

Public Document Pack

Date of meeting **Wednesday, 5th February, 2014**
Time **7.00 pm**
Venue **Committee Room 1, Civic Offices, Merrial Street,
Newcastle-under-Lyme, Staffordshire, ST5 2AG**
Contact **Julia Cleary**

Cabinet

AGENDA

PART 1 – OPEN AGENDA

1 DECLARATIONS OF INTEREST

To receive declarations of interest from Members on items included in the agenda.

2 MINUTES

(Pages 1 - 6)

To consider the minutes of the previous meeting held on 15th January 2014.

3 Revenue and Capital Budgets and Council Tax 2014/15

(Pages 7 - 10)

4 Budget Performance Monitoring Report Quarter 3 2013-14

(Pages 11 - 34)

5 Newcastle Capital Investment Programme

(Pages 35 - 46)

6 Newcastle Greenway

(Pages 47 - 64)

7 Safeguarding Children and Vulnerable Adults Protection Policy

(Pages 65 - 110)

8 Concurrent Functions

(Pages 111 - 114)

9 Exclusion Resolution

10 URGENT BUSINESS

To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.

Members: Councillors Mrs Bates, Mrs Beech, Kearon, Snell (Chair), Turner, Stubbs
(Vice-Chair) and Williams

PLEASE NOTE: The Council Chamber and Committee Room 1 are fitted with a loop system. In addition, there is a volume button on the base of the microphones. A portable loop system is available for all other rooms upon request.

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorums :- 16+= 5 Members; 10-15=4 Members; 5-9=3 Members; 5 or less = 2 Members.

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

CABINET

Wednesday, 15th January, 2014

Present:- Councillor Gareth Snell – in the Chair

Councillors Mrs Bates, Mrs Beech, Kearon, Turner, Stubbs and Williams

13. APOLOGIES

No apologies were received.

14. DECLARATIONS OF INTEREST

Cllr Mrs Beech and Cllr Williams declared that as members of the Aspire Housing Board they would refrain from voting in relation to item 7 on the agenda.

15. MINUTES OF THE PREVIOUS MEETING

Resolved: That the minutes of the previous meeting held on Wednesday 11th December be agreed as a correct record.

16. MINUTES FROM THE REVENUE INVESTMENT AND BUDGET SUPPORT CABINET PANEL

The Portfolio Holder for Finance and Resources outlined the role of the Cabinet Panel and confirmed that the minutes would continue to come to Cabinet meetings for information only.

17. COMMUNITY CENTRE REVIEW

The Chair welcomed Cllr Mrs Shenton and Cllr Loades to the meeting as lead members from the Community Centre Review working group.

The Portfolio Holder for Safer Communities thanked members and officers of the Working Group and praised the production of a good in depth report. It was also confirmed that a handbook would be distributed to all community centres to help with the administration and to enable good governance.

It was also confirmed that the report had been to the Co-ordinating Scrutiny Committee which had endorsed the recommendations.

Resolved:

- a) That Cabinet approve the Joint Officer and Member Task and Finish Group proposals set out in this report.
- b) That the proposals are communicated to each community centre management committee jointly by officers and members of the Task and Finish Group in January 2014.

- c) That a further report be submitted to Cabinet by the autumn of 2014 providing a progress update in relation to the proposals set out in this report.

18. AMENDMENTS TO COUNCIL REPRESENTATION ON THE ASPIRE HOUSING BOARD

A report was submitted outlining proposals to reduce the number of Council representatives nominated to the Aspire Housing Board and to seek members' approval of the same.

Resolved: That subject to the Council retaining its 33% vote on key issues at the AGM the principle of the alteration to the composition to the Aspire Housing Board (including the reduction in the number of Council representatives) be approved.

19. AWARD OF THE NEWCASTLE HOUSING ADVICE CONTRACT

A report was submitted regarding the delivery of a housing advice, homelessness and housing register. This service was a statutory function, which meant the Council had to provide assistance to assist individuals and families who were homeless or threatened with homelessness who applied for help. The report outlined the outcome from the tendering exercise for the NHA – Homelessness, Housing Advice and Housing Register Contract and made recommendations to Cabinet to seek approval in the award of the NHA contract.

Members thanked the Officer involved for her work and thanked Aspire for its work under the previous contract including the additional support that had been provided to residents.

Resolved:

- a) That the Homelessness, Housing Advice and Housing Register contract be awarded to Midland Heart for the period 1st April 2014 – 31st March 2017, with the option to extend for a further three years on satisfactory performance.
- b) That the Executive Director for Regeneration and Development be authorised in consultation with the Portfolio Holder for Economic Development, Regeneration and Town Centres, to finalise negotiations with Midland Heart on the precise details within the service specification to ensure that the contract offers maximum value for money.
- c) That once the contract is formally up and running the Council engages with Members to ensure that they are aware of the service and that appropriate training be provided to members regarding the new provisions.

20. HOUSING CAPITAL PROGRAMME 2014/15

A report was submitted to seek Cabinet approval of the proposed 2013/14 Housing Capital Programme taking into account the views of the Economic Development and Enterprise Overview and Scrutiny Committee.

Resolved:

That the Housing Capital Programme be approved on the basis set out in the report and funded from the allocation of £515,000 of New Homes Bonus funding and a land disposal to the value of about £100,000, with provision for the virement of funding, subject to agreement with the relevant Portfolio Holder(s), between schemes to maximise the benefits of external funding opportunities to help more vulnerable residents

21. CHARGING FOR THE CONTROL OF RATS AT RESIDENTIAL PROPERTIES

A report was submitted to seek approval to charge for the treatment of rats at residential properties.

Resolved:

- a) That a subsidised fixed charge of £30 for up to 4 visits should be applied for the treatment of rats at residential properties, subject to a fee wavier being available to applicants who can demonstrate their eligibility of the range of benefit entitlements listed in the report.
- b) That the final value of the charge be approved through the fees and charges approval process.
- c) That officers monitor the effectiveness and efficiency of the charging regime and report back to Cabinet any need for modification or refinement.

22. CALCULATION OF COUNCIL TAX BASE

A report was submitted requesting approval of the Council Tax Base to be used to calculate the 2014/15 levies for the Borough Council, the County Council, the Office of the Police Crime Commissioner, the Fire Authority and each Town and Parish Council.

Resolved:

That, in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012, the amounts calculated as the Council Tax Base for 2014/15 shall be as follows:-

	Band D equivalent properties
Newcastle Borough Council	34,890
Kidsgrove Town Council	6,349
Audley	2,437
Loggerheads	1,845
Balterley, Betley and Wrinehill	564
Chapel and Hill Chorlton	186
Keele	330
Madeley	1,416
Maer	244
Silverdale	1,348

23. ASSET MANAGEMENT STRATEGY 2014-2017

The Council's Capital Strategy and Asset Management Strategy were key documents evidencing the Council's approach to its Use of Resources. This Strategy provided a clear framework for understanding the value and condition of property owned by the Council so that, in turn, investment decisions could be taken to optimise the use of the said land/property to meet the needs of the Borough's residents, businesses and visitors. This Strategy along with the Council's Capital Strategy sought to demonstrate alignment with, and delivery of, the Council's ambitions as set out in the Council Plan.

The Strategy had already been considered by the Economic Development Overview and Scrutiny Committee and the comments from the Committee were read out.

The Chair welcomed Cllr Simon Tagg to the meeting. Cllr Tagg stated that in general he considered large parts of the plan to be sound but that he had concerns regarding an apparent lack of public consultation to date.

The portfolio Holder stated that the consultation had not yet started and that any proposals for development would have to be to a very high standard and that all the comments from Cllr Tagg would be taken into consideration.

Members discussed the issue of borrowing should the sale of assets not be agreed. The executive Director outlined the costs associated with borrowing. The Portfolio Holder for Finance and resources stated that he would also explore the possibility of the creation of sink funds.

Resolved:

That Members approve the Asset Management Strategy (2014- 2017).

24. CAPITAL STRATEGY 2014/15

A report was submitted requesting cabinet to consider the Capital Strategy 2014 to 2017.

Resolved:

That the Capital Strategy be agreed and forwarded to Council with a recommendation for approval.

25. SCALE OF FEES AND CHARGES 2014/15

A report was submitted to obtain approval for the proposed scale of fees and charges to apply from 1 April 2014.

Resolved:

That the fees and charges proposed to apply from 1 April 2014, as set out in Appendix 1 and 4 be approved and be submitted to the Transformation and Resources Overview and Scrutiny Committee for comment.

26. REVENUE AND CAPITAL BUDGETS 2014/15

A report was submitted requesting the Cabinet to review progress on the completion of the revenue and capital budgets for 2014/15 following agreement of the 5 year Medium Term Financial Strategy.

The Executive Director for Resources and Support Services thanked everyone who had worked on the budgets especially members of the Finance Team and the Working Group.

Resolved:

- a) That the assumptions set out in the report be approved.
- b) That the Cabinet confirm that no Council Tax increase is proposed in 2014/15.
- c) That the Transformation and Resources Overview and Scrutiny Committee be asked to consider what comments it wishes to make on the draft Budget and Council Tax proposals before the final proposals are considered at Cabinet in February 2014.

27. CREATING A LOCAL AUTHORITY OWNED TRADING COMPANY

A report was submitted to ask Cabinet to agree in principle to the creation of a local authority company to allow commercial trading in communications activities.

Resolved:

- a) Cabinet agrees in principle to the establishment of a company which would be limited by shares and owned wholly by the council.
- b) Cabinet notes that a further report will be brought forward at the earliest opportunity outlining governance and board membership arrangements as well as a business case for the company before any trading activity commences.

28. STAFFORDSHIRE WIDE WASTE STRATEGY

A report was submitted to:

- Highlight the requirements for a Joint Municipal Waste Management Strategy (JMWMS) for Staffordshire and Stoke-on-Trent.
- Provide a draft copy of the refreshed Joint Municipal Waste Management Strategy.
- Seek approval for adoption of the Joint Municipal Waste Management Strategy.

Members expressed their thanks to Andrew Bird, Kate Fox and Cllr Beech for their work on the strategy

Resolved:

That the attached '2013 Refresh of the Joint Municipal Waste Management Strategy for Staffordshire and Stoke-on-Trent (2007 – 2020)' to be adopted, and the Portfolio Holder of the Environment and Recycling agree that this document is approved by the Staffordshire & Stoke-on-Trent Joint Waste Management Board.

29. KEELE GOLF CENTRE

An urgent report was submitted to Cabinet to advise members of the current position regarding the grant of a new lease of the Keele Golf Centre to RMW Golf Limited and to obtain decisions on the immediate steps to be taken.

Resolved:

- a) That Members note the withdrawal of interest from RMW Golf Ltd on the grounds that the company is unable to progress with the opportunity on the basis of their tender submission.
- b) That Members note that the decision of RMW Golf Ltd to not proceed with their scheme brings the tendering process to an end.
- c) That officers be authorised to take the necessary steps to formally close the Golf Centre until further notice and to advise the interested parties of this decision.
- d) That officers be authorised to take the necessary steps to secure the site to minimise the risk of trespass onto, or vandalism of, the land/buildings.
- e) That officers be requested to report back to the earliest available Cabinet meeting with advice and information about the medium to long term options for the site.
- f) That this report be taken to the next meeting of the Transformation and Resources Overview and Scrutiny Committee.

COUNCILLOR GARETH SNELL
Chair

REVENUE AND CAPITAL BUDGETS AND COUNCIL TAX 2014/15

Submitted by: Executive Director (Resources and Support Services)

Portfolio: Finance and Resources

Ward(s) affected: All

Purpose of the Report

To enable Cabinet to recommend the 2014/15 General Fund Revenue Budget and the 2014/15 Capital Programme to Full Council, meeting on 26 February 2014, following consideration of comments received from the Transformation and Resources Overview and Scrutiny Committee of 22 January 2014 and the Scrutiny Café on 14 January 2014 and following a review of the Council's balances and reserves.

Recommendations

(a) That it be recommended to Full Council that £278,000 be transferred out of the Contingency Reserve into the Renewals and Repairs Fund (£100,000) and the Insurance Fund (£178,000).

(b) That it be recommended to Full Council that £65,000 of transitional costs in relation to the Housing Advice Contract be met from the New Homes Bonus Reserve.

(c) That it be recommended to Full Council that £86,000 be transferred out of the Renew Reserve into the Contingency Reserve.

(d) That the 2014/15 General Fund Revenue Budget and the Capital Programme 2014/15 as detailed in the report to Cabinet dated 15 January 2014 be recommended to Full Council for approval with the addition of the proposal outlined in paragraph 4.8 in respect of Keele Golf Course.

