Complaints Procedure?

This Complaints Procedure can be used for most complaints. However, there are some exceptions, there are certain complaints which have their own special procedures which are listed in section 4, which also deals with:

- Anonymous complaints
- Unreasonably persistent complainants
- Unreasonable behaviour

### 3.3 How to make a complaint

#### **1** Stage

You can contact us by:

- By email [council@southend.gov.uk](mailto:council@southend.gov.uk)
- Via our website [www.southend.gov.uk/complaints](http://www.southend.gov.uk/complaints)
- Phone 01702 215 000
- In person Customer Services in the reception area at the Civic Centre, Victoria Avenue, Southend-on-Sea, Essex, SS2 6ER
- By filling a form. You can [download a form](#) from our website.
- In writing Southend-on-Sea Borough Council Customer Services, PO Box 6, Civic Centre, Victoria Avenue, Southend -on-Sea, Essex, SS2 6ER

A response will be sent to you within 10 working days. In the event that this is not possible an interim response will be provided with confirmation of when the final response can be expected.

You can also ask your local Councillor to take up your complaint on your behalf.

#### **2** Stage

We hope that we can resolve your complaint at Stage 1. However if you are not satisfied with our response, please contact us (see section 6), and the Group

Manager or Director of the service you are complaining about will investigate the matter.

Our aim is for you to receive a written response within 10 working days. In the event that this is not possible, we will advise you when a final response can be expected.

## Stage **3**

If you are still dissatisfied, you have the right to have your complaint reviewed by one of the Council's most senior managers, the Chief Executive or Deputy Chief Executive, and the Leader of the Council by writing to us at the address shown in section 6 of this booklet.


They will consider your request and will let you know their decision in writing within 35 working days of your request. In the event that this is not possible, we will advise you when a final response can be expected.

## Still Unhappy

### Local Government Ombudsman and the Council's External Auditors



If you feel that we have not given you a satisfactory explanation you can contact the Local Government and Social Care Ombudsman. The Ombudsman will investigate complaints about how the Council has done something or failed to do something, providing a poor service or failure to provide a service, or administrative failure. You can contact the Local Government Ombudsman at:


 [www.lgo.org.uk](http://www.lgo.org.uk)  
 0300 061 0614

 Please telephone the LGO for details

The Ombudsman has adopted a "Council First" procedure and would usually expect you to go through the Council's Complaints Procedure first before contacting the Ombudsman. More details can be found on the Ombudsman's website.



If your complaint is in respect of financial matters you can complain to the Council's external auditors, BDO at:


 [www.bdo.co.uk/](http://www.bdo.co.uk/)  
 01473 320700

 16 The Havens  
Ransomes Europark  
Ipswich  
Suffolk IP3 9SJ

## Data Protection Act & Freedom of Information Act issues

If a complaint relating to either of these matters cannot be resolved by the Council, then you can complain to the Information Commissioner's Office at:

 [www.ico.org.uk](http://www.ico.org.uk)  
 0303 123 113 or 01625 545745 or fax: 01625 524510

 Information Commissioner's Office  
Wycliffe House, Water Lane  
Wilmslow  
Cheshire SK9 5AF

## **4. MATTERS OUTSIDE THIS COMPLAINTS PROCEDURE**


### **4.1 There are certain matters for which you cannot use this Complaints Procedure. These are:**

- The merits of a national policy, local policy or a formal decision taken by Councillors at Cabinet, Committee or by the Full Council.
- A decision taken by the Council or Council officers, where a formal appeal procedure exists, e.g. refusal of a housing benefit application.
- An objection to a planning application that has not yet been determined or a comment in response to a consultation exercise.
- A matter where legal action is in progress and/or there is a potential insurance claim. In such circumstances it will be passed to the Council's insurers to deal with. After insurance issues are resolved, the matter may then be dealt with under this procedure.
- A personnel issue, if you are a member of staff or ex-member of staff.
- Initial submission of a service request e.g. reporting a faulty street light. If such a service request is not dealt within the prescribed service standard then a complaint can be made under this Complaints Procedure.
- The following special types of complaint which have their own individual complaints procedure:

#### a) Complaints about Councillors

Councillors are subject to a Code of Conduct. A complaint that a Councillor has breached this Code will be dealt with by the Council's Standards Committee. You can make your complaint at:


 [www.southend.gov.uk/complaints](http://www.southend.gov.uk/complaints)

 The Monitoring Officer  
Southend-on-Sea Borough Council  
PO Box 6, Civic Centre, Victoria Avenue  
Southend-on-Sea, Essex SS2 6ER

b) Complaints about the Council's Social Care provided to Adults

These complaints are dealt with under a statutory complaints procedure. The system is administered by the Customer Services Manager in Adult & Community Services at:


 [www.southend.gov.uk/complaints](http://www.southend.gov.uk/complaints)

 Customer Service & Complaints Manager  
Department for People  
Southend-on-Sea Borough Council  
PO Box 6, Civic Centre, Victoria Avenue Southend-on-Sea, Essex SS2 6ER

c) Complaints about the Council's Social Care provided to Children

Such complaints are dealt with under a statutory complaints procedure. The system is administered by the Childrens Services Complaints Manager in Department for People at:

 [www.southend.gov.uk/complaints](http://www.southend.gov.uk/complaints)

 Childrens Services Complaints Manager  
Department for People  
Southend-on-Sea Borough Council  
PO Box 6, Civic Centre, Victoria Avenue  
Southend-on-Sea, Essex SS2 6ER


d) Complaints against Schools

There is a separate procedure for handling complaints against schools. The process is administered by the school. In the first instance a complaint should be directed to the Head Teacher and if this does not resolve the matter, then to the School's Governing Body.


e) Complaints against the issuing of Parking (Penalty Charges) Notices

If you wish to challenge a Penalty Charge Notice (PCN) you should submit your appeal in one of the following ways:


 [www.southend.gov.uk/pcn](http://www.southend.gov.uk/pcn)

 The Parking Management Team  
Southend-on-Sea Borough Council  
PO Box 6, Civic Centre, Victoria Avenue  
Southend-on-Sea, Essex SS2 6ER

If you are not happy with the response from the Parking Management Team you can refer an appeal to the National Parking Adjudication Service at:

 [www.trafficpenaltytribunal.gov.uk](http://www.trafficpenaltytribunal.gov.uk)




 [info@trafficpenaltytribunal.gov.uk](mailto:info@trafficpenaltytribunal.gov.uk)

 01625 44 55 55 Fax: 01625 44 55 60

✉ Traffic Penalty Tribunal,  
Springfield House,  
Water Lane,  
Wilmslow,  
Cheshire SK9 5BG

f) Complaints about the management, maintenance and administration of Council houses and flats

These complaints are dealt with by South Essex Homes (the Council's Arms Length Management Organisation). For further information please contact:

 [www.southessexhomes.co.uk/](http://www.southessexhomes.co.uk/)  
 [complaints@seh.southend.gov.uk](mailto:complaints@seh.southend.gov.uk)  
 0800 833160 or 0800 833161

✉ The Service Improvement Team  
South Essex Homes Ltd,  
Civic Centre, Victoria Avenue,  
Southend-on-Sea, Essex SS2 6FY

## 4.2 Anonymous Complaints

Anonymous complaints will be investigated where they raise serious concerns and it is possible to do so. But it would help us if you were able to supply us with your contact details in case we need to ask additional questions.

## 4.3 Unreasonably Persistent Complainants

There are a small number of complainants who, because of the frequency of their contact with the Council, hinder consideration of their, or other people's complaints. In exceptional circumstances, action will be taken to limit the contact of such unreasonably persistent complainants with the Council. The decision to do so and the form of such limitations will be taken by the Council's Chief Executive & Town Clerk or a Deputy Chief Executive.

## 4.4 Unreasonable Behaviour

The Council does not expect its staff to tolerate behaviour by complainants which is unreasonable, for example, which is abusive, offensive or threatening. The Council will take action to protect staff from such behaviour. In appropriate circumstances action will be taken to limit the contact of such complainants with the Council. The decision to do so and the form of such limitations will be taken by the Council's Chief Executive & Town Clerk or a Deputy Chief Executive.


## 5. MONITORING OUR PERFORMANCE


We are keen to improve not only our services but also the way we deal with your complaints and feedback. We will carry out satisfaction surveys to assess whether you were satisfied with this feedback process. If you are asked to participate we hope that you will respond.



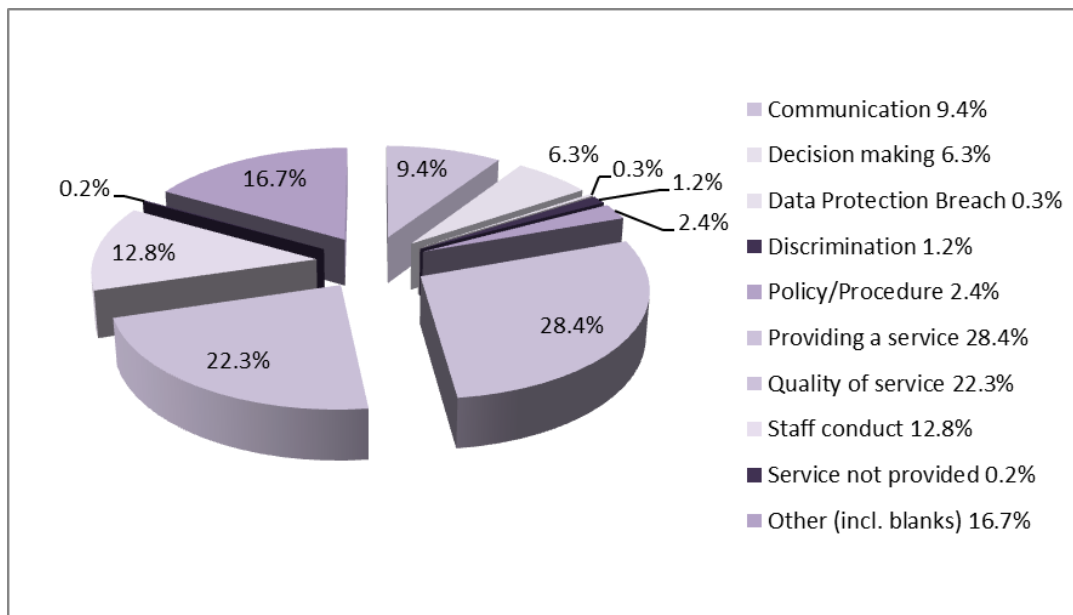
## 6. HOW TO CONTACT US

 [www.southend.gov.uk/complaints](http://www.southend.gov.uk/complaints)

 01702 215000

 Performance Adviser, Compliments & Complaints  
Policy, Engagement and Communication  
Department of the Chief Executive  
Southend-on-Sea Borough Council  
PO Box 6, Civic Centre, Victoria Avenue  
Southend-on-Sea, Essex SS2 6ER

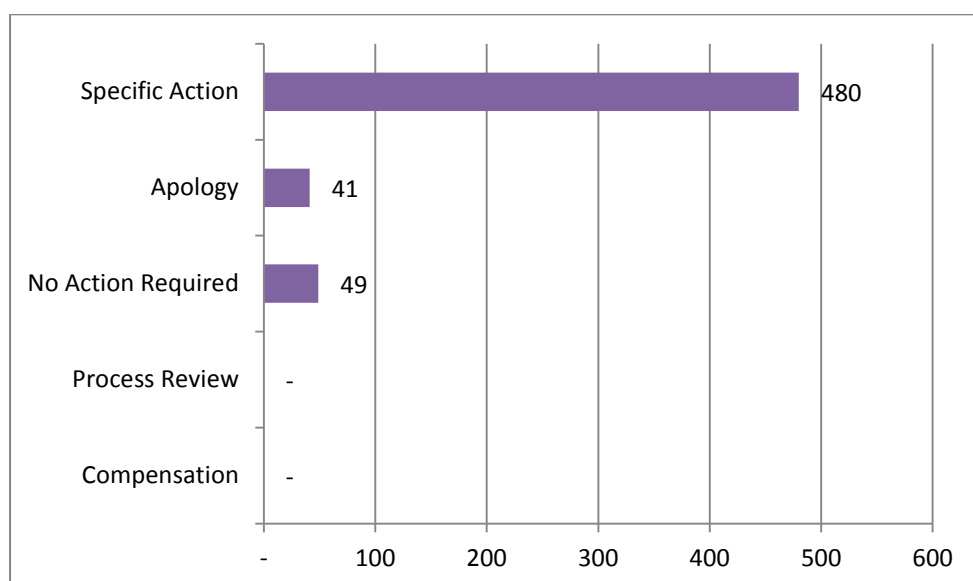
## Appendix 2 – Nature of Complaints – April 2016 to 2017



## Appendix 3 – 3 Year Comparison of How Stage 1 Complaints Were Received

	2013/2014	2014/2015	2015/2016	2016/2017
Email/Internet	47%	62%	65%	93%
Telephone	37%	31%	25.0%	2%
Other	1%	1%	0.5%	0.4%
Letter / post	10%	6%	9%	4%
In person	5%	1%	1%	0%

## Appendix 4 - Complaint Resolution April 2016 to 2017



## Appendix 5 - Local Government Ombudsman Annual Review Letter 2017

### Annual Review letter 2017

I write to you with our annual summary of statistics on the complaints made to the Local Government and Social Care Ombudsman (LGO) about your authority for the year ended 31 March 2017. The enclosed tables present the number of complaints and enquiries received about your authority and the decisions we made during the period. I hope this information will prove helpful in assessing your authority's performance in handling complaints.

The reporting year saw the retirement of Dr Jane Martin after completing her seven year tenure as Local Government Ombudsman. I was delighted to be appointed to the role of Ombudsman in January and look forward to working with you and colleagues across the local government sector in my new role.

You may notice the inclusion of the '*Social Care Ombudsman*' in our name and logo. You will be aware that since 2010 we have operated with jurisdiction over all registered adult social care providers, able to investigate complaints about care funded and arranged privately. The change is in response to frequent feedback from care providers who tell us that our current name is a real barrier to recognition within the social care sector. We hope this change will help to give this part of our jurisdiction the profile it deserves.

### Complaint statistics

Last year, we provided for the first time statistics on how the complaints we upheld against your authority were remedied. This year's letter, again, includes a breakdown of upheld complaints to show how they were remedied. This includes the number of cases where our recommendations remedied the fault and the number of cases where we decided your authority had offered a satisfactory remedy during the local complaints process. In these latter cases we provide reassurance that your authority had satisfactorily attempted to resolve the complaint before the person came to us.

I would like to record that in one complaint about your Council concerning friends and family carers, the Council was very open to accepting the fault and the proposed remedy, despite the size of the payment. I commend your Council for its constructive approach in settling this complaint.

We have chosen not to include a 'compliance rate' this year; this indicated a council's compliance with our recommendations to remedy a fault. From April 2016, we established a new mechanism for ensuring the recommendations we make to councils are implemented, where they are agreed to. This has meant the recommendations we make are more specific, and will often include a time-frame for completion. We will then follow up with a council and seek evidence that recommendations have been implemented. As a result of this new process, we plan to report a more sophisticated suite of information about compliance and service improvement in the future.

This is likely to be just one of several changes we will make to our annual letters and the way we present our data to you in the future. We surveyed councils earlier in the year to find out, amongst other things, how they use the data in annual letters and what data is the most useful; thank you to those officers who responded. The feedback will inform new work to provide you, your officers and elected members, and members of the public, with more meaningful data that allows for more effective scrutiny and easier comparison with other councils. We will keep in touch with you as this work progresses.

I want to emphasise that the statistics in this letter comprise the data we hold, and may not necessarily align with the data your authority holds. For example, our numbers include enquiries from people we signpost back to the authority, but who may never contact you.

In line with usual practice, we are publishing our annual data for all authorities on our website. The aim of this is to be transparent and provide information that aids the scrutiny of local services.

### **The statutory duty to report Ombudsman findings and recommendations**

As you will no doubt be aware, there is duty under section 5(2) of the Local Government and Housing Act 1989 for your Monitoring Officer to prepare a formal report to the council where it appears that the authority, or any part of it, has acted or is likely to act in such a manner as to constitute maladministration or service failure, and where the LGO has conducted an investigation in relation to the matter.

This requirement applies to all Ombudsman complaint decisions, not just those that result in a public report. It is therefore a significant statutory duty that is triggered in most authorities every year following findings of fault by my office. I have received several enquiries from authorities to ask how I expect this duty to be discharged. I thought it would therefore be useful for me to take this opportunity to comment on this responsibility.

I am conscious that authorities have adopted different approaches to respond proportionately to the issues raised in different Ombudsman investigations in a way that best reflects their own local circumstances. I am comfortable with, and supportive of, a flexible approach to how this duty is discharged. I do not seek to impose a proscriptive approach, as long as the Parliamentary intent is fulfilled in some meaningful way and the authority's performance in relation to Ombudsman investigations is properly communicated to elected members.

As a general guide I would suggest:

- Where my office has made findings of maladministration/fault in regard to routine mistakes and service failures, and the authority has agreed to remedy the complaint by implementing the recommendations made following an investigation, I feel that the duty is satisfactorily discharged if the Monitoring Officer makes a periodic report to the council summarising the findings on all upheld complaints over a specific period. In a small authority this may be adequately addressed through an annual report on complaints to members, for example.
- Where an investigation has wider implications for council policy or exposes a more significant finding of maladministration, perhaps because of the scale of the fault or injustice, or the number of people affected, I would expect the Monitoring Officer to consider whether the implications of that investigation should be individually reported to members.

- In the unlikely event that an authority is minded not to comply with my recommendations following a finding of maladministration, I would always expect the Monitoring Officer to report this to members under section five of the Act. This is an exceptional and unusual course of action for any authority to take and should be considered at the highest tier of the authority.

The duties set out above in relation to the Local Government and Housing Act 1989 are in addition to, not instead of, the pre-existing duties placed on all authorities in relation to Ombudsman reports under The Local Government Act 1974. Under those provisions, whenever my office issues a formal, public report to your authority you are obliged to lay that report before the council for consideration and respond within three months setting out the action that you have taken, or propose to take, in response to the report.

I know that most local authorities are familiar with these arrangements, but I happy to discuss this further with you or your Monitoring Officer if there is any doubt about how to discharge these duties in future.

### **Manual for Councils**

We greatly value our relationships with council Complaints Officers, our single contact points at each authority. To support them in their roles, we have published a Manual for Councils, setting out in detail what we do and how we investigate the complaints we receive. When we surveyed Complaints Officers, we were pleased to hear that 73% reported they have found the manual useful.

The manual is a practical resource and reference point for all council staff, not just those working directly with us, and I encourage you to share it widely within your organisation. The manual can be found on our website [www.lgo.org.uk/link-officers](http://www.lgo.org.uk/link-officers)

### **Complaint handling training**

Our training programme is one of the ways we use the outcomes of complaints to promote wider service improvements and learning. We delivered an ambitious programme of 75 courses during the year, training over 800 council staff and more 400 care provider staff. Post-course surveys showed a 92% increase in delegates' confidence in dealing with complaints. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training)

Yours sincerely



Michael King  
Local Government and Social Care Ombudsman for England  
Chair, Commission for Local Administration in England

Local Authority Report: Southend-on-Sea Borough Council  
 For the Period Ending: 31/03/2017

For further information on how to interpret our statistics, please visit our website:  
<http://www.lgo.org.uk/information-centre/reports/annual-review-reports/interpreting-local-authority-statistics>

## Complaints and enquiries received

Adult Care Services	Benefits and Tax	Corporate and Other Services	Education and Children's Services	Environment Services	Highways and Transport	Housing	Planning and Development	Other	Total
11	2	0	14	2	7	12	4	2	54

## Decisions made

				Detailed Investigations			
Incomplete or Invalid	Advice Given	Referred back for Local Resolution	Closed After Initial Enquiries	Not Upheld	Upheld	Uphold Rate	Total
2	3	24	14	7	8	53%	58

### Notes

Our uphold rate is calculated in relation to the total number of detailed investigations.

The number of remedied complaints may not equal the number of upheld complaints. This is because, while we may uphold a complaint because we find fault, we may not always find grounds to say that fault caused injustice that ought to be remedied.

### Complaints Remedied

by LGO	Satisfactorily by Authority before LGO Involvement
7	1

## Appendix 6 Breakdown of approaches to the LGO by Service

Adult Care Services	
12	Decisions of the LGO
3	Referred for local resolution
3	Closed after initial enquiries
1	<b>Detailed investigation – not upheld</b>
5	<b>Detailed investigation - upheld</b>

Benefits and Council Tax	
2	Decisions of the LGO
2	Referred for local resolution

Education and Children's Services	
14	Decisions of the LGO
4	Referred for local resolution
3	Closed after initial enquiries
5	<b>Detailed investigation – not upheld</b>
2	<b>Detailed investigation - upheld</b>

Environmental Services and Public Protection and Regulation	
2	Decisions of the LGO
2	Referred for local resolution

Highways and Transport	
8	Decisions of the LGO
1	Incomplete or Invalid
3	Referred for local resolution
3	Closed after initial enquiries
1	<b>Detailed investigation – not upheld</b>

Housing	
14	Decisions of the LGO
2	Advice given by LGO
8	Referred for local resolution
3	Closed after initial enquiries
1	<b>Detailed investigation - upheld</b>

Planning and Development	
4	Decisions of the LGO
2	Referred for local resolution
2	Closed after initial enquiries

Other (not specified by LGO)	
2	Decisions of the LGO
1	Advice given by LGO
1	Incomplete or Invalid

## Appendix 7 Summary of complaints upheld by the LGO

<b>Service</b>	<b>Maladministration/Fault</b>	<b>Agreed Remedy</b>
Adult Social Care	Care provider did not retain records for an appropriate time resulting in safeguarding investigation being unable to be provided with some information. No fault found with safeguarding investigation.	Letter of apology to customer £250 remedial payment in recognition of uncertainty caused All care providers to be reminded of necessity for document retention Monitoring of document retention compliance as part of contract management
Adult Social Care	Their liability to pay care home fees was not made sufficiently clear to complainant	Disputed fees to be written off Advisory letters to be amended to be clear and unambiguous
Adult Social Care	No fault found with safeguarding investigation but a conference was not organised at the end of the process as policy dictated and the family requested	Letter of apology
Adult Social Care	Investigation delayed because the views of the alleged perpetrator, a medical professional, were not sought which would have provided greater clarity at an earlier stage	Written apology £150 remedial payment in recognition of avoidable time, trouble and frustration New protocol developed and amended guidelines introduced between (SBC/NHS Southend CCG/NHS England)
Adult Social Care	Their liability to pay a top up fee for temporary residential care was not made sufficiently clear to complainant	Written apology SBC to pay the top-up fee Advisory leaflets to be amended to cover temporary care scenario Staff to be advised to be aware of the need to advise clients clearly of their liabilities in such circumstances
Education and Children's Services	A complaint from a birth parent about the failure to trace them regarding an adoption some years previously was refused as out of time. As the complainant had only recently discovered the adoption, the	Agreed to put the complaint through the Corporate process



	LGO decided the complaint should have been accepted	
Education and Children's Services	A classification of family foster carers should have been given in specified circumstances.	After considerable legal discussions with the LGO, SBC decided to accept their judgement and pay a sum of arrears to the complainant. In their annual letter the LGO has commended the Council for its constructive approach in settling the complaint.
Housing	An application based on homelessness was wrongly removed from the housing register when a short term leased property was found. This disadvantaged the customer when they once again became under threat of homelessness.	The LGO concluded that the fault had already been recognised and sufficiently remedied by the Council in its complaints process

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# Southend-on-Sea Borough Council

## Report of the Chief Executive

to

## Cabinet

on

7 November 2017

Report prepared by: John Williams, Director of Legal and Democratic Services and Senior Information Risk Owner (SIRO); Tim MacGregor, Team Leader, Policy & Information Management

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**Information governance update and  
Senior Information Risk Owner (SIRO) Annual Report 2016/17  
Policy & Resources Scrutiny Committee  
Executive Councillor: Councillor Moring  
A Part 1 Public Agenda Item**

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### **1. Purpose of Report**

- 1.1 To provide an update on the Council's approach to information governance and management.
- 1.2 To comply with the requirement for the SIRO to provide an annual report.
- 1.3 To report on action being taken to prepare for impending new legislation relating to data protection and information management.

### **2. Recommendations**

- 2.1 That the SIRO's report on Information Governance for 2016/17 be noted.
- 2.2 To note the introduction of the General Data Protection Regulation (GDPR) from 25 May 2018 and publication of the Data Protection Bill along with the related implications of these measures for the Council.
- 2.3 Note the action being taken by the Council to prepare for the GDPR and Data Protection Bill.

### **3. Background**

- 3.1 The Council's Information Management Strategy was agreed by Cabinet in June 2016. The strategy sets out the Council's vision for managing information, the principles supporting the vision, the context and challenges faced by the Council (including the new requirements of the GDPR) along with the related governance arrangements and action plan to progress the Council's approach. It is complemented by a range of other strategies, policies and processes, notably the

Council's Digital Strategy and Data Protection Policy.

- 3.2 The Council's SIRO has overall responsibility for the Council's information management framework and acts as the champion for information risk within the Council. Since 1 October 2016, the SIRO for the Council has been the Director of Legal and Democratic Services.
- 3.3 The SIRO is responsible for producing an annual report on information governance. The report provides an overview of developments in relation to information governance, related work undertaken since April 2016 as well as outlining the strategic direction the Council has adopted. It should provide assurance that the Council's arrangements ensure personal data is held securely, information is disseminated effectively and that the Council is compliant with the legal framework - notably the Data Protection Act 1998.

#### **4.0 SIRO Annual Report – 2016-17**

##### **4.1 General Data Protection Regulation and Data Protection Bill**

4.2 A new European Union data protection framework was adopted in April 2016 and takes the form of the 'General Data Protection Regulation'. The GDPR will become effective from 25 May 2018 and will supersede the Data Protection Act 1998. The Government has confirmed that the UK's decision to leave the EU will not change this position. This is because the GDPR also applies to organisations outside the EU offering goods or services to EU citizens and because the Government supports the principles and content of the regulation.

4.3 The GDPR is designed to create a uniform approach to data protection across Europe, one that takes account of developments in ICT and media and which empowers citizens and enhances economic growth by removing barriers to data flows.

- 4.4 To enable compliance with the GDPR the Government introduced (in September 2017) a Data Protection Bill, which, the Government states, will:
- Make UK data protection laws 'fit for the digital age' in which an ever increasing amount of data is being processed.
  - Empower people to take control of their data.
  - Support UK businesses and organisations through the change.
  - Ensure that the UK is prepared for the future after it has left the EU.

##### **4.5 Key measures of the GDPR:**

Key measures that will impact on the Council include:

- Significantly higher maximum penalties for serious data breaches – up to £17m or 4% of turnover (up from the current maximum of £500,000);
- Enhanced rights for individuals, including:

- The right to be informed – the GDPR sets out the information that individuals should supply and when individuals should be informed;
  - The right to erasure (the ‘right to be forgotten’) - individuals will have a right to approach the Council to erase/delete their data where there is no compelling reason for its continued processing;
  - The right to data portability - an individual may request that the Council transfer data it holds on them to other organisations;
  - The right to object – individuals have the right to object to the processing of their data under specific circumstances.
- Higher standards for ensuring consent from individuals for the use of their data, including the need for explicit consent. ICO guidance suggests public bodies should avoid using consent as a basis for processing where other means are available.
  - The Council (and all public bodies) will no longer be able to rely on citing ‘legitimate interests’ for processing data, and will have to rely on other conditions such as statutory requirements instead.
  - A requirement by the Council to report serious data breaches within 72 hours.
  - Abolition of fees for most Subject Access Requests (the Council currently charges £10) and a requirement to process within a month rather than 40 days;
  - A mandated requirement for Data Protection Impact Assessments (Privacy Impact Assessments) to include data protection controls at the design stage of new projects involving the processing of personal data. In addition to projects, DPIAs will be required for new contracts and significant changes in processes.
  - A Data Protection Officer (DPO) must be appointed, who is required to be independent of, but directly link with the senior management structure. The Council must ensure the DPO is properly resourced to perform their duties;
  - A requirement for organisations to ensure they have ‘the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident’;
  - A requirement for data controllers to be able to *demonstrate* compliance with the principles of GDPR as opposed to retrospectively giving evidence when asked.
  - The Information Commissioners Office (ICO) will have powers to audit councils, triggered by public complaints from the public;

## 4.6 Data Protection Bill

The Government has stated that the *Data Protection Bill* will ‘implement the GDPR standards across all general data processing’, and will:

- Provide clarity on the definitions used in the GDPR in the UK context.
- Ensure that sensitive health, social care and education data can continue to be processed to ensure continued confidentiality in health and safeguarding situations can be maintained.
- Provide appropriate restrictions to rights to access and delete data to allow certain processing currently undertaken to continue where there is a strong public policy justification, including for national security purposes.
- Expand the definition of ‘personal data’ to include IP addresses, internet cookies and DNA.
- Set the age from which parental consent is not needed to process data online at 13.

## 4.7 Cyber Security

In line with the Data Protection Bill, the Department for Digital, Culture, Media and Sport has undertaken a consultation on implementing the EU Network Information Systems (NIS) Directive. The Directive (which must come into effect by May 2018) aims to achieve a high common level of network and information systems security across EU states by requiring the introduction of security measures and incident reporting obligations for digital service providers.

The Directive could similarly see organisations face fines of up to £17m, or 4% of global turnover if they do not make their information safe, secure and resilient against cyber-attacks. Once implemented the NIS Directive will form an important part of the Government’s five-year £1.9 billion National Cyber Security Strategy.

## 4.8 Key Implications for the Council:

- The new GDPR and legislation provide an opportunity for the Council to review and enhance its systems and processes for managing information that will enable it to exploit, more effectively, its use of data and other information and ensure personal data is secure.
- A significant growth in workload in preparing for the GDPR, in maintaining new processes, in responding to enhanced individual rights, and greater public awareness of these rights, for example, there is an anticipated growth in Subject Access Requests.
- The Council will need to embed a ‘data protection by design culture’ so that consideration of the use of information and data protection is built into processes from start to finish, of projects, service re-design and contract letting and management.

- There will be a need to raise awareness of all staff and Members of the implications of the new requirements, but particularly those involved in the processing of personal data. This will require implementation of a comprehensive communication and training strategy and will need to encompass arms-length companies (South Essex Homes and Southend Care), schools, agency and temporary staff;
- The Council will need to ensure it has comprehensive and complete records to show where Council's data is stored, why it is held, how it is being used and how it complies with GDPR requirements. This can be achieved by updating the Council's Information Asset Register;
- A need to review consent practices, including existing consents and refresh consents if they do not meet the GDPR standard.
- GDPR applies to 'data controllers' as well as 'data processors' and so places greater emphasis on obligations placed on Council contractors, in relation to the protection of data they process on behalf of the Council. Contracts and Information Sharing Agreements will need to be reviewed on a risk basis to ensure they remain compliant with GDPR, and varied or terminated if they do not. A register of contracts involving data sharing, and Information Sharing Agreements with third parties (including SEH, Southend Care and NHS bodies) should be maintained.
- The Council will need to review Data Protection Impact Assessment processes before undertaking projects potentially involving data processing.

## 5. Report on Activities since April 2016

### 5.1 Key actions to enhance the Council's approach to information management and anticipate GDPR include:-

- As outlined in paragraph 3.1, the **Council's Information Management Strategy** was agreed in June 2016. The strategy set out a vision for how the Council manages information:

*'To create a culture that promotes the creative and innovative use of information to empower residents, enhance efficiency and generate fresh approaches for the Council to achieve its aims. The Council will: ensure personal data is held securely; ensure information is disseminated effectively; be transparent and enabling in its handling of information and operate within the necessary legal framework'.*

*It also agreed 6 principles that Council officers and Members should adhere to:*

- i) Hold personal data and information securely and safely;
- ii) Adopt a proportionate, risk based approach to security and information governance, ensuring that controls do not provide a barrier to innovation;

- iii) Promote and apply a transparent approach to the release and provision of information and data, publishing information in a way that is easy to find and in a format that is easy to re-use;
- iv) Support a collaborative approach to the creation, use and sharing of information, both internally and externally, where this is appropriate and in the interests of local communities and service users;
- v) Ensure that data is accurate; valid; reliable; timely; relevant and complete and
- vi) Ensure information is stored in a way that it can be found, used and re-used and is available in the event of an interruption to service.

- Since then the related actions have been taken forward, by a corporate information management group and designated officers.
- Following the senior management restructure in Autumn 2016 (which saw the deletion of the post of the then SIRO, the Corporate Director for Corporate Services) a reconfiguration of the **leadership and governance arrangements** for information management has been undertaken to:
  - Constitute a **Corporate Information Governance Group (CIGG)** to oversee implementation of the information management strategy and act as project board for implementation of GDPR. The board is chaired by the Director of Transformation, with membership including the SIRO in attendance, the Council's two Privacy Officers and Caldicot Guardian.
  - Appoint a replacement Privacy Officer (the new SIRO was previously a designated 'privacy officer').
- A revised **Digital Strategy (2017-20)** was approved by Cabinet in June 2017. The strategy outlines a vision to utilise technology to support the Council's aims and priorities, requires the Council to adopt a 'digital by default' ethos in its interactions with the public, internal processes and working with partners and move Southend into becoming a leading SMART city.

The strategy includes an action to establish an 'intelligence hub' to collect data from a range of technology sources, providing a more holistic, integrated and instant means of shaping services and places to people's needs. To progress this approach, 'proof of concept' pilots are to be undertaken in the areas of community safety; traffic flow and parking management; health & wellbeing (assistive living); environment monitoring and management and energy.

- The **Policy, Engagement and Communication Group (PEC)** was restructured in January 2017 to introduce a more robust structure to deal with information management and complaints, including preparing for GDPR.
- A permanent **designated Data Protection Officer**, (Val Smith - Knowledge and Information Manager, located in the PEC Team) was appointed, alongside a fixed term project manager for GDPR, in April 2017.



- A **GDPR project group** has been established, chaired by the Group Manager for PEC and consisting of representatives across the Council. The project group is meeting regularly to progress a detailed GDPR project action plan up to May 2018 and beyond. It reports to the Corporate Information Governance Group.
- The requirements of version 14 of the **Information Governance Toolkit** were successfully completed with the Council achieving 95% compliance. This self-assessment tool enables the Council to process Public Health and Adult Social Care personal records. Out of 28 requirements, the Council achieved level 3, the highest possible level, in 24 requirements and a level 2 in the remaining 4.
- The Council's Privacy Impact Assessment (PIA) template has been further developed to meet the requirements of GDPR. The PIA (to be renamed Data Protection Impact Assessment) is a structured assessment of potential impact on data subjects' privacy of a new 'system'. It forms part of the overall risk assessment of a project or defined piece of work. The PIA process includes a flow chart to ensure that all contract managers take data governance into account when letting and managing contracts. Since the template was launched in Nov 2015, 36 PIAs have been completed.
- As a signatory to the Whole Essex Information Sharing Framework (WEISF) the Council is able to share appropriate personal data with public, third sector and contracted private organisations across Essex in a lawful, safe and informed way. All sharing agreements are hosted in a portal managed by Essex County Council.
- The changes to senior management structures and departmental arrangements (from Autumn 2016) saw the incorporation of the public health function into the People Department, including the alignment of information/data specialists, helping to promote a more holistic approach to data analysis.
- Regular training in data protection and information management sessions have resulted in improved staff awareness of information governance requirements and associated organisational processes.
- Key actions from the Information Commissioner's Office consensual audit undertaken in 2012/13 are continually reviewed.

## 5.2 Leadership and Governance

The SIRO has to ensure that identified information threats and vulnerabilities are followed up for risk mitigation, and that perceived or actual information incidents are managed in accordance with Council's Risk Management Framework.

The SIRO's role is supported by:

- Two Privacy Officers (Data Controllers) - the Director of Transformation and the Director of Digital Futures
- The Caldicott Guardian - the Director of Children's Services

- The Information Asset Owners (all Group Managers)
- The Council's Data Protection Officer – Knowledge and Information Manager in the PEC Team.

### 5.3 Training and awareness

Data Protection training continues to feature as a key part of ensuring staff are aware of their responsibilities. In 2016/2017, 15 sessions were undertaken, including corporate awareness sessions, tailor made sessions following a breach/potential breach, corporate induction. One training session was held for a school.

Staff continue to complete the mandatory Data Protection e-learning tool with 65.8% of staff having completed this training. Successful completion of this is also a requirement for staff to work remotely.

Messages promoting good data protection practice, handling a data breach/complaint, and a message from the Caldicott Guardian on the need for security of personal data in transit were included in the 'In the Loop' staff newsletter. Messages relating to ICT security and ensuring vigilance on visitors to council offices have been circulated regularly to all council staff via 'everyone emails'.

### 5.4 Freedom of Information (Fol)

1185 Fol requests were received in 2016/17, compared to 1101 in 2015/2016, 1108 in 2014/15 and 983 in 2013/14. The FOI function sits in the Policy, Engagement and Communication Team. The Council replied to 84.22% requests within 20 working days. Most of these requests, at 48%, were received from the public, 31% from other organisations and 11% from the media and 10% from other sources (including researchers, MPs, councillors).

The Council's Publication Scheme has been updated to provide regularly requested information in a more accessible and up to date way. Further work is being undertaken to promote an open and transparent approach to providing information to residents, and others, which, in addition to enabling them to be better informed will also help to reduce the number (and/or complexity) of FOI requests that are processed.

### 5.5 Data Protection

There have been 55 Subject Access Requests (SARs) processed in 2016/2017, These are requests from customers for copies of their personal data held by the Council. The Council replied to 66% of these requests within the 40 calendar days target. The fact that 33% of SARs took longer than 40 days is a reflection of the significant time involved in responding to many of these requests particularly where these have been historic child care requests.

In 2016/17 a total of 973 'section 29/35' requests were received. These are requests, mostly received from the Police, for third party information. These requests were received through Legal and Democratic Services, Revenues and Benefits, Counter Fraud and Investigation and the PEC teams.

Work to transfer all 'section 29/35' requests onto Covalent (the Council's performance monitoring system) has been completed. The single gateway approach encourages consistency in recording; increases efficiency in monitoring the requests through automatic triggers; enables the maintenance of audit trails and facilitates the production of timely and accurate reports.

Regular communication, and training continues to raise awareness of the importance of data protection amongst staff. This has led to an increase over time in the reporting of data breaches, which ultimately helps with continual improvement in this area.

26 breach incidents were reported in 2016/17 (28 in both 2015/16 and 2014/15). Investigations were undertaken and recommendations made to the SIRO on the significant cases. To mitigate further incidents, evaluations were carried out to ensure recommendations were implemented.

As a part of the process, one data protection complaint was investigated by the ICO in 2016 with an explanation of mitigation and corrective action. The ICO took no further action.

## **5.6 Records Management**

With increasing public access to Council records, it is important that necessary documents are retained and that records are disposed as part of a managed process that is adequately documented. Therefore, services must have in place clearly defined arrangements for the assessment and selection of records for disposal, and for documenting this work. All record keeping procedures must comply with the Council's Document Retention and Disposal Policy. This Policy is currently being updated to reflect GDPR requirements.

The Council has an Information Asset Register which acts as a mechanism for understanding and managing the Council's information assets and the risks to them. It informs where the Council's electronically held and hard copies of data are held. Work is underway to update the register to ensure it is GDPR compliant and meets the needs of service areas.

Data Protection training sessions now include aspects of records management and the Information Asset Register helping to further increase awareness on the secure disposal and archiving of records.

## **5.7 Information Security**

The Council has a comprehensive Information Security Framework to support the current and evolving information security requirements.

A cyber security action plan, setting out the activities required to be delivered over the coming year to gain the accreditation to the Government-backed 'Cyber Essentials' scheme was approved by the Council's Digital Board in March 2017,

An internal audit of Council cyber security arrangements was undertaken in 2016. It found that 'The foundations are in place for the management of cyber security across the Council' and that the 'technical documentation setting out how to deal with cyber security is in line with best practice and processes are maturing and that operational issues around Data Protection are handled to a satisfactory level'. The audit also found that Cyber security principles are embedded within the extensive policy set and wider IT documentation. Security plans are in place.

However, further work was identified as required to move the Council towards higher levels of assurance. This includes: a formalising roles; clarifying accountabilities and responsibilities and updating policies in line with the latest government guidance. In addition, it was noted that areas such as information handling and information asset registers, will increase the overall assurance over cyber security across the Council.

It was noted that the 'creation of a strategy, with reference to the National Cyber Security Strategy (November 2016), will help the Council align its activities with government's strategy'. The Council's IT Corporate Information Security Policy, Acceptable Use Policy and Using Email and Digital Communications have been or are currently being refreshed by the Essex Online Learning Partnership.

## **6 Strategic Direction - Future Programme of Work**

- 6.1 A major focus for the Council in relation to information management in the coming months will, therefore, be to ensure the Council is compliant with the GDPR, Data Protection Bill and other legislative requirements. In addition to the measures set out above, the Council has undertaken a gap analysis of its readiness for GDPR which will inform the GDPR Project and related action plan. A further audit will be undertaken in January 2018, to assess progress on the action plan.
- 6.2 This activity will put the Council in a better position to fulfil its ambition of using data and information more effectively and complement other key areas of work including:
- **Channel shift** – the continuing move of customers away from face to face and phone contact to 'self-serve' primarily through the My Southend portal, so that by 2019/20, 90% of interactions with the council will be online.
  - **Digital infrastructure** – introduction of new digital infrastructure across the borough with pure fibre connection providing super-fast connectivity for council building, schools, businesses and homes. The Council's Digital Strategy outlines how improved connectivity, offering Gigabit speed, will help to better drive council services, reduce costs, and provide opportunities 'for energy saving, carbon reduction, citizen focus, innovation and sustainable growth' for its residents and

businesses.

- **Big Data** – the more effective and creative use of what is often referred to as an ‘untapped goldmine’ of information, matching different data sources to identify better outcomes for residents.
- **Open Data** – making more Council information and data freely available, in re-usable formats, should reduce the number of FoI requests, with a view to reuse and redistribution. Such information would need to adhere to data protection requirements and making it available would require careful consideration of risks around data quality, potential for mis-use, along with any commercial and financial sensitivities. However, providing data for others, including academics, charities and public, may provide some interesting findings and new policy options that may not otherwise have been considered.

Further information and briefings will be provided for members and staff on a regular basis as statutory requirements are clarified and further guidance issued by the Government and ICO in preparation for implementation of GDPR.

## 7 Corporate Implications

### 7.1 Contribution to the Council’s vision and Corporate Priorities.

Contributes to all the Council’s aims and corporate priorities.

### 7.2 Financial Implications

Any financial implications arising from this work will be considered through the normal financial management processes. Proactively managing information can result in reduced costs to the Council by reducing exposure to potential loss (such as fines for security breaches).

### 7.3 Legal Implications

Information management and Data Protection are subject to a range of legislation, including:

Human Rights Act 1998  
Data Protection Act 1998  
Environmental Information Regulations 2004  
Freedom of Information Act 2000  
Computer Misuse Act 1990  
The Access to Health records  
Civil Contingencies Act 2004  
Crime and Disorder Act 1998  
Children Act 2004  
Health and Social Care Act 2012  
Social Security Administration Act 1992 (in respect of benefits data)

The GDPR and Data Protection Bill will replace the Data Protection Act and

introduce a range of new requirements on local authorities, as set out in the report.

#### **7.4 People Implications**

Any people implications will be considered through the Council's normal business management processes.

#### **7.5 Property Implications**

None

#### **7.6 Consultation**

Internal

#### **7.7 Equalities and Diversity Implications**

The Council collects a range of information to help it meet the needs of its customers and staff, including, where relevant, information on the "protected characteristics" as defined in the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race & national origin, religion and belief, sex, sexual orientation). In line with the Act the Council, each year, publishes a profile of its customers (along with how they rate services) and its workforce, and who share protected characteristics. All information is collected and maintained in line with the Data Protection Act, for example, to ensure it is anonymous.

#### **7.8 Risk Assessment**

Non-compliance with the law would adversely affect the Council's reputation in the community and reduce public trust and could lead to "incidents" with regulatory penalties and disruption to business continuity.

#### **7.9 Value for Money - None**

#### **7.10 Community Safety Implications - None**

#### **7.11 Environmental Impact - None**

#### **8 Background Papers - None**

#### **9 Appendices - None**

# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of the Chief Executive  
to  
Cabinet  
on  
7 November 2017

Report prepared by: Joe Chesterton  
Director of Finance and Resources

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**Capital Monitoring for 2017/18 and Revised Capital Programme 2017/18 to 2020/21**  
**Policy and Resources Scrutiny Committee**  
**Executive Councillor: Councillor Lamb**  
***A Part 1 Public Agenda Item***

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## 1. Purpose of Report

- 1.1 The purpose of this report is to set out the capital expenditure as at 30 September 2017 and to recommend in-year amendments to the approved Capital Programme for 2017/18 to 2020/21.

## 2. Recommendations

**That the Cabinet recommend to Council that it;**

- 2.1 Note the actual capital expenditure position as at 30 September 2017 of £27.790million as shown in Section 4 and Appendix 1.**
- 2.2 Note the financing position of the Capital programme as at 30 September 2017, as set out in Section 5 of this report.**
- 2.3 Approve the proposed changes to the Capital Programme as set out in Appendix 6 to this report.**
- 2.4 Approve the revised Capital Programme for 2017/18 to 2020/21 that results from these changes, as set out in Appendix 7.**

## 3. Introduction and Background

- 3.1 In February 2017 the Council approved a Capital Programme for 2017/18 to 2020/21 totalling £213.044million.
- 3.2 The Capital Outturn report (June 2017) agreed a number of schemes where there were budget under-spends but financial commitments in 2017/18. In addition, due to the Council's improved ability to deliver capital schemes, some

capital expenditure due in 2017/18 was delivered early in 2016/17. These revisions were agreed at the Cabinet meeting on 20 June 2017 resulting in a total programme for 2017/18 to 2020/21 of £232.293million.

3.3 Throughout the year changes to the approved capital programme are put forward to Cabinet for approval and also members review the latest spending position of the programme on a monthly basis. A mid-year review of the programme has also been carried out which included capital challenge sessions with the Chief Executive and each Deputy Chief Executive, led by the Executive Councillor for Corporate and Community Support Services and supported by the Director of Finance and Resources. This review was to re-align the budgets as necessary, to reflect the latest view on the delivery and funding timescales of the projects and to delete/amend schemes as necessary to assist with the financing of the overall programme.

3.4 This report sets out the capital expenditure as at 30 September 2017 and the in-year amendments to the approved Capital Programme for 2017/18 to 2020/21 with the following appendices:

- Appendix 1 - latest capital expenditure position for the financial year;
- Appendix 2 – graph showing the capital delivery over the last 5 years;
- Appendix 3 - proposed virements between approved schemes;
- Appendix 4 - proposed re-profile of budgets between years;
- Appendix 5 – new schemes financed by new external funding (e.g. s106 and other grants);
- Appendix 6 -summary of the changes to the approved Capital Programme agreed to date and proposed changes;
- Appendix 7 – amended Capital Programme for 2017/18 to 2020/21.

#### **4. Capital Expenditure Position As at 30 September 2017**

4.1 For this report, Appendix 1 shows the latest budget and the expected capital expenditure outturn position as at 30 September 2017. The departmental figures set out in this section are as at 30 September 2017. The resulting virements, re-profiles, budget deletions and new external funding are included in the relevant attached appendices.

4.2 The revised Capital budget for the 2017/18 financial year at 30 September was £95.571million. This includes all changes and budgets carried forward from the previous year as agreed as part of the 2016/17 capital outturn report at June Cabinet. Actual Capital spend at 30 September was £27.790million. (Outstanding creditors totalling £0.836million have been removed from this figure.) The budget and spend to date is broken down by Department as follows:



Department	Revised Budget 2017/18 £'000	Outturn to 30 September 2017/18 £'000	Expected outturn 2017/18 £'000	Latest Forecast Variance to Year End 2017/18 £'000
Chief Executive	24,094	13,097	17,464	(6,630)
People	16,709	2,617	9,278	(7,431)
Place	42,660	10,078	28,984	(13,676)
Housing Revenue Account (HRA)	12,108	1,998	10,608	(1,500)
<b>Total</b>	<b>95,571</b>	<b>27,790</b>	<b>66,334</b>	<b>(29,237)</b>

### 4.3 Department of the Chief Executive

4.3.1 The revised capital budget for the Department of the Chief Executive is £24.094million. The budget is distributed across various scheme areas as follows:

Department of the Chief Executive	Revised Budget 2017/18 £'000	Outturn to 30 September 2017/18 £'000	Expected outturn 2017/18 £'000	Latest Forecast Variance to Year End 2017/18 £'000
Asset Management (Property)	23,319	12,889	16,689	(6,630)
Cemeteries & Crematorium	492	208	492	-
<b>Subtotal</b>	<b>23,811</b>	<b>13,097</b>	<b>17,181</b>	<b>(6,630)</b>
Priority Works (see table)	283	-	283	-
<b>Total</b>	<b>24,094</b>	<b>13,097</b>	<b>17,464</b>	<b>(6,630)</b>

Priority Works	£'000
Budget available	500
Less budget allocated to agreed schemes	(217)
Remaining budget	283

4.3.2 Actual spend at 30 September stands at £13.097million. This represents 54% of the total available budget.

#### 4.3.3 Asset Management (Property)

A budget of £170k in relation to Seaways has been included in this report as a carry forward request as the payment for the unconditional agreement is not anticipated until summer 2018.

The demolition of the former toilets at Darlows Green is currently being specified and is expected to start in early 2018. It is likely that the majority of the works will be carried out from April onwards therefore £40k of the current budget has been included as a carry forward request in this report.

Following the purchase of the former gas works site on 21st July, the remaining budget of £2million is required for remediation works which are planned to take place in 2019/20. This budget has therefore been included in this report as a carry forward request.

Planning consent has now been granted for the Library Car Park reconstruction and enhancement scheme but the tender process has been delayed resulting in an expected start date of April 2018. Due to this delay, budget of £3.861million has been included as a carry forward request in this report.

A scheme to enable the Council to take advantage of any opportunities to acquire commercial properties along Southchurch Road if they come to the market currently has a provision of £500k in 2017/18. No property deals have currently been agreed therefore the full budget of £500k has been included as a carry forward request in this report.

Planning, building control and the tender process required for the works on Pier Arches toilets is underway and works on site are anticipated for January 2018. £30k of the current budget has been included in this report as a carry forward request.

The remaining budget of £29k on the Thorpe Hall Avenue Toilet Refurbishment scheme is no longer required therefore the full budget has been removed in this report.

#### 4.3.4 Cemeteries and Crematorium

Landscaping works are being finalised and the site tidied on the plot of land identified in Sutton Road Cemetery.

The final solution has been decided for the boiler replacement at Southend Crematorium and this is now going through the tender process. Works are scheduled for December.

#### 4.3.5 Priority Works

The Priority works provision budget currently has £283k remaining unallocated.

#### 4.3.6 Summary

Carry forward requests included in this report include £170k for Seaways, £40k for Darlows Green former WCs demolition, £2million for Land Acquisition works, £3.861million for Library Car Park Reconstruction and Enhancement, £500k for Queensway Commercial Property and £30k for Pier Aches Toilets Waterproofing Solution.

The £29k budget on Thorpe Hall Avenue Toilet Refurbishment has been removed from the capital programme.

#### 4.4 Department for People

4.4.1 The Department for People revised Capital budget totals £16.709million.

Department for People	Revised Budget 2017/18 £'000	Outturn to 30 September 2017/18 £'000	Expected outturn 2017/18 £'000	Latest Expected Variance to year end 2017/18 £'000
Adult Social Care	1,758	79	627	(1,131)
General Fund Housing	3,246	492	1,510	(1,736)
Children & Learning Other	64	14	-	(64)
Condition Schemes	704	327	704	-
Devolved Formula Capital	173	172	173	-
Early Years	536	90	536	-
Primary and Secondary School Places	10,228	1,443	5,728	(4,500)
<b>Total</b>	<b>16,709</b>	<b>2,617</b>	<b>9,278</b>	<b>(7,431)</b>

4.4.2 Actual spend at 30<sup>th</sup> September stands at £2.617million. This represents 16% of the total available budget.

#### 4.4.3 Adult Social Care

The Community Capacity grant is used to enable vulnerable individuals to remain in their own homes and to assist in avoiding delayed discharges from hospital. Plans for 2017/18 include project management for social care redesign, costs of sheltered housing review outcomes, development of independent living centre and investment in technology and equipment to promote independence. Total spend of £450k is forecast for 2017/18 therefore an accelerated delivery request of £4k has been included in this report.

The majority of the works on the redevelopment of the Priory site will take place in 2018/19 therefore a large proportion of the budgets on the two Priory schemes have been included in this report. These total £936k.

Plans for the Mental Health funding budget include a technology project to assist people with mental health. This project is likely to take place during 2018/19 therefore the full budget of £36k has been included as a carry forward request in this report.

An individual has been identified for the use of the Transforming Care Housing budget of £163k but this is unlikely to commence until 2018/19. The full budget has therefore been included as a carry forward request in this report.

#### **4.4.4 General Fund Housing**

The Private Sector Renewal scheme is in place to ensure that the private sector stock is kept in a good condition. £615k of the current budget has been included as a carry forward request in this report.

The Private Sector Housing Works in Default scheme is currently planning for 2018/19 spend therefore the full budget of £138k has been included in this report as a carry forward request.

The £16k budget on the Warmer Health Homes scheme has been removed from the capital programme in this report as there are no further works planned.

The Empty Dwellings Management scheme is in place to fund works authorised under an Empty Dwellings Management Order (EDMO) to bring long term empty homes back into use and to a habitable standard. Plans are being made for 2018/19 therefore the full budget of £357k has been included in this report as a carry forward request.

The Disabled Facilities scheme is programmed to spend around £1.5million in 2017/18 therefore the remaining budget of £610k has been included as a carry forward request in this report.

#### **4.4.5 Children & Learning Other Schemes**

Retentions have now been paid Kingsdown Special School roof works so this scheme is now complete.

The full £64k budget on the Short Breaks for Disabled Children scheme has been carried forward in this report to enable suitable plans to be made for the remainder of this grant.

#### **4.4.6 Condition Schemes**

A budget of £704k has been allocated to address larger conditions in schools where the cost is over the schools capabilities to fund. Most of these works have been undertaken over the school summer holidays to minimise disruption

to the schools. Retentions of £20k are being held for works completed last year at seven primary schools.

#### **4.4.7 Devolved Formula Capital**

This is an annual devolution of dedicated capital grant to all maintained schools. The grant for 2017/18 is £173k. This grant amount will reduce as further maintained schools convert to academy status.

#### **4.4.8 Primary and Secondary School Places**

The primary expansion programme is now complete with final retention payments of £69k being held against five projects until the twelve month snagging period is over. A watching brief of demand against availability will be kept. If a need is identified, a further expansion of primary places will be explored to ensure that the council's statutory duty to provide a good school place for all those that request it can be met.

A secondary expansion programme is progressing to ensure that the extra places supplied in primary are matched in secondary as they are needed. The contractors are currently on site at Shoeburyness High School. St Thomas Moore are entering planning stage and one other secondary school is progressing a feasibility study. Works at Wentworth Road site and Southchurch High School are commencing during October. A carry forward request of £4.5million has been included in this report to continue the scheme into 2018/19.

#### **4.4.9 Summary**

Carry forward requests included in this report are LATC Delaware and Priory for £839k, Mental Health funding for £36k, Transforming Housing Care for £163k, Priory House Condition Works for £97k, Disabled Facilities Grant for £610k, Private Sector Renewal for £615k, Private Sector Renewal Works in Default for £138k, Short Breaks for Disabled Children for £64k, Empty Dwelling Management for £357k and School Improvement and Provision for Secondary School Places for £4.5million.

An accelerated delivery request of £4k has also been included for the Community Capacity scheme.

The £16k budget on Warmer Healthy Homes has been removed from the Capital Programme in this report.

## 4.5 Department for Place

4.5.1 The Department for Place have a revised capital budget of £42.660million. Budget and spend breakdown of the key capital schemes are tabulated below.

Department for Place	Revised Budget 2017/18 £'000	Outturn to 30 September 2017/18 £'000	Expected outturn 2017/18 £'000	Latest Expected Variance to Year End 2017/18 £'000
Culture	5,577	332	2,217	(3,360)
ICT Programme	4,914	1,371	3,389	(1,525)
Enterprise, Tourism & Regeneration	6,371	1,824	6,838	467
Southend Pier	3,767	489	2,478	(1,289)
Coastal Defence and Foreshore	923	101	277	(646)
Highways and Infrastructure	6,414	3,224	6,339	(75)
Parking Management	612	72	492	(120)
Section 38 & 106 Agreements	2,293	47	854	(1,439)
Local Transport Plan	2,974	772	1,698	(1,276)
Local Growth Fund	5,477	1,514	3,582	(1,895)
Community Safety	420	-	20	(400)
Transport	540	51	200	(340)
Energy Saving Projects	2,378	281	600	(1,778)
<b>Total</b>	<b>42,660</b>	<b>10,078</b>	<b>28,984</b>	<b>(13,676)</b>

4.5.2 Actual spend at 30<sup>th</sup> September stands at £10.078million. This represents 24% of the total available budget.

### 4.5.3 Culture

Roof repairs at Belfairs Swim Centre are to take place in 2018/19 as part of a new capital bid being put forward therefore £40k of the current budget has been included as a carry forward request in this report.

A delay in the results of the Geo-Technical surveys means that the works on Belton Hill Steps will not take place until 2018/19. £1.467million of the current budget has been included as a carry forward request in this report.

Design works are being undertaken at the Central Museum. These works will continue into 2018/19 therefore £120k of the budget has been included as a carry forward request in this report.

Further design works have been commissioned on the external refurbishment works at the Cliffs Pavilion. £250k of the budget has been included as a carry forward request in this report to carry out these works.

Procurement is pending on the works for Energy Improvements in Culture Property Assets. £55k of the budget has been included as a carry forward request in this report as it is expected that procurement will complete by year end.

Design works are now underway at Leigh Library with the majority of the works programmed for 2018/19. A carry forward request of £156k has been in this report as a carry forward request.

The technical design contract has been awarded for the New Museum scheme and work is gearing up towards the gateway review in spring 2018. £750k of the budget has been included as a carry forward request in this report.

Work is underway on design for the air handling units at the Palace Theatre but issues with the listed building status are causing delays and it is unlikely these issues will be resolved this financial year to enable the scheme to be completed. £220k of the budget has been included as a carry forward request in this report to enable the works to be programmed for 2018/19.

Works on the publication for the Prittlewell Prince research are currently being finalised by the Museum of London Archaeology but it is unlikely to be published in 2017/18. The full budget of £38k has therefore been included in this report as a carry forward request.

The Prittlewell Prince Storage scheme is occurring alongside the research and will not be required until the publication has been finalised. Therefore the full budget of £35k has also been included as a carry forward request.

£100k match funding for a bid on Southchurch Hall is currently at the technical design stage. £95k has been included in this report as a carry forward request to progress the scheme further.

A budget of £20k for works at Southchurch Park Bowls Pavilion has been identified as a match funding contribution to aid a bid to Sport England. The Council are currently working with the Bowls Club on supporting the bid and the full budget has been included as a carry forward request in this report to ensure the match funding is available should the bid prove successful.

The scheme to replace various playground gates within the borough's play areas to enable compliance with health and safety recommendations is currently at the procurement stage with plans to progress the scheme once this is complete. £64k of the current budget has been included as a carry forward request in this report.

Some issues with the performance of materials on the Southchurch Park Tow Path scheme have delayed the project slightly therefore £50k of the current budget has been included in this report as a carry forward request.

#### 4.5.4 ICT Programme

A budget of £100k has been agreed to enable the Council's network to deliver N3 services to allow service such as SystemOne to be delivered over the Council's network and CareFirst to be delivered over the local NHS network to enable cross-site working and joint delivery of services. This scheme is currently on hold pending review of accommodation use by the Council and the full budget has been included as a carry forward request in this report.

A scheme to support the migration of core corporate application and their databases to the newly built ICT infrastructure is subject to the timing of the completion of the Datacentre. This is unlikely to commence before the end of the financial year therefore the full budget of £75k has been included in this report as a carry forward request.

Spend for the ICT Intelligence Hub will be incremental across the next few years. Supplier engagement has commenced and a new link has been put in place between Civic one and Tickfield. £450k of the current budget has been included as a carry forward request in this report.

The scheme for the Digitisation of Paper Records is currently awaiting the outcome of the review of transformation output on paperless processes therefore the full budget of £45k has been included in this report as a carry forward request.

Trials have been taking place on remote mobility software to allow staff to work from home more securely. To enable the trials to continue into 2018/19, £45k of the current budget has been included as a carry forward request in this report.

The progress of the Phone Migration scheme has been delayed following the review of One-Essex Telephony with Essex and Thurrock for a joint telephony programme. The full budget of £80k has been included in this report as a carry forward request.



Delay to the Server Room Migration project has had a knock on effect on the Mobile Device End Point Protection Replacement therefore the full budget of £90k has been included as a carry forward request in this report.

The title of the Place Business Transformation in End to End Reporting scheme has been changed to Channel Shift and this scheme has been moved to the Department of the Chief Executive in this report. A supplier has now been appointed and phase one has been scoped and agreed for delivery in December 2017 with the final part of this phase in March 2018. Phase two will continue in the next financial year therefore a carry forward request of £265k has been included in this report.

The development of the Liquid Logic Case Management System scheme is on track to be delivered in line with the revised schedule. The live data warehouse build has been completed for both Childrens and Adults and further data migration works are underway.

Further carry forwards are required for the Central Government IT Security Compliance for £40k and the Wireless Borough and City Deal for £335k and these have been included in this report.

#### **4.5.5 Enterprise, Tourism & Regeneration**

The Regeneration projects include all the work currently taking place on the City Deal Incubation Centre, Airport Business Park and Queensway.

Local Growth Funding (LGF) of £3.2million for the Airport Business Park to support the delivery of on-site infrastructure and the relocation of Westcliff Rugby Club was spent by 31<sup>st</sup> March 2017 as per the grant conditions. The Westcliff Rugby Club relocation agreement is not yet complete although most issues have now been resolved and the build contract is expected to be let during October 2017. Roads and utilities design and procurement work continues and the innovation centre advisor appointments are underway.

A re-profiling exercise has taken place with the Local Enterprise Partnership and an accelerate delivery request of £1.042million has been included in this report.

Project lead and support roles are now in place for the Better Queensway scheme Consultation is scheduled to commence in October and to run until December with reporting and feedback in early 2018. A carry forward request of £575k has been included as a carry forward request in this report.

#### **4.5.6 Southend Pier**

Design works are currently progressing for the Southend Pier Entrance Enhancement scheme and works are likely to continue into 2018/19. A carry forward request of £100k has been included in this report.

Tender evaluation is currently in progress in conjunction with procurement for a structural consultant on phase two of the Prince George extension and the

timber outer pier head works which will be commencing shortly. The current spend projections are subject to favourable weather conditions. A proportion of these budgets for £939k and £250k respectively have been included in this report as a carry forward request.

#### **4.5.7 Coastal Defence and Foreshore**

A budget for improving the resilience of the borough to flooding from extreme weather events has been included in the 2017/18 capital programme. Works have now commenced at Harp House and the other main areas to be worked on include the airport, City Beach and Shoebury Common. £125k of this budget is included as a carry forward request in this report.

The cliff slip investigation works are continuing with feasibility studies to be carried out to the west of Clifton Drive. This scheme is currently with procurement awaiting the tender for a Geo-Technical consultant therefore a carry forward request of £246k has been included in this report.

Spend of £50k is anticipated on the Shoebury Common Sea Defence scheme this financial year therefore a carry forward request of £275k has been included in this report.

#### **4.5.8 Highways and Infrastructure**

An allocation of £102k has been received from the Department for Transport for the maintenance of pot holes across the borough. The rest of the Highways Maintenance programme is underway and will continue for the remainder of the financial year.

The Street Lighting budget is a multi-million pound, multi-year scheme to be part funded by the Challenge fund from the Department for Transport. The Department for Transport have agreed a revised completion date of 31<sup>st</sup> March 2018 with a programme being developed to spend the remaining funds.

The Cinder Path scheme is still at the discussion stage with Network Rail and the full budget of £75k has been included as a carry forward request in this report.

#### **4.5.9 Parking Management**

An updated parking strategy has been commissioned which will form the basis of improvement plans to the borough car parks. Feedback from the recent review is currently being assessed for any upgrade requirements. £120k of the current budget has been included in this report as a carry forward request to continue the scheme into 2018/19.

#### **4.5.10 Section 38 and Section 106 Schemes**

There are a number of S38 and S106 schemes all at various stages. Some of the larger schemes include works around Acacia Drive, Bellway Prittlebrook, Essex House and Hinguar.

Various schemes are scheduled to be carried out in 2018/19 therefore a carry forward request of £624k has been included in this report for these schemes. Budgets of £318k have been removed from the capital programme as these funds have already been accounted for within the Schools programme.

S106 General Fund Housing schemes totalling £497k have been transferred to the Department of Place in this report and these budgets have then been carried forward into 2018/19.

#### **4.5.11 Local Transport Plans (LTP Schemes)**

The Local Transport Plan schemes cover various areas including better networks, traffic management, better operation of traffic control systems and bridge strengthening.

The plan to upgrade more Automatic Vehicle Location (AVL) screens has now commenced and new Real Time Passenger Information (RTPI) screens are on order and will be installed before year end.

A carry forward request of £1.276million across the LTP schemes has been included in this report as a carry forward request following agreement from the Department for Transport that these funds are not ring-fenced in year.

#### **4.5.12 Local Growth Fund**

The A127 Growth Corridor projects will support the predicted growth associated with London Southend Airport and the Joint Area Action Plan (JAAP) proposals developed by Southend, Rochford and Essex County Councils to release land and create 7,380 high value jobs. The improvement will also support background growth of Southend and Rochford.

The final business case for A127 Kent Elms junction improvements has been approved by the South East Local Enterprise Partnership and all funding has been received.

Worked commenced at Kent Elms on 21<sup>st</sup> November 2016 and a dedicated Public Liaison Officer is in place. There has been a delay to National Grids works which has had a knock on effect causing delay to completing BT diversions. The BT diversions have caused a delay to the new outbound lane. Three lanes inbound and two new pedestrian crossings were in place at the end of June. The new footbridge will be in place this financial year.

Options are being prepared to put forward for the business case at the Bell junction and air quality implications are to be investigated. A draft engagement and consultation document has been prepared and is to be updated. Air quality specialist work has now commenced.

Local Growth Funds of £1.895million have been reprofiled and have been included in this report as a carry forward request.

#### 4.5.13 Community Safety

Whilst the CCTV Equipment Renewal scheme is moving forward with consultation, the implementation is likely to be delayed into 2018/19 with £400k of the current budget included as a carry forward request in this report. The scheme ties in with the development of the Southend Intel Hub and the process for testing any camera solutions to ensure future fit for purpose and the subsequent procurement process will take the scheme beyond March 2018.

#### 4.5.14 Transport

The road safety audit stage three has now been reviewed on the A127 Tesco junction improvements with minor adjustments are now complete. Works to the steps at Strawberry Fields are yet to be completed. A carry forward request of £300k has been included in this report.

Southend Transport Model is an on-going scheme to support various multi modal transport projects. A review of the model is complete with options on updating the model to be considered. A carry forward request of £40k has been included in this report.

#### 4.5.15 Energy Saving Projects

Several projects have been identified from the energy efficiency budget. The remaining £640k budget has been included as a carry forward request in this report.

Procurement documents are in the process of being drafted for legal support for the site agreements as part of the Solar PV scheme. £924k of this budget will be required next financial year therefore a carry forward request has been included in this report.

An energy project for Tickfield is currently being worked on as part of the Schools and Council Buildings Solar PV scheme. £214k of this budget will be required in 2018/19 therefore a carry forward request has been included in this report.

#### 4.5.16 Summary

Carry forward requests included in this report are Belfairs Swim Centre for £40k, Belton Hills Steps for £1.467million, Central Museum Works for £120k, Cliffs Pavilion External Refurbishment Works for £250k, Energy Improvements in Culture Property Assets for £55k, Library Review for £156k, New Museum Gateway Review for £750k, Palace Theatre Air Handling Units for £220k, Playground Gates for £64k, Prittlewell Prince Research for £38k, Prittlewell Price Storage for £35k, Pump Priming for £95k, Southchurch Park Bowls Pavilion for £20k, Southchurch Park Tow Path for £50k, ICT Priority Works N3 for £100k, Central Government IT Security Compliance for £40k, Core Application and Database Migration for £75k, Intelligence Hub for £450k, Digitisation of Paper Records for £45k, Mobile Working and Enterprise Mobility for £45k, Phones Migration and Retender for £80k, Mobile Device End Point

and Protection Replacement for £90k, Channel Shift for £265k, Wireless Borough and City Deal for £335k, Southend Pier Entrance Enhancement for £100k, Southend Pier Prince George Extension for £939k, Southend Pier Timber Outer Pier Head for £250k, Cliff Slip Investigation works for £246k, Improving Resilience of the Borough to flooding from Extreme Weather Events for £125k, Shoebury Common Sea Defence Scheme for £275k, Cinder Path for £75k, Improved Car Park Signage and Guidance Systems for £120k, Better Queensway Regeneration for £575k, S106, S278 and S38 schemes for £1.121million, LTP schemes for £1.276million, Local Growth Funds for £1.895million, A127 Junction Improvements for £300k, Southend Transport Model for £40k, CCTV Equipment Renewal for £400k, Energy Efficiency Projects for £640k, Schools and Council Buildings Solar PV for £214k and Solar PV Projects for £924k.

An accelerated delivery request of £1.042million has been included for the Airport Business Park.

Budgets totalling £318k have been removed from the capital programme in relation to S106 schemes.

#### 4.6 Housing Revenue Account

4.6.1 The revised budget for the Housing Revenue Account capital programme for 2017/18 is £12.108million. The latest budget and spend position is as follows:

Housing Revenue Account	Revised Budget 2017/18 £'000	Outturn to 30 September 2017/18 £'000	Expected outturn 2016/17 £'000	Previous Forecast Variance to Year End 2016/17 £'000
Decent Homes Programme	7,703	1,775	6,703	(1,000)
Council House Adaptations	565	174	565	-
Sheltered Housing	345	-	345	-
Other HRA	3,495	49	2,995	(500)
<b>Total</b>	<b>12,108</b>	<b>1,998</b>	<b>10,608</b>	<b>(1,500)</b>

4.6.2 The actual spend at 30<sup>th</sup> September of £1.998million represents 17% of the HRA capital budget.

#### 4.6.3 Decent Homes Programme

The capital programme is progressing albeit slightly slower than planned due to extended mobilisation periods which have been required by various contractors and delays in companies returning their signed contracts. The £2million

reprofiled for fire safety works has been partly allocated to completing the remaining two high rise blocks at Queensway however the remaining £1million has been included as a carry forward request in this report to be used to undertake further fire safety works to medium rise blocks.

#### **4.6.4 Council House Adaptions**

This budget relates to minor and major adaptations in council dwellings. Spend depends on the demand for these adaptations and works are currently in progress for 2017/18.

#### **4.6.5 Sheltered Housing Remodelling**

This budget is to be used in conjunction with the Sheltered Housing review.

#### **4.6.6 Other HRA**

The housing construction scheme is continuing with the Council's approved contractor having completed the required highways works and also the demolition of the garages at Rochford Road. The application to divert the culvert has now been lodged with Anglian Water and it is anticipated that the outcome will be received in mid-October. The tender for the overall build contractor will be extended to early November to accommodate this change. Further consultation has been undertaken with both residents and members to keep them up to date with the progress of the project.

A scheme for the acquisition of tower block leasehold properties currently has a budget of £500k in 2017/18. This budget has been included as a carry forward request in this report.

#### **4.6.7 Summary**

Carry forward requests for Common Areas Improvements for £1million and Acquisition of Queensway Tower Block Leaseholds for £500k have been included in this report.

## 5 Capital financing position as at 30 September 2017

5.1 The Capital programme for 2017/18 is expected to be financed as follows:

Department	Council Budget £'000	External Funding		Total Budget £'000
		Grant Budget £'000	Developer & Other Contributions £'000	
Chief Executive	24,088	-	6	<b>24,094</b>
People	5,300	11,393	16	<b>16,709</b>
Place	28,905	11,317	2,438	<b>42,660</b>
Housing Revenue Account (HRA)	11,365	-	473	<b>12,108</b>
<b>Total</b>	<b>69,928</b>	<b>22,710</b>	<b>2,933</b>	<b>95,571</b>
As a percentage of total budget	73.1%	23.8%	3.1%	

The funding mix for the total programme could change depending on how much grant and external contributions are received by the Council by the end of the year.

5.2 The grants and external contributions received as at 30 September are as follows:

Department	Grant Budget £'000	Developer & Other Contribution Budget £'000	Total external funding budget £'000	External funding received £'000	External funding outstanding £'000
Chief Executive	-	6	6	-	<b>6</b>
People	11,393	16	11,409	4,388	<b>7,021</b>
Place	11,317	2,438	13,755	9,056	<b>4,699</b>
Housing Revenue Account (HRA)	-	473	473	473	-
<b>Total</b>	<b>22,710</b>	<b>2,933</b>	<b>25,643</b>	<b>13,917</b>	<b>11,720</b>

5.3 New Schemes to be financed by new external funding are set out in appendix 5.

## 6 Summarised Changes (as set out in appendix 6)

6.1 On 23 February 2017 the Capital Programme for the Council was approved as follows:

2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Current Budget £000
76,732	70,583	46,552	19,177	213,044

6.2 On 20 June 2017 members approved further changes which subsequently changed the 2017/18 budget from £76.732million to £95.571million. These changes included the carry forward and accelerated delivery of previous year's programme of £6.184million. Also included were budget re-profiles and adjustments totalling £0.323million and new external funding of £2.791million and other adjustments of £9.541million.

6.3 On 20 June 2017 the Capital Programme for the Council was approved as follows:

2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Current Budget £000
95,571	70,433	43,882	22,407	232,293

6.4 Following the capital challenge sessions in October further changes are now requested which will amend the capital budgets.

6.5 For 2017/18 this means the budget changing to £66.573million. The changes include the removal of budgets identified as no longer required totalling £0.363million and new budgets of £0.239million funded from the Council's own resources. There is also a change of name requested for the Business Transformation in End to End Reporting Project to 'Channel Shift' which is moving from the Department of Place to the Department of the Chief Executive. To better align the S106 schemes to those responsible for their delivery, schemes relating to Housing and Education are moving from the Department for Place to the Department for People.

6.6 Additionally a new budget is requested in the 2018/19 programme for £50k relating to the Learning Management System. This will be funded from the People Department's revenue budget.



The changes to the programme also include the following:

6.7 Virement requests (as set out in appendix 3)

This is reported in appendix 3 and it is to ensure that budgets are properly aligned to schemes. There is no change to the overall budget and there are no adverse financial implications as a result of these virements.

6.8 Re-profile Request (as set out in appendix 4)

The funding profiles of a number of schemes have been revised in line with actual works. This is to ensure that the actual works undertaken or earmarked is aligned to spend profile of the budget. This will have the effect of carrying forward £29.920million from 2017/18 into 2018/19 and later years and an accelerated spend of £1.042million into 2017/18 which will be financed from the 2018/19 programme. This does not alter the overall budget for the programme.

6.9 New Schemes Financed by new external funding (as set out in appendix 5)

There is new funding of £4k to support programmes in 2017/18 and £0.891million to support programmes in 2018/19.

6.10 The impact on the programme of the capital challenge sessions and other amendment requests is as follows:

2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Current Budget £000
66,573	80,397	57,145	28,999	233,114

The proposed changes are set out in Appendix 6 and the revised Capital Programme for 2017/18 to 2020/21 that results from these changes is set out in Appendix 7.

## 7. Spending Plans

7.1 The Council's revised Capital Programme for 2017/18 to 2020/21 and later years is attached as Appendix 7 which includes all of the adjustments set out in Appendix 6.