(e) That the fee for 2014/15 in relation to a Scrap Metal Dealer Collectors Licence be £150.

1. **Background**

- 1.1 The 2014/15 Revenue Budget and the Capital Programme 2014/15 were considered by Cabinet on 15 January 2014, following which these were submitted to the Transformation and Resources Overview and Scrutiny Committee, on 22 January, for consideration. In addition members have had the opportunity to raise issues and receive explanations concerning the proposed budget for 2014/15 at a Scrutiny Café event held on 14 January.

A summary of the overall Revenue Budget is as follows:

	Estimated Expenditure	Rate of Council Tax (Band D)
	£	£ p
Borough Council requirements – Total Net Expenditure	13,452,300	385.56
Less: External Support	<u>(7,191,580)</u>	<u>(206.12)</u>
	6,260,720	179.44
Less: Collection Fund Surplus 2013/14	(87,580)	(2.51)
Borough Council Tax Requirement	<u>£6,173,140</u>	<u>£176.93</u>

External Support comprises Formula Funding (£7,121,710); Council Tax Freeze Grant in respect of 2014/15 (£69,870)

- 1.2 The Borough's council tax levy of £176.93 is unchanged from the 2013/14 amount. The draft budget considered at your meeting on 15 January 2014 was compiled on the basis that there would be no need for a tax increase in 2014/15.

2. Transformation and Resources Overview and Scrutiny Committee

- 2.1 At its meeting on 15 January 2014 Cabinet approved the Revenue and Capital Budgets for 2014/15, recommending no increase in Council Tax. The report and the recommendations were referred to the Transformation and Resources Overview and Scrutiny Committee for comments.
- 2.2 The Scrutiny Committee met on 22 January 2014. The Chair of the Committee will be attending the Cabinet meeting to present the Committee's observations and comments on the report and budget proposals and will also give feedback from the Budget Scrutiny Café held on 14 January 2014. In addition, any comments relating to the fees and charges for 2014/15, which have also been scrutinised by the Committee, will be reported to you.

3 Final Finance Settlement notification

- 3.1 At the time of compiling this report the government have not yet notified the Council of the final amount of its grant funding for 2014/15. This was received at the beginning of February last year. However, there is unlikely to be a significant change from the amounts notified as the provisional settlement figure. If the amounts do change, the table in paragraph 1.1 will require amending to reflect the changes. A verbal update will be given at the Cabinet meeting.

4 Balances and Reserves

- 4.1 The Council's Balances and Reserves Strategy for 2013/14 is that there should be a minimum General Fund balance of £1.2m and a minimum balance on the Contingency Reserve of £100,000. The Council currently holds these reserves.
- 4.2 A review of all the Council's Balances and Reserves together with a risk assessment has been carried out for inclusion in the final report on the budget to Full Council on 26 February.
- 4.3 The review and risk assessment indicate the following:

- Most of the reserves are still adequate to meet normal levels of expenditure, with two exceptions referred to below
 - The Insurance Fund will be insufficient to meet the cost of premiums and claims from 2014/15 onwards, particularly since negotiations with the insurers indicate that they will require a substantial increase in premiums for 2014/15. The estimated shortfall as at 31 March 2015 is around £162,000.
 - By 2014/15 the Renewals and Repairs Fund is likely to be insufficient to meet the cost of repairs and maintenance of council buildings and structures, with an estimated overdrawn balance of £24,000 by 31 March 2014, which worsens to an estimated overdrawn balance of £84,000 by 31 March 2015. It will be necessary, therefore, to top-up the reserve in order to fund essential repairs and maintenance expenditure.
 - The level of minimum balances required after considering the risk assessment remains at £1.3m.
- 4.4 As outlined above, there is a need to replenish two reserves, the Insurance Fund and the Renewals and Repairs Fund. Owing to the recent settlement with the owner of The Square concerning arrears of rent, an amount of £393,000 was received, £115,000 of which relating to 2013/14 was recorded in that years accounts, with the balance being paid into the Contingency Reserve. It is proposed to utilise the remaining balance of £278,000 from the Contingency Reserve to replenish these two reserves, £100,000 to be transferred into the Renewals and repairs Fund and £178,000 into the Insurance Fund.
- 4.5 As reported to Cabinet on 15 January 2014, following the completion of the tendering exercise in respect of the Housing Advice Contract, there will be some transitional set up costs, amounting to around £65,000 to ensure a smooth changeover to a new contractor. It is proposed to fund these costs, arising in 2014/15, from the New Homes Bonus Reserve, which is predicted to have a balance at 31 March 2014 of £83,000. This balance has arisen because of savings on capital schemes intended to be financed from the reserve, together with the Council's Social Housing commitment of £65,000 included in the 2013/14 Housing Capital Programme and originally intended to be financed from New Homes Bonus now to be met by way of land transfers.
- 4.6 The RENEW Reserve was originally set up to meet revenue costs in relation to the North Staffordshire Housing Market Renewal Programme. This programme has now ceased. There remains a balance on the reserve, most of which is no longer required for meeting commitments arising from the renewal programme, the last of which expires in 2014/15. The predicted balance as at 31 March 2014 is £86,000. It is recommended, therefore, that this amount be transferred to the Contingency Reserve and the Renew Reserve be extinguished.
- 4.7 Previous reports have drawn attention to the situation with regard to Municipal Mutual Insurance (MMI), whereby the Council may be subject to clawback in respect of claims settled by the company after they went into administration. Potentially the liability could amount to around £721,000. Current advice is that authorities should set aside around 25% of their potential liability as a provision to meet this eventuality. Presently, an amount of £180,000 is set aside in such a provision (the MMI Provision). Notification has been received from the Municipal Mutual Scheme Administrator that a levy of 15 per cent of the liability in excess of £50,000 will be made in January 2014. This will mean that a payment of £101,000 will become due. The payment will be met from the MMI Provision.

- 4.8 Cabinet, at its meeting on 15 January, received a report concerning Keele Golf Course and resolved that the course be closed until further notice. The budgetary implications of this decision are that the net income of £30,000 included in the base budget will no longer be achieved and there will be holding costs arising in 2014/15, pending a decision on the long term future of the site. There has been an improvement in the collection fund position in that the £3,700 deficit contribution to the fund included in the base budget is estimated to be a surplus contribution from the fund of £87,580 in 2014/15, as shown in the table at paragraph 1.1, a net improvement of £91,280. It is proposed, therefore, that £30,000 of this additional income arising from the collection fund contribution be used to adjust the net income figure included in the base budget for the golf course and that the balance of £61,280 is set aside for holding and maintenance costs until a decision is made with regards to its future use.

5 Fees and Charges - Amendment

- 5.1 The proposed fee for 2014/15 relating to “Scrap Metal Dealer Collectors Licence” was shown in error on the scale of fees and charges considered by Cabinet on 15 January as £200. This should, in fact, have been shown as a proposed fee of £150. The Transformation and Resources Overview and Scrutiny Committee were made aware of this when they considered the Scale of Fees and Charges at their meeting on 22 January and made no adverse comments.

Classification: NULBC UNCLASSIFIED

1. FINANCIAL AND PERFORMANCE MANAGEMENT REPORT TO END OF QUARTER THREE (December) 2013

Submitted by: Head of Finance and Head of Business Improvement & Partnerships

Portfolio: Communications, Policy & Partnerships; Finance and Resources

Wards Affected: All

Purpose

To provide Cabinet with the Financial and Performance Review, 2013/14 First Three Quarters (April -December).

Recommendations

- (a) **That Members note the contents of the report and recommend that the Council continues to monitor and scrutinise performance alongside finances.**

Reasons

These monitoring reports provide information about the corporate performance of individual council services, alongside financial information. This report was presented to the Transformation & Resources Overview & Scrutiny Committee on 22 January 2014.

1. Background

- 1.1 This report provides Members with a detailed update on how the Council has performed during the third quarter of 2013/14 by presenting performance data set in a financial context.
- 1.2 This report provides financial information (Appendix A) and also detailed analysis of performance (Appendix B) for the first three quarters of 2013/14.
- 1.3 A summary of the overall picture is presented in section 5 of this report. Performance is progressing well, with the majority of targets currently met.

2. 2013/14 Revenue and Capital Budget Position

- 2.1 Due to the replacement of the Financial Ledger System during December the figures produced in this report and related appendices relate to period 8, 30 November.
- 2.2 The Council approved a general fund revenue budget of £14.119m on 27 February 2013. As at 30 November, we would have expected to have spent £7.299m; we have actually spent £7.290m. Therefore, the general fund budget shows a favourable variance of £9,000 (detailed in Appendix A).
- 2.3 A capital programme totalling £7.963m, covering the two years 2012/13 and 2013/14, was approved at the same Council meeting. The revised budget for capital projects in 2013/14 totals £5.352m. £2.025m of the revised budget was expected to be spent by 30 November. Actual spending was £1.995m.

3 Performance

- 3.1 The Council Plan Performance report is reported in a new format attached as Appendix B.
- 3.2 The information is presented in four sections against each priority and details results and progress towards identified outcomes for the council and the number of indicators monitored this time is 40. The proportion of indicators which have met their targets, based on data at the time of compiling this report, was 79%.
- 3.3 There are two columns to show improvement and achievement :
 - One set of symbols (arrows), show whether performance has improved or worsened since the last time each indicator was reported
 - The “Good performance is” column denotes polarity: low or high and allows the reader to analyse the results in detail
- 3.4 An overall summary of performance against each priority is also stated, highlighting issues and improvement to be noted.
- 3.5 The intention is to further develop the format of performance reports ensuring suitability and clear communication of progress with outcomes for members and officers of the council.
- 3.6 Positive performance can be seen in a range of services although it must be borne in mind that the results later in the year can be different and that some services have seasonal factors.
- 3.7 There are a small number of areas listed in this report which are not on target, though none causes concern at present. In all cases, the management of the service is aware of the issues and are taking steps to deal with the situation. Further updates will be provided for Members in future reports.
- 3.8 At the Transformation & Resources Overview & Scrutiny Committee on 22 January 2014, members asked that for future reports information noted as to the source of the demographic information supplied in the report.

4. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities

- 4.1 All of these indicators link to corporate priorities.

5. Legal and Statutory Implications

- 5.1 The Council has a duty to set targets for performance of a range of functions and needs to monitor these closely.

6. Equality Impact Implications

- 6.1 There are no differential equality issues.

7. Financial and Resource Implications

- 7.1 Any positive variance for the full year on the General Fund Revenue Account will enable that amount to be transferred to the Budget Support Fund and will be available in future years for use as the Council considers appropriate. Conversely, if

there is an adverse variance, the amount required to cover this will have to be met from the Budget Support Fund.

8. Major Risks

- 8.1 The current economic situation represents the greatest risk to the revenue budget, particularly with regard to the impact it may have upon income receivable in relation to services where customers may chose whether or not to use Council facilities, such as car parking and other areas directly affected by the economic downturn, such as land charges and planning applications. The situation will be monitored through the normal budget monitoring procedures.
- 8.2 The capital programme will require regular monitoring to identify any projects which are falling behind their planned completion dates. This will be carried out by the Capital Programme Review Group, which meets on a monthly basis together with quarterly reports to Cabinet.
- 8.3 The above represents a high level view of risk. There are detailed risk registers available if members wish to see them.

9. List of Appendices

Financial information (Appendix A) and Council Plan Performance report (Appendix B) is attached

10. Background Papers

Working papers held by officers responsible for calculating indicators.

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Financial Position Quarter Three 2013/14

General Fund Revenue Budget

The Council approved a General Fund Revenue Budget of £14,118,640 on 27 February 2013. The actual position compared to this budget is continuously monitored by managers, EMT and Portfolio Holders in order to detect any significant variances of expenditure or income from the approved amounts contained in the budget. Regular reports are made available to members by the Portfolio Holder for Finance and Resources informing them of the current position, highlighting any significant factors giving rise to variances.

Capital Programme

A Capital Programme totalling £7,963,400, covering the two years 2012/13 to 2013/14, was approved at the same Council meeting. Of this total, £5,352,500 was estimated to be spent in 2013/14.

Revenue Budget Position

At this point in the financial year, we would have expected to have spent approximately £7.299m; we have actually spent £7.290m. Therefore, as at 30 November, the general fund budget shows a favourable variance of £9,000.

However there are a number of both favourable and adverse variances to bring to your attention:

- Kidsgrove Sports Centre is operating at a significant net overspend as at 30 November, primarily due to income received.
- Interim management and maintenance of Keele Golf Course has resulted in a cost to the Council of £98,000 as at 30 November.
- There have also been a number of income sources whereby income has exceeded what we would have expected to receive up to 30 November; these include licensing, planning application fees and the recovery of housing benefit overpayments.
- Additionally a number of service under spends have occurred.

There are also a number of smaller variances, both positive and negative, that contribute to the overall outturn.

Capital Programme Position

The Capital Programme approved by Council in February 2013 has been updated to take account of slippage in 2012/13. Where planned expenditure did not occur last year, this has been added to the budget for 2013/14 (apart from any cases where costs have been reduced or expenditure will no longer be incurred). The revised budget for capital projects in 2013/14 totals £5,352,500.

£2,024,900 of the revised budget was expected to be spent by 30 November. Actual spending was £1,994,600. The variance of £30,300 is mainly attributable to Section 106 Works at Lowlands Road.

Investment Counterparties

Investment counterparties with whom money is invested, as at 30 November 2013 are as follows (with the parent company shown in brackets, where applicable):

Nationwide Building Society
Halifax Bank of Scotland
Debt Management Account – Deposit Facility
Heritable Bank (*Landsbanki*)

With regard to the Council's frozen investment in Heritable Bank, the total amount repaid now amounts to some £2,357,691, which is 94% of the total that was frozen. The Administrators current prediction is that no further repayments will be made.

Appendix B

Quarter 3 2013-14

Priority 1: A clean Safe and sustainable Borough

Overall Progress Report

Overall our progress with our outcomes for this priority is positive. A combination of monitoring and target driven indicators are measured with three indicators (1.1.3, 1.3.5 & 1.4.2) introduced for 2013-14 for which it will be the baseline year. The performance for this quarter is shown where possible for the monitoring indicators where a comparison or previous results are known. There are no concerns with the performance of the service indicators.

Our economic indicators have remained constant this quarter despite some businesses closing. The Town Centre Vacancy Rate indicator remains just off target with a result of 15.8% against a target of 15% which is slightly lower than before and the indicator measuring the Percentage of investment portfolio (NBC owned) vacant continues to perform well with an unchanged result of 8.4%, both are unchanged from the last quarter.


Community and Streetscene have achieved excellent results for the Levels of Street and Environmental Cleanliness (1.4.1) and exceeded targets set. Also the team have worked well with volunteer groups who have provided an impressive total of 7,387.75 hours caring for their local green spaces and neighbourhoods in the year to date. Waste indicators also continue to perform well despite being slightly off target this quarter, but are on course to meet the annual target.

However when comparing performance results of the Crime and Disorder indicators from the Police with the results for this period in 2012-13, there is an increase in the number of incidents for Violence with Injury.

Environmental Health continue to work well progressing assessments on air quality in the borough and undertaking inspections to ensure high standards of safety and public health.

Outcome 1.1 Ensure high standards of safety and public health – Lead Member Cllr. Ann Beech, Lead Officer Nesta Henshaw

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Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed?	Control Full/ Partial/ None
1.1.1	Percentage of food premises that have a zero or one national food hygiene rating.	Baseline year	-	Low	Quarterly	1.19% (9 '0/1' premises out of 752 published).	Monitoring indicator	1.44% (10 '0/1' premises out of 692 published).	-	Partial
<p>This indicator measures the percentage of food premises that have a zero or one national food hygiene rating, where following each Food Hygiene Inspection, a food business is awarded a rating of between zero (Urgent improvement necessary) and Five (Very good). These ratings are published on the website at http://www.newcastle-staffs.gov.uk/environment_content.asp?id=SXC69E-A7811729&cat=1390 or http://ratings.food.gov.uk/ Those premises that are rated zero (urgent improvement necessary) or one (major improvement necessary) have been found to be not complying with Food Hygiene Regulations and will be subjected to enhanced business support visits/revisits (and in the most serious cases enforcement action) to help them raise their compliance and protect public health. These premises will then receive a further unannounced inspection approximately 6-9 months later where they will receive a new rating. Due to the number of businesses changing day by day the numerator and denominator are constantly changing throughout the year.</p>										
1.1.2	The percentage of food establishments which are broadly compliant with good hygiene law	91%	85%	High	Quarterly	93.1% (1040 out of 1117 premises deemed broadly compliant).	85%	92.7% (1042 out of 1124 premises deemed broadly compliant).		Partial
<p>Following each food hygiene inspection a premise will be risk rated and given a score of between 0 (Very Good) and 30 (Very bad) for its' compliance with 1. Food Hygiene Procedures, 2. Structure and 3. Confidence in Management. Where a premises scores 10 or better in each of these 3 categories they are defined as being 'broadly compliant' with food hygiene law. This indicator describes the percentage of businesses in the borough that are deemed 'Broadly Compliant'.</p>										
1.1.3	The area of contaminated land that has been remediated or is determined suitable for use	Baseline 2013-14	N/A	High	6 Monthly	-	Monitoring Indicator	71 Hectares	-	Partial
<p>The possibility of land being contaminated is a material planning consideration to ensure that land is 'suitable for use' and does not present any unacceptable risk to human health or the wider environment. Land is considered suitable for use following receipt of sufficient evidence from the developer showing that the site has been remediated to an appropriate and agreed standard, if required, or that no unexpected contamination was found during development. All applications for development received by the LPA or which the MPA or WPA request a consultation from the Environmental Health Division are screened for contamination issues and appropriate may be requested depending upon the nature of the development to ensure that the development is "suitable for use". During this period, the Environmental Protection Team reviewed 14 separate sites to discharge the final validation condition imposed on the planning permission. This equated to a total of 71Ha of land determined to be suitable for its intended end use following appropriate remediation.</p>										

Ref	Indicator	2011 Baseline (year)	Target	Good is	How often reported	Result 2012	Target	How have we performed?	Control Full/ Partial/ None
1.1.5	Number of people killed or seriously injured on the borough's roads	27 (5 fatal, 22 serious)	-	Low	Annual	19 (3 fatal, 16 serious)	Monitoring indicator	-	None
Information available is from Qtr 1 in 2012 and is a monitoring indicator, showing a decrease from the same quarter in the previous year.									



Outcome 1.2 Newcastle will be safer with vulnerable victims of crime and disorder receiving high quality support. – Lead Member Cllr Tony Kearon, Lead Officer Mark Bailey

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 2 2013-14	Result -Period 01.04.13 to 07.10.13	How have we performed?	Control Full/ Partial/ None
1.2.3	Reduction in the number of incidents of violence with injury	680	-	High	Quarterly	252	Monitoring Indicator	442	-	Partial
The result for this last quarter has increased, with a running total for the year to date of 694 which is more than the total for 2012-13. Incidents have increased all over the North of the County and a group have been set up to look at it. An increase in minor violence has been noted.										
1.2.4	Reduction in the number of incidents of anti-social behaviour	3,831	-	High	Quarterly	801	Monitoring Indicator	To be provided	-	Partial
There is a slight improvement in the result this quarter compared with the result for the same period in 2012-13 of 804.										
1.2.5	Reduction in the number of incidents of serious acquisitive crime	773	-	High	Quarterly	213	Monitoring Indicator	388	-	Partial
Comparing this result to the same period in 2012-13, the number of incidents has decreased by 7.4% from 230.										

Outcome 1.3 The negative impact that the Council, residents and local businesses have on the environment will have reduced – Lead Member: Cllr. Ann Beech, Lead Officers: Trevor Nicoll/Nesta Henshaw

Ref	Indicator	2012-3/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed?	Control Full/ Partial/ None
1.3.1	The amount of residual waste per household	421.64 kgs	425 kgs	Low	Quarterly	316.12 kgs (year to date)	324kgs (year to date)	208.68 kgs (year to date)		Partial
The performance this quarter is 107.44 kgs (estimated) and has improved on the result for the comparative quarter for Qtr 3 in 2012-13 of 104.71 kgs. This indicator is on target for the annual target of 420kgs.										
1.3.2	Percentage of household waste sent for reuse, recycling and composting	51.69%	52%	High	Quarterly	51.87 % (year to date)	54%	54.9%		Partial
Slightly below target this quarter with a total 5,546.97 tonnes recycled and composted. The figure for quarter 3 is 48.70% and the lower figure is due to seasonal changes impacting on the result this quarter.										
1.3.5	The level of air quality	Baseline year 2013-14	-	Low	Quarterly		Monitoring indicator	N/A	-	Partial
<p>The Council has a statutory duty to assess air quality for compliance against the standards set in the Air Quality (England) Regulations 2000 for a range of pollutants which have an impact on health. This regime requires monitoring, assessment and interpretation of air quality. Further assessment (including computer modelling of pollution levels), the declaration of Air Quality Management Areas (AQMA's) and action plans to reduce pollutant levels have to be undertaken if any exceedances of the legal 'objective level' are identified.</p> <p>In quarter one we commissioned a statutory detailed assessment and a further assessment of air quality due to exceedances of the statutory annual mean objective for nitrogen dioxide for four geographic areas located in Kidsgrove, Madeley, Newcastle Town Centre and Porthill/Maybank area. This report was submitted to DEFRA in quarter 3 and will now form the basis of consultation with stakeholders and residents on the boundaries of air quality management areas which is to commence in quarter 4. Once the AQMA's have been declared, an air quality action plan will be developed for submission to DEFRA within 18 months. Work will also be commenced on the preparation of planning guidance and an air quality strategy for Newcastle-under-Lyme.</p> <p>A statutory air quality progress report was also submitted to DEFRA in quarter 3 and provides commentary on air quality across the Borough in the 2012 calendar year. Work is currently underway to prepare a Borough wide air quality progress report for the 2013 calendar year. This is scheduled to be reported to DEFRA in quarter 1 of 2014/15.</p>										

Outcome 1.4 Our streets and open spaces will be clean, clear and tidy– Lead Member Cllr Ann Beech, Lead Officer Roger Tait

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013- 14	Result Qtr 2	How have we performed ?	Control Full/ Partial/ None
1.4.1	Levels of street and environment cleanliness (LEQ survey) free / predominantly free of litter, detritus, graffiti and fly-posting)	87.5% 88.33% 98.29% 99.84%	91% 91% 97% 99%	High	Quarterly	Litter 96 % Detritus 97.6 % Graffiti 99.33% Fly posting 100%	91% 91% 97% 99%	Litter 96.67% Detritus 93.92% Graffiti 99.33% Fly-posting 100%		Partial
<p>It is encouraging to see that the results for the second tranche inspections are showing that performance is continuing to be very good and has improved significantly from last year's outturn. There is one further tranche of inspections to be completed in 2013/14 and the outturn for the year will be averaged across the three inspections, so it is good to have sustained performance at a high level for the first two tranches. The process for identifying challenging areas and targeting resources into tackling these sites has been thoroughly scrutinised and reviewed since the results from 2012/13 so it is hoped that performance will continue to achieve the desired targets over the final tranche of inspections. The results of the first two tranches have been reviewed to identify any particular areas of concern, and working practices have been refined to address these.</p>										
1.4.2	Number of community volunteer groups/hours spent caring for their local green spaces and neighbourhoods	Baseline 2013-14	N/A	High	Quarterly	7,387.75hrs (cumulative)	Monitoring Indicator	3,671 hrs (cumulative)		Partial
<p>The number of hours worked by volunteers has increased over the third quarter with a running total of 7,387.75 hours for 2013-14. The number of volunteer hours and activity is recorded for each individual group of volunteers and a running total of community volunteer hours is available at any time. The volunteers or groups participating vary from individuals, schools, fishing groups and Saltbox volunteers to name but a few, and work on various projects such as litter picks, painting, general works and planting in our local green spaces and neighbourhoods.</p>										

Outcome 1.5 Town centres across the borough will be sustainable – Lead Member Cllr Terry Turner, Lead Officers Simon Smith/ Louise Beeby

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed?	Control Full/ Partial/ None
1.5.1	Town Centre Vacancy Rate	13	15	Low	Quarterly	15.8%	15%	16.2%	↔	Partial
<p>The vacancy rate is slightly lower (52 vacant units out of a total of 328) although there has been some change in the units which are vacant. The last quarter has seen the opening of Enterprize competition winner To The Nines in a prominent position by RBS. The Post Office has successfully co-located with the Ryman's. It is planned that further Enterprize competition winners will be opening up in Spring 2014.</p>										
1.5.2	Percentage of investment portfolio (NBC owned) vacant	(Qtr 4) 7.8%	14	Low	Quarterly	8.4%	12%	8.4%	↔	Partial
<p>The percentage for this quarter is within target and given the current economic climate is a positive result. Only 15 out of 179 properties are vacant.</p>										

Priority 2 : Borough of Opportunity



Overall Progress Report

Overall our progress with our outcomes for this priority is fairly positive. A combination of monitoring and target driven indicators are measured to give a clearer picture of certain issues such as worklessness, albeit some of the information available is not for the current quarter. The performance for this quarter is shown where possible for the monitoring indicators where a comparison or previous results are known.