7.2 The proposed capital programme represents a significant investment of £233million on the part of the Council in the Southend area and the projected investment in 2017/18 alone amounts to some £67million.

## **8. Other Options**

- 8.1 The proposed Capital Programme is made from a number of individual projects, any of which can be agreed or rejected independently of the other projects.

## **9. Reasons for Recommendations**

- 9.1 To approve proposed changes to the Capital Programme since the last Cabinet meeting on 20 June 2017.

## **10. Corporate Implications**

### **10.1 Contribution to Council's Vision & Corporate Priorities**

The projects directly contribute to the delivery and achievement of the Council's Corporate Priorities.

### **10.2 Financial Implications**

As set out in the report.

### **10.3 Legal Implications**

None at this stage.

### **10.4 People Implications**

None at this stage.

### **10.5 Property Implications**

None at this stage.

### **10.6 Consultation**

Consultation has taken place as agreed in the budget timetable.

### **10.7 Equalities and Diversity Implications**

Assessments have been carried out for all capital investment proposals.

### **10.8 Risk Assessment**

All capital projects are delivered using best practice project management tools as appropriate. This requires a full risk assessment and management review to be carried out. The programme includes an appropriate sum within each project to cover build risk and claims.

## 10.9 Value for Money

All projects are required to follow and adhere to procurement guidance issued by the Council. They must also comply with procedure rules for entering into and managing contracts with suppliers.

## 10.10 Community Safety Implications

Assessments have been carried out for all capital investment proposals where appropriate.

## 10.11 Environmental Impact

Assessments have been carried out for all capital investment proposals where appropriate.

## 11. Background Papers

None.

## 12. Appendices

Appendix 1 - latest capital expenditure position for the financial year;

Appendix 2 - graph showing the capital delivery over the last 5 years;

Appendix 3 - proposed virements between approved schemes;

Appendix 4 - proposed re-profile of budgets between years;

Appendix 5 – new schemes financed by new external funding (e.g. s106 and other grants);

Appendix 6 - summary of the changes to the approved capital programme agreed to date and proposed changes;

Appendix 7 – amended Capital Programme for 2017/18 to 2020/21.

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Summary of Capital Expenditure at 30th September 2017

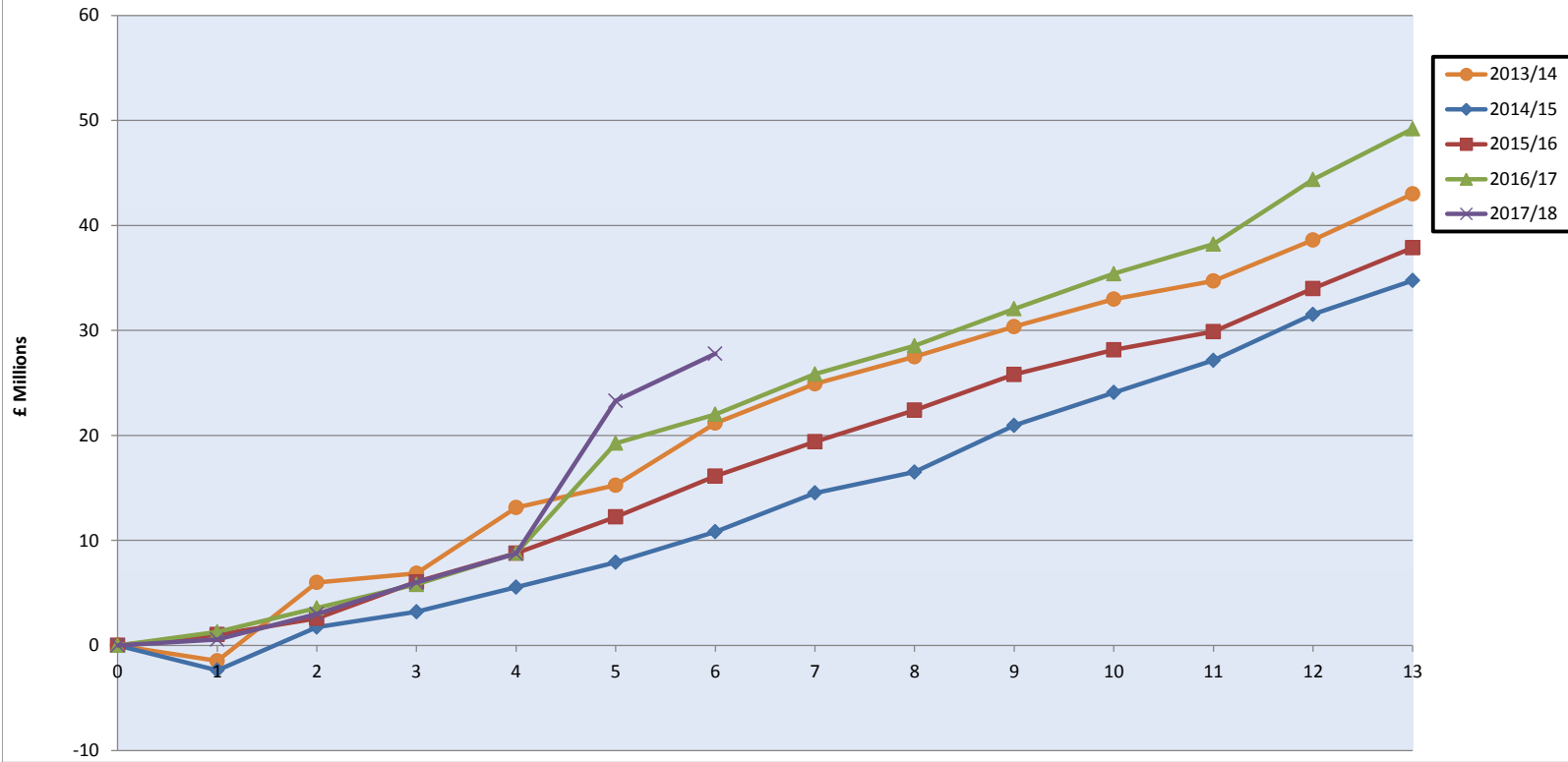
Appendix 1

	Original Budget 2017/18 £000	Revisions £000	Revised Budget 2017/18 £000	Actual 2017/18 £000	Forecast outturn 2017/18 £000	Forecast Variance to Year End 2017/18 £000	% Variance
Chief Executive	6,400	17,694	24,094	13,097	17,464	(6,630)	54%
People	13,582	3,127	16,709	2,617	9,278	(7,431)	16%
Place	48,140	(5,480)	42,660	10,078	28,984	(13,676)	24%
Housing Revenue Account	8,610	3,498	12,108	1,998	10,608	(1,500)	17%
	<u>76,732</u>	<u>18,839</u>	<u>95,571</u>	<u>27,790</u>	<u>66,334</u>	<u>(29,237)</u>	<u>29%</u>
<b>Council Approved Original Budget - February 2017</b>	<b>76,732</b>						
Chief Executive amendments	18,352						
People amendments	(1,041)						
Place amendments	(310)						
HRA amendments	4,864						
Carry Forward requests from 2016/17	7,040						
Accelerated Delivery requests to 2016/17	(856)						
Budget re-profiles (June Cabinet)	(11,927)						
New external funding	2,717						
<b>Council Approved Revised Budget - June 2017</b>	<b><u>95,571</u></b>						

Actual compared to Revised Budget spent is £27.790M or 29%

Appendix 2

**Capital programme Delivery  
Cummulative Capital Expenditure 2013/14 to 2017/18**



Year	Outturn £m	Outturn %
2012/13	61.0	97.9
2013/14	43.3	93.8
2014/15	34.8	83.8
2015/16	37.9	97.0
2016/17	48.8	89.0

VIREMENTS BETWEEN APPROVED SCHEMES

Appendix 3

Scheme/Event	Department	Project Code	Project Description	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Budget (all years) £000
Cems and Cems Capital Programme	Chief Executive	C10754	Cremated Remains Plots	(1)				(1)
	Chief Executive	C10572	Essential Crematorium/Cemetery Equipment	1				1
Asset Management Capital Programme	Chief Executive	C10862	Chalkwell Esplanade Toilets Roof Repairs	(2)				(2)
	Chief Executive	C10840	Ropers Farm Cottages - water supply	2				2
	Chief Executive	C10181	Urgent Works to Property	(10)				(10)
	Chief Executive	C10643	Seaways Deveelopment Enabling Works	10				10
	Chief Executive	C10748	Civic East Car Park Redevelopment			(864)		(864)
	Chief Executive	C10750	Library Car Park Reconstruction and Enhancement			864		864
Transformation Capital Programme	Chief Executive	C10757	Channel Shift	(20)				(20)
	Place	C10785	Gaist Highways Asset Management Project	20				20
	Place	C10759	Place - Culture and Enterprise and Tourism - Events Booking System	(50)				(50)
	Chief Executive	C10757	Channel Shift	50				50
Adult Social Care Capital Programme	People	C10693	Priory House - Condition Works	(97)				(97)
	People	C10621	LATC - Delaware and Priory	97				97
Schools Capital Programme	People	C10714	Futures Heating and Pipe Ducts	(100)				(100)
	People	C10924	St Nicholas Roof	100				100
	People	C10869	Chalkwell Infants Hall/Kitchen Windows	(23)				(23)
	People	C10871	Chalkwell Infants Roof	(12)				(12)
	People	C10870	Chalkwell Infants Main Building Windows	35				35
ICT Capital Programme	Place	C10760	Wireless Access Point Upgrade	(30)				(30)
	Place	C10575	ICT Core Infrastructure	30				30
Southend Pier Capital Programme	Place	C10697	Southend Pier - Condition Works Engineers	(230)	(343)	(518)		(1,091)
	Place	C10918	Southend Pier - Condition Works Surveyors	230	343	518		1,091
Energy Saving Schemes Capital Programme	Place	C10664	Southend Adult Community College Energy Project	(76)				(76)
	Place	C10738	Beecroft and Central Museum Energy Project	76				76
	Place	C10664	Southend Adult Community College Energy Project	(29)				(29)
	Place	C10665	Temple Sutton School Energy Project	(204)				(204)
	Place	C10740	Schools and Council Buildings Solar PV	233				233
	Place	C10788	Energy Efficiency Schemes	(117)				(117)
	Place	New	Pier Energy Efficiency Scheme	64				64
	Place	New	Civic Centre Lifts Regeneration	33				33
	Place	New	Civic Centre CHP/Lifts Feasibility	5				5
	Place	New	Old Beecroft Ground Source Heat Pump Feasibility	15				15
S106 Housing Capital Programme	Place	C10741	S106 Dairy Crest 1400340AMDT - Affordable Housing	(78)				(78)
	Place	C10906	S106 Former Brookside Works 1500404S106BA	(154)				(154)
	HRA	C10685	S106 HRA Land Review	232				232
Culture Capital Programme	Place	C10625	Priory Park Water Main	(25)				(25)
	Place	C10925	Leigh Library Gardens - urgent works	25				25

VIREMENTS BETWEEN APPROVED SCHEMES

Appendix 3

Scheme/Event	Department	Project Code	Project Description	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Budget (all years) £000
<u>Budget Adjustments already actioned</u>								
	Chief Executive	C10121	Priority Works	(20)				(20)
	Place	C10912	ICT Southend and Schools Network Migration	20				20
	Chief Executive	C10121	Priority Works	(32)				(32)
	Chief Executive	C10840	Ropers Farm Cottages - water supply	32				32
	Chief Executive	C10121	Priority Works	(21)				(21)
Priority Works Capital Programme	Chief Executive	C10911	Sutton Road Cemetery Road Repairs	21				21
	Chief Executive	C10121	Priority Works	(45)				(45)
	Chief Executive	C10919	Darlows Green former WCs demolition	45				45
	Chief Executive	C10121	Priority Works	(12)				(12)
	Chief Executive	C10920	Delaware House plumbing works	12				12
	Chief Executive	C10121	Priority Works	(75)				(75)
	Place	New	Prittlebrook Greenway - Undermining	75				75
				<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



**BUDGET RE-PROFILES**

**Appendix 4**

Scheme/Event	Department	Code	Code Description	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Budget (all years) £000
Asset Management Capital Programme	Chief Executive	C10750	Library Car Park Reconstruction and Enhancement	(3,861)	2,086	1,775	3,155	0
	Chief Executive	C10748	Civic East Car Park Redevelopment		(155)	(3,000)		0
	Chief Executive	C10656	Seaways - HCA Condition Funding	(170)	170			0
	Chief Executive	C10919	Darlows Green - former WCs demolition	(40)	40			0
	Chief Executive	C10734	Pier Arches Toilets - waterproofing solution	(30)	30			0
	Chief Executive	C10751	Queensway - Commercial Property	(500)	100	400		0
	Chief Executive	C10913	Land Acquisition	(2,000)		2,000		0
Transformation Capital Programme	Chief Executive	C10757	Channel Shift	(265)	265			0
Adult Social Care Capital Programme	People	C10621	LATC - Delaware and Priory	(936)	936			0
	People	C10184	Mental Health Funding Stream	(36)	36			0
	People	C10689	Transforming Care Housing	(163)	163			0
Children and Learning Capital Programme	People	C10282	Short Breaks for Disabled Children	(64)	64			0
Schools Capital Programme	People	C10475	School Improvement & Provision for School Places	(4,500)	4,500			0
General Fund Housing Capital Programme	People	C10146	Private Sector Renewal	(615)	165	450		0
	People	C10503	PSH Works in Default - Enforcement works	(138)	138			0
	People	C10145	Disabled Facilities Grant	(610)	610			0
	People	C10020	Empty Dwelling Management	(357)	357			0
S278/S38/S106 Capital Programme	People	C10857	S106 3 Acacia Drive - affordable housing	(177)	177			0
	People	C10852	S106 Essex House - affordable housing	(320)	320			0
	Place	C10730	S278 Bellway Homes	(3)	3			0
	Place	C10746	S38 Bellway Homes	(78)	78			0
	Place	C10193	S38 Fossetts Farm Bridleway	(64)	64			0
	Place	C10275	S38/S278 Airport	(80)	80			0
	Place	C10801	S106 Avenue Works - Public Art	(15)	15			0
	Place	C10861	S106 Former Balmoral – public art contribution	(1)	1			0
	Place	C10724	S106 Bellway Prittlebrook - education	(306)	306			0
	Place	C10841	S106 Albany Court - education	(44)	44			0
	Place	C10860	S106 Former Balmoral – education	(22)	22			0
	Place	C10276	S106 Audley Court 0200874 Ful - CCTV	(10)	10			0
	Place	C10810	S106 Garrison 0000777 Depost - CCTV	(1)	1			0
	Coastal Defence Capital Programme	Place	C10011	Coastal Defence (Shoebury Common Sea Defence Scheme)	(275)	(3,220)	3,295	200
Place		C10888	Improving Resilience of the Borough to Flooding from Extreme Weather Events	(125)	125			0
Place		C10784	Cliff Slip Investigation Works	(246)	246			0

**BUDGET RE-PROFILES**

**Appendix 4**

Scheme/Event	Department	Code	Code Description	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Budget (all years) £000
Energy Saving Schemes Capital Programme	Place	C10788	Energy Efficiency Projects	(640)	640			0
	Place	C10740	Schools and Council Buildings Solar PV	(214)	214			0
	Place	C10789	Solar PV Projects	(924)	924			0
Southend Pier Capital Programme	Place	C10887	Southend Pier - Pier Entrance Enhancement	(100)	100			0
	Place	C10905	Southend Pier - Prince George Extension Works (phase two)	(939)	939			0
	Place	C10886	Southend Pier - Timber Outer Pier Head	(250)	250			0
Culture Capital Programme	Place	C10624	Library Review	(156)	156			0
	Place	C10623	Belfairs Swim Centre	(40)	40			0
	Place	C10777	Belton Hills Steps	(1,467)	1,467			0
	Place	C10776	New Museum - Gateway Review	(750)	750			0
	Place	C10782	Palace Theatre - Air Handling Units	(220)	220			0
	Place	C10781	Southchurch Park Tow Path	(50)	50			0
	Place	C10739	Southchurch Park Bowls Pavilion	(20)	20			0
	Place	C10043	Prittlewell Prince Research	(38)	38			0
	Place	C10876	Cliffs Pavilion - External Refurbishment Works	(250)	250			0
	Place	C10565	Energy Improvements in Culture Property Assets	(55)	55			0
	Place	C10779	Playground Gates	(64)	64			0
	Place	C10696	Prittlewell Prince Storage	(35)	35			0
	Place	C10044	Pump Priming Budget	(95)	95			0
	Place	C10867	Central Museum Works	(120)	120			0
Community Safety Capital Programme	Place	C10894	CCTV Equipment Renwal	(400)	400			0
	Place	C10896	Digitisation of Paper Records	(45)	45			0
	Place	C10767	ICT Priority Works	(100)	100			0
ICT Capital Programme	Place	C10895	ICT - Core Application and Database Migration	(75)	75			0
	Place	C10899	ICT - Mobile Working and Enterprise Mobility	(45)	45			0
	Place	C10900	ICT - Phones Migration and Re-Tender	(80)	80			0
	Place	C10768	Mobile Device End Point Protection Replacement	(90)	90			0
	Place	C10904	ICT - Intelligence Hub	(450)	450			0
	Place	C10898	ICT - Central Government IT Security Compliance	(40)	40			0
	Place	C10580	Wireless Borough/City Deal	(335)	335			0
Enterprise, Tourism and Regeneration Capital Programme	Place	C10261	Airport Business Park	1,042	(11,920)	7,641	3,237	0
	Place	C10747	Better Queensway - Regeneration	(575)	575			0

**BUDGET RE-PROFILES**

**Appendix 4**

Scheme/Event	Department	Code	Code Description	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Budget (all years) £000
Highways Capital Programme	Place	C10115	Cinder Path	(75)	(627)	702		0
	Place	C10058	Southend Transport Model	(40)	40			0
	Place	C10553	A127 Junction Improvements	(300)	300			0
	Place	C10512	LTP (Integrated Transport block) - Bridge Strengthening	(471)	471			0
		C10384	LTP (Integrated Transport block) - Better Sustainable Transport	(200)	200			0
	Place	C10671	LTP (Integrated Transport block) - Better Networks	(264)	264			0
	Place	C10470	LTP (Integrated Transport block) - Traffic Control Systems	(131)	131			0
	Place	C10076	LTP Maintenance	(210)	210			0
	Place	C10699	Local Growth Fund - A127 Growth Corridor	(1,620)	1,620			0
	Place	C10702	Local Growth Fund - Southend Central Area Action Plan	(275)	275			0
Parking Management Capital Programme	Place	C10890	Improved Car Park Signage and Guidance Systems	(120)	120			0
HRA Capital Programme	HRA	C10168	Common Areas Improvements	(1,000)	1,000			0
	HRA	C10614	Acquisition of tower block leaseholds - Queensway	(500)	500			0
				<b>(28,878)</b>	<b>9,023</b>	<b>13,263</b>	<b>6,592</b>	<b>0</b>

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**NEW SCHEMES FINANCED BY EXTERNAL FUNDING**

**Appendix 5**

Scheme/Event	Department	Project Code	Project Description	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Budget (all years) £000
Adult Social Care Capital Programme	People	C10526	Community Capacity	4				4
Coastal Defence Capital Programme	Place	C10921	Southend Highway Flood Reduction and Resilience Improvement Scheme		565			565
S106 Capital Programme	Place	C10916	S106 3-5 High Street - Education		9			9
	Place	C10724	S106 Bellway Prittlebrook - education		317			317
				<b>4</b>	<b>891</b>	<b>0</b>	<b>0</b>	<b>895</b>

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## SUMMARY OF CHANGES TO THE CAPITAL PROGRAMME

Appendix 6

Scheme/Event	Department	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Budget (all years) £000
<b>Approved Capital Programme - June Cabinet</b>		<b>95,571</b>	<b>70,433</b>	<b>43,882</b>	<b>22,407</b>	<b>232,293</b>
<b>Proposed changes:</b>						
Herbert Grove	Chief Executive	150				150
Toilet Refurbishment Thorpe Hall Avenue	Chief Executive	(29)				(29)
Acquisition of Leased Asset	Chief Executive	19				19
Learning Management System	People	70	50			120
Warmer Healthy Homes	People	(16)				(16)
S106 18-22 Southchurch Rd - education*	Place	(7)				(7)
S106 22-23 The Leas - education*	Place	(41)				(41)
S106 3 Acacia Drive - education*	Place	(27)				(27)
S106 97-99 Rochford Rd - education*	Place	(16)				(16)
S106 Essex House - education*	Place	(34)				(34)
S106 Hinguar - education*	Place	(160)				(160)
S106 Saxon Lodge – education*	Place	(16)				(16)
S106 Bellway Prittlebrook*	Place	(17)				(17)
Virements (see Appendix 3)	Various	0	0	0	0	0
Budget re-profiles (see Appendix 4)	Various	(28,878)	9,023	13,263	6,592	0
New external funding (see Appendix 5)	Various	4	891	0	0	895
<b>Current Programme - following amendments</b>		<b>66,573</b>	<b>80,397</b>	<b>57,145</b>	<b>28,999</b>	<b>233,114</b>

Brackets indicate a reduction in budget

\* Deletion of duplicate budgets

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Scheme	Project code	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Current Budget £000
<b>Department of the Chief Executive</b>						
Seaways - HCA Condition Funding	C10656		170			170
Civic East Car Park Redevelopment	C10748				4,840	4,840
Chalkwell Esplanade Toilets Roof Repairs	C10862	2				2
Commercial Property Investment	C10749	5,250				5,250
Darlows Green former WCs demolition	C10919	5	40			45
Delaware House Plumbing works	C10920	12				12
Demolition of Leigh Cliffs Public Toilets	C10853	3				3
East Beach Café Project	C10644	32				32
Herbert Grove Security	C10854	160				160
Land Acquisition	C10913	7,500		2,000		9,500
Library Car Park Reconstruction and Enhancement	C10750	125	4,100	1,775		6,000
New Beach Huts Phase 2	C10631	120				120
Pier Arches toilets - waterproofing solution	C10734		30			30
Porters Civic House and Cottage	C10571	9				9
South Essex College	C10908	3,500				3,500
Queensway - Commercial Property	C10751		500	400		900
Ropers Farm Cottages - water supply	C10840	79				79
Seaways Development Enabling Works	C10643	16				16
Urgent Works To Property	C10181	26				26
Acquisition of Leased Asset	New	19				19
	<b>Total Asset Management</b>	<b>16,858</b>	<b>4,840</b>	<b>4,175</b>	<b>4,840</b>	<b>30,713</b>
Channel Shift	C10757	301	265			566
	<b>Total Transformation</b>	<b>301</b>	<b>265</b>			<b>566</b>
Essential Crematorium/Cemetery Equipment	C10572	48				48
New Burial Ground	C10054	5				5
Pergola Walk Memorial Scheme	C10755	288				288
Replacement Boiler at Southend Crematorium	C10866	130				130
Sutton Road Cemetery Road Repairs	C10911	21				21
	<b>Total Cemeteries &amp; Crematorium</b>	<b>492</b>				<b>492</b>
Priority Works	C10121	283	500	500	500	1,783
	<b>Total Priority Works</b>	<b>283</b>	<b>500</b>	<b>500</b>	<b>500</b>	<b>1,783</b>
	<b>Total Department of the Chief Executive</b>	<b>17,934</b>	<b>5,605</b>	<b>4,675</b>	<b>5,340</b>	<b>33,554</b>

Scheme	Project code	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Current Budget £000
<b>Department for People</b>						
Community Capacity	C10526	450				450
Dementia Friendly Environments	C10598	27				27
Learning Management System	New	70	50			120
Mental Health Funding Stream	C10184		36			36
Transforming Care Housing	C10689		163			163
LATC - Delaware and Priory	C10621	150	5,094	6,300		11,544
<b>Total Adult Social Care</b>		<b>697</b>	<b>5,343</b>	<b>6,300</b>		<b>12,340</b>
Disabled Facilities Grant	C10145	1,500	1,353			2,853
Empty Dwelling Management	C10020		357			357
PSH Works in Default - Enforcement Work	C10503		138			138
Private Sector Renewal	C10146	10	615	450		1,075
<b>Total General Fund Housing</b>		<b>1,510</b>	<b>2,463</b>	<b>450</b>		<b>4,423</b>
S106 3 Acacia Drive 1401434FULM - affordable housing	C10857		177			177
S106 Essex House 1600116DOV - affordable housing	C10852		320			320
<b>Total Housing S106 Agreements</b>			<b>497</b>			<b>497</b>
AHDC Short Breaks for Disabled Children	C10282		64			64
<b>Total Children &amp; Learning Other Schemes</b>			<b>64</b>			<b>64</b>
S106 3-5 High Street - Education	C10916		9			9
S106 Albany Court 1500369AMDT - education	C10841		44			44
S106 Bellway Prittlebrook - education	C10724		623			623
S106 Former Balmoral 1400914FULM – education	C10860		22			22
<b>Total Education S106 Agreements</b>			<b>698</b>			<b>698</b>
Bournes Green Junior Boiler	C10868	135				135
Chalkwell Infants Main Building Windows	C10870	80				80
Earls Hall Ducts and Pipework	C10711	68				68
Edwards Hall Roofs	C10713	23				23
Fairways Fire Alarm	C10872	42				42
Future condition projects	C10024	129				129
Futures Heating and Pipe Ducts	C10714	68				68
Leigh Northy Street Windows (H&S)	C10907	42				42
Richmond Roof	C10873	17				17
St Nicholas Roof	C10924	100				100
<b>Total Condition Schemes</b>		<b>704</b>				<b>704</b>

<b>Scheme</b>	<b>Project code</b>	<b>2017/18 Budget £000</b>	<b>2018/19 Budget £000</b>	<b>2019/20 Budget £000</b>	<b>2020/21 Budget £000</b>	<b>Total Current Budget £000</b>
Devolved Formula Capital	C10014	173				173
<b>Total Devolved Formula Capital</b>		<b>173</b>				<b>173</b>
Small Friends Expansion	C10863	60				60
Friars Primary School	C10864	332				332
Edwards Hall	C10865	144				144
<b>Total Early Years</b>		<b>536</b>				<b>536</b>
Expansion of 2 yr old Childcare Places	C10558	65				65
School Improvement and Provision of School Places	C10475	5,589	12,695	8,579	3,425	30,288
SEN Improvement and Provision of School Places	C10910	74				74
<b>Total Primary and Secondary School Places</b>		<b>5,728</b>	<b>12,695</b>	<b>8,579</b>	<b>3,425</b>	<b>30,427</b>
<b>Total Department for People</b>		<b>9,348</b>	<b>21,760</b>	<b>15,329</b>	<b>3,425</b>	<b>49,862</b>

<b>Scheme</b>	<b>Project code</b>	<b>2017/18 Budget £000</b>	<b>2018/19 Budget £000</b>	<b>2019/20 Budget £000</b>	<b>2020/21 Budget £000</b>	<b>Total Current Budget £000</b>
<b>Department for Place</b>						
ASO Machinery Purchase	C10731	4				4
Belfairs Swim Centre	C10623	3	40			43
Belfairs Woodland Centre Project	C10502	15				15
Belton Hills Steps	C10777	30	1,467			1,497
Central Museum Works	C10867	30	220			250
Chalkwell Park and Priory Park Tennis Courts	C10682	52				52
Chase Sports & Fitness Centre - Fire Alarm	C10732	4				4
Chase Sports and Fitness Centre - Lighting Fitting Replacement	C10875	70				70
Cliffs Pavillion - External Refurbishment works	C10876	70	250			320
Energy Improvements in Culture Property Assets	C10565	55	55			110
Hard Surface Path Improvements	C10566	13				13
Leigh Library Gardens - urgent works	C10925	25				25
Library Review	C10624	30	156			186
"Make Southend Sparkle" Initiative	C10778	10	10			20
New Museum - Gateway Review	C10776	750	750			1,500
Palace Theatre - Air Handling Units	C10782	13	220			233
Palace Theatre Boilers Replacement	C10877	125				125
Palace Theatre - Replacement of Asbestos Stage Safety Curtain	C10878	25	75			100
Palace Theatre - Replacement of External Windows	C10725	2				2
Pier Hill Lifts Tower Leaks	C10856	1				1
Property Refurbishment Programme	C10626	310	500	500		1,310
Playground Gates	C10779	64	64			128
Prittlewell Prince Research	C10043		38			38
Prittlewell Prince Storage	C10696		35			35
Pump Priming Budget	C10044	5	328			333
Replacement and Upgrade of Parks Furniture	C10879	30	30	30	30	120
Replacement of Play Equipment	C10780	57	50			107
Sidmouth Park - Replacement of Play Equipment	C10880	75				75
Southchurch Park Bowls Pavillion	C10739		20			20
Southchurch Park Tow Path	C10781	200	50			250
Southend Cliffs - Replacement of Handrails	C10881	45				45
Southend Leisure and Tennis Centre - Building Management System (BMS) Control	C10882	100				100
War Memorials within the Borough	C10569	4				4
Wheeled Sports Facility Central Southend Area	New		25	225		250
<b>Total Culture</b>		<b>2,217</b>	<b>4,383</b>	<b>755</b>	<b>30</b>	<b>7,385</b>

Scheme	Project code	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Current Budget £000
S106 23/04/2015 Hinguar and Saxon - public art contribution	C10845	18				18
S106 Ajax Works 0300130ful - landscaping maintenance	C10199	3	3			6
S106 Albany Court 1500369AMDT - public art contribution	C10846	26				26
S106 Avenue Works 1401968AMDT - Public Art	C10801		15			15
S106 Former Balmoral 1400914FULM – public art contribution	C10861		1			1
S106 Bellway Prittlebrook 1400943FULM - Local play facilities	C10804	15				15
S106 Former College 1000225FUL - Tree Replacement	C10207	11				11
S106 Garrison 0000777 Deposit - information boards	C10811	2				2
S106 Garrison 0000777 Deposit - Junior Play Area maintenance	C10812	10				10
S106 Garrison 0000777 Deposit - Toddler Play Area maintenance	C10815	6				6
S106 Garrison Park Store	C10188	1				1
S106 Lifstan Way 0000273 Out - Open Space Maintenance	C10269	10	72			82
S106 North Shoebury Road 0301504out - Public Art	C10819	74				74
S106 North Shoebury Road 0301504out - Shoebury Park Enhancement	C10205	72				72
S106 North Shoebury Road 0301504out - Shoebury Park Maintenance	C10820	39	33	231		303
S106 Sunlight Ldry 1400411FULM - Public Art	C10821	14				14
<b>Total Culture S106 Agreements</b>		<b>301</b>	<b>124</b>	<b>231</b>		<b>656</b>
Barracuda Replacement	C10756	30				30
DEFRA Inspire III	C10640	4				4
Digitisation of Paper Records	C10896	1	45			46
ICT Priority Works	C10767		100			100
ICT - Core Application and Database Migration	C10895		75			75
ICT Capita One Enhancements/Developments	C10633	7				7
ICT - Childrens and Adults Social Care - Development of the Liquid Logic Case Management System	C10637	1,433	260			1,693
ICT Core Infrastructure	C10575	180				180
ICT - Central Government IT Security Compliance	C10898	35	115			150
ICT - Intelligence Hub	C10904	67	450			517
ICT - Digitally Enable the Council Offices	C10897	80	40			120
ICT Enterprise Agreement	C10636	280	280	280		840
ICT - Mobile Working and Enterprise Mobility	C10899	40	45			85
ICT - Phones Migration and Re-Tender	C10900		80			80
ICT Rolling Replacement Programme	C10576	200	200	200		600
ICT Southend and Schools Network Migration	C10912	20				20
ICT - Southend Network Monitoring Equipment	C10901	40	20			60
ICT - Upgrade of Capacity of Internet	C10902	150				150
ICT - Upgrade of Enterprise Resource Planning (ERP) System	C10903	75				75
Mobile Device End Point Protection Replacement	C10768		90			90
Place - Culture - Hardware in Libraries	C10764	9				9
Place - Culture and Enterprise and Tourism - EPOS System	C10758	30				30
Replacement and Enhancement to Cash Receipting System	C10578		18			18
Software Licencing	C10426	349	320	320		989

Scheme	Project code	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Current Budget £000
Websense Replacement	C10770	30				30
Wireless Borough/City Deal	C10580	8	335			343
<b>Total ICT Programme</b>		<b>3,068</b>	<b>2,473</b>	<b>800</b>		<b>6,341</b>
Airport Business Park (including Local Growth Fund)	C10261	6,117	11,653	10,191	3,237	31,198
City Deal - Incubation Centre	C10668	34				34
Better Queensway - Regeneration	C10747	628	575			1,203
Queensway - Ground Penetrating Radar	C10745	9				9
Resorts Assets	C10883	50				50
<b>Total Enterprise, Tourism &amp; Regeneration</b>		<b>6,838</b>	<b>12,228</b>	<b>10,191</b>	<b>3,237</b>	<b>32,494</b>
Southend Pier - Bearing Refurbishment (Phase One)	C10885	500	500			1,000
Southend Pier - Condition Works Engineers	C10697	825	792	967		2,584
Southend Pier - Condition Works Surveyors	C10918	230	343	518		1,091
Southend Pier - Pier Entrance Enhancement	C10887	150	150			300
Southend Pier - Pier View Gallery	C10855	198				198
Southend Pier - Pier Pavilion Platform Detailed Design (Gateway Review One)	C10884	125	125			250
Southend Pier - Prince George Extension (Phase Two)	C10905	200	1,689	750		2,639
Southend Pier - Structural Works	NEW				500	500
Southend Pier - Timber Outer Pier Head	C10886	250	5,250	2,500		8,000
<b>Total Southend Pier</b>		<b>2,478</b>	<b>8,849</b>	<b>4,735</b>	<b>500</b>	<b>16,562</b>
Cliff Slip Investigation Works	C10784	30	246			276
Coastal Defence (Shoebury Common Sea Defence Scheme)	C10011	50	200	3,795	200	4,245
Improving Resilience of the Borough to Flooding from Extreme Weather Events	C10888	125	125			250
Southend Highway Flood Reduction and Resilience Improvement Scheme	C10921		565			565
Southend Shoreline Strategy	C10843	72				72
<b>Total Coastal Defence and Foreshore</b>		<b>277</b>	<b>1,136</b>	<b>3,795</b>	<b>200</b>	<b>5,408</b>
Carriageways and Footways Improvements	C10786	1,007	1,000	1,000		3,007
Cinder Path	C10115		100	702		802
Gaist Highways Asset Management Project	C10785	20				20
Highways Maintenance - Potholes	C10588	102	65	65	65	297
Highways Planned Maintenance Investment	C10029	682				682
National Productivity Investment Fund	C10889	459				459
Prittlebrook Greenway - Undermining	New	75				75
Street Lighting Renewal	C10061	4,014				4,014
<b>Total Highways &amp; Infrastructure</b>		<b>6,359</b>	<b>1,165</b>	<b>1,767</b>	<b>65</b>	<b>9,356</b>

Scheme	Project code	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Current Budget £000
S106 22-23 The Leas 0700820FULM - bus service contribution	C10832	43				43
S106 Former Coll 0801062FULM - Transport Contribution	C10203	8				8
S106 Essex House 1500521FULM - bus stop improvement	C10793	3				3
S106 Premier Inn 1300835FULM - Bus Stop Improvement	C10653	5				5
S106 Former College 1500803BC4M - parking survey contribution	C10893	10				10
S106 285 Sutton Rd 1100087FULM - Highway Works	C10796	15				15
S106 Avenue Works 1401968AMDT - cycleway improvement	C10727	1				1
S106 Bellway Prittlebrook 1400943FULM - TRO Contribution	C10808	5				5
S106 High Works Shoe Garrison	C10213	2				2
S106 Albany Court 1500369AMDT - signage contribution	C10842	10				10
S106 Hinguar 1401672BC4M - highway contribution	C10851	5				5
S106 North Road and Salisbury Ave 1200056 - Highway Works Contribution	C10816	2				2
S106 Sunlight Ldry 1400411FULM - Highway Works	C10686	2				2
S106 Texsol Kenway 1500468FULM - highway	C10849	13				13
S106 Texsol Kenway 1500468FULM – public realm contribution	C10858	14				14
S106 Seec 0200500ful - Highway Works	C10073	104				104
S106 Univ H-Way0401561ful	C10196	4				4
<b>Total Highways S106 Agreements</b>		<b>246</b>				<b>246</b>
Car Park Infrastructure Improvements	C10787	304				304
Car Parks Upgrade	C10151	33				33
Improved Car Park Signage and Guidance Systems	C10890	155	305	25		485
<b>Total Parking Management</b>		<b>492</b>	<b>305</b>	<b>25</b>		<b>822</b>
S38/S278 Airport 0901960 Fulm	C10275	20	80			100
S38 Bellway Homes 14/00943/fulm	C10746	7	78			85
S38 Old Hinguar School	C10859	7				7
S78 Bellway Homes 14/00943/fulm	C10730	7	3			10
S38 Fossetts Farm Bridleway	C10193	20	64			84
S38 Garrison NBP Road Supp Fee	C10267	9				9
S38 Inspection Magazine Rd	C10190	5				5
<b>Total S38, S278 &amp; S78 Agreements</b>		<b>75</b>	<b>225</b>			<b>300</b>
LTP (Integrated Transport block) - Bridge Strengthening	C10512	171	821	350	350	1,692
LTP (Integrated Transport block) - Better Sustainable Transport	C10384	200	600	400	400	1,600
LTP (Integrated Transport block) - Better Networks	C10671	163	664	400	400	1,627
LTP (Integrated Transport block) - Traffic Management Schemes	C10513	475	400	400	400	1,675
LTP (Integrated Transport block) - Traffic Control Systems	C10470	70	332	201	201	804
LTP - Maintenance	C10076	619	831	621	621	2,692
LTP - Maintenance - Street Lighting	C10708		150	150	150	450
<b>Total Local Transport Plan</b>		<b>1,698</b>	<b>3,798</b>	<b>2,522</b>	<b>2,522</b>	<b>10,540</b>

Scheme	Project code	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Current Budget £000
Local Growth Fund - A127 Growth Corridor	C10699	1,657	6,060	3,120	3,000	13,837
Local Growth Fund - Southend Central Area Action Plan (SCAAP) Growth Point (Non-Transport)	C10701		500	1,000	4,480	5,980
Local Growth Fund - Southend Central Area Action Plan (SCAAP) Growth Point (Transport)	C10702	1,925	2,275	2,000		6,200
<b>Total Local Growth Fund</b>		<b>3,582</b>	<b>8,835</b>	<b>6,120</b>	<b>7,480</b>	<b>26,017</b>
A127 Junction Improvements	C10553	102	300			402
HCA Progress Road	C10254	18				18
Southend Transport Model	C10058	30	40			70
Travel Centre - Bus Service Provision in the Town Centre	C10892	50				50
<b>Total Transport</b>		<b>200</b>	<b>340</b>			<b>540</b>
CCTV Equipment Renewal	C10894	20	400			420
<b>Total Community Safety</b>		<b>20</b>	<b>400</b>			<b>420</b>
S106 Audley Court 0200874 Ful - CCTV	C10276		10			10
S106 Garrison 0000777 Depost - CCTV	C10810		1			1
<b>Total Community Safety S106 Agreements</b>			<b>11</b>			<b>11</b>
Beecroft and Central Museum Energy Project	C10738	270				270
Civic Centre Boilers - Low Loss Header	C10676	20				20
Civic Centre CHP/Lifts Feasibility	New	5				5
Civic Centre Lifts Regeneration	New	33				33
Energy Efficiency Projects	C10788	33	765			798
LED Lighting - Civic Centre Underground Car Park	C10662	19				19
Old Beecroft Ground Source Heat Pump Feasibility	New	15				15
Pier Energy Efficiency Scheme	New	64				64
Solar PV Projects	C10789	35	924			959
Schools and Council Buildings Solar PV	C10740	106	214			320
<b>Total Energy Saving</b>		<b>600</b>	<b>1,903</b>			<b>2,503</b>
<b>Total Department for Place</b>		<b>28,451</b>	<b>46,175</b>	<b>30,941</b>	<b>14,034</b>	<b>119,601</b>
<b>Total General Fund Capital Schemes</b>		<b>55,733</b>	<b>73,540</b>	<b>50,945</b>	<b>22,799</b>	<b>203,017</b>



Scheme	Project code	2017/18 Budget £000	2018/19 Budget £000	2019/20 Budget £000	2020/21 Budget £000	Total Current Budget £000
<b>Housing Revenue Account (HRA)</b>						
Bathroom Refurbishment	C10161	140	8			148
Central Heating	C10162	500	644			1,144
Common Areas Improvement	C10168	3,200	1,000			4,200
Environmental - H&S works	C10163	750	1,070			1,820
Kitchen Refurbishments	C10164	170	149			319
Rewiring	C10165	963				963
Roofs	C10166	450	316			766
Windows and Doors	C10167	530				530
Future Programme (MRA & Decent Homes)	C10298		3,170	6,200	6,200	15,570
	<b>Total Decent Homes Programme</b>	<b>6,703</b>	<b>6,357</b>	<b>6,200</b>	<b>6,200</b>	<b>25,460</b>
HRA Disabled Adaptations - Major Adaptations	C10015	515				515
HRA Disabled Adaptations - Minor Adaptations	C10257	50				50
	<b>Total Council House Adaptions</b>	<b>565</b>				<b>565</b>
Sheltered Housing DDA works	C10177	345				345
	<b>Total Sheltered Housing Remodelling</b>	<b>345</b>				<b>345</b>
S106 HRA Land Review	C10685	3,047				3,047
	<b>Total S106 Funded HRA Projects</b>	<b>3,047</b>				<b>3,047</b>
Construction of New Housing on HRA Land	C10684	65				65
Acquisition of leasehold property	C10909	115				115
Acquisition of tower block leaseholds - Queensway	C10614		500			500
	<b>Total Other HRA</b>	<b>180</b>	<b>500</b>			<b>680</b>
	<b>Total HRA Capital Schemes</b>	<b>10,840</b>	<b>6,857</b>	<b>6,200</b>	<b>6,200</b>	<b>30,097</b>
<b>TOTAL PROPOSED CAPITAL PROGRAMME</b>		<b>66,573</b>	<b>80,397</b>	<b>57,145</b>	<b>28,999</b>	<b>233,114</b>

**Total Capital Programme 2017/18 to 2020/21**

**233,114**

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# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of the Chief Executive  
to  
Cabinet  
on  
7 November 2017

Report prepared by: Joe Chesterton  
Director of Finance and Resources

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**Mid-Year Treasury Management Report – 2017/18**  
**Policy and Resources Scrutiny Committee**  
**Executive Councillor: Councillor Moring**  
***A Part 1 Public Agenda Item***

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**1. Purpose of Report**

- 1.1 The Mid-Year Treasury Management Report covers the treasury management activity and compliance with the treasury management strategy for both quarter two and the period from April to September 2017.

**2. Recommendations**

That the following is approved:

- 2.1 The Mid-Year Treasury Management Report for 2017/18.
- 2.2 The revisions to the Minimum Revenue Provision Policy for 2017/18 and prior years as set out in Section 14 and in Appendix 3.
- 2.3 That these revisions to the Minimum Revenue Provision Policy are applied retrospectively to 2016/17 and prior years as appropriate.

That the following is noted:

- 2.4 Treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to September 2017.
- 2.5 The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.
- 2.6 An average of £46.9m of investments were managed in-house. These earned £0.099m of interest during this six month period at an average rate

of 0.42%. This is 0.31% over the average 7 day LIBID (London Interbank Bid Rate) and 0.17% over the average bank base rate.

- 2.7 An average of £5.0m was managed by an enhanced cash fund manager. This earned £0.012m during this six month period at an average rate of 0.48%.
- 2.8 An average of £15.2m was managed by two short dated bond fund managers. This earned £0.078m during this six month period from a combination of an increase in the value of the units and income distribution, giving a combined return of 1.02%.
- 2.9 An average of £16.1m was managed by two property fund managers. This increased in value by £0.845m during this six month period from a combination of an increase in the value of the units and by income distribution, giving a combined return of 10.47%.
- 2.10 The level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1<sup>st</sup> April 1998) remained at the same level of £227.8m (Housing Revenue Account (HRA): £77.0m, General Fund: £150.8m) during the period from April to September 2017.
- 2.11 The level of financing for 'invest to save' schemes increased from £7.90m to £8.82m during the period from April to September 2017.

### **3. Background**

- 3.1 This Council has adopted the 'CIPFA Code of Practice for Treasury Management in the Public Sector' and operates its treasury management service in compliance with this code. The code recommends that local authorities submit reports regularly as part of its Governance arrangements.
- 3.2 Current guidance is that authorities should report formally at least twice a year and preferably quarterly. The Treasury Management Policy Statement for 2017/18 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation. This is the second quarter report for the financial year 2017/18.
- 3.3 Appendix 1 shows the treasury management position at the end of quarter two of 2017/18.
- 3.4 Appendix 2 shows the treasury management performance specifically for quarter two of 2017/18.

### **4 National Context**

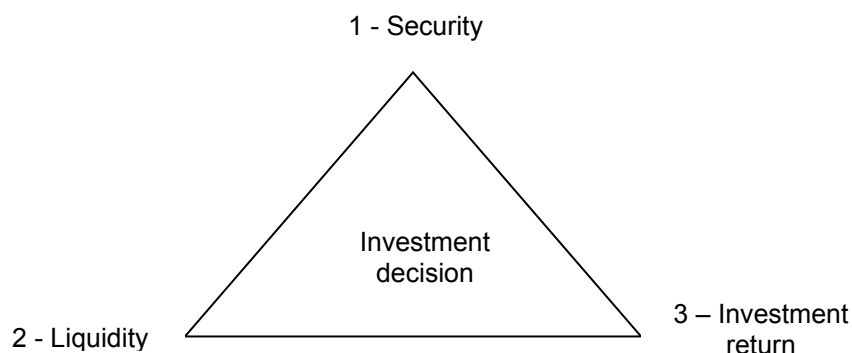
- 4.1 The Brexit discussions with the EU are progressing more slowly than the British Government hoped, with the EU unwilling to progress to trade talks until the exit financial settlement methodology is agreed. This is causing uncertainty for

business leaders and the financial markets and is leading to investment decisions being delayed.

- 4.2 The weaker Sterling has not brought a rebalancing towards exports with the UK recording a record high trade deficit in August. Inflation is at its highest since March 2012, reaching 3% in September up from 2.9% in August.
- 4.3 However, the labour market continued to strengthen as another 126,000 full time jobs were created in the three months to June, pushing annual employment growth to 1.1%, with business surveys pointing to further growth. This means unemployment levels are the lowest since the 1970s.
- 4.4 The Bank of England has kept the bank base rate at the historic low of 0.25% and kept their Quantitative Easing (QE) programme at £435bn. The markets are expecting a rate rise at some point but there is uncertainty around the timing and whether any move will be a on-off or the start of a series of changes.
- 4.5 The economic situation together with the financial market conditions prevailing throughout the quarter continued to provide challenges for treasury management activities. Due to the low interest rate environment, only monies needed for day to day cash flow activities were kept in instant access accounts
- 4.6 Low interest rates prevailed throughout the quarter from July to September 2017 and this led to low investment income earnings from most investments.

## 5 Investments – quarter two (July to September)

- 5.1 A prime objective of our investment activities is the security of the principal sums invested. To ensure this security before a deposit is made an organisation is tested against a matrix of credit criteria. During the period from July to September 2017 investment deposits were limited to those who met the criteria in the Annual Investment Strategy when the deposit was placed.
- 5.2 Other investment objectives are to maintain liquidity (i.e. adequate cash resources to allow the council to operate) and to optimise the investment income generated by surplus cash in a way that is consistent with a prudent level of risk. Investment decisions are made with reference to these objectives, with security and liquidity being placed ahead of the investment return. This is shown in the diagram below:



## Security:

- 5.3 To maintain the security of sums invested, we seek to lower counterparty risk by investing in financial institutions with good credit ratings, across a range of sectors and countries. The risk of loss of principal of monies is minimised through the Annual Investment Strategy.
- 5.4 Pie chart 1 of Appendix 1 shows that at the end of quarter two; 46% of our in-house investments were placed with financial institutions with a long term rating of AAA, and 54% with a long term rating of A-.
- 5.5 As shown in pie chart 2 of Appendix 1, these monies were with various counterparties, 54% being placed directly with banks and 46% placed with a range of counterparties via money market funds.
- 5.6 Pie chart 3 of Appendix 1 shows the countries where the parent company of the financial institution with which we have monies invested is registered. For money market funds there are various counterparties spread across many countries. The cumulative balance of funds held with any one institution was kept within agreed limits.

## Liquidity:

- 5.7 Our in-house monies were mostly available on an instant access basis at the end of quarter two, except for £10m which was kept in a 95 day notice account. The maturity profile of our investments is shown in pie chart 4 of Appendix 1.

## Investment return:

- 5.8 During the quarter the Council used the enhanced cash fund manager Payden & Rygel to manage monies on our behalf. An average balance of £5.0m was invested in these funds during the quarter earning an average rate of 0.44%. More details are set out in Table 2 of Appendix 2
- 5.9 The Council had an average of £45.2m of investments managed in-house over the period from July to September, and these earned an average interest rate of 0.41%. Of the in-house managed funds:
- an average of £10.0m was held in notice accounts that earned an average interest rate of 0.44%;
  - use was also made of call accounts during the year, because they provide instant access to funds. An average of £8.6m was held in these accounts and earned an average return of 0.61% over the quarter;
  - an average of £26.6m was held in money market funds earning an average of 0.33% over the quarter. These work in the same way as a deposit account but the money in the overall fund is invested in a number of counterparties, therefore spreading the counterparty risk.
- 5.10 In accordance with the Treasury Management Strategy the performance during the quarter is compared to the average 7 day LIBID (London Interbank Bid

Rate). Overall, investment performance was higher than the average 7 day LIBID and higher than the average base rate for the quarter. The bank base remained at 0.25% throughout the period from July to September 2017. The 7 day LIBID rate fluctuated between 0.10% and 0.12%. Performance is shown in Graph 1 of Appendix 2.

## 6 Investments – quarter two cumulative position

- 6.1 During the period from April to September 2017 the Council complied with all of the relevant statutory and regulatory requirements which limit the levels of risk associated with its treasury management activities. In particular its adoption and implementation of the Code of Practice for Treasury Management means its treasury practices demonstrate a low risk approach.
- 6.2 The Council is aware of the risks of passive management of the treasury portfolio and has proactively managed levels of debt and investments over the six month period with the support of its treasury management advisers.
- 6.3 The table below summarises the Council’s investment position for the period from April to September 2017:

Table 1: Investment position

	At 31 March 2017	At 30 September 2017	April to September 2017	
	Actual Balance (£000s)	Actual Balance (£000s)	Average Balance (£000s)	Average Rate (%)
Notice accounts	10,000	10,000	10,000	0.44
Call accounts <sup>#</sup>	7,992	8,635	8,288	0.63
Money market funds	23,000	16,000	28,582	0.35
<b>Total investments managed in-house</b>	<b>40,992</b>	<b>34,635</b>	<b>46,870</b>	<b>0.42</b>
Enhanced Cash Funds	5,022	5,034	5,031	0.48
Short Dated Bond Funds	15,125	15,203	15,190	1.02
Property funds	15,859	16,704	16,101	10.47
<b>Total investments managed externally</b>	<b>36,006</b>	<b>36,941</b>	<b>36,322</b>	<b>5.13</b>
<b>Total investments</b>	<b>76,998</b>	<b>71,576</b>	<b>83,192</b>	<b>2.48</b>

<sup>#</sup>This includes the council's main current account.

- 6.4 The majority of the cash balances held by the Council are required to meet short term cash flow requirements and therefore throughout the six month period monies were placed 19 times for periods of one year or less. The table on the next page shows the most used counterparties overall and the countries

in which they are based. All deals are in sterling despite the country the counterparties are based in.

Table 2: Counterparties used

Counterparty	Country	No. of Deals	Value of Deals (£m)
BlackRock	Money Market Fund (Various Counterparties)	10	62
Goldman Sachs	Money Market Fund (Various Counterparties)	8	42
Standard Life Investment	Money Market Fund (Various Counterparties)	1	2

6.5 In addition to the above, use was also made of call accounts during the year, because they provide instant access to funds. This meant that funds were available for unexpected cash flow events to avoid having to pay higher rates to borrow from the market. During the period from April to September 2017 an average of £8.3m was held in such accounts.

## 7. Property Funds – quarter two (July to September)

7.1 Throughout the quarter long term funds were invested in two property funds: Rockspring Property Investment Management Limited and Lothbury Investment Management Limited.

7.2 The monies are invested in units in the fund, the fund is then invested as a whole by the fund managers into properties. An income distribution is generated from the rental income streams from the properties in the fund. Income distributions are reinvested back into the fund. There are high entrance and exit fees and the price of the units can rise and fall, depending on the value of the properties in the fund, so these funds are invested over the long term with the aim of realising higher yields than other investments.

7.3 The interest equalisation reserve will be used to capture some of the income in the years when the property values are rising, and will then be available to offset any losses should property values fall. Members should be aware that this means that the investment returns in some quarters will look very good and in other quarters there may be losses reported, but these will not impact the revenue account as the interest equalisation reserve would be used to meet any temporary losses.

7.4 An average of £8.4m was managed by Rockspring Property Investment Management Limited. During quarter two, the value of the fund increased by £0.159m due to the increase in the unit value. There was also an income distribution relating to that period of £0.105m and this distribution will be confirmed and distributed in quarter three.



- 7.5 The Rockspring fund increased by £0.264m during this three month period from a combination of the increase in the value of the units and the income distribution, giving a combined return of 12.49%. The fund started the quarter at £8.405m and increased in value with the fund at the end of the quarter at £8.669m. This is set out in Table 1 of Appendix 2.
- 7.6 An average of £7.9m was managed by Lothbury Property Investment Management Limited. During quarter two, the value of the fund increased by £0.118m due to the increase in the unit value. There was also an income distribution relating to that period of £0.060m and this distribution will be confirmed and distributed in quarter three.
- 7.7 The Lothbury fund increased by £0.178m during this three month period from a combination of the increase in the value of the units and the income distribution, giving a combined return of 8.94%. The fund started the quarter at £7.857m and increased in value with the fund at the end of the quarter at £8.035m. This is set out in Table 1 of Appendix 2.

## **8 Short Dated Bond Funds – quarter two (July to September)**

- 8.1 Throughout the quarter medium term funds were invested in two short dated bond funds: Royal London Investment Grade Short Dated Credit Fund and the AXA Sterling Credit Short Duration Bond Fund.
- 8.2 The monies are invested in units in the fund, the fund is then invested as a whole by the fund managers into corporate bonds in the one to five year range. An income distribution will be generated from the coupon on the bond and the price of units can rise and fall, depending on the value of the corporate bonds in the fund. So these investments would be over the medium term with the aim of realising higher yields than short term investments.
- 8.3 The interest equalisation reserve will be used to capture some of the income in the years when the corporate bond values are rising, and will then be available to offset any losses should bond values fall. Members should be aware that this means that the investment returns in some quarters will look good and in other quarters there may be losses reported, but these will not impact the revenue account as the interest equalisation reserve would be used to meet any temporary losses.
- 8.4 An average of £7.6m was managed by AXA Investment Managers UK Limited. During the quarter the value of the fund increased by £0.007m due to an increase in the unit value, giving a return of 0.34%. The fund started the quarter at £7.550m and increased in value with the fund at the end of the quarter at £7.557m. This is set out in Table 2 of Appendix 2.
- 8.5 An average of £7.6m was managed by Royal London Asset Management. During the quarter the value of the fund decreased by £0.023m due to a decrease in the unit value and increased due to income distributions of £0.048m.

8.6 The Royal London fund earned £0.025m during the quarter from a combination of the decrease in the value of the units and the income distribution, giving a combined return of 1.32%. The fund started the quarter at £7.621m and increased in value with the fund at the end of the quarter at £7.646m. This is set out in Table 2 of Appendix 2.

## **9 Property Funds – quarter two cumulative position**

9.1 An average of £8.3m was managed by Rockspring Property Investment Management Limited. During the period from April to September 2017, the value of the fund increased by £0.297m due to the increase in the unit value. There was also an income distribution relating to that period of £0.195m and the quarter two part of this distribution will be confirmed and distributed in quarter three.

9.2 The fund earned £0.492m during this six month period from a combination of the increase in the value of the units and the income distribution, giving a combined return of 11.85%. The fund started the six month period at £8.177m and increased in value with the fund at the end of the period at £8.669m.

9.3 An average of £7.8m was managed by Lothbury Property Investment Management Limited. During the period from April to September 2017, the value of the fund increased by £0.231m due to the increase in the unit value. There was also an income distribution relating to that period of £0.122m and the quarter two part of this distribution will be confirmed and distributed in quarter three.

9.4 The fund increased by £0.353m during this six month period from a combination of the increase in the value of the units and the income distribution, giving a combined return of 9.00%. The fund started the six month period at £7.682m and increased in value with the fund at the end of the period at £8.035m.

## **10. Short Dated Bond Funds – quarter two cumulative position**

10.1 An average of £7.6m was managed by AXA Investment Managers UK Limited. During the period from April to September 2017 the value of the fund increased by £0.020m due to an increase in the unit value, giving a return of 0.51%. The fund started the six month period at £7.537m and increased in value with the fund at the end of the period at £7.557m.

10.2 An average of £7.6m was managed by Royal London Asset Management. During the period from April to September 2017 the value of the fund decreased by £0.038m due to a decrease in the unit value and increased due to income distributions of £0.096m.

10.3 The Royal London fund earned £0.058m during the six month period from a combination of the increase in the value of the units and the income distribution, giving a combined return of 1.52%. The fund started the six month period at £7.588m and increased in value with the fund at the end of the period at £7.646m.

**11. Borrowing – quarter two**

11.1 The Capital Financing Requirement (CFR) is the Council’s theoretical need to borrow but the Section 151 Officer can manage the Council’s actual borrowing position by either:

- 1 - borrowing to the CFR;
- 2 - choosing to use temporary cash flow funds instead of borrowing (internal borrowing) or;
- 3 - borrowing for future increases in the CFR (borrowing in advance of need)

11.2 The Council began quarter two in the second of the above scenarios, with actual borrowing below CFR.

11.3 This, together with the Council’s cash flow, the prevailing Public Works Loans Board (PWLB) interest rates and the future requirements of the capital programme, were taken into account when deciding the amount and timing of any loans. No new PWLB loans were taken out and no loans matured during the quarter. No debt restructuring was carried out during the quarter.

11.4 The level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1<sup>st</sup> April 1998) remained at £227.8m during the quarter. A profile of the repayment dates is shown in Graph 2 of Appendix 2.

11.5 The level of PWLB borrowing at £227.8m is in line with the financing requirements of the capital programme and the revenue costs of this borrowing are fully accounted for in the revenue budget. The current level of borrowing is also in line with the Council’s prudential indicators and is prudent, affordable and sustainable.

11.6 Interest rates from the PWLB fluctuated throughout the quarter in response to economic events: 10 year PWLB rates between 1.86% and 2.27%; 25 year PWLB rates between 2.52% and 2.83% and 50 year PWLB rates between 2.25% and 2.57%. These rates are after the PWLB ‘certainty rate’ discount of 0.20%.

11.7 During quarter two, two short term loans were taken out for cash flow purposes. These are shown in Table 3 of Appendix 2.

**12. Borrowing – quarter two cumulative position**

12.1 The Council’s borrowing limits for 2017/18 are shown in the table below:

	<b>2017/18 (£m)</b>
Authorised Limit	295
Operational Boundary	285

The Authorised Limit is the “Affordable Borrowing Limit” required by the Local Government Act 2003. This is the outer boundary of the Council’s borrowing based on a realistic assessment of the risks and allows sufficient headroom to take account of unusual cash movements.

The Operational Boundary is the expected total borrowing position of the Council during the year and reflects decisions on the amount of debt needed for the Capital Programme. Periods where the actual position is either below or over the Boundary are acceptable subject to the Authorised Limit not being breached.

12.2 The Council’s outstanding borrowing as at 30 September 2017 was:

- Southend-on-Sea Borough Council                      £227.8m
- ECC transferred debt    £12.5m

Repayments in the first 6 months of 2017/2018 were:

- Southend-on-Sea Borough Council                      £0m
- ECC transferred debt    £0m

12.3 Outstanding debt relating to services transferred from Essex County Council (ECC) on 1<sup>st</sup> April 1998, remains under the management of ECC. Southend Borough Council reimburses the debt costs incurred by the County. The debt is recognised as a deferred liability on our balance sheet.

12.4 The interest payments for PWLB and excluding transferred debt, during the period from April to September 2017 were £5.263m, compared to the original budget of £5.378m for the same period. These interest payments are lower than budgeted as, due to the reasons set out in paragraph 11.3, no new loans were taken out during 2016/17 or during the first two quarters of 2017/18.

12.5 The table below summarises the PWLB borrowing activities over the period from April to September 2017:

Quarter	Borrowing at beginning of quarter (£m)	New borrowing (£m)	Re-financing (£m)	Borrowing repaid (£m)	Borrowing at end of quarter (£m)
April to June 2017	227.8	0	0	(0)	227.8
July to September 2017	227.8	0	0	(0)	227.8
<i>Of which:</i>					
General Fund	150.8	0	0	(0)	150.8
HRA	77.0	0	0	(0)	77.0

All PWLB debt held is repayable on maturity.

### 13 Funding for Invest to Save Schemes

- 13.1 Capital projects were completed on draught proofing and insulation in the Civic Centre, and lighting replacements at University Square Car Park and Westcliff Library which will generate on-going energy savings. These are invest-to-save projects and the predicted revenue streams cover as a minimum the financing costs of the project.
- 13.2 To finance these projects the Council has taken out interest free loans of £0.223m with Salix Finance Ltd which is an independent, not for profit company, funded by the Department for Energy and Climate Change that delivers interest-free capital to the public sector to improve their energy efficiency and reduce their carbon emissions. The loans are for periods of four and five years with equal instalments to be repaid every six months. There are no revenue budget implications of this funding as there are no interest payments to be made and the revenue savings generated are expected to exceed the amount needed for the repayments. £0.018m of this loan was repaid during the period from April to September 2017.
- 13.3 At the meeting of Cabinet on 23 June 2015 the LED Street Lighting and Illuminated Street Furniture Replacement Project was approved which was to be partly funded by 25 year reducing balance 'invest to save' finance from the Green Investment Bank (GIB). The balance outstanding at the end of quarter two was £8.67m. There were no repayments during the period from April to September 2017.
- 13.4 Funding of these invest to save schemes is shown in Table 4 of Appendix 2.

### 14 Revised Minimum Revenue Provision Policy

- 14.1 The Council is required by statute to make a charge to its General Fund to provide for the repayment of debt resulting from capital expenditure, known as the Minimum Revenue Provision (MRP). Our Treasury Management advisers, Capita Asset Services, have undertaken a full review of the historic MRP liability and its implication for the current and future liability. Capita have put forward a range of options to revise historic MRP calculations and to amend the current and future MRP policy.
- 14.2 The Chief Finance Officer has considered these options and the following changes are being put forward for approval:

<b>For capital expenditure financed by</b>	<b>Current calculation</b>	<b>Proposed calculation</b>
Supported borrowing (prior to 2016/17 and 2017/18 onwards)	Multiplying the CFR* at the end of the preceding financial year by 4%	2% straight line <sup>#</sup>
Unsupported borrowing (prudential) (prior to 2017/18 and 2017/18 onwards)	Equal instalments over an estimated useful life.	Annuity method

\*The CFR is the Capital Financing Requirement which represents the cumulative amount of borrowing that has been incurred to pay for the Council's capital assets, less amounts that have been set aside for the repayment of debt over the years.

#This calculation was used for the 2016/17 financial year following a revision to the MRP policy at Cabinet in March 2017 as part of the Quarter Three Treasury Management report.

- 14.3 The calculation of MRP for capital expenditure financed by historic supported borrowing will have the effect of reducing the debt liability to a fixed life of 50 years compared to the previous provision which would take in excess of 150 years. A charge based on a fixed straight-line basis is more prudent as it introduces a more certain period for spreading the cost of this element of the debt liability.
- 14.4 The calculation of MRP for capital expenditure financed by prudential (unsupported) borrowing will have the effect of taking account of the time value of money, whereby paying £100 in 10 years' time is less of a burden than paying £100 now. The annuity method is therefore a prudent basis for providing for assets that provide a steady flow of benefits over their useful life. Members should be aware that using the annuity method would increase MRP in later years which the Chief Finance Officer will take into consideration when determining the affordability of future capital expenditure financed by borrowing.
- 14.5 It is proposed that the changes to both supported and unsupported calculations of the MRP are applied retrospectively for the years 2016/17 and prior as appropriate, as well as for the current financial year and future years.
- 14.6 These revisions to the Minimum Revenue Provision Policy for 2017/18 and prior years are set out in Appendix 3.

## **15 Compliance with Treasury Management Strategy – quarter two**

- 15.1 The Council's investment policy is governed by the CIPFA Code of Practice for Treasury Management in the Public Sector (revised in November 2009), which has been implemented in the Annual Investment Strategy approved by the Council on 23 February 2017. The investment activity during the quarter conformed to the approved strategy and the cash flow was successfully managed to maintain liquidity. This is shown in Table 5 of Appendix 2.

## **16 Other Options**

- 16.1 There are many options available for the operation of the Treasury Management function, with varying degrees of risk associated with them. The Treasury Management Policy aims to effectively control risk to within a prudent level, whilst providing optimum performance consistent with that level of risk.

## **17 Reasons for Recommendations**

- 17.1 The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2017/18 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

## **18 Corporate Implications**

### **18.1 Contribution to Council's Vision & Critical Priorities**

Treasury Management practices in accordance with statutory requirements, together with compliance with the prudential indicators acknowledge how effective treasury management provides support towards the achievement of the Council's Vision and Critical Priorities.

### **18.2 Financial Implications**

The financial implications of Treasury Management are dealt with throughout this report.

### **18.3 Legal Implications**

This Council has adopted the 'CIPFA Code of Practice for Treasury Management in the Public Sector' and operates its treasury management service in compliance with this code.

### **18.4 People Implications**

None.

### **18.5 Property Implications**

None.

### **18.6 Consultation**

The key Treasury Management decisions are taken in consultation with our Treasury Management advisers.

### **18.7 Equalities and Diversity Implications**

None.

### **18.8 Risk Assessment**

The Treasury Management Policy acknowledges that the successful identification, monitoring and management of risk are fundamental to the effectiveness of its activities.

### **18.9 Value for Money**

Treasury Management activities include the pursuit of optimum performance consistent with effective control of the risks associated with those activities.

#### 18.10 Community Safety Implications

None.

#### 18.11 Environmental Impact

None.

### **19 Background Papers**

None.

### **20 Appendices**

Appendix 1 – Treasury Management Position as at 30<sup>th</sup> September 2017

Appendix 2 – Treasury Management Performance for Quarter Two – 2017/18

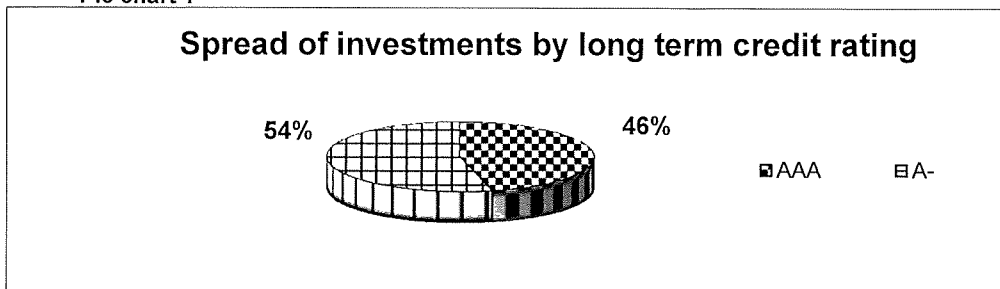
Appendix 3 – Revised Minimum Revenue Policy 2017/18 and Prior Years



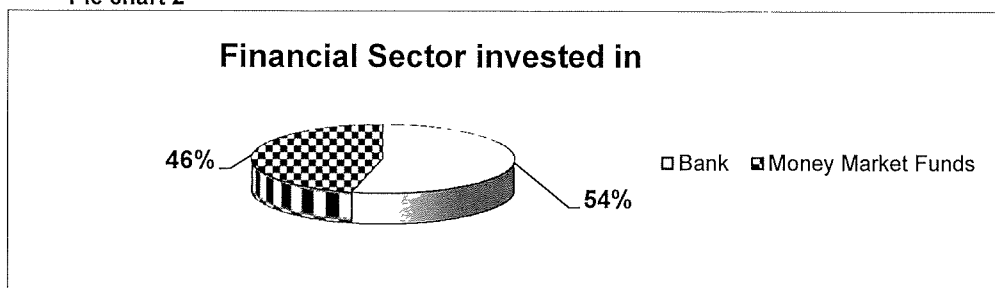
TREASURY MANAGEMENT PERFORMANCE AS AT END OF QUARTER TWO - 2017/18

INVESTMENTS - SECURITY AND LIQUIDITY

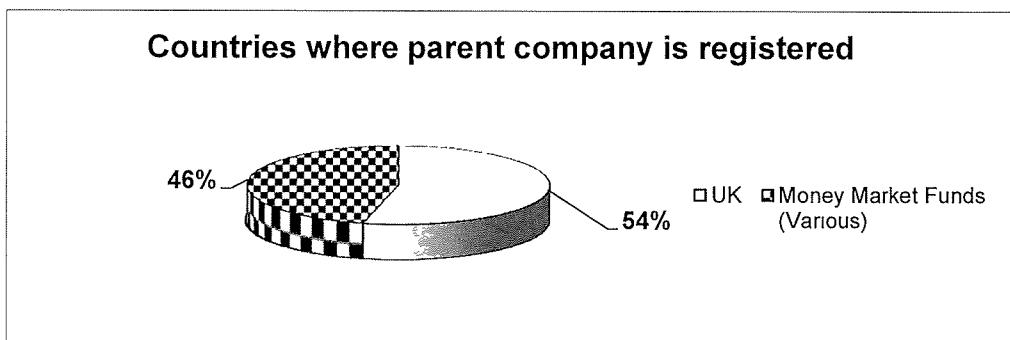
Pie chart 1



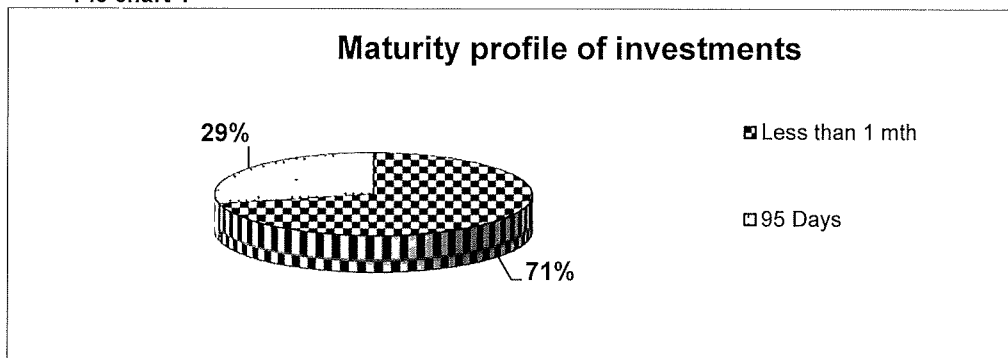
Pie chart 2



Pie chart 3



Pie chart 4



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**INVESTMENTS - RETURN**

Graph 1

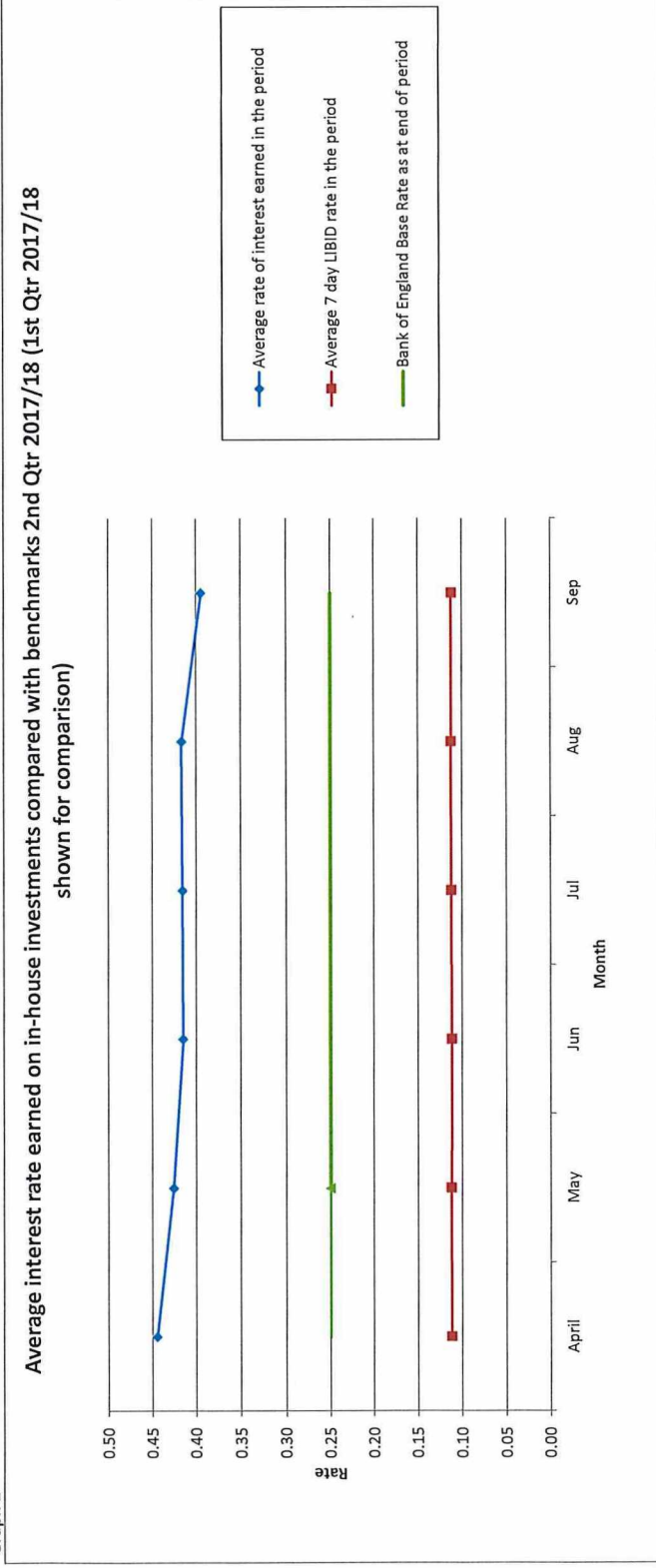


Table 1 - Property Funds

Financial Institution	Quarter	Period of investment	Value of fund at beginning of Qtr 2 £	Number of units at start of Qtr 2 Units	Number of units distributed during Qtr 2 Units	Purchase of new units during Qtr 2 Units	Number of units at end of Qtr 2 Units	Gross Increase / (Decrease) in fund value £	Income Distribution Qtr 2 £	Value of fund at end of Qtr 2 £	Combined interest Rate %
Rockspring Hanover Real Estate Investment Mgt Ltd	2	5 Years +	8,404,488.27	601	7	0	608	159,323.11	105,359.33	8,669,170.71	12.49%
Lothbury Investment Management - Property Fund	2	5 Years +	7,857,358.16	4,170.46	@	0.00	4,170.46	117,789.85	59,561.53	8,034,709.54	8.94%
<b>Total</b>										<b>16,703,880.25</b>	

Table 2 - Short Dated Bond Funds/Enhanced Cash Fund

Financial Institution	Quarter	Value of fund at the start of Qtr 2 £	Number of shares Qtr 2 Units	Number of units distributed during Qtr 2 £	Number of units at end Qtr 2 Units	Increase / (Decrease) in fund value £	Income Distribution during the Qtr 2 £	Value of fund at end of Qtr 2 £	Combined Interest Rate %
AXA	2	7,550,171.26	6,442,125.6460	n/a	6,442,125.6460	6,442.13	n/a	7,556,613.39	0.34%
Royal London	2	7,620,904.01	7,515,684.4300	47,510.39	7,563,194.82	(22,689.59)	48,175.54	7,646,389.96	1.32%
Payden & Rygel	2	5,028,252.76	461,646.4200	n/a	461,646.42	5,685.93	n/a	5,033,838.69	0.44%
<b>Total</b>									<b>20,236,842.04</b>

@ Information not available until November 17

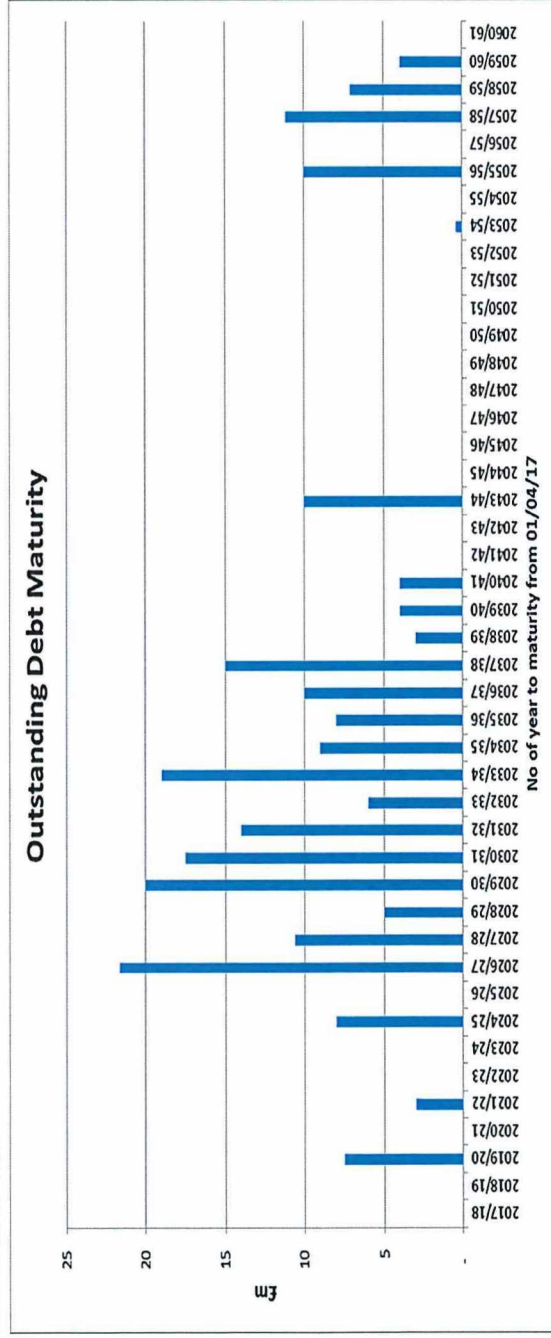
**BORROWING**

Table 3

SHORT TERM BORROWING	Counterparty	Rate	Amount £ ('000)	From	To
In place during this Quarter	Somerset County Council	0.60%	3,500,000.00	03/04/2017	29/03/2018
Taken Out This Quarter	Derbyshire County Council	0.80%	3,500,000.00	03/04/2017	29/03/2019
	Exeter City Council	0.27%	3,000,000.00	17/08/2017	17/01/2018
	Liverpool City Region Combined Authority	0.30%	4,000,000.00	17/08/2017	19/02/2018

Graph 2

**LONG TERM BORROWING - PWLB**



Repaid this quarter

No long term PWLB borrowing repaid this quarter

Lowest

1.86

Highest

2.27

Range of 10 year PWLB new loan rates this quarter

Range of 25 year PWLB new loan rates this quarter

Range of 50 year PWLB new loan rates this quarter

2.52

2.25

2.83

2.57

Table 4 - INVEST TO SAVE FUNDING

Financial Institution	Date	Period of loan	Final Repayment date	Amount borrowed £(000)	Amount Repaid to Date £(000)	Rate of interest %
Salix Finance Ltd Energy Efficiency Programme	26/03/2015	4 Years	01/04/2019	141,059	(70,529.48)	0%
	23/03/2017	5 Years	01/04/2022	82,017	0	0%

**Green Investment Bank:**

- 25 year reducing balance finance
- balance of £8.7m outstanding at the end of quarter two
- there were no repayments during this quarter

**COMPLIANCE WITH TREASURY MANAGEMENT STRATEGY**

Table 5

All transactions properly authorised	✓
All transactions in accordance with approved policy	✓
All transactions with approved counterparties	✓
Cash Flow successfully managed to maintain liquidity	✓
Any recommended changes to procedures	✓

## **SOUTHEND-ON-SEA BOROUGH COUNCIL**

### **REVISED MINIMUM REVENUE PROVISION POLICY 2017/18 AND PRIOR YEARS**

#### **1 Background**

- 1.1 The Minimum Revenue Provision (MRP) is an amount to be set aside for the repayment of debt. The Council has a general duty to make an MRP charge to revenue which it considers to be prudent. Full Council has the responsibility to approve an annual MRP policy statement.
- 1.2 The MRP Guidance sets out that such policies may be amended at any time, as long as the Council maintains a prudent approach whilst ensuring any changes are sustainable with regard to the revenue budget. The MRP policy adopted should ensure that revenue provision is made over a period broadly similar to which the asset provides a service.
- 1.3 A policy statement regarding a financial year should be approved before the start of that financial year. However, the policy can be revised during the year by the full Council.
- 1.4 Under the regulations capital receipts may be used to repay the principal of any amount borrowed.
- 1.5 The Department of Communities and Local Government guidance on MRP specifies that MRP would not have to be charged until the asset came into service and would begin in the financial year following the one in which the asset became operational.

#### **2 Duration of the Policy Statement**

- 2.1 This Minimum Revenue Provision Statement covers the 2017/18 financial year and will apply retrospectively to prior years as appropriate.

### **3 Minimum Revenue Provision Policy**

#### **3.1 For capital expenditure financed by historic supported borrowing:**

The amount of MRP chargeable will be calculated on a straight line basis at 2%.

#### **3.2 For capital expenditure financed by prudential (unsupported borrowing) from the Public Works Loan Board:**

The amount of MRP chargeable will be calculated using the annuity method.

The period over which it will be charged will be assessed on a basis which most reasonably reflects the anticipated period of benefit that arises from the expenditure.

The annuity rate which will be applied will be the PWLB rate that most reasonably relates to that financial year.

#### **3.3 For capital expenditure financed by prudential (unsupported borrowing) from other financial institutions:**

The amount of MRP chargeable will be the amount specified in the repayment schedule of each loan.

#### **3.4 No MRP will be applied to:**

##### **3.4.1 Capital expenditure financed by unsupported borrowing that has been taken out in the short term to bridge the timing difference between anticipated and actual capital receipts.**

It is anticipated that capital receipts will be received to repay this borrowing. Therefore no MRP charge is required as there is already a prudent provision for repayment.

##### **3.4.2 Capital expenditure financed by borrowing due to a transfer of assets between the GF and HRA where due to the nature of the transfer it is anticipated that capital receipts will be received to repay this borrowing. Therefore no MRP charge is required as there is already a prudent provision for repayment.**

##### **3.4.3 Capital expenditure financed by unsupported borrowing that has been taken out in the short term to bridge the timing difference between the expenditure being incurred and the budgeted revenue contribution to capital outlay being applied.**

It is anticipated that revenue contributions will be received to repay this borrowing. Therefore no MRP charge is required as there is already a prudent provision for repayment.

##### **3.4.4 Capital expenditure financed by unsupported borrowing that has been taken out in the short term to bridge the timing gap while**



grant conditions are being met and therefore the grant being applied to capital expenditure under International Financial Reporting Standards (IFRS).

It is anticipated that the grant conditions will be met therefore no MRP charge is required as there is already a prudent provision for repayment.

- 3.5 The amount of MRP chargeable relating to finance leases will be such that the combined impact of the finance charge and MRP is equal to the estimated rentals payable for the year.
- 3.6 If capital receipts are utilised to repay debt in year, the value of MRP chargeable will be reduced by the value of the receipts utilised.
- 3.7 MRP will only be charged in the year following the asset becoming operational.

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# Southend-on-Sea Borough Council

Agenda

Item No.

Report of Chief Executive

To

Cabinet

on

7<sup>th</sup> November 2017

Report prepared by: Joe Chesterton,  
Director of Finance & Resources

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## Debt Collection & Recovery Policy – Revised Policy

Policy and Resources Scrutiny Committee

Executive Councillor: Councillor Moring

*A Part 1 Public Agenda Item*

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### 1. Purpose of Report

- 1.1 The purpose of this report is to inform members of the revised “Debt Collection and Recovery Policy”.

### 2. Recommendation

That Cabinet:-

- 2.1 Approve the revised “Debt Collection and Recovery Policy” at Appendix A.

### 3. Background

- 3.1 Southend-on-Sea Borough Council has undertaken a full review of the approach to debt collection to ensure a consistent level of service and collection is achieved across a range of public services. All debts across the council are included as part of the Debt Collection and Recovery Policy.
- 3.2 Following the last Debt Policy report in 2011, the implementation of Agresso ERP IT software was completed. This has now been embedded into Council business processes, which have modernised and improved the way we work in the collection of Sundry and Social Care debts. The Debt Collection and Recovery Policy is a working document to support the Agresso and other IT systems as well as procedures used across the council for collection of debts.

### 3.3 Key outcomes of the review:-

- Clearly define the responsibilities and accountability of each service area in the collection process.
- Analysis of current debts to assess root cause and lessons to be learnt
- Review of businesses processes to identify improvements to support collection
- Ensure a consistent approach to the raising of debts across the Council
- Ensure businesses and residents that “Can’t pay” have the support, help and advice to manage and pay their debts.
- Ensure that businesses and residents the “Won’t pay” are managed through all available methods of collection.
- Ensure that clear processes are followed and are evidenced prior to identification for write off.
- The processing of write offs is carried out in a timely manner
- Implement Debtor Fraud Initiatives.
- Legal casework is managed effectively, and where beneficial working with our commercial partners to optimise collection.

3.4 The corporate project has reviewed many of the services with a view to ensuring all invoices are raised effectively and in a timely manner.

3.5 Austerity measures are impacting across all demographics within the borough, with this in mind the project has not only looked at improving process and streamlining collection it has also looked at what support can be offered for the residents and businesses of Southend to ensure collection of public funds can be maximised.

3.6 The Debt Collection & Recovery Policy (at Appendix A) will support the council to maximise income which in turn will help to support the council to sustain its services.

## 4. Reasons for recommendation

To accept the recommendation to approve this strategy will:-

- Present the organisation with a revised policy
- Highlighting to the service areas their responsibilities in the raising and collection of public funds.
- As part of the policy roll out we will identify areas to “Pay in Advance”
- Instil commercial awareness
- Clear guidelines for compliance
- Set Parameters to ensure the service areas work within the agreed levels of service.
- Exceptions process

## **5. Contribution to Council's Vision & Corporate Priorities**

The revised policy will contribute towards the Council priorities of Prosperous and Excellent.

Although flexibility and support for our residents will form part of the approach we cannot be inconsistent and will follow the principle of:-

### **“Residents/Businesses that Can't Pay”**

Support will be a tailored support with payment arrangements and benefit support as well as signposting to other third party organisations. We will demonstrate flexibility to those residents responding to support for managing their debts.

### **“Residents/Businesses who won't pay”**

Clear processes to ensure speed of action by following a strict collection process through to legal debt recovery where appropriate.

This approach will ensure a positive corporate debt management approach for Southend Borough Council. Corporately Southend will be seen to be firm but fair in its long term strategy for debt collection.

This policy will embed commercial awareness and best practice to support the Council's Vision and corporate priorities by ensuring we maximise income to support sustainable services.

## **6. Financial Implications**

Improved collection rates, and cash flow will be the outcome of delivering, implementing and complying with the revised policy.

Efficient write off of bad and irrecoverable debts as part of the Policy, where appropriate, is good financial practice and reduces the bad debt provision and the financial impact in the Authority's accounts.

## **7. Legal Implications**

All legal implications have been considered, where appropriate officers with delegated powers will deal with the matter, for any matter above this level Cabinet authorisation will be required.

## **8. People Implications**

The focus of the Policy will be on people who Can't pay and Won't pay. The Council will sign post and support people where needed, and pursue debt using all methods of recovery where appropriate.

## **9. Property Implications**

The property implications have been considered and there are none relevant to this report.

## **10. Equalities and Diversity Implications**

This policy is working under an “Equality Impact Assessment” (EIA) with full consideration to the impact it may have on different demographic groups.

## **11. Risk Assessment**

A risk assessment workshop was carried out with the output Risk register, which was a fundamental part of the on-going project.

## **12. Value for Money**

- Accurate raising of invoices
- Speedier collection
- Better use of Enforcement Agents services
- Fraud initiative implemented
- Revision of legal services (on-going)
- Clear responsibilities and accountabilities
- Residents support package (ongoing)
- Maximisation of income collection

## **13. Community Safety Implications**

There are no Community Safety Implications

## **14. Environmental Impact**

There is no environmental impact

## **15. Background papers**

None

## **16. Appendices**

Appendix A - Debt Collection and Recovery Policy (November 2017)

## Appendix A

# Southend-on-Sea Borough Council Debt Collection and Recovery Policy

November 2017

**Covering the following areas for Southend Borough Council:**

- **Council tax**
- **Housing Benefit**
- **Social care**
- **Sundry Debts**
- **Parking management**

## Contents

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6.0	Principles of Enforcement (all debt types).....	9
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12.0	Responsibilities to Directorates in the raising of invoices.....	17
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## 1.0 Purpose of the Policy

- 1.1 The purpose of this document will set out Southend on Sea Borough Councils strategic approach to the collection of public money across a varied sector of services.
- 1.2 All service providers within the council will need to understand the document and ensure their processes and procedures are suitable to deliver the required outcomes for both the council and residents within the borough.
- 1.3 Whilst it is recognised the financial position of individuals and business owners alike are affected by the government's austerity measures, we are obligated to collect 100% of the revenue to ensure the local authority can operate within the current financial constraints, and to be able to continue to deliver critical services for all residents.
- 1.4 Part of these measures being implemented are "Benefit Reforms" including the introduction of Universal Credit, which will impact on many of our residents who currently claim a number of benefits. We will need to consider very carefully how these residents will be able to pay these debts, as we already have many residents with an attachment to their Benefits to clear outstanding arrears.
- 1.5 The document will also give clear guidance on the appropriate levels of credit checks and assessment required prior to service delivery. As clearly we are and must continue to be ethical in our approach to delivering chargeable services. Although credit checks and assessments are a good indicator to someone's ability to pay back a debt it cannot be relied on totally. This is about mitigating the council's risk for exposure to bad debt and also supports our residents and businesses from falling into increased debt. .
- 1.6 It will give clear instruction on "Payment in Advance" service areas where possible will collect monies in advance of service delivery, this will prevent debt and will ensure the service requester has the means to pay in advance of the service.
- 1.7 Whatever service is being delivered, the key to excellent collection is to ensure we collect the outstanding monies at the earliest possible stage. Therefore the document will set out the required timescales to resolve queries and complaints, which have historically resulted in loss of revenue when not dealt with appropriately.
- 1.8 In essence it will set out a corporate approach to debt collection and will ensure every available means will be used to collect outstanding monies.
- 1.9 Including:-
  - Payment in advance of service delivery
  - Revised reminder process to speed up collection in accordance with the relevant legislation

- 
- Channel shift/ Promotion of On Line Services
  - Promotion of Direct Debit as the optimum method of payment
  - Payment arrangements within a set criteria
  - Legal framework
  - Fraud initiative

## 2.0 Introduction

- 2.1 The Council has a duty to recover outstanding debt and in doing so seeks to ensure all monies due are collected in a timely and efficient way, ensuring that its processes are fair to everyone. To this end, all debts are administered in line with corporate policy, national legislation and financial procedure rules. Overall responsibility relating to the management and recovery of debt rests with the Section 151 Officer.
- 2.2 Recovery of outstanding debts relating to Council Tax, NDR (Business Rates) are undertaken by the Revenues team, Housing Benefit Overpayments are recovered within the Benefits team. Recovery of outstanding debts relating to Sundry Debts are undertaken by the Accounts Receivable team who report directly to the Group Manager for Revenues.
- 2.3 Recovery of outstanding Social Care debt is undertaken by the finance team within the “People” directorate. It is widely recognised across local government due to the nature and complexity of this debt, it requires a specialist knowledge. It is also recognised that when dealing with this sensitive area of collection, arrears will be pursued with care and a specialist knowledge. See Annex 1 Social Debt Policy 2017 on specific collection processes regarding Social Care Debts.
- 2.4 - The key aim of this policy is as follows:-

To maximise the level of income collected by the Council by;

- Reducing the level of debt
- Accurate and timely billing with evidence to justify the Invoice/bill.
- Effective and timely recovery processes
- Utilising the appropriate recovery method by debt type
- Recognising that causes of debt vary and recovery methods should be focused accordingly. Debt will be categorised and methods of recovery focused by type, with debtors identified either as:-  
‘Can’t Pay’ or Won’t Pay’:

### 3.0 Can't Pay

Our Customers and businesses will receive appropriate assistance and support through debt management and benefit advice, our residents or businesses will be helped to make and adhere to payment arrangements and understand options to minimise costs in the future.

There could be several reasons where clients could fall into this category including but not exclusively:-

- Unemployment
- Hardship due to personal illness
- Mental health issues
- Alcohol or drug dependence
- Imprisonment
- Difficult family issues

We have experienced staff within the authority who will support and work with our residents and businesses that experience debt, and will also sign post to the advice sector for further support including:-

- Citizen Advice,
- Step Change
- and other appropriate support organisations

---

## 4.0 Won't Pay

All available and appropriate methods of recovery will be considered depending on the nature of the debt and the individual or businesses circumstances including their assets and income.

### General Principles

- That the citizens and businesses of Southend on Sea have a responsibility to pay for the services they receive and the charges for which they are liable.
- Council Tax revenue collected by the Council on behalf of tax payers is recognised in legislation as priority debt, and debtors must give priority to the payment of these debts.
- Wherever possible and when appropriate, services will not be provided until payment has been made and cleared funds received.
- The cost of collection will be minimised by encouraging citizens to use the most cost effective payment methods such as direct debit. Online and debit card payments will also be promoted in preference to other methods such as cash.
- The Council will advise our residents or businesses of any appropriate benefits, exemptions, discounts or other reliefs which may reduce their debt.
- Where the Council is made aware that debtors have multiple debts or require specific budgetary advice, staff will signpost debtors to external advice agencies. The council will endeavour to collect multiple debts at a single point of contact with the debtor whenever possible.
- Disputes in relation to the debt or recovery process will be resolved where possible within 30 days; Debtors will be kept fully informed of the ways in which they can contact the Council to discuss any dispute they may have. It will be the responsibility of the originating service area to resolve these disputes. Any disputes that run beyond the 30 days will be escalated to the relevant service manager.
- Where part of the debt is disputed the Council will still continue to collect the undisputed amount within the legislation at the earliest possible opportunity whilst also dealing effectively with the disputed debt. It must be made clear at the initial contact with the client they must pay the undisputed part of the debt.
- When correspondence between the citizen/business and the responsible department fails to rectify any grievance or dispute and the citizen wishes to

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make a complaint regarding the way in which the Council has attempted to collect a debt, they will be fully informed of the Council's Feedback/Complaints procedure and will be given assistance to register that complaint.

- The Council will encourage effective sharing of information between departments and will explore the most efficient and effective way of achieving this whilst taking full account of relevant legislation e.g. Data Protection Act (DPA). If any officer of the council is unclear of their responsibilities under the DPA they must ask for advice from the corporate data protection officer to ensure no breach of legislation occurs

## 5.0 Principles common to all debts

- Every invoice must be correctly addressed to the person or organisation liable to pay it. The name on the invoice will be that of a person or body possessing "legal personality" under the legislation hierarchy.
- Invoices will be issued on the day of production. Exceptions to this must be approved by the relevant manager.
- Where we are dealing with an organisation or Small Medium Enterprise (SME) or any other type of business a purchase order number or payment reference must be entered on the invoice.
- If you do not obtain a Purchase order at the first point of contact with the organisation you will have 14 days to obtain one and pass onto the accounts receivable team.
- Service areas are responsible to compile evidence in the event to secure recovery of the debt through the courts. This must be compiled when an invoice is raised. All documentation relating to the invoice will be kept by the originating department in electronic format for 6 years after the last recovery action adhering to the Corporate Retention Policy.
- In each case the Council will use the most appropriate and effective method of recovery in order to maximise income, working with our commercial partners where appropriate.
- All invoices, reminders and final notices will be issued using the most cost-effective means available.

- 
- Officers will employ flexibility and discretion when dealing with hardship, vulnerability or dispute situations. This includes the ability to make deferred payment arrangements or suspend recovery action due to the debtor's individual circumstances..
  - Where appropriate a "Means Test or an Income & Expenditure assessment will be required to ascertain an individual's ability to pay with appropriate evidence to support this.. If this is refused, a payment arrangement may not be possible.

Note: - Arrangements to pay in instalments to clear the full outstanding amount are determined by individual departments, however the maximum period would be a 12 month period, any arrangement which is outside this period must be agreed with the relevant Manager.

- The council has a duty to monitor all payments arrangements and will ensure missed payments are actioned appropriately. The council will dependant on circumstances hold the right to withdraw a payment arrangement making the full amount of debt due.
- Any member of staff, who has an interest in any debt must not participate in any form of monitoring/management of that debt and must declare their interest to their manager. This includes, but is not limited to:
  1. Self, including any business interest i.e. director, accountant
  2. Family members
  3. Friends
- All notices issued by Southend Borough Council will comply with the corporate style and will be easily identifiable as being from Southend Borough Council.
- Prompt recovery action is key to managing debt and maximising income the Council will:-
  1. Set clear targets and timescales for the recovery of debt
  2. Regularly monitor the level and age of debt
  3. Have clear documented recovery procedures and processes
  4. Set and regularly review priorities for specific areas of debt and the recovery methods used to ensure maximum collection
  5. Regularly review irrecoverable debt and submit write-offs for consideration by the appropriate Officer.  
All write off approvals will follow Southend Borough Councils constitution.
- Performance in relation to current and aged debt will be produced on a monthly basis and reported directly to the "Chief finance officer".

- 
- Write off will only occur when all recovery action has been exhausted. All debts that are written off will be written off against the income code against which it is held. In cases where the debt was originally shown as a balance sheet liability (for example car loans issued prior to the cessation of the scheme), the debt will be written back to the relevant department.
  - Third party recovery agencies will be used when appropriate. Where a third party agency is instructed to carry out activity on behalf of Southend Borough Council, information between the agency and the council will be in a secure electronic format.

## 6.0 Principles of Enforcement (All debt types)

- The Council will ensure that any enforcement action is:
  1. Proportional - a balance must be struck between the potential loss of income to the Council and the costs of the enforcement action.
  2. Consistent – That a similar approach to enforcement will be taken in similar circumstances to achieve consistency in the:

Advice given  
Powers used  
Recovery action taken

- At all times the following will be taken into account to inform the collection team of the severity of action to be taken.

The debtor's payment history  
The debtor's ability to pay  
The social circumstances or vulnerability of the debtor

- Transparent – that reasons and clear explanations will be given for any enforcement action taken.
- If action is required this should be within the guidance and should adhere to the Taking Control of Goods Regulations 2014 and should be clearly explained
- Timescales for actions must be clearly stated and within the regulations.
- A written explanation must be given of any rights of appeal the debtor may have against the enforcement action either before or at the time the action is taken, this will be agreed with our commercial partners during the procurement process and awarding of any contract.

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## 7.0 Collection specific to Sundry Debtors

- Sundry debtors are any other services the Council provides for which monies are due.
- Where practical payment must be received and funds cleared before services are provided “Payment In Advance”.
- Where payment cannot be made before the service is provided invoices must be raised within 5 working days. It is recognised that there will be exceptions where a department is waiting for information from another source e.g. Social Care assessments and service packs
- All invoices must be raised via the corporate debtors system Agresso, the exception being Housing Benefit overpayments, Council Tax and Business Rates which are raised through the Northgate system. Staff responsible for raising invoices/bills must be properly trained in the use of the relevant system. In all other cases invoices will be raised by the accounts receivable (AR) team unless otherwise agreed with the AR Manager.
- Each Department will ensure all invoices are supported by sufficient evidence of the liability to secure recovery through the courts. Such evidence is to be retained and may be requested for any future recovery process as required.
- All staff responsible for providing chargeable services and/or raising invoices must attend a Training Session by the Accounts Receivable Team. This ensures that they understand the principles of the corporate debt strategy and the implications arising from uncollectable debts. System access will be restricted so that only “staff” that completes the training, will be able to raise invoices on the system.
- Information provided on an invoice must include the following:-

What the bill or Liability is for

The Amount Due

How to make a payment

A contact point for all enquiries

The council will provide a choice of convenient methods of payments and details of these options will be advised on each Invoice.



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- In accordance with accounting principles, the budgets of the originating service will be credited with the value of the invoice at the time the invoice is raised. Where a disputed debt remains unpaid after 3 months the amount will be written back to the budget of the originating department. The Department will remain responsible for resolution of the debt and once paid will receive the income. Exceptions to this must be agreed between the service manager and the Accounts Receivable manager.
  - In line with the general principles of this strategy the originating department must show that payment in advance is considered before the service is provided. If this option is not practical the service should seek payment at the time service is delivered, provided that robust income collection arrangements are established. Sundry debtor accounts should only be raised as a last resort where payment in advance is inappropriate.
  - Before raising an invoice services must consider whether it is cost effective to do so. As a general rule services should not raise invoices for less than £10 unless they have a legal obligation to do so, for example, ground rent income.
  - Ownership of all sundry debts will be with the originating departments Budget Holder and it is only the originating departments that can:
    1. Issue an e-mailed/written instruction to cancel an invoice
    2. Correspond with or discuss with the debtor issues relating to the validity of the debt, which must be in line with the Council's charging and income policy.
    3. Deal with complaints relating to the provision of the service or the raising of the invoice.
  - Except for invoices payable by instalments or as otherwise contractually agreed, the settlement terms for all invoices will be 30 days.
  - Recovery action will commence no later than 10 days after the settlement date has fallen due. All recovery action is the responsibility of the relevant collection team.
  - Where initial recovery action has proved unsuccessful the debt will be referred back to the issuing department for further investigation to enable further recovery action to be taken. If proof of the debt cannot be provided upon request the debt will be considered for write off.

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## 8.0 Collection specific to Housing Benefit Overpayments

- Housing Benefit Overpayments (HBOPs) are not usually created for a person that owns their own home due to the nature of the Benefit, however it does occur in certain circumstances like when a person makes a fraudulent benefit claim and an overpayment is created after an investigation. Additionally overpayments may occur where there is a landlord of properties rented to tenants on benefit.
- A range of remedies are applied to collect overpaid benefit, these include issuing invoices and phoning debtors to secure repayment, deducting amounts from any on-going benefit entitlement, or by receiving payment through an attachment of earnings sent direct by the person's employer. Additionally the debts may be referred to external debt collection firms that undertake lettering, telephony and doorstep visiting strategies in an effort to secure repayment. Despite these efforts some HBOP debts remain uncollected and may require alternative remedies to secure their repayment.
- If the debtor is a home owner the Local Authority can apply for an application for a charging order to be made. This requires proceedings through the County Court, starting with obtaining a judgment against the debtor, however as the authority's local taxation team undertakes such action already when pursuing unpaid council tax, the process is understood, and is a remedy the County Court is familiar with the authority adopting.
- The success of all enforcement action lies in the selectivity of the cases chosen, and for HBOP the intention is to target debts of a significant value and where the debtor has a clear history of either failing to engage with us or make a suitable arrangement to repay their debts. In the circumstances the cases progressed for charging orders would be selected with the utmost care after forensic review and evaluation as part of a concerted effort to secure the repayment of debts owed to the Authority where no other enforcement remedy has proved successful

## 9.0 Authorisation limits for write offs

### Debt Type: Council Tax/ Accounts Receivable/Social Care/ Housing Benefit Overpayments

Designation	Amount
Assistant Manager	under £5,000
Manager	Up to £10,000
Director	Between £10,000 and £25,000
Cabinet	£25,000 and above

### Debt Type: NNDR (Non Domestic Rates)

Designation	Amount
Assistant Manager	under £5,000
Manager	Up to £10,000
Director	Between £10,000 and £25,000
Cabinet	£25,000 and above

### Debt Type: Parking

Designation	Amount
Notice Processing Officer & Section Leader	under £5,000
Section Leader	Between £5,000 and £10,000
Group Manager	Between £10,000 and £25,000
Cabinet	£25,000 and above

The Recovery Manager will produce a Monthly/Quarterly report for the Group Manager and Director of Service to inform of **All** write offs within the area.

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## 10.0 Methods of Recovery Action

When proof of debt has been confirmed the debt will be referred to the Accounts Receivable Team who will take the necessary action which could include Enforcement.

The first method of recovery will be to send cases for “Doorstep Recovery- Non Enforcement action.

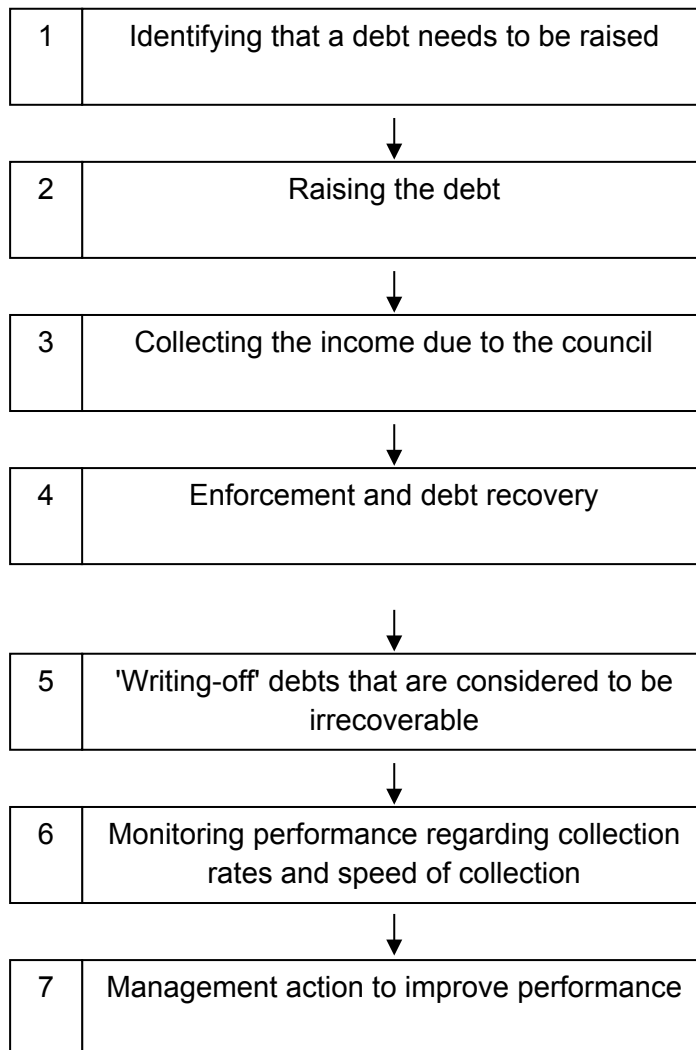
If the Council’s Collection Agents are not able to collect the debt, the statutory methods of enforcement will be considered as appropriate to each debt type. These methods include:-

1. Attachment of Earnings
  2. Warrants of execution
  3. High Court Enforcement Officer
  4. Insolvency
  5. Possession proceedings
  6. Third party Debt Orders
  7. Charging Order
  8. Enforced sale of assets
- These methods may only be used after a County Court Judgement is obtained. The methods will be used in accordance with the principles of Legal enforcement.
  - Further enforcement action will be taken where appropriate by converting the debt to a High Court Writ. The decision to convert the debt will be taken by the Revenues Group Manager in agreement with the relevant department Group Manager.
  - The costs of any enforcement action to recover sundry debts will be charged against the budget of the service raising the invoice and any costs recovered from the debtor will be credited against these budgets.
  - Where legally able to do so, services should suspend provision of future services to the debtor until outstanding debts are settled.
  - The Accounts Receivable Team will provide reports to business units on a regular basis usually Monthly/Quarterly, advising the amount of debt raised in the relevant period and the age and value of outstanding accounts.

- The business areas will receive reports detailing accounts which require a decision in relation to on-going recovery action. The reports will detail, but not be limited to, the following:-
  1. Accounts requiring county court action
  2. Accounts where recovery has been suspended by the originating unit
  3. Disputed accounts
  4. Accounts requiring other action
  5. Accounts suitable for write off
- Originating departments must review the reports and communicate their decisions regarding on-going recovery action to the relevant team within 10 working days of receipt of the report; any dispute must be resolved following the corporate complaints procedure timescales.
- The Accounts Receivable Manager will report the position of debts and any concerns regarding collection to the relevant Group Manager and Director as required.

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## 11.0 Debt management process



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## 12.0 Responsibilities to Directorates in the raising of invoices

Directorates responsible for raising invoices must note their responsibilities as part of the Debt recovery process.

### Stage 1

Each department is responsible for ensuring services provided are correctly invoiced and agreed with the recipient of the service. Payment in advance must be the approach taken to minimise debt and maximise income whenever possible.

All reasonable efforts must be made to credit check clients in the event of Payment in Advance not being an appropriate method.

### Stage 2

IF Payment in Advance is not appropriate:-

The raising of debts will be undertaken by the Accounts Receivable Team wherever possible and by exception will be undertaken by the directorates where agreed by the Chief Finance Officer (or deputy).

To aid debt collection, the Council will provide clear and prompt information about invoices and liabilities.

The information provided will show;

- What the Invoice or liability is for;
- The amount due;
- How to make payment
- Contact details for all enquiries.

When dealing with an organisation a Purchase Order must be obtained to quote on the invoice raised, as this is a commitment to pay from the organisation and should ensure prompt payment upon receipt.

All staff raising debt must have specific training and be made aware of their responsibilities before being authorised in the system to do so. Part of the process will be an assessment to determine if it would be more efficient to raise the debt centrally rather than devolved to a service.

### Stage 3

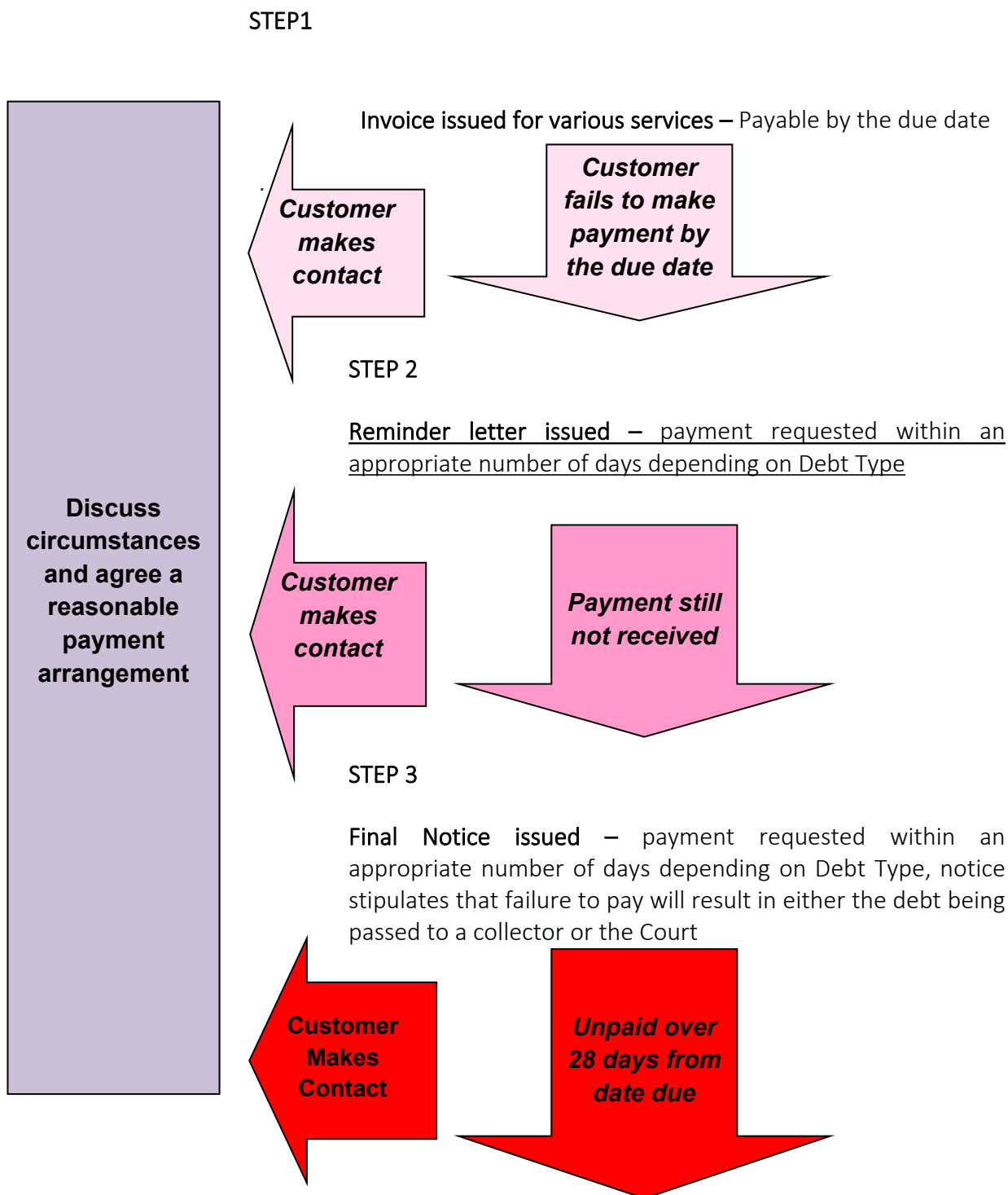
Debt will be collected and recovered through the relevant collection team

- a- Sundry Debtors - Accounts receivable
- b- Social Care - ACS Finance team (supplemented by Annex1 – Adult Social Care – Social Debt Policy)
- c- Parking Enforcement – APCOA third party contractor
- d- Council Tax – Council Tax Revenues Team
- e- Business Rates- Business Rates Revenues team
- f- Housing Benefit – HB Benefits Team

(Accounts receivable manager will support the ACS finance team and supply age debt reports on a monthly basis)



## 13.0 Stages of collection



Note: - Parking Enforcement follow the same principles, Legislation variances exist and are managed by the service area.

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Social Care: - Follows the same principles, complex issues do exist with managing case work. A separate social care strategy document is available which covers the complex issues however where issues do not exist the debts follow the same route to collection.

It is the responsibility of the service area to resolve disputed invoices.

The debt manager will monitor invoices ensuring they are resolved within agreed corporate timescales as laid out within the Corporate Complaints Process.

It is the responsibility of the Debt Manager to:-

- To promote a corporate approach towards sharing debtor information and managing multiple debts owed to the Council
- To acknowledge the role of the recognised advice agencies and to work with such agencies whenever possible
- To treat individuals consistently and fairly regardless of age, race, religion, gender, disability and sexual orientation.

## 14.0 Payment Arrangements

It is the responsibility of the debt manager to manage payment arrangements

- All payment arrangements will be closely monitored;
- Prompt action will be taken to collect the debt in respect of missed payments;
- The individual should be reminded that the date on which instalments are to be paid is the final date on which money should reach the Council's account;
- The responsibility remains with the individual for making sure they allow sufficient time for the payment to reach the Council's account by the due date;
- Action may be taken, even where payment is received shortly after the due date.
- When payment arrangements are not maintained, it is important to ensure that prompt action is taken (by the individual) to try and bring the arrangement back up to date. Although the Council ideally will require the original agreement to be brought up to date within a short timescale, if there has been a significant change in circumstances it may be possible to negotiate a new arrangement.

It is the responsibility of the Debt Manager to apply charges as agreed by the organisation:-

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- The first reminder letter will not carry a charge to the customer but will contain a notification that subsequent reminder letters may be subject to a charge.
  - The Council maintains the right to charge for reminder letters and statements.
  - The council maintains the right to charge interest on late payments of certain types of debt in accordance with the agreements in place.

**Specifically in relation to:-**

- a. Commercial rent agreements
- b. Social Care invoices where the payment is deferred until a client's asset is sold.

Stage 4

It is the responsibility of the service area to supply the relevant evidence/Documentation for the recovery process beyond the reminder stage is pursued.

It is the responsibility of the debt team to carry out all reasonable steps to collect income due to the council.

The debtor's team will manage and are responsible for the process of collection for those clients who **"Won't Pay"** and will use all reasonable action to collect outstanding debt for the service area.

The Debtor's team will manage the process for those clients that **"Can't Pay"** by making reasonable payment arrangements and sign posting for support on debt advice.

In the event of a service area dealing with a payment issue any decision outside of the corporate approach must be agreed by the debt manager.

Extra costs incurred in debt recovery (e.g. legal costs) will be charged to the originating department

Costs recovered through court activity will be credited back to the service area

Stage 5

Once all activity is exhausted and it is clear it is no longer cost effective to collect debts will be promptly written off against the business debt provision.

Budgetary provision is agreed each year to ensure it does not impact on current year services however the provision does impact on service budgets which makes it critical the earlier stages are strictly adhered to ensure service areas can continue to deliver services.

Where it is clear that a debt is uncollectable or is uneconomic to collect it will be promptly written off and the originating department will be charged

## Stage 6

It is the responsibility of the debt manager to provide management information on current debtors by means of an Aged debt report

Debt outstanding for more than 30 days will be reported with a narrative of actions to collect subject to appropriate de-minimus levels as agreed by the chief finance officer.

## Stage 7

Management action will be taken when necessary to improve performance regarding collection rates and speed of collection, this could include working with our commercial partners who have expertise in specific areas of recovery.

All debt will be invoiced and tracked on the corporate debtors system wherever possible. Where other systems are being used (e.g. PCN) these systems will be kept under review and the debts will be moved to the corporate system when practical. Where the use of the corporate debtors system is not appropriate the system used needs to be approved by the council's chief finance officer (or deputy) and the service area will be responsible for reporting the monthly debt position to ensure an accurate corporate debt position can be understood.

Ownership of the debt remains with the directorate originating the invoice

The directorate requesting the debt has a duty to assist and co-operate with the corporate function to ensure collection of debt

Annex 1

Adult Social Care – Social Debt Policy  
November 2017

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Introduction

Scope

Care Act 2014

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## Introduction

Southend Borough Council raises charges for a wide range of services across the organisation. All debts owed should be pursued according to the Corporate Debt Collection and Recovery Policy October 2017.

However it is acknowledged that within the role of the protection of vulnerable adults, there will be some debt that cannot be pursued in the same way. Within the strategy document these are referred to as social debts.

This document sets out the debt recovery process for social debts.

## Scope

Adult Social Care within the Department for People makes charges for the following services

- Contributions to residential accommodation
- Charges for Home Care services
- Charges for Community Support services
- Charges for day services
- Charges for transport to services
- Charges to other local authorities
- Charges to Health Authority

Adult Social Care charges are raised within the Department for People by Finance Officers within the Adult Social Care Finance Team, using the corporate financial system Agresso. The Corporate Accounts Receivable Team (AR) authorise the invoices and they are sent by post. If the invoice is unpaid the Agresso system will send 2 reminders at seven day intervals. If the invoice remains unpaid, recovery will pass back to Adult Social Care for action.

**The Care Act 2014** introduces a modern legal framework for the recovery of debts as a result of non- payment of care charges. This is covered in section 69 and 70 of the Care Act 2014. The key points are:

- Local authorities should clearly discuss with the person or their representative at the outset that care and support is a chargeable service. Provision of information and advice should cover the person's responsibility to pay for care and support
- Financial assessment – This should be carried out in a timely manner and the person/rep notified in writing of the outcome of the financial assessment, the frequency of invoice and payment methods. They should also be informed of their right to a review and what they should do if they disagree with their financial assessment.
- As part of the financial assessment process, LA's should find out if any person has an enduring Power of Attorney or Lasting Power of Attorney for property and financial affairs or a Court of Protection deputy for property and affairs or someone who has

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been given appointee-ship<sup>1</sup> for the purpose of benefit payments who is responsible for payment of the care and support charges.

- All LA's should have a process for identifying when a sum becomes due and at what point it becomes overdue and falls into a recovery process.
- The recovery process should include issuing reminder notices and either contacting the debtor by telephone or visiting. Comprehensive notes of any discussions with persons/ reps should be kept. A solicitor's letter rather than a standard system generated reminder letter has proved very effective in getting a response from a debtor who has not engaged with the LA previously.
- If there is any doubt over the person's capacity or safeguarding concerns the case should immediately be referred back to social care staff.
- Within the Care Act is an obligation to have considered and evidenced well-being. This should be followed through within debt recovery processes.

All people receiving services are financially assessed to ascertain what they should pay towards services and therefore there should be no reason for invoices to be unpaid. However service users may be elderly, vulnerable, lack capacity to understand charges and every unpaid invoice needs to be investigated to understand the reason for non-payment. Invoices raised for grant re-charges, NHS re-charges and to other local authorities, should not be raised until agreement is received from the third party.

From the start of a period of care enquiries are made about whether an adult has someone to help with finances and could be their contact instead of the individual service user. Social workers will ask when assessing for care and our financial assessment form also asks the question.

If someone falls into arrears we will ask again, as the adults health may have declined since the care started.

If an adult is in a care home setting they will usually have someone dealing with their finances. If they haven't and we are invoicing the adult at the home, then we would be checking systems for any notes and also contacting the care home. They again may have deteriorated and could no longer manage their own finances or we may not have been made aware of an admission to hospital.

All charges are made following financial assessment and so should be able to be paid. However Finance staff are fully appreciative that the adults we serve are vulnerable, often elderly and confused and although debts to the authority have to be collected, we act with sensitivity and respect for the adult.



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## Residential Care and Non-Residential Care Services

Each month 3 reports are run, residential care debt, non-residential care debt and various debts. These detail all debts over 30 days old. The various debt report is interrogated by the Finance Manager.

Finance Officers will interrogate the residential and non-residential debt reports and try to find out why an amount is unpaid e.g. by phoning the person direct, contacting families. Often these steps are sufficient to pay the debt.

Further actions include:

Interrogation of all systems to ensure invoices are being sent to the person with payment responsibility

Look at the financial assessment to ensure it is correct

Liaison with DWP if benefits are not in payment/suspended etc

Social workers made aware of the debt – to ensure there are no safeguarding/financial abuse issues

Refer to Legal Section for advice

Refer to independent advocacy service for assistance with debt issues

Follow Safeguarding procedure

Investigate settlement of estates, who is next of kin, executor

Gather further information that may cause the financial assessment to be revised and debts adjusted

All cases will be looked at individually and actions will vary from case to case.

In order to get to a level of consistency the following process will be followed:

- 1) Officer runs report
- 2) New debt is identified and report sheet is opened in Civica
- 3) Telephone contact- resolution or issue identified

### Dispute/Complaint

Decide who needs to resolve/investigate dispute, initiate on Civica

A 14 day reminder will be sent to officers work tray to ensure follow up action

Will result in payment, charge adjusted and paid or charge written off or waived.

### Billing Issue

Invoice may be unpaid as being sent to incorrect address or should be sent to a care-of address. Make correction resulting in payment. No further action.

### No Telephone Contact or Unsuccessful

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Standard letter 1 asks for contact to be made  
If no contact standard letter 2  
Still no contact, refer to social worker via Civica for contact at home  
May be resolved during a yearly review  
A recurring reminder will be sent to officers work tray to ensure follow up action  
If no resolution initiate safeguarding referral

### **Escalation Of Debt Issue**

If no resolution following safeguarding, a further Civica process is started sending an email to Finance Manager to consider legal action. The Local Authority should be seen to have taken all actions possible to negotiate following any dispute. Full chronology would be required by County Court.

The Finance Manager and Group manager will discuss how to resolve the debt.

### **Executors Accounts**

When the authority is advised of the death of an adult, invoices should be raised for services up to date of death and produce a balancing invoice. The officer will start a CIVICA process to ensure prompt debt recovery. The process will ask who is dealing with the estate and enquire at intervals about how the probate process is progressing.

### **Instalment Plans**

As charges are made following a financial assessment, all charges should be affordable. Instalments to clear arrears can be negotiated, however as ongoing charges need to be paid, regard needs to be made to that when setting an instalment plan.

The instalment plan should be made by ACS Finance Team as they are aware of what on-going payments will need to be made and how much someone could afford as an additional instalment

### **Deferred Payment Debt**

For people in residential care who own a property but have capital under £23,250.00, a Deferred Payment Agreement may be the option chosen.

Where a Legal Charge can be registered against the property land title, the accruing debt is secured. However there are occasions where it is not possible to secure with a land charge from the start of the placement. The land title may need to be corrected or capacity issues resolved. In this circumstance the resident or family member will be asked to sign a Letter of Agreement. This together with a chronology of evidence would be put to County Court in cases of dispute over payments.

Differing codes will be used to identify secured or un-secured debts for accountancy purposes.

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## Unrecoverable Debt

It should be considered whether a debt is uneconomic to pursue. All debt should follow the action timetable but following the 2<sup>nd</sup> letter it may be written off as uneconomic to collect. In general this would be for invoices under £50.00.

If all actions have been taken it may be that the debt is considered unrecoverable.

- 1) An estate may not have sufficient funds to pay invoices after death. The payment of funeral charges has first call on an estate. A request should be requested from family advising that the estate was spent on funeral .
- 2) Safeguarding investigation results in referral to the SBC Court of Protection Team for protection of finances. Once access has been gained to benefits/pensions/capital then there may be sufficient to pay all outstanding invoices. However it could also be that COP Team can pay future invoices once access has been gained to funds but that previous debt is written off. Although we refer to Police for investigation into financial abuse, very often they are unable to substantiate allegations and funds are not recovered. In this instance debt prior to SBC gaining access to funds is identified and written off.
- 3) Legal advice that cost of legal action would mean it uneconomical to pursue.

Distinction needs to be made between a waiver and a write-off.

- Waiver, charge should be made for a service but circumstances dictate that it is not reasonable to apply a charge
- Write-off, a charge has been correctly applied but has not been able to be collected

## Write-Off Process

Once all recovery actions have been exhausted and it is the agreement of the Finance Officer and Finance Team Manager that a debt will not be pursued:

- 1) Debt memo completed, signed as seen by Finance Team Manager and approved by Group Manager Customer Services and Finance. Copy of CIVICA action report to evidence actions taken.
- 2) Under £5k no further authority is required
- 3) Over £5k the papers will be signed as seen by Finance Team Manager and Group Manager and passed to AR Team for Director of Finance and Resources approval.
- 4) Write off documentation forwarded to AR Team and copy kept on client file on CIVICA system

Corporate authority levels for write-off:

Up to £5k Assistant Manager

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Up to £10,000 Manager  
Between £10,000 and £25,000 Director  
£25, 000 and above Cabinet

### **Waiver of Charges**

An invoice is raised following financial assessment. There are occasions when it is not reasonable to apply a charge

- 1) Service user/family not advise about charges at the start of care
- 2) Contradictory advice given regarding health funding and social care charges
- 3) Death prior to completion of the form, dependant on records kept.

The Finance Officer will email the relevant Team Manager with circumstances of the individual care. If Team Manager agrees the waiver, the response email will be filed on CIVICA If a charge is waived then no charge should be made. Any invoice raised should be cancelled and records kept on CIVICA.

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### **Exempt from Charges**

All service users are financially assessed to ascertain what they should pay for services. There may be rare occasions where the social worker will ask the Operational Team Manager for someone to be made exempt from charges. This may be if someone is threatening harm to themselves or others by applying a charge. Other examples could be waiting for application of benefits, family appropriating income and capital and awaiting safeguarding outcome.

A form is sent to the Finance Team; it should hold details of exemption and be time limited.

### **Charges to Health Authority**

Following formal notification of eligibility for health funding, if a recharge needs to be made an invoice is raised by the Senior Payments Officer.

Invoices are raised monthly and any non-payment will be picked up by the Senior Payments Officer and resolved in conjunction with the Group Manager

### **Charges to Other Local Authorities**

If another Local Authority places residents in Southend Borough Council establishment's invoices are raised at the full cost of care.

The other Local Authority will be responsible for collection of their own client contributions.

Collection of income will be the responsibility of the Finance Manager. Before placement a copy agreement should be made available to the Finance Manager in case of any query.

There should be no debt recovery necessary, at times there may be adjustments necessary in the event of service adjustment.

### **Residential Care Home Debt**

If a care home owes money to the authority due to an overpayment of fees, it will generally be deducted from payments to providers. There may be occasion when the care home has closed or changed ownership and an invoice needs to be raised. Usual debt recovery action will be followed.

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## Recording

- Monthly report is kept electronically
- Report is noted with actions taken
- Officer will note Civica system with actions taken and initiate a Civica record sheet
- Monthly meeting with Debt Officers, Finance Manager and Group Manager
- Monthly summary of outstanding debt, identifies real debt not amounts involved in direct debits.

## Credit Notes

An invoice may need to be credited, either in part or wholly, if information is made known to the Department after an invoice has been raised. For example:

- Reassessment of finances results in lower charge, invoice to be reduced. Financial assessment on CIVICA
- Home care visits/ day services charged for that did not take place. Provider information saved on CIVICA
- Date of death not made known to Finance Team, care charges made after death. Ensure date of death recorded on Carefirst

The Finance Officer will raise the credit on Agresso, ensuring documentary evidence is recorded on the EDRMS system or on Carefirst, or noted on the Access database. A Finance Manager will approve the credit on the Agresso system, ensuring separation of duties.

## Parked Debt

The recovery process can be halted if a debt is parked. If an invoice is parked then the reminder cycle will not be applied. Invoices should only be parked as a last resort and the Finance Officer needs to keep the parked item as a task to follow up. No invoice should be parked indefinitely. The Finance Officer should use the notes field to record why the invoice is being suspended

For example: service user deceased and with solicitor for probate.

: With Safeguarding and no contact to be made at this time

All parked invoices are reported on monthly by the AR Manager and sent to ACS Finance Manager for action.

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### The Complaint Date - Holding Reminders

The reminder cycle can be changed by inputting a complaint date against the invoice. Once the date arrives then the reminder cycle will again be activated.

The complaint date should be used in cases where the officer wishes the reminder cycle to be reinstated as opposed to be parked, in which case no reminders will be produced at any point. For example:

- Family member going on holiday, hold for 2 weeks.
- Application made for benefit

### Managing Safeguarding Concerns

Unpaid invoices may be the first sign of financial abuse.

If contact is not made or reasons for non-payment are not acceptable, within the workflow the matter will be referred to allocated social worker. If there is no allocated worker the referral is made to the Access Team. A form SETSAF1 is completed and the circumstances of the debt, contact attempted, responses received all noted on the form.

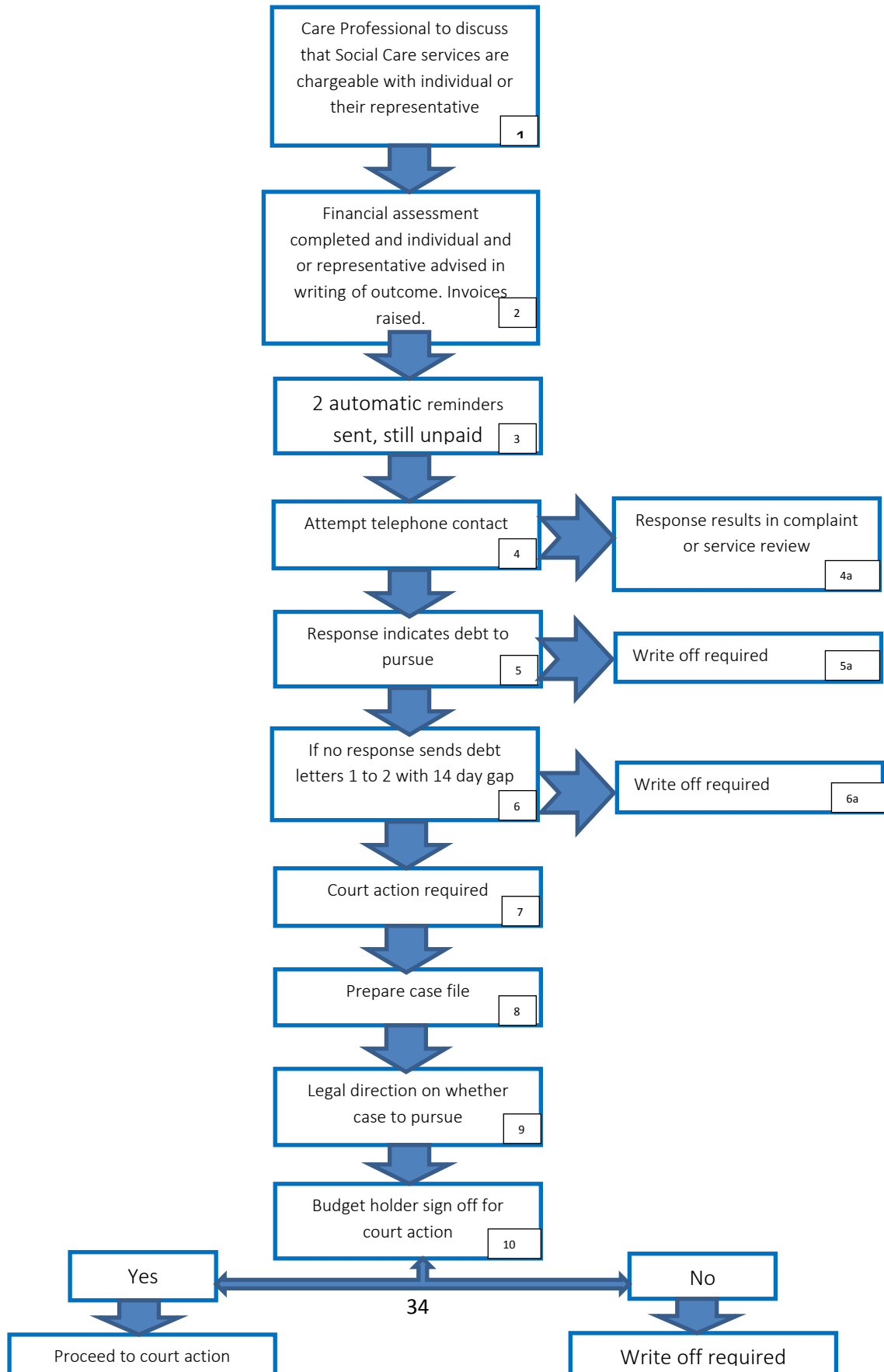
The following investigation may result in referral to Police and family meetings.

It is possible that the adult freely gave away monies and there is no fraud case to answer. In some cases the adult may have given money away when they retained capacity to manage their own money, but now having lost capacity nothing can be proven.

Application may be made by family or Southend Council for court appointed deputy. Once access to money has been arranged, it will be looked at to ascertain how much money is available to pay outstanding invoices. At that point early invoices may need writing off if the financial abuse happened at that time.

Every safeguarding case will be looked at on an individual basis.

### Debt Process Flowchart





# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of Chief Executive

to  
**Cabinet**

on

**7<sup>th</sup> November 2017**

Report prepared by: Bridget Cowley  
Group Manager - Revenues

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## **Business Rates Discretionary Relief Policy**

**Policy & Resources Scrutiny Committee**  
**Executive Councillor: Councillor A.J Moring**  
***A Part 1 Public Agenda Item***

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### **1. Purpose of Report**

- 1.1 To update the current policy in accordance with the Business Rates Discretionary Statutory powers and as specified in the guidance issued in March 2017 by the Department for Communities and Local Government to reflect the new rate reductions announced by the Chancellor in the 2016 Autumn Statement and 2017 Spring Budget.

### **2. Recommendations**

**That Cabinet;**

- 2.1 Approves the award of Public House Relief of up to £1,000 to qualifying businesses in occupation of Public Houses which have a rateable value of £100,000 or less in accordance with Discretionary Rate relief powers for the financial year 1 April 2017 to 31 March 2018 only subject to State Aid limits;**
- 2.2 Notes that the businesses to qualify for the relief must be a 'Public House' as detailed in 4.4 of this report;**
- 2.3 Notes that where a ratepayer demonstrates their entitlement to the Public House Relief, the Revenues Manager has the authority to award the relief;**
- 2.4 Approves the award of Local Newspaper Relief of up to £1,500 for office space occupied by local newspapers up to a maximum of one discount per local newspaper title and per hereditament, for the financial years 1 April 2017 to 31 March 2018 and 1 April 2018 to 31 March 2019 subject to State Aid limits;**
- 2.5 Notes that where a ratepayer demonstrates their entitlement to the Local Newspaper Relief, the Revenues Manager has the authority to award the relief;**

- 2.6 Approves the award of Supporting Small Business Relief (SSBR) to businesses who as a result of the change in their rateable value at the 2017 revaluation lost some or all of their small business relief in accordance with guidance given by Department for Communities and Local Government for the financial years 1 April 2017 to 31 March 2018 to 1 April 2021 to 31 March 2022, subject to State Aid limits;**
- 2.7 Approves the scheme and amount of Discretionary Business Rate Relief in accordance with section 7 and Appendix G of the revised policy subject to State Aid limits;**
- 2.8 Notes that the Council, through the National Non-Domestic Rate return process, seek full reimbursement of the cost of this relief from Central Government.**
- 2.9 Approves the amended Business Rates Discretionary Relief Policy at Appendix A.**

### **3. Background and Proposals**

- 3.1 In the 2016 Spring Budget the chancellor announced a £1,500 business rates discount for office space occupied by local newspapers, for two years with effect from 1 April 2017.
- 3.2 In the 2017 Spring Budget the Chancellor announced a further three new schemes of relief that would be available to ratepayers who are facing large increases in their Business Rate liabilities from 1 April 2017 as a result of the 2017 revaluation.
- 3.3 The Council has an approved Business Rates Discretionary Relief policy. Instead of changing legislation to allow these new reductions mentioned above, the Government has indicated that Councils should amend their Discretionary Relief powers to grant these reductions. The Government will reimburse the full cost of relief granted.
- 3.4 There are four changes that have been introduced by the Government that require the policy to be amended. The proposed policy is attached as Appendix A and the required changes are shown in the sections below. The key changes are;
  - A temporary relief of £1,000 for Public Houses with a rateable value of less than £100,000.
  - Office space occupied by local newspapers will receive relief of £1,500 up to a maximum of one discount per local newspaper title and per hereditament.
  - Those ratepayers who, as a result of the change in their rateable value following the 2017 revaluation are losing some or all of their small business or rural rate relief, will have a £50.00 per month cap applied to their bill.

- Discretionary Business Rate Relief Scheme (DBRR) which is designed to help those most affected by an increase in their rating valuations as a result of the 2017 revaluation. Every Local Authority will need to set a policy in relation to this new discretionary rate relief scheme introduced from April 2017.

3.5 It is inevitable that in some cases disputes will arise and the appeals procedures agreed on 18<sup>th</sup> March 2014 by Cabinet in the Business Rates Discretionary Relief Policy will also be applicable to any appeals raised under these schemes.

#### **4. Public House Relief - £1,000**

4.1 The Government recognises the important role that pubs play in urban and rural communities across the country. At Spring Budget 2017, the Chancellor announced a £1,000 business rate discount for public houses with a rateable value of up to £100,000 for one year from 1 April 2017.

4.2 The scheme will be available to eligible occupied properties with a rateable value of less than £100,000. The majority of pubs are independently owned or managed and will not be part of chains. Where pubs are part of a chain, relief will be available for each eligible property in the chain, subject to meeting State Aid requirements.

4.3 There is no definitive description of a traditional pub or public house in law which could be readily used by local authorities to determine eligibility. The objective has been to adopt an approach that makes the design and eligibility of the scheme easy to implement by local authorities in a clear and consistent way, is widely accepted by the industry and which is consistent with the Government's policy intention.

4.4 Government's policy intention is that eligible pubs should:

- be open to the general public
- allow free entry other than when occasional entertainment is provided
- allow drinking without requiring food to be consumed
- permit drinks to be purchased at a bar.

4.5 For these purposes, it should exclude:

- restaurants
- cafes
- nightclubs
- hotels
- snack bars
- guesthouses
- boarding houses
- sporting venues

- music venues
- festival sites
- theatres
- museums
- exhibition halls
- cinemas
- concert halls
- casinos

4.6 The proposed exclusions in the list at para 4.5 is not intended to be exhaustive and it will be for the Council to determine those cases where eligibility is unclear.

## **5. Newspaper Relief - £1,500**

5.1 The Government is committed to supporting a strong and vibrant local press. Local newspapers are at the heart of civic life for communities and they remain an important source of information and a vital part of a healthy democracy. In the Autumn Statement 2016, the Chancellor announced a £1,500 business rates discount for office space occupied by local newspapers, up to a maximum of one discount per local newspaper title and per hereditament, for two years from 1 April 2017.

5.2 The relief is to be specifically for local newspapers and by that, the Council means what would be considered to be a “traditional local newspaper”. The relief will not be available to magazines.

5.3 The hereditament must be occupied by a local newspaper and wholly and mainly used as office premises for journalists and reporters.

5.4 The amount of relief is limited to a maximum of one discount per newspaper title (e.g. per newspaper name) **AND** per hereditament. As with all discretionary relief, any grant will be subject to State Aid Limits.

## **6. Supporting Small Business Relief**

6.1 Central Government has increased the thresholds for Small Business Rate Relief from 1 April 2017 to £12,000 for the 100% relief and £15,000 for the tapered relief. Unfortunately, despite these changes, some small businesses may lose all or some of their entitlement to the relief due to increases in Rateable Value due to the revaluation on 1<sup>st</sup> April 2017.

6.2 The transitional relief scheme (provided under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016 No. 1265) does not provide support in respect of changes in reliefs.

6.3 The Supporting Small Business relief will help those ratepayers who as a result of the change in their rateable value are losing some or all of their Small Business Relief and, as a result, are facing large increases in their bills.

- 6.4 To support these ratepayers, the Supporting Small Business relief will ensure that the increase per year in the bills of these ratepayers is limited **to the greater of:**
- a. A percentage increase per annum. Of 5%, 7.5%, 10%, 15% and 15% 2017/18 to 2021/22 all plus inflation. For the first year of the scheme the percentage increase is taken against the bill for 31 March 2017 after small business rate relief;
  - Or**
  - b. A cash value of £600 per year (£50 per month).
- 6.5 In the first year of the scheme, this means all ratepayers losing some or all of their small business rate relief will see the increase in their bill capped at £600. The cash minimum is £600 per year thereafter. This means that ratepayers who in 2016/17 paid nothing under small business rate relief and are losing all of their entitlement to relief (i.e. moving from £6,000 rateable value or less to more than £15,000) would under this scheme be paying £3,000 in year 5.
- 6.6 The Government has also decided that those on the Supporting Small Business relief scheme whose 2017 rateable values are £51,000 or more will not be liable to pay the supplement (1.3p) to fund small business rate relief while they are eligible for the Supporting Small Businesses relief scheme.
- 6.7 Ratepayers will remain in the Supporting Small Businesses relief scheme for either 5 years or until they reach the bill they would have paid without the scheme.
- 6.8 A change of ratepayer will not affect eligibility for the Supporting Small Businesses relief scheme but eligibility will be lost if the property falls vacant or becomes occupied by a Charity or Community Amateur Sports Club.
- 6.9 The rules for state aid shall apply when considering Supporting Small Businesses Relief.
- 6.10 The amount of relief awarded under the Supporting Small Businesses relief scheme will be recalculated in the event of a change of circumstances including:
- A backdated change to the rateable value or the hereditament
  - Or**
  - The awarding of another relief.
- 6.11 The Council will calculate the award on a daily basis taking into account the above, and the relief will be re-calculated if the rateable value changes.
- 6.12 Hereditaments eligible for Charity or Community Amateur Sports Club relief or hereditaments which are unoccupied are not eligible for Supporting Small Businesses Relief. Likewise, the same principle applies to properties for which a Section 44A certificate has been granted (apportionment of rateable values for partly occupied properties). The presence of a section 44A certificate will not further reduce the bill found under the Supporting Small Business scheme.

6.13 In accordance with Central Government guidelines all other discretionary reliefs, will be considered **after** the application of Supporting Small Businesses relief.

## 7. Discretionary Business Rate Relief Scheme

7.1 In Spring Budget 2017, the Chancellor announced that he would make available a discretionary fund of £300 million over four years from 2017-18 to support those businesses that face the steepest increases in their business rates bills as a result of the revaluation. Government determined that Councils would be best placed to determine how this fund should be targeted and administered to support those businesses and locations within their area that are in the greatest need.

7.2 Every authority within England is to be provided with a share of a £300 million fund to support their local business. Southend-on-Sea Borough Council's share is as follows:

• Year 1 (2017/2018)	£322,000
• Year 2 (2018/2019)	£157,000
• Year 3 (2019/2020)	£64,000
• Year 4 (2020/2021)	<u>£9,000</u>
<b>Total</b>	<b><u>£552,000</u></b>

7.3 Councils will be compensated for any relief granted under section 31 of the Local Government Act 2003. Any annual underspend will need to be returned to the Treasury.

7.4 The council is keen to identify ratepayers who may qualify for the relief and as such will look to encourage certain ratepayers to apply. The council will look to simplify the application process wherever possible, but it will expect any ratepayers to provide such information as is required by the Council to support their application.

7.5 The amount of relief is tapered to mirror the reduction in Government funding and will be calculated as follows:

2017/18 award = relief to be granted in line with the scheme detailed in Appendix G of the Southend-on-Sea Borough Council Policy for the granting of Discretionary Non-Domestic Rate relief policy (at Appendix A)

2018/19 award = 2017/2018 award x 50%

2019/20 award = 2018/2019 award x 40%

2020/21 award = 2019/2020 award x 10%

7.6 As with all reliefs, the amount of relief awarded under the Discretionary Businesses Rates relief scheme will be recalculated in the event of a change of circumstances. This will include, for example, a backdated change to the rateable value or the hereditament. This change of circumstances could arise during the year in question or during a later year.

- 7.7 The Non-Domestic Rating (Discretionary Relief) regulations 1989 (S.I. 1989/1059) requires the Council to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, the Council may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.

## **8. Other Options**

- 8.1 As the award of relief is discretionary the Council could choose not to grant the relief if that is considered appropriate, for example if members consider the awarding of the relief would not be in accordance with the authorities wider objectives. However not awarding the relief will mean the funding being returned to Government.

## **9. Reason for Recommendations**

- 9.1 Central Government expects local authorities to grant relief to qualifying ratepayers and will fully reimburse billing authorities for the actual cost to them under the rates retention scheme. They are also expecting local authorities to amend their current business rates discretionary relief policy to enable the granting of the new relief benefits.

## **10. Corporate Implications**

- 10.1 Contribution to Council's Vision & Corporate Priorities.

The proposals in this report will contribute to the Council's priorities of Prosperous and Excellent.

These new schemes are considered to have a positive economic impact as it could provide around £620,000 to businesses in the borough over a four year period.

- 10.2 Financial Implications

The approval of this policy will allow for the release of Government funding to cover the cost of these new reliefs. It is estimated that in the region of 740 ratepayers may qualify for the new rate relief schemes with a total value estimated to be £620,000. The Government, will, in line with the eligibility put in the guidance, reimburse the Council through the Business Rates claim process.

- 10.3 Legal Implications

These new discretionary powers are introduced by the Localism Act 2011 under Section 47 of the Local Government Act 1988 as amended.

Discretionary Relief is required to be State Aid compliant where it is provided in accordance with the De Minimus Regulations (1407/2013). The De Minimus Regulations allow an undertaking to receive up to 200,000 Euros of De Minimus aid in a three year period (consisting of the current financial year and the two previous financial years). It will be necessary for each ratepayer who is awarded Discretionary Relief to notify the Council if they have received any other De Minimus State Aid, including any other Business Rate Relief they may have received on other property(s) which means they exceed the 200,000 Euros.

#### 10.4 People Implications

The people implications have been considered and there are none relevant to this report.

#### 10.5 Property Implications

The property implications have been considered and there are none relevant to this report.

#### 10.6 Consultation

The Council has consulted with the major preceptor in relation to the Discretionary Business Rate Relief Scheme and has had confirmation from the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority of their acceptance to the Council's proposal for this scheme and this has been taken into account when determining the criteria for the scheme.

There is no plan to carry out a full consultation in view of the required Government guidance on consultation and their requirements for Local Authorities to make the discretionary payments as soon as possible, and the fact that we are reimbursed all costs on any relief that is awarded.

#### 10.7 Equalities and Diversity Implications

This scheme is a Government initiative and therefore this Council has not undertaken an equality and diversity assessment, however, all reliefs granted will be in line with the agreed policy.

#### 10.8 Risk Assessment

Provided the scheme adopted is introduced strictly as specified in the guidance issued by the Department for Communities and Local Government, the council will be reimbursed through the Business Rates claim process.

#### 10.9 Value for Money

There are no specific implications as a result of this policy.

#### 10.10 Community Safety Implications

There are no Community Safety Implications.



10.11 Environmental Impact

There is no environmental impact

**11. Background Papers**

Government guidance on relief schemes

**12. Appendices**

Appendix A - Southend on Sea Borough Council Policy for the granting of Discretionary Non-Domestic Rate Relief (November 2017).

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# Appendix 1

## **Southend-on-Sea Borough Council Policy for the granting of Discretionary Non-Domestic Rate Relief**

**November 2017**



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## 1.0 Purpose of the Policy

- 1.1 The purpose of this policy is to determine the level of discretionary relief and related areas to be granted to certain defined ratepayers within the Council's area.
- 1.2 The Local Government Finance Act 1988 and subsequent legislation requires the Council to grant mandatory relief for premises occupied by Charities and similar organisations that own or occupy them wholly or mainly for charitable purposes. Likewise, certain premises situated within a rural settlement area will be eligible for mandatory relief. Powers have also been granted under the Localism Act 2011, which allow for the granting of discretionary rate relief to any premises where the Council feels the granting of such relief would be of benefit to the local community.
- 1.3 In addition to the above, Central Government is keen that in certain cases, assistance should be provided to businesses who have had increases in their rate liability due to the revaluation of premises in April 2017. In these cases, and where the Council meets Central Government guidelines, grants are available under section 31 of the Local Government Act 2003.
- 1.4 Whilst the Council is obliged to grant relief to premises, which fall within the mandatory category, the Council also has powers to grant discretionary relief and reductions to ratepayers, subject to certain criteria being met. In the case of the new reliefs, some guidance has been issued by Central Government outlining actions expected to be taken by local authorities. This policy includes Government guidance where appropriate but also looks to target discretionary relief in line with the Council's priorities.
- 1.5 This document outlines the following areas:
- Details of the criteria for receiving Discretionary Reliefs for all relevant areas;
  - The Council's policy for granting of all types of Discretionary Reliefs;
  - Guidance on granting and administering the reliefs and reductions;
  - European Union requirements including provisions for State Aid; and
  - The Council's Scheme of Delegation.
- 1.6 This document covers all aspects of discretionary rate relief (subject to changes in legislation). Where organisations apply for relief they will be granted (or not granted) relief or reductions in line with the following policy.

## 2.0 Mandatory Relief - Legislative Background

### Charity Relief

- 2.1 The powers relating to the granting of mandatory<sup>1</sup> and discretionary relief are given to the Council under the Local Government Finance Act 1988<sup>2</sup>. Charities and Trustees for Charities are only liable to pay one fifth of the Non-Domestic Rates that would otherwise be payable where property is occupied and used wholly or mainly for charitable purposes. This amounts to mandatory relief of 80%. For the purposes of the Act, a charity is an organisation or trust established for charitable purposes, whether or not it is registered with the Charity Commission. The provision has been extended under the Local Government Act 2003 (effective from 1<sup>st</sup> April 2004) to registered Community Amateur Sports Clubs (CASCs). Full details of the mandatory provisions are given later within this policy.
- 2.2 In the case of charity shops, the premises must meet the criteria laid down by section 64 (10) of the Local Government Finance Act 1988 which states that the premises are to be treated as used for charitable purposes at any time it is wholly or mainly used for the sale of goods donated to the charity and the proceeds of goods (after any deductions for expenses) are applied for the purpose of the charity.
- 2.3 The Council has discretion to grant relief of up to a further 20% for these mandatory cases under its discretionary provisions.