The Percentage of Minor Adaptations delivered within four months indicator has progressed well this quarter and has exceeded the target with a result of 84% against a target of 75%. The supporting of the homeless indicator continues to perform well with a total of 443 clients given help to prevent homelessness in the year to date.

The result for the indicator measuring volunteer involvement at the museum is lower than the previous quarter but a total of 405 hours were contributed to supporting activities and events this quarter.

Outcome 2.1 Levels of worklessness will have reduced– Lead Member Cllr Terry Turner, Lead Officer Kim Graham

Ref	Indicator	2011-12 Baseline (Apr 11 – Mar 12)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result 2012-13	How have we performed ?	Control Full/ Partial/ None
2.1.1	Level of employment in the borough*	69.9%	N/A	High	Annual	78.2 % (Nov 2013)	Monitoring indicator	72 % (March 2013)		Partial
The level of employment at November 2013 was 78.2% which compared reasonably well to the West Midlands average of 76.2%.										
Ref	Indicator	2011-12 Baseline (Apr 11 – Mar 12)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result 2012-13	How have we performed ?	Control Full/ Partial/ None
2.1.2	The percentage of working age people claiming Job Seeker's Allowance (JSA)	2.9% (Jun 12)	N/A	Low	Quarterly	2.3 % (Nov 2013)	Monitoring indicator	2.7 % (Aug 13)		Partial
This compares to the West Midlands result of 3.6% of working age people claiming Job Seekers Allowance in November 2013.										

*% of working age population (aged 16-64) who are economically active and in employment


Ref	Indicator	2011 Baseline (Nov 11)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3	Result Qtr 2	How have we performed ?	Control Full/ Partial/ None
2.1.3	The percentage of working age people claiming key out-of-work benefits*	11.5%	N/A	Low	Quarterly	13.1 % (Nov 2013)	Monitoring indicator	10.8 % (Feb 13)		Partial

There has been an increase in the number of claimants of key out-of-work benefits since the Qtr 2 result of 10.8% but this mirrors the increases both regionally and nationally over the same period (West Midlands 15.4% GB 13.9%).



* % of working age population (16-64) who are claiming JSA, ESA or Incapacity Benefit, lone parent and other income related benefits


Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Dec 2012	How have we performed ?	Control Full/ Partial/ None
2.1.4	The level of 16-19 year olds Not in Education, Employment or Training (NEET)	N/A	N/A	Low	Quarterly	N/A	Monitoring Indicator	4.91%	-	Partial
To be provided at a later date when available.										

Outcome 2.2 Local people will be able to access opportunities for personal development and growth – Lead Member: Cllr. Ann Beech, Lead Officer: Trevor Nicoll/Rob Foster

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr3 2013-14	Result Qtr 2	How have we performed?	Control Full/ Partial/ None
2.2.6	Number of hours worked by volunteers in council co-ordinated activities (museum)	2234	N/A	High	Quarterly	405	516	565		Partial
The museum and art gallery currently has 15 volunteers who support officers with the work of the service. Their duties include dealing with archive enquiries, research, cleaning collections, documentation, digitisation, hanging exhibitions, invigilating, and assistance at events. The figure is down slightly this quarter due to a change in personal circumstances of a number of volunteers. New volunteers are being recruited in the New Year.										

Outcome 2.3 Housing will be available and accessible to meet a range of diverse needs– Lead Member: Cllr Terry Turner, Lead Officer: Jo Halliday

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed?	Control Full/ Partial/ None
2.3.4	Percentage of referrals for Disabled Facilities Grants (DFG) approved within six months	100%	N/A New target	High	Quarterly	100 %	100 %	100 %		Partial
There have been a total of 70 approvals between 01.04.13 to 31.12.13										
2.3.5	Percentage of minor adaptations delivered within four months	71%	N/A New target	High	Quarterly	84 %	75 %	78.6 %		Partial
Corrective measures are ongoing to seek to maintain this performance.										

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed?	Control Full/ Partial/ None
2.3.6	Number of homelessness cases where positive action was successful preventing homelessness (from the P1E Quarterly return: Households dealt with under the homelessness provisions of the 1996 Housing Act, and homelessness prevention and relief)	554	500	High	Quarterly	184	125	129		Partial
The service has successfully prevented homelessness in a total of 184 cases this quarter with the service projecting a target of 125. The total for the first nine months of the year is 443. (At the time of compiling this report the figure of 184 for Qtr 3 was waiting to be confirmed)										

Outcome 2.4 Key parts of the borough will have been regenerated and there will have been overall economic growth– Lead Member: Cllr Terry Turner, Lead Officer: Jo Halliday/Louise Beeby

Ref	Indicator	2010 Baseline (year)	2012/13 Target	Good is	How often reported	Result 2012	Target 2013-14	Result 2011	How have we performed ?	Control Full/ Partial/ None
2.4.3	Rate of Business Births and Deaths	8.3% -Births 10.6% -Deaths Stock total 3,485	N/A	Business birth rate ≥ Business death rate	Annual	9.1% - Births 10.1% Deaths Stock total 3,355	Monitoring Indicator	10.1% –Births 10.2% -Deaths Stock total 3,415	-	Partial
<p>There is a time lag in the data supplied from the ONS Business Demography: Enterprise Births and Deaths and the data shows that there was an increase in business set ups between 2010 and 2011. The 2012 Business Demography data set shows a further slight improvement. In terms of business support to prevent business death, Business Boost is open to all businesses in the borough to encourage and support business planning. The scheme then rewards businesses which have the potential to grow. Information on business start up and business support is also available on the Council's website; this includes referring customers to the LEP business helpline for further support and advice. In addition to this, Business Enterprise Support (BES), Newcastle Enterprise Coach provides free help and support to encourage new business start ups.</p>										

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed?	Control Full/ Partial/ None
2.4.4	Average stall occupancy rate for markets	54%	55%	High	Quarterly	61%	55%	61%	↔	Partial
<p>The occupancy rate has improved since the end of 2012-13 and exceeded the target of 55% with a maintained result of 61% for the first three quarters; this reflects the better seasonal weather that has been experienced over the last three quarters.</p>										

Priority 3 : A healthy and Active Community



Overall Progress Report

Overall our progress with our outcomes for this priority is fairly positive. A combination of monitoring and target driven indicators are measured to give context to the work undertaken by services. The performance for this quarter is shown where possible for the monitoring indicators where a comparison or previous results are known.




Unfortunately the targets are not yet available for the indicators (3.3.2, 3.3.3) measuring progress of people to the GP referral programme but current information on the programme is detailed. A positive result is the number of visitors to the museum which is over the target of 45,000 and shows good progress in 2013-14. The number of leisure facility users this quarter was 117,646 with a target of 167,500 and is off target but it should be noted that the target for this indicator has been increased by 100,000 for the year.

Positive results for the measures relating to the Parks and Open Spaces, linked to this priority and outcome 3.1, were reported in the previous quarters, and are to be noted with 9 Green Flag awards and an improved satisfaction result by users.

Outcome 3.1 People who live, work, visit or study in the borough will have access to high quality facilities– Lead Member Cllr Ann Beech , Lead Officer(s) Roger Tait

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Target 2013- 14	Result Qtr 1	How have we performed ?	Control Full/ Partial/ None
3.1.1	Number of parks which have Green Flag status	9	9	High	Annual	9	9		Partial
A total of nine green flags have been awarded for 2013-14. Newcastle is the top performer in Staffordshire for these awards.									
3.1.2	Level of satisfaction with Council run parks and open spaces	70.2	-	High	Annual	70.2%	78.2%		Partial
Satisfaction with Council run parks has improved over the last year.									

Outcome 3.2 Levels of cultural activity and participation in the arts will have increased– Lead Member Cllr Elsie Bates , Lead Officer - Rob Foster

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed ?	Control Full/ Partial/ None
3.2.2	Number of people visiting the museum	51,364	63,000	High	Quarterly	45,409	45,000	37,196		Partial
<p>Quarterly targets have been profiled this year to allow for the seasonal nature of the service. Marketing and raising awareness of the service to maintain and increase visitor numbers is a key objective for the museum during 2013/14 and 14/15. The museum is on course to achieve its target but recognises it is a challenging one and that it is weather dependent. The figures are up on 12/13 figures by over 3,100.</p> <p>The service is working proactively to increase its visitor numbers during the winter months by looking at additional events/initiatives that attract new audiences. These include increased marketing through the Sentinel adverts to raise the profile of the service and improved signage. New visitor services staff will work on packages to encourage more groups to visit during the winter months and will also work to improve our online profile via social networks. A full programme of holiday activities is planned for February half term. The museum is hosting the Mercian Trail Staffordshire Hoard exhibition in Feb-March which will be popular with families and attract visitors. A concert and talk have been arranged with Keele Voices in a new collaboration.</p> <p>Museum visitor numbers are recorded via an electronic door system – a calibration check will take place over the next month to confirm that it is working and recording accurately.</p>										
3.2.3	Number of people attending the local theatre	106,398	N/A	High	Quarterly	44,021	Monitoring Indicator	30,954		Partial
<p>The New Vic Theatre is the main theatre serving the residents of Newcastle and the surrounding area. The ticketed attendance figure for Qtr 3 is 44,021 and the number of participants in Education and New Vic Borderlines projects is 1,343. The figures for theatre visits is 7% up on last year and reported figures do not include visitors to bars, restaurants, exhibitions, meetings and conferences.</p>										
3.2.6	Impact of community-run cultural events and people attending	£14,327.50	£14,360	High	Quarterly	£7,900	Monitoring Indicator	£5,400		Partial
<p>In 2012-13, a total of 20 Community groups and organisations applied for Cultural Grants for funding totalling £29,277 and 14 groups were awarded grants totalling £14,327.50 out of an annual budget of £14,360. For 2013-14, 4 applications for Cultural Grants were received in the second quarter with all 4 being awarded a total of £5,400. In the 3rd quarter 3 applications were received and all were deferred pending further information. One application made through the small grants scheme was partially funded through Cultural Grants.</p>										

Outcome 3.3 There will be a range of healthy lifestyle choices, resulting in an increase in participation – Lead Member Cllr John Williams, Lead Officer - Rob Foster

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed?	Control Full/ Partial/ None
3.3.2	Number of referrals from GPs to organised sporting activity	Baseline – New indicator	N/A	High	Quarterly	65	To be agreed	64	-	Partial
The GP referral programme is led by the County and is currently reviewing the Service Level Agreements. There is an extension in place until June 2014 when the review is to be completed and the targets set. Last year Newcastle had a total of 391 referrals with 61 people improving their health at the end of the 12 week programme. In the first quarter 16% of referrals completed the course and improved their health.										
3.3.3	Percentage of people referred for exercise by GPs whose health improves	Baseline – new indicator	N/A	High	Quarterly	27.7%	To be agreed	32.8%	-	Partial
See comment for 3.3.2.										
3.3.4	Number of people accessing leisure and recreational facilities	579,575	570,000	High	Quarterly	117,646	167,500	143,481	↓	Partial
The breakdown of users is as follows in Qtr 3: Jubilee 2 – 103,165, Kidsgrove Sports Centre –6,967, Knutton Recreation Centre – 1,170, Sports & Events Team -6,344. There has continued to be short term closures at Kidsgrove Swimming Pool due to electrical faults and mechanical failure which has impacted on meeting the target set, however Jubilee 2 continues to perform well.										


Priority 4: A co-operative Council, delivering high –value, community-driven services**Overall Progress Report**

Overall our progress with our outcomes for this priority is positive. A combination of monitoring and target driven indicators are measured with two indicators (4.2.3 and 4.2.4) introduced for 2013-14 for which it will be the baseline year. The performance for this quarter is shown where possible for the monitoring indicators where a comparison or previous results are known.

The result for the Customer Service indicator - Percentage of requests resolved at first point of contact (4.4.8) continues to do well with a high result of 96.7%, against a target of 80%. Added to this the Skills and Competencies of Staff indicator result collated in Qtr 1 is excellent with a 96.4% achieved against a high target of 95%. The result for staff sickness -Average number of days per employee lost to sickness has started 2013-14 off target but is being pro-actively managed as detailed in the report, and has shown steady progress.


Outcome 4.1 The council will have increased the capacity and skills of its workforce– Lead Member Cllr Gareth Snell ,

Lead Officer - Richard Durrant

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 4 2014-15	Target Qtr 4 2014- 15	How have we performed?	Control Full/ Partial/ None
4.1.5	Percentage of staff who feel they have the necessary skills/ competencies to do their job effectively	96.4%	95%	High	Biennial	-	95%		Full
The result for this indicator, which is collected biennially, has now been collated for 2012-13 and available to be reported in Qtr 1. It is a very good result and is over the high target set of 95%.									