### Rural Rate Relief

- 2.4 From 1<sup>st</sup> April 1998, under powers originally granted to the Council by the Local Government and Rating Act 1997<sup>3</sup>, certain types of business in rural settlements, with a population below 3000 may qualify for mandatory rate relief of 50 per cent. Businesses that qualify for this relief are the sole general store and the sole post office in the settlement, provided it has a Rateable Value of up to £8500; any food shop with a Rateable Value of up to £8500; and the sole pub and the sole petrol station in the settlement provided it has a Rateable Value of up to £12500.
- 2.5 From 1<sup>st</sup> April 2017, Central Government has indicated that it wants all authorities to give 100% relief to premises that receive mandatory rural rate relief. The legislation enabling this will not be forthcoming until 2018 and therefore it has indicated that where the additional 50% is granted, a section 31 grant will be made available to the Council.
- 2.6 At the current time, there are no Rural Settlements within the Council's area.

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<sup>1</sup> S43 & S45 Local Government Finance Act 1988

<sup>2</sup> S47 & S48 Local Government Finance Act 1988

<sup>3</sup> LGFA 1988, s.47, as amended by Sch. 1 to the Local Government and Rating Act 1997



## 3.0 Discretionary Relief – Legislative Background

### Introduction

- 3.1 The original purpose of discretionary relief was to provide assistance where the property does not qualify for mandatory relief, or to ‘top’ up cases where ratepayers already receive mandatory relief.
- 3.2 Over recent years and particularly since 2011, the discretionary relief provisions have been amended to allow authorities the flexibility to provide more assistance to businesses and organisations.
- 3.3 The range of bodies, which are eligible for discretionary rate relief, is wide and not all of the criteria laid down by the legislation will be applicable in each case.
- 3.4 Unlike mandatory relief, ratepayers are obliged to make a written application to the Council. The Council will expect all businesses to make applications in such a format as is required (which may vary from time to time) and for the business to provide such information and evidence as required in order to determine whether relief should be awarded.
- 3.5 The Council is obliged to consider carefully every application on its merits, taking into account the contribution that the organisation makes to the amenities within the authority’s area. There is no statutory appeal process or Tribunal against any decision made by the Council although as with any decision of a public authority, decisions can be reviewed by Judicial Review. The authority will however, upon request, review decisions made. Details of the internal review process are given within this policy.
- 3.6 Granting of the relief falls broadly into the following categories:
  - a. Discretionary Relief – Charities who already receive mandatory relief.
  - b. Discretionary Relief – Premises occupied by organisations not established or conducted for profit whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts **or** premises occupied by organisations not established or conducted for profit and wholly or mainly used for purposes recreation;
  - c. Discretionary Relief – Granted under the Localism Act 2011 provisions;
  - d. Local Newspaper Relief (from 1<sup>st</sup> April 2017 for a period of two years);
  - e. Local Public House Relief (from April 2017 for a one year period);
  - f. Supporting Small Businesses Relief (from 1<sup>st</sup> April 2017 for a period of five years or until business pay their full rate charge or their transitional rate charge (calculated in accordance with the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016); and
  - g. Discretionary Business Rates Relief Scheme (from 1<sup>st</sup> April 2017 for a period of up to four years)
- 3.7 The decision to grant or not to grant discretionary relief is a matter purely for the Council.

## The Council's general approach to granting Discretionary Relief

- 3.8 In deciding which organisations should receive discretionary rate relief, the Council has considered the following factors and priorities:
- a. That any award should support business, charities, organisations and groups that help to retain services in the Council's area and not compete directly with existing businesses in an unfair manner;
  - b. It should help and encourage business, charities, organisations, groups and communities to become self-reliant;
  - c. Awarding discretionary relief should not distort competition or significantly change the provision of services within the Council's area;
  - d. Local organisations will be given priority over national organisations. Where requested, the organisation will need to supply the Council with clear evidence of **all** financial affairs including, and most importantly, the amounts of monies raised, used and invested locally. This will be essential where the organisation is national in nature;
  - e. To enable appropriate organisations to start, develop or continue their activities, which deliver outcomes to the community and that also relate to the priorities of the Council, which without granting discretionary relief they would be unable to do;
  - f. To assist the Council in delivering services which could not be provided otherwise;
  - g. To enable the Council to determine the level of rate change in comparison with the organisation's financial situation; and
  - h. To ensure that the financial impact of awarding discretionary business rate relief is justified in terms of the local outcomes achieved by the organisation receiving it;
- 3.9 Where any reduction or remission is granted to a ratepayer under S49 Local Government Finance Act 1988 where hardship is proven to the Council, then there will be no requirement to grant Discretionary Rate Relief for that amount.
- 3.10 In certain cases, the order in which relief is granted is specified. Mandatory relief shall be granted in all cases where the criteria is met irrespective of whether discretionary relief can be granted or not.

## The Council's approach to granting Government led Discretionary Relief schemes

- 3.11 Over the past few years, a number of schemes have been led by Central Government but without specific legislative changes. These are administered under S47 of the Local Government Finance Act 1988 and guidance is often provided. The Council is keen to support such initiatives especially where they are designed to help local businesses and will look to maximise both the reliefs given as well as maximising any grants receivable. However, the Council reserves the right to vary its approach where thought appropriate.

## 4.0 Effect on the Council's Finances

- 4.1 The granting of discretionary relief will, in the main, involve a cost to the Council. Since the change to the funding for Non-Domestic Rating in April 2013, the effect of the relief is complex.
- 4.2 Any amounts granted prior to 1<sup>st</sup> April 2013 and continuing since that date will be included in the Council's baseline within the Business Rates Retention Scheme. Any amounts granted for similar cases after 1<sup>st</sup> April 2013, the costs of the relief will be borne in accordance with the Business Rates Retention Scheme share namely 50% borne by Central Government and 50% by the Council. This also applies where mandatory relief is granted.
- 4.3 Where Central Government leads an initiative, grants are often available through section 31 of the Local Government Act 2003. This is not automatic and Central Government will look to the Council to adopt the recommended approach when granting in these areas
- 4.4 The financial effects of discretionary reliefs covered by this policy are as follows:

Appendix	Relief Type	Granted after 1 <sup>st</sup> April 2013
	<b>Charity Relief</b>	
A	Discretionary relief granted to Mandatory Relief recipients	50% borne by the Council
B	Non-profit Making Organisations including Sports Clubs and societies	50% borne by the Council
	<b>Localism</b>	
C	Discretionary Relief granted to ratepayers generally and not covered by any other section	50% borne by the Council
	<b>Local Newspaper Relief</b>	
D	Discretionary Relief granted to local newspapers meeting the criteria (From 1 <sup>st</sup> April 2017 for a period of two years)	Section 31 Grant
	<b>Public House Relief</b>	
E	Discretionary Relief granted to public houses meeting the criteria (From 1 <sup>st</sup> April 2017 for a period of one year)	Section 31 Grant
	<b>Supporting Small Business Relief</b>	
F	Supporting Small Businesses Relief (from 1 <sup>st</sup> April 2017 for a period of up to five years if conditions are met)	Section 31 Grant
	<b>Discretionary Business Rates Relief Fund</b>	
G	Discretionary Business Rates Relief Fund (from 1 <sup>st</sup> April 2017 for a period of up to four years)	Section 31 Grant up to a maximum level set by Central Government. Once the maximum has been reached any additional amount is borne 50% by the Council

Appendix	Relief Type	Granted after 1 <sup>st</sup> April 2013
	<b>S49 Hardship Relief</b>	
H	Partial or full relief for cases of hardship where it would be reasonable to do so having due regard to the interests of council tax payers	50% borne by the Council

## 5.0 Discretionary Relief – EU State Aid requirements

- 5.1 European Union competition rules generally prohibit Government subsidies to businesses. Relief from taxes, including non-domestic rates, can constitute state aid. The Council must bear this in mind when granting discretionary rate relief.
- 5.2 Rate relief for charities and non-profit making bodies is not generally considered to be state aid, because the recipients are not in market competition with other businesses. However, where other bodies receive relief and are engaged in commercial activities or if they are displacing an economic operator or if they have a commercial partner, rate relief could constitute state aid.
- 5.3 Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)<sup>4</sup>. The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three-year period (consisting of the current financial year and the two previous financial years).
- 5.4 Where the relief to any one business is greater than the De Minimis level, then permission will need to be obtained from the European Commission. In such cases the matter will be referred to the Department for Communities and Local Government (DCLG) for advice and then referred back to the Council for consideration. It will be for the ratepayer to provide confirmation as to whether the State Aid provisions apply to them.
- 5.5 In all cases, where discretionary relief is to be granted or where liability is to be reduced, when making an application, ratepayers will be required to provide the Council with sufficient information to determine whether these provisions are applicable in their case.

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<sup>4</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>

## 6.0 Administration of Discretionary Relief

- 6.1 The following section outlines the procedures followed by officers in granting, amending or cancelling discretionary relief and reduction. This is essentially laid down by legislation<sup>5</sup>

### Applications and Evidence

- 6.2 All reliefs must be applied for. Application forms are produced by the Council both in hard copy and electronic format. The relevant application forms are included within Appendix H of this policy. The Council will specify how applications are to be received and this may vary from time to time.
- 6.3 Organisations are required to provide a completed application form plus any such evidence, documents, accounts, financial statements etc. necessary to allow the Council to make a decision. Where insufficient information is provided, then no relief will be granted. In some cases, it may be necessary for officers to visit premises and we would expect organisations claiming relief to facilitate this where necessary.
- 6.4 Applications should initially be made to the Revenues Section and will be determined in accordance with Section 7 of this policy.
- 6.5 The Council will provide this service and guidance free of charge. Ratepayers are encouraged to approach the Council direct and not pay for such services through third parties.

### Granting of relief

- 6.6 In all cases, the Council will notify the ratepayer of decisions made.
- 6.7 Where an application is successful, then the following will be notified to them in writing:
- The amount of relief granted and the date from which it has been granted;
  - If relief has been granted for a specified period, the date on which it will end. (It should be noted that reliefs are granted for the period specified in the appropriate Appendix and may vary from a day to a full financial year);
  - The new chargeable amount;
  - The details of any planned review dates and the notice that will be given in advance of a change to the level of relief granted; and
  - A requirement that the applicant should notify the Council of any change in circumstances that may affect entitlement to relief.
- 6.8 Where relief is not granted then the following information is provided, again in writing:
- An explanation of the decision within the context of the Council's statutory duty; and
  - An explanation of the appeal rights (see below).
- 6.9 Discretionary relief is to be granted from the beginning of the financial year in which the decision is made. Since 1997 decisions can be made up to 6 months after the end of the financial year for which the application was made. In such cases, the Council *may* backdate its decision.

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<sup>5</sup> The Non-Domestic Rating (Discretionary Relief) Regulations 1989

- 6.10 A decision to award discretionary relief and how much relief is given is normally only applicable to the financial year for which the application is made. However, the Council reserves the right to grant relief for any other period as appropriate.
- 6.11 A fresh application for discretionary relief will be necessary for each financial year **or** at such time-period as the Council determines.

### **Variation of a decision**

- 6.12 Variations in any decision will be notified to ratepayers as soon as practicable and will take effect as follows:
- Where the amount is to be increased due to a change in rate charge or a change in the Council's decision which increases the award – this will apply from the date of the increase in rate charge or the date determined by the Council as appropriate;
  - Where the amount is to increase for any other reason it will take effect at the expiry of a financial year, and so that at least one year's notice is given;
  - Where the amount is to be reduced due to a reduction in the rate charge or liability including any reduction in rateable value, awarding of another relief or exemption this will apply from the date of the decrease in rate charge; and
  - Where the amount is to be reduced for any other reason, it will take effect at the expiry of a financial year, and so that at least one year's notice is given.
- 6.13 A decision may be revoked at any time, however, a one year period of notice will be given and the change will take effect at the expiry of a financial year.

## **7.0 Scheme of Delegation**

### **Granting, Varying, Reviewing and Revocation of Relief**

- 7.1 All powers in relation to reliefs are given under the Local Government Finance Act 1988, the Local Government and Rating Act 1997, the Local Government Act 2003 and the Localism Act 2011. However section 223 of the Local Government Act 1992 allows for delegation of decisions by the Council to Cabinet, Committees, Sub-Committees or Officers.
- 7.2 The Council's scheme of delegation allows for the Revenues Manager to award, revise or revoke any discretionary relief applications. However, any application which is considered to be of a significant nature will be subject to consultation with the S151 Officer of the Council, and / or the relevant Executive member prior to final determination.
- 7.3 Applications that are refused will, on request, be reconsidered if additional supporting information is provided or the refusal is subsequently considered to be based on a misinterpretation of the application.

### **Reviews**

- 7.4 The policy for granting relief will be reviewed annually or where there is a substantial change to the legislation or funding rules. At such time, a revised policy will be brought before the relevant committee of the Council.
- 7.5 The Revenues Manager will submit a report on a six-monthly basis to the section 151 Officer summarising the position on applications received, granted and not granted.

### **Appeals**

- 7.6 Where the Council receives an appeal from the ratepayer regarding the granting, non-granting or the amount of any discretionary relief, the case will be reviewed by the Revenues Manager. Where a decision is revised then the ratepayer shall be informed, likewise if the original decision is upheld.
- 7.7 Where the ratepayer continues to be aggrieved by the decision, the case will be referred to the section 151 Officer for review. Where appropriate, cases of this nature may also be referred to the Executive member as appropriate.
- 7.8 Ultimately the formal appeal process for the ratepayer is Judicial Review although the Council will endeavour to explain any decision fully and openly with the ratepayer.



## **Appendix A**

### **Discretionary Relief – Mandatory Relief recipients**

## Discretionary Relief – Mandatory Relief recipients

### General Explanation

- A.1 S43 of the Local Government Finance Act 1988 allows mandatory relief (80%) to be granted on premises if the ratepayer is a charity or trustees for a charity and the premises are wholly or mainly used for charitable purposes. No charge is made in respect of unoccupied premises where it appears that *when next in use* it will be used wholly or mainly for those purposes.
- A.2 The legislation has been amended by the Local Government Act 2003 (effective from 1<sup>st</sup> April 2004) to include registered<sup>6</sup> Community Amateur Sports Clubs (CASC). These organisations can now receive the mandatory (80%) relief.

### Charity registration

- A.3 Charities are defined within the legislation as being an institution<sup>7</sup> or other organisation established for charitable purposes only or by persons administering a trust established for charitable purposes only.
- A.4 The question as to whether an organisation is a charity may be resolved in the majority of cases by reference to the register of charities maintained by the Charity Commissioners under s.4 of the Charities Act 1960. Entry in the register is conclusive evidence. By definition, under the Non-Domestic Rating legislation, there is no actual need for an organisation to be a registered charity to receive the relief and this has been supported by litigation<sup>8</sup>, however in all cases the organisation must fall within the following categories:
- trusts for the relief of poverty;
  - trusts for the advancement of religion;
  - trusts for the advancement of education; and
  - trusts for other purposes beneficial to the community, but not falling under any of the preceding heads.
- A.5 Certain organisations are exempted from registration generally and are not required to make formal application to the Charity Commissioners these are:
- the Church Commissioners and any institution administered by them;
  - any registered society within the meaning of the Friendly Societies Acts of 1896 to 1974;
  - units of the Boy Scouts Association or the Girl Guides Association; and
  - voluntary schools within the meaning of the Education Acts of 1944 to 1980
- A.6 The Council would consider charitable organisations, registered or not, for mandatory relief.

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<sup>6</sup> Registered with HMRC as a CASC

<sup>7</sup> S67(10) Local Government Finance Act 1988

<sup>8</sup> Income Tax Special Commissioners v Pemsell (1891)

## Use of Premises – wholly or mainly used

- A.7 Irrespective of whether an organisation is registered as a charity or not, the premises **must** be wholly or mainly used for charitable purposes. This is essential if any relief (either mandatory or discretionary) is to be granted. In most cases this can be readily seen by inspection but on occasions the Council has had to question the actual use to which the premises are to be put. In some cases it will be necessary for the Council to inspect any premises fully.
- A.8 Guidance from the Department of Communities and Local Government (DCLG) has stated that in the case of 'mainly', at least 51% must be used for charitable purposes whether of that charity or of that and other charities
- A.9 The following part of this section gives details on typical uses where relief may be given plus additional criteria that have to be satisfied. The list is not exhaustive but gives clear guidance on premises for which mandatory relief can be granted *and therefore* premises which may be equally considered for discretionary rate relief.

## Offices, administration and similar premises

- A.10 Premises used for administration of the Charity including:
- Offices
  - Meeting Rooms
  - Conference Rooms

## Charity shops

- A.11 Charity shops are required to meet additional legislative criteria if they are to receive mandatory relief. Section 64(10) of the Local Government Finance Act 1988 provides that a property is to be treated as being wholly or mainly used for charitable purposes at any time if, at the time, it is wholly or mainly used for the sale of goods donated to a charity and the proceeds of the sale of the goods (after any deduction of expenses) are applied for the purposes of the charity.
- A.12 In order to ascertain whether an organisation meets these requirements, inspections may be made by an officer of the Council when an application is received

## Granting of Mandatory Relief - the Council's Policy

- A.13 Where the criteria for awarding mandatory relief are met, the rate charges shall be calculated in accordance with the legislation reducing the liability of ratepayers for each day that the criteria are met.

## **Charity Relief – Mandatory Relief recipients, the Council's Policy for granting discretionary relief.**

- A.14 The Council will consider applications for a discretionary rate relief top up from charities based on their own merits, on a case-by-case basis.
- A.15 In determining the application the following matters will be taken in to consideration:
1. How the charity supports and links into the Council's corporate vision and priorities;
  2. The purpose of the charity and the specific activity carried out within the premises for which the relief is requested; and
  3. Whether the charity operates at a local or national level and where appropriate, the local and national funding streams and financial position of the charity;
- A16 The Council is keen to support businesses that have a critical role to play in the local economy and to assist the Council in meeting the Corporate aims including to:
- Create a safe environment across the town for residents, workers and visitors;
  - Look after and safeguard our children and vulnerable adults;
  - Promote the use of green technology and initiatives to benefit the local economy and environment;
  - Encourage and enforce high standards of environmental stewardship;
  - Promote healthy and active lifestyles for all;
  - Enable the planning and development of quality, affordable housing
  - Work with the public and private rented sectors to provide good quality housing
  - Improve the life chances of our residents, especially our vulnerable children and adults, by working to reduce inequalities and social deprivation across our communities and
  - Ensure the town is 'open for business' and that new, developing and existing enterprise is nurtured and supported
- A.17 In the case of registered Community Amateur Sports Clubs, the key criteria in determining the application will be:
1. The ratepayer occupies the whole hereditament;
  2. Relief cannot be granted in respect of premises that are occupied by the Council or precepting authority;
  3. How the CASC supports and links into the Council's corporate vision and priorities;
  4. The membership and fee structure, and whether the CASC is accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
  5. Membership numbers and the number and percentage of these members that are local residents;
  6. If the CASC has due regard to equality issues and if it actively encourages members from under-represented groups, for example black and minority ethnic residents, people over 50 and people with disabilities;
  7. Whether facilities are available to the wider community regardless of ability. We will also require additional financial information including:
  8. If the CASC runs a bar or food provision, the level of income from this activity and how this money is used; and whether the CASC operates at a local or national level and where appropriate, the local and national funding streams and financial position of the CASC. Details of bar profits are outlined further within this policy.
- A18 The Council wishes to support and enable appropriate businesses to start, develop and continue with their operations that deliver outcomes directly related to the Council's aims and vision. In the

main this will be done through other means rather than granting discretionary relief. There may be occasions where applications are made for such relief or where a package of measures, including discretionary relief, are appropriate in supporting businesses. This would need to be in accordance with any limitations in respect of state aid.

## **Appendix B**

### **Discretionary Relief – Non Profit Making Organisations including Recreation**

# Discretionary Relief – Non-Profit Making Organisations including Recreation

## General explanation

### Non-Profit

- B.1 The legislation<sup>9</sup> allows the Council to grant discretionary relief where the property is not an *excepted* one and all or part of it is occupied for the purposes of one or more institutions or other organisations none of which is established or conducted for profit and each of whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts.
- B.2 Relief cannot be granted to any premises occupied by the Council, or any town, parish council or major Precepting Authority (*excepted premises*).
- B.3 A number of issues arise from the term 'not established or conducted for profit'. This requires the Council to make enquiries as to the overall purpose of the organisation although if surpluses and such amounts are directed towards the furtherance or achievement of the objects of the organisation then it does not necessarily mean that the organisation was established or conducted for profit.

### Recreation Clubs

- B.4 Ideally all recreation clubs should be encouraged to apply for Community Amateur sports Club (CASC) status, which would automatically entitle them to 80% relief. The relief granted to CASCs is covered earlier within this policy.
- B.5 Recreation clubs can also apply to the Charity Commissioners for registration as a Charity (thereby falling under the mandatory provisions for 80% relief) where they meet the following conditions:
- a. The promotion of community participation in healthy recreation and by the provision of facilities for the playing of particular sports; and
  - b. The advancement of the physical education of young people not undergoing formal education.
- B.6 Where sports clubs do not meet the CASC requirement, and are not registered charities, discretionary relief can be granted (0-100%) where the property is not an *excepted* one, it is wholly or mainly used for purposes of recreation and all or part of it is occupied for the purpose of a club, society or other organisation not established or conducted for profit.

## Definition of Recreation

- B.7 Recreation is clearly defined by the Sports Council as any of the following<sup>10</sup>

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<sup>9</sup> S47 Local Government Finance Act 1988

<sup>10</sup> Definition last reviewed by Sport England in 2002

Aikido	Croquet	Kabaddi	Real Tennis	Tang Soo Do
American Football	Crossbow	Karate	Roller Hockey	Tenpin
Angling	Curling	Kendo	Roller Skating	Bowling
Archery	Cycling	Korfball	Rounders	Trampoline
Arm Wrestling	Disability Sport	Lacrosse	Rowing	Triathlon
Association	Dragon Boat Racing	Lawn Tennis	Rugby League	Tug of War
Football	Equestrian	Life Saving	Rugby Union	Unihoc
Athletics	Fencing	Luge	Sailing	Volleyball
Australian Rules	Fives	Modern Pentathlon	Sand/Land	Water Skiing
Football	Flying	Motor Cycling	Yachting	Weightlifting
Badminton	Gaelic Football	Motor Sports	Shinty	Wrestling
Ballooning	Gliding	Mountaineering	Shooting	Yoga
Baseball	Golf	Movement, Dance,	Skateboarding	
Basketball	Gymnastics	Exercise & Fitness	Skiing	
Baton Twirling	Handball	Netball	Skiing	
Biathlon	Hang/Para Gliding	Orienteering	Snowboarding	
Bicycle Polo	Highland Games	Parachuting	Softball	
Billiards and	Hockey	Petanque	Sombo Wrestling	
Snooker	Horse Racing	Polo	Squash	
Bobsleigh	Hovering	Pony Trekking	Skater/Street	
Boccia	Hurling	Pool	Hockey	
Bowls	Ice Hockey	Quoits	Sub-Aqua	
Boxing	Ice Skating	Racketball	Surf Life Saving	
Camogie	Jet Skiing	Rackets	Surfing	
Canoeing	Ju Jitsu	Raquetball	Swimming &	
Caving	Judo	Rambling	Diving	
Chinese Martial			Table Tennis	
Arts			Taekwondo	
Cricket				

## Access to clubs

- B.8 Guidance issued by the DCLG also requires the Council to consider access to clubs within the community before granting discretionary relief.
- B.9 Membership should be open to all sections of the community. There may be legitimate restrictions placed on membership which relate for example to ability in sport or to the achievement of a standard in the field covered by the organisation or where the capacity of the facility is limited, but in general membership should not be exclusive or restrictive.
- B.10 Membership rates should not be set at such a high level as to exclude the general community. However, membership fees may be payable at different rates that distinguish the different classes of membership such as juniors, adults, students, pensioners, players, non-players, employed and unemployed. In general, the club or organisation must be prepared to show that the criteria by which it considers applications for membership are consistent with the principle of open access.
- B.11 The Council also asks the following question to help establish the level of access 'Does the organisation actively encourage membership from particular groups in the community e.g. young people, women, older age groups, persons with disability, ethnic minorities' etc.?'



## **Provision of facilities**

- B.12 Clubs which provide training or education are encouraged as are those who provide schemes for particular groups to develop their skills e.g. young people, the disabled, retired people.
- B.13 A number of organisations run a bar. The mere existence of a bar will not in itself be a reason for not granting relief. However the Council focuses on the main purpose of the organisation. The Council is encouraged to examine the balance between playing and non-playing members.
- B.14 Within this area the Council also considers whether the facilities provided relieve the Council of the need to do so, or enhance and supplement those that it does provide.

## **Discretionary Relief - Non-Profit Organisations including Recreation – the Council's Policy**

- B.15 The Council will consider applications for discretionary rate relief from non-profit making organisations on their own merits on a case-by-case basis. In determining the application, the following matters will be taken in to consideration (The list is not exhaustive):
- How the organisation supports and links into the Council's corporate vision and priorities;
  - Whether the facilities provided include education and/or training for members as a whole or for special groups;
  - The extent to which the facilities provided reduce the demand for Council services or produce savings;
  - Any membership and fee structure and whether the facilities are accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
  - If covered by a membership scheme, membership numbers and the number and percentage of these members that are local residents;
  - If the organisation has due regard to equality issues and if its facilities are used by all members of the community, for example black and minority ethnic residents, people over 50 and people with disabilities.
- B.16 The Council will also require additional financial information including:
- If the organisation runs a bar or food provision, the level of income from this activity and how this money is used. For information, the level of the relief awarded will be reduced if the net income from the bar and gaming machines, expressed as a percentage of total income, is 30% or greater; and
  - Whether the organisation operates at a local or national level and where appropriate, the local and national funding streams and financial position of the organisation.

## **Appendix C**

### **Discretionary Relief – Localism Act 2011**

## Discretionary Relief – Localism Act 2011

### General explanation

- C.1 Section 69 of the Localism Act 2011 amended Section 47 of the Local Government Finance Act 1988. These provisions allow all Councils to grant discretionary relief in **any** circumstances where it feels fit having regards to the effect on the Council Tax payers of its area.
- C.2 The provisions are designed to give authorities flexibility in granting relief where it is felt that to do so would be of benefit generally to the area and be reasonable given the financial effect to Council Tax payers.

### Discretionary Relief – Localism – the Council’s Policy

- C.3 Applications will be considered from any ratepayer who wishes to apply. However, where a ratepayer is suffering hardship or severe difficulties in paying their rates liability then relief can be granted under the existing provisions as laid down by Section 49 of the Local Government Finance Act 1988. There will be no requirement to grant relief in such cases under the Council’s discretionary relief policy.
- C.4 Any ratepayer applying for discretionary rate relief under these provisions and who does not meet the criteria for existing relief (charities, non-profit making organisations etc.) must meet **all** of the following criteria and the amount of relief granted will be dependant on the following key factors:
- a. The ratepayer **must not** be entitled to mandatory rate relief (Charity or Rural Rate Relief);
  - b. The ratepayer **must not** be entitled to Central Government funded reliefs;
  - c. The ratepayer **must not** be an organisation that could receive relief as a non-profit making organisation or as a sports club or similar;
  - d. The ratepayer **must** occupy the premises (no discretionary rate relief will be granted for unoccupied premises);
  - e. The premises and organisation **must** be of *significant* benefit to residents of the Council;
  - f. The premises and organisation **must** relieve the Council of providing similar facilities;
  - g. The ratepayer **must**;
    - a. Provide facilities to certain priority groups such as elderly, disabled, minority groups, disadvantaged groups; **or**
    - b. Provide *significant* employment or employment opportunities to residents of the Council; **or**
    - c. Provide the residents of the area with such services, opportunities or facilities that cannot be obtained locally or are not provided locally by another organisation;
  - h. The ratepayer **must** demonstrate that assistance (provided by the discretionary rate relief) will be for a *short time only* **and** that any business / operation is financially viable in the medium and long term; **and**
  - i. The ratepayer **must** show that the activities of the organisation are consistent with the Council’s core values and priorities.

- C.5 Where a ratepayer can demonstrate that **all** of the above criteria are met, relief will be considered for initially a short period.
- C.6 A formal application from the ratepayer will be required in each case and any relief will be granted in line with State Aid requirements as specified within section 6 of this policy.

## **Appendix D**

### **Local Newspaper Relief**

## General Explanation

- D.1 This is a temporary relief for 2017-18 and 2018-19 and the Government is not changing the legislation around the reliefs available to these properties. Central Government will reimburse local authorities that use their discretionary relief powers (under section 47(3)) of the Local Government Finance Act 1988 to grant relief in line with the eligibility criteria set out in this guidance.
- D.2 The Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.

## Eligibility criteria

- D.3 The scheme will provide a £1,500 relief for office space occupied by local newspapers up to a maximum of one discount per local newspaper title and per hereditament, for two years from 1 April 2017.

## Local Newspapers

- D.4 The relief is to be specifically for local newspapers and by that, the Council means what would be considered to be a “traditional local newspaper.” The relief will not be available to magazines.

## Office Space

- D.5 The hereditament **must** be occupied by a local newspaper and wholly or mainly used as office premises for journalists and reporters.

## Amount of Relief

- D.6 The amount of relief is limited to a maximum of one discount per newspaper title (e.g. per newspaper name) **AND** per hereditament. As with all discretionary rate relief, any grant will be subject to State Aid limits as defined within section 6 of this policy.

## Local Newspaper Relief – the Council’s policy for granting discretionary relief.

- D.7 The Council has decided to grant relief strictly in accordance with Central Government guidelines.

## **Appendix E**

### **Supporting Small Businesses Relief**

## General Explanation

- E.1 Central Government has increased the thresholds for Small Business Rate Relief from 1 April 2017 to £12,000 for the 100% relief and £15,000 for the tapered relief. Unfortunately, despite these changes, some small businesses may lose their entitlement to the relief due to increases in Rateable Value due to the revaluation on 1<sup>st</sup> April 2017.
- E.2 The transitional relief scheme (provided under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016 No. 1265) does not provide support in respect of changes in reliefs. Therefore, those ratepayers who have lost some or all of their small business rate relief may face large percentage increases in bills from 1 April 2017.
- E.3 In view of this, Central Government announced that a new scheme of relief would be made available to those ratepayers facing large increases as a result of the loss of small business relief due to the revaluation. All authorities are encouraged to grant the relief in accordance with the guidelines laid down by Central Government and if granted strictly in accordance with guidance, the Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.
- E.4 The relief is to be known as the 'Supporting Small Businesses Scheme'

## Who is eligible for the relief and how much relief will be available?

- E.5 The Supporting Small Businesses relief will help those ratepayers who as a result of the change in their rateable value at the revaluation are losing some or all of their small business relief and, as a result, are facing large increases in their bills.
- E.6 To support these ratepayers, the Supporting Small Businesses relief will ensure that the increase per year in the bills of these ratepayers is limited **to the greater of:**
- a. a percentage increase per annum. of 5%, 7.5%, 10%, 15% and 15% 2017/18 to 2021/22 all plus inflation. ( Unlike the transitional relief scheme under the Chargeable Amount regulations), for the first year of the scheme the percentage increase is taken against the bill for 31 March 2017 after small business rate relief; **or**
  - b. a cash value of £600 per year (£50 per month).
- E.7 This cash minimum increase ensures that those ratepayers paying nothing or very small amounts in 2016/17 after small business rate relief are brought into paying something.
- E.8 In the first year of the scheme, this means all ratepayers losing some or all of their small business rate relief will see the increase in their bill capped at £600. The cash minimum increase is £600 per year thereafter. This means that ratepayers who in 2016/17 paid nothing under small business rate relief and are losing all of their entitlement to relief (i.e. moving from £6,000 rateable value or less to more than £15,000) would under this scheme be paying £3,000 in year 5.
- E.9 The Government has also decided that those on the Supporting Small Businesses relief scheme whose 2017 rateable values are £51,000 or more will not be liable to pay the supplement (1.3p) to fund small business rate relief while they are eligible for the Supporting Small Businesses relief scheme.
- E.10 Ratepayers will remain in the Supporting Small Businesses relief scheme for either 5 years or until



they reach the bill they would have paid without the scheme (this would be the charge payable as their true rates payable or the charge calculated under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016).

- E.11 A change of ratepayer will not affect eligibility for the Supporting Small Businesses relief scheme **but** eligibility will be lost if the property falls vacant or becomes occupied by a charity or Community Amateur Sports Club.
- E.12 The rules for state aid (as detailed in section 6 of this policy) shall apply when considering Supporting Small Businesses Relief.

### **Recalculation of relief**

- E.13 The amount of relief awarded under the Supporting Small Businesses relief scheme will be recalculated in the event of a change of circumstances including the following:
- This could include, for example, a backdated change to the rateable value or the hereditament; or
  - The awarding of another relief.
- E.14 The Council will, in effect, calculate the award on a daily basis taking into account the above, and the relief will be re-calculated if the rateable value changes.

### **Other Reliefs**

- E.15 Hereditaments eligible for charity or Community Amateur Sports Club relief or hereditaments which are unoccupied are not eligible for Supporting Small Businesses Relief. Likewise, the same principle applies to properties for which a Section 44A certificate has been granted (apportionment of rateable values for partly occupied properties). The presence of a section 44A certificate will not further reduce the bill found under the Supporting Small Business scheme.
- E.16 In accordance with Central Government guidelines, all other discretionary reliefs, will be considered **after** the application of Supporting Small Businesses relief.

### **Supporting Small Businesses Relief – the Council’s policy for granting discretionary relief.**

- E.17 The Council has decided to grant relief strictly in accordance with Central Government guidelines

## **Appendix F**

### **Public House Relief**

## General Explanation

- F.1 This is a temporary relief for 2017-18 and the Government is not changing the legislation around the reliefs available to premises. Central Government will reimburse local authorities that use their discretionary relief powers (under section 47(3)) of the Local Government Finance Act 1988) to grant up to £1000 relief in line with the eligibility criteria set out in guidance to be produced by Central Government
- F.2 Central Government has stated that any amount granted will be reimbursed by a section 31 grant.

## Eligibility criteria

- F.3 The Council's understanding is that policy will provide a relief of £1,000 relief for one year only (1<sup>st</sup> April 2017 to 31<sup>st</sup> March 2018) for all eligible public houses who have a rateable value of less than £100,000 on 1<sup>st</sup> April 2017.
- F.4 The definition of a 'Public House' means any premises as defined in the Licensing Act 2003, which has a premises license authorising sale by retail of alcohol for consumption on the premises. In addition, the premises **must** be used principally for retail sales of alcohol to members of the public for consumption on the premises, and sales must not be subject to the condition that buyers reside at or consume food on the premises.
- F.5 It will be for the Council to decide whether any premises falls within the definition give in the above paragraph. No relief shall be given where the premises are unoccupied.

## Other Reliefs

- F.6 Public House relief will be granted after applying any other mandatory reliefs and reductions

## Public House Relief – the Council's policy for granting discretionary relief.

- F.7 The Council has decided to grant relief strictly in accordance with the above and Central Government guidelines in relation to the repayment of grant.

## **Appendix G**

### **Discretionary Business Rate Relief Scheme**

## General Explanation

- G.1 In March 2017, Central Government announced that it would make available a discretionary fund of £300 million over four years from 2017-18 to support those businesses that face the steepest increases in their business rates bills as a result of the revaluation. Government determined that Councils would be best placed to determine how this fund should be targeted and administered to support those businesses and locations within their area that are in the greatest need.
- G.2 Every authority within England is to be provided with a share of a £300 million fund to support their local businesses. This is to be administered through billing authorities' discretionary relief powers under section 47 of the Local Government Act 1988.
- G.3 Government also believes that local authorities are best placed to judge the particular circumstances of local ratepayers and direct the funding where it is most needed to support local economies.
- G.4 The funding is not provided equally over the four-year period but in the following approximate proportions:
- Year 1 (2017/18) 58%
- Year 2 (2018/19) 28%
- Year 3 (2019/20) 12%
- Year 4 (2020/21) 2%
- G.5 Councils will be compensated for any relief granted under section 31 of the Local Government Act 2003. The Government is unclear at this stage as to whether any underspend can be 'vired' from one year to the next although their initial guidance is that any underspend will be returned to Treasury<sup>11</sup>.
- G.6 A key criteria of reimbursement will be that all Billing Authorities will consult with major precepting authorities when formulating their schemes.

## Consultation

- G.7 The Council has consulted with Essex Police, Fire and Crime Commissioner Fire and Rescue Authority who have agreed with our scheme.

## State Aid

- G.8 The rules relating to State Aid (as defined within section 6 of this policy) apply. The Council will ensure full compliance in this area to ensure that relief can be given to the most deserving ratepayers.

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<sup>11</sup> DCLG Letter 27<sup>th</sup> April 2017 – Discretionary Rates Relief Scheme – Payment of Section 31 grant to reimburse cost of relief

## Decisions by the Council

- G.9 Decisions by the Council are made directly in line with the Scheme of Delegation as outlined within section 7 of this policy. Any decision to award relief under this scheme will follow the core principles of the Council's discretionary relief policy as defined by section 3.8.
- G.10 It should be noted that whilst the funding from Central Government for Discretionary Business Rate Relief Scheme is limited, the decision of the Council whether to award any relief under this scheme **will not take account** of the level of any funding.

## Discretionary Business Rate Relief Scheme– the Council's policy for granting discretionary relief.

- G.11 The Council has decided that relief under the scheme will be awarded using the following criteria:
- a. The scheme is designed to assist ratepayers who have suffered significant increases in rate liability due to the revaluation and the subsequent increase to their Rateable Value;
  - b. In assessing any potential entitlement to an award under the scheme, the Council will compare the following:
    - i. The rate liability of the ratepayer at 31<sup>st</sup> March 2017 after any reliefs and reductions; and
    - ii. The rate liability of the ratepayer at 1<sup>st</sup> April 2017 after any reliefs and reductions
  - c. An amount of relief will be awarded to cover the full amount of the revaluation increase, subject to exclusions to the scheme, so that the qualifying ratepayer will see no increase in their 2017/18 bill in comparison to the 2016/17 figure;
  - d. The maximum pay-out of relief per property will be capped at £1,000.00;
  - e. **Exclusions to the scheme (relief will not be paid to ratepayers/hereditaments under the following circumstances :**
    - Relief will **not** be awarded to Sports clubs that already qualify for 50% discretionary relief;
    - Relief will **not** be awarded to Charitable organisations or Community Amateur Sports Club (CASC) who are already in receipt of 80% mandatory relief;
    - Relief will **not** be awarded where the ratepayer has applied for a reduction under S44a of the Local Government Finance Act;
    - No relief within this scheme will be granted to unoccupied properties. Relief will only be given to premises which are liable for occupied rates;
    - Relief will only be granted to ratepayers who were in occupation at 31<sup>st</sup> March 2017 and in occupation on 1<sup>st</sup> April 2017 and for each day subsequently;
    - Ratepayers taking up occupation after the 1<sup>st</sup> April 2017 will **not** be eligible for relief on the basis that new ratepayers would not have suffered from increases due to a revaluation;
    - Properties which were not in the rating list at 1 April 2017;
    - No relief will be granted to properties with a rateable value greater than £100,000;
    - Relief will be targeted to local businesses and not those businesses that are national or multi-national in nature. Local businesses are, for the purposes of this scheme, those which have premises wholly in the Councils area;
    - Relief may be awarded for more than premises as long as all other criteria are met;
    - Relief will not be granted if it is under £25.00 in year 1 (This is due to administration costs);
    - Relief will not be awarded for hereditaments who are wholly or mainly used for:
      - i. Properties where the ratepayer is Southend-on-Sea Borough Council (or any other billing/precepting authority) or whereby Southend-on-Sea Borough Council defrays any rates due (i.e. schools)
      - ii. Medical services e.g. hospitals, doctors, dentists etc.; and
      - iii. Beach Huts;

## Applications for relief under this scheme

- G.12 The Council is keen to identify ratepayers who may qualify for the relief and as such will look to encourage certain ratepayers to apply. The Council will look to simplify the application process wherever possible, but it will expect any ratepayers to provide such information as is required by the Council to support their application

## Amount of Relief

- G.13 The amount of relief is tapered and will be calculated as follows:
- 2017/18**  
Award = Increase in rate liability calculated in G.11C (subject to the exclusions in the scheme)
- 2018/19**  
Award = 2017/18 award x 50% (for clarity this will be half of the relief awarded in 2017/18)
- 2019/20**  
Award = 2018/19 award x 40% (for clarity this will be half of the relief awarded in 2018/19)
- 2020/21**  
Award = 2019/20 award x 10% (for clarity this will be 10% of the relief awarded in 2019/20)

## Variation and amendment of relief under the scheme

- G.14 As with all reliefs, the amount of relief awarded under the Discretionary Businesses Rates relief scheme will be recalculated in the event of a change of circumstances. This will include, for example, a backdated change to the rateable value or the hereditament. This change of circumstances could arise during the year in question or during a later year. The Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/1059) requires the Council to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision so as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, the Council may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.
- G.15 A contingency/surplus will be retained of approximately 5% of each annual grant, to be used on an exceptional basis to target support to organisations that are facing hardship and contribute to the Council's business growth priorities. The decision to allocate this aspect of the relief is to be taken by the Section 151 Officer.

## **Appendix H**

### **Section 49 – Hardship Relief**



## **Section 49 – Hardship Relief**

### **General explanation**

H.1 The Council is able to exercise its discretion under Section 49 of the Local Government Finance Act 1998 to provide either partial or full relief for non-domestic rate payments in cases of hardship where it would be reasonable to do so having due regard to the interests of council tax payers in general.

### **Section 49 Hardship Relief – the Council’s Policy**

H.2 The Council will consider applications for hardship relief from individuals and organisations based on their own merits on a case-by-case basis. The Head of Revenues and Benefits will consider applications.

H.3 In making decisions on whether to award the relief the Council takes into account the following criteria (not listed in any priority):

- Any reduction or remission of rates on the grounds of hardship should be the exception rather than the rule;
- Any reduction of the rates must be shown to be significant to the future viability of the business;
- The business must continue to trade;
- Cash flow forecasts for a minimum of the next twelve months must be provided together with a comprehensive Business Plan incorporating a brief history of the business;
- The test of "hardship" is not strictly confined to financial hardship and that this, in itself, is not a deciding factor;
- The loss of the business would reduce amenities of an area if it is the sole provider of a service in the area;
- Details of any state aid, grants or subsidies either from central or local government over the previous three years.
- The loss of the business would worsen the employment prospects in the area;
- The interests of the Council Tax payers of the area would be best served by awarding the relief.
- The business must demonstrate how it is beneficial to the local community and why it is currently suffering financial hardship;
- The business provides employment to local residents in an area where employment opportunities are limited;
- Independent advice given by banks or financial advisors should be sought to demonstrate the future viability of the business;
- Applications will only be considered where signed by the ratepayer, or, where an organisation is the ratepayer, an appropriately authorised representative of the organisation; and
- The ratepayer will provide additional information as deemed necessary by the Council to be essential in order for a fair evaluation of the application;

## **Appendix I**

### **Application Forms for Reliefs and Reductions**

**These are available on the Council's website at**

[http://www.southend.gov.uk/downloads/download/65/business\\_rates](http://www.southend.gov.uk/downloads/download/65/business_rates)

**Southend-on-Sea Borough Council**  
**Report of the Deputy Chief Executive (People)**  
**to**  
**Cabinet**  
**on**  
**7<sup>th</sup> November 2017**

Report prepared by: Gillian Shine, Senior Procurement  
Advisor and Mark Atkins, Lead Procurement Advisor

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**Passenger Transport – Policy Changes**  
**Policy and Resources Scrutiny Committee**  
**Executive Councillors: Councillor Salter, Councillor Moring and Councillor Courtenay**  
**A Part 1 Public Agenda item**

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**1. Purpose of Report**

1.1 The purpose of this report is to:

- (i) articulate to members the proposed changes to policies which were recommended as part of the transport review
- (ii) update members on the feedback received from users and stakeholders as part of the consultation in regards the recommended policy changes for passenger transport provision regards eligibility
- (iii) seek approval to proceed with implementing the revised policies for the following areas:
  - Home to School for Pre and Post-16 Students with Special Educational Needs and Disabilities (SEND)
  - Adults with Learning Disabilities and Older Adults attending Day Centres and Activities
  - Looked After Children
  - Dial-a-Ride
- (iv) endorse the timescales to implement the proposed policies as outlined in 3.3.1 below.

1.2 It should be noted that the recommendations in this report considers feedback captured as part of the consultation process which started on 14 July 2017 and ended on the 10<sup>th</sup> October 2017.

## **2. Recommendations**

2.1 It is recommended that the following proposed policies are now adopted as per the approach identified in 3.1:

- a) Home to School Transport for Pre and Post-16 Students with Special Educational Needs and Disabilities (SEND) (effective from 1<sup>st</sup> September 2018) as follows:
  - The Special Educational Needs Travel Assistance Policy (see Appendix A) to be implemented as set out in 3.1.2 a) and 3.1.2 b) below. The provision of 'travel assistance' is to be focussed on the promotion of independence and personalisation. As pupils adopt more independent alternative modes of transport then routes will be optimised.
- b) Adults with Learning Disabilities and Older Adults attending Day Centres and Activities (effective from 1st April 2018) as follows:
  - The Adult Social Care travel assistance policy (see Appendix B) to be implemented as proposed in 3.1.2 c) below. the focus on maximising independence will mean that travel assistance will only be provided by the Council once all alternative transport options have been considered.
  - Where transport is provided by the Council, the contribution from the user is increased to the new charge of £4 per day for a return trip and £5 per day where multiple trips are applicable.
- c) Looked After Children (effective from 1st April 2018) as follows:
  - The looked after children and young people travel assistance policy (see Appendix C) to be implemented as proposed in 3.1.2 d) below.
- d) Dial-a-Ride (effective from 1st April 2018) as follows:
  - The Dial-a-Ride policy (see Appendix D) to be implemented as proposed in 3.1.2 e) below.

## **3. Background**

### **3.1 Policy Review**

3.1.1 The initial stage of the transport review found that a number of policy areas required further investigation:

- The lack of an overall strategy for the provision of passenger transport
- A lack of policies and guidance setting out eligibility criteria and processes for assessing need for and obtaining assistance with transport
- The provision of assistance with transport in excess of the Council's statutory minimum duty
- A lack of understanding of the actual and potential markets for a Dial-a-Ride service.

3.1.2 The second phase produced a series of proposed changes to policy:

**a) Home to School Transport for Pre-16 Students with Special Educational Needs and Disabilities (SEND)**

Currently, the majority of SEND pupils who are eligible for travel assistance are transported by SBC on in-house or contracted transport services, with a small number travelling independently following travel training. A mileage cost is available for parents who wish to transport their own child if this is considered appropriate.

*Recommended new approach from the transport review:*

- Individual assessments around the provision of 'travel assistance' are considered alongside the promotion of independence and personalisation.
- There will be a rationalisation of transport routes as pupils adopt more independent alternative modes of transport.
- Independent travel training will be the first response to a request for travel assistance. Following training:
  - Those deemed capable of independent travel will be provided with a cash amount to purchase a subsidised public transport pass.
  - Those deemed unsuitable or those who do not become independent travellers at the end of the training process, will be offered a travel support allowance –to enable them to make their own travel arrangements.
- Those for whom a travel support allowance is not appropriate will be offered a place on shared transport services provided by the Council.
- A travel support allowance is always offered as a first response to those travelling out of borough (as distances involved result in expensive transport provision).

**b) Home to School Transport for Post-16 Students with Special Educational Needs and Disabilities (SEND)**

The current approach is to provide a space on an existing statutory transport service or provide dedicated services beyond the statutory minimum. All services are free of charge to the user.

*Recommended new approach from the transport review:*

- Independent travel training will be the first response to a request for travel assistance (same as the approach for pre-16 students above).
- Charges to be imposed for Post-16 SEND to bring it into line with mainstream Post-16 charging arrangements. Students from eligible low income households will not be required to pay.
- Post-16 pupils will be able to purchase a subsidised public transport pass.

Dedicated transport services will only be provided, subject to a charge (which is equivalent to current cost of an annual bus pass), once other travel assistance options have been considered.

**c) Adults with Learning Disabilities and Older Adults attending Day Centres and Activities**

The Council does not have a transport policy for Adults with Learning Disabilities and Older Adults attending day care services. Service users are charged £2 per day for transport to access day services (Viking and Project 49); this is a flat fare regardless of the number of trips required to be made to attend activities during the course of the day. The £2 fare has been in place for approximately 4 years. In addition, certain service users who live in residential care homes are being transported on Council funded vehicles to day care services, rather than being transported by the care home.

The policy needs to consider what action the Council would take if someone refused to pay the transport charge. Options could be:

- Withdraw day care – we would need to be clear about the reasons for attending day care and what effect withdrawal would have
- Owing to individual financial circumstances, it could be agreed to waive the charge
- If there is no valid reason why the charge should not be paid, then further action would need to be considered.

*Recommended new approach from the transport review:*

- Implement a new policy which formalises current practice and details SBC's expectations of service users (e.g. around the use of Motability cars, etc.).
- That the daily charge for transport should be increased to £4 per day for simple return trips to £5 per day for multi-journeys. Although this would not recover the full cost of providing the transport, it would reflect a more realistic balance, which would still remain considerably cheaper for the client than securing transport in the private market. The charge will be reviewed on an annual basis.

84 clients who attend Project 49 are charged for transport to attend the centre. Increasing the day rate to between £3-£5 per day for these 84 clients would increase annual income by between £11,600 and £34,800.

There may be additional clients attending Project 49 who are not transported to Project 49 by the Council, but they attend other day care and adult education services which are not included in the numbers of paying clients, as charges are only imposed for journeys to those who are transported to and from Project 49 and does not include the additional trips provided during the day.

The potential increase in income assumes that there would be no reduction in client numbers as external market transport costs would still be much higher.

**d) Looked After Children**

Currently, the requirement for transport is treated more as an after-thought to the provision of care services, which artificially inflates the transport element of the process of arranging care. SBC has no policy for Children's Social Care, meaning that elements such as passenger assistant requirements are not formalised.

*Recommended new approach from the transport review:*

- Devise a new policy which would clarify issues such as notice periods for transport bookings, expectations of carers and parents, passenger assistant standards, venues for contact visits, etc.
- The process of arranging transport, particularly contact transport, should be co-ordinated by the transport function alongside the contact co-ordinator at the contact centre (Allan Cole), with transport availability being clarified and secured with transport colleagues early in the process of arranging care.

**e) Dial-a-Ride**

The Council does not have a formal policy for the provision of Dial-a-Ride, although there are guidelines outlining how the service operates. The Dial-a-Ride service provides transport to essential facilities and services for Southend residents who are unable to use conventional public transport services. The service currently operates using three accessible minibuses which are owned by the Council but due for replacement. The Dial-a-Ride drivers are Council employees. The service operates on a on-demand basis, Monday to Friday from 09:00 to 16:30. Members call the Council's transport team to book a trip and there are no limits on the number of trips that a member is able to make during the course of any given week. All destinations must be within the Southend Borough Council boundary although trips to hospital appointments are not permissible. An annual membership fee of £12 per member is charged and payments per trip are based on return mileage, which is recorded in mileage bands.

The current cost of the service, including three paid drivers, is in excess of £110,000 per year. The scheme currently has 61 members (two-thirds of whom make trips on a regular basis), resulting in a subsidy per member of approximately £1,800 per year. Dial-a-Ride is not a statutory service and other local authorities, for example Nottinghamshire and Lincolnshire County Councils, reviewed and decided to withdraw the provision. In the absence of a local community transport operator in the Borough, the Council is keen to retain the service, but should consider ways of reducing the cost of providing it.

*Recommended new approach from the transport review:*

Implement a policy which

- reduces the hours of operation from 09:00 to 16:30 to 10:00 to 14:30 to minimise the cost of operation
- introduces scheduled, bookable trips to popular destinations such as local supermarkets and central Southend
- removes trips to day care facilities which are provided by Adult Social Care for eligible residents
- reduces the number of trips any one member is able to make, to enable more people to access the service

### **3.2 Details of the consultation analysis on the proposed policies**

3.2.1 Further to 1.2 above, the Council started a consultation process on 14 July 2017 with service users and stakeholders around the proposed changes to the following policies (as set out in 3.1.2):

- a) *Home to School for Pre and Post-16 Students (SEND)*
- b) *Adults with Learning Disabilities and Older Adults attending Day Centres and Activities*
- c) *Looked After Children*
- d) *Dial-a-Ride*

3.2.2 The consultation for the above policies ended on 10 October 2017 and complied with the best practice guidance from the Department for Education.

3.2.3 The results of the consultation are as follows:

**a) *Home to School Transport for Students (SEND) Pre and Post-16***

A total of 153 responses were received with 95% of these returns being from parents/carers, and they related to children and young people from the following age groups:

- Post-16 years of age (20%)
- 11-16 years of age (39%)
- 5-10 years of age (38%)
- Under 5 years of age (3%)

*Details of consultation responses:*

Recommendations for Change	Feedback
Satisfaction with current service offering	97% of the respondents were happy with the current provision
Offer Independent Travel Training (ITT) for older children to make the school journey as a way of promoting independence and life skills	52% agreed that this would promote independent life skills
Offer a Travel Support Allowance if ITT not appropriate	44% agreed that parents are often able to make the best travel arrangements to suit their situation
Charges for Post-16 (not applicable for low-income households)	33% agreed overall (42% agreed when clause added regarding low-income households)

**b) *Adults with Learning Difficulties and Older Adults attending Day Care Centres and Other Activities***

A total of 62 responses were received with a majority of responses from users or representation of users attending activities at Project 49.

*Details of consultation responses:*

Recommendations for Change	Feedback
Satisfaction with current service offering	97% of the respondents were happy with the current provision



Travel assistance will not be provided if an individual has access to other means of travel, even if they choose not to use them	31% agreed
Those living in residential care homes will not receive assistance from the Council with travel to social care activities as this should be provided by the residential care home	37% agreed. There was some feedback that related to fears of isolation for those in care homes
Increase charges for providing travel assistance to adult social care activities to cover more of the cost of providing it	39% agreed that charges should be increased. There were some concerns that some users may be affected by the introduction of Personal Independent Payments (PIPs) as this is lower than the previous Disability Living Allowance (DLA) meaning they may struggle with the affordability of increased transport costs
Proposal to increase daily charge from £2 to £4 per day (£5 per day for those making multiple trips during the day)	63% considered it unfair to have differential charging rates

**c) *Looked After Children***

A total of 26 responses were received from the following:

- 84% foster carers
- 8% transport operators
- 4% social workers
- 4% other

*Details of consultation responses:*

Recommendations for Change	Feedback
Foster carers will be expected to take the child in their care to school, leisure activities and contact visits wherever possible	71% agreed that transport should only be provided by SBC after all other options have been considered and discounted
If a carer transports the child in their care to school and contact visits, the Council will reimburse the full cost (based upon the mileage)	86% agreed that SBC should reimburse the travel costs (based upon the mileage)
The Council encourages contact visits at a foster carer's home, especially for babies and younger children, in order to reduce their need to travel	Some responses expressed concerns about having parents in foster carers' homes
Children from same schools can be transported to contact visits in the same vehicle	95% agreed, with the agreement of the parents
The need for a passenger assistant for a looked after child or young	86% agreed

person will be decided by the Council and include a full risk assessment	
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**d) Dial-a-Ride**

A total of 62 responses were received from the following groups:

- Current DaR members (56%)
- Representatives of destinations or organisations accessed by current DaR members (24%);
- Those who are eligible for this transport provision but are currently not a DaR member (17%)
- Other (3%)

*Details of consultation responses:*

Recommendations for Change	Feedback
Retain a DaR service for Southend	98% agreed
Make DaR more cost effective	100% agreed that Council is right to look at ways of providing DaR in a more cost effective way which lets more people use the service
Introduce scheduled bookable trips, reduce the number of trips per member per week	65% agreed that proposed changes should make the service more accessible to those wishing to use it
Reduced hours and days of operation	60% agreed that the new hours of operation will allow more members to get to the essential services and facilities they need

**3.3 Revisions as a result of the Consultation Exercise:**

**a) Home to School Transport for Students (SEND) Pre and Post-16**

Subject to agreement to the recommendations in 2.1 above, the Council would develop communication materials for Independent Travel Training and Travel Support Allowance which provides parents / carers with sufficient information to make informed decisions about the best travel option for their child and the family.

**b) Adults with Learning Difficulties and Older Adults attending Day Care Centres and Other Activities**

There is a need to ensure fairness in charging for these services and it is no longer sustainable to continue at the current contribution from users and it should be noted that the increased charge is still lower than those imposed by other local authorities. It should also be noted that the increased charge is only a contribution and does not cover the full costs to provide the transport.

To ensure residents do not feel isolated in residential care homes – there is a need to look at how activities can be incorporated for these residents. When considering the operating model for the future provision of this transport, the Council will review whether it can provide transport for care homes in a more cost effective way.

**c) Looked After Children**

Contact visits being hosted in a foster carers home would be assessed on a case by case basis so that the concerns that were expressed can be addressed.

**d) Dial-a-Ride**

It is recommend that the revised policy is adopted and implemented. Although, if this provision of transport is transferred to an external provider then the Council could review this again to see if a more cost effective model could extend the hours of operation. The Council will also explore what transport services the voluntary and third sector have in place that could support this requirement.

**3.4 Timescales for Implementation**

3.4.1 Below is the recommended timescale to implement the revised policies:

<b>Date</b>	<b>Policy</b>
1 <sup>st</sup> April 2018	Adults with Learning Disabilities and Older Adults attending Day Care
1 <sup>st</sup> April 2018	Dial-a-Ride
1 <sup>st</sup> April 2018	Looked after Children
1 <sup>st</sup> September 2018	Home to School for Children with Special Educational Needs and Disabilities (SEND)

**4. Reasons for Recommendation**

4.1 The reasons for the above recommendations are as follows:

- a) Home to School (SEND) transport – this recommendation is to approve some changes to the current policy to enable consistency and fairness in decisions regarding eligibility. The proposed changes to current provision offer different types of travel assistance aimed at encouraging independence and well-being, whilst treating each student on an individual basis.

Numerous local authorities, e.g. Dudley MBC, Sandwell MBC and Trafford MBC are adopting the above approach.

Most local authorities are currently considering the provision of Post-16 transport, including SEND. Most are stopping short of withdrawing SEND provision or charging full cost recovery but levelling the playing field in terms of charging, e.g. In April 2014, Herefordshire County Council withdrew the provision of free Post-16 SEND transport.

- b) Adults with Learning Disabilities and Older Adults attending Day Centres and Activities – this recommendation is for approval to have an established policy

that demonstrates how the Council will support individuals by providing travel assistance to access social care activities in a consistent and equitable way.

Other local authorities have increased their charges considerably over recent years. Nottinghamshire County Council for example, increased its £7 per day charge to £8 per day in 2016/17.

All individuals needs will be assessed on a case by case basis utilising the 'reasonable test' attached to the policy.

- c) Looked After Children – this recommendation is for approval to have an established policy to enable fairness in decisions about eligibility. This policy sets out the Council's approach to providing travel assistance for children and young people in foster care and residential care. It covers travel between home, school, leisure and contact visits.

Other local authorities have begun to recognise the pressing need to adopt a transport policy for Children's Social Care as this area of care provision comes under increasing financial pressure. *The Independent Advisors* advised Leicestershire County Council to adopt such a policy in work recently undertaken for them.

- d) Dial-a-Ride – this recommendation is for approval to have an established policy to enable fairness. The Council's proposal is for a Dial-a-Ride policy to revise and formalise established practice. It should be noted that while other local authorities have decided to stopping running their Dial-a-Ride service, Southend has decided that it will continue to offer this service, although it needs to be operated in a more fair and consistent way. The cost of providing the Dial-a-Ride service throughout the day, every weekday, is no longer sustainable. The number of people who use the service is extremely low, which means the cost to the Council is very high (more than £25 per person per trip).

## 5. Corporate Implications

### 5.1 Contribution to the Council's Vision and Corporate Priorities

This project will contribute towards the following Council Priorities:

<b>Safe</b>	To: <ul style="list-style-type: none"> <li>• Look after and safeguard our children and vulnerable adults.</li> </ul>
<b>Clean</b>	To: <ul style="list-style-type: none"> <li>• Continue to promote the use of green technology and initiatives to benefit the local economy and environment.</li> <li>• Encourage and enforce high standards of environmental stewardship.</li> </ul>
<b>Healthy</b>	To: <ul style="list-style-type: none"> <li>• Improve the life chances of our residents, especially our vulnerable children and adults, by working to reduce inequalities and social deprivation across our communities.</li> </ul>

<b>Prosperous</b>	To: <ul style="list-style-type: none"> <li>• Ensure the town is 'open for businesses' and that new, developing and existing enterprise is nurtured and supported.</li> </ul>
<b>Excellent</b>	To: <ul style="list-style-type: none"> <li>• Work with and listen to our communities and partners to achieve better outcomes for all.</li> <li>• Enable communities to be self-sufficient and foster pride in the town.</li> <li>• Promote and lead an entrepreneurial, creative and innovative approach to the development of our town.</li> </ul>

## 5.2 Financial Implications

5.2.1 The expectation is that financial efficiencies will be delivered through the adoption and application of the proposed new and revised policies and thus there will be a contribution to the Council's savings targets in future years.

5.2.1 The level of potential savings that could be achieved through the implementation and adoption of suggested policies will be determined on the decision whether or not to adopt the proposed changes as recommended in section 2.

## 5.3 Legal Implications

5.3.1 The Council has a statutory duty to provide home to school transport; other elements of adults and children social care also fall under this duty. The proposed policies are not recommending to remove this duty but is recommending policies that assess eligibility around fairness as well as the maximising of independence.

## 5.4 People Implications

5.4.1 A full consultation was undertaken as per 1.2 with all stakeholders and users.

5.4.2 If the application of the revised/new policies leads to a reduced need for the in house transport provision, this could lead to a redundancy situation. In this instance a full consultation with the affected staff and the trade unions will be undertaken in accordance with the relevant legislation.

## 5.5 Property Implications

5.5.1 There are no property implications.

## 5.6 Consultation

5.6.1 Consultation on the proposed policies started on 14 July 2017. The consultation period ended on 15 September 2017, except the home to school (SEND) consultation which concluded on 10 October 2017. A copy of the full consultation report can be made available on request.

## 5.7 Equalities and Diversity Implications

5.7.1 Equality Analyses have been initiated on the basis of the proposed policies and these will need to be finalised.

## **5.8 Risk Assessment**

5.8.1 As the choice of alternative options to conventional minibus transport for the school journey is voluntary, there is a risk that parents will not opt to change their travel arrangements. It will be important to promote the benefits of independent travel training via targeted publicity materials, to ensure that parents have the required information to enable them to make properly informed choices.

## **5.9 Value for Money**

5.9.1 The SEND travel proposals aim to enhance value for money through reducing the number of current external contracts and in-house services. They also aim to deliver value for money in the longer-term as SEND pupils who learn independent travel skills retain and develop those skills in the future, thus reducing the requirement for transport services to be provided by Adult Social Care. In addition, renumeration parents for making their own travel arrangements should also deliver value for money, particularly for those currently travelling on higher cost transport.

5.9.2 The Dial-a-Ride proposals aim to deliver value for money by offering a service to meet the travel needs of a greater number of people who are unable to use conventional public transport, rather than providing unlimited travel to a small number of current members.

5.9.3 The proposals to increase the charge for Adult Social Care transport will ensure that the transport provided covers a greater proportion of its costs than has been the case over recent years.

## **5.10 Community Safety Implications**

5.10.1 Community safety implications will be addressed.

## **5.11 Environmental Impact**

5.11.1 Independent travel training will reduce the need for pupils to be transported to school and enable them to walk, cycle or use public transport, thus reducing the impact on the environment in the short and longer term.

5.11.2 Improved route planning and the requirement to transport fewer children in minibuses would lower the environmental impacts generated by the current arrangements, although the provision of a travel support allowance (which would increase personalisation and choice) could serve to increase the number of cars used to transport children to school and have a negative environmental impact.

5.11.3 The inclusion of scheduled Dial-a-Ride services to popular destinations should help to reduce the number of trips made by the minibuses, thus having a positive environmental impact.

## **6. Background Papers**

6.1 None.

## **7. Appendices**

7.1 Appendix A – Special Educational Needs Travel Assistance Policy

7.2 Appendix B – Adult Social Care Travel Assistance Policy

7.3 Appendix C –Travel Assistance Policy for Looked After Children and Young People

7.4 Appendix D - Southend on Sea Borough Council Dial-a-Ride Policy

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**Special Educational Needs Travel Assistance Policy  
July 2017**

#### **4.1 Introduction and Aims**

This section of the policy sets out the Council's approach to the provision of funded home to school travel assistance for children of statutory school age and Post-16 students, who attend a local authority maintained school or academy and who have an Education, Health and Care Plan (EHCP).

This policy aims to promote freedom and choice by

- encouraging independence and life skills development wherever possible, by providing independent travel training for children as appropriate
- enabling families to receive reimbursements for making travel arrangements for their own child as appropriate
- making the provision of transport a last resort for those that cannot access any other form of travel assistance safely and once other travel assistance options have been discounted

#### **4.2 Eligibility**

Children do not automatically qualify for travel assistance because they have an EHCP, although it is recognised that the child may face additional challenges in making the school journey.

To be eligible for travel assistance, the child must:

- live in the Borough of Southend-on-Sea
- be of statutory school age
- have an Education, Health and Care Plan
- be registered at a school named in the EHCP which is the nearest suitable school to the child's home address
- be unable to reasonably walk to school, even when accompanied by an adult, because of associated health and safety issues related to their special educational needs and/or their disability as defined by the Equality Act 2010

Unless there are specific circumstances as dealt with in other sections of this policy, the distance criteria for pupils with an EHCP are the same as for all other pupils. It will apply to the nearest appropriate mainstream school, learning resource base or special school as determined by the Council.

When parents request a placement for their child in a school of their choice which is not the nearest appropriate school, the Council is not responsible for the provision of travel assistance or the cost of that provision, as laid out in the Education and Inspections Act 2006.

The provision of travel assistance for the school journey should not be regarded as a permanent entitlement. Travel assistance will be reassessed as part of a child's review of their EHCP at transition points between Key Stages or at any point in between at the Council's discretion.

Children with special educational needs but without an EHCP are considered within the general home to school travel assistance policy.

### **4.3 Types of Travel Assistance**

In determining the type of travel assistance to be offered, the Council will adopt a stepwise approach. The type of travel assistance to be offered to a child will be considered in the following order:

#### *4.3.1 Public Transport Season Ticket*

This is a ticket for use on public transport and is the most common form of travel assistance provided. Where it is possible for a child to travel on public transport accompanied by a responsible adult (if necessary) then a season ticket will also be provided for the responsible adult to facilitate this. Rail season tickets may be provided where appropriate.

#### *4.3.2 Independent Travel Training*

Children from Year 9 upwards whose application for travel assistance is successful will be considered for independent travel training to enable them to use public transport for the journey between home and school in the future. The process of determining suitability will be undertaken in consultation with the child's school. In arriving at a decision, the Council will consider the home to school journey to be made on public transport, as well as the informed view of the child's school regarding the child's suitability for training.

The child will be provided with travel assistance until the travel training process has been completed. Once travel training has been successfully completed, this may take the form of a season pass for the child, or other assistance as appropriate.

#### *4.3.3 Travel Support Allowance (TSA)*

Children who are deemed to be unsuitable for Independent Travel Training will be entitled to request a Travel Support Allowance (TSA). A TSA is a payment to help parents to get a child to school. Payments will be issued on a staged basis across the school year. In arriving at the TSA amount, the Council will take into consideration the cost of transporting the child using its own in-house vehicles or external contracted vehicles, as well as the child's age, their timetable, and the distance from home to school. A parent may spend the TSA in any way they choose, as long as it ensures that the child attends school, e.g. arrange for a friend or relative to travel with the child; car share with other parents; arrange school transport for a sibling to enable the parent to transport the child with an EHCP to school; use a Motability car to transport the child, etc. The Council may review the payment of the TSA if concerns are raised about the child's level of school attendance.

A TSA is optional for the parent and in making a request parents should consider whether it is appropriate for their circumstances. However, in instances where a

child is to attend a school which is outside of Southend Borough, a TSA will be the first means of assistance offered.

#### *4.3.4 Transport Vehicles*

The provision of a vehicle (usually a shared minibus) to transport a child or young person to and from school is made in **exceptional circumstances only** where it is assessed that no other form of travel assistance is suitable. Vehicle pick-up and drop-off times are arranged so that journey times are minimised and cannot be varied to suit the parent. When accepting an offer of supported transport, parents are agreeing to a kerbside or bus stop arrangement. A door-to-door service is not provided, but the kerbside or bus stop pick-up and drop-off points will be close to the child's home.

The provision of supported transport may cease to be necessary as a child grows older and as they become more independent.

#### **4.4 Parental Responsibilities**

If supported transport has been granted to a child, it remains the parent's responsibility to:

- a. ensure that the child is ready for collection at the appointed time and at the arranged pick up point. Failure to comply will result in the parent being responsible for getting their child to school. Contractors will not be expected to vary contract times and the Council will not meet any additional costs incurred for pupils being late
- b. take their child from their home to the vehicle and to collect the child from the vehicle
- c. allow the Council to use any specialist seating which the child requires
- d. sign off the risk assessment in relation to complex/medical needs and/or passenger assistant provision, where applicable

In addition, parents are responsible:

- a. if the child needs to return home during a school day due to illness
- b. if the child needs to return home to attend any health appointments during a school day
- c. if transport is required outside of the normal school hours to facilitate attendance on a school trip
- d. for providing their own travel arrangements should the school decide to exclude the child
- e. if family circumstances dictate that the child needs to travel earlier or later than provided for within the contracted transport

#### **4.5 Passenger Assistants**

Passenger assistants are normally provided on vehicles which convey more than five children. In other cases, passenger assistants will only be provided for children with the most complex needs or where a child's behaviour raises questions of health and safety. The child's school will be asked to carry out a risk assessment in order to

justify the need for a passenger assistant for an individual pupil, should the need for one be indicated in the 'Request for Travel Assistance' form. The risk assessment will be considered by the Council. In instances where a child requires solo transport with a passenger assistant, the parent will be expected to act as the passenger assistant.

The Council only accepts passenger assistants who hold an appropriate Disclosure and Barring Service (DBS) certificate.

#### **4.6 Southend Special Schools and Learning Resource Bases**

The provision of travel assistance to attend the special schools and learning resource bases is not an automatic entitlement. It is recognised, however, that when a child attends a special school or a learning resource base attached to a mainstream school, this may not be local to their home. For this reason, when required because of distance (see Section 4.2), vulnerability, behaviour or physical disability, the Council may provide travel assistance and this will be identified in the child's EHCP.

If places are not available at the nearest appropriate school, the Council will provide travel assistance to the next nearest school if it meets the distance criteria.

#### **4.7 Residential Placements**

A child placed in a residential school will be provided with travel assistance. In the first instance, this will be in the form of a TSA to enable the parent to make their own arrangements for getting the child to and from school. In cases where a TSA is not appropriate, the Council will provide supported transport.

A child in termly boarding establishments will be entitled to travel assistance at the beginning and end of each term and for half term breaks. Weekly boarders will be entitled to travel assistance to the school on Monday morning and from the school on Friday afternoon.

The Council will not provide travel assistance:

- where the residential school requires a child to go home for a period which would not form part of the above arrangement (e.g. if a pupil is not included on a school trip, the school is responsible for the travel assistance)
- for pupils attending health provision (e.g. speech therapy, occupational therapy, mental health)
- for hospital appointments or dental treatment
- should the residential school decide to exclude the child
- if family circumstances dictate that the child needs to travel earlier or later than provided for within the contracted transport

#### **4.8 Out-of-School Activities**

The Council will not provide transport either at evenings or weekends for out of school activities in any school.

#### **4.9 Reintegration / Integration and Alternative Educational Packages**

Any travel costs associated with reintegration, integration and alternative educational packages, including work experience, will not be met by the Council and are the responsibility of the school, college or parent.

#### **4.10 Exclusion from School**

The Council will not reimburse any additional travel costs incurred as a result of a decision taken by a school to exclude a pupil.

#### **4.11 Post-16 Students who have an EHCP**

This section of the policy relates to:

***a. 16-19 year old students attending educational settings***

If the Council has supported the application, this is viewed as attending the nearest appropriate educational setting and the Council will provide subsidised travel assistance providing the eligibility criteria are met. If the Council has not approved the educational setting as the nearest appropriate setting, it will not provide travel assistance.

***b. Students aged 19 – 25***

If the Council has supported the application, subsidised travel assistance may be provided. Applications are dealt with by Adult and Community Services Department.

In common with the assistance available to statutory school age children, Post-16 students will be considered for Independent Travel Training as a first response to a request for travel assistance (see Section 4.3.2). Travel assistance will be provided whilst the student undertakes the training. Upon completion of the training course, should a student be considered unable to travel independently for the school journey, alternative forms of travel assistance will be offered, as detailed in Section 4.3 above.

If the student is deemed unsuitable for Independent Travel Training they will be allocated a space on a dedicated vehicle for Post-16 students.

In line with mainstream charges for eligible students, a charge will be levied for travel assistance provided by the Council to eligible Post-16 students. The charge will be reviewed on an annual basis. Those who are from a low income family may be entitled to free travel assistance. Proof of low income must be provided at the time of application. Please see the Council's Low Income Criteria for Education Transport, available at

[http://www.southend.gov.uk/downloads/file/4758/low\\_income\\_criteria\\_for\\_education\\_transport\\_2017-18](http://www.southend.gov.uk/downloads/file/4758/low_income_criteria_for_education_transport_2017-18)



#### **4.12 Applying for Travel Assistance**

In all cases where travel assistance is required, a 'Request for Travel Assistance Form' must be completed and returned to the Council's Transport Entitlement Officer.

#### **4.13 Appeals**

Those not eligible to receive travel assistance or those disputing the travel assistance offered may submit an appeal against the decision in writing within 4 weeks from the date of the refusal letter. Requests for appeal will not be accepted outside the 4 week period. The appeal should include a detailed explanation as to why the child should receive travel assistance, or a different type of travel assistance to that already offered, including supporting evidence of any exceptional circumstances. This information will be submitted to an appeal panel for consideration. There is no provision for the appellant to appear in person. The decision of the panel will be communicated to the parent/carer in writing. Further correspondence will not alter the decision.

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**Southend-on-Sea Borough Council**  
**Adult Social Care Travel Assistance Policy**  
**July 2017**

**1. Introduction**

ASC provides travel assistance for adults with learning disabilities, mental health issues, physical disabilities and older people within the Borough of Southend-on-Sea. This travel assistance policy demonstrates how the Council will support individuals by providing travel assistance to access social care activities in a consistent and equitable way.

Over recent years, the introduction of new national legislation has resulted in significant changes to the way in which social care opportunities are provided. Today, individuals have greater choice in deciding the format, location and timing of their social care activities. This increased freedom has implications for travel and this policy aims to outline how travel demand might best be met - whether through independent travel arrangements, self-funded travel or via Council-funded and arranged travel solutions.

It is assumed and expected that people who can travel to an eligible social care activity, either independently or with assistance from family, friends or care givers will do so.

Funded travel will only be provided if, in the opinion of the assessor, there is no alternative and appropriate travel option available and it is the only reasonable means of ensuring that the individual can safely access an eligible activity.

Adult Social Care will work closely with the Children and Young People's Service to ensure that the travel needs of children and young people are assessed whilst at school, so that opportunities to undertake travel training in order to complete specific journeys on mainstream transport have already been explored and, where appropriate, implemented. This will assist in overcoming any expectations from families that Adult Social Care will provide travel assistance to individuals in all circumstances. All young people requiring adult social care will require an assessment of their travel needs.

**2. Links to National and Local Priorities and Plans**

The Care Act 2014 has replaced various pieces of legislation and policies. The changes introduced in the Care Act are designed to put individuals in control of their lives.

The Care Act states that local authorities must have regard to promoting wellbeing which means considering any care and support needs in the context of the person's skills, ambitions and priorities. The Act requires local authorities to consider an individual's ability to get around in the community safely and consider their ability to use facilities such as public transport, shops or recreational facilities when

considering the impact on their wellbeing. This includes consideration of the role a person's family or friends can play in helping the person to meet their goals.

The Care Act promotes an approach of preventing, reducing and delaying needs for care and support and refers to the consideration of a person's strengths, their informal support networks any other support that might be available in the community to meet their goals. This approach recognises the value in the resources of voluntary and community groups and the other resources of the local area.

This travel assistance policy addresses 2 of the Council's 5 Aims and 4 of its 15 Corporate Priorities as follows:

**Aim :** Healthy

**Priority:** To actively promote healthy and active lifestyles for all

**Priority:** To improve the life chances of our residents, especially our vulnerable children and adults, by working to reduce inequalities and social deprivation across our communities

**Aim:** Excellent

**Priority:** To work with and listen to our communities and partners to achieve better outcomes for all

**Priority:** To enable communities to be self-sufficient and foster pride in the town

### **3. Policy Aims and Principles**

This policy aims to:

- Promote independence
- Maximise choice and control
- Support a healthy lifestyle
- Improve quality of life
- Maintain dignity
- Provide access to local services

The key principle is that those who can travel to a community activity, whether independently or with the assistance of family, friends or care givers, will do so. Adult Social Care will provide a signposting service to ensure that individuals have access to tailored travel information to enable them to plan their journeys.

The use of commonly available transport options will be encouraged, such as public transport, walking or mobilising with the use of aids either independently or with support, people using their own car or Motability vehicle, utilising transport assistance costs and concessionary travel.

Travel assistance will be provided to the nearest available resource / community activity. Should an individual wish to access an activity which is further afield when there is a comparable activity which is closer to home, the individual will be required to finance any additional travel assistance costs.

Following an assessment of need, Council-funded transport will only be provided to meet an eligible assessed need. The transport provided will be appropriate to meet the need, provide value for money and be cost-effective.

#### **4. Guidance for determining eligibility for travel assistance**

The Council will adopt the decision making process outlined in Annex 1 in determining the individual's eligibility for travel assistance.

Council-funded travel assistance will not normally be provided to individuals if they:

- a. live in a residential care home
- b. attend a social care facility which has its own transport
- c. have their own Motability vehicle which they drive themselves
- d. have a Motability vehicle for which they are not usually the driver
- e. have family, friends or care givers who are able to transport them
- f. have a bus pass which they are able to use to attend the community activity

If the person has access to any of the travel arrangements listed in a. to f. above and chooses not to use them, the expectation is that they will fund their own travel.

In determining an individual's suitability for travel assistance, the Council will adopt the principle of reasonableness, e.g. is it reasonable to expect the individual to make their own travel arrangements; travel a certain distance, rely on a carer to drive the Motability car; etc.

##### **4.1 Assessment of ability to travel independently**

Where it has been determined that there is no existing transport provision available, or its use may introduce unreasonable levels of risk to an individual when travelling independently, an assessment will be undertaken.

The Children and Young Peoples Service actively promotes independence in the provision of travel assistance and assesses children and young people with an Education, Health and Care Plan (EHCP) for suitability to undergo Independent Travel Training (ITT). Adult Social Care will ascertain whether an individual has previously completed an ITT course and whether they were subsequently able to travel independently for their school or college journey.

Those individuals who were previously deemed to be capable of independent travel will undergo refresher training for the purposes of making journeys independently to and from community activities. The principle of reasonableness will be applied to ensure that the proposed journey is achievable via the intended mode(s) of travel.

Those individuals who have not previously undertaken a course of ITT will be assessed for their suitability to do so. The assessment will include consideration of the individual's:

- Mental capacity
- Communication difficulties
- Psychological factors e.g. mental health, dementia, agoraphobia
- Vulnerability
- Consideration of degenerative conditions
- Any other factors that may affect personal safety

As well as issues regarding mobility, such as

- Ability to walk outside
- Requirement for a wheelchair or other walking aid
- Ability to enter and leave a property
- Ability to get on and off a vehicle
- History of falls
- Ability to use stairs

The assessor will use the information gathered to determine whether the individual:

- a. Is capable of travelling independently using the proposed travel mode without an unreasonable level of risk
- b. Requires travel training to enable them to be capable of independent travel in the near future
- c. Is not capable of travelling independently via the proposed mode of travel and will require Council-funded transport that meets their assessed needs

#### **4.2 Identification of Appropriate Transport**

Once eligibility has been confirmed, it is the duty of Adult Social Care to facilitate appropriate travel arrangements. Travel which is arranged or provided by the Council will only be provided once other alternatives have been considered and discounted. The range of travel assistance may include:

- Assistance with using public transport e.g. travel buddies
- Shared travel in Council-funded minibuses
- Shared travel in taxis
- Solo travel in taxis

ASC resources are unlikely to be allocated specifically to meet transport related needs where an individual:

- is in receipt of the higher rate mobility component of Disability Living Allowance, unless there are factors limiting their ability to fully utilise the benefits of the allowance, e.g. geographical location, the nature of the disability or carer support requirements
- lives in a residential care home, as these are subject to the terms and conditions of the contract between the Council and the care home

#### **5. Charging**

A charge is imposed for all travel which is arranged or provided by the Council as a contribution toward the cost of providing the transport. Differential charges will be applied for individuals who:

- make one return journey per day to a local activity (£4)
- make a return journey to a main day centre plus additional journeys to access activities at other locations during the course of a day (£5)

Alternatively, individuals can take funding for travel in the form of a direct payment. In such cases, the charge for transport is a daily charge, regardless of the distance travelled.

Charges are reviewed on an annual basis.

## **6. Implementation**

This policy will be applied from 1 April 2018 to any new applicants for adult social care travel assistance.

The travel needs of individuals already in receipt of travel assistance will be assessed, with regard to the new policy, at their annual review.

## **7. Monitoring, Review and Reassessment**

In all cases, the travel arrangements organised on behalf of an individual will be temporary and subject to review within a period of weeks of commencement. This will ensure that the arrangement is the most suitable for the individual and is value for money and cost-effective for the Council.

Travel arrangements and any impacts this policy has had on the ability of vulnerable people to access appropriate services to meet their eligible social care needs, will be considered by assessing officers at a review or reassessment of the individual's needs.

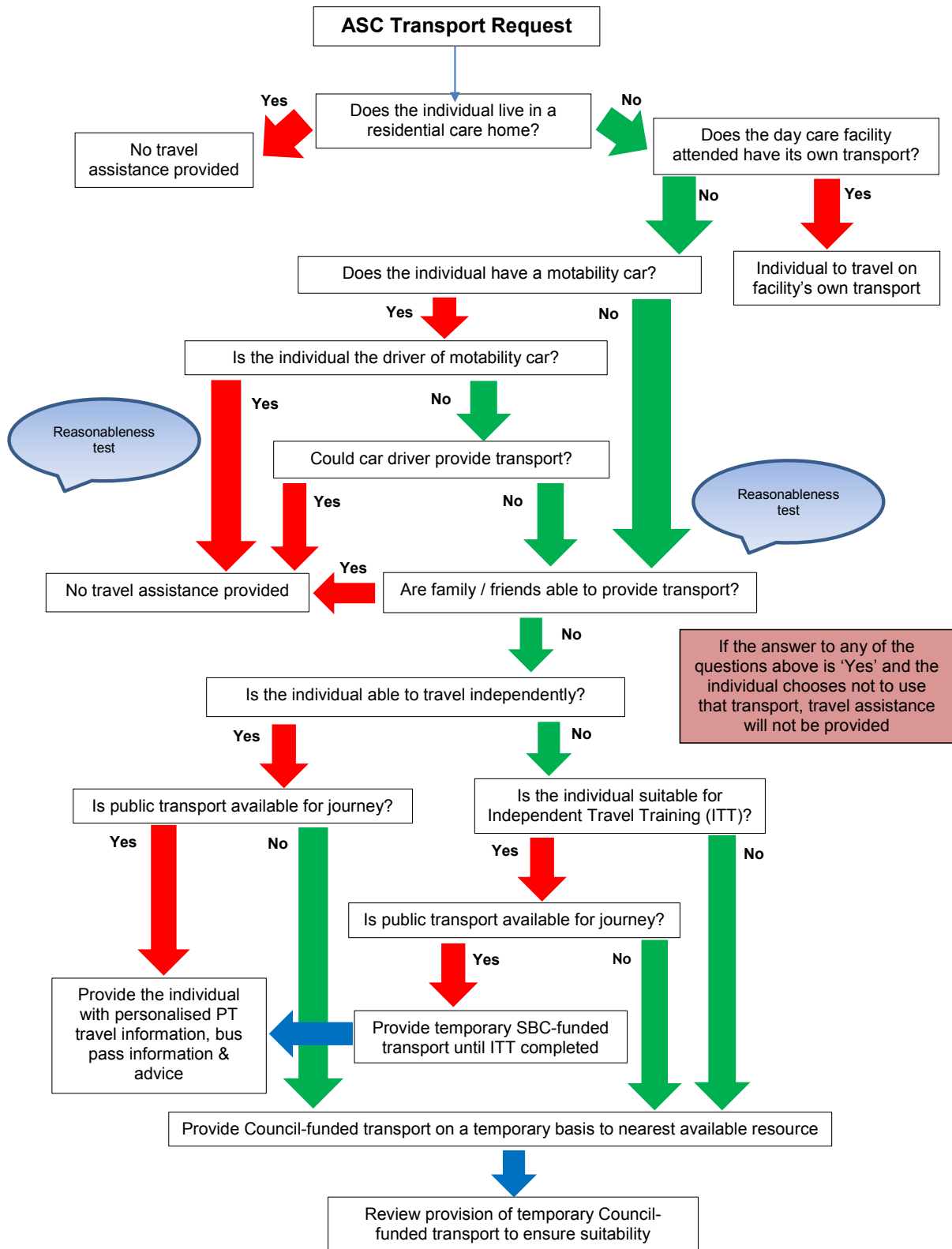
An individual or their authorised representative may request a review of their social care assessment if at any time they consider their needs have substantially changed.

At any time in this process the individual or their representative may make a complaint under the Council's Complaints Procedure.

## **8. Appeals**

There may be instances where some applications are declined and the individual or their carer may not agree with the Council's decision. In these cases, the Council offers an Appeals Process. The number to call to appeal a decision is 01702 215008, option 6.

Annex 1 Decision Process in Determining ASC Travel Assistance



**Southend-on-Sea Borough Council**

**Travel Assistance Policy for Looked After Children and Young People**

**July 2017**

**Overview**

- Looked after children and young people will, as far as possible, share the normal expectations and day to day experiences of all children
- Wherever possible children and young people who live close to their school should travel in the same way as their peers by:
  - Being walked to school by their carer; or
  - Walking alone if they are of an appropriate age and can do so safely; or
  - Being driven by their carer and dropped off
- Children and young people who live further away from their school but live in the Borough should also travel in the same way as their peers where possible by:
  - Being driven there by their carer and dropped off; or
  - Reaching school by public transport if they are of an appropriate age and can do so safely
- Where possible the disruption of schooling due to changes in care placements, should be avoided. Where necessary, this should be timed to take place when less disruptive to schooling
- The onus will be on foster carers to provide transport wherever possible
- Independent travel will be promoted and encouraged as soon as practicable for the individual
- Use of taxis will only be approved in exceptional circumstances and where it is deemed necessary to keep children and young people safe

**1 Introduction**

1.1 Southend-on-Sea Borough Council (SBC) has a duty to provide travel assistance to meet the needs of all Children and Young People under its care.

1.2 This policy details the travel assistance procedures for Looked After Children and Young People including those under foster care and residential care.

1.3 This policy has been developed to ensure the safe and efficient provision of transport for Looked After Children and Young People between home, school, leisure and contact.

**2 Transport Policy Principles**

2.1 As a Corporate Parent, SBC has a responsibility to meet the care and development needs of its children. As with other children, Looked After Children and Young People can require travel assistance for a wide variety of reasons.

2.2 It is important that in meeting these needs, Looked After Children and Young People are (as much as possible) provided for in the same way as other children and that different levels of self-reliance and independence are recognised, encouraged and catered for.

2.3 SBC should ensure that the stability and continuity of care and education, is promoted, in the interests of maximising life chances.

2.4 Where possible the disruption of schooling due to changes in care placements, should be avoided. Where necessary, this should be timed to take place when less disruptive to schooling (unless an emergency placement is required, for example, if there are Child Protection concerns or the breakdown of a placement).

2.5 Travel assistance may be provided to facilitate continuity of schooling from a new care placement until an appropriate school transfer point is reached. Education stability is crucial and therefore the child should (where possible) continue their education in their current school.

2.6 In the same way, it is essential that Looked After Children and Young People should be provided with travel assistance to enable them to have contact with their birth families or significant others, at a frequency usually set by the court and detailed in their care plan.

### **3 Home to School Travel Assistance**

3.1 Nursery, Reception and Key Stage 1 – children should stay at the setting that they were at prior to becoming looked after (unless in exceptional circumstances). The child should go to the school that is local, as far as possible, to their placement unless the placement is short term or until a permanency plan is implemented. As a matter of principle, the Council would expect carers to make their own arrangements to get the child to school with the Council paying the return mileage for the journey. Young looked after children should not be transported in taxis on a daily basis.

3.2 Key Stage 2 – the presumption is that children stay at the setting that they were at prior to becoming looked after (unless in exceptional circumstances). The Council would expect carers to make their own arrangements to get the child to school and the Council will pay the return mileage for the journey, or accompany them to use public transport as appropriate. Changes to a school place will only be considered in the child's best interests at the point at which the permanency plan is due to be implemented or where the distance travelled is excessive.

3.3 Key Stage 3 – The first presumption would be that children and young people will walk or use public transport with a Council-funded travel pass. The second presumption would be for the carer to ensure they get to school with the Council paying the return mileage for the journey. If that is not viable, or if the placement is short term (until a permanency plan is implemented), then using a taxi may be justified, or, if the child/young person needs transport to be provided for their attendance. This decision will be reviewed on a termly basis and consideration given before the summer term to whether a change of school be made for the following year.

3.4 Key Stage 4 – The first presumption should be that the young person takes themselves to school by public transport with a Council-funded travel pass. Any change of school should be minimised during Key Stage 4 and therefore there is a



stronger presumption against any change of school. The child's educational placement must be reviewed during the summer term of Year 9 and this review must include a review of arrangements of getting to school. If that is not viable, or if the placement is short term (until a permanency plan is implemented), then using a taxi may be justified, or, if the child/young person needs transport to be provided for their attendance. This decision will be reviewed on a termly basis and consideration given before the summer term to whether a change of school be made for the following year.

3.5 Home to school travel assistance for Looked After Children with an Education, Health and Care Plan (EHCP) is covered by the Council's Special Educational Needs Travel Assistance Policy

#### **4 Transport Expectations of Foster Carers**

4.1 Foster Carers will be expected to undertake 'normal' parental duties, which will include taking a child to school, access to leisure activities and contact.

4.2 There may be practical reasons why it is not possible for the foster carer to provide transport for the child, for example, the foster carer does not drive or does not have access to a car, or they may have foster children from different families. Other exceptional circumstances would include cases where a significant safeguarding risk can be evidenced e.g. transporting a looked after child with challenging behaviour. Every effort should be made, however, to ensure that carers do provide the transport so that foster children do not feel different, for example, by arriving at school in a taxi.

4.3 Foster carers are able to claim all mileage incurred as a direct result of their fostering responsibilities, for example, school transport, transport to & from contact, etc.

#### **5 Travel Assistance for Contact Visits**

5.1 Arrangements for contact are facilitated by the Contact Coordinator.

5.2 Contact at a foster carer's home, particularly for babies and younger children, will be encouraged by the Council, where it is safe enough to do so. This will mean less reliance on travel arrangements and children being transported around.

5.3 If it is agreed that contact should take place at a venue other than the foster carer's home, the foster carer should be the first choice for transporting the child to and from the contact venue.

5.4 If the foster carer is unable to transport a child to and from the contact venue, the provision of transport will be a last resort once all other possibilities have been explored.

5.5 Contact travel arrangements are made by the Transport and Contracts Team. For transport to be approved for contact purposes, all of the following criteria must be met:

The Contact Coordinator confirms that:

- the foster carer cannot transport the child to the contact venue **and** cannot act as a passenger assistant; **and**

The Contact Coordinator confirms with the child's social worker that:

- There is no safe and trusted family member to offer transport; **and**
- There is no other staff member able to provide transport (e.g. a social services assistant).

5.6 Requests for transport for contact purposes should incorporate a minimum of three working days' notice, to enable the Council to arrange the most cost effective provision and avoid expensive short-notice arrangements.

5.7 Older children and young people may choose to transport themselves to contact if able and appropriate to do so. For those children and young people who would like to make the journey themselves but might require assistance to do so, further support may be provided via the Council's Independent Travel Training service. Details of how to obtain a bus pass for independent travel can be obtained via the Council.

5.8 Parents will be asked to give written permission for their child/ren to share transport with other looked after children to attend contact as appropriate.

## **6 Procedure for Arranging Transport for Looked After Children and Young People**

6.1 Requests for home to school travel assistance must be fully completed by the child's social worker and be agreed by the Council. Travel arrangements for contact will be requested by the Contact Coordinator. Under no circumstances must a member of children's social care staff other than the Contact Coordinator enter into arranging transport directly with a taxi or transport company, unless the transport is required for out of hours emergency purposes (see Section 7).

6.2 There is no legal duty on the Council to provide passenger assistants for those to whom it provides transport in connection with education or social care services. However, the Council has a duty of care to all those for whom it provides such transport and fulfilling that duty may involve the provision of a passenger assistant. Requests for a passenger assistant must be fully justified by the child's social worker and subject to a risk assessment. The Contact Coordinator will ultimately determine whether a Passenger Assistant is required.

## **7 Emergency and Out of Hours Transport**

7.1 Following agreement by the Council emergency transport can be provided.

7.2 Where transport is required out of hours with little or no notice, then this will be sourced by the Council. This transport must be sourced from the Council's approved transport provider list.

## **8 Accessing Social Care, including Respite / Short Breaks for Disabled Children**

8.1 Certain children with disabilities may have been assessed as having a social care need. This need can include attendance at respite / short breaks provision.

8.2 Travel assistance to social care or similar provision will be provided where it is deemed necessary to meet the child's needs. Where, as a result of an assessment, it is deemed necessary for transport to meet the needs of the child, which will be considered on an individual basis, this will either be organised by the respite provider or the Council. This will be provided free of charge.

8.3 Requests for transport for respite purposes must, wherever possible, incorporate a minimum of three working days' notice, to enable the Council to arrange the most cost effective provision and avoid expensive short-notice arrangements.

## **9. Resolving Disputes**

Where there is an issue regarding responsibility for transporting a looked after child to and from school, contact and social activities, this should be dealt with locally. If however the matter is irresolvable at this level, this should be escalated to the senior manager responsible for the fostering budget.

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## Southend-on-Sea Borough Council Dial-a-Ride Policy July 2017

### Introduction

Southend-on-Sea Dial a Ride is an on demand, fully accessible transport service to enable people with mobility difficulties who are unable to use conventional public transport to access *essential* facilities and services.

### Types of Trip

There are two types of Dial a Ride service:

1. a scheduled 'shopper' service – taking clients into central Southend or to a local supermarket and returning them home
2. an on demand service – a bookable service taking clients from home to any destination within the Borough of Southend (excluding day centres and hospital appointments) and returning them home

### Operating Schedule

The scheduled shopper service operates on Mondays, Tuesdays, Thursdays and Fridays. Members from each named area will be able to book trips into central Southend or to the local supermarket for their area on the nominated day. For the 'central Southend' trips, members will be dropped off at the designated points in the town at 11:00 and collected at 13:30 for the return journey. For the 'Supermarket' trips, members will be dropped off at the supermarket at 11:00 and collected at 13:30 for the return journey.

The fully on demand service operates on Mondays and Wednesdays. The first pick up time is 10:15 and the last drop off time at home is 14:30.

The table below shows the operating schedules for both services.

Day	Shopper service		Fully on demand (10:15 – 14:30)	
	Area 1 Eastwood / Leigh	Area 2 Shoebury / Southend	Area 1 Eastwood / Leigh	Area 2 Shoebury / Southend
Monday	Central Southend		Bookable	Bookable
Tuesday		Central Southend		
Wednesday			Bookable	Bookable
Thursday	Supermarket			

Friday		Supermarket		
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## Membership

Dial a Ride operates as a membership scheme. To be eligible for membership, applicants must:

- Live within Southend Borough
- Have difficulty using public transport because of disability or qualify under one of the following criteria:
  - Be in receipt of Higher Rate Mobility Component of Disability Living Allowance
  - Be registered blind
  - Be in receipt of Higher Rate Attendance Allowance (for women aged over 60 and men aged over 65)
  - Be in receipt of Mobility Supplement of War Pension.

Membership costs £12 per year and must be renewed each January. Applicants may be asked to undergo a mobility assessment to establish their level of disability and provide proof of any allowance / benefit being claimed.

Applicants can apply for membership online or download a form to be completed and returned to the Council. The Council reserves the right to refuse membership for any reason.

## Booking a Trip

All trips must be booked individually, at least two working days in advance. Bookings will be taken by phone between the hours of 09:00 and 12:00, Monday to Thursday. Bookings will be taken on a first come, first served basis. A maximum of one shopper trip and one fully on-demand trip will be bookable per member per week.

## Fares

Individual fares will be charged based on the mileage per return trip, plus a booking fee of £1.50. Guide dogs are welcome and travel free of charge. Members are required to inform the booking staff when making a booking if they intend to bring a guide dog.

## Passenger Assistants

Drivers will assist members to board and alight from the vehicles but will not be required to enter the member's home or accompany them as they shop.

Members aged under 16 must be accompanied by an adult during travel.

If a member requires a passenger assistant during travel or at the trip destination, they must provide their own, who will accompany them on the outward and return journey. Members must notify the booking office when they book if they will be accompanied on the trip. There is a flat fare of £6 for a return journey for a

passenger assistant. Passenger assistants for registered visually impaired members will travel free of charge.

### **Cancellations**

If members need to cancel a booking they should call the booking line as soon as possible between the hours of 9:30 – 15:30 Monday to Friday. Cancellation fees will not be charged, but frequent short notice cancellations (without an adequate reason) may result in termination of membership.

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**Southend-on-Sea Borough Council**  
**Report of the Deputy Chief Executive (People)**  
**to**  
**Cabinet**  
**on**  
**7<sup>th</sup> November 2017**

Report prepared by: Gillian Shine, Senior Procurement  
Advisor and Mark Atkins, Lead Procurement Advisor

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**Passenger Transport - Operating Model and Procurement Process**  
**Policy & Resources Scrutiny Committee**  
**Executive Councillor: Councillor Moring**  
**A Part 1 Public Agenda item**

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**1. Purpose of Report**

- 1.1 The purpose of this report is to seek approval to progress this review to procurement stage to identify a preferred partner
- 1.2 In order to commence procurement it is critical that the Council has an agreed position on the type of operating model it wants passenger transport to operate under in the future. The report sets out the options that were considered and seeks Members' agreement to the preferred operating model
- 1.3 The report also details an indicative procurement timescale associated with procuring a partner for the preferred operating model and implementation date of the new service. To achieve these dates a number of approvals are sought, specifically around the extension of existing contracts and the report seeks Members' agreement to these
- 1.4 As part of this review, a consultation on the recommended policy changes was also undertaken with stakeholders, parents/carers and service users which will be presented for approval in a separate Cabinet report. In regards the transport operating model there will be two parts:
- a) Part 1 – The purpose of this report is:
    - (i) to update members on the transport review and seek members' approval on the preferred operating model.
  - b) Part 2 – Subject to approval with the recommendations above, a further report is to be presented to Cabinet in January 2018 that will provide details of:
    - (i) how the agreed Joint Venture (JV) will operate on a day to day basis
    - (ii) confirmed procurement procedure to procure the JV partnership – competitive dialogue or open procedure

## 2. Recommendations

2.1 That the following key elements are agreed to enable procurement activities to commence around this passenger transport review, in parallel with completing the policy consultation with users. Approval is requested for the Council to:

2.1.1 Procure a partner to develop a 'For Profit' JV partnership as the recommended operating model for providing all its passenger transport services

2.1.2 Use a full procurement procedure (either competitive dialogue or open procedure) to procure a partner to develop a 'For Profit' JV partnership as opposed to contracting directly with a local authority owned company under Regulation 12 (the old teckal arrangements)

2.1.3 Implement the new service from 1<sup>st</sup> August 2019 based on the time table set out in 6.2 below

2.1.4 Grant a tender exemption to extend existing contracts, based on the understanding that market conditions and potential legislative changes have hindered the Council's ability to procure a partner to develop other types of JV partnership

### Next Steps

2.1.5 Subject to approval with the recommendations above, a further report to be presented to Cabinet in January 2018 that will provide details of the confirmed procurement procedure to procure a partner to develop the JV partnership

## 3. Background

3.1 The Council currently provides transport to adults and childrens across various service areas. The cost for this provision is estimated to be circa £2.1m per annum which is split between nine external contractors and the services provided in-house (this cost also includes the internal transport team). Contracts across the service areas are close to their expiry dates, having been extended as far as possible to enable the transport review to be undertaken. New procurement arrangements are therefore required in the near future to replace the existing contracts.

	Provision		Contract end date	Comments
1.	<b>Home to School Transport</b>	One School One Operator Contractor (SEN)	July 2019	There is an option in the contract to extend the existing contract to July 2019
		Individual and New Routes (SEN) Framework of 9 suppliers	July 2018	There are no options in the existing contract to extend beyond July 2018

	Provision	Contract end date	Comments
2.	<b>Adults and Children's Social Care</b>	Children's Respite care	July 2018 There are no options in the existing contract to extend beyond July 2018
		Supervised Contact	July 2018 There are no options in the existing contract to extend beyond July 2018– any extension should be done as part of the Home to School (individual and new routes framework)
		Adults with Learning Disabilities (External)	July 2018 There are no options in the existing contract to extend beyond July 2018. Awarded as part of the Home to School individual and new routes framework (Currently extended to end March 2018)
		Adults with Learning Disabilities (Internal – Project 49)	No Contract (in-house) Current vehicle leases will need to be extended until July 2019.
3.	<b>Community Services</b>	Dial-a-Ride	No Contract (in-house) Current vehicle leases will need to be extended until July 2019.

3.2 The initial review of the existing passenger transport service was undertaken to identify any areas of service improvement or efficiency that needed addressing prior to considering a recommended procurement route. The issues identified were:

- a) key components of the service such as planning, scheduling, eligibility criteria using inconsistent existing policies meant the transport services were not being utilised effectively or to full capacity
- b) whether a more effective service can be achieved through better route optimisation, service integration and streamlined contract management
- c) the annual costs of running the transport service are perceived as high in comparison to other local authorities where similar services are being provided.

3.3 Following the initial passenger transport review, the Council procured independent transport advice to assist with undertaking an in-depth analysis of the initial transport review which included reviewing the services, existing policies and identifying potential cost and efficiency savings.

3.4 The in-depth analysis of the transport review as highlighted in 3.3 above made the following recommendations:

*(i) Policies*

That a consultation is undertaken with service users and stakeholders regarding the following draft policies:

- Home to School for Students with Special Educational Needs (SEN) pre and post-16 students
- Adults with Learning Disabilities and Older Adults attending Day Centres and Activities
- Supervised Contact for children and families
- Dial-a-Ride

*(ii) Procurement route and operating model*

That the use of a JV partnership is the most sustainable and best value option for the Council.

*(iii) Timescales*

That the Council ensures that the transfer of all home to school transport to the new operating model is during the school summer holiday to ensure readiness for the start of the academic school year.

*(iv) Leased Vehicles*

That the Council procures new leases in order to be able to continue to provide the in-house adults with learning disabilities service until these services are transferred to the new operating model.

## **4. Operating Model**

4.1 Initial investigation by the Passenger Transport Review showed that there were five potential operating models for delivering passenger transport services (see Appendix A).

4.2 As detailed below further analysis eliminated a number of options considered in Appendix A, leaving use of a JV as the most sustainable and viable option.

### **4.2 Use of a traditional 3rd Party supplier/outsourcing provider**

4.2.1 The nature of the 3rd-party market, including traditional private sector transport/outsourcing companies has been shown not to offer the Council the benefits it requires. In particular, the drive to provide benefits and savings directly to the Council is absent. There is no transparency of actual operating costs or visibility of profits unless contract clauses are provided for and which are difficult to enforce. The Council does not have the ability to have an ongoing say or influence on the method of service delivery under this type of model. It has also been found that this market's experience of delivering the types of transport required is limited. Our experience of the 3<sup>rd</sup> party outsourcing model is that the provider makes efficiencies within the service which are difficult to contract manage with a resultant loss of quality in the service or excess profits to the 3<sup>rd</sup> Party supplier.

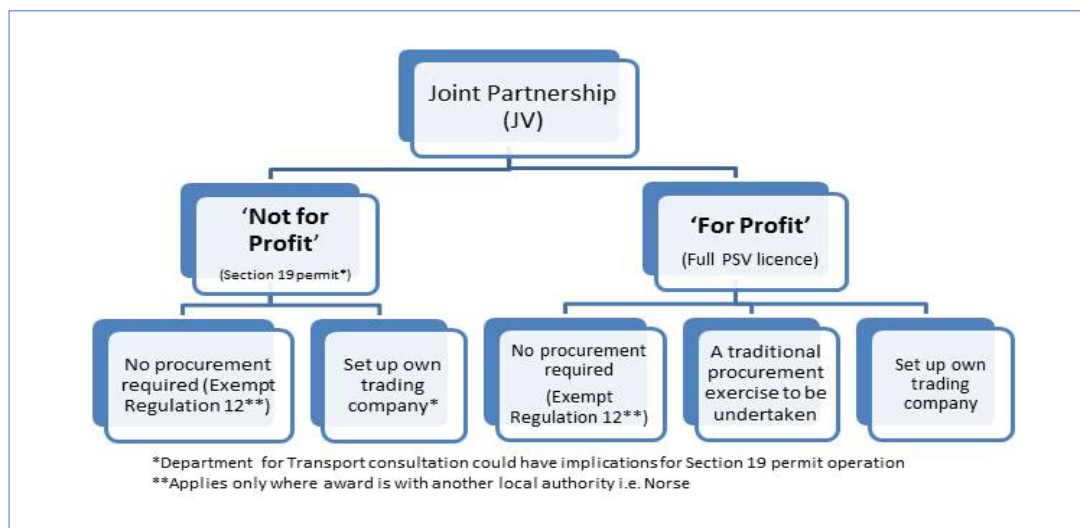
### **4.3 Use of a Joint Venture (JV)**

4.3.1 A JV approach has been identified as being the best delivery model to achieve sustainable transport provision for the Council. This model offers transparency of

costs, visibility of profits and the ability for the Council to have some control in the delivery of the service. It also offers the opportunity for income generation via ability to enter into contracts with academies, schools, other local authorities and local businesses for example. This approach, assuming that a partner with appropriate experience, existing infrastructure and resources can be found, takes risk away from the Council.

- 4.3.2 A JV partnership is usually governed by a Board comprising of Directors from each party in a shareholding structure. A shareholding structure determines the profit share that is to be distributed between both partners. This structure allows the Council to have far greater control of the way the services are being delivered. Alongside this a JV offers flexibility that is not available in rigid contracts, which often end up costing more and where contract variations are required.
- 4.3.3 A JV partnership also offers the Council the ability to draw upon the partner's expertise and experience in running a passenger transport service. This model also has the ability to integrate the transport services to maximise the efficient use of its fleet, drivers and staff so that the transport service is used to its fullest capacity and can potentially provide for future pressures or increased demand thus providing a financial safeguard. It is also anticipated that the JV would be able to open up the opportunity for the creation of new jobs for Southend residents (subject to TUPE from existing contracts and inhouse staff), the opportunity to create numerous apprenticeships (drivers, Passenger Assistants and Administration) and make improvements to the local environment/air quality through route optimisation.
- 4.3.4 The majority of the current transport services will be delivered via the JV through mainly a mini-bus transport service with some taxi provision. It is therefore anticipated that the JV partner will provide the bulk of the service via mini bus provision, this will be supplemented with taxi provision, which will be sub-contracted via an approved contractor framework (this could include a stipulation to use local businesses).
- 4.3.5 There are two types of JV partnerships that could be established as follows:
- (i) A partnership with a company that is wholly owned by a local authority which is exempt of the regulation 12 of the Public Contract Regulations 2015 and offers a relatively straightforward and quick set up process or a Joint Venture. This option could be either a 'not for profit' or a 'for profit' partnership depending on the permit or licence this partnership would operate under.
  - (ii) A partnership with a privately owned company via a JV partnership would require a traditional procurement to be undertaken and would widen the competition in the market and does not exclude local authority owned companies or incumbent suppliers and other local business to put in a bid. However, this option requires a traditional procurement exercise to be undertaken and is a lengthy process due to the contract mobilisation required following contract award. This option could only operate on a 'for profit' partnership that would need to operate under a full PSV operating licence.

4.3.6 The diagram below confirms the structure for a procurement process for either a 'not for profit' and a 'for profit' JV partnership model:



### ***'Not for Profit' JV***

4.3.7 Organisations that provide transport on a 'not-for-profit' basis can apply for permits under Section 19 or Section 22 of the Transport Act 1985. This means a 'not for profit' JV partnership could operate under a Section 19 permit required for the mini-bus provision of passenger transport. To be eligible for a Section 19 permit the organisation has to meet criteria set by the Driving Vehicle Standards Agency (DVSA). This operating model is less costly in terms of DVSA licencing requirements (i.e. £9 per vehicle) and there is no requirement to have a qualified transport manager that attracts the higher cost of a licence for a full PSV operating licence (£4,000 required for first vehicle and £3,200 for each vehicle thereafter). As well as this money needs to be held in a bank account and evidence of this available to the traffic commissioner.

4.3.8 In order to meet the timescales to ensure the home to school transport would be implemented during the school holidays and be live at the start of the schools' academic year in September 2018, the Council decided to further explore the establishment of a JV partnership with a local authority owned company under a 'not for profit' model operating under Section 19 permits. However, the recent announcement from the Department for Transport (DfT) advised it will be undertaking a consultation on the use of Section 19 and 22 permits. In view of this, the local authority owned company that was approached alongside others, are now being extra cautious around delivering any new transport provisions under a Section 19 permit with the Council. They have since withdrawn their proposal to enter into a 'not for profit' partnership with Southend at this time, although they would be happy to consider a partnership under a 'for profit' model. The local authority owned company that we had approached is currently the only local authority owned company that would have been able at this time to offer a partnership under a 'not for profit' model.

### **'For Profit' JV**

- 4.3.9 As outlined above, a Section 19 permit is only applicable for transport services operated by 'not for profit' organisations. Therefore a 'for profit' model would have to operate under a full PSV operating licence. As outlined in 4.3.7 above, the licencing requirements around this operation attracts higher costs to operating under a Section 19 permit and requires money to be held in a bank account. The full PSV operating licence also requires a transport manager who is held accountable for transport operation. As per 4.3.8, the local authority owned company that had been identified confirmed that they cannot consider a 'not for profit' JV partnership at this time. They would be interested in a 'for profit' JV partnership that would operate under a full operating licence via the local authority's's trading arm.
- 4.3.10 It is still possible to enter into a partnership with the local authority owned company as it does not require a traditional procurement exercise which is a lengthy process. However, the reduced timescale now means that it would not be possible to have this partnership set up and implemented in time for the start of the schools' academic year in September 2018 and then the implementation would have to be delayed to September 2019. Bearing in mind that a partnership with another local authority owned company would be delayed to meet the start of the academic year in September 2019, a 'for profit' model should now be opened up via a competitive procurement exercise to widen the competition to ensure best value to the Council.
- 4.3.11 As outlined in 2.1.2 and 4.3.10 above, the proposal is to undertake an open procurement exercise that allows for local businesses and incumbent contractors to bid in the tendering exercise as the main JV partner or as a sub-contractor with the main JV partner. This procurement exercise widens the competition and other local authority owned companies can also bid with the aim of getting best value for the Council.
- 4.3.12 Market research with 13 potential JV partners has been undertaken. This list was initially shortlisted to seven; and then only two confirmed at this time that they were interested and able to put in the time to develop a proposal within the current timescale for the Council's transport review:
- (i) A company that is wholly owned by a local authority
  - (ii) A private owned company (being a national bus operating company).
- 4.3.13 The table below outlines the benefits and issues regarding a 'Not for profit' and a 'For profit' arrangement:

<b>Issues</b>	<b>'Not for Profit' JV</b>	<b>'For Profit' JV</b>
Procurement Path	No procurement requirement – relatively quick process to set up. However, as there was only one local authority	A traditional procurement is required – a lengthy process which requires at least a nine month mobilisation period (fleet

	owned company identified as a potential partner who have since withdrawn their interest in this model.	acquisition, TUPE etc) following contract award
Commercial Risk	JV Partner will assume the majority of the risks due to the Commercial investment and the Council risk is low as this only applies to the initial start up and set up costs.	JV Partner will assume the majority of the risks due to the Commercial investment and the Council risk is low as this only applies to the initial start up and set up costs.
Initial set up and investment	Shared - leverage partner structure and resources	Shared - leverage partner structure and resources
Variations to service	Flexible	Flexible
Financial Benefits through efficiencies	Shared with JV Partner	Shared with JV Partner
Potential for wider trading	No	Yes
Operational resilience	Takes advantage of partner resources	Takes advantage of partner resources
Experience	Experienced partners in market	Experienced partners in market
Service and eligibility efficiency	Yes	Yes
Flexibility across services	Yes through greater depth of resources	Yes through greater depth of resources
Council Management of Service	Direct as partner	Direct as partner
Permit or Operational Licencing	Section 19 permit or Full PSV Operating Licence	Full PSV Operating Licence
Licencing Costs	£9 per vehicle (valid for 5 years)	£4,000 required for first vehicle and £3,200 for each vehicle thereafter. (This money must remain in a bank account to prove to the traffic commissioner that the provider is able to replace vehicles when required)
Other licencing requirements		A qualified transport manager is required for the full operating licence
Challenges from incumbent providers	This model excludes incumbent providers from bidding to be the JV partner, but they could bid to act as a sub-contractor	This option allows incumbent providers to either bid as the main JV partner or a sub-contractor to the main JV partner
Potential JV Partners	There is only one JV partner under this option (local authority owned company)	The procurement exercise would generate interest from other parties including incumbent suppliers



#### **4.4 Recommended Approach:**

- 4.4.1 Further to 2.1.5, this report proposes to explore the procurement route of a partner to develop a JV partnership. The proposed JV partnership will be set up as a 'for profit' transport organisation under a full public service vehicle (PSV) licence. The use of a full PSV operating licence will ensure the Council is fully compliant in providing passenger transport and allows the JV partnership to operate under a 'for profit' model. The aim of the JV partnership will be to maximise quality, transparency, reduce costs where possible and achieve longer- term benefits (i.e. Income/Profit generation).
- 4.4.2 Therefore, it is recommended that a traditional procurement exercise is undertaken to seek a JV partner under a 'for profit' model operating under a full operating licence. This option would ensure the Council is fully compliant and not at risk of any implications arising from of the DfT consultation on Section 19 permits and would allow the Council to widen the competition for incumbent and local contractors to participate in the tender exercise as well as other local authority owned companies. It is anticipated during the course of the tender exercise, DfT's decision on Section 19 permits may be clearer and the risk on the local authority owned company's full operating licence should be clarified. However, by having to undertake a procurement exercise , it will only be possible to commence operation in September 2019. The lengthy procurement process is due to the requirement to incorporate a nine month mobilisation period following the award of the contract, to ensure competitive fairness where lead times are required for contractors to purchase vehicles.
- 4.4.3 This recommended approach also eliminates the risk of challenge from contractors who would have been excluded from being able to participate in a tender exercise due to their current licenced operation.
- 4.4.4 If the decision is taken to enter into a competitive tender process with a longer timeframe, it is highly likely that some of those companies already approached initially in the market research exercise would now enter into that procurement process. Due to the additional costs associated with the requirement of a full operating licence this option would widen the competition with the aim of achieving best value for the Council.

#### **5. Other Options**

- 5.1 Should the requirements, and processes outlined in this report not coalesce with Cabinet expectations this could further delay work that needs to be undertaken in order to be able to develop the recommended procurement approach. This would also impact on the procurement timescale and progress on shaping a robust tender specification.
- 5.2 Other procurement options have already been rejected as per 4.1 above.

#### **6. Timescales – full procurement process to procure a 'for profit' partner**

- 6.1 As outlined in 3.4(iii), the majority of transport provided is home to school transport – any changes to such services should be made during the summer for implementation in early September. Changes to the home to school transport services at schools have been made over the Christmas and Easter periods in the past, but the result has

always been both a degree of chaos in the implementation and a greater negative impact on service users and their families. The requirement to undertake a procurement exercise means that the home to school transport will not be able to go live until September 2019. The lengthy procurement process is due to the requirement to incorporate a nine month mobilisation period following the award of the contract, to ensure competitive fairness where lead times are required for contractors to purchase vehicles.

6.2 Below is an indicative timescale to undertake the procurement and implement the services:

<b>Date</b>	<b>Activity</b>
9 January 2018	Cabinet approval to proceed with the procurement
30 January 2018	People Scrutiny approval of Cabinet's decision
22 February 2018	Full Council's approval of Scrutiny's approval
March-April 2018	Invitation to Tender
April-May 2018	Tender Evaluation
June 2018	Cabinet approval of contract award
July 2018	People Scrutiny approval of Cabinet's approval of contract award
July 2018	Full Council approval of Scrutiny's approval of contract award
August 2018	Award Contract
September 2018-June 2019	1) Set up JV 2) Contract mobilisation for JV partner
July - August 2019	Implementation period for home to school transport
1 <sup>st</sup> August 2019	All passenger transport services go live

## **7. Tender exemption is granted to extend existing contracts**

7.1 As per 2.1.4 and 3.1 above, the following contracts will need to roll on until July 2019 via an extension to the existing contracts as the Council has a statutory duty to provide these services which will be out of contract if the Council does not extend:

- a) Home to School and Respite Care (Individual and new routes)
- b) Supervised Contact (via the Individual and new routes framework)
- c) Adults with Learning Disabilities (via the Individual and new routes framework)

### **7.2 Recommended Approach:**

7.2.1 Further to 2.1.4 in accordance with the Section 8.10 of the Council's Contract Procedure Rules, the Council is seeking Cabinet's approval for an exception to extend the existing following contracts for a period of 12 months via rolling on existing terms and conditions with the current contractors:

- a) Home to School and Respite Care (Individual and new routes)
- b) Supervised Contact (via the Individual and new routes framework)
- c) Adults with Learning Disabilities (via the Individual and new routes framework)

- 7.2.2 This exception request is due to the contracts expiring in July 2018 and the need to roll on existing contracts via an agreed contract extension and this is due to regulatory forces that have hindered the timescales and have also created a risk to operating a transport service with compliant licencing. To mitigate this risk a procurement process will need to be undertaken which also allows competitive fairness. The Council has a statutory duty to provide the services in 7.1 and there is a need to have contractual arrangements in place. Therefore to confirm, the Council needs Cabinet's approval to roll on existing contracts via an agreed extension while the procurement process can be progressed.
- 7.2.3 The extensions will be awarded via the existing individual and new routes framework to the same contractors on a goodwill basis under the existing terms and conditions. In the event a contractor does not want to continue their contract, the framework of nine contractors allows for a mini-competition to be undertaken and the contract to be awarded to another.

## 8. Reasons for Recommendation

- 8.1 It is critical that the Council has an agreed, robust and transparent position on each of the matters presented in this report in order to shape the procurement approach and to ensure that the Council's ambitions for passenger transport are delivered through the partnership. Not reaching agreement on any of these matters risks delaying the procurement process.

## 9. Corporate Implications

### 9.1 Contribution to Council's Vision & Corporate Priorities

This project will contribute towards the following Council Priorities:

<b>Safe</b>	To: <ul style="list-style-type: none"> <li>Look after and safeguard our children and vulnerable adults.</li> </ul>
<b>Clean</b>	To: <ul style="list-style-type: none"> <li>Continue to promote the use of green technology and initiatives to benefit the local economy and environment.</li> <li>Encourage and enforce high standards of environmental stewardship.</li> </ul>
<b>Healthy</b>	To: <ul style="list-style-type: none"> <li>Improve the life chances of our residents, especially our vulnerable children and adults, by working to reduce inequalities and social deprivation across our communities.</li> </ul>
<b>Prosperous</b>	To: <ul style="list-style-type: none"> <li>Ensure the town is 'open for businesses' and that new, developing and existing enterprise is nurtured and supported.</li> <li></li> </ul>
<b>Excellent</b>	To: <ul style="list-style-type: none"> <li>Work with and listen to our communities and partners to achieve better outcomes for all.</li> </ul>

- |  |  |
|--|--|
|  | <ul style="list-style-type: none"><li>• Enable communities to be self-sufficient and foster pride in the town.</li><li>• Promote and lead an entrepreneurial, creative and innovative approach to the development of our town.</li></ul> |
|--|--|

## **9.2 Financial Implications**

- 9.2.1 The expectation is that financial efficiencies will be delivered through the proposed new operating model and thus there will be a contribution to the Council's savings targets in future years. The savings derived will be dependent upon the outcome of the Procurement process and the final agreed format of a 'for profit' joint venture (JV) model.
- 9.2.2 It is also expected that there will be initial start up and set up costs, which would need to be factored into the agreement of the 'for profit' joint venture (JV).

## **9.3 Legal Implications**

- 9.3.1 Any new operator will need to supervise and monitor drivers in connection with DVSA and DVLA licensing and permit requirements and holding of insurance.
- 9.3.2 Details of the arrangements between the two parties forming the JV will be documented within 'Articles of Association' that contain the purpose of the company as well as the duties and responsibilities of its members. Contractual obligations and responsibilities of each party will be formalised and documented within a 'Joint Venture Shareholders Agreement' including the right of either party to terminate.
- 9.3.3 As the proposal is to procure a JV under a full PSV operating licence any changes that follow the DfT consultation will not apply as the Council will be fully compliant and will not be affected by any changes. During the course of the procurement exercise it is anticipated that the implications of the DfT consultation should be clearer and thus ensure that if the local authority owned company that was identified became the preferred JV partner that all risks to their other operations would have been eliminated (i.e. this risk relates to the local authority's Section 19 permit operations which could also have an implications for their PSV operating licence).

## **9.4 People Implications**

- 9.4.1 A full consultation will be required with staff that will be transferred to the JV partnership as well as those where TUPE applies to the external contracts. This consultation will need to include Trade Unions in keeping with prevailing Council policy.
- 9.4.2 The Council's prescribed TUPE process and timescale for TUPE transfer will then also need to be followed.
- 9.4.3 The JV partner would be expected to provide their expertise on TUPE to actively support the Council's HR Team with all aspects of TUPE.

## **9.5 Property Implications**

- 9.5.1 Whilst some space in the Tickfield yard could be released, the JV will still need to source premises to store the fleet and sites presented by the Council's asset team will need to be explored as part of the implementation.

## **9.6 Consultation**

- 9.6.1 Consultations will need to be held with staff that are currently involved in the in-house services and there will be a need to consult with operators delivering the external contracts.

## **9.7 Equalities and Diversity Implications**

- 9.7.1 As the JV proposals involve a re-modelling of service delivery there will be a requirement for the procurement and service area leads to conduct an Equality Analysis.
- 9.7.2 Equality analyses have been initiated on the basis of the proposed policies.

## **9.8 Risk Assessment**

- 9.8.1 Inevitably there will be a small degree of risk in setting up a Joint Venture partnership with a third party. However, given the nature of the proposed JV this risk is not considered high. It is unlikely that the creation of the JV would cause any financial risk to the authority other than the loss of one-off set up costs should the company fail at an early stage.
- 9.8.2 There is the potential for risk to reputation through negative media campaigns and dissent from incumbent suppliers or users, e.g. parents who prefer to retain existing transport arrangements.
- 9.8.3 Further to 4.3.8, it is unknown yet what the implications of the Department for Transport consultation will be yet, although it is anticipated during the procurement process that any implications from the outcome of the DfT consultation will become clearer prior to any award to the preferred bidder.
- 9.8.4 A Risk Register will be established by the new Board of Directors and all risks will be actively reviewed on a regular basis. Mitigation strategies will be agreed with SBC.

## **9.9 Value for Money**

- 9.9.1 This proposal aims to enhance value for money through streamlining service delivery and reducing the number of current external contracts and in-house services.
- 9.9.2 The JV model also offers an improvement in quality and ultimately the potential for income generation and profits to be split between shareholders.

## **9.10 Community Safety Implications**

- 9.10.1 The proposed JV partnership will aim to provide a more comprehensive service that ensures access to suitable transport as required by clients.

## **9.11 Environmental Impact**

- 9.11.1 Improved route planning and the reduction in need for transport across the borough would lead to a reduction in traffic and travel which will lower the environmental impacts generated by the current arrangements.

## **10. Background Papers**

- 10.1 None.

## **11. Appendices**

- 11.1 Appendix A – Operating Model Options Explored.

**Operating Model Options Explored**

Initial investigation by the Passenger Transport Review showed that there were five potential operating models for delivering passenger transport services:

	<b>Option</b>	<b>Impact and Issues</b>
1	Stay as now and renew contracts like for like	<b>Not considered sustainable</b> and would not resolve current issues i.e. this option does not present the ability to integrate services, more resources are required for managing multiple contracts, inflexible contracts which would attract additional costs through contract variations and currently does not demonstrate best value for the Council. Costs are likely to continue to increase with this inflexibility and is unlikely to provide an improved and efficient service.
2	Use of a traditional 3 <sup>rd</sup> party supplier/outsourcer provider	<b>Viable option</b> - Whilst this option could offer streamlined contract management and the ability to integrate the services there are still concerns regarding transparency of costs and it would not resolve current issues with inflexible contracts which would attract additional costs through any contract variations. It also demonstrates it is not best value for the Council and is likely to result in similar issues to those outlined in option 1 above.
3	Use of a Joint Venture	<b>Recommended option</b> – This option ensures the Council would have a say in how the services are delivered, offers full transparency of costs and operates on an ‘open book’ model. This model provides the opportunity for streamlined contract management for a fully integrated service to deliver more efficiency and an improved service that demonstrates best value to the Council.
4	Development of an SBC trading company	<b>Not considered a viable option</b> as this option includes a substantial investment in terms of set up costs and this option would take a longer period of time for the Council to see a return on its investment.  SBC does not have the knowledge or experience of running this type of service in a trading company model in comparison to an established JV partner.
5	Bring everything in-house	<b>Not considered sustainable</b> as it overturns established practice in transport delivery and is likely to require a significant increase in the transport budget. This option would also demonstrate the same issues identified for in option 4, i.e. a longer period of time for the

		Council to see a return on its investment as well as having additional costs to acquire the required knowledge and experience to run this type of service.
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The transport review initially identified options 2, 3 and 4 to be taken forward and a more detailed analysis and verification of the potential savings each option could yield.

As detailed below further analysis eliminated options 2 and 4, leaving use of a Joint Venture as the most sustainable and viable option.



# Southend-on-Sea Borough Council

Agenda  
Item No.

## Report of Deputy Chief Executive (People)

to  
**Cabinet**

on

**7<sup>th</sup> November 2017**

Report prepared by: Tracy Harris, Commissioner for Older  
People and Carers

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### Careline Service

#### People Scrutiny Committee

Executive Councillors: Cllr Lesley Salter and Cllr Mark Flewitt

A Part 1 (Public Agenda Item)

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#### 1. Purpose of Report

- 1.1 This report seeks Cabinet's approval to cease funding the Careline service in the Council's sheltered housing schemes with effect from 31 March 2018.

#### 2. Recommendations

Cabinet is asked to:

- 2.1 Note the historical, current and future proposed arrangements in relation to the funding of the Careline service.
- 2.2 Agree to commence formal consultation to cease funding to Careline with effect from 31 March 2018.

#### 3. Background

##### Historical provision

- 3.1 At a national level the Supporting People (SP) grant from 2003 provided ring-fenced funding for Housing Related Support (HRS) for the purpose of developing people's capacity to live independently in accommodation or sustaining their capacity to do so. This funding was introduced following changes to Housing Benefit which had previously funded some such services.
- 3.2 By 2011, funding for SP was incorporated into the Formula Grant paid to local authorities; the ring-fence having been removed two years prior. At this time government funding to local authorities was being reduced as part of wider fiscal cuts.

- 3.3 As part of a wider reduction in funding, Essex County Council ceased funding of their Community Alarm service when the Cabinet approved on 21 February 2017 that they would not re-procure the contract expiring on 31 March 2017.
- 3.4 Since April 2003 the Southend SP grant has funded South Essex Homes (SEH), the Arm's Length Management Organisation for the Council, with 47 sheltered schemes across the Borough, to deliver Careline (a dispersed or hard-wired Community Alarm service) at a cost of £60,000 per annum.

### Present provision

- 3.5 SP currently funds the provision for the subsidy of Careline for Council tenants regardless of their need for this service.
- 3.6 In Council owned Part 1 (Low dependency) schemes existing and new tenants are offered the choice of a dispersed alarm. In Council owned Part 2 (Higher dependency) schemes all tenants receive Careline as a condition of their tenancy as this is hardwired into the buildings. (See appendix 2 – Classification of Sheltered Schemes).
- 3.7 The hardwired alarm is a part of the furniture of the accommodation and therefore part of the package that residents are made aware of and sign up to as a service when they take on the tenancy in SEH part 2 schemes.
- 3.8 The current charge for a dispersed alarm in a Council owned sheltered scheme is £1.38. The charge for a hardwired alarm is £1.33
- 3.8 There are currently 1,148 Sheltered Housing tenants in receipt of the Careline service. 283 tenants pay directly for the service as "self-funders". 865 tenants are benefiting from the SP subsidy for Careline, given that they are also in receipt of housing benefit, which totals a grant of £60,000 per annum. The table below shows the mix of Careline recipients.

	Sheltered Part 1	Sheltered Part 2	Total
Tenants with SP funded Careline	104	761	865
Self-funders	31	252	283
No. of tenants with Careline	135	1,013	1,148
Weekly Charge (sheltered tenants)(2017/18 prices)	£1.38	£1.33	
<b>Total</b>	<b>£9,687.60</b>	<b>£70,059.08</b>	<b>£79,746.68</b>

### Future provision

- 3.12 The Council is not required to provide Housing Related Support (HRS) services, but there is a recognition that they help to fulfil the Council's duties under the Care Act 2014 to prevent care needs from arising which will have cost implications

elsewhere in the public economy. However following the previous withdrawal of SP support to other housing providers, the Councils own sheltered schemes are the only recipient of SP grant for Community Alarm services.

- 3.13 To address the disparate charges to Southend residents and ensure that Community Alarm services are provided more equitably across Southend to all residents in need regardless of their tenure, there is a need to cease Southend-on-Sea Borough Council funding for Careline. It is therefore proposed to cease funding to Careline from 1 April 2018, following a required programme of consultation of 8 weeks with all affected Council tenants.
- 3.14 The proposed cessation of funding would require all SBC sheltered scheme tenants to pay for the Community Alarm service, regardless of whether they are in receipt of Housing Benefit or not. Housing Benefit cannot fund Careline, so the charge will fall to the tenant to pay. Those tenants who are already self-funders will not be affected by this change.
- 3.15 This means for sheltered part 1 tenants they can opt to continue to receive the community alarm system and, based on current prices, would need to pay the weekly charge of £1.38. Alternatively they could choose to opt out of the service and no charge would be due. For sheltered part 2 tenants they would have no option but to continue to receive the community alarm system and be required to pay a weekly charge of £1.33.
- 3.16 Vulnerable residents who can demonstrate they are unable to pay for Careline would not be left in hardship and without the needed support; SEH will work with the Council to support these residents on a case by case basis and ensure that where needed social care assessments and access to other funds to pay the charge will be available.

#### **4. Other Options**

- 4.1 To continue paying the supporting people grant for each Council sheltered housing tenant in receipt of housing benefit, at a cost of £60,000 per annum. This means that Supporting People would not be able to meet their 2017/18 saving target of £60,000.

#### **5. Reasons for Recommendations**

- 5.1 To address the disparate charges to Southend residents and ensure that Community Alarm services are provided more equitably across Southend to all residents in need regardless of their tenure there is a need to cease Southend-on-Sea Borough Council funding for Careline.
- 5.2 To achieve the SP savings target of £60,000

#### **6. Corporate Implications**

- 6.1 Contribution to Council's Vision & Corporate Priorities

**Healthy:**

Improve the life chances of our residents, especially our vulnerable children and adults, by working to reduce inequalities and social deprivation across our communities. Work with the public and private rented sectors to provide good quality housing

**Safe:**

Look after and safeguard our children and vulnerable adults.

## 6.2 Financial Implications

Decommissioning the supporting people contract for the Council's sheltered schemes will enable the 2017/18 efficiency saving to be delivered. All things being equal, there will be no financial impact the HRA as the loss of the grant will be offset by additional income from residents. However there is a risk that some residents will choose to opt-out of the careline scheme and therefore HRA income will be lower than the grant lost.

If the decision to de-commission the SP sheltered contracts is not approved then it will not be possible to deliver the SP efficiency savings by March 2018.

## 6.3 Legal Implications

The Council is not required to provide Housing Related Support (HRS) services and therefore there should be no grounds for legal challenge. The driver for this recommendation is for the equitable delivery of this service to Southend residents.

## 6.4 People Implications

The 104 residents in Part 1 schemes, where Careline operates using a dispersed alarm system will have the option, currently receive the service free of charge through the supporting people grant being paid for those on housing benefit. Under these recommendations they will have £71.76 (2017/18 prices) added to their yearly service charge (£1.38 per week). Alternatively they will be able to opt out of the service

The 761 residents in Part 2 schemes, eligible for supporting people grant, where Careline is hardwired will not be able to opt out of the service as others with dispersed alarms will and therefore may experience financial hardship. There will be an additional yearly sum of £69.16 (2017/18 prices) added to their service charge (£1.33 per week).

## 6.5 Property Implications

None

## 6.6 Consultation

### **Residents**

It is proposed that Officers of SBC work closely with SEH to ensure tenants are appropriately consulted with, and supported to understand the new provision.

Consultation will take place with affected residents regarding the additional cost they will have to pay, the impact of this and whether the impact can be mitigated in any way. It is proposed that the Consultation programme will commence with a meeting with the Sheltered Housing Group and a meeting with the SEH Sheltered Housing Officers. Meetings with residents at all sheltered schemes will follow together with written communications detailing all questions and answers from the meetings. It is proposed that consultation is carried out over an 8 week programme between November and December 2017.

#### 6.7 Equalities and Diversity Implications

All older people living in Southend on Sea should have equality of access to a Community Alarm service.

#### 6.8 Risk Assessment

There will be a communications plan together with consultation and engagement with residents in order to mitigate this risk.

#### 6.9 Value for Money

For there to be equitable provision of the Careline service across Southend on Sea to all residents regardless of their tenure.

#### 6.10 Community Safety Implications

None

#### 6.11 Environmental Impact

None

### 7. **Background Papers**

None

### 8. **Appendices**



Appendix 1-  
Sheltered Housing Cla

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**Traditional sheltered housing classification (adapted from J. Hanson)**

Category	Features
Part 1	<ul style="list-style-type: none"> <li>• Accommodation is in purpose-built bungalows or flats, usually without a lift.</li> <li>• An <b>intercom or social alarm</b> available to summon assistance in an emergency.</li> </ul> <p style="text-align: center;">(communal facilities and a warden are optional)</p>
Part 2	<ul style="list-style-type: none"> <li>• self-contained apartments under one roof with a social alarm, communal facilities such as a residents' lounge or laundry</li> <li>• Resident or mobile <b>warden</b></li> <li>• <b>lifts</b> that serve those homes that are located on the upper levels.</li> </ul> <p style="text-align: center;">(intended for more dependent older people)</p>
Part 2.5	<ul style="list-style-type: none"> <li>• Also known as '<b>very sheltered housing</b>' or '<b>extra care housing</b>' - for frail elderly and people who need more <b>continuous personal care</b>.</li> <li>• Most commonly, a one bedroom flat in a modern storey block (with a lift) of about 40 - 60 dwellings which have been especially designed for <b>older people with mobility problems</b>.</li> <li>• Flat can be adapted for a wheelchair user or resident who uses a walking frame</li> <li>• Common areas are wide, well lit and easy to negotiate.</li> <li>• The common facilities are likely to be more extensive than in ordinary sheltered housing</li> <li>• There may be a <b>day centre</b> attached to the scheme that is also used by older people who live in the locality.</li> <li>• A <b>mid day meal may be provided</b> in a residents' dining room and there will be a residents' sitting room.</li> <li>• Access to <b>on site services</b> such as a hairdresser and chiropodist.</li> <li>• There is usually <b>resident or non-resident manager</b> on the site who is responsible for managing the block of flats, organising social activities and gatherings for the residents and co-ordinating care services.</li> <li>• Care staff may be <b>on call 24/7</b>.</li> </ul>

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# Southend-on-Sea Borough Council

## Report of Deputy Chief Executive (People)

to  
**Cabinet**  
on  
**7<sup>th</sup> November 2017**

Report prepared by: John O'Loughlin, Director of Children's  
Services &  
Diane Keens, Group Manager, Placements & Resources

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### 6<sup>th</sup> Month mid-year Adoption Report

Department for People Scrutiny Committee – Executive Councillor:  
Councillor James Courtenay

*A Part 1 Public Agenda Item*

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#### 1. Purpose of Report

- 1.1 To report on the activities of the Southend Adoption Service between April and September 2017

#### 2. Recommendation

- 2.1 That Cabinet notes and agrees the contents of the report

#### 3. Background

- 3.1 The provision, standards and operations of the adoption service is governed by:
- The Local Authority Adoption Service (England) Regulations 2005 (amend 2013 & 2014)
  - The Adoption Agencies and Independent Review of Determinations (amendment) Regulations 2011 and the
  - Adoption National Minimum Standards 2011
- 3.2 National Minimum Standard 25.6 states that the Executive side of the Local Authority should :
- a. receive written reports on the management and outcomes of the agency
  - b. monitor the management and outcomes of the service in order to satisfy themselves that the agency is effective and is achieving good outcomes for children and/or service users
  - c. satisfy themselves that the agency is complying with the conditions of registration.

- 3.3 The most recent Adoption Leadership Board data published showed of those local authorities who provided data, Southend as being in the top 2 (1<sup>st</sup> in one) local authorities in the country in respect of timescales for the 2 key indicators; time between entering care and moving in with adopters and time between the court giving the local authority permission to place a child for adoption and the child being matched with an adoptive family.
- 3.4 In the 'Regionalising Adoption' White Paper (2015) the government set out its intentions to establish Regional Adoption Agencies (RAA) by 2020, with the aim of speeding up the matching process, improving the life chances of neglected children; improving adoption recruitment and adoption support and reducing costs. The government have continued to be clear that all Local Authorities will either need to be part of a Regional Adoption Agency (RAA) or will have delegated their adoption functions to a RAA by 2020.
- 3.5 Essex, Suffolk, Hertfordshire, Luton and Southend along with Adoption Plus, Adoption UK and Barnardo's have been working in partnership to design a new model of service delivery for adoption, in line with the government's agenda.
- 3.6 The issues that the government were seeking to address within the adoption reform are as follows:

Inefficiencies:

- The current system is seen as fragmented, with around 180 agencies, both Local Authority and Voluntary Adoption Agencies (VAA), recruiting and matching adopters for over 5000 children per year. The majority of agencies are operating at a very small scale and this hinders strategic planning and economies of scale.

Timeliness of placing children:

- Whilst there has been significant improvement in the performance of Local Authorities in placing children swiftly with adoptive families, there is believed to be further progress that can be made. This is particularly the case with harder to place children, often older, within a sibling group or with a disability.

Adopter recruitment:

- There has been improvement in both the number of adopters recruited and the timescales to achieve this. However, many of these adopters are less willing to consider those children who are harder to place.

Adoption Support

- The help that is offered to families after adoption is the responsibility of Local Authorities. However, it is currently fragmented and characterised by a combination of in-house and spot purchased arrangements with often significant variations between local authority areas.

Consultation has been carried out over the last two years with the Department for Education, other authorities, adopters and staff to determine the preferred model for Adopt East.

## 4. Other Options

- 4.1 The functions undertaken by the adoption agency are statutory requirements. In April 2014, Southend became a member of the East Anglian Adoption Consortium, following the ending of the Partners in Adoption Consortium. With however the new Regional Adoption Agency activity which was set up in 2015, this consortium ceased to exist and since that time, Southend has been a part of the activity of the Adopt East regional Adoption Agency.
- 4.2 As stated above, the Adopt East Regional Adoption Agency activity consists of Southend, Essex, Suffolk, Hertfordshire, Luton, Barnardo's, Adoption UK and Adoption plus.
- 4.3 Over the past two years work towards forming a Regional Adoption Agency has progressed, however significant issues have arisen regarding the financial viability of the project. A formal decision as to the way forward was made on 24<sup>th</sup> October 2017, as set out in 4.6 below.
- 4.4 Initially the project board were working towards a shared service, however early in 2017 it became clear that this was not financially viable due mainly to IT issues and an increase in some shared activity leading to an extended management team requirement. In addition some posts could not be extracted fully from the local authority function and as such additional post requirement was identified in order to make the required changes.
- 4.5 Throughout the work undertaken, the DCS lead has always been that any RAA must improve outcomes for children and families and be ultimately at no additional cost. Given the difficulties identified with the shared service, since the beginning of 2017 work has been undertaken to look at two potential alternative options, a hosted RAA (hosted by one of the partners) and more recently consideration of a Partnership model.

### **Option One: Create a hosted Regional Adoption Agency**

#### Pros:

- Potentially makes better use of resources across the region to find adopters and match children to families quicker, which ultimately may lead to better outcomes.
- Gives a good opportunity to streamline and make consistent the recruitment and assessment, family finding and matching processes along with adoption support provision across the region to improve outcomes for children and families.
- Ability for each authority to keep a level of control over what happens within the adoption service through the Management Board.

#### Cons:

- Although there has been government assistance with the implementation costs, these cease in April 2018. The development of a hosted RAA will involve an additional level of cost to each authority with on-going additional pressure.
- Southend would lose responsibility for the direct delivery of adoption services, dependent on the host identified

## **Option Two: Create a Partnership Model and remain as 5 separate adoption agencies. This means not creating a formal RAA.**

### Pros

- no changes to current arrangements for staff
- Southend would remain fully responsible for the delivery of adoption services in Southend
- Some adoption activities would be delivered within the Partnership to ensure best practice and economies of scale
- Less risk to performance as no significant change to service delivery

### Cons

- Potentially does not meet government requirement to regionalise.
- There will be some additional costs although these are identified as minimal and in the longer term should be managed through savings from economies of scale in other areas.

- 4.6 On 24<sup>th</sup> October 2017, senior representatives of Adopt East had discussions with the Department for Education (DfE). The DfE were updated on the present direction of Adopt East, which will be more of a partnership alliance, with the intention of developing a schedule of work which would be expected to go live in April 2018.

A very encouraging response was received from the DfE and the indication was that they had no concerns around the proposals. The Adopt East project team will now start to develop work streams and communications will be sent out to staff.

## **5. Reasons for Recommendations**

- 5.1 This report shows the activities of the Southend Adoption service in the first 6 months of 2017/8.

## **6. Corporate Implications**

- 6.1 Contribution to Council's Vision & Corporate Priorities

The mid-year report sets out the framework for the work of the adoption agency/service. It directly supports the delivery of the Corporate Priority to 'improve outcomes for vulnerable children'.

- 6.2 Financial Implications

Over the past few years, Southend Adoption Service has successfully achieved a surplus in income generation in respect of inter-agency placements.

During 2014/15, the Adoption Service spent £123,000 on inter-agency placements for adopters outside of the Borough. However £308,000 was raised by outside local authorities using Southend adopters; meaning a net income gain of £185,000. After taking into consideration the 2014/15 budgeted inter agency target of a budgeted net income gain of £84,000, means the adoption service delivered income of £101,000 above the planned target.

In 2015/16, although the number of children being placed nationally for adoption dropped, due to other grant activity by the government, and supporting payments for some inter agency placements, Southend continued to be successful in selling adopters through the national register and thus bringing income into the authority, to counteract the placements purchased for Southend children. During 2015/16 the Adoption Service spent £177,000 on interagency placements and received income of £262,000, resulting in a net gain of £85,000. Again, after taking into account the 2015/16 budgeted inter agency target of a net income gain of £84,000, means the adoption service delivered slightly over target by £1,000.

In 2016/17 the Adoption Service noticed for the first time the impact of the Regional Adoption Agency (RAA) Programme, with many RAA's choosing to become no fee consortiums' within their partnership groupings. In addition, within Adopt East for much of the year, three of the partners became no-fee between themselves and thus use of Southend adopters declined drastically during this period. This has now ceased within Adopt East until a final decision is made in October as to the delivery model. In 2016/17, the council's net income gain fell to £34,000, resulting in a shortfall of £50,000 against the £84,000 planned net income target.

In addition, the number of children being placed for adoption in Southend (and nationally) increased dramatically from 17 in 2014/15 to 28 in 2016/17. In the first 6 months of 2017/18 Southend has placed 21 children for adoption. We have a further 23 children with a primary plan for adoption awaiting court ratification and a further 20 with a parallel plan for adoption. Due to the high increase in placements made, at the end of September the forecast expenditure on inter-agency placements is £553,000 whilst income forecasts stand at £117,000; a significant forecast net deficit of £436,000 on interagency placements. This is likely to rise further once court ratification is given for the remaining children with a primary plan.

Southend continues to successfully recruit adopters and there are currently 17 households awaiting assessment for adoption and 9 in the assessment process. Whilst we are unlikely to be able to use many Southend adopters for local children, should there be capacity to assess these families in a timely manner, this will enable an increased income stream through interagency placements to part offset inter agency expenditure pressures in 2017/18 and 2018/19. We are currently in the process of recruiting a social worker on a short term contract to support the completion of assessments of prospective adopters.

### 6.3 Legal Implications

At this stage there are no legal implications.

Dependent on the decision as to the RAA, there may be legal implications in the future regarding the adoption service. One of the options being considered by Adopt East is a hosted model which would result in the partner agencies transferring their adoption functions to the host authority. At this stage the host has not been confirmed. The second option being considered at this stage is a Partnership Model in which adoption services would remain within each partner agency and would therefore have no legal implications for Southend.

## 6.4 People Implications

At this stage there are no people implications.

Dependent on the decision as to the RAA delivery model, should a hosted model be pursued, then the likely implications for staff is that they would be TUPE'd to the host authority. Staff are fully aware of the current situation. Should Southend be successful in becoming the host, this would lead to around 200 staff being transferred over to Southend.

HR are fully involved in the work being undertaken as there are complications with partners being involved in three separate pension pots (all in the LA scheme) as well as issues around staffing of the RAA should vacant posts be transferred into the agency.

## 6.5 Property Implications

None at this stage.

Should the RAA pursue a hosted model, there may be some property implications. These will vary dependent on the identified host. Should Southend be successful in becoming the host, there may be a requirement for some centralised services which would require property space.

Should another partner become the host, then adoption staff would remain based in Southend in the main, whilst being employed by one of the partner agencies.

Should the partnership model be pursued, there will be no property implications for Southend.

## 6.6 Consultation

The adoption service was inspected by OFSTED in May 2016 and adopters and prospective adopters were also consulted at that time by Inspectors. The outcome of the inspection was reported to Cabinet in July 2016 when adoption services were found to be good. Further consultation took place in early spring 2016 with regards to the Adopt East regional activity. Regular feedback is requested from adoptive families to ensure that services continue to meet their needs and are adaptive to the changing horizon of adoption.

Some adopter representatives attended the Regional conference regarding Adopt East and the way forward and several are now a part of the formal Adopter Voice consultation group, who are represented on the Adopt East Board.

## 6.7 Equalities and Diversity Implications

Adopt East covers a diverse geographical area and enables a wider choice of families for Looked after Children in Southend-on-Sea being placed for adoption. Every effort is made to match children and adopters in relation to culture, ethnicity and religion, but such factors are only one element of the matching process and do not take priority over the overall ability of a prospective adopter to meet the needs of a child.

In the first 6 months of 2017, The Southend adoption service has approved 7 new adoptive households and has matched 13 Southend children with adoptive parents.

Another 7 children are due to be matched in the next 2 panels. The numbers of adopters coming forward nationally continued to drop in 2016/17. Whilst nationally there is no sign of this trend changing in the near future due to increased complication in court decision making processes; Southend continues to positively gain interest from prospective adopters and we have noticed a slight rise over the past 3 months in families coming forward.

## 6.8 Risk Assessment

There are no risks at this time.

Adopt East should continue to reduce the risk of not finding suitable adoptive families for children. Although not yet formally agreed as an adoption agency in its own right, considerable work has already been undertaken in ensuring joint registers for adopters and children to ensure the widest availability of placements both within the RAA and nationally.

Full risk assessments have been completed for Southend in respect of the RAA. The key risks for a hosted model are regarding potential drop in performance at least initially during any transition phase and financial pressure from some additional centralised posts and IT system. The risk assessment identified significant risks in some areas for Southend and it is these risks which are being closely monitored by the DCS group.

Should a Partnership model be pursued, there will be less risk for Southend as services will still be delivered as currently. There may be a small financial cost with centralised posts however these will be minimal.

## 6.9 Value for Money

There is a high risk in 2017/18 that we will have a deficit in inter-agency placements leading to a substantial budgetary pressure. This is due to a substantial increase in the number of children being placed for adoption.

Effective quality assurance supports value for money within the service. Adopt East gives Southend-on-Sea a wider choice of families.

The regional negotiations and planning has successfully introduced some shared services during 2016/17/18 such as Adoption Exchange days and Adoption Parties. These have shown an increase in more local links for some children, however has not shown any savings.

Funding has been available for the Regional Adoption Programme, however this stops in April 2018 when RAA's are expected to be self-funding. As such progress towards a fully shared service has slowed down and at this stage it is still unclear whether a fully shared service is financially viable.

Work undertaken for the RAA shows that Southend's adoption service in its current form is excellent value for money. A review of work undertaken across the region for the past 3 years shows that to match the region, Southend would have required 11 workers to complete the work that they did whilst the team has 5 core workers.

6.10 Community Safety Implications

None

6.11 Environmental Impact

None

**7. Background Papers**

None

**8. Appendices**

None



# Southend-on-Sea Borough Council

Report of Deputy Chief Executive (People)  
to  
Cabinet

on

7<sup>th</sup> November 2017

Report prepared by: John O'Loughlin, Director for Children's  
Services  
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**Annual Report on Corporate Parenting Group**  
**People Scrutiny Committee**  
**Executive Councillor: Councillor James Courtney**  
***A Part 1 Public Agenda Item***

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## **1. Purpose of Report**

To provide an annual report for Cabinet on the work of the Corporate Parenting Group (CPG) in regards to the progress and outcomes of children who are looked after by the Council.

## **2. Recommendation**

- 2.1 That members note the annual report as at Appendix 1
- 2.2 That members approve the overarching priorities set for 2017/18 in Appendix 2
- 2.3 That members approve the Corporate Parenting Strategy for Looked After Children 2017/18 as at Appendix 3

## **3. Background**

- 3.1 On 1<sup>st</sup> April 2016 the council looked after 262 (up from 229) children and young people. Of these 66.3% (an increase from 56.5%) were placed with, in house foster carers including kinship carers. 15.7% (a decrease from 22.6%) were placed with external foster carers and 9.4% (a decrease from 11.9%) were in residential establishments. The remaining were either placed at home; placed for adoption or living independently.
- 3.2 During 2016/17, the number of looked after children increased to 282 by the end of March 2017. The impact of this has been monitored closely by the Corporate Parenting Group throughout the year to include the impact of this on staff within children's services.