Outcome 4.2 Councillors will be community champions and powerful community advocates– Lead Member Cllr. Gareth Snell,

Lead Officer - Mark Bailey


Ref	Indicator	2012-13/ Baseline (year)	2012/1 3 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed ?	Control Full/ Partial/ None
4.2.3	Percentage attendance at planned meetings by members	Baseline –new indicator	-	High	Quarterly	89.26%	Monitoring Indicator	84.79%		Partial
Attendance at meetings has increased in the last quarter, with a total of 291 out of a possible 326 attendances.										

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr2	How have we performed ?	Control Full/ Partial/ None
4.2.4	Items raised by members on the Scrutiny Work programme.	Baseline – new indicator	-	High	Quarterly	4	Monitoring Indicator	4	↔	Partial
<p>Due to the nature of how topics are identified for scrutiny, there may be a decrease in the number of items identified by Members during quarters 2-4. This is because the committee’s work programme for the forthcoming year is considered at the first meeting of the municipal year in quarter 1, where the majority of scrutiny topics for the forthcoming year will be identified. In this quarter, there were four items raised.</p>										

Outcome 4.3 The Council will have delivered further efficiencies – Lead Member Cllr Mike Stubbs, Lead Officers - Dave Roberts/Richard Durrant

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed ?	Control Full/ Partial/ None
4.3.2	Percentage projected variance against full year council budget	0%	No variance	Low	Quarterly	0.1%	No variance	0.1%	↔	Full-Partial
<p>Council Revenue Budget shows a small favourable variance at Quarter 3.</p>										
4.3.3	Average number of days per employee lost to sickness	8.06 days (long term 5.08 and short term 2.98 days)	6.9	Low	Quarterly	5.73 days (long term 3.10 and short term 2.63 days)	5.63 days	4.05 days (long term 2.53 and short term 1.52 days)	↑	Partial
Page 31	<p>The cumulative Quarter 3 result is an improvement compared with Quarter 2 but remains above target (although now below the intervention point of 5.83 days). However, both short term and long term sickness statistics are continuing to be monitored monthly at Executive Management Team and Departmental meetings.</p>									

Outcome 4.3 cont'd The Council will have delivered further efficiencies – Lead Member Cllr Mike Stubbs, Lead Officers - Dave Roberts/Richard Durrant

Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed?	Control Full/ Partial/ None
4.3.7	Net income collected from Council assets	85.6%	No variance	High	Quarterly	97.4%	No variance	97.1%		Partial
Income still affected by economic downturn.										

Outcome 4.4 Local communities are engaged and able to shape and deliver services which impact on their lives – Lead Member Cllr John Williams , Lead Officer Jeanette Hilton


Ref	Indicator	2012-13/ Baseline (year)	2012/13 Target	Good is	How often reported	Result Qtr 3	Target Qtr 3 2013-14	Result Qtr 2	How have we performed?	Control Full/ Partial/ None
4.4.8	Percentage of requests resolved at first point of contact	95.20	75.00	High	Quarterly	96.7	80	99.29		Partial
Work in implementing the replacement CRM system has impacted on our performance in Q3 when compared with the Q2 result. However, it continues to be above target.										

Table of indicators to be collected and reported at later dates

Ref	Indicator	Frequency
1.1.4	Percentage of Category 1 housing disrepair hazards concerns brought to the attention of the Council that are investigated and addressed	Annual
1.2.1	Level of satisfaction with the support provided to vulnerable citizens	Annual
1.2.2	Support given to vulnerable citizens and victims of crime (narrative)	Annual
1.3.3	The amount of carbon emissions by the Council	Annual
1.3.4	Number of non-residential collections covered by the trade waste recycling scheme – includes Council properties and schools	Annual
1.4.3	Satisfaction with cleanliness of streets and green spaces	Annual
2.2.1-3	Number of people/ volunteers gaining NVQ/additional educational qualifications/employment (narrative) .	Annual
2.2.4	Narrative on the impact of the Council's role as employer of volunteers	Annual
2.2.5	Number of organisations working with the council to take on volunteers	Annual
2.3.1	The number of affordable homes provided as a result of partnership working with Registered Providers and the Homes and Communities Agency	Annual
2.3.2	The net number of additional homes provided	Annual
2.3.3	Number of empty properties brought back into use	Annual
2.4.1	Economic health across the borough (Narrative)	Annual
2.4.2	Buildings within the built heritage asset register improved and no longer at risk (narrative)	Annual
3.1.3-5	Level of satisfaction with Council-run leisure, cultural and bereavement services	Annual
3.1.6	Level of service equality of the two main Council information centres	Annual
3.1.7	Percentage of town centres public toilets that meet the Council's minimum standard for quality and cleanliness	Annual
3.2.1	Visitor satisfaction	Annual
3.2.4	Economic impact of visitors to museums (narrative)	Annual
3.2.5	Impact of volunteer development programme (narrative)	Annual
3.3.1	Percentage of primary school children who are categorised as obese	Annual
3.3.5	Number of teenage pregnancies	Annual

3.3.6	Number of premature deaths	Annual
4.1.1	Number of apprenticeships/shared apprenticeship placements offered	Annual
4.1.2	Percentage of workforce with completed learning and development plans	Annual
4.1.3	Percentage of staff who have completed accredited training courses	Annual
4.1.4	Number of e-learning modules completed-	Annual
4.2.1	Percentage of elected members who have a personal development plan	Annual
4.2.2	Impact of actions from the workplans (narrative)	Annual
4.2.5	Percentage of candidates and agents satisfied/very satisfied with the electoral service	Annual
4.3.1	Percentage of planned procurement efficiencies achieved	Annual
4.3.4	Percentage of residents who feel that the Council is providing VFM	Annual
4.3.5	Percentage return on council investments	Annual
4.3.6	Ratio of planned versus responsive maintenance expenditure on all Council owned buildings	Annual
4.4.1-2	Level of satisfaction with the role of the council in supporting communities	Annual
4.4.3	Impact of the Council's support in empowering communities to solve specific local problems (narrative)	Annual
4.4.4	Overall level of satisfaction with the Council as a provider of services	Annual
4.4.5	Percentage of people who feel that they can influence Council decisions	Annual
4.4.6	Level of satisfaction with the support provided to LAPs and other community group	Annual
4.4.7	Increase the number of residents, community and voluntary groups engaged with LAPs (narrative)	Annual

NEWCASTLE CAPITAL INVESTMENT PROGRAMME

Submitted by: Executive Management Team

Portfolio: Finance and Resources; Economic Development, Regeneration and Town Centres

Ward(s) affected: All

Purpose of the Report

To review the projected capital expenditure requirements over the four year period 2015/16 to 2018/19 and the resources likely to be available to finance this expenditure. To develop a number of different strategies to deal with these financial challenges.

Recommendations

- (a) That the contents of the report and appendix be noted.**
- (b) That strategies are developed to find solutions to meet the financial challenges in respect of the medium term capital expenditure requirements.**
- (c) That consideration is given to the formulation of a cabinet panel to develop and oversee the process required.**

Reasons

The Council needs to be aware of future capital commitments over the medium term and whether it will have the resources available to finance them and to consider all available options in respect of its assets and future liabilities associated with them.

1. Background

- 1.1 At its meeting on 15 January 2014 the Cabinet approved the Asset Management Strategy and recommended the Capital Strategy for approval at the full Council meeting on 26 February. This report seeks to bring together the two documents in developing the detailed strategies in delivering the Council's objectives in the medium term. The Council has an ongoing need to incur capital expenditure in order to replace or maintain its operational assets so that services can continue to be provided in accordance with corporate priorities and to ensure the safety and comfort of customers and staff and to comply with statutory provisions. It also needs to maintain its stock of investment assets, such as shops and industrial units in order to comply with its landlord responsibilities and safeguard future income from these assets.
- 1.2 There are currently very limited resources available to finance capital expenditure. A part of the annual New Homes Bonus grant (£0.515m in 2014/15) is presently used to finance housing capital activities, principally disabled facilities grants, in excess of other grant funding. With the exception of the ICT Development Fund, which is fully committed to financing ICT development and replacement of essential ICT systems, all of the Council's capital reserves have been used. Capital receipts will, therefore, be the main source of funding for future capital requirements. Following the use of £0.954m of receipts to fund new projects included in the 2014/15 capital programme, there will remain only £0.700m of receipts available for future use and it is prudent to keep this as a contingent sum for emergency situations. Continued capital investment, therefore, is largely dependent upon generating further capital receipts in the quantities, and at the time, required.

2. Issues

- 2.1 Based on current information eg service demands, recent stock condition surveys etc. the attached Appendix sets out projected capital expenditure requirements of £18.859m over the period 2015/16 to 2018/19. The expenditure is that which is considered necessary to:
- enable the Council to continue to provide its services in accordance with corporate priorities and/or approved strategies eg. vehicles and plant, repairs to operational buildings;
 - fulfil its environmental and heritage responsibilities;
 - comply with legislation, e.g. health and safety, disabled facilities grants;
 - maintain its income from its investment properties, eg. shops, offices, industrial units
- 2.2 All of this expenditure will have to be financed by the Council itself from its own resources, since it is not anticipated that it will be funded by external bodies, or it is expenditure required over and above any likely external contribution, for example in respect of disabled facilities grants. It should be borne in mind that these estimates represent the minimum amounts that the Council is required to spend – or is likely to have to spend.
- 2.3 With the exception of some of the projects included in the “Investing in Community Facilities” section it does not include the provision of new facilities or other development expenditure, for example, in respect of economic development activities or a modern leisure facility in Kidsgrove (to replace the out-dated facility provided at Clough Hall School). The facility is currently managed by the Borough Council on behalf of Staffordshire County Council and Clough Hall School. An ambitious plan for a comprehensive replacement of the facility has been discussed by both councils which would see the investment of new capital monies to replace the leisure centre. An outline business case has indicated that both councils can reduce their revenue cost liability by investing in a new facility although this will require the necessary capital funding package to be assembled. The current estimates are £4.75m for a refurbishment and £7.75m for a replacement. It is hoped that both the County Council and Sport England will contribute to these costs but any amount that the Borough Council has to fund will be in addition to the £19m of expenditure identified in the attached appendix.
- 2.4 Similarly, if the Council wished to invest in the Museum with a view to it being in a condition where it would be feasible to transfer it to a Trust in 5 years’ time, this could require an investment of around £3.5m. Funding towards this would be sought from the Lottery Fund but any Borough Council funding would again add to the figures already outlined.

3. Funding

- 3.1 As highlighted in paragraph 1.2, capital resources are currently very limited. Councils fund capital expenditure in a number of ways. As significant owners and users of land and buildings, councils carry out regular reviews of their assets and make decisions about which are surplus to their needs. The Audit Commission has produced a number of studies on councils’ stewardship of assets and recommends that councils keep their assets under review. In Newcastle a comprehensive asset management system is operated and through the annual Asset Management Strategy land and property is

identified for disposal. The majority of councils fund their capital development requirements through the disposal of surplus assets. Where there is a shortfall of available assets to dispose of, councils will use borrowing as the alternative mechanism for funding capital development. Councils may also use grant funding from a range of sources to supplement their own capital funding for particular schemes.

- 3.2 Cabinet approved the marketing for sale of a number of sites at its meeting on 15 January 2014, which could realise receipts of up to £8.000m. Between now and 31 March 2019 other sites or assets will have to be approved for sale and opportunities may arise to realise receipts from one-off sales. It may take some time for this activity to result in actual receipts being received and in the meantime there may be urgent works which need to be carried out. However, these receipts are essential to fund the items in the Appendix to the benefit of the Borough.
- 3.3 Contributions towards the cost of capital projects may be obtained from partner organisations or from other bodies or via Section 106 Planning payments or, in future, the Community Infrastructure Levy. These are, however, unlikely to be towards the cost of projects concerned with maintaining the operational capability of the Council and any such projects are likely to be additional to those included in the tables contained in the Appendix and funded entirely, or almost so, from such external contributions. It is not anticipated that there will be any significant amount of external funding forthcoming in respect of any of the projects included in the Appendix.