3.3 Performance monitoring is a central role of the Corporate Parenting Group. This report provides information in relation to the range of indicators considered. The Corporate Parenting Group monitors at every meeting those areas that either performed above or below the corporate targets set.

3.4 Following the OFSTED inspection 2016, the nature of the Corporate Parenting Group became more strategic and took a role in monitoring the Improvement Plan actions.

#### **4. Other Options**

There are no other options to consider in relation to this report.

#### **5. Reasons for Recommendations**

None

#### **6. Corporate Implications**

##### **6.1 Contribution to Council's Vision & Corporate Priorities**

This report contributes to the Council's priority to improve outcomes for vulnerable children and young people and is linked to the Children & Young People's Plan 2016/17.

##### **6.2 Financial Implications**

Whilst services to looked after children plan to be delivered within the council budget agreed, the increase in looked after children numbers and associated costs has had a significant impact on the ability to support the children within the budget available for 2017/18. This must also be considered in view that increased in looked after children numbers is both a national issue as well as local.

As previously agreed in the council budget setting plans for 2017/18, there was a recognition of expected funding pressures for 2017/18 which resulted in additional £0.6m budget funding awarded to Children Services to assist with those cost pressures for Looked after Children, and also included the creation of a one off £2m Children Social Care reserve to be called upon, recognising the high risk of being able to deliver Children Services within the allocated budget.

However, due to continuing cost pressures as a result of the increased looked after children numbers, capacity issues and associated costs, 2017/18 has continued to be an increasingly challenging year to deliver within the council's budget allocation available, and therefore due to this funding pressure, on an on-going basis an additional funding investment bid will be put forward for Council consideration when setting the 2018/19 budget.

##### **6.3 Legal Implications**

Corporate Parenting Group will continue to monitor any impact of changes. This framework includes the Care Planning, Placement and Case Review (England regulations 2010 (updated 2014), Adoption scorecard, Sufficiency Guidance,

Staying Put guidance and Local Authority responsibilities towards young people on remand.

#### 6.4 People Implications

Delivering high quality outcomes for children in care requires commitment from all partner agencies. They demonstrate this through their contribution to the Corporate Parenting Group, which is a sub group of the Success for all Group.

Particular workforce challenges remain in recruiting qualified and experienced social work staff on the front line and continuous attention is paid to implementing the workforce strategy to achieve a fully staffed and suitably trained workforce.

#### 6.5 Property Implications

None

#### 6.6 Consultation

The revised Corporate Parenting Group Priorities and Corporate Parenting Strategy have been considered and agreed by the CPG. Voice4All. National Youth Advisory Service (NYAS) and the Southend Foster Families Community continue to inform the CPG and the Executive Member, of areas they wish to see change or develop.

#### 6.7 Equalities and Diversity Implications

The needs of children in care are diverse. There is a higher population of significantly disabled children and those with special educational needs (25% of all LAC). White British children (86.2%) are over represented in the care population compared to other ethnicities in Southend's population. There are 56% boys and 44% girls in care.

#### 6.8 Risk Assessment

None

#### 6.9 Value for Money

Over the past year the number of LAC had shown a steady increase, there has been an increase during that period of 7% following on from a 14% increase the previous year. The numbers of children placed in external provision over the same period has shown proportionately a decline. As a result savings were secured in 2016/17 in external purchasing. The most recent Audit commission report showed Southend children's services as high performing at low cost.

Due to rises in the cost of some external provision along with the rise in care numbers leading to capacity issues, there is currently an estimated deficit in purchasing budgets for 2017/18 which will be monitored closely over the coming year.

The increased numbers of young people placed in house is adding additional pressure on the in house fostering budget.

#### 6.10 Community Safety Implications

None

#### 6.11 Environmental impact:

None

7. Background Papers

None

8. Appendices

Appendix 1 – Annual Report 2016/17

Appendix 2 – Overarching priorities 2017/18

Appendix 3 – Corporate Parenting Strategy for looked after children 2017/18



# **Corporate Parenting Annual Report 2016/17**

## **Overview and Background**

The Corporate Parenting group (CPG) met on a six weekly basis throughout 2016/17, monitoring the overarching priorities set for 2016/17. This is a multi-agency group and has been running in its current form since 2006. The Group was established to ensure that outcomes for looked after children are scrutinised and improved using a multi-agency approach. There are a clear terms of reference for the group which were reviewed and updated in June 2016. These were further updated in March 2015 along with the completion of a full Corporate Parenting Strategy.

Membership of the group includes the Executive Member for Children's Services and elected members from other political groups, senior officers from children's services, education and health, foster carer representatives and community partners. Our commissioned advocacy service for looked after children, the National Youth Advisory Service (NYAS), are invited to attend regularly to ensure that the group can be made aware of issues that young people have raised and take action to address the issues.

The Corporate Parenting Group has also given consideration to themes raised by young people in other Local Authorities and reported by NYAS in order to benchmark against other Local Authorities.

The group has links with the YEGS (Young Experts Group, our children in care council) and the Corporate Parenting Group holds meetings so that representatives from YEGS are formally able to attend the group at least twice a year wherever possible and their views are regularly fed back to the group. Unfortunately during 2016/17, no members of the group formally attended the group, but this will be rectified in the coming year.

The CPG monitors a range of performance data and activity relating to looked after children. Its focus remains to ensure actions are put in place to improve outcomes for looked after children and to be able to measure the impact by how well children are doing at school; whether they are in good health and their potential life chances once they leave school.

There are links between the CPG and the Southend Foster Families Community)(SFFC), with a foster carer regularly attending CPG meetings to represent Southend foster carer's views.

## **Achievements for 2016-2017**

### **Outcomes for children looked after**

The *Children & Young Person's Plan 2016-17* and the *OFTED Improvement Plan*, identified a number of targets and actions. There have been significant achievements in relation to the plan that include:

- Improvements in the general stability of placements
- An increase in the numbers of children with permanent placements through Special Guardianship Orders or Adoption
- A improvement in timescales for children between entering care and being placed with an adoptive family
- An increase in the number of young people with a permanency plan in place by the second review
- An increase in the number of young people long term linked with their foster carers
- More children with up to date health assessments and dental checks
- The virtual school took a group of young people on a sailing trip to support working together as a team
- An improvement in timescales of Placement Agreement meetings
- An increase in the number of in house foster carers offering local placements to Southend children
- A video completed by YEGS on the importance of long term linking to a sense of belonging

### **Local Standards and Targets**

In terms of local standards and targets, Southend is doing well in the following areas:

- Placing children with relatives and friends
- The proportion of looked after children placed locally with Southend foster carers (75.5%, and increase from 56.6%)
- Long term stability (65.7% an increase from 64%).
- Timescales for children being placed for adoption

### **Being healthy**

- 84.6% of children looked after had completed Health assessments
- 89.8% of children had attended in the dentist in the previous 12 months

### **Staying Safe**

- 80.6% of the looked after population have good school attendance. 19.4% missed more than 10% attendance in the last academic year.

## **Enjoy and achieve**

### At Key stage 2

- In reading, 21.4% achieved the expected standard in the tests, compared to 40.8% nationally
- In writing teacher assessments, 21.4% of the cohort achieved the expected standard, against 45.9% nationally
- In the maths tests, 21.4% achieved the expected standard in the tests, compared to 41.9% nationally.
- In grammar, punctuation and spelling 28.6% of Southend's LAC achieved the expected standard, compared to 44.3% nationally.
- In the combined reading, writing and maths measure, 14.3% of the cohort achieved the expected standard in all 3 subjects, compared to 25.7% nationally.

### At Key stage 4

30 pupils were in Southend's cohort for all looked after children at KS4 in 2016. 14 of these pupils had special educational needs. 4 pupils had more than 8 placement moves whilst in care. Southend performed in line with the national average for LAC in terms of attainment, but the progress outcomes were below national. However, 2 of the cohort did make positive progress compared to the national average for all pupils with similar prior attainment.

- In the Attainment 8 measure, Southend's cohort achieved an average score of 20.0, compared to the national average of 20.9 for LAC pupils.
- In the Progress 8 measure, Southend's score of -1.81 indicates that on average, Southend's LAC pupils made less progress than their peers who had similar prior attainment. This is also true nationally where the figure was slightly above Southend's (-1.46). Southend's results were statistically significant.
- 10% of the cohort achieved A\*-C in English and Maths, compared to 15.9% nationally.
- 10% also achieved 5 or more A\*-C including English and Maths (the old headline measure at KS4), compared to 12.1% nationally.

In the past year we have been able to see the positive impact of having a permanent Virtual Head teacher in post and can already see the positive work being undertaken to support our looked after children through the education system.

## **Positive Contribution**

- The proportion of care leavers aged 19 & 20 living in suitable accommodation has increased.
- The proportion of care leavers in staying put placements has increased



## Appendix 1

- The proportion of care leavers aged 20 in employment, education or training continues to increase- although it should be acknowledged that this remains above the national average.
- we are also exploring an exclusive CM16+ app for our young people to communicate effectively with us

The outcomes demonstrate a trend of continuous improvement over recent years. Most formal performance indicators show performance within the higher bands nationa

## **Issues considered by the Corporate Parenting Group over the past year**

### **Statistics**

Performance monitoring is a central role of the Corporate Parenting Group. There are a range of indicators considered including:

- Numbers of Looked after Children( LAC)
- Number of LAC placed for adoption
- Timescales for children moving to adoption
- Stability of placement
- Timeliness of reviews; health assessments and PEP's
- Progress of care leavers at age 19, 20 and 21
- School places and exclusions as well as overall education attainment at all key stages
- Percentages of LAC placed locally with in- house foster carers.

Additional reports were presented during 2016/17 directly in relation to these statistics to give a wider explanation of these areas of practice, outcomes and areas of pressure.

Over the past year the performance information presented to the group has developed to ensure that members have a clear picture of the impact on the lives of young people of the work undertaken. It is too early at this stage to be able to identify the impact that this is having on the lives of our looked after children.

### **Additional areas of consideration**

The CPG considered the following areas during 2016/17 the following additional reports were presented in relation to:

- LADO report

## Appendix 1

- The Sufficiency Strategy- ensuring that Southend has sufficient local accommodation to meet the needs of Southend's young people in care.
- Missing and Child Sexual Exploitation (CSE) – to ensure that Southend is fully aware of those young people whose behaviour places them at risk of CSE or who go missing from placement and that strategies are in place to support them and reduce levels of risk.
- Work of the Independent Reviewing Officer (IRO) service – ensuring independent oversight for all LAC and presenting a thematic review of issues raised during reviews.
- Work of the Virtual School- looking at the achievement of all LAC and work being undertaken to improve overall academic outcomes for LAC. Including the LAC awards evening feedback.
- Regularity of visits to LAC – ensuring statutory compliance with respect to visits undertaken and appropriate recording of such visits in a timely manner.
- Recruitment and retention strategy in fostering and adoption – looking at the work undertaken to recruit new carers and retain existing carers and the barriers to this.
- Advocacy services – quarterly reports from the National Youth Advisory Service (NYAS) to look at themes of concerns raised by LAC.
- Timeliness of Initial health assessments (IHA)– monitoring of timescales with our health partners in achieving IHA's within 20 working days of a young person becoming looked after.
- Placement Provision and Quality – a report looking at the quality of in particular external (PVI) provision to give assurance to members regarding the safeguarding of young people placed in these external provisions.
- Work of the Special Guardianship Panel
- Placement Trends including the quality of provision both external and in-house
- Placements of looked after children in Southend from other local authorities
- The adoption scorecard
- LAC Permanency Panel report
- Update report on Leaving Care/Pathway Planning and NEET
- Outcomes and associated action plans from audit
- Annual Fostering and Adoption reports

Due to the OFSTED inspection of children's services at the beginning of 2016/17, much of the work over the past year has related to the Children's Services Improvement Plan and as such, focus has shifted this year and less concentration has been given to the key priorities set at the beginning of the year and more focus on the key elements identified as requiring improvement within the inspection.

Due to the unexpected General Election, there was a delay in setting the **Overarching Strategic Corporate Parenting Priorities for 2017/18**. These were considered by the last CPG meeting and these have been used to create the forward plan for 2017/18. The key priorities for the group in the coming year are recommended as:

- Reduce the need for children to become or remain looked after
- Experience of the child and family
- Narrow the achievement gap for looked after children
- Support the emotional and physical wellbeing of looked after children and care leavers
- Reduce delay in achieving permanence for looked after children
- Ensure sufficiency of high quality placements for looked after children
- Ensure looked after children are safeguarded

From this a Corporate Parenting Strategy for Looked after Children 2017/18 has been developed.

### **Training for Elected Members**

During 2016/17 training took place for Members in relation to their role as Corporate Parents. This was undertaken through an open event “The Journey of the child” and was well attended by councillors and other members of the council and helped to explain the roles of various parts of children’s services.

Several Elected Members have spent time in various children’s social work teams over the past few months, looking at the work undertaken and in particular how this work impacts on the experience of the child. This will continue over the coming year.

Further training will be undertaken in the coming year. There will be specific Training for Members who attend the Corporate Parenting Group in November 2017 and a further “Journey of the child event” after the May elections in 2018.

In addition, a further more general training session on the role of the corporate parent will be held for all councillors in early 2018.

### **The way forward**

The table below identifies the areas of strength and areas for improvement identified by the CPG during 2016/17. Areas identified as needing improvement will continue to be closely monitored during 2017/18

<b>Areas of strength</b>	<b>Areas for further development</b>
Adoption performance continued to be high. This will need to be monitored closely with the on-going work towards creating a Regional Adoption Agency	Increased recruitment and retention of foster carers. This has improved over the past year but needs to continue to be closely monitored. The Sufficiency Strategy targets were exceeded in the past year however capacity in house continues to be running around 110%
Assessment timescales and continued recruitment of adopters - adoption	Increase quality and quantity of assessments to allow Southend children to remain with Southend families - fostering
Permanency Planning for LAC	Reducing the number care leavers who are NEET
Stability of placement remains high- on-going monitoring of this required to ensure that themes and barriers are identified to improve practice further.	Edge of Care service will continue to develop over the coming year with two new staff being recruited to specifically support foster carers where a placement is at risk of disruption.
Edge of Care has proven a strong support to foster carers and has prevented some young people from becoming LAC	Improve timeliness for all IHA's – this remains a challenge, but close working with health will continue in the coming year
Improvements in the work with missing and CSE	Monitor continued improvements in the work with missing and CSE and develop new strategies in line with this
Growth of the YEGS group – work to continue on the involvement of this group with the CPG and ensure twice yearly presentations to the group	Monitor care leavers who are in education, employment or training
Duration of care proceedings	Sufficiency of suitable placements available and where external provision required, ensure quality and safeguarding within these provisions.
A video completed by YEGS on the importance of long term linking to a sense of belonging	Improve educational attainment of LAC
	Ensure close monitoring of audit outcomes and of the Children's Services Improvement plan

Appendix 1

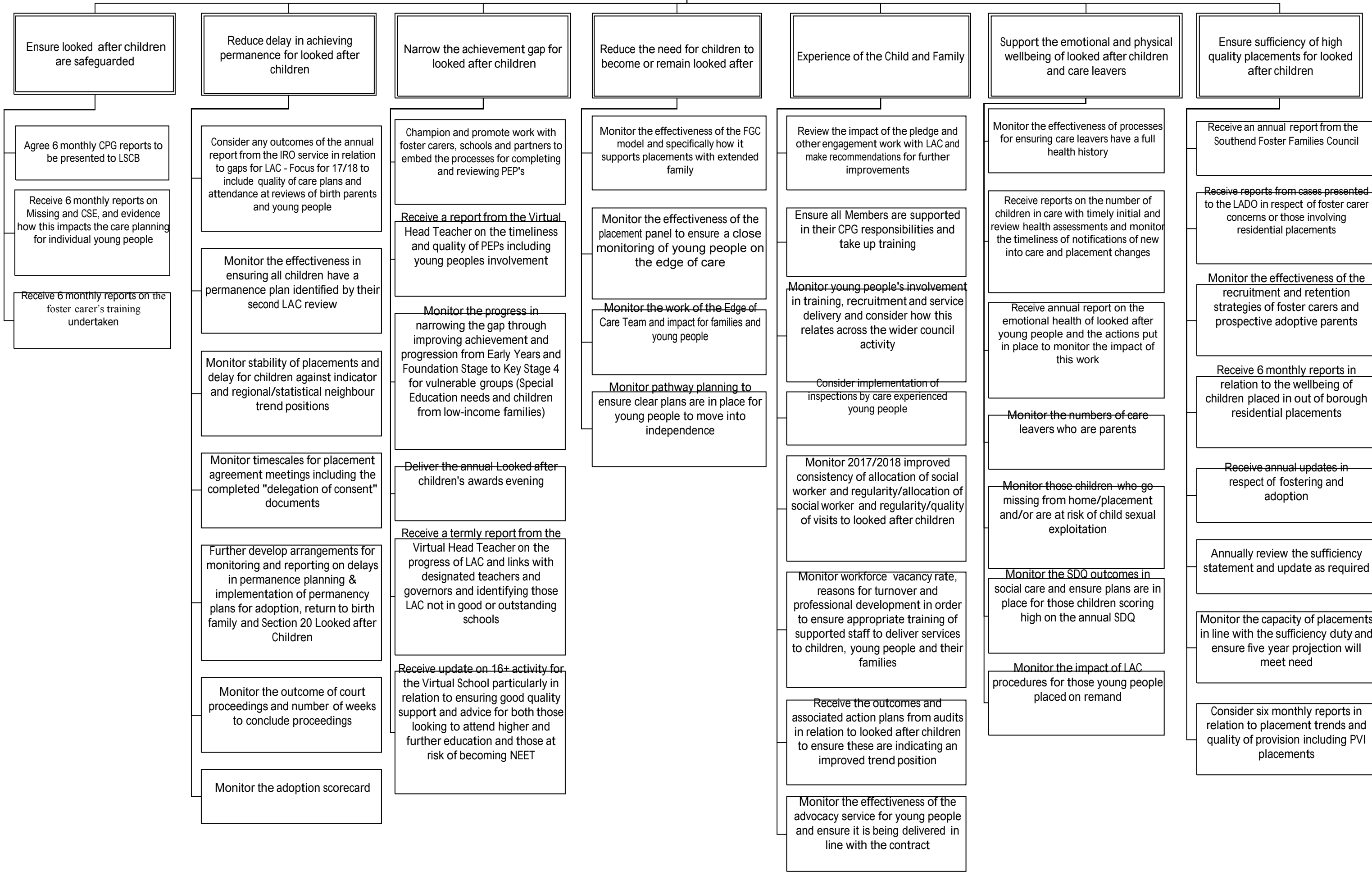
	Ensure that where a decision is made to long term link a fostering placement, this must completed within 6 months of it being agreed that this has reached the point of this being an appropriate plan
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This has been a challenging year with a full OFSTED inspection and the subsequent Improvement work undertaken. Elected members, as corporate parents have remained fully engaged in promoting the interests of Looked after Children over the past year, with full cross party support being evident.

Diane Keens  
Group manager  
Placements & Resources  
2.8.17

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APPENDIX 2 Overarching Strategic Corporate Parenting  
Priorities 2017/2018



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**Southend Borough Council  
Corporate Parenting Strategy for  
Looked after Children  
2017- 2018**

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## Introduction

This is a multi-agency plan that sets out the Council's and its partner's commitment to improving the lives and outcomes for Southend's looked after children and care leavers. The plan will support the *Children and Young Person's Plan*.

The Children & Young Person's Plan sets out the Children's Partnership aim to break the cycle of poverty, social exclusion and disadvantage experienced by Southend families and improve their quality of life.

The 'golden thread' linking the Plan to this Corporate Parenting Strategy recognises the role of Children's Social Care as a champion for the promotion of good life chances for vulnerable children. This strategy will support the Plan by ensuring that children looked after receive the quality of care necessary to achieve the best possible outcomes thereby reducing the risk of social exclusion and poverty once they leave care.

This strategy will help the Council to:

- Understand the current and future needs of children looked after aged 0-18 and care leavers aged 18-25
- Reinforce the corporate parenting responsibility of the Council and Partners
- Ensure that the race, gender, disability, sexuality, age, religion and culture of children looked after and care leavers are considered in planning to meet their needs

This strategy will be supported by Southend's *Sufficiency Strategy for ensuring sufficient accommodation for Children Looked After and by the Children & Young People's Plan*.

Partner agencies have been engaged in identifying key service challenges as well as priorities for future service delivery as set out in this strategy.

The strategy is supported by a multi-agency action plan which has been developed in order to assist the Council and the agencies responsible for corporate parenting to achieve the desired goals and impact.

## 2. Achievements from 2016-2017 strategy targets

### Outcomes for children looked after

The *Children & Young Person's Plan 2016-17* and the *OFTED Improvement Plan*, identified a number of targets and actions. There have been significant achievements in relation to the plan that include:

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### Being healthy

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## Staying Safe

- 80.6% of the looked after population have good school attendance. 19.4% missed more than 10% attendance in the last academic year.

## Enjoy and achieve

### At Key stage 2

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### At Key stage 4

30 pupils were in Southend's cohort for all looked after children at KS4 in 2016. 14 of these pupils had special educational needs. 4 pupils had more than 8 placement moves whilst in care. Southend performed in line with the national average for LAC in terms of attainment, but the progress outcomes were below national. However, 2 of the cohort did make positive progress compared to the national average for all pupils with similar prior attainment.

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- 10% of the cohort achieved A\*-C in English and Maths, compared to 15.9% nationally.
- 10% also achieved 5 or more A\*-C including English and Maths (the old headline measure at KS4), compared to 12.1% nationally.

Updated figures for this section will not be available until September 2017 and will be added as soon as they are available

## Positive Contribution

- The proportion of care leavers aged 19 & 20 living in suitable accommodation has increased.
- The proportion of care leavers in staying put placements has increased
- The proportion of care leavers aged 20 in employment, education or training continues to increase
- we are also exploring an exclusive CM16+ app for our young people to communicate effectively with us

The outcomes demonstrate a trend of continuous improvement over recent years. Most formal performance indicators show performance within the higher bands nationally.

### 3. Southend's Children Looked After and Care Leavers

#### Southend's demographics of vulnerable children

In 2015/16 there were 38,402 young people under the age of 18 in Southend. This is estimated to rise to 38,430 in 2017. Of the 2015/16 figures;

- 11,401 were under the age of 5 an increase of 32 from 2014/15;
- 13,193 were aged 5-10 years a rise of 140;
- 9,631 were aged 11-15 years an increase of 227, with
- 4,177 aged 16+ a decrease of 31.

It is estimated that by 2020;

- 11,501 will be aged under 5 years;
- 13,696 will be aged 5-10 years;
- 10,663 will be aged 11-15 years and
- 3,760 will be aged 16+.

The total number of looked after children rose to 282 at the end of March 2017 and further to 295 at the point of this report being completed (262 in 2015/16).

## **Southend's children looked after and care leavers**

Children looked after are made up of several distinct groups, although they have overlapping as well as specific needs. They include:

- Babies and younger children particularly 0-4yrs (48.2%)
- 16-18yr olds (11.5% a decrease from 15.7%)
- Disabled children
- Young People who are parents
- Young people preparing to leave care
- Care leavers from 18-25 yrs

### **Children looked after are a diverse group**

Overall, the statistics for ethnicity have stayed fairly consistent from year to year, with only small fluctuations. Figures of children looked after reflect the Borough trends in general. The latest census trends indicate a changing demographic in the Borough with slight increases in populations from Eastern Europe, Bangladesh and China.

At the end of October 2016 however, 87.7% of the looked after population in Southend were identified as White British (a slight decrease from 88.2%).

### **Care Leavers**

There are a total of 111 Care leavers 18-25 supported by the Southend Care Management 16+Team (an increase from 87).

### **Children with disabilities**

Eleven looked after children have severe and complex disabilities (an increase from 9). The transitions team can work with young people up to 25 years if required to ensure a smooth transition into adult services.

### **Children entering care**

Comparing the last 12 months (Oct 15-sept16) to the previous 12 months (Oct 14-Sep 15), there has been a percentage increase in all age groups apart from 16+ where there has been a decrease. This ties in with the change in Southend demographics over the same period. The decrease in 16+ reflects the change in demographics and was an expected decrease due to a large cohort of young people turning 18. This has however led to the increase in care leavers being supported by the Team.

Age Band	1.10.14-30.9.15	1.10.15 – 30.9.16	% Change
Under 1	20.37%	22.3%	+1.93%
1-4	24.07%	25.9%	+1.83%
5-9	16.67%	17.3%	+0.63%
10-15	21.3%	23%	+1.7%
16-17	15.74%	11.5%	-4.24%

*For more information see Looked after Children and Care Leavers Sufficiency Strategy October 2016 – March 2021*

#### 4. Our Ambition and Priorities

Our ambition for looked after children and care leavers is that they experience the lives that we would want for our own children. In 2017/18 we will continue to work towards achieving this ambition through the delivery of one strategic objective that is to be a good and effective corporate parent.

Being a **good corporate parent** requires us to achieve the following strategic priorities:

Priority 1: Experience of the Child and Family

Priority 2: Reduce the need for children to become or remain looked after

Priority 3: Narrow the achievement gap for looked after children

Priority 4: Support the emotional and physical wellbeing of looked after children and care leavers

Priority 5: Reduce delay in achieving permanence for looked after children

Priority 6: Ensure sufficiency of high quality placements for looked after children

Priority 7: Ensure looked after children are safeguarded

In each of these priority areas, our aim is to narrow the gap in outcomes between children looked after and their non-looked after peers, whilst ensuring that the principles of fairness and choice underpin our actions.

To achieve these priorities, we must ensure that corporate parents, elected members and senior officials effectively champion and meet the needs of children looked after and care leavers. We must also ensure that those who have responsibilities for corporate parenting: the Executive members for Children's Services, The Deputy Chief Executive, The Director for



Children, multi-agency practitioners and agencies working directly with looked after children do the same.

Being an **effective corporate parent** requires us to make the best use of the Council's resources whilst achieving value for money.

## 5. Our Priorities

### Priority 1: Experience of the Child and Family

#### The current position

- a) Southend has a pledge for all looked after children which highlights what they can expect from workers and generally from the Department.
- b) Southend aims to have the lowest staff vacancy turnover as possible to ensure that children do not have numerous changes in social worker- reports are regularly presented to senior management and to the CPG to show progress in this area and the targets set to achieve stability in the workforce. Southend takes a lead regionally in ensuring the availability of an experienced and high quality, stable workforce across the region.
- c) Southend aims to ensure that the voice of the child is heard. This is both through consultation and ensuring that there is a clear advocacy service in place that young people are aware of. Quarterly reports are received by the CPG from NYAS, the advocacy service which clearly identifies how the service is being used and the experiences of our young people. Where themes are identified, these are addressed by the senior management team and outcomes reported back to the CPG.
- d) Off line support groups are held for parents of children looked after and separately for those where children are on a child protection plan and changes to service are made as a result of their comments. Themes and concerns are shared with team managers and workers where appropriate to ensure that positive changes are made to presentation to families.
- e) The Young Experts Group (YEGS) encourages young people to become engaged in making future change to children's service. They have in the past year been involved in producing the "me manual", encouraging profiles of social workers are produced for children under the support and care of Southend Children's services and in other animation and video work to promote the role and voice of young people.

## **Challenges**

- a) To get a wider range of looked after young people involved in Young Experts Group and consultation groups to ensure that the voice of the child is heard across the service and changes made following their views being shared.
- b) To engage with more families whose children are looked after or on the edge of care to ensure that their experiences of the Department are heard and taken into account when looking at service development.
- c) To ensure that the children's Pledge is fully integrated into everyday practice.
- d) To ensure that young people are represented at all interviews for social work staff in children's services.

## **Corporate Parenting role**

- a) Review the impact of the pledge and other engagement work with LAC and make recommendations for further improvements.
- b) Ensure that young people attend the CPG meeting on at least two occasions in the coming year to personally present their views and ideas
- c) Review reports on workforce vacancy rate, reasons for turnover and professional development in order to ensure appropriate training of staff to support in the delivery services to children, young people and their families
- d) Monitor the effectiveness of the advocacy service for young people and ensure it is being delivered in line with the contract. Over the coming year receive reports on the work being undertaken to ensure the promotion of the service and encouragement of young people to appropriately make use of the service available.
- e) Ensure all Members are supported in their CPG responsibilities and take up training offered.
- f) Monitor young people's involvement in training, recruitment and service delivery and consider how this relates across the wider council activity and the impact that it has on the experiences of the child and family.
- g) Receive the outcomes and associated action plans from audits in relation to looked after children to ensure these are indicating an improved trend in position.
- h) Monitor the progress of the children's services improvement plan and challenge senior managers where appropriate progress is not made.

## **Priority 2: Reduce the need for children to become or remain looked after**

### **The current position**

- a) Southend Council believes that children should be supported in their families wherever possible and that their families should be given extra support to keep them together.

- b) The Council has continued to develop and support effective multi-agency early intervention and prevention services to help more children to stay with their families
- c) Southend aims to identify families with additional needs at the earliest point and help them to address their need. Research has shown that getting involved early to encourage social and emotional development can significantly improve mental and physical health, educational attainment and employment opportunities. Early intervention can also help to prevent criminal behaviour (especially violent behaviour), drug and alcohol misuse, teenage pregnancy and homelessness. Conversely, waiting for problems to take root and reacting late costs the taxpayer billions of pounds.
- d) Southend has piloted a number of innovative family support initiatives, and have in the past year developed a re-designed early help offer.
- e) The Edge of Care Team is now working 7 days a week from 8am to 11pm to support families including foster families where challenges arise. In the first six months this has received very positive feedback and will continue to develop over the coming year in response to demand.
- f) The Placement Panel has acted as a gateway to care and to the Edge of Care services and a first annual review will take place during 2017/18

**Challenges:**

- a) The challenge over the coming year is to reduce the number of young people entering care, particularly those over the age of 12 years.
- b) To make sure that we can deliver effective early intervention and family support services to families experiencing greater stress due to the recession whilst operating in a challenging financial context.
- c) Implement the newly developed Reunification Programme
- d) Implement the newly developed Family group conference service.

**Corporate parenting role:**

- a) Monitor the effectiveness of the LAC permanency panel to ensure a continued reduction in timescales for a permanency plan to have been implemented through regular reporting
- b) Monitor the work of the SGO panel particularly in relation to appropriate permanency planning and early disruption issues. Where themes develop, challenge senior managers as to the actions being taken to reduce the risk.
- c) Monitor pathway planning to ensure clear plans are in place for young people to move into independence. Triangulate the data presented to CPG to ensure that the experience of young people is an improving position.
- d) Monitor the work of the Edge of Care Team through the first annual report and placement panel/ care number details.

- e) Monitor the strategies in place to support those at risk of CSE and identify the impact for those at greatest risk.
- f) Monitor the work of the Family Group Conference Service and Reunification Service and the impact of this on the experience of children and their families through consultation exercises. This will be evidenced through the number of young people maintained within a family placement or returning from public care to live within their birth family.

### **Priority 3: Narrow the achievement gap for looked after children**

#### **The current position**

- a) As a corporate parent, the Council recognises that it is crucial to support the education of children looked after and to encourage them to aspire to and achieve high standards.
- b) A solid framework for narrowing the education gap between children looked after and their non-looked after peers is established via the Virtual School, and multi-disciplinary education team and integrated within the Children's Looked After Service.
- c) The foundation for this framework is placement stability and placing children looked after locally. This has ensured that Southend's children looked after experience the least possible amount of disruption to their education.
- d) The Virtual School has supported the effective delivery of corporate parenting to improve the educational attainment of children looked after. The School supports foster carers and practitioners to become good advocates for children in terms of their education and assists them to understand their roles and responsibilities towards children at the key stages of their education. The Virtual School has provided information, advice and guidance to foster carers and social workers on a range of education related areas.
- e) Children looked after with complex needs are supported by Southend Education in partnership with Children's Social Care through jointly funded care and education packages and, where applicable, with Health partners.
- f) At the end of year 11, the work to support the continued engagement by children looked after in further and higher education has been undertaken by the Southend 16+ Team and the Virtual School who now take a lead with young people aged 16-18 years to encourage successful pathways to further/higher education, training and employment.
- g) The integrated approach to service delivery has achieved the following:
  - Provided consistent support to meet the education needs of looked after children

- Offered greater opportunities for tracking and monitoring their educational attainments
  - Identified young people who are achieving in the key exam stages and prepared personalised additional packages of support through targeted use of the Pupil Premium and through regular review of the Personal education Plans.
- h) Early years services are now working closely with the Virtual School to ensure that looked after children are picked up at an early stage, pre-school to ensure that their specific and individual educational needs are recognised with the support of the early years pupil premium.

### **Challenges**

- a) We need to ensure that our children looked after continue to have stable experiences in care which will in turn support them to have stable experiences in schools. The Virtual School has identified that some children who were capable and were predicted to receive these grades over the past few years, then experienced placement breakdown which had an adverse effect on their predicted grades.
- b) The Virtual School can now identify predicted outcomes for children at the end of year 9. We need to ensure that they are targeted to ensure that the support is in place to help them to achieve to their full potential.
- c) Understanding the barriers to progression for children looked after at key stages is crucial to improving their educational outcomes. This requires the key services responsible for supporting the education of children looked after and care leavers to better co-ordinate their work to ensure seamless progression routes for children looked after from the age of 3 to 25 and to ensure that this is reflected in the appropriate plans at key stages.
- d) To ensure that the Pupil Premium funding is used to meet the needs of all children looked after can be challenging. The Council will need to continue to consider how to exercise its corporate parenting responsibilities to provide appropriate support and challenge to schools.

### **Corporate parenting role**

- a) Receive update on 16+ activity for the Virtual School particularly in relation to ensuring good quality support and advice for both those looking to attend higher and further education and those at risk of becoming NEET. Challenge senior managers to reduce the numbers of NEET and the support in place to achieve this.
- b) Receive a report from the Virtual Head Teacher on the timeliness and quality of PEPs including young people's involvement. Use data provided and reporting structure to evidence positive progress. This will be triangulated with longer term attainment.
- c) Champion and promote work with foster carers, schools and partners to embed the processes for completing and reviewing PEP's

- d) Receive a termly report from the Virtual Head Teacher on the progress of LAC and links with designated teachers and governors and identifying those LAC not in good or outstanding schools and the work being undertaken to ensure the best possible support is in place to achieve best outcomes.
- e) Monitor the progress in narrowing the gap through improving achievement and progression from Early Years and Foundation Stage to Key Stage 4 for vulnerable group (Special Education needs and children from low-income families). Challenge where improvements are not evident and ensure plans are in place to move forward any actions identified. This will again be triangulated with longer term achievement outcomes evidenced at Key Stages 2 & 4
- f) Deliver the annual Looked after children's awards evening

#### **Priority 4: Support the emotional and physical wellbeing of looked after children and care leavers**

##### **The current position**

- a) The Council continues with its health partners to reduce the health gaps and inequalities between Southend's children looked after and their non-looked after peers.
- b) The health service provided to children and young people looked after by Southend is compliant with relevant legislation and had led to over 84.6% of looked after children having a current health assessment and 89.8% for dental health. (the majority of those without a health assessment are older young people who refuse appointments and those without dental care are under 2yrs).
- c) Southend foster carers are trained where required to fully meet the often complex health needs of looked after children. Both foster carers and children looked after have access to health information, advice and guidance including confidential information for older young people.
- d) The Joint Strategic Needs Assessment (JSNA), provides a summary of needs and identifies areas for improvement. The JSNA assists the Council and their partners to meet their responsibilities for improving the physical and emotional health outcomes for children looked after and to respond more effectively to their needs.
- e) The introduction in 2014 of a Health Passport for care leavers was favourably received and continues to ensure that all young people leave care with a clear record of their health history.

##### **Challenges**

- a) There are continued challenges in achieving timescales for Initial Health Assessments.

- b) We continue to find creative ways to encourage those in the 16+ team to engage with the health services on offer.
- c) Ensure close monitoring of the mental health needs and emotional needs of our looked after children and ensure that support services are available to meet the needs identified.
- d) Identify and support looked after children with substance misuse problems and train and support our foster carers to manage their needs.

### **Corporate Parenting Monitoring**

- a) Receive reports on the number of children in care with timely initial and review health assessments and monitor the timeliness of notifications of new into care and placement changes. Use data provided from social care and health to review improvement and ensure that the health needs of looked after children are met in a timely manner. Health and social care to jointly present evidence of actions taken against the action plan set in early 2017.
- b) Monitor the SDQ outcomes in social care and ensure plans are in place for those children scoring high on the annual SDQ. Review evidence of positive intervention where issues are identified and the impact of this on the young person. Triangulate evidence from education and placement disruption for the highest risk young people.
- c) Monitor the effectiveness of processes for ensuring care leavers have a full health history. Health to provide regular reports to CPG.
- d) Receive quarterly fostering reports to ensure that the EHWB of LAC is being targeted and managed appropriately.
- e) Monitor those children who go missing from home/placement and/or are at risk of child sexual exploitation and ensure strategies are in place to safeguard those at highest risk. Evidence will be gathered from the fostering quarterly report which shows those at highest risk of missing and CSE & Missing reports to ensure that strategies are having a positive impact, reducing the level of missing episodes.
- f) Monitor the work undertaken to prevent young people being estranged from their families. This will be evidenced initially through the reunification project.

## **Priority 5: Reduce delay in achieving permanence for looked after children**

### **The current position**

- a) Once a decision is made for a child to become looked after, the Council is committed to ensuring a successful route out of care via a return to birth parents if it is safe and appropriate to do so or by ensuring that alternative family solutions can be found in a timely way thus avoiding drift and unnecessary delay.

- b) The LAC permanency panel meets regularly to ensure that plans for permanency are in place by the second review and that any challenges to achieving this are considered and solutions where possible found.
- c) Timescales for children requiring permanency through adoption have fallen drastically over the past few years with Southend being in the top 10 councils nationally
- d) Early tracking of all cases ensures a timely referral to the adoption team and clear parallel planning which ensures no delay later in proceedings wherever possible.

### **Challenges**

- a) We need to ensure that early consideration is given to any potential family placement to prevent delay at a later stage and find clear monitoring tools to achieve this.
- b) Restriction on the use of the Post Adoption Fund came into force during the past year. Southend have been successful in continuing to gain funding through this grant but this will become more of a challenge over future years, having raised the expectations of adoptive families.
- c) Clearer processes and training is needed to ensure that where a family placement is being considered, practice is of the highest quality and decisions made in a timely manner and considers fully the child's complete childhood.
- d) The on-going work towards Regional Adoption Agencies, where inter agency fees are under discussion has led to a decrease in the number of inter-agency placements being made outside of regions which has begun to limit the income generation opportunities available.

### **Corporate parenting role**

- a) Monitor the effectiveness in ensuring all children have a permanence plan identified by their second LAC review. Look at reports and data provided by the Principle Reviewing Officer and challenge where it is clear that targets are not being met.
- b) Monitor timescales for placement agreement meetings including the completed "delegation of consent" documents.
- c) Consider any outcomes of the annual report from the IRO service in relation to gaps for LAC – continue to focus for 2017/18 on decision making in a timely manner and full consultation with all relevant people in a timely manner. Challenge senior managers where improvements are not evident in an appropriate timescale.
- d) Monitor closely the Regional Adoption Agency work and the potential impact for Southend families and children.



## **Priority 6: Ensure sufficiency of high quality placements for looked after children**

### **The current position**

- a) The looked after children's service has focused its efforts on ensuring that wherever possible children looked after do not experience instability and unhelpful placement moves. This is achieved through providing placements that are of a high quality and which promote the development of strong secure attachments.
- b) There are currently 117 foster carers in Southend including family and friends carers, and connected persons (up from 107) delivering family life to looked after children. A sustained programme of training and development is in place and reviewed annually to help carers to manage the emotional and behavioural wellbeing of the young people in their care.
- c) The support offered to carers, including the work of the Edge of Care team has been a key factor in maintaining the stability of placements.
- d) We continue to develop annually a comprehensive recruitment plan alongside the adoption service and constantly strive to improve timescales for this.

### **Challenges**

- a) Research has identified that local placements generally produces better outcomes for children looked after whether provided by the Local Authority or the Voluntary or Private Sector. The exception is where there is a need for a specialist placement or for a child to be placed outside of their local geographical area. The challenge is to ensure that children placed further away from local provision receive equitable services where they are placed.
- b) Ensuring a sufficient supply of local placements is challenging due in part to the national shortage of foster carers. Robust recruitment strategies are integral to meeting this challenge.
- c) A key challenge is to ensure that children who come into care, particularly those who come in an emergency, are initially placed in care placements that are suitable and able to meet their specific needs so that placement stability is not compromised. Ideally the caring resources of extended family should be investigated before children become looked after, however the circumstances in which some children are removed from their parents can impact on the willingness of parents to work in partnership with the Council to identify extended family at the earliest opportunity.
- d) The timeliness of permanency planning is a key requirement to meeting the sufficiency duty and Southend's ability to recruit sufficient suitable adopters to meet the local and national need is vital if we are to meet the ever changing timescales set by government.

- e) Alongside this we need to continue in our work of developing a robust process for commissioning placements for children and young people.
- f) Ensure that reunification is regularly considered and where appropriate a robust reunification plan is identified and progressed in a timely manner.

### **Corporate Parenting Monitoring**

- a) Monitor the capacity of placements in line with the sufficiency duty and ensure five year projection will meet need. Where it appears that the needs of Southend children are not being appropriately met, challenge the information provided to ensure that clear planning is in place to inform future practice.
- b) Annually review the sufficiency statement and update as required
- c) Consider six monthly reports in relation to placement trends and quality of provision including PVI placements to ensure that the needs of looked after children are best met.
- d) Monitor the effectiveness of the recruitment and retention strategies of foster carers and prospective adoptive parents
- e) Receive an annual report from the Southend Foster Families Community
- f) Receive and review annual fostering and adoption reports
- g) Receive 6 monthly reports in relation to the wellbeing of children placed in out of borough residential placements. Where possible visits to be made to some of the external placements with social workers or commissioning officer by elected members.
- h) Receive reports from cases presented to the LADO in respect of foster carer concerns or those involving residential placements. This to include trends and actions in place to safeguard Southend young people.

### **Priority 7: Ensure looked after children are safeguarded**

#### **The current position**

- a) Over the past few years there have been considerable changes to the monitoring of Child Sexual Exploitation (CSE) and children missing from home and care.
- b) The Local authority have appointed a Practice Lead covering CSE and they started in August 2017. They will play a key role in ensuring that CSE is appropriately identified in LAC cases and also concerns are effectively addressed. There is an overall approach by the LSCB to ensure that all practitioners can recognise CSE and respond appropriately including having appropriate services. In addition the plan covers education and awareness raising with young people and the public.
- c) Statistical data is of an excellent quality allowing the Council to closely monitor trends and actions.

- d) Senior managers are involved in a number of regional and national groups, looking at CSE & Missing alongside gang culture and are able through these groups to influence policy.
- e) Southend have established a multi-agency team (MARAT) where information is shared and plans developed for victims and their families at high risk of domestic abuse. The new MARAT is embedded and functioning well to protect Southend children and adults.

### **Challenges**

- a) Challenges remain in gaining relevant information from external agencies.
- b) Being a small authority, there are always challenges in ensuring that all legislative changes are recognised and implemented in a timely fashion.
- c) Driving forward change with partner agencies appropriately in understanding and working with CSE & Missing.

### **Corporate parenting role**

- a) Agree annual CPG report to be presented to LSCB
- b) Receive 6 monthly reports on Missing & CSE, and evidence how this impacts the care planning for individual young people.
- c) Receive quarterly fostering monitoring reports.

## **6. Monitoring and Quality Assurance**

### **The Corporate Parenting Group**

The Corporate Parenting Group (CPG) has provided effective leadership and direction of the work required to improve the care experience and outcomes of children looked after and care leavers.

The commitment of elected council members to corporate parenting in Southend has strongly contributed to the trend of continuous improvements for looked after children and care leavers and this commitment will continue, retaining a strong strategic focus on all issues that affect children looked after and care leavers.

The CPG meets 6 weekly and is chaired by the Director of Children's Services, with membership being cross party and multi-agency.

The CPG will oversee the delivery of the Children & Young Person's Plan and monitor and review all services for looked after children and be integral in driving forward the changes identified in the children's services improvement plan.

Measuring the impact of service delivery is central to achieving improved outcomes for children and reducing the impact of disadvantage for vulnerable children and young people. Southend has in place a strong quality assurance system that evidences whether or not services are being delivered effectively and is used as an effective tool to raise standards.

Our framework for quality assurance and service improvement is both reflective and proactive. By examining past service delivery against good practice standards and considering service users' views about the services they have received we can measure the impact and quality of service delivery.

Our key performance indicators and a number of agreed local indicators are captured in our monthly Local Performance Data Set which is reviewed by senior management groups and by the CPG.

## **Our Pledge**

### **1. We will spend time with you and listen to you**

We will visit you at least every six weeks

We will come to see you where you are living

We will try very hard to visit you when we will say we will. We will phone your foster carer to tell you if we can't and then we will come to see you as soon as we can

### **2. We want you to be fit and healthy**

We will help you talk to your doctor and dentist and we will explain to them what we think you need and what your problems are. If you move to live with another foster carer we will tell your doctor and dentist.

If you are unwell or have any problems we will get you all the help you need.

We will tell your foster carers things they need to know about your health, like about anything you are allergic to.

We will make sure you have the right vaccinations as you grow up and we will encourage you to have your health assessments and dentist check-ups every year.

If you are at school you can talk to your school nurse but we have nurses just for our looked after children who will help you if they can.

### **3. We want you to feel safe**

We know that we are all different in terms of where we grew up and we know that we all need different things to feel happy and safe. We want you to feel safe with other people, at school and where you live. If you ever feel unsafe we will make sure you know where to go for help.

We will make sure your foster carers know how to keep you happy and healthy.

If you are happy where you are living we won't move you, unless there is a problem. We will also try and keep you with the same social worker for as long as possible, If you do have to move, we will give you all the information we can about your new home and your new carers.

#### **4. We want you to get the most out of life**

Before you are old enough to go to school we will make sure you can go to nursery so you can enjoy playing with other children.

We want you to do well at school and we will work with teachers and make sure you have extra help if you need it.

We want you to enjoy your spare time in a healthy way. We can arrange free use of the facilities at some of the leisure centres in Southend, which includes swimming.

We will help you to stay in touch with your friends.

#### **5. We will ask you what you want**

We will ask you what you want before making decisions about you. If we cannot do what you would like we will explain why to you.

We will always try to keep brothers and sisters together when possible. If we think this is not a good idea we will explain this to you.

We will make sure you know your rights and what we should be doing for you.

If you do not feel that your views are being heard we will tell you how to get an advocate who will speak up for you. We will also tell you how to make a complaint if you need to.

#### **6. When you leave care**

We will make sure you have a bank account. We will encourage you to be sensible with your money and continue to save for the future.

We will make sure you have a passport. If this is not possible we will explain the reasons why.

We will talk to you about what you would like for your future, and help you to plan for this, whether you are going to university, into training or into work.

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# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of Deputy Chief Executive (People)

to  
Cabinet  
on

7<sup>th</sup> November 2017

Report prepared by: Alison McIlwraith, Interim Group  
Manager SEN

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## First Annual Report on the Implementation of Southend on Sea's Strategy for Children Age 0 – 25 with Special Educational Needs and/or Disabilities “Working together to improve outcomes”

People Scrutiny Committee  
Executive Councillor: Councillor James Courtenay  
A Part 1 Public Agenda item

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### 1 Purpose of Report

- 1.1 To report on progress of the first year (financial year April 2016 - March 2017) of the implementation plan of the strategy for children with Special Educational Needs and/or Disabilities. The report gives a summary of progress made on the 5 key proposals and action plans that take the strategy forward.

### 2 Recommendations

- 2.1 That Cabinet notes the progress and areas that require further improvement as indicated in the report for the first year of “Working together to improve outcomes”;
- 2.2 That Cabinet approves the recommendation contained in 5.4 to undertake a full review and refresh of the current strategy, with a view to representing the updated version to Cabinet by the end of the current financial year.

### 3 Background

- 3.1 “Working together to improve outcomes” built on the previous Southend on Sea's Strategy for Special Educational Needs 2013-2016 entitled “Early Help, Partnership, Choice and Ambition”. At the time, the strategy placed us in a good position to prepare for and implement the legislation changes aimed at reforming the approach of local authorities to SEN and Disability (SEND) introduced by the Children and Families Act 2014.
- 3.2 The strategy identifies 5 priorities that continue and extend the proposals identified in Early Help, Partnership, Choice and Ambition and aims to build on the progress already made in Southend and ensure the required changes are effective and sustained.

3.3 The main aim of the SEND reform legislation was to achieve cultural change to improve the outcomes for the most vulnerable children and young people and their families. While it is important there are systems and processes in place, culture change is the biggest obstacle to overcome to ensure any other changes have an impact on the outcomes for learners with SEND.

3.4 The strategy and action plans are monitored by the SEN Strategic Board. The board has members from education, children's and adult's social care, Southend CCG and health service providers, Southend Family Voice, Southend Carers Forum, mainstream and special schools. This is the first annual report on the progress of its implementation.

**4 Progress Report** The strategy has 5 key priorities each with an action plan. The following account is a summary of the progress that has been made so far on implementing the strategy, as identified for the first year (financial year April 2016 – March 2017).

#### **4.1 Priority 1: Timely Intervention.**

4.1.1 The focus of work for this period has been to get the systems, processes and protocols in place around information sharing to support schools and services to enable early identification of need.

4.1.2 Collaborative working is taking place, as evidenced by the multi-agency involvement in the EHCP process, joint funding of individual children and young people's placements and joint children's commissioning teams. However the LA and CCG continue to work together to jointly commission support services. Initial consultation and work done to design a possible autism referral pathway involving both health and the LA's Educational Psychology Service is now being considered by Southend University Hospital Foundation Trust (SUHFT).

4.1.3 Changes to the Early Help offer have had good feedback from schools. There is closer working with social care which should ensure there are fewer gaps in provision for children and young people with better outcomes for all.

4.1.4 The pathway for EHC needs assessments was altered following feedback from parents, schools and partners which should better allow parents and young people to tell their story once, with desired outcomes and aspirations shared with professionals prior to the assessment.

4.1.5 The revised transition protocol (details under priority 2) helps support children and young people who enter youth custody with SEND or whose SEND is subsequently identified whilst in custody.

#### **Overall progress amber**

**Further work will be required in year two to secure better joint commissioning with Health**



## 4.2 Priority 2: Partnership working

- 4.2.1 Parents and carers are involved in the EHCP needs assessment process from the start. The new assessment pathway was devised and implemented from September 2016. It means for every request a member of the SEN team meets with parent and setting before a decision is made whether to assess or not. Every assessment and conversion involves a face to face meeting with a named officer from the local authority. Every parent that requests impartial support receives it from either the Information Advice and Support Service or Independent Support. The effectiveness of the new pathway in reducing tribunal appeals is being monitored.
- 4.2.2 (*This section reports on current progress rather than last financial year due to significant improvement being made in recent months*). There been marked change in the percentage of assessments completed within 20 weeks, and although it remains at less than the national average of 55%, as a result of a robust plan it has improved from less than 10% in May to the most recent figure reported to Council of around 40%. The trajectory of our plans would bring us back up to the national average by the new year, and the proposed target of 90% by the end of the next financial year, 2018/19.
- 4.2.3 In the academic year 2015 -16 there was a 40% increase in the number of requests and a 58% increase in the number of assessments carried out compared to the average of the previous 3 years.
- 4.2.4 Officers are currently working directly with partners to ensure rapid improvement in this area. A more robust administrative process will support better communication between professionals and parents. Improvement in this area remains a key priority, and is being monitored on a weekly basis. We are liaising with health colleagues to determine the barriers to producing plans within timescales and looking for solutions with data sharing and recording to eliminate these barriers.
- 4.2.7 A new transitions protocol for young people with SEND entering adulthood was written following input from stakeholder groups supported by Preparing for Adulthood. It is currently being redrafted following further feedback from Health.
- 4.2.8 We have recorded where children and young people have been involved in their annual review. This baseline data can now be used to identify trends or particular settings that need more encouragement to involve children and young people in the review of their EHC plan.
- 4.2.9 All previous Learning Difficulty Assessments (LDAs) were converted to EHC plans prior to the statutory deadline of 1<sup>st</sup> September 2016. The Transition Plan to convert Statements to EHCPs is well underway with 74.2% completed. Conversion review meetings are being held in line with the targets we set out on this plan. We are confident that we will meet the statutory deadline to convert all statements by the deadline of March 2018.
- 4.2.10 The local offer, hosted on SHIP, sets out in one place information about provision that is available for children and young people in the area who have Special

Educational Needs. Work to engage parents, carers and young people in developing the local offer of provision continues through avenues such as user forums and social media. A parent conference on the local offer was held in the summer term.

**Overall progress amber due to % completion of EHCPs within 20 weeks. Robust action and monitoring is in place to improve the situation even further. Further promote the Local Offer to parents and families.**

#### 4.3 Priority 3: Quality and effective SEND provision

- 4.3.1 The quality of four out of the five special schools in Southend have been judged good or better at inspection with one school outstanding. (Seabrook College has now converted to an academy and joined an established Multi Academy Trust) but there remains concern about the effectiveness of this provision. It is currently housed on a number of sites and plans to seek suitable alternative accommodation are progressing. We will continue to work with the sponsor to ensure rapid improvement in provision, including the relocation of all sites to a more fitting building.
- 4.3.2 The Behaviour Outreach Service sits within the management of Victory Park Academy (part of the old Seabrook College). This service works with most mainstream schools across the Borough. Part of their work is around developing whole school behaviour policies and strategies for improving behaviour. Feedback from the schools using this service is positive. Reporting from internal systems (using data from all but 2 schools) indicates that in 2015/16 the fixed term exclusion rate for all SEN pupils in Southend was 9.5%, whilst down from 16.3% 2014/15 it remains much higher than the rate for non-SEN pupils (2.4%). The permanent exclusion rate for SEN pupils was 0.19% in 2015/16, compared to 0.12% in 2014/15. Again this is higher than the rate for non-SEN pupils (0.01%).
- 4.3.3 We have a good range of options post 16 meaning only 3% of school leavers with an EHC plan had unknown destinations or were NEET in September 2016. There is still only one provider for supported internships but the number of Southend young people accessing them has increased. Discussions are taking place with other providers to increase options for young people Post 16.
- 4.3.4 In addition to the previously commissioned outreach services – for autism and speech and language – we have increased the training on offer to schools to address speech and language needs. We are working closely with the special schools to commission a service to support learning difficulties in mainstream schools.

**Overall progress green.**

**Further work to ensure that the Council takes full account of the views of parents and learners is already underway.**

#### 4.4 Priority 4: Raise attainment and expectations

- 4.4.1 *(Based upon 2016 outcomes as 2017 data not available at the time of writing)*  
Children with SEN in Southend do less well than children with SEN nationally.

Headline figures shows progress in narrowing the attainment gap between those with SEN and those without remains stubborn. The attainment and Progress 8 measures used for Key Stage 4 show Southend pupils with statements or EHCPs make less progress than their peers nationally. Detailed analysis does show some areas of progress, for example a greater percentage of young people with an EHC plan or statement achieved A\*-C GCSEs in English and Maths in Southend than nationally, and at key stage 2 the contextual value added score for Southend pupils with an EHC plan or statement was in line with or above national.

- 4.4.2 All schools across the country have been identifying fewer children and young people with SEN –Southend schools already identified less than the majority of councils and are now in the bottom 10%. This has presented a further issue to closing the gap as now only the most complex pupils are identified.
- 4.4.3 The local authority continues to offer an extensive menu of support to schools and colleges via the borough SENCO meetings and the annual SEN conference has been well received with the vast majority of Southend schools subscribing to this service.
- 4.4.4 All settings published a school offer for September 2014, prior to the publication of the revised code. They have since updated this to the required SEN Information report. All SEN information reports are now compliant. In addition all schools have been requested to provide extended SEND information to their SHIP record on the LA's Local Offer in order to have consistent information in one place.

**Overall progress green.**

**Reducing the attainment gap will feature in revised support and challenge for all schools.**

**4.5 Priority 5: Ensure value for money**

- 4.5.1 The High Needs Block of the Dedicated Schools Grant (DSG) has been overspent this financial year (2017/18). This reflects the situation nationally. Resources for individual pupils are monitored via annual review, conversion reviews and at EHC panel. Systems are in place to ensure the correct funding allocated to pupils is paid to schools. The overspend has been driven by both an increase in the number of pupils and the support required in mainstream schools and the demand for special school places. This demand for special school places is exceeding population growth and available spaces. This pattern mirrors the national picture and does not appear to be limited to Southend. The government has consulted on a national formula for funding both schools and the high needs block. While this consultation indicated additional money for Southend's high need block, there is concern this is not as much as it could be due to a low area cost adjustment and inclusion of previous spending in the formula (Southend has historically had a comparatively small high needs block).
- 4.5.2 Additional pressure on the high needs block has come from increased numbers of young people requiring high needs support in post 16 provision. There is likely to be further pressure with the 30 hours early years entitlement from September 2017.

- 4.5.3 In December 2016 Schools were consulted on moving to a banding system to replace LSA hours and introducing a mechanism for schools to access high needs funding without an EHC plan and there was a positive response to each proposal. There is currently a two phased approach to monitoring and implementing high needs funding with the introduction of a reduced hourly rate for EHCP top ups and a reduction of 1.5 % to special schools. Phase 2 is the introduction of a banded system in place of allocated .The next steps to develop this will now be carried forward with wider consultation and engagement in developing and agreeing the descriptors required.
- 4.5.4 Existing personal budgets (direct payments) mainly from social care are being incorporated into EHCPs. A limited number of personal budgets for education and health have been requested and a few of these have been able to be agreed. We are anticipating more as understanding of the scope of what can and cannot be agreed becomes more widely understood.

### **Overall progress amber**

**Action has already started to mitigate the funding overspend, working alongside school leaders to implement fairer and understood funding.**

## **5 Conclusion**

- 5.1 Good progress has been made in embedding the new SEND system, but greater progress has been hindered by a range of factors.
- 5.2 Progress has been made in changing systems and processes around gathering intelligence and involving parents and carers to better inform improvements. There is further work do to achieve the cultural change to improve the outcomes for the most vulnerable children and young people and their families. It will involve changing attitudes – not only of service providers, but also of service users and these changes will be harder to achieve and take longer to embed.
- 5.3 A range of factors have emerged that will require the Council to reconsider and recalibrate its strategic approach to the provision and outcomes for SEND. A number of these emerge from the report and the more detailed action plan for the first year. However, three features in particular will require this focus:
- 5.3.1 Local areas are being inspected by Ofsted and the CQC on how well they are implementing the new duties that came into force in September 2014 in the Children and Families Act 2014. This focuses on how effective an area is at identifying and meeting needs and improving outcomes for children and young people aged 0 to 25 who are disabled or have special educational needs. These started in May 2016 and all local authority area will be inspected within 5 years.
- 5.3.2 In addition, the Local Authority commissioned a Peer Review of an aspect of its SEND provision. The focus for the review was “Do all I stakeholders have a clear and shared understanding of their respective responsibilities and duties in identifying and supporting learners with SEND. The findings from this review are currently being considered, but they supported our view that there is additional work to be undertaken in ensuring that all partners recognise and meet their statutory obligations.

5.3.3 As a result of firstly the publication of the National Funding Formula High Needs Block allocations, and the pressures on the current financial year spend outlined above, Education Board will need to both short and medium term measures to ensure that spend is brought in line with budgeted allocation.

5.4 As a result of these factors: the performance in year one; changes to staffing leadership with SEND; pending possible inspection findings and the determination to give learners with SEND the best possible opportunity in education; the outcomes of the recent peer review and the pressures on the High Needs spending, it is recommended that **a full review of the provision for SEND area is undertaken and presented back to cabinet in the form of a refreshed SEND Strategy**. In order that the review can properly involve all stakeholders, it is envisaged that the review will be completed towards the end of the financial year 2017-18.

5.5 In the meantime, We cannot afford to await the revised strategic priorities, and in parallel, in the second year of the current strategy, we should begin to see further progress including:

- Agreeing specification for services that need to be commissioned and begin initial tendering process.
- Converting or ceasing all statements of SEN.
- Determination to increase the number of assessments completed within 20 weeks and an increase in health assessments completed in 6 weeks.
- Developing a system to identify which pupils contribute to the SEN gap in order to track pupils and target support.

5.6 The following areas will be the focus and priority for the second year of the strategy:

- Gathering evidence of involvement of children, young people and their parents and carers, the impact of this and improvement in outcomes.
- Work with schools to identify and support those underachieving or at risk of becoming NEET, particularly those at the SEN support stage of the code of practice.

## 6 Corporate Implications

### 6.1 Contribution to Council's Vision & Corporate Priorities

The strategy contributes to the Success for All priorities of raising achievement and securing good outcomes for the Borough's children and young people.

### 6.2 Financial Implications

- Spend on the high needs block is monitored by the Education Board (which incorporates the schools forum functions) as required. As referenced in 4.5.1, the 2016/17 financial year closed with a significant overspend on the High Needs block which is funded by the Dedicated Schools Grant. In order to part reduce those funding pressures into 2017/18, savings were applied and approved through the Education Board to reduce both the ECHP hourly top up rate paid, and a full 1.5% funding reduction applied to special schools in accordance with the minimum funding guarantee. However as expected, due to continuing

demand and cost pressures in 2017/18 the High Needs block is continuing to forecast an over spend.

- There is positive news, as recently announced by the Department of Education the High Needs block funding is expected to gain in both 2018/19 and 2019/20 and therefore this will helpfully assist in terms of increased funding levels to meet demand and cost. However, given the severity of the 2017/18 forecast overspend the Education Board have also recently agreed that any additional funding due to High Needs in 2018/19 will firstly be used to help ensure the dedicated school grant reserve balance is held to a contingent level. The Education Board and SEN team are continuing to work on mitigating existing cost pressures to ensure expenditure is contained within the resources available.

### 6.3 Legal Implications

The new Education Health and Care Plans and the new SEND Code of Practice came into force in September 2014. They have the same legal status as statements of SEN. These are being implemented as per government guidance and the new SEND Code of Practice.

### 6.4 People Implications

Ongoing training is offered to SENCOs in all schools via a subscription. The regional peer support network funded by the DfE continues to offer training to internal and external staff.

### 6.5 Property Implications

None

### 6.6 Consultation

There has been extensive consultation and engagements with a wide range of stakeholders on the strategy and the implementation of the SEND reforms, in particular, parents and children and young people.

### 6.7 Equalities and Diversity Implications

Data is regularly monitored to ensure that there is a match between demand and the provision that reflects the demography of the population. Processes are in place to ensure that there is a fair distribution of resources across schools to meet the needs of pupils with SEN and that resources are targeted to meet the needs of the most vulnerable.

### 6.8 Risk Assessment

If an inspection by Ofsted and the CQC identifies any or all of the following there is a risk that the Local Authority or CCG will be required to produce a written statement of action: lack of progress in implementing the reforms; lack of understanding among leaders of the key areas of weakness; lack of an action plans to address weaknesses. The LA have completed a Self Evaluation Form and the CCG have completed the CDC's audit tool to help leaders and inspectors understand progress and the areas that still require development.

### 6.9 Value for Money

The SEND reform grant has enabled temporary staff to be appointed into the SEN team which enabled all existing LDAs to be converted and is supporting all

existing statements to be converted to EHC Plans by March 2018. The grants have been awarded annually since 2014. There is no indication that further grants will be available from March 2018.

6.10 Community Safety Implications  
None

6.11 Environmental Impact  
None

## **7. Background Papers**

DfE Special educational needs and disability code of practice: 0-25 years.  
Southend on Sea's SEND Strategy 2016-19 "Working together to improve outcomes".  
Review on progress of Year 1 of SEN Strategy Action Plan

## **8. Appendices**

none

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# Southend-on-Sea Borough Council

Report of the Deputy Chief Executive for Department for  
People

to  
Cabinet

on  
17 November 2017

Agenda  
Item No.

Report prepared by: Emma Baldock, Interim Planning and  
Engagement Manager

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## Success for All Children Group Annual Report

Department for People Executive Councillor: Cllr. James Courtenay  
Part 1 (Public Agenda Item)

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### 1. Purpose of Report

To present a draft of the Success for All Children Group's Annual Report April 2016 – March 2017

### 2. Recommendations

That Cabinet note the report

### 3. Background

3.1 The Success for All Children Group publishes an annual report as part of their performance management and planning cycle and to inform Cabinet of the progress made in delivering the overarching objectives for children's services across the partnership during April 2016 - March 2017.

3.2 The report also includes the future plans for the group setting out the vision for a simpler, slicker and swifter model of service delivery for all of our service users which will be delivered through better integrated services.

### 4. Other Options

### 5. Reasons for Recommendations

### 6. Corporate Implications

#### 6.1 Contribution to Council's Vision & Corporate Priorities

The delivery of the Children and Young People's Plan and the work of the Success for All Children Group contribute to six of the 15 Southend Borough Council priorities:

- Look after and safeguard our children and vulnerable adults.
- Work in partnership with Essex Police and other agencies to tackle crime.
- Actively promote healthy and active lifestyles for all.
- Improve the life chances of our residents, especially our vulnerable children and adults, by working to reduce inequalities and social deprivation across our communities.
- Ensure residents have access to high quality education to enable them to be lifelong learners and have fulfilling employment.

## 6.2 Financial Implications

The Children and Young People's plan is delivered within the resources available for children's services within the Council and in partner agencies.

## 6.3 Legal Implications

None

## 6.4 People Implications

None

## 6.5 Property Implications

None

## 6.6 Consultation

The Children and Young People's plan was devised through discussion and consultation with the agencies and organisations which constitute the Success for All Group. All partners have been consulted in the development of the annual report

## 6.7 Equalities and Diversity Implications

The Children and Young People's plan helps to promote equalities by focussing on improving outcomes for all children and young people and narrowing the gap between those who do well and those who do not.

## 6.8 Risk Assessment

None

## 6.9 Value for Money

Agreeing key priorities and actions as part of the planning process ensures that resources available are targeted at those areas needing most improvement.

## 6.10 Community Safety Implications

The report includes delivery of a number of strategies and planned actions for keeping children and young people safe, for example, from abuse and exploitation, bullying and tackling substance misuse.

6.11 Environmental Impact

None

**7. Background Papers**

None

**8. Appendices**

Success for All Children Group Annual Report April 2016 – March 2017

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**Success for All Children Group  
Annual Report  
For the period  
April 2016 – March 2017**

DRAFT

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- 5.10 Reducing the impact of anti-social behaviour and offending on children, young people and the community
- 5.11 Support for young carers

### **6. Success for all children group future plans**

## **1. Strategy and vision**

### **1.1 Introduction**

The Success for All Children Group is Southend's Children's Trust. Since 2007 the Group has worked in partnership to jointly address key issues for Southend's children, young people and families. The group is aligned with the Southend Health and Wellbeing Board and its work supports the delivery of the Health and Wellbeing Strategy. It is the vehicle that facilitates agencies and organisations in Southend-on-Sea to work in partnership with the aim of improving outcomes for children, young people and their families living in Southend-on-Sea.

Member organisations have a key role in delivering services for children and families in Southend. The members come together to agree collective approaches to improving services and their impact on children and families and to hold each other to account for these shared priorities. The group reports to Southend's Health and Wellbeing Board which holds the overarching strategy for the health and wellbeing of all residents in Southend.

The Success for All Children Group has representatives from Southend Borough Council, Essex Partnership University Trust (EPUT), Primary and Secondary Head Teachers, School Governors, Southend Clinical Commissioning Group, Southend University Hospital Foundation Trust, Emotional Wellbeing and Mental Health Service, the Police, A Better Start Southend and the voluntary sector.

This Annual Report sets out our achievements over the reporting period of April 2016 – March 2017.

### **1.2 Our vision and ambition for children in Southend-on-Sea**

Our vision is simple, Success for All. We are committed to achieving success for all children but remind ourselves that this success needs to be defined with the children and young people and their families. As a partnership we recognise that our role is to fan the potential that exists in every child and work together to remove the injustices and barriers that prevent them from reaching their full potential.

One of our strengths is the way, as organisations, we work together in Southend-on-Sea. Our vision statement clearly sets out the ways we want to continue to work together to give children and young people the best possible start in life. Our vision statement and other key documents can be found at [www.southendchildren.org](http://www.southendchildren.org).

### **1.3 What were our priorities in 2016-2017?**

Over the past year the Success for All Group has focused on delivering the key areas of focus in the Children and Young People's Plan 2015-2016 which were:

- Improving Children's health and wellbeing;
- Keeping young people safe and protected from harm;
- Supporting vulnerable children and families;
- Improving children's educational attainment and future prospects
- Working to prevent needs materialising and escalating unnecessarily.

## **2. Our approach to joint working and integration**

### **2.1 Commissioning**

Southend Borough Council and Southend CCG have a shared commissioning team to oversee the procurement of services to meet the needs of children pre-birth to 19 years and their families. The team responds to the needs identified in the Southend Joint Strategic Needs Assessment for Children and Young People and the needs that members of the public identify during the consultations that are organised prior to each contract being commissioned. ([http://www.southend.gov.uk/download/downloads/id/4215/southend\\_joint\\_strategic\\_needs\\_assessment\\_for\\_children\\_and\\_young\\_people\\_%E2%80%93\\_december\\_2015\\_update.pdf](http://www.southend.gov.uk/download/downloads/id/4215/southend_joint_strategic_needs_assessment_for_children_and_young_people_%E2%80%93_december_2015_update.pdf))

### **2.2 Integrated Children's Services**

The Success for All Children Group recognise that the needs of a child, particularly when they are complex, do not fit with individual organisations' boundaries and when there are many professionals supporting children at any given time those professionals don't necessarily know who else from across the partnership is in the picture.

During September 2016 the Success for All Children Group's 'Integrated Children's Services' workshop was held and was attended by commissioners and provider organisations ranging from across the Southend health, social care and wellbeing system. These agencies included Police, Public Health, Southend Borough Council (SBC), Southend CCG, Southend University Hospital NHS Trust (SUHFT), South Essex NHS Partnership Trust (EPUT formerly SEPT), Southend Voluntary Sector and a number of other organisations.

The workshop facilitated a discussion around a number of key issues and helped partners to align their thinking and ambition. The key issues included; values and philosophy; the voice of the child and their family; ambition for integration; where to start; prevention; cohort stratification; education; adult



services; access points and pathways; commissioning and data sharing; and how multi-agency relationships could be improved.

The workshop agreed to create and agree a strategy and action plan for an integrated children's service across Southend.

Following the workshop a small working group drafted and developed the strategy on behalf of the Success for All Group. Underpinned by a set of principles which focused on better communication, an improved service experience, reducing duplication and defining clearer pathways the strategy was agreed by Success for All during Q4 2016 / 17.

The Integrated Children's Service strategy will be further developed in 2017/18.

### **2.3 Workforce development strategy**

Member organisations are committed to developing and maintaining the competence, enthusiasm and commitment of our children's workforce.

Our partnership approach to integrated working has created multi-agency and multi-skilled, co-located teams. This facilitates a sharing of skills across professional boundaries and a more holistic understanding of the needs of children, young people and families.

Member organisations and the wider voluntary sector are able to access LSCB Safeguarding programmes which include training on Forced Marriage, Female Genital Mutilation, Intergenerational violence and abuse, PREVENT and Child Sexual Exploitation, plus many other safeguarding related training courses.

### **2.4 Voice and influence**

Across the partnership achieving continuous improvement by way of listening to our service users is an area of continuing development. There are many examples of unique and innovative opportunities provided for young people to engage with services over the course of 2016-2017.

The Southend Youth Council has a real interest in the mental health of young people in Southend and as such set up a sub-committee on this issue. The members are keen to have the opportunity to continue to develop the Emotional Wellbeing and Mental Health Service being delivered by NELFT and to influence the quality of the curriculum delivered in schools; and the quality of teachers EWMHs knowledge.

Young people in Southend have representation and actively participate on the following boards Southend Digital Working Group, Public Transport Working Group, Re-Think 1 in 4, Healthwatch, CCG Engagement Advisory Board.

During 2016 the Children in Care Council became the Young Experts Group to improve the involvement of children in care in decision making and service design. As a result the group helped develop the new model of Social Work Practice.

Southend Children's Services then opened its doors to members of the Young Experts Group for the Children's Commissioner Takeover Challenge. They took over the role of the Principal Social Worker and identified where they felt that social worker practice should improve (i.e. quality of visits; being on time; having fun with their social worker).

Within Southend Borough Council all children's service areas have a standing forum for young people and their families to provide feedback or engage in solution development. This can be through the open doors of Southend Youth Council or through more specific forums such as the Young Carers forum, the Young Experts Group, the forum for children and families with child protection plans, Southend Family Voice (representing families of children with SEND).

In addition to the groups and forums we also undertake survey activity with our service users, either for the purposes of regular feedback benchmarking or to enable us to survey opinion to inform contract specifications for commissioned services. Southend Borough Council also regularly invites young people to participate as interview panel members where a vacancy is for a key strategic role within Children's or Learning Services, or where the role has a direct frontline role working with children and families.

As a partnership we recognise the importance of service user feedback and co-production of service design and will continue to develop and strengthen this area of work.

### **3. Safeguarding, early intervention and prevention**

#### **3.1 Early intervention and prevention**

##### **A Better Start Southend**

A Better Start Southend (ABSS)

The vision of this £40m, 10-year research development programme <http://abetterstartsouthend.co.uk/> is to transform the lives of Southend's children (aged 0-4 years), giving them the best possible start in life. Its key developmental outcomes are diet and nutrition, communications & language, social & emotional development as well as co-production. It also aims to reach families who will benefit most in a variety of settings including early years and community settings, as well as offering practical support in peoples' own homes.

During 2016-17 the ABSS team worked very closely with its funders the Big Lottery to embed robust project management throughout the programme, and to strengthen partnerships through an Executive and Partnership Board. Working with SAVS (Southend Association of Voluntary services) governance (e.g. service design processes) was further strengthened through the establishment of Parent Champions, Parent Forums and Ward Panels in each of the ABSS wards.

A number of programmes were delivered to improve outcomes for children and families including workforce development. This included promoting social and emotional development through 'Being a Parent' and 'Baby and Me' which aims to increase parental confidence and skills. Communications and language development was also improved through the interactional 'Let's Talk with your Baby' and 'Help me to Talk'. In addition, 'Fathers Reading Every Day (FRED)' and 'Dad Factor' was offered to support fathers and male carers read with their young children.

A review of the programme saw a number of projects rationalised in order to focus on the test and learn process of service design, monitoring and evaluation. Whilst continuing to test the 'Let's Talk' suite of services, and performing communication and language assessments, the programme is now also focussing on diet and nutrition. This will enable an emphasis on a parent-focussed approach to service development and delivery at the earliest stage. Also, this will enable a solid foundation to delivery, with a service design process that will benefit outcomes for children and their families. These will then be evaluated for effectiveness in terms of implementation, process and sustainability in terms of 'what works' on an evidence basis. ABSS will also continue the process of learning and development through the national evaluation of the cross-site programme.

ABSS will be measuring and researching its key developmental outcomes e.g. ensuring more children will be healthier as more mothers will initiate and sustain breastfeeding as well as reducing the risk of illnesses such as diarrhoea and vomiting and respiratory infections.

### **Early Years provision**

High quality Early Years provision is key to children getting an excellent head start on their education and ensures that children are well prepared to enter the Reception Year. Early Years providers in the private, voluntary and independent sectors in Southend have seen improvement maintained over a number of years in the percentage of providers judged as good or better by Ofsted.

The current profile for pre-schools, day nurseries and independent schools is:

Outstanding	20%	(96% Good or Outstanding)
Good	76%	
Requires Improvement	3%	
Inadequate	1%	

The current profile for Southend-on-Sea's registered childminders is:

Outstanding	21%	(100% Good or Outstanding)
Good	79%	
Requires Improvement	0%	
Inadequate	0%	

Furthermore, taking into account the size of settings and the number of children attending, 97% of all children accessing early education in private, voluntary or independent providers are attending a setting rated Good or Outstanding by Ofsted.

### **3.2 Improving the safeguarding of children and young people in Southend-on-Sea through multi-agency work**

In Southend-on-Sea there is a strong ethos of partnership working to safeguard and meet the needs of children and families as early as possible, which is embedded in a broad range of agencies and services.

With our partners and multi-agency practitioners we value and are committed to integrated working which allows us to plan and meet the needs of children in a systematic way. We give safeguarding children the highest priority and our Local Safeguarding Children Board (LSCB) has ensured that the understanding of thresholds is solid, regularly reviewed, and safely maintained across the partnership.

#### **Early Help Family Support and Youth Offending Service**

After The Early Help Family Support and YOS Service, Integrated Locality and Streets Ahead Services came together under the single line management in October 2015 and fully integrated in April 2016 the service has grown from strength to strength. In the first financial year (2016/17), 2918 referrals were received through the Single Front Door with 96% of these being directed to the appropriate team and 95% achieving a desired outcome.

The service aims to enable all Southend-on-Sea's contributors to Early Help to: act before the needs of children and families escalate; focus on achieving priority outcomes for those children, young people and families who need it the most; give every child the opportunity to reach their full potential; and to have flexible services that provide the right support, at the right time and at the right level.

Building on existing best practice and processes, it provides:

- A single, integrated system and 'front door' for the identification, referral, assessment, and monitoring of Early Help.
- A core offer to schools, early year's settings and GPs to support them to fulfil their statutory duties with regard to Early Help.

The Early Help Family Support & YOS Team is underpinned by the following principles:-

- Safeguarding and promoting the welfare of children and vulnerable adults is the responsibility of us all.
- Early Help spans a wide spectrum of services, provided by a wide range of agencies to meet a wide range of needs.
- We work with families at the earliest opportunity to prevent needs from escalating.
- All children, young people and families' needs are met by universal services wherever possible.
- Families are encouraged and supported to identify their own issues and solutions.
- We build resilience and the capacity to achieve by having a joined up approach to families' needs.
- We improve the identification of children in need and in need of protection through increased understanding of the impact of an adult's needs on a child's life.
- We have an honest, open and transparent approach to supporting children and their families.
- We operate a multi-agency/disciplinary approach to both assessment and intervention.
- A traded service to provide additional Early Help support to individual schools, particularly with regard to improving school attendance.
- A specialist whole family support service to meet complex needs.
- An offer of support and guidance to all providers of Early Help services to children and young people.

### **Troubled Families**

The Troubled Families Programme was initially named "Streets Ahead", however as part of the service transformation when services were integrated in April 2016, this programme was incorporated into the Early Help offer.

The Troubled Families programme initially intended to change the repeating generational patterns of poor parenting, abuse, violence, drug use, anti-social behaviour and crime in the most troubled families in the UK. Troubled families are defined as those that have problems and cause problems to the community around them, putting high costs on the public sector. The aim is to provide partnership support via a dedicated key worker to enable families to turn around and in particular to:

- get children back into school
- reduce youth crime and anti-social behaviour
- put adults on a path back to work
- reduce the high costs these families place on the public sector each year

Due to the outstanding success of the Southend Troubled Families service in Phase 1, particularly achieved in 2014-15, the Department for Communities and Local Government (DCLG) accepted us as an early Starter in Phase 2, funded for five years, giving more than 1,480 families the opportunity for support and a better quality of life. The DCLG broadened the selection criteria to now meet 6 key issues; adult and youth Crime/Anti-social Behaviour (ASB), Education attendance/behaviours, Unemployment, Domestic Abuse, Children who need help and Health.

Furthermore, EHFS in the community is part of Southend-on-Sea Borough Council's Troubled Families service which provides an innovative approach to family work, giving opportunities for families to access resources in their communities.

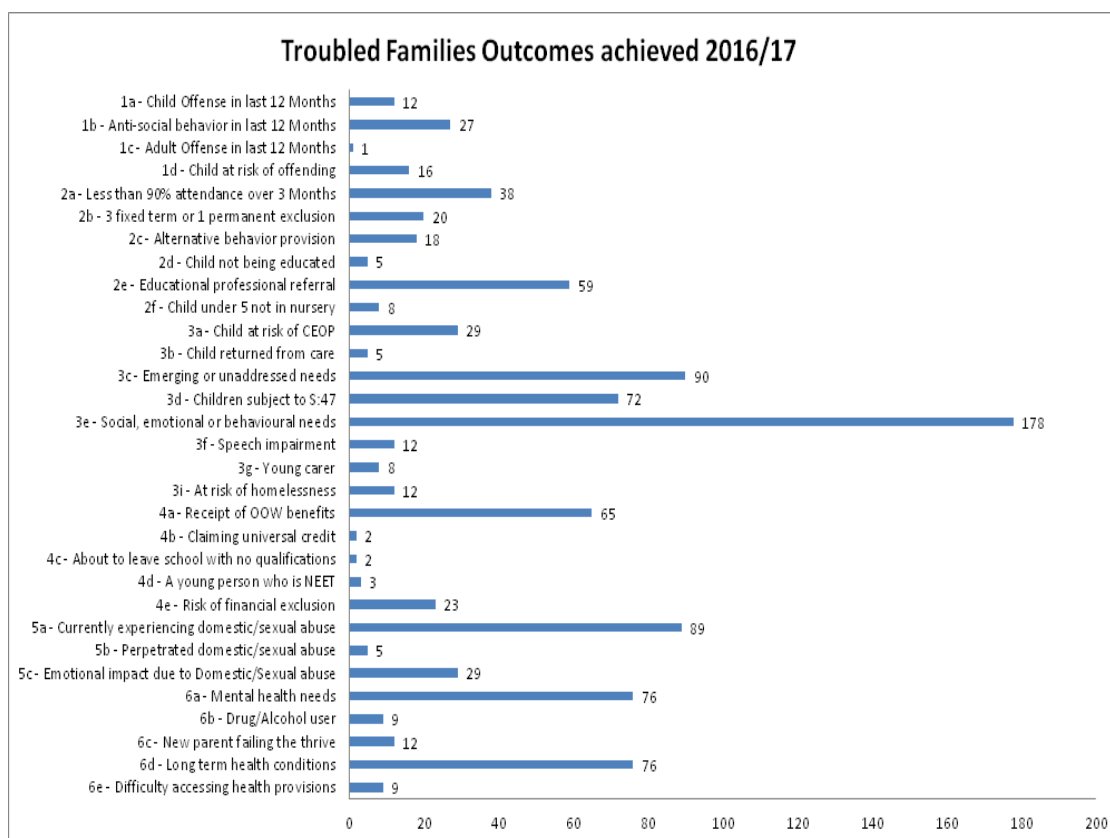
The programme supports positive change and also prevents families who are on the periphery of the EHFS criteria needing intensive intervention by working with communities to strengthen communication, co-operation and take up of services. Evidence suggests that families who live in flourishing communities experience improved emotional health & wellbeing which reduces long term dependency on services. Our community workers ensure that projects are sustainable and delivered with the involvement of the local community and Streets Ahead families with their aim being to empower, up-skill and foster community cohesion and family resilience, not to create unrealistic expectations or dependency.

This allows for most family issues to be addressed and early help to be provided, preventing later issues and producing cost savings for all partner agencies.

## Phase 2

From its commencement to end of March 2017 there have been 736 cases opened to Troubled Families element of Early Help.

There were a total of 1010 outcomes achieved during 2016/17. The chart below shows how together with partner agencies we have worked with families around problematic areas.



Some of the Troubled Families (Early Help) achievements and practices that have been embedded since the commencement of the Phase 2 are as follows:

- There are now a number of established Community Projects and a Community Hub which give on-going support for the hard to reach communities and families.
- By addressing the needs of the whole family, we have worked with the younger siblings preventing generational recurrence of the same issues.
- Our action plans and reviews are inclusive to family and all agencies involved thus preventing escalation and reducing costs. Our families and professionals have a voice and a case will only be closed when everyone is in agreement and all outcomes have been achieved. This also offers challenge to families that do not engage and forms evidence for pursuing any legal action.
- All families are put into “maintenance” and referred to our Community Workers for on-going support within their community. Thus the family feel reassured and it gives them the tools to continue to make the right choices.
- We have employed a Missing/Child Sexual Exploitation (CSE) Co-ordinator as part of the team, this role fulfils a crucial part of the Troubled

Families Programme as many of Missing Children/CSE high risk cases are working with EHFS (Complex and Emerging) to support the whole family through the issues associated with these cases.

- Working in partnership with Southend Adult Education College we have Level 3 Counsellor students supporting adults with anxiety issues. This partnership gives students the opportunity to fulfil their required hours and the opportunity for parents to access this service without having to sit on a waiting list.
- Introduction of the Empowerment Programme which gives parents the opportunity to learn coping and parenting strategies, build resilience and self-confidence, and build social networks.
- Working in partnership with Public Health and YMCA, young people are encouraged to access “My Life” Project which builds confidence and resilience.
- A new allocation process was introduced which provides all families with a dedicated Early Help Practitioner without the need to sit on a waiting list.
- A new Audit Tool has been introduced to ensure that the quality of service delivered meets with DCLG and Ofsted requirements.

#### Service Transformation

One of the key commitments made when SBC signed up to the Troubled Families Phase 2 programme was to drive service transformation, assisted by annual payments from DCLG of the Service Transformation Grant. We started this process during 2016/17 by the integration of 9 services into Early Help Family Support and YOS Service, implementation of Single Front Door and co-location of Social Care and Emotional Wellbeing and Mental Health Service to make the journey for the family a seamless service and transform the way we work. During 2017/18 we are focussing our attention on working with other services and external partners by using the Troubled Families Service Transformation Maturity Model to show our commitment to service transformation and transforming local public services.

#### **Supporting and Empowering Vulnerable families**

Supporting and Empowering Vulnerable Families was launched in 2009 in Southend after the death of Victoria Climbié.

The service supports children and young people suffering from neglect who have either a Child Protection Plan or have been identified as being a Child in Need. Volunteers are trained through Volunteering Matters and provide the assistance needed to help the families and children. The aim is to achieve positive outcomes for the children and to keep families together.



In 2016-17 the service recruited and trained over 40 volunteers. In 2015-16, 110 children and young people were supported, in 2016-2017 this increased to 136 children and 59 families with complex needs. These families have a range of needs such as alcohol or substance misuse.

The volunteers have an initial training of 2 1/2 days. They then offer 1-2 hours a week of visits to help to their allocated family. Their roles include:

- Modelling appropriate behaviours
- Empowering the carer/s to achieve their set goals
- Showing how to keep to boundaries
- Befriending
- Advocacy
- Building up relationships with other agencies

The service is now fully embedded within the council and referrals come through children statutory services and Early Help. As a result of the volunteers improving parenting skills and the quality of family life, reliance on social care services are reduced, thus encouraging families to become more responsible and capable to look after their children themselves.

### **Southend MARAT (Multi-Agency Risk Assessment Team)**

The Southend MARAT is a multi-agency team, established in June 2016, which seeks to transform how high risk domestic abuse (DA) is responded to within Southend through partnership working. The team includes representatives from social care, health, police and Independent Domestic Violence Advisor (IDVA) services and works alongside representatives from National Probation service (NPS), Community Rehabilitation Company, housing, substance misuse and domestic abuse support projects.

The aim is for all victims to have an action plan agreed at a multi-agency risk assessment conference (MARAC) within 14 working days of the referral to the MARAT. Since January 2017, 95.5% of referrals are being heard within 14 working days.

Evaluation of the impact of the service evidences that there is now effective and timely information sharing, risk assessment and safety planning with high risk victims of domestic abuse and their families.

The MARAT is expanding its work to include both PREVENT and Honour Based Abuse cases.

### **3.3 Reducing the impact of domestic abuse on children and young people's life chances**

In 2016-17, 124 referrals were made to the service with 137 children supported. 101 parents and children reported that the service had improved their circumstances. Engagement with the service increases year on year.

In February 2017 – domestic abuse services were re-commissioned bringing together Southend Refuge Service and the children and families delivery to increase access and support for all residents. This was in response to the intensive assessment of domestic abuse services in Southend. It also provided for a more family focussed approach to supporting children.

The new provider is Southend On Sea Domestic Abuse Project (SOSDAP), a Southend based charity previously contracted to support children, young people and families by alleviating the impact of domestic abuse and promoting their protection from risk of harm and abuse.

The service will offer:

- A range of crisis services for victims including drop-in, helpline and telephone advise and support
- Outreach services for victims
- Therapeutic and counselling support
- Refuge provision and support to access refuge where needed
- Work with panels to better support victims with complex needs
- Professional advice and training
- A range of specialist service for children, young people and their families including:
  - Staying safe programs for children
  - Parenting support – rebuilding relationships understanding impact of abuse
  - Psychotherapeutic support for children with complex issues

The service will be going through significant changes over the coming year and should begin a program of support for children living in refuges and those being supported at home outside of statutory referrals.

#### 4. Services and outcomes for vulnerable children

##### 4.1 Children in Care

One of our key principles is that children are best cared for within their families wherever this can be safely achieved. We continue to have higher numbers of children in care per 10,000 population under 18 years of age than our statistical neighbours (other local authorities with similar profiles). This rate remained consistent between 2014/5 and 2015/16, but has increased significantly during 2016/17. As at the 31<sup>st</sup> March 2017 Southend was responsible for looking after 282 children and young people, an increase of 18.8% compared to the same time in 2014/15.

##### *Children looked after per 10,000 population aged under 18*

	2015/16	2016/17
Southend	68	73.34
Stat neighbours	66.4	Not yet published
National	60	

##### *Number of looked after children at 31<sup>st</sup> March 2017*

	2014/15	2015/16	2016/17
Southend	229	262	282

On the whole, stability of placement and care is associated with better outcomes for children. Proper assessment of the child's needs and a sufficient choice of placements to meet the varied and specific needs of different children are essential if appropriate stable placements are to be achieved. Inappropriate placements tend to break down and lead to more frequent moves for a young person.

The percentage of looked after children aged under 16 looked after continuously for at least 2 ½ years who have been living in the same placement for at least 2 years (or placed for adoption and their adoptive placement together with their previous placement lasting for at least 2 years) as at 31<sup>st</sup> March.

	2015	2016	2017
Southend	58%	64.7%	65.6%
Stat neighbours	69.7%	69.7%	Not available

National	68%	68%	
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Southend's record has remained fairly stable over the past few years at around 70% and is similar to our statistical neighbours and against national figures.

Participation of children in their review meetings is essential to ensure that children are able to have their say in plans for their lives. Independent Reviewing Officers (IRO) must ensure that the views of children are known before care plan decisions can be made. 100% of children (aged 4 and over) participated in their reviews during 2016/17.

#### **4.2 Narrowing the achievement gap for vulnerable groups**

##### Looked after Children (LAC)

The Virtual School and Virtual School Headteacher continues to monitor the attainment and progress for Looked After Children and ensures that they have access to a suitable range of high quality educational provision: working closely with School Leaders, Social Workers and Designated Teachers in raising aspirations and outcomes for this group of children.

Data relating to the educational attainment and progress of LAC is now collected by the Council's Operational Performance and Intelligence Team to ensure a more robust and reliable data set and allow for detailed scrutiny of performance. This will enable the Virtual School team to ensure each individual child receives the most appropriate support.

A Virtual School Management Board has been established which meets termly and whose role is to offer a mechanism of accountability for the Virtual School offering both support and challenge.

Looked After Children are almost 10 times as likely to have a Statement of Special Educational Need or an Education, Health and Care Plan (EHC plan). Currently 53.5% of Southend-on-Sea's Looked after Children (school aged) are identified as having SEN, compared to 57.3% (latest figure available 2015 -2016) for all children nationally. The percentage of Southend-on-Sea Looked after Children with a Statement (or EHC plan) 23.9% is compared to all children nationally 27.0% (latest figure available 2015 -2016). These figures are for children looked after continuously for at least twelve months as measured by the DFE.

#### **Looked after Children attainment and progress**

Attainment – summer 2016

Comparing the attainment of all Southend LAC with all National LAC, Southend LAC achieve below LAC national average for all headline measures.

<i>Headline measure</i>	<i>Southend LAC %</i>	<i>Cohort size</i>	<i>National Average (all pupils)%</i>	<i>National Average (LAC) %</i>
<i>KS2 Reading</i>	21.4	14	65.7	40.8
<i>KS2 Writing</i>	21.4	14	74.0	45.9
<i>KS2 Maths</i>	21.4	14	69.7	41.9
<i>KS2 R,W &amp; M</i>	14.3	14	53.2	25.7
<i>KS4 5A*-C inc. E&amp;M</i>	10.0	30	53.7	12.1

### **Attendance**

The overall average attendance figures have steadily increased throughout this academic year. The end of March 2017 saw the figures exceed that of the schools target rate of 90% and is in line with April 16 statistics. Primary attendance is higher than Secondary with Primary continuing to exceed the 90% target since October 2016. Secondary attendance remains a concern measuring below the 90% target, although there has been a recent 'spike' in attendance for March 17 recording this academic year highest attendance rate of 88.9%. Years 9, 10 and 11 are the year groups with the lowest attendance.

### **Exclusions**

The number of fixed term exclusions has steadily increased throughout this academic year; Sept 16 2.5% - March 17 10.6%. However, this remains significantly lower than the figures at this point last year (April 16 15.4%) and remains well below the Virtual School target of 14.0%. This is good news as the Virtual School has worked hard with schools to consider alternative sanctions for LAC. The Virtual School is also being alerted of fixed term exclusions prior to the decision being made in order for the Virtual School to

support the school with exploring other options and this is followed up by actions identified in the Personal Education Plan (PEP) where appropriate.

### PEP Completion

Target	Sept 16	Oct 16	Nov 16	Dec 16	Jan 17	Feb 17	Mar 17
90.0%	72.7%	60.4%	68.0%	84.9%	94.0%	96.0%	96.8%

The Virtual School monitors closely PEP completion and the timeliness of First PEPs, which should happen within 20 school days of the child being received into care. Relevant training with Social Care Teams and Designated Teachers has provided them with the skills and knowledge to ensure high quality PEPs are produced to support and improve educational outcomes for LAC. Southend Virtual School set up a PEP Working Party to develop a Quality Assurance tool to scrutinise the standards of PEPs completed. PEP completion is exceeding the target rate of 90% performing at 96.8%.

### Quality

PEPs Quality Assured during the Summer Term (133 in total)

66%	Green
25%	Amber
9%	Red

### Narrowing the achievement gap for vulnerable groups

#### Pregnant Girls and Young Mums

In Southend-on-Sea, school age pregnant girls and young mums (KS4) have made the following achievements in terms of gaining GCSE qualifications:

Outcomes for pregnant girls/young mums KS4	Summer 10	Summer 11	Summer 12	Summer 13	Summer 14	Summer 15	Summer 16
% achieving 5 A* -C	14.3%	0.0%	0.0%	12.5%	0.0%	8%	0%
Including English and Maths	28.6%	25.0%	20.0%	25.0%	0.0%	8%	0%

% achieving 5 A*-C							
% achieving 1 A* -G Including English and Maths	57.1%	25.0%	100%	62.5%	50.0%	8%	10%
% achieving 1 A*-G	57.1%	75.0%	100%	100%	50.0%	85%	70%

As of March 2017 41% of pregnant teenagers and teenage mothers are Not In Education, Employment or training , however teen parents who have delivered since the end of 2016 have all applied for Further Education for September 2017.

In 2015 (most recent data), 30.4% of under 18 conceptions led to abortion, this is a decrease from last year's figure of 43.8%.

### Children eligible for pupil premium grant (PPG)

Southend Local Authority pupil premium outcomes for 2015/16 (final data).

	Pupil Premium	Non pupil premium	Gap
EYFS Good level of development	58%( FSM as not available for pupil premium)	74% ( FSM as not available for pupil premium)	16 percentage points
KS1 – Expected standard in RWM	46%,	69%	23 percentage points
KS2 – Expected standard in RWM	40%	64%	24 percentage points
KS2 Average Scaled Score	102	105	3 points
KS4 A*-C in English & Maths	40%	78%	38 percentage points
KS4 Attainment 8	39.9	57.8	17.9 points
KS4 Progress 8	-0.54	0.17	0.71 points

Narrowing the achievement gap between students eligible for pupil premium and their peers has remained a continuing issue for the young people in Southend.

One of the biggest vulnerable groups educationally are those who have to cope with social, economic and educational disadvantage. In recent years the government has made additional funding available to schools to support their work in meeting the needs of these pupils. The Pupil Premium (PP) is additional funding given to publicly funded schools in England to raise the attainment of disadvantaged pupils and close the gap between them and their peers. This is a particular area of focus for the Local Authority in 2016/17 and beyond particularly in KS4.

Pupil Premium funding is available to both mainstream and non-mainstream schools, such as special schools and pupil referral units. The DfE releases a list of PP pupils to schools each financial year. For 2016 this list represented pupils who had been declared FSM eligible on a school census at any time in the past 6 years (called EVER6 pupils), were adopted from care or have left care, and if they were recorded as a service child within the last 6 years.

In the 2015 / 2016 financial year, schools received pupil premium funding in the following sums:

- £1320 for each eligible primary-aged pupil
- £935 for each eligible secondary-aged pupil

The data for the key stages below is based on those children who are eligible for Free School Meals (FSM). Eligibility for free school meals is the main measure of deprivation at pupil level. FSM data represents pupils who are currently FSM eligible and pupils would be identified as FSM eligible from the January census. Nationally, children who are eligible for free school meals / Pupil Premium funding do less well than children who are not eligible for either of these benefits. There has been a focus nationally on closing this attainment gap for a number of years

### **Early Years**

Significant progress has been made since 2014 in reducing the gap between disadvantaged children who are eligible for FSM, and those who are not, in achieving a "Good Level of Development". The gap has narrowed from 24% in 2014 to 16% in 2016, and was lower than the national average by 2 percentage points. The rate of improvement for FSM pupils slowed in 2016 following a rapid improvement in previous years and therefore the gap increased slightly compared to the previous year. The overall improvement is a key success as it is accepted that children need to achieve well at the end of the Early Years Foundation Stage so they can fully access the national curriculum at Key Stage 1 and achieve the national expectations at the end of the key stage. The improvement in the achievement of disadvantaged children should in two years time enable higher levels of achievement when children are aged 7. This also indicates that schools are focusing on ensuring disadvantaged children are supported to achieve well which is an important part of their work.



### **KS1**

KS1 data in 2016 is not comparable to previous years due to the accountability reforms that were introduced in 2016. Southend's FSM pupils previously underperformed relative to the national average in every subject. In 2016 the picture is reversed with Southend's FSM pupils achieving in line with or above the national average. However, it should be noted that this improvement was evident for all pupils and may be a reflection on how schools have adapted to the new assessment methods.

### **KS2**

Whilst it is not possible to directly compare 2016 KS2 results with previous years, it is worth examining how the Local Authority performed relative to the rest of the country in the headline performance indicators. In 2015, Southend was ranked 111<sup>th</sup> nationally for the attainment of FSM pupils in the headline indicator for reading, writing and maths. In 2016 Southend was placed 46<sup>th</sup> in the main attainment measure and is now above the national average by 2 percentage points. The performance of Southend's FSM cohort was better than the national average in 2016 in every subject, with writing teacher assessments notably higher by 8 percentage points.

The gap between those children entitled to free school meals and their peers who are not remains large in Southend but it is now narrower than the national gap in most subjects. The gap in reading, maths and grammar, punctuation and spelling is 18 percentage points, compared to just 13 percentage points in writing. Differences between pupil groups are not comparable with previous years but it is notable that these gaps in Southend were historically wider than the national gaps, so this year has seen an improvement. However, there is still some way to go to close the gaps.

### **KS4**

Young people eligible for free school meals (FSM) achieved less well than their peers who are not eligible for FSM. In the newly introduced Attainment 8 measure, the provisional average score for FSM pupils is 38.6 in Southend, compared to 54.7 for all other pupils. This gap of 16.1 points is wider than the provisional national gap of 12.6 points. Similarly, in the English Baccalaureate measure, the FSM gap in Southend is wider than national – 8% of Southend's FSM pupils achieved this measure compared to 36% of non-FSM pupils (10% and 27% nationally). In the A\*-C measure for English and Maths, Southend's FSM pupils outperformed the national average by just over 1 percentage point but the non-FSM cohort were also above the national benchmark by a greater margin. In terms of pupil progress, Southend's FSM pupils performed significantly worse than all pupils nationally with similar prior attainment. The provisional Progress 8 score of -0.48 is similar to the score for FSM pupils nationally (-0.46) showing that this group of pupils under-achieve across the country. The gap to Southend's non-FSM cohort is 0.52 meaning that on average pupils who are eligible for FSM in Southend achieve over half a grade below the rest of Southend's students

Areas for further development:

- Continue to develop the early challenge and support for schools where FSM pupils are not progressing as expected;
- Maintain the 2016 progress with KS1 pupils;
- Support reading, where the gap is widest;
- Focus on Reading and Maths in KS2 where FSM students make less progress than their peers;
- Address the KS4 attainment 8 gap which is greater than national.

### **4.3 Care leavers in education, employment or training**

The purpose of the CM16+ team is to ensure that appropriate planning towards their independent life is in place for all young people eligible for a service. As well as promoting formal education for our young people CM16+ has continued to explore various strategies to engage our hardest to reach young people (NEET) within less formal education forums.

The team will continue to offer drop-in opportunities including sessions focusing on teenage pregnancy and healthy eating and budgeting. In the last year the team has successfully taken a group of young people to India to undertake charity activities. Since the trip, the team members reported that these young people have shown more compassion with changes in their life and attitude. Other young people who didn't go on the trip are asking for opportunities for similar which the CM16+ would like to explore in future.

Currently the CM16+ is working with a new group of unaccompanied asylum seeking young people received through the National Transfer policy. This is a new area for the team and team members are expanding their knowledge and skills to effectively meet the needs of this group of young people who have a particular set of challenges and needs.

Further to this the team is now working with young people from the point that they finish year 10 of their statutory education. This change has been made in order to ensure that the young person experiences greater stability and support throughout the final year of their education and into further education or work.

The Council and its partners have been successful in engaging young people who are due to leave care, or who have left care, in education, training and employment. Currently 16.2% of young people are NEET, 57.2% are attending education, 10.4% attending training, 13.9% Employment, and 4.6% Apprenticeship. The decrease in NEET represents excellent progress and is something that the team and partners will build on moving forward. This is a reflection of the high quality of service offered to the young people of Southend-on-Sea as they prepare and embark on an independent adult life.

### **We need to further focus on**

- Continuing to embed process around the transfer of cases to the CM16+ team at the end of year 10.
- Continue to explore creative ways with our partners to engage the most difficult to reach young people in educational activities.
- Providing quality and affordable accommodation for young people including asylum seeking children.

#### **4.4 Children with special educational needs and disabilities**

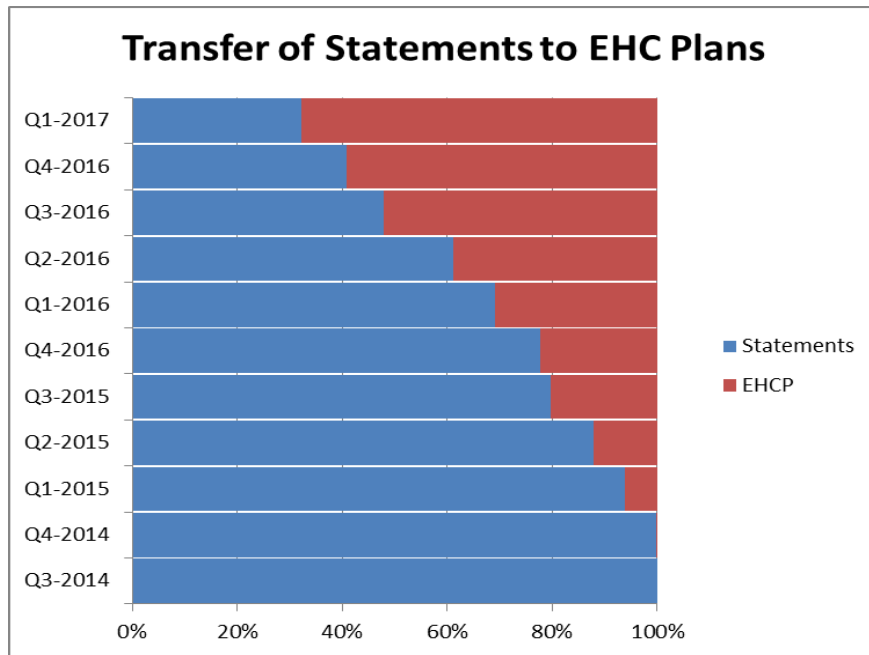
##### **April 2016 – March 2017**

Since the introduction of the reforms in September 2014 the number of pupils identified as having SEN but without a Statement or EHC plan has declined nationally and Southend continues to follow this trend with 3.2% of the school aged population with a statutory SEN plan (Statement or EHC plan) for the fourth consecutive year. The percentage of the school aged population at SEN Support has dropped each year since 2011 from 16.2% to the current level at 8.1%, however the percentage of the school aged population with a statutory SEN plan (Statement or EHC plan) remains at 3.2% for the fourth consecutive year and this continues to remain higher than the national level of 2.8%

The process of assessment for an Education, Health and Care plan requires co-ordinated delivery of services and involves Education, Health and Social care and the twenty week timescale has been particularly challenging to deliver. Performance during 2016-17 ranged from 4.3% of EHCP's being completed within the 20 week timescale to 10% being completed in timescale. The performance at 31<sup>st</sup> March 2017 was 4.3% and was in part due to the historical "legacy" plans back log which accounted for 48% of the caseload.

In May 2017 an action plan was put in place, with progress monitored on a weekly basis, to ensure that this performance improved and as at 16th October 2017 43.2% of EHCPs were completed within the 20 week timescales.

The transition plan for converting all statements to EHCPs by 1<sup>st</sup> April 2018 continues and Southend is on track to meet the deadline.



The local offer continues to develop and each school has a compliant SEN information report. There is a continuing focus on ensuring that all agencies contribute information to the local offer.

We need to further focus on

- Developing a banded model of needs related to funding and removing the hour allocation of funding
- Monitoring of all high needs funding expenditure
- Monitoring and improving timeliness and quality of EHCPs
- Developing and re-launching the local offer
- Co- production and engagement of children and young people

## 5. Outcomes for all children

In this section the members of the Success for All Children Group report on outcomes achieved in specific fields of work from across the partnership, this includes education, sexual health, youth offending, drug and alcohol teams, emotional health and wellbeing, keeping young people in education, employment and training, and support for young carers.

The success, or otherwise, of the activities and interventions set out in this section can be life changing for the children and families receiving the services, and just as importantly can reduce costs and the need for intervention elsewhere in the public sector. Our Success for All Children Group has a strong understanding of this and is proactive in supporting the removal of barriers and challenges across the system.

### 5.1 Overall school attainment

Schools in Southend-on-Sea work collaboratively with the Success for All Group members to understand how to continuously improve attainment and progress. As a partnership we understand that education provides inspiration and leads to the creation of aspiration and ambition for young people.

In 2016, 71% of children achieved a Good Level of Development in the Early Years Foundation Stage which was 2 percentage points higher than in 2015 and above the national average of 69%. At Key Stage 1 the percentage of pupils achieving the expected standard in reading, writing and maths was 63%, compared to 60% nationally. In Southend-on-Sea, 56% of pupils achieved the expected standard in reading, writing and mathematics at the end of Key Stage 2. This was 3 percentage points higher than the national figure.

At Key stage 4, results for 2016 show that 69% of Southend-on-Sea pupils A\*-C grades in English & Maths at GCSE, compared to 59% nationally. In the new headline measures, Southend's Attainment 8 score of 53.5 was above the national average of 49.9 and was the 14<sup>th</sup> highest score nationally. The Progress 8 outcome of -0.01 meant that Southend's pupils were making average progress from Key Stage 2 compared to similar pupils nationally.

The Southend Borough Council Annual Education Report is published on [www.southend.gov.uk](http://www.southend.gov.uk) and provides a more detailed analysis of pupil progress and attainment. The 2017 results will be found within the Annual Education Report published in January 2018.

We need to further focus on:

- The continued development of strong strategic partnerships between strong schools and weaker schools.
- Challenge to the leadership and governance of all schools where progress is not secure enough and the gaps between disadvantaged pupils and all pupils continue to prevail.

A more detailed analysis can be found in our Annual Education Report

## **5.2 Healthy schools**

The Healthy Schools programme addresses many priorities especially those concerned with healthy weight, physical activity, under 18 conceptions, substance misuse and the emotional health and wellbeing of children and young people.

### Healthy School Status

Currently 96% of Southend-on-Sea schools as well as two independent schools and the Virtual School have achieved Healthy Schools Status (HSS). This requires schools to meet the criteria around Personal, social and health education (PSHE), Healthy eating, Physical activity and Emotional health and wellbeing. Most schools renew their Healthy School status every two years.

### Enhanced Healthy School Status

68% of these schools have moved onto a more in depth piece of work that addresses a specific health priority. Many are working on their 2nd piece of work some even their 3rd or 4<sup>th</sup> piece. This is a specific piece of work where baseline data is measured and compared with data post project. 68% of Southend schools have achieved Enhanced Healthy School Status at least once as of July 2017.

A further 11 schools are expected to achieve in November 2017. An annual Enhanced Healthy School celebration takes place each November.

### Enhanced Healthy School Programme developments

Involvement and completion of other substantial pieces of work such as the Drug Aware, Equality and Diversity Champion programme and the newly developed Emotional Health and Wellbeing programme, merit Enhanced Healthy School Status. Schools can also develop with support, their own needs based Enhanced Healthy School projects.

Eleven schools have just completed our 2016-17 Equality and Diversity Champion Programme, this programme aims to help the school to promote strong inclusive values and thus significantly reduce discriminatory behaviour and bullying. This programme in the last 3 years has involved 34 schools with most of these schools continuing the work and embedding it into their curriculum and ethos.

A new Enhanced Healthy School programme is beginning September 2017 which focuses on Emotional Health and Wellbeing. This has a similar format to the Equality and Diversity programme i.e lasts one academic year and involves working with a variety of partners and outside agencies but has the aim of improving Emotional Health and Wellbeing in the school community. It is expected that a similar number of schools will be involved i.e 10-12

The Drug Aware programme is continuing in partnership with the Drug and Alcohol Commissioning Team, with 3 schools from the first cohort having achieved Drug Aware Status. At least a further 9 schools have signed up to the programme and are working towards achieving the award. Healthy schools working towards the Drug Aware mark will also achieve Enhanced Healthy School Status on completion due to the extensive work on substance misuse that is included in the programme.

Southend-on-Sea schools with secondary aged children continue to be offered the theatre forum, Prince Charming by Outloud Productions which tackles the subject of teenage relationship abuse. All Southend secondary schools have taken up the offer at least once and approximately 7,300 young people had access to the experience. The tour will be repeated in November 2017 to a new cohort of young people.

23 Southend Primary Schools attended training on Primary PSHE planning in May 2017 led by the PSHE association this was organised after a need was identified whilst working with schools on the RSE (relationships and sex education) provision previously.

Approximately 2000 pupils at 13 Southend schools benefited from watching short plays developed by 1<sup>st</sup> year BTEC drama students from South Essex College. The plays were developed by the students after collaboration with Healthy Schools. The plays looked at the issue of cyberbullying through a number of social media platforms and gaming, choosing themes around Equality and Diversity

### **5.3 Sexual health**

Sexual Health Services in Southend-on-Sea continue to be delivered by Essex Partnership University NHS Foundation Trust, in conjunction with Southend University Hospital NHS Foundation Trust, Brook Young People's Sexual Health Charity, and the Terrence Higgins Trust, through the SHORE (Sexual Health, Outreach, Reproduction and Education) Integrated Sexual Health Service. The service provides open access, high-quality, confidential sexually transmitted infections testing and treatment services, contraception provision, sexual health information and targeted interventions in a range of settings.

The Family Planning Association's *Growing up with Yasmine and Tom* relationships and sex education (RSE) online resource was offered to all primary schools in Southend-on-Sea with all 43 signing up to the initial induction training including being issued with a two year resource access licence. The resource, used by 42 Schools, included age appropriate curriculum standard lesson plans. The programme also provided individual support to 23 schools, enabling the confident delivery of the resource, as well

as group training on relationship and sexual education (RSE) policy writing and engaging parents/carers. Since the completion of the programme 30 primary schools continue to have a direct relationship with the Family Planning Association to provide the relationships and sex education resource.

All schools with secondary age provision, through a partnership with CSN Community Interest Company, have been offered a high quality comprehensive RSE programme. The programme supports RSE delivery across all secondary year groups, providing age appropriate and relevant lesson plans to meet curriculum standards. The programme supports school staff to deliver the *RSE Scheme of Work* through training sessions; dedicated individual time in each participating school; and, group workshop sessions to explore key themes such as relationships, sexual and reproductive health, and consent and safeguarding. The training offer has been accessed by 19 schools with secondary age provision. The offer is available to schools until December 2017.

#### **5.4 Teenage conception**



## Success for All Children Group Annual Report 2016-17

Year	Number of Conceptions	Conception rate per 1,000 women in age group	Percentage change from 1998 Baseline	Percentage of conceptions leading to abortion
1998	155	56.4	0.0	45.8
1999	132	48.5	-14.0	35.6
2000	126	46.8	-17.0	42.1
2001	130	47.4	-16.0	49.2
2002	146	50.9	-9.8	44.5
2003	140	47.7	-15.4	46.4
2004	135	46.8	-17.0	41.5
2005	136	46.2	-18.1	48.5
2006	143	47.5	-15.8	46.9
2007	127	40.7	-27.8	48.8
2008	131	41.8	-25.9	41.2
2009	128	41.4	-26.6	42.2
2010	109	36.1	-36.0	52.3
2011	108	34.8	-38.3	47.2
2012	94	30.4	-46.1	47.9
2013	83	26.6	-46.5	37.3
2014	89	28.8	-42.6	43.8
2015	79	26.1	-33.6	30.4%

The under 18 conception rate has decreased slightly to 26.1 in Southend-on-Sea. The East of England rate reduced to 18.8 from 20.2 and the national England rate reduced from 22.8 in 2014 to 20.8 in 2015.

## Prevention work and partnership approaches

Southend-on-Sea continues to take a multi-agency and partnership approach to reducing under 18 conceptions and supporting local young parents. Amongst some of the many programmes of work are:

- The Family Nurse Partnership continues to offer support to teenage parents aged under 20 in Southend-on-Sea, an evidence based programme for the first child to help them to ensure their babies get the best start in life.
- Teen BUMPs and Teen BUMPs + is a multi-agency team offering antenatal and postnatal support specific to the needs of teenagers
- CEOP (Child Exploitation Online Protection) – Early Help Family Support Service and Youth Offending Service deliver internet and social media interventions through its Street Engagement Team.
- Care To Learn provision is offered to all teenage parents.

## Achievements in 2016-2017 include:

- Reporting of pregnant teenagers and teenage parents in education, employment or training (EET), thus facilitating focussed approach and work to support teenagers.
- Reporting of school age pregnancy attendance data to a Children Missing in Education group to monitor reduced “maternity attendance” back to full time whenever possible.
- Referrals for Teenage Pregnancy support are now going through the Early Help Family Support single front door referral process. This now ensures that the right support is in place at the right time.
- Initiatives to develop and raise teenagers’ self-esteem and aspirations include opportunities to volunteer at Teen BUMPs and Teen BUMPs+
  
- Public Health are Improving awareness of risk taking behaviour and sexual health matters for relationships and sex education leads in schools; for parents and foster carers; and for all professionals working with young people so that children and young people get the education, knowledge and skills they need to experience positive relationship and sexual health.
  
- The Teenage Pregnancy strategy 2015 – 2018 has been reviewed and a new action plan has been established to ensure continued progress, these actions will be monitored monthly to ensure that **Teenage Pregnancy is Everyone’s Business** and there is continual

momentum in the work to reduce teenage pregnancy in Southend Borough Council

- **Housing & Support**

Sanctuary Housing provides support for young parents with everyday living through housing placements. They are currently undergoing a Pilot scheme in Southend, by placing 16-18 yr. olds at Boston Road and 19+ at the Heygate site. Assessment from Sanctuary supported housing ensure that accommodation is on a needs basis, with homeless young parents being given priority need and floating support being offered to those in Hostels or living at home.

## **5.5 Substance misuse**

The Drug and Alcohol Commissioning Team (DACT) continue to commission a package of preventive substance misuse education, known as DrugAware, which was piloted with a cohort of nine schools from early 2014. This programme is intended to develop consistent standards of preventive education across the Borough and to enable schools to identify and intervene earlier with students who are at risk of substance misuse. Three schools have completed the DrugAware Award programme so far, with a further 10 schools working towards their accreditation. The DACT are keen to encourage all schools across the Borough to engage in this programme.

National evidence suggests that for every one person in specialist substance misuse treatment, there is at least one child affected by substance misuse; this suggests that in Southend-on-Sea there are likely to be at least 1000 children affected. Three successful M-PACT (Moving Parent And Children Together) programmes have been delivered so far to a total of twelve families affected by parental substance misuse. The Young People's Drug and Alcohol Team (YPDAT) also continue to provide support to some young people who are affected by their parent's substance use, and there is an expectation that the new services being commissioned by the DACT will further support families and carers who are affected.

During 2016-17, YPDAT engaged with more than 200 young people to address their own substance use, with 103 under-18's and 38 18-21 year olds provided with specialist treatment. Youth Justice Services remain the key referral route for young people accessing specialist treatment.

## **5.6 Improving outcomes for children and young people's emotional wellbeing and mental health**

**Emotional Wellbeing and Mental Health Services**

There have been some key developments with the children and young people emotional wellbeing and mental health services, such as the development of the community eating disorder service, the review of the Suicide Prevention Toolkit for the Health and Wellbeing boards, improvement of data collection, recruitment of staff for the Southend delivery, increase access to services for all including self-referrals and extended working times up to 9pm daily.

**EWMHS Service Performance Update 2016/17**

<b>EWMHS Service Southend</b>	<b>Data Item</b>	<b>Target (2016/17)</b>	<b>Year-end delivery</b>
<b>Crisis Team</b>	Referrals Received	170	205
	Completed Assessments	151	209
	Total Contacts		602
	First Appointments	130	171
	Follow-Up Appointments	218	431
<b>Targeted Services</b>	Referrals Received	1423	1210
	Referrals Accepted	1306	1116
	Completed Assessments	876	953
	Total Contacts		6521
	First Appointments	1291	833
	Follow-Up Appointments	3389	5688
<b>Eating Disorders</b>	Referrals Received	19	0
	Referrals Accepted	17	0
	Completed Assessments	14	0
<b>Learning Disabilities</b>	Referrals Received	3	19
	Referrals Accepted	2	19
	Completed Assessments	2	33
	Total Contacts		127

## Success for All Children Group Annual Report 2016-17

	First Appointments	2	9
	Follow-Up Appointments	31	118
<b>YOT's</b>	First Appointments	11	0
	Follow-Up Appointments	45	0
<b>SPA</b>	Referrals Received	1210	1111

### Key Points

- This year saw greater effort put into improving data collection;
- At the end of March 2017, 631 children and young people completed treatment – under 4 weeks = 26.94%, 4 – 8 weeks = 20.13%, 8-12 weeks = 19.81, over 12 weeks = 33.12%
- Due to recruitment issues, the Youth Offending Team and Single Point of Access managers post remain vacant:
- All children and young people presenting at A+E have been assessed within 4 hours:
- There were some identified performance issues around some KPIs – RTA (referrals to assessment) and RTT (referrals to treatment) which improved over the year.
- The service is reporting separately on referrals of vulnerable groups

April 2016 – March 2017	Southend
Total referrals received	1111
Those identified as a Looked After Child	43
Those identified as having Learning Difficulties and Disabilities	1
Those identified as having a Child Protection Plan	37
<b>% of total SPA referrals</b>	<b>7.29</b>

- DNA (did not attend) rates have improved with Southend recording a 12.08% in this year which is still higher than the national average of 10%. In March 2017, it fell to 9.10%.

## 5.7 Reducing school absenteeism

Ensuring that children and young people access education and improving school attendance is everybody's responsibility, however Early Help Family Support and Youth Offending service have the lead in providing support, challenge and enforcement action for this area. The service is traded to schools and provides a variety of strategies to support service users; this has contributed to absence figures for primary and secondary schools across the borough to remain static. There has been a significant decrease in absence in special schools which has improved Southend's national ranking compared to other local authorities. There has been a reduction in persistent absence levels in the Borough with the exception of primary schools where there has been a very small increase. The full statistical release for 2015-16 academic year showed that we were below the national and statistical neighbour average for overall absence in Primary, secondary and special schools for compulsory school age children.

The largest rank improvement was in Special schools where Southend-on-Sea improved by 36 places from the 3rd quartile to the 2nd quartile nationally. Only 4 of our 10 statistical neighbours showed an improvement in special schools absence figures. Overall Southend schools remained in the first quartile nationally, improving its ranking by 22 places, with overall absence now standing at 4.3% - none of the statistical neighbours were ranked higher.

The percentage of persistent absentees has increased in Southend schools across the board due to the change of methodology from 15% to 10%, which covers a much larger cohort of pupils. Because the DFE have supplied figures for 2014/15 for both 15% and 10% methodologies, a comparison has been possible between 2014/15 and 2015/16. This comparison shows that Southend has improved and reduced persistent absence in schools with the exception of Primary where there has been a very small increase of 0.1%. Overall, Southend schools are below national in terms of persistent absence by 1.3%. Furthermore, the local figure of 9.2% is lower than the statistical neighbour average of 11.2%

Persistent absence is a significant factor in children underachieving and gaining lower exams results. The Early Help Family Support Service continue to support a number of priority schools with higher than national persistent absence to offer a tailored support to differing school needs to target and reduce persistent absence. This incorporates various aspects

from supporting schools to better analyse their data; increased numbers of early intervention meetings with parents and young people; enforcement and rewards.

Truancy deployments continue to be delivered by the Youth Offending Service, this has been further resourced and has been offered to more schools across the borough and has been extended to five days a week. Joint evening patrols have also been undertaken with the police and school attendance officers weekly to engage the most prolific, hard to reach families. Further details are incorporated in section 5.10.

We need to further focus on:

- Continuing to reduce absence and persistent absence in schools with a specific focus in primary schools and early years to embed routines and the importance of attending regularly at school from an early age.
- To work with and alongside the Special Schools to help continue to reduce absence where possible, to help facilitate early intervention meetings so enable parents to feel better equipped with managing long term illness which presents many challenges. Learning how to meet those challenges is a process, but this group of children can, and wish to, achieve like their peers. Education may be a lifeline of opportunity and normality to children and families. Education will not only be school based. In many cases children will need a combination of flexible and school-based, hospital and home tuition. It emphasises the need for strategic partnerships between education and health services, teachers, children and families in understanding the practical and emotional impact of a chronic medical condition on education and development.
- Educating the wider community on the importance of school attendance.
- Support Primary schools with reducing persistent absence and lower the small increase we have seen this year

## Children Missing from Home

Completion of Return to Home Interviews (RHI) for missing children falls within the scope of Early Help Family Support and Youth Offending Services. Previously the police identified cases where a young person had been reported missing, but due to the short time they were missing or other factors, were classed as 'Absent' instead, and no RHI was required. However following a shift in police practices 'Absent' classification was removed which meant the local authority notifications of missing children significantly increased. The SBC missing children procedures have therefore been updated, placing the onus on duty managers to make that distinction, and therefore determine for ourselves who requires a RHI based on set criteria.

Following review of the procedures for Missing Children the format of the RHI has been developed to ensure that even if young people don't wish to engage meaningfully in the interview the officer has the opportunity to explain the risk of being missing from home. The reporting of data has also been revised also breaking information into Southend on Sea children, Southend on Sea children placed out of borough, Out of borough children placed in Southend on Sea

1<sup>st</sup> April 2016 – 31<sup>st</sup> March 2017, 253 children went missing a total of 761 times (with 42 episodes identified as absent/not requiring a visit), compared to 209 children going missing 517 times in 2015/16 <sup>1</sup>

Despite an increase in the number of missing episodes, the number of successful return to home interviews increased from 68% for 2015/16 to 80.3% for 2016/17. The majority of children went missing only once, however those that went missing more than once made up the majority of missing episodes. Only 5 (2% of) children went missing over 20 times in the year, however, these 5 children had 174 missing episodes between them, accounting for 23% of all missing episodes. One child (who went missing a number of times in 2015/16) went missing a total of 79 times in the year whilst all other children went missing 28 times or less.

Females made up the majority of missing children and episodes (accounting for 59% of both)

We need to focus on:

Meaningful engagement from young people who do not wish to engage.

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Continue to raise awareness of Missing and CSE, especially risks for vulnerable groups, with pull factors of: Contact with family, Contact with other adults, Offending behaviour, Alcohol Misuse, CSE suspected and Self-harm.

### **Safeguarding the children of Southend in relation to Child Employment and Children in Entertainment.**

It is the responsibility of the local authority Early Help Services to ensure that children are not exploited whilst working or taking part in performances, and that they do not miss out on attending school. All young people who work or assist in a trade or occupation which is carried out for profit or non-profit purposes are considered to be employed - even if they receive no payment for that assistance. By law, no child under 13 years may be employed. Children aged from thirteen to sixteen must have a work permit. (Issued by the Early Help Team)

Many children enjoy performing, whether in plays, films, advertising or on television. Some children also take part in modelling assignments and also paid sporting activities. Laws exist to protect children's welfare and prevent them from being exploited, and in most cases children require a performance licence in order to take part in these activities. (Children & Young Persons Act 1963, Children (Performance and Activities) Regulations 2014). This applies to both amateur and professional productions. (Issued by the Early Help team)

Licences are issued by the team that state the conditions which must be observed to ensure the child's safety. Regular visits are made by the Child Employment Officer to TV sets and studios, theatres in Southend and on location filming and photographic studios to check on the welfare of children taking part in these activities. Spot checks are done to employers to ensure no school age children are working illegally.

Chaperones are vetted and approved by the Council before they can be responsible for supervising children, and they all must have an enhanced Disclosure and Barring Service (DBS; formerly Criminal Records Bureau, CRB) check as part of the process. (Processed by the Early Help Team)

Reports of children working illegally are taken seriously, and followed up with the employer who may be liable for a fine if they are found to employ children illegally.

All the work is implemented by Early Help Family Support Officers who are part of a team within Early Help Services. The team works closely with other colleagues in the South East region and nationally and often meets with

regional representatives to discuss any issues, e.g. in relation to recent TV or theatrical productions or policies and procedures around child employment and children in entertainment.

Throughout 2015 - 2016 (academic year)

<b>Work Permits Issued</b>	<b>145</b>
<b>Employer visits</b>	<b>452</b>
<b>Chaperone Licences issued</b>	<b>55</b>
<b>Entertainment Licenses issued</b>	<b>192</b>

We need to further focus on:

- Streamlining Entertainment visits
- Raising awareness across partners and children's service

### **Safeguarding Children Missing Education (CME)**

Children Missing Education (CME) are children of compulsory school age who are not on a school roll and who are not receiving a suitable education

Categories of Children Missing Education

- A Child of statutory school age (5-16) not on roll at a registered school
- A Child allocated a place at school but has not attended and cannot be located.
- A Child registered as being educated at home but not receiving an appropriate education

Due to the Service re-design the Early Help team took over sole responsibility for Children Missing Education in December 2016, the data below relates to this time frame only.

As an Authority we need to identify Children Missing Education to ensure that every child and young person has the opportunity to fulfil their potential and that they receive the universal services to which they are entitled to. Our role at Southend Borough Council is to identify children missing education, make enquiries to locate the child and if the child is still in Southend, seek to engage the family in the process of getting the child back onto a school roll and attending school.

Where we do not have an address for the child and investigations suggest that the child is living in another local authority, the CME Team inform a similar team in the new local authority so that they can try to locate and

engage the family. Also if it seems that the family have left the UK we aim to obtain some independent verification of this from a school or similar professional agency in the new country if this is possible.

The CME Team track cases through working in partnership with other agencies, carrying out home visits, linking with other local authorities, other countries, benefits agencies and the border agency where necessary.

When another local authority believes that a child has moved to Southend and may be missing from education, they contact our CME Team. The team also receive referrals for children who are new to the country.

It is also the role of the CME team to continually track families when their whereabouts is unknown linking with other local authorities country wide. This safeguarding function remains in place until, eventually the family are located.

For the time frame of December 2016 to July 2017

Number of referrals	Investigations on going	Successfully Located
110	16	94

We need to further focus on:

- Schools understanding the importance of gathering detailed information from parents as to where they are moving to and completing the CME referral form comprehensibly.

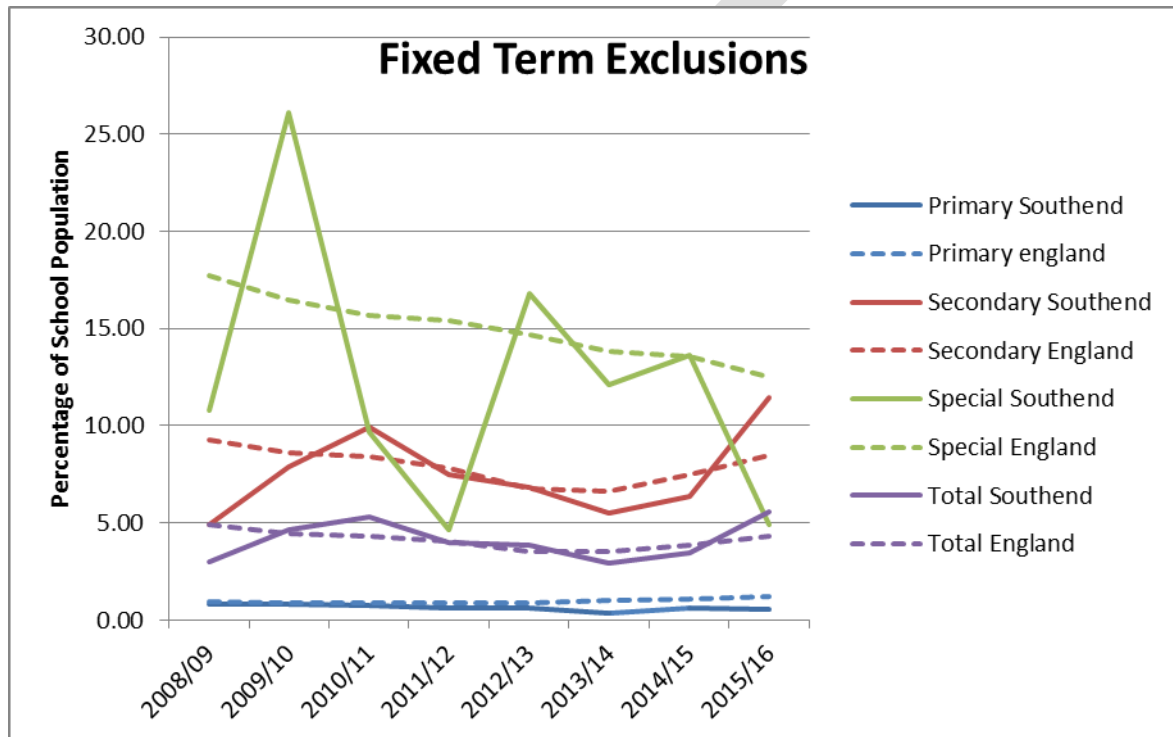
## 5.8 Reducing exclusions

One measure of how well children behave in schools is to consider the number of fixed term and permanent exclusions from schools across Southend-on-Sea and compare this with national and regional information. It is generally accepted that pupils excluded from school are having their education interrupted, which will have an impact on the progress and achievement of an individual. As a result, schools and Southend Borough Council try as far as possible to manage children's behaviour within the school system, although it is recognised that some young people are not able to be educated in the mainstream school system and may need specialist individual education provision.

### Fixed term exclusions

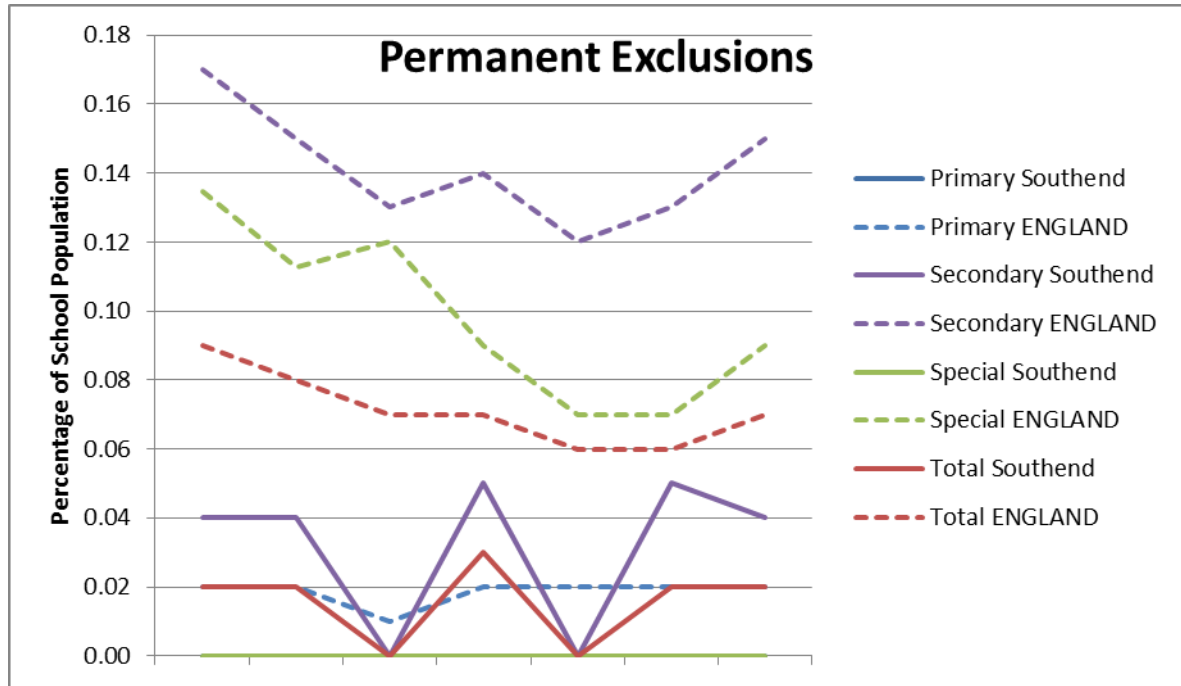
Fixed term exclusions, which are short term exclusions from the school due mainly to inappropriate behaviour and lasting from a day to a week or so, shows an increasing trend over the last five years. While in primary and special schools the percentage of children subject to fixed term exclusions is

consistently less than that nationally, in secondary schools fixed term exclusions are higher. Data for 2015-16 was released by the DfE in July 2017 and evidences that fixed term exclusions within primary schools and special schools has reduced substantially, however fixed term exclusions in secondary schools continues to rise significantly. It is likely that the increase in school academies and multi academy trusts within Southend-on-Sea, where zero tolerance behaviour policies have become more common, has had a direct impact upon increased fixed term exclusions.



**Permanent exclusions**

The Council has for many years, together with schools in Southend-on-Sea, had the aim of ensuring no child or young person is permanently excluded from school. This aim, supported by a range of strategies has seen a significantly lower percentage of pupils permanently excluded from either primary, secondary or special schools than that nationally. The data between 2009-10 and 2015-16 evidences the significance of the much lower permanent exclusion rate in the Borough, in particular within primary and special schools. We have, however, seen a slight increase in permanent exclusions within both secondary, special and primary schools over the last academic year but this remains less than the current national figure and statistical neighbours.



### Looking Ahead

Southend's Pupil Referral Unit converted to academy status on the 1<sup>st</sup> July 2017 under the Parallel Learning Trust. Southend's Education Board has secured revised service specifications with Trust which centre upon working collaboratively with Southend schools to increase nurture, improve behaviours and reduce fixed term and permanent exclusions. This includes stronger links to the Fair Access Protocol, assessment of local need and audits of individual schools strategies and policies in relation to whole behaviour management, offering further training and development for school staff in relation to positive behaviour management. Performance of this service will be monitored and reported to the Education Board's Vulnerable Learners Sub Group, through measurable key performance indicators.

### 5.9 - Reducing the number of young people not in education, employment or training (NEET)

In May 2017 the NEET figure was 2.1% for 16-18 year olds against a locally set target of 1.5%. This figure is below the national average of 3% and the average for our statistical neighbours (3.6%).

Within Southend's 2.1% NEET some of the young people have the most complex needs including those with special educational needs, those known and working with the Youth Offending Service, those who are teenage parents or who are currently pregnant, and those young people with a substance misuse issue. Southend's Early Help Family Support and Youth Offending

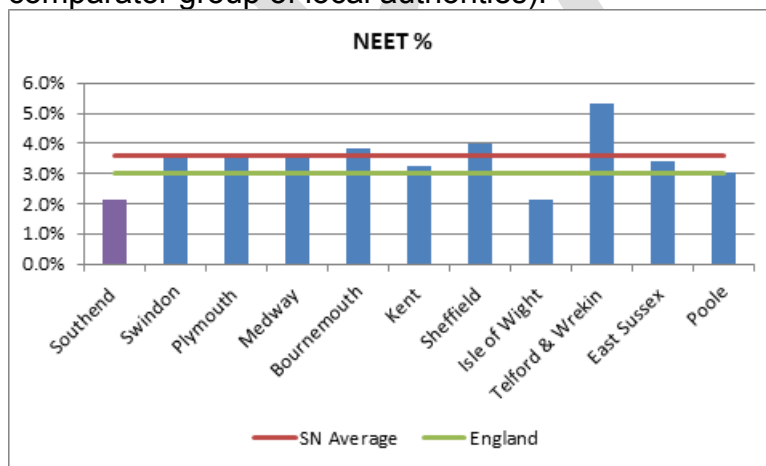
Services work intensively to support these young people to enable a positive progression for them.

A number of policy measures have been introduced by the Government to reduce the number of people who are NEET, including raising the participation age, this means that from September 2015 all young people in England are required to continue in education or training until their 18th birthday. Options for this include:

- Full-time learning such as in school, college or home education;
- An apprenticeship;
- Part-time education or training if employed, self-employed or volunteering full-time.

In May 2017 the number of young people of 16/17 yr. olds participating in education, employment and training was 92.5% which is only slightly under the national average of 92.9%. This was made up of 87.1% attending full-time education, 3.1% going onto an apprenticeship programme and 2.3% attending other education and training providers.

The Figure below shows that in 2017 the proportion of 16-18 year olds not in education, employment or training in Southend-on-Sea was similar to the England average and better than the majority of its statistical neighbours (our comparator group of local authorities).



In Southend-on-Sea, the Success for All Children Group needs to ensure that many more young people choose to stay in learning post-16, including those with multiple barriers to learning. To achieve this partners have developed systems and improved processes so that we provide:

- an excellent universal offer for all young people to prevent them disengaging
- a very efficient service for getting back into learning and work those young people who become NEET but have no specific barriers to engagement
- more targeted and intensive support to engage those young people with particular barriers to participation or to re-engagement
- Proactive work with young people who need to rethink post 16 options after A Level and GCSE results days.

### **5.10 Reducing the impact of anti-social behaviour and offending on children, young people and the community**

Southend Youth Offending Service believes that youth crime early intervention and preventative work with children, young people and families provides considerable opportunities for joint working at strategic and operational levels. Further it demonstrates that when early intervention is embedded it can relieve the pressure on services so a given level of resource is used to better effect.

Therefore preventative opportunities must exist at various stages in a young person's life and the YOS must prioritise partnership efforts effectively whilst adopting a risk-led approach to intervention planning across all its early intervention and prevention programmes.

#### **Early intervention and prevention is not a single, one off event but a process whereby:**

- Children, young people and families difficulties are **identified** before they have reached a point at which the children's development and wellbeing is seriously compromised
- Having been identified early on, the scale and nature of these problems are properly understood and a plan for offering help is developed through a process of high quality **assessment**, and
- Children, young people and families are offered the **support and challenge** they need in line with the assessments, for as long as it is needed

Our aims therefore are to

- significantly reduce first time entrants into the criminal justice system
- reduce youth anti-social behaviour
- reduce the risks that lead children and young people to commit asb and crime
- avoid criminalising children and young people, which in turn significantly increases their opportunities for more positive outcomes
- Make the best use of partnerships in a time of financial constraint to ensure gains made can be sustained and built upon

### **2016/17 Achievements**

- Over the last year the team has achieved some amazing results, with the lowest number of young people in the Borough entering the criminal justice system since the YOS was established in 1999. Only 38 young people entered the criminal justice system for the first time, 20% less than the previous year and it is evident that that our Prevention and Diversion Strategy has been hugely successful. Our close partnership working with the Police along with our commitment to prevention has led to a major reduction in the number of pre-court disposals issued to young people across the Borough, we have reduced the use of pre-court disposals by 64% upon last year by offering the police and young people viable alternatives to sanction. Any child receiving a Youth Caution in the Borough is automatically offered voluntary support and intervention to prevent re-offending in the community.
- Since Triage being implemented within the Borough in April 2009, 1,291 young people have been through the process. This has meant these young people did not enter the criminal justice system and did not receive a substantive outcome for those offences. Whilst young people were initially arrested for the offences, compliance with Triage resulted in no further action being taken. In view of the fact that re-offending rates for Triage over an 8 year period are only 16% this clearly demonstrates that the programme is successfully targeting young people at the earliest point of their criminal career and diverting them away from the youth justice system. Over the last 12 months 89 young people successfully went through the Triage process.
- Recorded levels of Youth Anti-Social Behaviour in the community has also continued to reduce, this year there was a 14.6% reduction on youth ASB call outs compared to last year, however when comparing this to the figure of 5 years ago, there has been a reduction of 53%. These figures suggest that our approach to joint working with our partners has had a significant impact on Youth ASB in the community. We have daily contact with the Police, attending daily briefings, conducting joint patrols, truancy visits and home visits. Attendance at Local Community Meetings enables us to glean first-hand information quickly from the community and allows us to respond accordingly. The YOS are part of the town link scheme where we are in contact with local security and CCTV enabling us to respond quickly to any reported instances of ASB. Our partnership working with Police, Town Link, BID, SMAART, CSP among others has led to a joint effort in addressing anti-social behaviour.
- Our Challenge & Support programme involves those under 18 year old who are stopped by the police for anti-social behaviour being referred through to the scheme whereby various tools and powers are used from letters, home visits, Acceptable Behaviour Contracts and structured interventions. This scheme is clearly identifying those young people at the earliest opportunity who are at risk and/or vulnerable and



ensuring the appropriate level of support is put in place. Likewise, all young people at risk or engaged in crime and anti-social behaviour are able to benefit from a systematic joined up approach. This scheme worked with 89 children and young people during the year April 2016 to end March 2017 through the use of warning letters, home visits, and Acceptable Behaviour Contracts. 2 ABC's have been issued during the year and 1 Criminal Behaviour Orders.

- Our Street Engagement Team undertook 12 specific joint operations with the Police in identified hotspots between the hours of 7pm and midnight in order to protect children left to wander the streets at night without adult supervision who are at risk of offending, substance use, child sexual exploitation and anti-social behaviour. These are joint initiatives undertaken by YOS and Police whereby workers engage with children and young people removing them where appropriate and necessary.
- Street based deployments are also undertaken delivering street based outreach where and when it is most needed. By offering young people viable and attractive alternatives to anti-social and criminal behaviour they are helping to break the damaging cycle of negative influence and raise aspirations. The team work days, evenings and weekends dependent upon intelligence across the borough, targeting areas with a high level of public concern about youth disorder with the overall aim to signpost young people to more positive activities using a triple track approach of challenge, support and enforcement. We conducted 602 street engagement deployments and engaged with 3,929 young people through the use of this strategy. These members of staff are also completing Return to Home Interviews for all missing young people, this enables the local authority to understand the problems and triggers leading to missing periods and allows support to be put in at an early stage.
- Online safety and child online grooming has become a major risk over recent years and we have been quick to address this need in Southend, with CEOP (Child Exploitation Online Protection) trained ambassadors completing group work with young people in schools and youth groups across the Borough. In total we completed 46 Internet Safety (CEOP) courses to 1,253 school teaching staff and students. This work has also led to young people and families being supported on a one to one basis to help educate them about the dangers of online activity. A senior school representative provided the following feedback:

*“Thank you for all your hard work for the CEOP and internet safety drop down day. I felt the drop down day gave an excellent insight of the dangers, which pupils can encounter using social media”*

- After the Problem Profile was completed last year it was noted that school attendance was a major factor in young people becoming involved in offending, high truancy levels were also linked to a number of other concerns such as child sexual exploitation, low attainment and places families at risk of being on the edge of care proceedings. Since then we have increased truancy patrols to 5 days per week, helping schools and the local authority achieve local and national school attendance targets. This has led to 741 young people receiving truancy visits of which 81 young people were returned to school and 320 parents were educated and spoken to about concerns of truancy. This is a joint initiative completed alongside local senior schools and Essex Police and has led to families in need of support being identified at an early stage and being referred through the Front Door to receive support via our Early Help Offer.
- The YOS Prevention Team is now embedded as part of the Early Help Offer and provides support to young people who come through the Front Door assessed as being at risk of offending, committing anti-social behaviour, at risk of child sexual exploitation or online grooming. During the last financial year we opened 143 young people and families for one to one support to address these identified needs. The referrals are received from a range of agencies including schools, police, social care, self-referrals and via internal de-escalation meetings and all cases are worked to the Southend Outcome Plan according to the Troubled Families principles.
- We have completed 6 Take 3 Parenting Programmes in the community during this year with very positive feedback gained from the parents on the 10 week groups, these include:

*“The way it was presented was empowering me as a parent and gave me a better understanding of how to deal with my daughter, this has brought us closer together and improved our relationship drastically and home is a good place to be.”*

*“Meeting other parents in similar situations helped me feel supported in my parenting and allowed me to be more able to parent in a more constructive way”*

*“The course let me meet people with similar problems; Mercedes and George (the facilitators) were able to support and help me and provided a nice friendly group”*

### **To reduce re-offending by children and young people under the age of 18**

According to YJB data, in 2007 Southend had a cohort of 562 offenders with 181 re-offending. This equates to a 32.2% re-offending rate. In the last 8

years Southend YOS has consistently reduced the cohort size, so much so that the latest figures published by the YJB in April 2014 (for the April 2014 to March 2015 cohort) indicates a cohort of 138 offenders with 49 re-offenders - a re-offending rate of 35.5%. This is a decrease of 8.4% compared to April 2013 to March 2014. Whilst historical data indicates that Southend has a high reoffending rate, there is a story of place behind this data which is important to demonstrate in order to reflect the actual re-offending characteristics and performance. It is also important to note that while our reoffending rate is still higher than we would like, it has been consistently reducing across the last 36 months since we peaked at 51.6%.

Much of our work has been displaced following the implementation of our prevention and diversion schemes. The inception of Triage in 2009 has not only had a significant impact on preventing young people entering the criminal justice system but has also been extremely successful in preventing re-offending.

Unfortunately, Triage re-offending data is not included in the YJB performance measures but the Triage re-offending rate is now 16% over 8 **years** (cumulative). If Triage was included, our April 2013 to March 2015 cohort would have increased by a further 89 offenders to 227 with the percentage for all re-offending reducing from 35.5% to 22.9%.

The reality remains however that out of just under 16,000 10-17 year olds in the borough, only 138 were subject to substantive outcomes during the last published period of which only 49 were re-offenders.

Whilst many other YOT's are now operating Triage and this argument could be counter-acted as their re-offending data is on target, Southend was one of the first in the country to operate Triage and consequently this has affected our data for 8 years whereas most other YOT's have only been operating Triage for 2 years.

It is a nationally recognised statistic that 20% of prolific/revolving door offenders are responsible for 80% of crime committed. However for Southend during 2016/17 10 most prolific offenders were responsible for 127 offences which accounted for 34% of all youth crime compared to 13 young people who were responsible for 42% of all youth crime committed in the Borough in the previous year. This demonstrates therefore that our ways of working with these prolific offenders (those committing 5 or more offences within 12 months), by providing additional support and intervention over and above that prescribed by National Standards appears to be achieving results. This has undoubtedly been achieved through strong and effective partnership working.

Southend YOS has undertaken its eighth Problem Profile for the time period April 16 to March 17. Previously this document has focused heavily on offences – those most common, when and where they are committed, and by what age and ethnicity of offender. Over the two years the YOS has overcome challenges brought about by unavoidable changes to policing structure, resulting in us obtaining less data on a regular basis than we have before.

April 2015 also saw the YOS change case management systems to a single joined-up system shared with education departments within the council and more recently to Asset Plus. We have therefore taken the opportunity to shift focus from offence-based analysis, to **offender-based** analysis; engagement in education, where they live, what particular features the groups have that indicate where resources might be most effectively targeted. Whilst it is useful for the police to be able to target their efforts at the location of **offences**, the provision of Family and Community based help by the Early Help Family Support and Youth Offending Services needs to focus on **offender** location and their families. The incorporation of Early Help into our overall Service area has further allowed us to enhance our innovative approach to the way we deliver services around the needs of hard to reach and vulnerable children, young people and their families.

By looking at the individual crime types it can be seen that throughout this period 154 unique offenders committed 374 offences and these young people were subsequently supervised by the Southend Youth Offending Service as detailed below:

- 111 of these offences were committed by 91 young people resulting in a diversion into Triage.
- 227 offences were committed by 60 young people resulting in a statutory outcome which includes Referral Order (RO), Youth Rehabilitation Orders (YRO's), Detention Training Orders (DTO's), Youth Cautions and Youth Conditional Cautions.
- A further 36 offences were committed by 14 young people resulting in court outcomes with no statutory intervention. These include Conditional discharges Absolute discharges and/or Fines.

### **2016/17 Achievements**

- The latest YJB reoffending rate demonstrates that Southend has dropped to 32.3%. This is below the South East average Performance of 35.2% and significantly below the National average of 37.7%.
- Southend YOS continues to use the YJB Re-Offending Toolkit as a live monitoring and performance measure to ensure analysis informs practice. Performance for year ending 16/17 was 37.04% re-offending rate (10 out of 27). The YJB published data (as in the bullet point above) is 18 months behind 'real time'. We therefore anticipate that between now and the next published data our re-offending rate will continue to be at least in line with SE and National average if not considerably better.
- Significant success in prevention has led to Southend having a small entrenched cohort. This is a challenging cohort of prolific revolving door offenders who we are working hard to engage in different ways such as programme activities. Our ways of working with these prolific offenders, by providing additional support and intervention over and

above that prescribed by National Standards is working as the number of prolific young people has been reduced again this year to 10 unique YP's. The fact they remain responsible for 34% of all youth crime is a clear indication of their entrenched patterns of behaviour.

- All young people subject to court orders are required to undertake payback to the community as well as, where appropriate, restorative justice interventions. Undertaking community payback acts as an effective deterrent to further offending and a restriction of liberty. Furthermore it benefits both young people and the wider community as it improves our local communities, develops young people's skills and knowledge bases, whilst encouraging them to take responsibility for the communities in which they live. During this time period 711 hours of reparation were undertaken by young people.

### **To minimise the use of remand and custody for children and young people**

Southend YOS is committed to ensuring that the use of remands and custody is a last resort for young people. Consequently we provide good quality and realistic bail support packages and reports to the courts using experienced staff in order to maintain the courts confidence in both bail provision and community sentences.

### **2016/17 Achievements**

- Historically the YOS has always been subject to the target of less than 5% of court outcomes resulting in custody. Whilst we have been able to perform close to this target, the reduction in the numbers of young people appearing before the courts has meant that percentages can be misleading - a small cohort of prolific offenders are naturally likely to have a higher custody rate. For this reason in 2014/15 we moved to mirror the MOJ reporting method in our own local performance monitoring. This measures the rate of custody amongst the overall 10-17 year old population – the population is more static than the number of young people in the criminal justice system enabling better comparison.
- The YOS offers alternative sentencing proposals to custody by identifying robust community sentencing options where appropriate and in a manner that doesn't place the public at risk of harm. There were 11 custody episodes for young people in the Borough out of 96 court outcomes during 2016/17. Using the YJB measure of per 100,000 of the 10-17 year old population in the Borough, results in a performance figure of 0.69, significantly below the target of 1.28. Many of the young people in Southend who come to work with the Youth Offending Service have entrenched patterns of behaviour and often receive multiple court outcomes in the year. We need to provide substantial well considered options to the court to engage young people in the community as a direct alternative to a custodial sentence.