4 Development of Strategies and Actions

- 4.1 Strategies and actions are required for dealing with the possible shortfall of resources to meet the cost of the projected capital expenditure contained within the Appendix. These should encompass the following:
- A critical review of all the projected capital expenditure detailed in the Appendix categorising expenditure as essential, desirable, long term etc. and developing a prioritised rating;
 - Rescheduling of projects being aware of dangers inherent in this such as possibly costing more in the long run, greater likelihood of unexpected breakdown/repairs; perpetuation of inefficiencies, health and safety implications, etc;
 - Prioritisation of projects;
 - Looking at opportunities in respect of “invest to save”;
 - Exploring opportunities for alternative service delivery linked in with the revenue budget and the work being undertaken as part of the Newcastle 2020 project;
 - Seeking opportunities of working with others embracing one of the Council’s priorities of a co-operative council;
 - Assessing any requirement for the use of temporary borrowing to cover shortfalls;
 - Assessing any requirement for the use of Reserves to cover shortfalls with Reserves being “repaid” when resources become available (limited by availability of and amounts held in reserves)
 - Creation of rotating or sinking funds to provide for cyclical replacements eg vehicles;
 - Evaluating options for the leasing of items such as vehicles as an alternative to capital purchase.

- 4.2 It is proposed that the Assets Review Group, comprising officers from a variety of asset related disciplines, which is attended by the Cabinet Portfolio Holder for Economic Development, Regeneration and Town Centres, should develop these strategies and that Cabinet gives consideration to the formulation of a Cabinet Panel to develop and oversee the process required.

5 Financial and Resource Implications

- 5.1 These are set out throughout this report and in the attached Appendix.

6 Major Risks

- 6.1 The overall risk is that insufficient resources will be available to finance the capital expenditure needed over the period, with a secondary risk that resources, particularly capital receipts, may not match the timing of the expenditure.
- 6.2 If projects set out in the Appendix are not carried out a number of risks may arise, depending upon which projects are concerned:
- Service continuity suffers or service may not be able to be provided at all;
 - Customers, staff and the general public are exposed to unacceptable health and safety risks, e.g from unsafe buildings and structures;
 - Council fails to fulfil its statutory responsibilities;
 - Council fails to meet its legal obligations, e.g. with regard to property leases;
 - Income is lost because commercial properties become unlettable or cannot obtain acceptable rentals.

7 List of Appendices

Appendix - . Newcastle Capital Investment Programme 2015/16 to 2018/19.

Newcastle Capital Investment Programme 2015/16 – 2018/19



The Council's capital expenditure requirements can be split over a number of different headings, namely:

- Improving Housing in the Borough
- Investing in Community Facilities
- Community Centres
- Safeguarding the Borough's Heritage
- Investing for the Future
- Vehicles and Plant

Improving Housing in the Borough

The Council has statutory duties relating to housing provision and management. It has historically allocated significant sums in its capital programme to undertake a range of activities to support these objectives. Over the next five years the council wishes to deliver a range of programmes to continue to deliver affordable housing for people in the Borough, to ensure that private rented stock is maintained in a good condition and that support is provided to the most vulnerable households in the community. This will continue to require support through capital investment to enable the Council to allocate resources to the following areas.

Scheme	Timescale	£'000s
Disabled facilities grants - expenditure in excess of grant from government	£300k each year 2015/16 - 2018/19	1,200
Warm zone affordable warmth	£30k each year 2015/16 - 2018/19	120
Emergency Repair Assistance	£50k each year 2015/16 - 2018/19	200
Empty Homes	£20k each year 2015/16 - 2018/19	80
Home Improvement Agency	£20k each year 2015/16 - 2018/19	80
Landlord Accreditation	£5k each year 2015/16 - 2018/19	20
Total		1,700

Investing in Community Facilities

The Borough Council manages a large number of parks and open spaces. These facilities are valued greatly by the community and are significant resources for formal and informal recreation. Continuing to invest in the parks and open spaces and the facilities within them makes a considerable demand upon the council's capital programme. Officers have formulated a programme of works – should resources be available - relating to each of the major parks and open spaces which will maintain a good standard of recreational amenity of these facilities.

Parks and Open Spaces	Timescale	£'000s
Footpath Repairs	£75k each year 2015/16 - 2018/19	300
Play Area Refurbishment	£75k each year 2015/16 - 2018/19	300
Railing/Structures Repairs	£50k each year 2015/16 - 2018/19	200
Queen Elizabeth Park/Castle Motte	2015/16	100
Tree Preservation Order	£50k 2015/16, £25k p.a thereafter	125
The Wammy Neighbourhood Park	2015/16	25
Chesterton Park	2015/16	50
Pool Dam LNR	2015/16	25
Lyme Brook Greenway	2015/16	300
Kingsbridge Avenue	2015/16	50
Bradwell Lodge	2015/16	50
Bradwell Woods	2015/16	25
Thistleberry Parkway	2015/16	10
Bateswood LNR	2015/16	10
Westomley Wood	2015/16	50
Westlands Sports Ground	2015/16 - 2016/17	100
Silverdale Park	2015/16	50
Bathpool Park	2015/16	25
Wye Road District Park	2016/17	500
Clough Hall Park	2015/16	50
Memorial Survey	£10k each year 2015/16 - 2018/19	40
Alexandra Road Changing Rooms Wolstanton	2015/16	22
Silverdale Park Pavilion	2016/17	17
Ski Slope car park and path replacements	2015/16	14
Birchenwood Sports Complex - pavilion shower replacement and tiling	2016/17	21
Queen Elizabeth park - door and frame replacements	2016/17	12
Westlands Sports Ground - treatment of bowls pavilion	2015/16	3
Clough Hall Park – Pavilion roof repairs, repointing and path repairs	2017/18 - 2018/19	23
Chesterton Park Pavilion - minor refurb	2018/19	14
Bradwell Park - toilets repairs and minor refurb pavilion	2018/19	12
Westlands Sports Ground - footpath and external works	2017/18	5
Roe lane Pavilion - shower refurb	2018/19	5
Wolstanton Marsh pavilion and changing rooms	2017/18	21
Total		2,554

Community Centres

The Council's recently completed review of Community Centres has confirmed the significant financial liabilities which exist for these facilities. The council's stock condition survey has identified that these facilities collectively require investment in maintenance and repair works totalling in the region of £870,000 over the next five years. Whilst the condition of individual facilities varies, nonetheless this is a significant maintenance liability.

The review itself has suggested that it is desirable for management committees to take greater responsibility for the running and operation of community centres, recommending Management Committees take on full repairing leases. However, in practical terms where facilities have a significant maintenance backlog it is understandable that Management Committees will be cautious about taking on such liabilities. However, if capital investment could be made in these facilities to bring these up to a good condition, then the option to encourage Management Committees to take full repairing leases could more realistically be pursued.

Community Centre	Timescale	£'000s
Crackley - Major alterations to roof & parapet walls	2015/16 and 2017/18	67
Chesterton	2015/16	168
Wye Road Clayton - Window replacement and major roof replacement	2016/17	35
Clayton - Re-roofing	2016/17	43
Knutton - Roof and Windows	2015/16 and 2017/18	98
Poolfields - Car Park fencing & internal decs	2016/17	26
Silverdale Social	2016/17	153
Silverdale	2017/18 - 2018/19	132
Butt Lane - Brickwork & Roof repairs/repainting	2016/17 - 2017/18	31
Audley - Kitchen & Toilet refurbs	2016/17 and 2018/19	20
Westlands	2016/17	14
Marsh Hall	2016/17 - 2017/18	15
Apedale Rd Wood Lane	2016/17 - 2017/18	17
Ramsey Road Community Centre - internal and external redecoration, boiler replacement and electrical refurb	2016/17 - 2017/18	30
Bradwell Lodge - window replacement and electrical refurb	2018/19	100
Total		949

Safeguarding the Borough's Heritage

The Borough Council is responsible for a number of key heritage features. Whilst these provide a significant community resource and enrich the area's cultural heritage, by definition these facilities are costly to maintain. It is considered that a prudent level of capital funding spent on these facilities over the coming four years could safeguard these facilities for the future.

Further, such capital funding could help reduce the level of revenue budget demand which these facilities make.

Detail	Timescale	£'000s
Museum	2016/17	83
Audley Churchyard - boundary wall	2016/17	40
St. Giles Churchyard	2015/16	15
Mucklestone Churchyard	2015/16	15
Brampton Aviary	2016/17	15
Newcastle Cemetery - Retaining Wall	2016/17 - 2017/18	60
Newcastle Cemetery - Path & Ground Works	2016/17 - 2017/18	15
Newcastle Cemetery - Chapel - Stonework Repairs	2016/17	75
Cemetery Loomer Road	2016/17	12
Cemetery Knutton	2016/17	12
Guildhall - Re-roofing	2016/17	120
Guildhall - Repairs to brickwork	2016/17	50
Guildhall - Damp treatment	2015/16	30
Victoria Hall/Kidsgrove Town Hall - window replacement and electrical refurb	2015/16 - 2018/19	185
Chesterton Cemetery	2018/19	4
Closed Churchyards: All Saints, Madeley; Attwood St Cemetery; Holy Trinity Chesterton; St Andrews Porthill; St Georges, Brampton; St Lukes, Silverdale; Loomer Rd Cemetery; St Thomas, Mow Cop	2016/17 and 2018/19	75
Public Railings - painting	2015/16 - 2018/19	250
Total		1,056

Investing for the Future

The Borough Council owns a significant number of buildings. Many of these are let out commercially. A significant part of the council's commercial property estate is managed to support economic regeneration objectives. The council also delivers a significant number of its services through buildings. These, like all properties, need continuous investment to ensure that they remain fit for purpose. A number of the council's primary properties are now reaching a stage in their operational life where they need significant capital investment. The council's property stock condition survey indicates the level of investment required in these buildings. A comprehensive review has been undertaken to assess the options for these premises. In some cases there will be a business case to make capital investment in these buildings in order to give them a longer operational life, for others the analysis will indicate that a particular building should be disposed of as it is no longer economic for it to be retained. As part of this strategy there may be a business case for the council to acquire some additional properties or to build or

rebuild certain facilities. Additionally there may be cases where investment in energy efficiency measures in some buildings would be advisable to not only reduce carbon emissions but help to keep energy costs down (see the Carbon Management Plan).

Property	Timescale	£'000s
Commercial Portfolio	2015/16 - 2018/19	3,476
Civic Offices - window replacement	2016/17	270
Civic Offices - refurbishment	2017/18 - 2018/19	662
Knutton Depot - reroofing, window replacement baling shed/garage, refencing compound	2015/16 - 2017/18	400
Jubilee Baths/Knutton Recreation Centre Site Clearance	2015/16 - 2016/17 (Knutton) 2018/19 (Jubilee)	286
Engineering Structures	2015/16 - 2018/19	2,100
Carbon Management Plan	£100k each year 2015/16 – 2018/19	400
Other	2015/16 - 2018/19	931
Total		8,525

Vehicles and Plant

There will be a need for some items of capital investment to be made in order to ensure continued service delivery. Current indications are that the following investment will be required.

Type of Expenditure	Timescale	£'000s
Streetscene Vehicles	2015/16 - 2018/19	1,436
Waste Vehicles	2015/16 - 2018/19	2,166
Other Vehicles and Plant	2015/16 - 2018/19	73
Waste Bins	2015/16 - 2018/19, £100k p.a.	400
Total		4,075

Funding

Councils fund capital expenditure in a number of ways. As significant owners and users of land and buildings, councils carry out regular reviews of their assets and make decisions about which are surplus to their needs. The Audit Commission has produced a number of studies on council's stewardship of assets and recommends that councils keep their assets under review. In Newcastle a comprehensive asset management system is operated and through the annual Asset Management Strategy, land and property is identified for disposal. The majority of councils fund their capital development requirements through the disposal of assets. Where there is a shortfall of available assets to dispose of, councils will use borrowing as the alternative mechanism for funding capital development. Councils may also use grant funding from a range of sources to supplement their own capital funding for particular schemes. Receipt of funding from Section 106 agreements and other schemes such as the New Homes Bonus may also provide sources of funding for capital expenditure.

The Council's most recent asset management strategy has identified a schedule of surplus land assets which can be disposed of over the medium term and which can be used to fund the capital requirements set out above.

Timescales

The capital funding requirements set out above indicate the following capital requirements over the next four years:

Investment Type	2015/16	2016/17	2017/18	2018/19	Totals
	£'000s	£'000s	£'000s	£'000s	£'000s
Improving Housing in the Borough	425	425	425	425	1,700
Investing in community facilities	1,168	835	276	275	2,554
Community centres	314	326	101	208	949
Safeguarding the Borough's heritage	180	578	98	200	1,056
Investing for the future	1,594	1,763	2,342	2,826	8,525
Vehicles and Plant	948	2,302	419	406	4,075
TOTAL	4,629	6,229	3,661	4,340	18,859

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Agenda Item 6

Title: Newcastle Greenway Links to Communities Bid

Submitted by: Roger Tait – Head of Operations

Portfolio: Culture and Leisure

Works Affected: Knutton & Silverdale, Silverdale & Parksite, Town, and Cross Heath

Purpose of the Report

- To report further information to the Cabinet in relation to gates and other barrier/access provision necessary to complete the scheme to improve the cycle route along the Newcastle Greenway (former Silverdale mineral line).
- To seek the approval of the Cabinet for the gates and other barrier/access provision where they are located on Borough Council owned land.