- Southend YOS will continue to ensure the following are in place - Bail support packages that incorporate a range of specifically tailored interventions (including sport, outdoor pursuits, ETE, social skills), prohibitive measures, including electronically monitored curfews and restrictions on associations and exclusion zones and the use of Troubled Families where appropriate. An early warning notification system of young people at risk of remand to ensure we present robust bail support packages to the court at the earliest opportunity is also embedded within practice.

### **To minimise the risk of harm posed by children and young people**

The Youth Offending Service has a duty to co-operate with the Multi-Agency Public Protection Arrangements (MAPPAs) and is committed to its role in supporting local information sharing and management of risk to the public posed by young people. Registered sex offenders and those young people who pose a risk of harm to the public are referred to MAPPAs ensuring safe and effective management either in the community or following release from custody. During 2016/17 Southend YOS did not have any Community Safeguarding and Public Protection Incidents.

### **2016/17 Achievements**

- Undertaken multi agency Case Management Forums for all young people assessed as presenting a risk of harm to others
- Introduced MACE (Multi-Agency Child Exploitation) Panels. The MACE (Multi-Agency Child Exploitation panel) is a new group meeting every 6 weeks. Its overall aim is to ensure that there is an effective multi-agency assessment and response where there are concerns that young people are at high risk of exploitation which relates to the young people that agencies are most worried about – this includes; high risk of sexual exploitation, high risk of exploitation related to gang activity including drug dealing and possibly other criminal activity; places where there are significant concerns that young people are being exploited e.g. through gang activity, drug dealing/taking, sexual exploitation, other criminality etc ; Perpetrators/alleged perpetrators where there are significant concerns that they are exploiting children and young people. These referrals are most likely to be from the police. The Panel will consist of a core group of senior representatives from Social Care, EH/FS/YOS, Health, Education, Police, the Community Safety Partnership. Other agencies will be co-opted to attend according to the subject matter of the discussions.
- Reviewed and revised management oversight of plans and interventions relating to young people who present a risk of harm to others including CSE links

- Delivered 46 Internet Safety (CEOP) courses to 1,253 school teaching staff and students.
- Worked in partnership with the Office of the Police and Crime Commissioner to develop a pan Essex Gangs initiative to work within schools and young people identified as being at risk or actively involved in known gangs.

### **Ensure children and young people are protected from harm and are helped to achieve more**

Southend Youth Offending Service has a statutory duty under section 11 of the Children Act 2004 to safeguard and promote the welfare of the child. We are represented on the Local Safeguarding Children's Board and produce a yearly section 11 report to the Board.

Multi agency meetings are held within the YOS (Case management forums) in order to manage Safety and Wellbeing and risk of harm for all those assessed as being high or very high within these areas.

We are fully integrated with children's specialist services and look forward to opportunities to integrate further with adult services as we embed as one department. Whilst the YOS has a seconded health worker and a full time substance misuse YOS officer, being part of the Early Help Family Support & Youth Offending Service ensures that there are many specialist workers who can specifically contribute to work with young people who have a range of complex needs.

### **2016/17 Achievements**

- Attended joint YOS/Social Care meetings to ensure effective joint management and working arrangements
- CSE Strategic & Operational groups have been embedded in conjunction with social care, police and health. Risk assessment toolkit updated and successfully disseminated to all staff
- Since April 2015 all children that are reported to the police and registered as Missing are offered a return to home interview, this is to establish the Child's story about their missing period whilst at the same time assessing if they have been at risk of CSE and any safeguarding issues that may need referring to social care and or the police.

### **5.11 Support for young carers**

Our priority for young carers in Southend-on Sea continues to remain the same which is:-

To ensure that they are safeguarded from inappropriate caring and to ensure as far as we can that they are able to enjoy and achieve in line with their peers and to have time away from their caring role.

All young carer referrals now come through the EHFS &YOS Single front door, ensuring the family and the young carers have the appropriate support. The young carer's worker continues to work with various other organisations, schools, health professionals, and teams within the EHFS&YOS, and we have supported the development of Young Carers groups in Milton Hall School and Prince Avenue School.

Working closely with the data team we have improved our database and now have an up to date and current system.

Young Carers trips/events have taken place which have included Bowling, Cooking Workshops to Waitrose, Tropical Wings and Colchester Zoo. All young carers who attend our programmes have had the opportunity to take part in these events. 3 older young carers also had the opportunity to have a week away during the summer with the Cirdain Trust Sailing group.

The young carers attending SYC&MORE and COOL continued to work on their Children's University passports and over 20 of them have achieved to a Bronze/Silver standard and attended a graduation ceremony.

We continue to work closely with the Children's Society, keeping us up to date with all procedures/policies and any changes with national and regional regulations, and attend their training events for staff when appropriate.

We need to further focus on:-

- Care Act and Children and Families Act, ensuring the work is delivered appropriately
- Work with schools, educational organisations to support and develop further programmes within the school settings.
- Continue to embed the Single Front Door Referral for Young Carers, developing work across teams within the Early Help Family Support and Youth Offending Service.



## 6. Success for All Children Group future plans

Through the oversight of the Education Board, there are a range of new initiatives that will be introduced across the year to ensure that the Council acts to ensure that all learners get the best start in life and the transition to the world of work, training or further education. These include:

- The second year of the initiative to encourage more Southend residents to apply for and attend one of the Grammar schools if that is appropriate for them;
- Following up some earlier work in putting in place steps to support learners from more deprived families to achieve the same as their peers;
- Refresh the SEND strategy to take account of more recent influences, including the peer review, a possible inspection and pressures on DSG funding;
- Striving to ensure that Looked After Children receive the best support in their educational aspirations they can;
- Continuing to work with school leaders and governors to support schools to improve even further. This will include bids to the Department for collaborative funding for school improvement.

The implementation of Children's Services Improvement Plan will be reviewed and refreshed to ensure that children in Southend achieve good outcomes and exceed their goals wherever they live and irrespective of their circumstances, ability or additional needs. This will include:

- Fully embedding the Edge of Care team within Children's Services to ensure families are held at the service that best meets their need and to ensure that only children who need to become looked after do so;
- Delivering multi-agency decision making within our single front door to provide children and families with help as soon as needs present themselves, regardless of age, to prevent those needs from escalating and to receive support as and when it is needed from the most appropriate team.
- Commissioning research to explore the reasons behind the increased demand on the children's system to inform the transformation programme.

- Changing culture and mind-sets through the introduction of a Restorative Practice approach.
- Using the Troubled Families Service transformation maturity model to transform local public services
- Ensuring closer partnership working.

Looking forward the Success For All Group have an agreed vision for a simpler, slicker and swifter model of service delivery for all of our service users which will be delivered through better integrated services. We want to make things less complex for our families by working together and delivering seamless services that are productive and cost effective. In Q4 2016 – 2017 we agreed a strategy and the challenge for 2017/18 is to begin the journey of delivery. This will include a focus on areas such as creating a sustainable mix of integration, cultural development, co-location, multi-disciplinary team working, innovation and information sharing.

Organisations from within the partnership group will commit resource to both leading the design of this work and the subsequent implementation.

2017 / 18 presents a significant opportunity for system leaders in Southend to begin the journey of integrating children's services and make a real difference to the lives of families and children in Southend. We are really excited about this opportunity and jointly look forward to the journey ahead for 2017 / 18.

The system integration is well articulated in the above but to implement and deliver the strategy on the ground and to embed into existing system working practices our focus is going to be on the following three areas for 2017/18;

1. Locality development; we will work in partnership across health, education and children's services to develop a Locality approach. This approach will align itself with the multi-disciplined single front door but enable the delivery of integrated children's services within a Locality setting;
2. Development of system leadership; as a group we will sponsor and lead the implementation of a system leadership approach. This will enable firstly the identification of system leaders and secondly the roll out of a programme designed to invest in the identified system leaders. Following this our expectations are that our integrated workforce begins to develop and address challenging issues through system thinking; and
3. Closer alignment with health and social care adult services; the transition to adulthood is challenging when services are being delivered independently of each other. The approach we will take in 2017/18 will support and progress the agenda enabling commissioners, service providers, schools and all other partners to consider the family rather than the adult or the child.

# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of Deputy Chief Executive (Place)

to  
**Cabinet**  
on

7<sup>th</sup> November 2017

Report prepared by: Emma Cooney, Director of  
Regeneration and Business Development

## Airport Business Park Southend Update Place Scrutiny Committee

Executive Councillors: Councillors John Lamb (Leader of the Council), Ann Holland  
(Portfolio Holder for Culture, Tourism and the Economy) and Andrew Moring  
(Portfolio Holder for Corporate Community Support Services)  
Part 1 Public Agenda Item

### 1. Purpose of Report

To update Members on the progress of the Airport Business Park Southend (ABPS) development, specifically in relation to the phase 2 Local Growth Fund (LGF) allocation.

### 2. Recommendations

#### 2.1. To note and the progress of the development of Airport Business Park Southend.

### 3. Background

3.1. On 14<sup>th</sup> March 2017 Cabinet received an update report in regards to the ABPS project highlighting notional allocation of £19.89m Local Growth Fund (LGF) funding from the South East Local Enterprise Partnership (SELEP) and the commencement of phase 1 works.

3.2. Since that report good progress has been made with the development which includes:

3.2.1 Highways – the roundabout on Cherry Orchard Way, which provides access to the site, is now complete and in use. The phase 1 spine road has also been delivered with a traffic island just before the roundabout and the wearing course to be laid once utilities works are complete.

3.2.2 Rugby Club - practical completion of the rugby club pitches has been certified so are now subject to a 12 month maintenance contract. The Rugby Club has submitted its application for its premises licence to Rochford District Council for approval – securing this is a pre-commencement condition put in place by the

Club. The Relocation Agreement and specifications are nearly finalised to then commence works on the clubhouse building.

- 3.2.3 Management Company - draft Management Company Articles have been approved and prospective Management Agents have been interviewed by HBDL ready for consideration by the Partnership Board.
- 3.2.4 Occupiers – advanced negotiations with some potential occupiers continue while the pipeline of interested parties continues to grow. An updated promotional brochure has been produced illustrating the progress made and the next phase of marketing is underway.
- 3.3. The utilities works are currently subject to a short delay. This is being managed through the governance arrangements in place with the contractor being managed by Henry Boot Developments Ltd (HBDL) who, in turn, is accountable to the Council.
- 3.4. At the 22<sup>nd</sup> September SELEP Accountability Board the Airport Business Park LGF business case was considered. Having already secured, and spent in accordance with the grant terms, £3.2m from an earlier round of LGF the business case sought to combine the phases for ease and transparency of reporting; this was agreed.
- 3.5. As the overall LGF allocation exceeds £8m additional stages have to be progressed through to secure the total award but on the basis of the outline business case submitted, and the positive assessment by the SELEP Independent Technical Evaluator, £815,000 phase 2 funding was agreed to be made available to the Council prior to submission of the full business case to enable the Council to commence the next phase of works. So as to support SELEP in its delivery of LGF, where Council capital was to be spent on phase 1 works, this was swapped with LGF thereby bringing forward a further £4.5m of LGF and moving the Council's capital spend to later years. This does not alter the Council's match funding commitment or the outputs and outcomes of the project, it just moves the spend to later in the programme.
- 3.6. The meeting also noted that a full business case will be brought back to the Accountability Board to secure the remaining funding from the allocation. This requires detailed information such as costs from fully tendered works. As the funding will deliver further on-site infrastructure, off-site walking and cycling, and the innovation centre this is likely to be done in phases with the first part planned to be considered by the Accountability Board in spring/summer 2018. This is due to the value of the LGF allocation exceeding £8m.

#### **4. Reasons for Recommendations**

The Airport Business Park Southend is a significant opportunity to increase economic growth, employment and skills. The progress made in delivering the project is positive with fundamental infrastructure now in place.

The LGF approvals and initial award enables the project to continue at pace and lays the foundation for the next stage of the business case process.

## 5. Other Options

No alternative funding for these works has been identified.

## 6. Corporate Implications

### 6.1. Corporate Priorities

Developing the ABPS will contribute towards the Council's **Prosperous and Excellent** priorities through the development of a high quality business park environment and related infrastructure which will be a catalyst for job creation, commercial growth and economic well-being.

### 6.2. Financial Implications

The Council's financial commitment to the business park is already within the capital budget. This will provide some of the match funding for the business case to secure the LGF investment.

Some LGF funding has been brought forward ahead of approval of the full business case. The detailed information for a full business case to secure the total award must now be developed. The LGF funding must then be managed within the terms and conditions of the grant. The additional Local Growth Fund monies of £19.89m have been included within the Capital Programme approved at Council on 23 February 2017.

### 6.3. Legal Implications

The Development Management Agreement between the Council and HDBL sets out the framework and governance arrangements for both parties.

The grant funding agreement with Essex County Council, as the LEP's accountable body, sets out the terms of the LGF investment.

### 6.4. People Implications

Officer time to develop the business case and to continue to work in partnership with HBDL to develop the business park.

### 6.5. Property Implications

The land is owned by the Council and part will remain as Council property, generating a revenue return, and part will be sold freehold generating a capital return.

### 6.6. Consultation

Consultation was undertaken in establishing the JAAP and in application for the two planning consents.

6.7. Equalities and Diversity Implications

None

6.8. Risk Assessment

A risk register is maintained for the ABPS project, regularly reviewed and updated accordingly.

6.9. Value for Money

The LGF3 Phase 2 bid explained how £2.38m of Council investment will lever-in the £19.89m now allocated.

6.10. Community Safety Implications

None.

6.11. Environmental Impact

None

**7. Background Papers**

None

**8. Appendices**

None

# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of the Deputy Chief Executive (Place)

To  
Cabinet

On 7 November 2017

Report prepared by  
Chris Livemore, Sustainability Officer and Jeremy Martin,  
Energy and Sustainability Manager

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## Low Carbon Energy and Sustainability Strategy 2015-2020 Annual Update Report

Place Scrutiny Committee

Executive Councillor: Councillor Holland

*A Part 1 Public Agenda Item*

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### 1. Purpose of Report

- 1.1. To consider Southend on Sea Borough Council's ('the Council') Low Carbon Energy and Sustainability Strategy 2015-2020, Annual Update Report

### 2. Recommendations

- 2.1 That Members agree the Low Carbon Energy and Sustainability Strategy updated Annual Report.

### 3. Background

- 3.1 In 2015 the Council adopted its Low Carbon Energy and Sustainability Strategy (LCESS), which looked to identify opportunities available to the Council through the growth in the low carbon and environmental sector and the risks from issues including rising energy prices and impacts of climate change on the Borough.

- 3.2 The LCESS covers a five year period and has the overriding objective of establishing Southend on Sea as a 'Low Carbon City' by 2020. The aims and objectives of the second strategy are more ambitious than its predecessor and has identified six key focus areas to target delivery upon:

Focus Area One: Reducing our Carbon Emissions;

Focus Area Two: Policy and Regulation;

Focus Area Three: Delivering a Local Low Carbon Economy;

Focus Area Four: Supporting Low Carbon Communities;

Focus Area Five: Encouraging Sustainable Transport and Travel; And

Focus Area Six: Adapting to Climate Change

- 3.3 Within LCESS, the Council committed to publishing an Annual Update Report, attached, which highlights achievements to date and is one of the first local authorities in England to make this commitment.
- 3.4 LCESS is supported through an Action Plan in the form of Forward Actions outlined in this report.
- 3.5 LCESS was drafted to demonstrate the Council's commitment to establishing Southend on Sea as a low carbon, smart city and provide opportunities to seek external funding to support the delivery of projects across the six key focus areas of the Strategy.

#### **4. Major Achievements**

- 4.1. Over the 30 months of the strategy to date, the Council has progressed with projects totalling over £19m which are progressing through to complete delivery. On completion, these projects will have saved approximately 3,500 tonnes CO2 each year and provided revenue and savings to the Council of £700k each year net of the costs of delivery, funding and repayment of capital. These projects include LED street lighting, pilot projects at Southend Adult Community College, and Temple Sutton Primary School, over 1.3MW solar on various sites and energy efficiency projects on Council properties.
- 4.2. In most cases, delivery of projects has involved creating processes to facilitate faster and easier delivery of future projects
- 4.3. Southend Energy was launched in May 2015 and has delivered average savings of £250 per household per year taking up the offer, with over 5,700 customers signing up by the middle of September 2017, 8.1% of the households in Southend. Overall, £1.5m savings have been achieved. In addition, the environmental policy within the Southend Energy tariff has saved a further 1,350 tonnes CO2.
- 4.4. The Council has joined and launched the Local Energy Advice Programme, an energy industry initiative that provides free energy advice visits for vulnerable residents. Since launch in July 2017, 113 households have been referred with 63 visits completed saving over £54k, an average of £867 per visit, from energy savings and income maximisation. 400 referrals are targeted in 2017/18 and a further 400+ will be expected in 2018/19.
- 4.5. Working with the Environment Agency (EA) and many departments and external agencies, the Council ran a successful project (TASC) to identify in more detail the likely impacts of climate change locally. This information is now being used to inform projects such as the Queensway Development, Health initiatives, Planning, Coastal Defence, Smart Cities and the Future Actions for LCESS.
- 4.6. Working through EA, Green Investment Bank and other agencies, has established the Council as a leader in development of finance packages, climate change and energy development. These lessons are being



disseminated through invitations to speak at conferences and through working with other Councils on funding bids.

- 4.7. The Council has won funding (SPONGE 2020) from the EU to develop Sustainable Drainage (SuDs) projects to grow internal capability and to find ways to address flooding issues with the Borough. The Council is working closely with Anglian Water on increasing the use of SuDs, on innovative sensing and measurement approaches and ways to better predict and manage excess water and flooding issues and links to the developing Southend Intelligence Hub.
- 4.8. The Council has won funding from the EU to develop a behavioural change energy saving programme for schools working with German, Belgian, Dutch and Danish partners. The 2IMPRESZ project will target 15% savings in 141 schools of which 20 will be in Southend with a view to creating a sustainable business that can be developed further.
- 4.9. The energy and sustainability team has been funded through a £200k allocation from reserves which is to be repaid. The funding has already generated in excess of £200k in direct revenue and recharges within projects delivered although much of the revenue is spread over a 5-year period.

## **5. Future Actions**

- 5.1. A number of projects, funding bids and energy projects are proposed to move the strategy towards delivery. The energy market is subject to enormous change and innovation and many projects are becoming possible due to this change. At the same time, incentive and funding regimes are constantly changing as the market and government policy develops. These projects include solar PV and energy efficiency opportunities and will contribute both carbon reduction and savings for the Council net of funding and implementation cost.
- 5.2. The Council is working to implement a programme of standards for energy generation and storage to help households to cut their costs for energy but also to start to tackle some of the long term threats to energy supply. The solutions developed will be linked into the developing grid rebalancing market allowing peaks and troughs within the energy market to be used to provide savings and revenue both for residents and the Council.
- 5.3. To start to address local resilience issues and to exploit the developing energy storage market, the Council is bidding on funding opportunities and is investigating opportunities to provide a solar PV and battery package for residents.
- 5.4. The Council continues to develop innovative solutions to energy and water management including investigating innovative opportunities to generate energy from tidal and wave power on the Pier, potential innovative wind energy solutions that are quieter and less visually intrusive than traditional turbines and further ways to better manage surface water and drainage where interfacing systems are managed by multiple agencies including the Council. New innovations will be monitored and exploited when they provide more

appropriate solutions than traditional methods. The Council will continue to work with Anglian Water on the current flood risks and to extend initiatives to deal with the expected increased flooding risk from climate change.

- 5.5. The Council will continue to work to find ways to reduce energy costs for residents both by expanding Southend Energy and other mechanisms including the Big Essex Energy Switch to encourage supplier switching but also by working through the redesigned Energy Company Obligation (ECO) scheme to target hard to heat homes and those who are struggling to afford their energy costs.
- 5.6. The Council will continue to manage LCESS through a self-funding team balancing wider strategic understanding of climate change and development of adaptation measures with projects that yield tangible benefits to the Council net of costs of implementation and funding.

## **6. Reasons for Recommendations**

- 6.1 The recommendations have been made in order to continue to position the Council as a leading local authority in the East of England with regards to the UK's transition to the low carbon economy. Successful implementation of the new strategy will provide the Council with the opportunity to establish new funding streams (including EU funding bids), efficiency savings and revenue sources (including money generated through renewable energy installations).
- 6.2 The Strategy continues to provide an excellent opportunity for the Council to make a real contribution in delivering local objectives around health and well-being, housing, fuel poverty, air quality, transport, education, economic development and community cohesion.

## **7. Corporate Implications**

### **7.1 Contribution to Council's Vision & Corporate Priorities**

The measures listed above are in line with the Corporate Priorities and also the Council's vision in terms of becoming an exemplar authority by developing best practice and supporting the Council's vision to become a city and support the regeneration of the Borough.

### **7.2. Financial Implications**

- 7.2.1 A major objective of the Low Carbon and Sustainability Strategy 2015-2020 is to help the Council safeguard against rising energy costs, make efficiency savings and explore new revenue generation models at a time of public sector cutbacks.
- 7.2.2. The new Strategy identifies low carbon and renewable projects that will mostly be 'cash positive' from year one across both the Council's property estate and from utilising assets throughout the Borough. The Council will need to consider funding the projects through private sector suppliers and Energy Service Companies (ESCos), the Public Works Loan Board, existing capital works programmes, a variety of European schemes (Horizon 2020, Life, Interreg), the European Investment Bank and the Green Investment Bank.

- 7.2.3. Currently no council funding is contained within the existing capital or revenue budgets for any new identified projects in this strategy beyond those approved in the Council's current revenue and capital budget. If any projects require Council funding they will need to be considered as individual projects as part of the annual budget process in determining annual Revenue and Capital budgets.
- 7.2.4. Projects are expected to deliver a financial return of between 1-3% each year net of all costs of capital repayment, interest and project implementation including the £200k referred in 7.2.5. To date, in excess of 700k is projected as net financial return from £17.8m projects both completed and in progress, a net return of 4%. These projects include the LED street lighting conversion, solar PV, biomass and energy efficiency in schools and in Council buildings. Over 3,800 tCO<sub>2</sub> will be eliminated each year by these projects on completion.
- 7.2.5. The current team is mainly funded from earmarked reserves of £200k over 2 years with the current approved funding expiring on 31 March 2019. More than £200k has already been generated in direct revenue and salary charges to projects in order to repay the current and previous allocations and continued funding needs to be considered as part of the forthcoming budget process with the intention of the whole LCESS being cash neutral in terms of delivery resources. Applications are being made to UK and EU funding sources to fund the team without the self-funding mechanism and the team will seek additional revenue generation using its established position with other Local Authorities.

### **7.3. Legal Implications**

- 7.3.1 The Low Carbon Energy and Sustainability Strategy 2015-2020 complies with the Climate Change Act 2008 and Carbon Reduction Commitment Energy Efficiency Scheme and supports the UK's targets for energy generated from renewable sources.

### **7.4 People Implications**

- 7.4.1. The Council will need to maintain the team to deliver the pipeline of low carbon and renewable projects, but this will depend on the scale of the projects that the Council undertake. Most of the costs of staffing projects can be paid from the cost savings and money generated from energy efficiency and renewable generation returns combined with direct revenue generation but there will be some pre-project work and costs which will be more difficult to fund in this way for which budget funding for work such as feasibility will be sought.
- 7.4.2. The team managing and developing LCESS are on short term contracts which expire on 31 March 2019.

### **7.5 Property Implications**

- 7.5.1. The Council will need to continue working in a coordinated fashion to ensure that priority projects are delivered.

## **7.6 Consultation**

- 7.6.1. The Council has established a close working relationship with Imperial College one of the leading academic institutions in the energy market and has sought input from a number of organisations based within the low carbon and environmental sector – including Sustainability East, the Energy Saving Trust Environment Agency, BEIS - they have also consulted with local groups (e.g. Trustlinks) and with relevant departments from within the Council. The individual sections within the strategy and the annual report have been drafted by the responsible teams and managers, so already reflects existing Council activities.

## **7.7 Equalities and Diversity Implications**

- 7.7.1. The Council will need to be aware that the groups in the community most vulnerable to increased energy costs will be those in disadvantaged areas. Projects and initiatives are already targeted at the most vulnerable sectors of the community, without excluding other parts of the community where energy efficiency project will also benefit.

## **7.8 Risk Assessment**

- 7.8.1 There is a risk that if the Council fails to develop the Low Carbon Energy and Sustainability Strategy 2015-2020 that it will not adequately safeguard itself against the risks associated with future fuel security, rising energy costs and climate change.
- 7.8.2 There is a risk that the Council could miss out on future funding and grant bids by not developing the new Strategy.
- 7.8.3 There is a risk that by failing to act and promote the low-carbon economy sufficiently to local residents and businesses that there will be negative health implications and increased risk from not adapting to embedded climate change. e.g. increased number of properties falling within fuel poverty, winter deaths and negative economic implications.

## **7.9 Value for Money**

- 7.9.1 The vast majority of work proposed in the new Strategy already falls within existing work streams at the Council and although additional staff time will be required to embed low-carbon and sustainable considerations into the Council's decision-making processes the benefits will far outweigh the costs.
- 7.9.2 The team working on energy projects and LCESS is largely self-funding through direct revenue and projects whilst the projects completed and underway will deliver approximately £700k each year revenue and savings net of implementation and funding costs.
- 7.9.3 The Low Carbon Energy and Sustainability Strategy 2015-2020 has been drafted to help the Council deliver local objectives around health, congestion, education, housing, air quality, economic development and social inclusion.

## **7.10 Community Safety Implications**

- 7.10.1 Adopting a proactive approach on the transition to a low-carbon economy will help to address poverty and health inequalities.

## **7.11 Environmental Impact**

- 7.11.1 Development of the Low Carbon Energy and Sustainability Strategy 2015-2020 will help the Council improve its overall environmental performance and result in a reduction in carbon emissions and the promotion of the sustainable use of resources throughout the Southend on Sea Borough.

## **8 Background Papers**

Low Carbon Energy and Sustainability Strategy 2015-2020

Upgrading our Energy System – smart systems and flexibility plan, BEIS/Ofgem Plan July 2017 <https://www.ofgem.gov.uk/publications-and-updates/upgrading-our-energy-system-smart-systems-and-flexibility-plan>

Smart Power: A National Infrastructure Commission Report 2016 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/505218/IC\\_Energy\\_Report\\_web.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/505218/IC_Energy_Report_web.pdf)

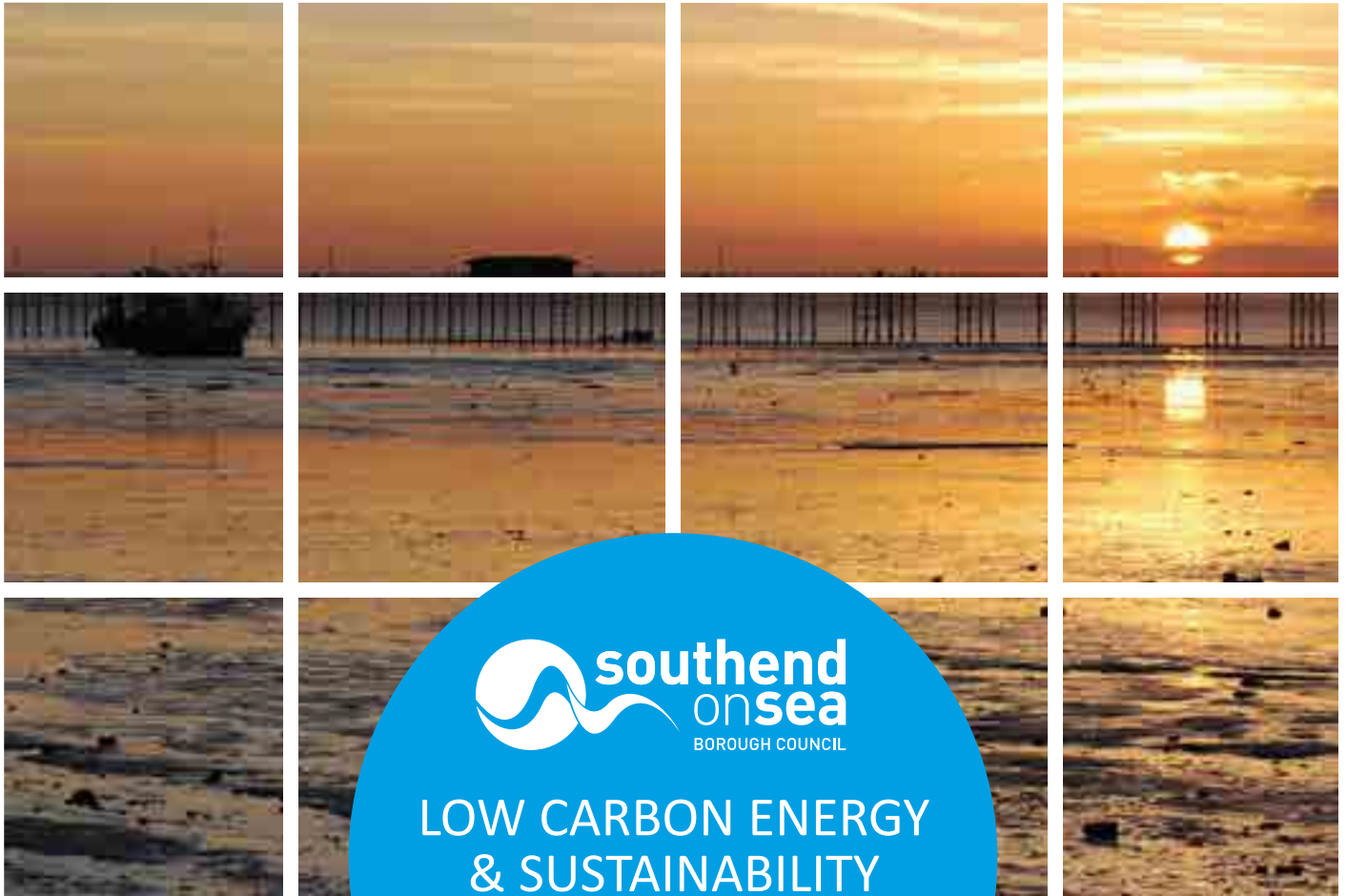
Carbon Trust Report: Can storage help reduce the cost of a future UK electricity system? <https://www.carbontrust.com/media/672486/energy-storage-report.pdf>


Climate Change Risk Assessment 2017: Projections of future flood risk in the UK <https://www.theccc.org.uk/wp-content/uploads/2015/10/CCRA-Future-Flooding-Main-Report-Final-06Oct2015.pdf.pdf>

## **9 Appendices**

**Appendix 1** Low Carbon Energy and Sustainability Strategy 2015-2020 – Draft Annual Report 2017

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LOW CARBON ENERGY  
& SUSTAINABILITY  
ANNUAL REPORT  
  
2017



This document includes:

- the Council's key achievements over the past year and
- 2015/2020 corporate vision to become a 'Low Carbon, Smart City by 2020

Councillors and senior managers monitor progress against the targets set out in the Council's Low Carbon Energy & Sustainability Strategy 2015-2020 on a regular basis.

For further information please contact:

Chris Livemore, Sustainability Officer

T: 01702 215000

E: [chrislivemore@southend.gov.uk](mailto:chrislivemore@southend.gov.uk)

W: [www.southend.gov.uk](http://www.southend.gov.uk)

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## FORWARD BY COUNCILLOR ANN HOLLAND

Executive Councillor for  
Culture, Tourism and the  
Economy (Deputy Leader)



We are proud to be one of the very few local authorities in England that publishes an annual report on the progress that we, as a Borough, are making in terms of improving our environmental performance and helping to create a more sustainable and vibrant urban landscape for all of our residents, local communities and businesses to enjoy.

Why do we do this? We believe that adopting a proactive approach on carbon reduction and the wider sustainability agenda presents some fantastic opportunities to tackle issues around air quality, fuel poverty and adapting to the future impacts of climate change.

In 2015, we launched our second Low Carbon Energy and Sustainability Strategy that set some very ambitious goals that, by 2020, would see Southend on Sea recognised as a 'low carbon, smart city'. It was also an acknowledgement that we, as a Council, needed to demonstrate leadership on this agenda and showcase the benefits that a more sustainable urban landscape can bring to those who live, work and visit our Borough.

We have made great strides since 2015, completing a £13.5 million LED street light replacement programme through a pioneering finance agreement with the Green Investment Bank, secure domestic and European funded grants to deliver projects that positively address issues around building climate resilience across our urban landscape, reduce flood risk and provide support to our schools so they can reduce their carbon emissions.

Southend Energy continues to grow and in just two years has saved residents in excess of £1.5 million on their energy bills at no cost to the taxpayer. In a bid to tackle fuel poverty we launched LEAP, - a new project designed to build sustainable communities and offer energy saving advice and deliver energy saving measures.

The low carbon and environmental goods and services sector is now valued at a staggering £3.4 trillion globally and is worth £122 billion to the UK economy every year. It is clear that this provides a prime opportunity for sustainable growth and we fully intend to play our part in helping Southend on Sea become a low carbon, smart city and make the most of new innovations and sustainable solutions for the benefit of those who live and work in the Borough.

With local and global demand for products continuing to grow, particularly in the context of the Paris Agreement, the low carbon and environmental goods sector will become an increasingly important part of local economies across the UK.

This is just one of the reasons that we were delighted to be part of a successful £18.5 million project called LoCase, which helps local businesses optimise their use of resources and adopt new eco-innovations and low carbon solutions to reduce their carbon emissions.

Going forward we want to continue to build our knowledge base and understanding of how we can continue to deliver low carbon and sustainability projects across our six key focus areas. We are almost half way through our Low Carbon Energy & Sustainability Strategy and have delivered in excess of £19 million worth of low carbon investments.

With your support we can accelerate our journey to becoming a 'low carbon, smart city' and help create a more sustainable, vibrant and low carbon economy for the benefit of all those who call Southend on Sea their home.

## OUR SIX KEY FOCUS AREAS:

### FOCUS AREA ONE

Reducing our Carbon Emissions

### FOCUS AREA TWO

Policy & Regulation

### FOCUS AREA THREE

Delivering a Local Low Carbon Economy

### FOCUS AREA FOUR

Sustainable Communities

### FOCUS AREA FIVE

Encouraging Sustainable Transport & Travel

### FOCUS AREA SIX

Climate Change Adaptation



OUR ENERGY & SUSTAINABILITY HIGHLIGHTS

2016/2017

Launched our new Digital Strategy & SMART City 'Intelligence Hub'

Savings of **£123,000** through a new energy billing system

**1,274** solar panels deployed on school buildings

Replaced **14,500** street lights delivering **57%** energy savings

**64,600** tonnes of waste diverted from landfill

Named as one of the UK's 'Greenest' Cities for a 3rd year running

EU funding success of **€3.4m** to reduce carbon emissions across our schools

Named as one of the UK's 'Greenest' Cities for a 3rd year running

helped secure **£18.5m** for SMEs to deliver energy efficiency projects

**£3.3m** secured to promote active transport & launched the MotionHub project

enabled **£1.5m** of savings for residents through Southend Energy

Achieved a **66%** reduction in our CRC submission in **5** years

# 1. REDUCING OUR CARBON EMISSIONS

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*Our Vision* is to lead by example by taking positive action to reduce carbon emissions and improve the energy efficiency performance and sustainability across our property estate.

We will identify ways to reduce our energy bills, generate new revenue streams, ensure buildings are energy efficient and increase the uptake of renewable and low carbon technologies in our buildings and infrastructure. We aim to improve our overall environmental performance and become a more sustainable organisation in the process.

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## A POSITIVE APPROACH TO CARBON REDUCTION

Many of the solutions we need to deliver a low carbon future already exist in the marketplace. However, the technologies are not deployed at a rate that makes them economically feasible to deliver at scale. A major role that we can play as a Council is to find ways to help reduce these costs and find quicker, more efficient ways to roll out these solutions across our Borough.

We are delighted to work in partnership with Imperial College London - one of the world's leading research institutions in the field of energy systems. It enables us to operate at the forefront of the energy market, identify and implement new solutions and innovations that benefit our residents, local communities and businesses. It also presents opportunities to apply for funding via sources such as Innovate UK and Horizon 2020 and we will continue to look at how we can deliver sustainable energy projects across Southend on Sea.

However, our focus is not just on how we can deploy a greater number of energy efficiency or renewable energy projects in the Borough. We also look at how we can generate cost savings on our utility bills and in late 2016 we implemented a new system that to date has provided savings of £123,000.

Work has involved ensuring that utility companies pay back the Council any over charged bills and has enabled us to switch energy accounts to ensure that we always secure the most competitive prices.

## A 66% REDUCTION IN CRC EMISSIONS IN FIVE YEARS

Each year we are required by central Government to make a submission under the Carbon Reduction Commitment (CRC) - an initiative designed to encourage large organisations to reduce their carbon emissions by becoming more energy efficient.

Since the CRC began, we have implemented a carbon reduction programme across our property estate, where we have looked for opportunities to deliver carbon reduction cutting measures on all applicable buildings.

In the 2016/2017 CRC Reporting Year we submitted our annual figure as 6,808 tonnes

of carbon - equating to a total payment of £109,609.

In the 2012/2013 CRC Reporting Year the total figure submitted was 19,926 tonnes of carbon, which represents a saving of 13,118 tonnes of carbon over a 5 year period, or a 66% total reduction!

There have been changes to the scheme (for example schools have been removed and street lights have been added) but it does demonstrate that our carbon reduction programme is working and delivering financial savings.

# DELIVERING SUSTAINABLE SCHOOLS IN SOUTHEND

One of the key objectives of our Low Carbon Energy and Sustainability Strategy (2015-2020) was to prioritise helping schools within the Borough reduce their carbon emissions and become more sustainable. We were therefore delighted to be involved in a successful EU funding bid that secured €3.4 million to support our schools and help deliver energy efficiency and cost savings.

The funding was awarded by the INTERREG North Sea Programme and brings together organisations from the UK, Belgium, the Netherlands and Denmark to identify how energy projects can be delivered on school buildings, whilst educating pupils on matters ranging from carbon reduction through to climate change.

The funding will enable the Council to work directly with 20 schools in the Borough to deliver a pupil led behaviour change programme that will reduce the school's carbon emissions by a minimum of 15%.

We will also use the 2IMPRESZ project to identify larger energy efficiency projects that will deliver more than the 15% carbon saving. For example, looking at how we can fund new LED lighting or building management systems, or even looking at how we can deploy renewable technology, such as solar PV.

In addition to the energy projects that we deliver across our schools, we provide a recycling and education programme that is delivered by Veolia. It focusses on anti-littering messages and wider social responsibility and other environmental themes.



*Our aim is ensure that we can continue to deliver and replicate successful energy project across our schools. We have already deployed 1,274 solar panels on three primary schools to help reduce their energy costs and 2IMPRESZ provides an excellent opportunity to support an additional 20 schools to mirror that success.*

**JEREMY MARTIN**  
ENERGY & SUSTAINABILITY MANAGER  
SOUTHEND BOROUGH COUNCIL



## A NEW APPROACH TO DOMESTIC ENERGY

More than 50% of domestic energy bills are now made up of non-energy costs, e.g. the costs of operating the energy grid and providing power to households. It is contributing to rising energy costs and will do for the foreseeable future. Yet, the energy market is changing quickly and there are now opportunities for households to sell energy back to the electricity grid, generating money that will offset higher energy bills.

Earlier in 2017, we approved the development and launch of a new initiative that would support the growing solar PV and battery market. The Energy Opportunities Project will launch a set of standards to help purchasers choose quality suppliers and propositions.

Solar PV still represents a good opportunity for households to generate electricity and secure a financial return on their investment. Yet, associated energy tariffs have reduced as the cost of solar panels come down.

However, if batteries are also installed to store the energy that the solar panels generate the process becomes much more efficient and

enables householders to better manager their supply.

The best way to manage this is to buy a complete management package, consisting of solar PV and battery. The technology is paid for through the energy savings that the systems provide - typically saving a household around 20-30% on electricity after the equipment and finance is paid back.

Energy Opportunities is there to provide exact standards for this market and to ensure that residents in Southend on Sea have confidence in the technologies. It will be ready for launch in early 2018.

# 2.

## PLANNING & REGULATION

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*Dur Vision* is to apply the local planning framework positively to ensure maximum benefit for our residents, communities and businesses. We will ensure all new development in the Borough is designed and built to be energy, climate and resource efficient (including water) and that existing development is adapted, where feasible, to enhance its long-term sustainability.

We will seek to increase the amount of energy derived from renewable technologies across the Borough and work to identify areas of opportunity for renewable, decentralised and low carbon projects.

---



## NAMED AS ONE OF THE UK'S 'GREENEST CITIES'



For a third consecutive year Southend on Sea was named as one of the top three 'greenest cities' in the UK by both the UK Vitality Index and Cities Outlook. Both are national indices that report upon the health of the UK's largest cities and towns (outside of London) and take into consideration the volume of CO<sub>2</sub> emissions per capita and performance in terms of household waste that is being recycled. It provides an excellent incentive to continue pushing our credentials and ambition of becoming a 'low carbon, smart city'.

# DELIVERING A LOW CARBON FUTURE

With an additional £79 million going in to our capital programme in 2017/2018, we have plenty of opportunities to embed low carbon and sustainability into the future of our town. We have made a commitment to ensure that we consider the deployment of sustainable energy projects and green infrastructure into all planned developments, regeneration schemes and infrastructure programmes, supporting private developers to do the same.

We have ambitions to make Southend on Sea the number one coastal destination in England and our capital programme can play a major role in achieving that.

Projects for 2017/2018 include:

- an expanded secondary schools programme
- a new social care campus
- the Innovation Centre at the Airport Business Park Southend
- further investment in our housing stock
- projects for the Pier, parks and car parks.

With £213 million being committed into the programme over the next four years it

represents the chance to achieve our aims of becoming a low carbon, smart city. We will ensure that all new builds and infrastructure projects are built to promote a sustainable future and support nationwide action to reduce our total carbon emissions.

By improving the quality of existing attractions and facilities, whilst making the most of new developments coming online, such as the proposed museum on Southend Seafront, we will ensure that we continue to enhance sustainable transport and travel options to make it easier for people to get into the town and keep their environmental impact low. Our work on sustainable transport is discussed in Focus Area 5 of this Report.



# CREATING A BETTER, 'GREENER' QUEENSWAY

Better Queensway is a long-term project that will completely change the Queensway area in the coming years. It will take the form of a £400 million development that creates a more sustainable community, made up of quality housing, community facilities, shops and improvements to public spaces, road networks and the local environment.

## OUR HOUSING STOCK

In early 2017 we completed a £2.8 million development that saw a total of 18 new homes built by the Council in Shoeburyness. It was the first housing development we have undertaken since 1989 and provides a great template of how we can include renewable energy, such as solar and energy efficiency technologies in all future builds.

In June, we announced that the Council would be launching a new housing company that is tasked with increasing the supply of housing for local people to buy and rent. We have again made a commitment that all new builds will have sustainability as a core principle and will encourage private developers to take the same approach.

We have also secured the Energy Saving Trust's Home Analytics Kit, which will help us track down opportunities to help implement energy efficiency projects for households across the Borough.



*A Better Queensway is the biggest and most ambitious regeneration project that the Council has undertaken in recent memory and provides us with the opportunity to deeply embed sustainability at its core.*

*Ensuring we deliver an exemplar project in terms of sustainable design, energy use and transport is vital. We can use A Better Queensway as a template for all future developments in the town going forwards.*

**EMMA COONEY**  
DIRECTOR OF REGENERATION &  
BUSINESS DEVELOPMENT  
SOUTHEND BOROUGH COUNCIL

# 3.

## DELIVERING A LOCAL LOW CARBON ECONOMY

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*Our Vision* is to facilitate the growth of a local low carbon economy in Southend on Sea, which will see benefits around the creation and retention of jobs, support local businesses become more energy efficient and aid local regeneration.

We want to ensure that organisations operating within the Borough can benefit from reducing their energy consumption and carbon emissions in terms of associated cost savings. Our aim is to see these savings being invested back into the local economy and promote the associated benefits in health and well-being and financial strength.

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## SUSTAINABILITY AND OUR SMART CITY AGENDA

Enabled by markedly improved connectivity, we are working with partners to drive forward a number of SMART technology led initiatives that support our ambitions to make Southend on Sea a low carbon, smart city. This includes the launch of a new Digital Strategy and our own 'Intelligence Hub'.

The Southend Digital vision is to utilise technology to support our aims and prioritises creating opportunities for energy saving, carbon and cost reductions and promotes sustainable economic growth.

Initially, our focus has been on projects that will improve traffic flow and parking management, alongside extended environmental monitoring that will help us track progress on issues around air quality, carbon emissions and flood monitoring.

Data from sensors and cameras deployed across the Borough (e.g. through our LED street lighting) will be relayed back into our new 'Intelligence Hub'. This provides us with remote management facilities and enables automated responses to be triggered that can help address congestion or offer pre-warnings relating to flood risk.

We are also investing in telehealth solutions and self-monitoring at home of long-term conditions. This links strategically to our work around tackling fuel poverty in the Borough.

# GROWTH OF SOUTHEND'S LOW CARBON AND ENVIRONMENTAL SECTOR

The low carbon and environmental goods and services sector is now valued at £3.4 trillion globally and £122 billion in the UK. It presents a prime opportunity for growth and over the coming decades will play an increasingly important part of our local economy. As a Council we have a vital role in helping to identify these opportunities for our town's businesses.

The sustainability agenda provides plenty of opportunities for Southend businesses seeking to improve their productivity and profitability. This was showcased with our involvement in the Thames Gateway South Essex Low Carbon Business Programme, which helped businesses based in the South East realise £2.6 million in annual savings, deliver 4,900 tonnes of carbon savings and invest £6.3 million of total low carbon investment in the region.

Since the completion of the Low Carbon Business Programme we have continued to have success with funding consortiums that offer opportunities to business across our Borough. For example, the KEEP + programme - managed by Anglia Ruskin University - is a £9.3 million scheme that provides local companies with access to graduates and researchers across the whole of the UK, whilst South East Business Boost is there to help SMEs and start ups to grow and flourish.

We also work closely with the Southend Business Improvement District to help keep key shopping areas clean and this Summer launched an anti-littering campaign in Southend High Street and along the sea front - trialing some new communication messaging that we hope to replicate across the Borough in the near future.



## SUPPORTING THE (LO)CASE FOR SUSTAINABLE BUSINESS

We have a strong working relationship with the South East LEP, which has provided an excellent opportunity for the Council to take part as a partner in the £18.5 million European funded Low Carbon Across the South East Programme (LoCase).

LoCase is designed to help businesses optimise their use of resources and adopt eco-innovative and low carbon solutions in ways that improve business performance. This includes building resilience and improving profitability and competitiveness while at the same time contributing to the protection and preservation of the environment.

The project provides business support to SMEs in the form of a grants programme that can help a qualifying business to install energy efficiency measures in their building that help cut associated carbon emissions or provide development funding if a business offers low carbon goods or services.

[www.locase.co.uk](http://www.locase.co.uk)



*We've had some tremendous success stories through the Low Carbon Business Programme and LoCase represents a great chance to continue that. Helping local businesses to deliver cost savings and enhance their ability to support Southend's ambition to become a low carbon, smart city by helping the Borough take steps to reduce its carbon emissions.*

**NIKKI MICKLEBURGH**  
ECONOMIC DEVELOPMENT OFFICER  
SOUTHEND BOROUGH COUNCIL



# 4.

## SUSTAINABLE COMMUNITIES

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*Our Vision* is to place communities at the heart of Southend on Sea's transition to a low carbon and sustainable future. We will help to facilitate the growth of community led action to help meet local needs, address fuel poverty and develop local energy projects.

We envisage that this will provide our residents, communities and businesses with the opportunity to use more sustainable forms of energy and save money on their fuel bills.

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## MAKING THE BOROUGH SPARKLE

With more than 80 parks and green spaces, plus 14 conservation areas situated across the Borough, there are plenty of opportunities to 'Make Southend Sparkle' - an initiative that is designed to encourage and support local residents, schools, groups and businesses enhance their local area, for example by getting involved in green projects to improve the street scape and local environment.

Three of our Borough's beaches achieved the prestigious Blue Flag Award, with all seven of our beaches securing a Keep Britain Tidy Seaside Award - being rated by the Department for Environment, Food and Rural Affairs as either 'Excellent' or 'Good'. We are proud of these achievements, particularly at a time when there is growing concern over the issue of plastic pollution and our oceans.

In 2016/2017 we saw 64,600 tonnes of waste diverted from landfill and treated at the Mechanical Biological Treatment Facility at Basildon. This saw a 48% reduction in waste that was sent to landfill compared to the previous year, whilst the recycling rate over

the same period was 46/6%. We have began work with the Sustainable Cities Cluster to identify how we can deliver specific projects that help reduce plastic pollution further.

We have seen 4,400 tonnes of food waste sent to anaerobic digestion plants, where they turn the product into energy, which is used to power the plant and as digestate for agricultural applications. 8,900 tonnes of garden waste was also collected.

Finally, we have worked across borders with other local authorities in the county to deliver the 'Love Essex' anti-littering campaign. This ensures a consistent message is delivered wherever you travel in the county.



## TAKING ONE GIANT 'LEAP' WITH OUR COMMUNITIES

In June 2017, we launched the Local Energy Advice Programme (LEAP) in the Borough - in essence it is an energy efficiency scheme that is funded by the Government's Energy Company Obligation (ECO) to help fund carbon reduction and energy efficiency measures that are all geared towards tackling fuel poverty. We are one of just 25 local authorities in England that are benefitting from this exciting opportunity for local residents.

LEAP is being run by AgilityECO and launched in July 2017 to provide free of charge home visits to vulnerable people in the Southend on Sea Borough following a referral from the Council. The service is open to those living in owner-occupied or private rented sector housing as long as they meet certain criteria, for example they are on a form of benefits or suffer from a physical or mental health issue.

We work with local charity partners to identify local residents who can benefit from a LEAP visit and could result in the installation of easy to fit energy efficiency measures, advice to reduce energy bills and referrals for ECO measures, which would focus around providing insulation to households.

In addition, we have been working with Essex and Suffolk Water to ensure that water efficiency measures can be included in the service for Southend on Sea residents. We are the first of all of the local authorities participating in LEAP to offer this as an extra and aim to maximise water efficiency savings for our residents.

Between July 2017 and March 2018 our target is to make around 400-500 visits, followed by another 500 targeted annually in 2018/2019 and beyond. LEAP will be signposted by frontline Council staff and our local charity partners and will make a major contribution to tackling fuel poverty across the Borough.

The first 42 visits resulted in savings for households that averaged £384.

[www.applyforleap.org.uk](http://www.applyforleap.org.uk)

## CONTINUING TO CUT OUR RESIDENTS ENERGY BILLS

Southend Energy has completed its second year and the partnership with OVO Energy has continued to deliver cost savings for our residents. The initiative works by offering people to switch to a cheaper energy tariff and we would encourage anyone to visit [www.southendenergy.com](http://www.southendenergy.com) to see how they could benefit.



*We are pleased to see the growth of Southend Energy and encourage all of our residents to look at energy switching opportunities, such as the Essex Energy Switch, to ensure that they always get the best price for their gas and electricity year after year.*

**CARL ROBINSON**  
INTERIM DIRECTOR OF PUBLIC PROTECTION  
SOUTHEND BOROUGH COUNCIL

ACHIEVEMENTS:

**£1.5m**  
total savings

**4,469** 'live' customers

**£243** saved on average

**1,350** tonnes of CO2 saved.

A partnership between



[www.southendenergy.co.uk](http://www.southendenergy.co.uk)

# 5. SUSTAINABLE TRANSPORT AND TRAVEL



*Our Vision* is to reduce the carbon emissions, congestion and air pollution that are associated with transport throughout the Southend on Sea Borough.

We want to re-think the way we travel. Facilitating the use of electric vehicles is part of the solution, as is developing an integrated public transport system that makes it an easy choice to use the train, bus, walk or cycle for all the members of our community.



## A BRIGHTER FUTURE

We are delighted to have completed the Borough's LED street light replacement programme, which has seen 14,500 new LED street lights, the replacement of 3,000 columns and the implementation of a new central management system - allowing us to brighten and dim individual lights depending on the needs of our residents. Overall the pioneering scheme will deliver energy efficiency savings of 57% across the town.



*Not only has the LED light programme resulted in a fantastic return on investment for the Council, it has also ensured that our residents have a safer, brighter urban environment to enjoy.*

**PAUL MATHIESON**

PROGRAMME MANAGER SMART CITY & MOBILITY SERVICES  
SOUTHEND BOROUGH COUNCIL



# SECURED £3.3 MILLION TO PROMOTE ACTIVE TRAVEL

We led a funding bid with Essex County Council and Thurrock Council that secured over £3 million and build on the success of the award-winning Ideas in Motion project that promotes more sustainable and active modes of transport.

The project - called South Essex Active Travel - will see jobseekers, young people, students and volunteers offered targeted travel advice and sustainable transport incentives to better connect them with 12,100 jobs and 10,500 education and training opportunities over the next three years.

South Essex Active Travel presents a fantastic opportunity to develop the three partner

organisation's work in using sustainable transport as a tool to accessing learning, jobs and skills. Essentially, the project will deliver some excellent added value based around improving air quality, reducing carbon emissions and alleviating traffic congestion.

Find out more by visiting:

[www.ideasinmotionsouthend.co.uk](http://www.ideasinmotionsouthend.co.uk)

## SUNRISE

SUNRISE provided our first experience of success through Horizon 2020 - the EU's flagship €79 billion funding programme that runs until 2020 - providing just under €430,000 towards addressing common mobility challenges at the neighbourhood level.

The project develops, implements, assesses and facilitates new collaborative approaches across six urban locations, with partner cities including Bremen, Budapest and Malmo.

The funding provides the Council with a specific mandate of creating a Neighbourhood Mobility Lab and looking to implement exciting new technologies and sustainable solutions around urban mobility for the benefit of our residents and businesses.



*We have worked closely with South East Active Travel to help individuals joining the new Amazon team at Tilbury to receive tailored transportation information before they join us, to ensure that they can find the best way for them to travel to work.*

**ROBERT STOBINSKI**

GENERAL MANAGER  
AMAZON TILBURY

# DELIVERING SUSTAINABLE END TO END JOURNEYS

MotionHub is a two year project, delivered in partnership with E-Car Club, Evalu8 Transport Innovations, Hour Bike and Transport Systems Catapult. It will invest just under one million pounds in the Borough after a successful Innovate UK bid that will see Southend on Sea become a pilot town for e-mobility hubs.

It will seek to deliver:

- the installation of electric vehicle charging posts (including locations at Council offices, Short Street, Hamlet Court Road and London Road.
- an electric car club, where staff at the Civic Centre can now use two Renault Zoes, which will extend to ten vehicles.
- four new docking stations for our own version of the 'Boris-bike' scheme (visit [www.bikeandgo.co.uk](http://www.bikeandgo.co.uk) for more details).



*Everything about the e-car is efficient. The booking system is quick and easy to use, the car provides a comfortable drive with all the luxuries you would expect in a modern vehicle. If you haven't tried the e-car, then I would encourage you to have a go. You won't be disappointed.*

**KEVIN READ**

LEISURE OFFICER  
SOUTHEND BOROUGH COUNCIL

# 6. CLIMATE CHANGE ADAPTATION



*Our Vision* is to enhance both the natural and urban environment of Southend on Sea and ensure that we adopt a proactive and positive response to pressing environmental issues by prioritising local actions, especially around climate change adaptation and resilience measures.

We will play our part in tackling the global issue of climate change and promote a more sustainable future for our residents, local communities and businesses in the process.

## BUILDING CLIMATE RESILIENCE ACROSS SOUTHEND ON SEA

Urban landscapes are expected to be hit the hardest by the future impacts of climate change, as a local authority, we need to ensure that we consider how climate change can impact upon the Borough and identify the steps that can be taken in order to build greater climate resilience across our urban environment for the benefit of our residents, local communities and businesses.

The Intergovernmental Panel on Climate Change's Fifth Annual Report (2015) predicted that the East of England could experience the:

- highest additional rainfall
- greatest extremes in summer rainfall (higher rainfall or drought)
- highest mean increases in temperature in both summer and winter, and
- an increase in the number of heat waves, lasting up to 10 days longer.

Our work with the Environment Agency to deliver the Targeted Adaptation Support for

Councils programme helped us to build our knowledge base and understanding on this important matter and prioritise action that will help our Borough adapt to the future impacts of climate change.

Initially this work will focus on how we can reduce the impact of flood risk in the Borough through the deployment of green and blue infrastructure. We have also joined a number of new European partnerships to undertake research into how other cities and towns have addressed the issue of heat stress and air quality, which will both be very pressing issues over the coming decades.

# REDUCING THE FUTURE RISKS OF URBAN FLOODS

Wetter winters and more intense rainfall over the summer months will bring increased flood risk and with impermeable surfaces a common feature across the Borough we will need to deploy new solutions and innovations that reduce this risk and minimise the disruption that it can cause to local residents and businesses.

One of our main actions was to launch the new Shoreline Strategy - a vital policy document that sets out a sustainable approach to manage our coastal defences over the next 100 years. It has the primary objective to maximise the reduction of coastal flooding and erosion to properties and infrastructure that has been identified as areas at risk.

We have also undertaken work with the consultancy AECOM to identify six critical flood risk areas in the Borough and determine what actions we can deliver to reduce future flood risk and the associated disruption that it can cause.

In August 2017 we secured £565,000 from the Department for Transport that we will spend on updating drainage at three locations across Southend's highways network that are prone to surface water flooding, City Beach, Shoeburyness and Harp House Roundabout (by London Southend Airport).

We have also been undertaking a series of road infrastructure and junction improvement schemes, such as the work to Kent Elms Corner. The schemes are not only designed to reduce congestion in the town and contribute to less carbon emissions, but their designs also include measures to reduce flood risk.



## SPONGE 2020: BUILDING CLIMATE RESILIENCE

We have started to deliver the EU funded SPONGE 2020 project - a partnership between English, Dutch and Flemish local authorities that seeks to co-create and implement innovative climate change adaptation solutions, such as sustainable drainage systems (SuDS) and other green infrastructure.

SPONGE 2020's funding was secured through the INTERREG 2 Seas Programme and paves the way for a wider roll-out of green infrastructure measures as a way to tackle the future impacts of climate change that urban areas can expect - particularly localised flooding and heavy rainfall.

Our focus in the project is to deliver a new streetscape along London Road, to the west of Victoria Circus that builds climate resilience into the area. Urban greening has been shown to reduce flood risk and this project will demonstrate how SuDS and other green infrastructure measures can play a key role in helping the Borough reduce the risk of flooding.

The project will be used to help demonstrate how SuDS and water surface management measures can be deployed across the Borough to provide an alternative approach to conventional, hard engineering methods (otherwise known as grey infrastructure).

### AIR QUALITY

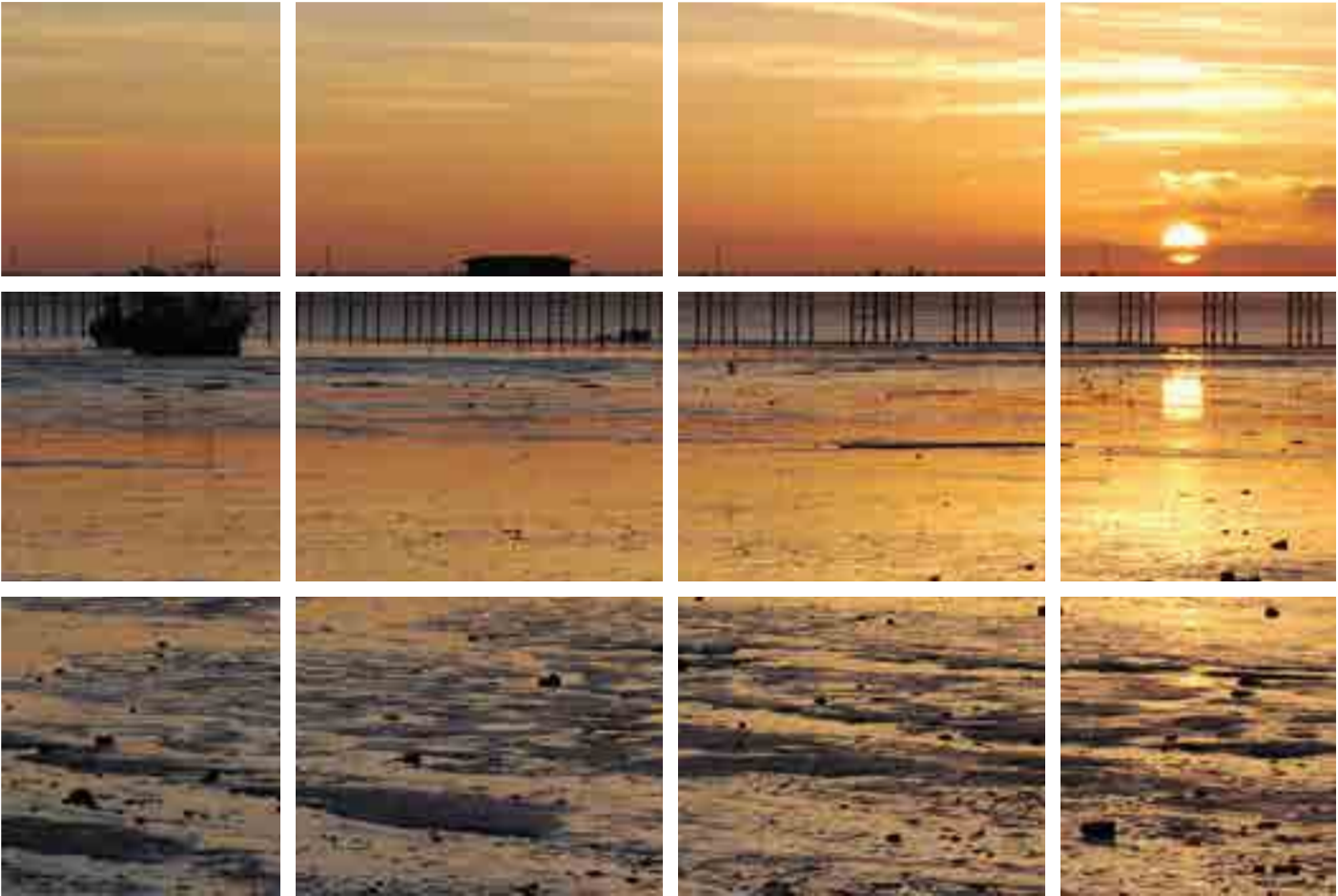
Warmer, drier summers might sound very appealing but it does create new challenges around worsening air quality and increasing the volume of air borne particles that can impact human health. We were delighted to welcome a new Air Quality Specialist to our team who has been tasked with developing a new Air Quality Action Plan that will help to build more climate resilience across Southend's urban landscape.



*We are always looking to implement sustainable solutions to reduce the impacts of localised flooding in the Borough and our successful bid through the Department for Transport will go a long way in helping us to build a more climate resilient society in Southend-on-Sea.*

**MILAILA BENTZ**  
COASTAL DEFENCES ENGINEER  
SOUTHEND BOROUGH COUNCIL





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## **CABINET**

Tuesday, 7<sup>th</sup> November 2017

### **COUNCIL PROCEDURE RULE 46**

The following action taken in accordance with Council Procedure Rule 46 is reported. In consultation with the appropriate Executive Councillor(s):-

**1. The Deputy Chief Executive (Place) authorised:**

1.1 Better Queensway Housing Infrastructure Bid

The signing and submission of the funding agreement and all relevant submissions up to full delivery stage to the funder in line with the Department for Communities and Local Government (DCLG) and Homes and Communities Agency (HCA) guidelines before the required deadline of 11:59pm on Thursday 28th September 2017.

**2. The Director of Finance and Resources authorised:**

2.1 New Lease at Southend Marine Activities Centre, Eastern Esplanade

The finalisation of the detailed terms through exclusive negotiations (including dealing with any amendments necessary) and the granting of the new lease on the terms set out in the confidential sheet.

2.2 Marriott's Fish Restaurant and Store rear of the Esplanade Pub, Western Esplanade

The sale of the fire-damaged restaurant offers a more comprehensive development opportunity for the Esplanade Pub and enables the Council to optimise its value from this asset. Terms for a sale conditional on planning have been agreed and are set out in the SO.46.

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**Public Document Pack**  
**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of Conservation Working Party**

**Date: Tuesday, 26th September, 2017**

**Place: Committee Room 5 - Civic Suite**

**Present:** Councillor M Flewitt (Chair)  
Councillors B Arscott, B Ayling, R Hadley, J Ware-Lane,  
F Waterworth and Atkinson

\*Substitute in accordance with Council Procedure Rule 31.

**In Attendance:** Councillors C Mulroney  
K Waters, Ms A Greenwood and R Harris

**Start/End Time:** 6.00 - 7.30 pm

**1 Apologies for Absence**

Apologies for absence were received from Councillors Davies, Habermel and Nevin (no substitutes). Apologies were also received from Ms S Hawkins (substitute: Mr P Hawkins), Ms R Arscott, Mrs J Lambert, Mr M Dedman and Mr G Littler.

**2 Declarations of Interest**

The following Member declared interests:-

- (a) Councillor Arscott – All agenda items – non-pecuniary interest – member of archaeological society;
- (b) Councillor Mulroney – All agenda items – non-pecuniary interest – member of Southend and Leigh Society Groups and Trustee;
- (c) Councillor Ware-Lane – All agenda items – non-pecuniary interest – member of Southend and Leigh Society Groups.

**3 Minutes of the Meeting held on Monday 19th June 2017**

Resolved:-

That the Minutes of the Meeting held on Monday 19<sup>th</sup> June 2017 be confirmed as a correct record.

**4 Article 4 Directions**

The Working Party was advised that the Council would be undertaking a review of Article 4 Directions as part of the Local Development Plan process. Officers emphasised that the review would be a significant piece of work and will include a geographical review.

In response to questions and concerns expressed regarding Article 4 Directions the Chairman gave an undertaking to discuss the matter with officers and provide a more detailed report to the next meeting of the Working Party.

Resolved:

That a detailed report covering Article 4 Directions be provided to the next meeting of the Working Party.

## **5 Hamlet Court Road Potential Designation as Conservation Area**

The Working Party received a PowerPoint presentation from Mr Atkinson on a proposal to consider the designation of the Hamlet Court Road area (and associated streets) as a Conservation Area. The presentation covered various aspects of the historical and architectural significant of the area.

The Working Party discussed the merits of the Hamlet Court Road area for designation and there was a general consensus to support the proposal. The Working Party noted that the newly established Hamlet Court Road Conservation Area Forum offered to prepare the appraisal which would need to be fully assessed / analysed by officers.

Resolved:

That the apparent architectural and historical significance of the Hamlet Court Road area be recognised and that Cabinet be recommended to consider further detailed works towards the possible Conservation Area designation of Hamlet Court Road.

## **6 Local List Inspector Proposals**

The Working Party was advised that officers were not in a position to provide a report in response to the Society Groups' proposals presented at the last meeting in respect to the proposals concerning a Local List Inspector post/role.

The Society Group representatives provided clarification that their proposals were not necessarily aimed at the Council putting in place a 'local list' inspector (in-house or otherwise) as they were aware of the resource implications and budgetary constraints on the Council.

The Society Groups' representatives at the meeting offered their support and expertise and to work with the Council to carry out inspections/reviews of locally listed buildings. The Chairman and officers welcomed the support from the Society Groups.

Resolved:

That the officers provide a report back to the next meeting in response to the proposal for a 'Local List Inspector', taking into consideration the offer of support from the Society Group representatives to carry out inspections/reviews of locally listed buildings.

## **7 Crowstone Conservation Area - 31 and 32 Western Esplanade**

This item was requested by the CAWS Group to request an update on the current position regarding 31 and 32 Western Esplanade which were buildings within the Crowstone Conservation Area.

The officers reported that a planning application for these buildings was made and was refused by the Council's Development Control Committee. The refusal of planning permission was upheld by a Planning Inspector on appeal. The Working Party noted that the buildings had been left to fall into a state of significant disrepair and the officers were investigating the potential use of a Section 215 Notice.

Resolved:

That the update on 31 and 32 Western Esplanade, be noted.

## **8 Prittlewell Camp**

The Working Party noted an item which had not been allocated to the agenda and had been tabled at the meeting concerning Prittlewell Camp. Officers would investigate and liaise with the Council's parks and property services teams.

Resolved:

That this item be noted.

**Chairman:** \_\_\_\_\_

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# Public Document Pack

## SOUTHEND-ON-SEA BOROUGH COUNCIL

### Meeting of Public Transport and Buses Working Party

**Date: Monday, 23rd October, 2017**  
**Place: Committee Room 2 - Civic Suite**

**Present:** Councillor S Aylen (Chair)  
Councillors M Borton, L Davies, D Garston, S Habermel and A Jones  
and Mr S Knightley (SABUG)

**In Attendance:** T Row, N Hoskins, A Dalton and J Mayhew

**Start/End Time:** 6.30 p.m. - 8.35 pm.

#### **1 Apologies for Absence**

Apologies for absence were received from Councillors Byford, Cox and Terry (no substitutes).

#### **2 Declarations of Interest**

Councillor Aylen and D Garston declared non-pecuniary interests in Agenda Item nos. 4 (First group), 5 (Update on Current Issues), 6 (Southend Travel Centre), 7 (Bus Timetable Updates) and 8 (Service 11a) on the grounds that they were bus pass holders.

#### **3 Minutes of the Meeting held on Monday 24th April, 2017**

Resolved:-

That the Minutes of the Meeting held on Monday 24<sup>th</sup> April 2017 be received and confirmed as a correct record.

#### **4 First Group**

The Working Party welcomed Mr Julian Elliot (Network Manager) of First Buses, who had been invited to the meeting to give an update on the services provided by First Buses.

Members noted the update and took the opportunity to ask a number of questions which were duly responded to.

There had been some minor changes to services. These included the termination of the 24 service on Sundays as a result of declining passenger numbers. There had also been an increase in the frequency of the 26 service at peak times on Mondays to Fridays.

A use of a double deck bus had been trialled on the X30 route. The trial was undertaken at the same times each day to gauge customer opinion. Results of the customer feedback were currently being assessed.

The approach taken by bus companies when seeking proof of age of students was also discussed.

Resolved:

That the report be noted.

## **5 Update of Current Issues**

The Working Party received an oral update on current issues.

The Working Party noted that 4 new bus shelters were to be installed shortly. 2 were being replaced in Hadleigh Road and Cranleigh Drive, Leigh on Sea. 1 had been requested to be installed at Leigh Station and another had been requested in Prittlewell Chase at its junction with Southbourne Grove on the eastbound carriageway. Councillors in the relevant Wards would be informed of the locations by email prior to installation. Consideration would be given as to whether a bus shelter was needed at a particular prior to any replacement.

The RTPI (real time passenger information) system was progressing well. Some of the older digital displays were being replaced along the London Road.

A number of the timetables originally produced by the Council along the 29 route between Belgrave Road and Coombes Corner required updating. Whilst the timetables were produced by the Council, the frequency of the changes by different operators at differing times, together with differing sizes and locations of the timetables made their updating and replacement by the Council very impracticable. Consideration would be given to updating them on a quarterly basis (if required) with a disclaimer added to the timetable notice that times may have changed since the publication of the notice and passengers should check with the relevant operator. Changes outside these times would generate cost implications which may need to be borne by the relevant operator.

The Working Party also received an oral update on the recent pilot Park and Ride trial that had taken place over the August bank holiday. It was explained that the pilot indicated limited success with 61 tickets being purchased over the whole weekend. Whilst the scheme was still available at weekends, the parking meters indicated that there had been no take up since the bank holiday. The scheme would continue to be monitored over the half term holiday, the Christmas period and Easter Holiday with consideration being given to marketing opportunities and alternative methods of purchasing tickets. The Working Party was encouraged by the result of the initial pilot and felt that the scheme should be extended to include the under used car parking facilities away from the Town Centre such as Leigh Station, the airport and Warner's Bridge.

Resolved:

1. That the report be noted.
2. That Cabinet be requested to investigate the potential for introducing a wider park and ride scheme for the Borough



**6 Southend Travel Centre**

The Working Party expressed concern at the poor state of repair of the Travel Centre and the delay the repair works being undertaken. The Council's Interim Group Manager - Major Projects & Strategic Transport Policy assured Members that the issues would be investigated and any appropriate repairs would be undertaken as soon as possible.

Resolved:

That the report be noted.

**7 Bus Timetable Updates**

This item was discussed under Agenda item no. 5 as shown under Minute 5.

**8 Service 11a**

The Working Party noted that the Sunday service 11a, Sutton Cemetery to Chelmsford, provided by Regal Busways had now been. The Council had therefore removed the timetables as Regal Busways had failed to do so. Bus operators would be reminded of their duties in this regard.

Resolved:

That the report be noted.

**9 Future Items and Date of Next Meeting**

Items for the next future meetings included:

- Size of timetables at bus stops and responsibility for updating/removal;
- Statistics for buses held up/cancelled due to delays;
- Park and Ride

Resolved:

That the next meeting of the Working Party take place on Wednesday 5<sup>th</sup> December 2017 commencing 6.30 p.m.

**Chairman:** \_\_\_\_\_

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**Public Document Pack**  
**SOUTHEND-ON-SEA BOROUGH COUNCIL**

**Meeting of London Southend Airport Monitoring Working Party**

**Date: Tuesday, 24th October, 2017**  
**Place: Committee Room 4a - Civic Suite**

**Present:** Councillor T Cox (Chairman)  
Councillors B Arscott, S Buckley, D Burzotta, T Callaghan,  
M Davidson, M Terry and J Ware-Lane

**In Attendance:** J K Williams, R Harris, K Waters  
Also in attendance: J Horne and J Marchetti (LSA)

**Start/End Time:** 6.30 - 7.35 pm

**1 Apologies for Absence**

Apologies for absence were received from Councillor Willis.

**2 Declarations of Interest**

(a) Councillor Davidson – Agenda Item 4 (London Southend Airport Monitoring Report) – non-pecuniary interest – Council appointed member of the London Southend Airport Consultative Committee;

(b) Councillor Callaghan – Agenda Item 4 (London Southend Airport Monitoring Report) – non-pecuniary interest – taxi driver who regularly picks up and drops off passengers at the airport.

**3 Minutes of the Meeting held on Tuesday 20th September 2016**

Resolved:-

That the Minutes of the Meeting held on Tuesday 20<sup>th</sup> September 2016 be confirmed as a correct record.

**4 London Southend Airport Monitoring Report**

The Working Party considered the report of the Director of Legal & Democratic Services which:

(a) Detailed the strict controls on operations at London Southend Airport (LSA) contained in the section 106 Planning Agreements and the leasing arrangements;

(b) Explained how these controls are monitored; and

(c) Provided monitoring data for the period 1<sup>st</sup> March 2016 to 28<sup>th</sup> February 2017 to demonstrate how the controls have been complied with.

The Chairman welcomed Jon Horne (Chief Operating Officer at LSA) and Jo Marchetti (Community Affairs Co-ordinator at LSA) to the meeting. Mr Horne provided an overview of the Annual Report of LSA for 2016-17 and both officers answered questions from members of the Working Party.

Resolved:

1. That the monitoring data contained in London Southend Airport Annual Report 2016-17 for the 12 month period 1<sup>st</sup> March 2016 to 28<sup>th</sup> February 2017 and the Section 106 Agreement Year Summary 2016/17 which demonstrates general compliance with the obligations contained in the relevant planning agreements and leases, be noted.
2. That the details of complaints received in the 12 month period 1<sup>st</sup> March 2016 to 28<sup>th</sup> February 2017 as contained in the Annual Report, be noted.
3. That the rest of the contents of the Annual Report and the very satisfactory and successful position reported, be noted.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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