Recommendations

- That the information be received
- That the complete scheme be approved, including the gate, barrier and access provision as detailed in the report.

Reasons

- To improve infrastructure which facilitates and encourages walking and cycling in Newcastle

1. Background

- 1.1 On 22 May 2013 Cabinet approved and granted landowner consent to Staffordshire County Council (and its agents) to undertake work to improve the cycle route along the Newcastle Greenway and thereby adopt the Greenway as Highway upon completion of the works. The scheme will improve infrastructure and facilitate and encouraged walking and cycling in Newcastle.

The Cabinet requested that further information be provided at the appropriate time showing the approach to be taken in respect of the provision of gates and other barrier/access provision within the scheme.

- 1.2 Sustrans is the UK's leading sustainable transport charity, working on practical projects so that people can choose to travel in ways that benefit their health and the environment. Sustrans has been delivering safe walking and cycling routes with funding from the Department of Transport. Through their grant programmes, the Government is seeking to reduce the proportion of journeys by private car use in order to cut congestion and pollution, and allow many more

people the choice to take regular exercise and gain a sense of independence.

1.3 Staffordshire County Council has produced the Staffordshire Local Transport Plan 2011 which demonstrates how walking and cycling will play an important role in achieving the Staffordshire Local Transport Plan 2011-2026 long term vision which is:

1.4 A transport system that supports Staffordshire's economy and safely and conveniently connects people and services within Staffordshire and beyond; it provides opportunities for services and jobs to be accessed in a sustainable way, and makes sure that the adverse effects of transport on Staffordshire's rich environment and on residents' quality of life is minimised.

1.5 The County Council's commitment to walking and cycling is demonstrated in current draft cycling and walking strategies. The Cycling Strategy's long term vision is to create a culture where people of all ages and abilities chose to cycle, especially for a proportion of their shorter journeys because it is safe, healthy, attractive, environmentally friendly, and an enjoyable alternative to the car. The Walking Strategy's vision is to create an environment where people walk more often and for longer distances.

1.6 Staffordshire County Council has also produced the Newcastle-under-Lyme (urban) Transport and Development Strategy (NTADS) for the period 2008/09 to 2012/13 (Extended to April 2014). The overall aim of the strategy is to help:

- Reduce congestion, accessibility and safety problems currently experienced with the Newcastle urban area.
- Reduce pressures that new developments are placing on local infrastructure.
- Increase the opportunities to travel by sustainable modes of transport.
- Support the regeneration of the area.

1.7 Since 2008, around £2 million of Local Transport Plan resources have been well used to deliver NTADS projects, including cycling facilities and safer routes to schools projects. The Newcastle Greenway will link to the Lyme Valley (North) Cycle Route and also a proposal to improved North / South cycle routes in the A34 corridor.

2. Issues

2.1 Subsequent to consent being given to Staffordshire County Council to undertake work to improve the cycle route along the Newcastle Greenway, the County Council have now provided the additional information requested in relation to gates and other barriers/access provision. The locations of these are as shown on drawings CD5277/R01/ 101, 102 and 103.

It is proposed to remove the existing gates from access points on to the cycleway and replace each with both an adjustable 'A' frame to allow bicycles and pedestrians to pass, and gates that can be operated with radar keys to allow wheelchair access. Vehicular gates for maintenance access will also be provided where necessary. A drawing showing what these will look like in elevation has been provided (Ref. CDC5277/R01/112).

Gates along the route will be removed and replaced with a total of eight anti-motorcycle speed humps. These are designed to inhibit motorcycles whilst allowing bicycles to pass freely.

If, after the works have been completed, any problems arise regarding gates and access, such as motorbike disturbance, Staffordshire County Council has undertaken to review the situation and, if necessary, make local revisions to the scheme.

In addition to the anti-motorcycle humps, at the Knutton Lane and Church Lane bridges it is proposed to put a shallow 'S' bend in the cycleway to deter motorcycles, with deterrent paving to each side to discourage congregating and antisocial behaviour beneath the bridges (drawings CDC5277/R01/ 107 and 111).

It is proposed that the underpass beneath the A34 will be repaired and painted and it is hoped that the lighting within it can be reinstated. It is also hoped to arrange for a graffiti artist to decorate the internal walls as part of a project involving local schools.

2.2 Local Ward Councillors from Silverdale, Knutton and Crossheath, have had sight of the additional information and no objections have been raised.

2.3 Your officers have worked in partnerships with Staffordshire County Council for a number of years to identify opportunities to improve the cycle and footpath network in the Borough and to deliver projects, which meet the strategic objectives of both authorities.

A project will upgrade the Newcastle Greenway to improve the traffic free shared footpath and cycleway from Brampton Sidings to the rear of Newcastle Street, Silverdale to link up with the recently created section of the Newcastle Greenway adjacent to the Former Silverdale Colliery and also the Lyme Valley (North) Cycle Route. This route will provide links to 4 local schools (St. Mary's Primary School on Silverdale Road, St. Giles and St. George's Primary School on Orme Road, St. John Fisher High School on Ashfields New Road and Knutton, St Mary's Primary School) and increase opportunities for pupils to cycle to school.

2.4 Staffordshire County Council has secured a funding package of £660,000 for the scheme, comprised of Local Transport Plan funds (£110,000), Newcastle under Lyme (urban) Transport and Development Strategy (NTADS) (£100,000) and Sustrans/DfT Links to Communities fund (£450,000).

The County Council will deliver the project using its partner contractor for highway maintenance and construction (Enterprise plc). Construction work commenced in early June 2013 and completion of the scheme is hoped in March 2014.

The County Council will adopt the route as highway post – completion and maintain it from then on.

Parts of the proposed route are on land, which the Borough Council owns:

- Brampton Sidings to A34 underpass
- A34 underpass to Church Lane
- Church Lane to end of Newcastle Street, Silverdale

It has therefore been necessary for the Borough Council to grant consent as landowner to the County Council to allow the project to be implemented.

3. Options Considered

- 3.1 It is considered that the proposed barriers and accesses will provide as much protection as can be achieved against motorcycles accessing the cycleway whilst still allowing access to as many users as possible.

The most beneficial option is to permit the proposed controls and enable the project to be delivered.

4. Proposal

- 4.1 It is proposed to approve the additional information provided and grant landowner consent to Staffordshire County Council to complete the project.

5. Reasons for Preferred Solution

- 5.1 To provide maximum restriction to motorcycles accessing the route whilst allowing access to as many users as possible.
- 5.2 To improve infrastructure which facilitates and encourages walking and cycling in Newcastle.

6. Outcomes linked to Corporate Priorities

- 6.1 A Clean, Safe and Sustainable Borough
- 6.2 A Healthy and Active Community
- 6.3 Becoming a co-operative Council which delivers high quality, community-driven services.

7. Legal and Statutory Implications

- 7.1 The Council is empowered to provide recreational facilities by a number of statutes relating to open space, public health, miscellaneous praising and well-being.

8. Equality Impact Assessment

- 8.1 It is considered that there would be a positive differential impact resulting from the project as it would provide access to improved opportunities for walking and cycling where these are currently limited.

9. Financial and Resource Implications

- 9.1 There are no capital financial implications for the Council arising from this report as the project is to be entirely funded by Staffordshire County Council with the funding package detailed in Section 2.2 of this report.

- 9.2 Staffordshire County Council will adopt the route as highway post - completion and maintain the infrastructure from then on. Therefore there are no revenue implications for the council associated with the project.

10. Major Risks

- 10.1 There are no major risks associated with the project currently identified.
Should risks arise, they will be reported to Cabinet at the appropriate time.

11. Sustainability and Climate Change Implications

- 11.1 It is considered that the project will have a positive impact on sustainability and climate change by reducing traffic congestion and pollution and by providing greater opportunities for walking and cycling.

12. Key Decision Information

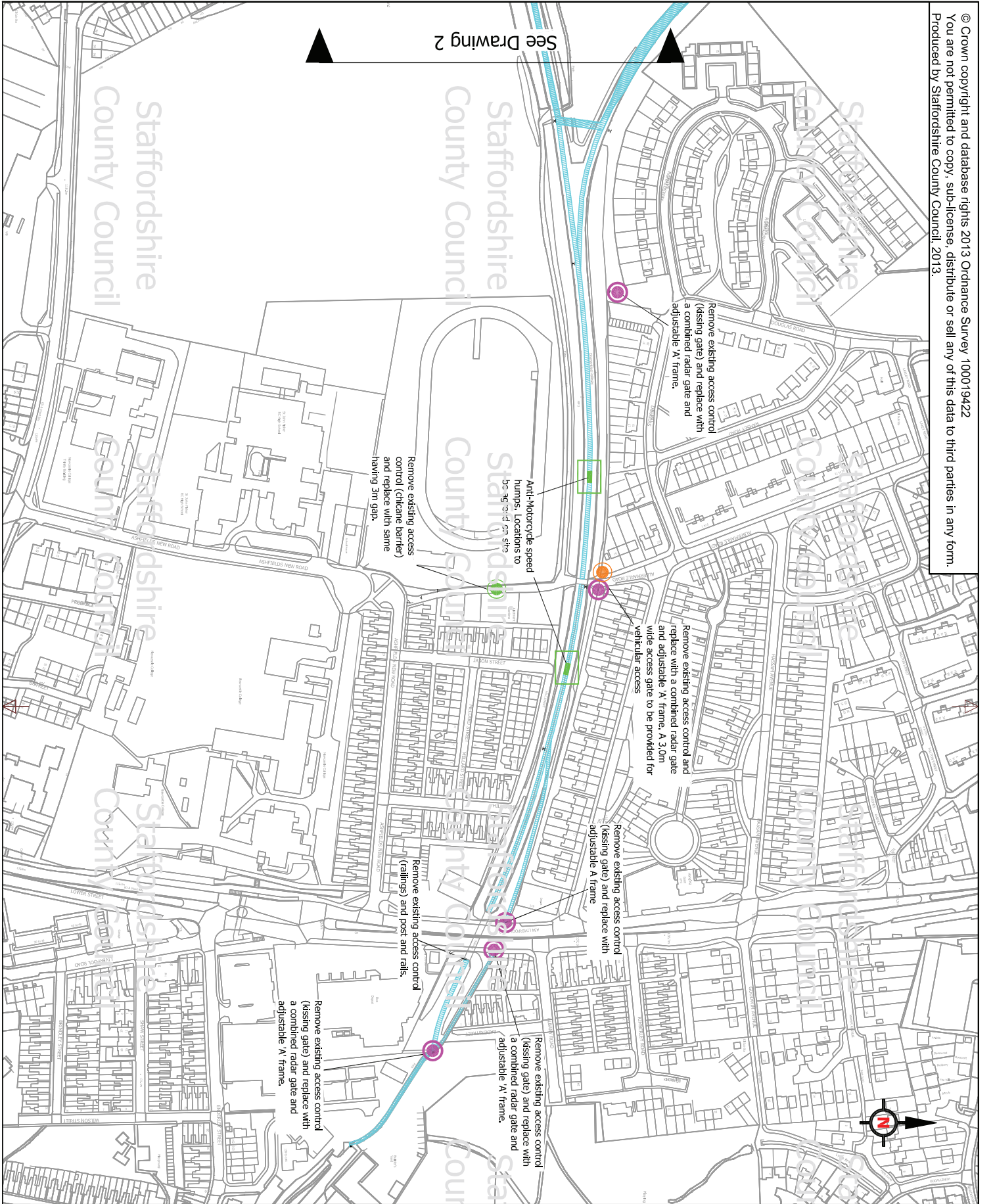
- 12.1 The proposal does not involve significant expenditure or saving of Council resources.
- 12.2 It impacts directly on 4 wards and has been included in the forward plan.

13. List of Appendixes

- 13.1 Appendix A: Drawings CDC277/R01/101, 102, 103, 107, 111 & 112.

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Key

Adjustable A frame and gate with radar lock

Vehicular access gate

Chicane

Anti-motorcycle speed hump

Rev	Date	Detail	By
Revisions			



The Built County - Highways
 Staffordshire Phase 2
 C-Schools/Schools
 Stafford
 ST16 2DH

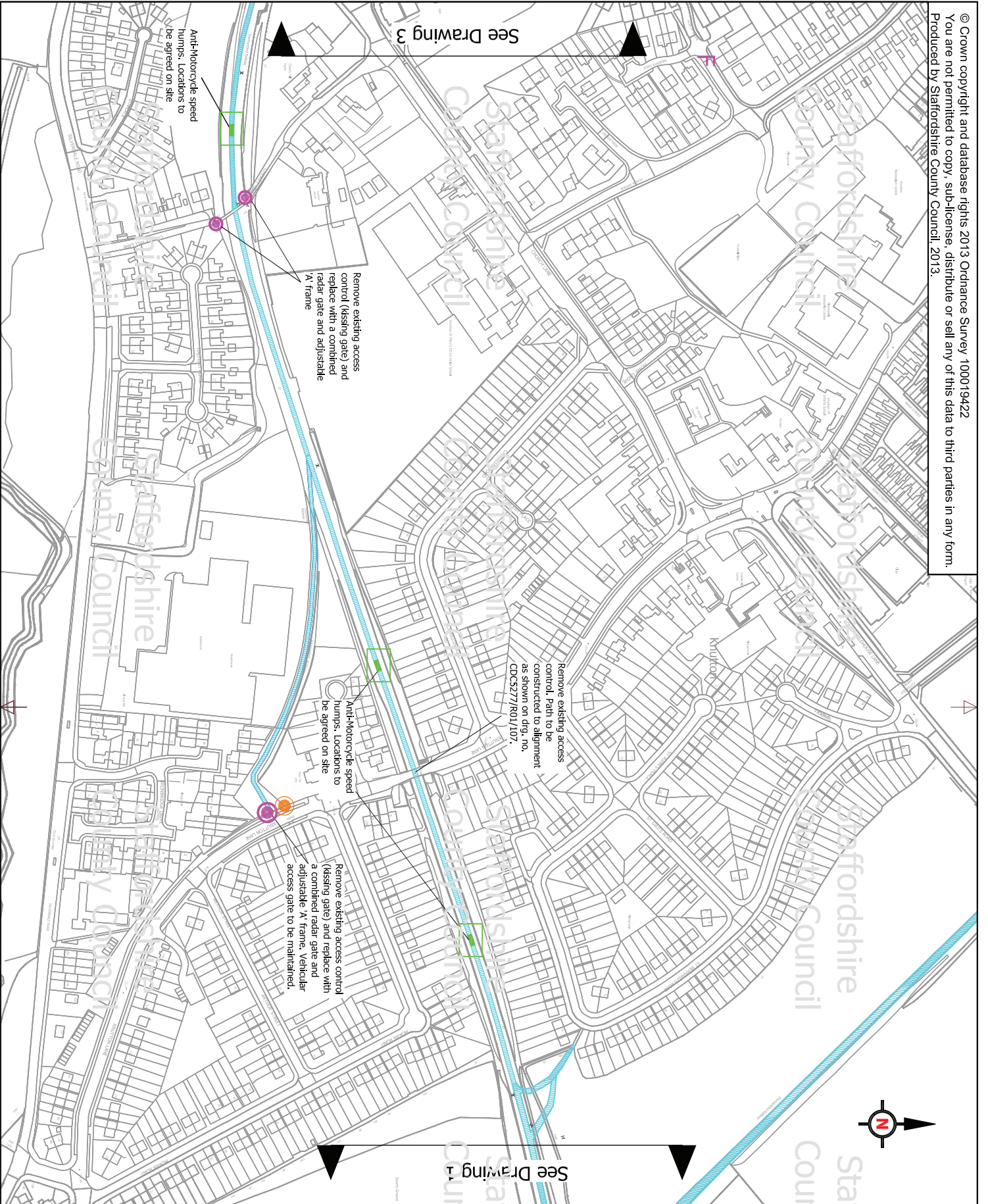
Lyme Valley North
 Cycle Links
 Phase 2

Proposed Work Areas
 Drawing 1 of 3

Prepared/Produced/Checked	Scale
DMB/DMB/ NP	1:2500
Grid Reference	

Date	Size
August 2013	A3
Drawing No. / Revision	
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See Drawing 3

See Drawing 1

Key

Adjustable A frame and gate with radar lock

Vehicular access gate

Chicane

Anti-motorcycle speed hump

Rev	Date	Detail	By
Revisions			



The Bulk County - Highways
 2, Stationshire Place
 Stafford
 ST16 2DH

Lyme Valley North
 Cycle Links
 Phase 2

Proposed Work Areas
 Drawing 2 of 3

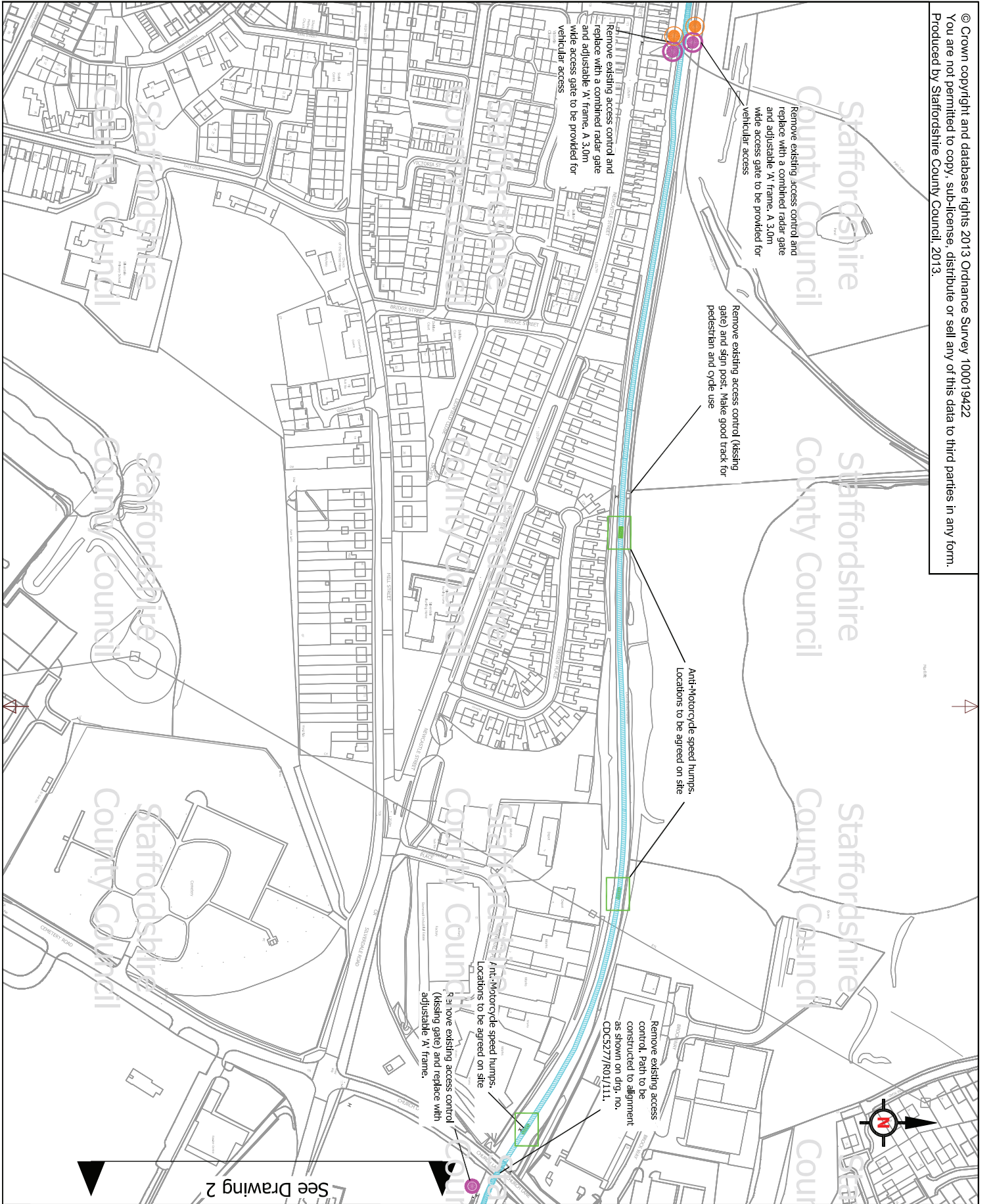
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See Drawing 2

Key

Adjustable A frame and gate with radar lock

Vehicular access gate

Chicane

Anti-motorcycle speed hump



The Built County - Highways
 Staffordshire Phase 2
 Staffordshire Highways
 Stafford
 ST16 2DH

Lyme Valley North
 Cycle Links
 Phase 2
 Proposed Work Areas
 Drawing 3 of 3

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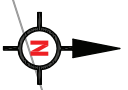
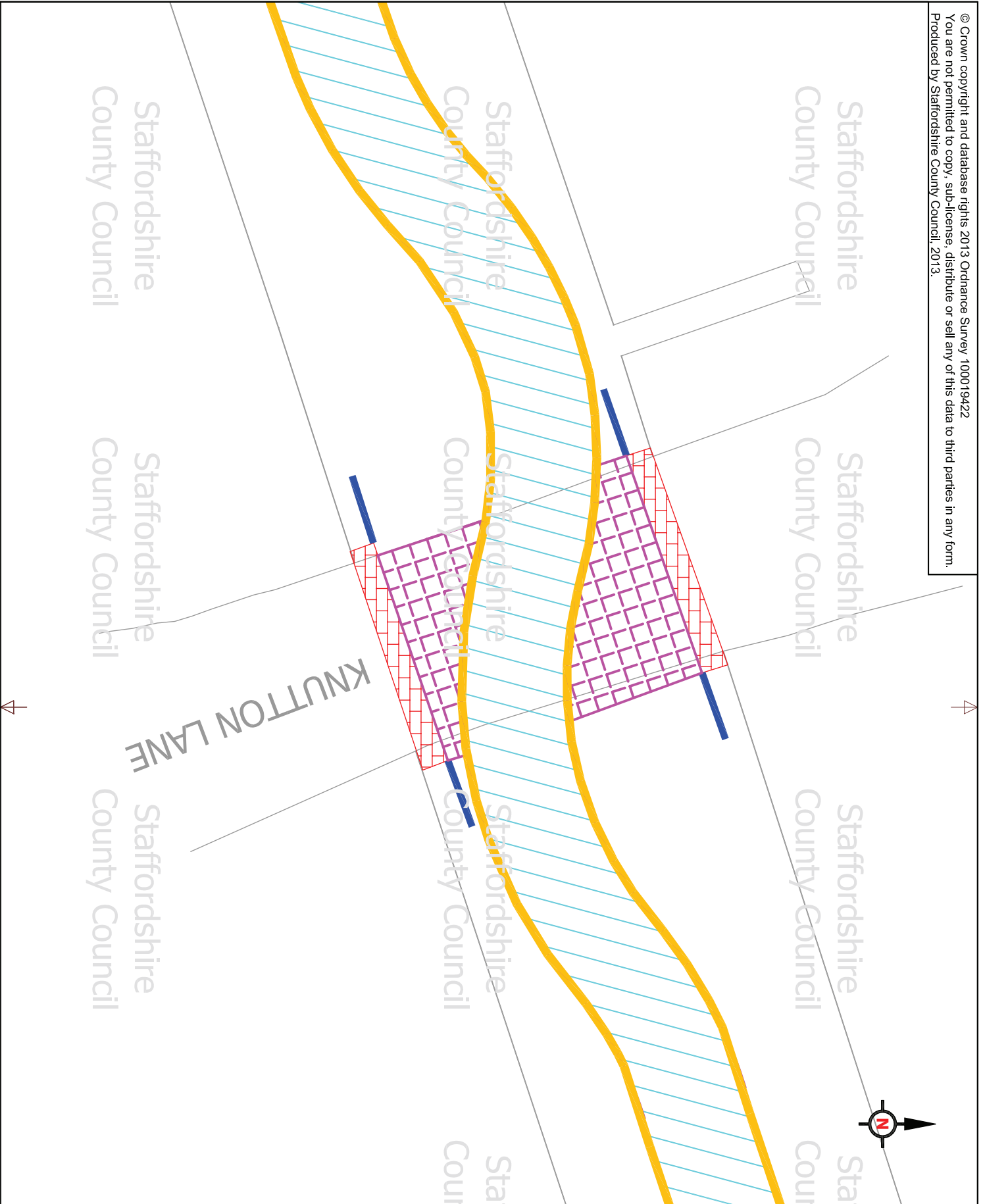
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Key

-  Bridge abutment wall
-  Edgings
-  Route of Greenway
-  Existing fencing
-  Deterrent paving

Rev	Date	Detail	By
Revisions			



The Built County - Highways
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Lyme Valley North
 Cycle Links
 Phase 2

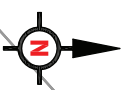
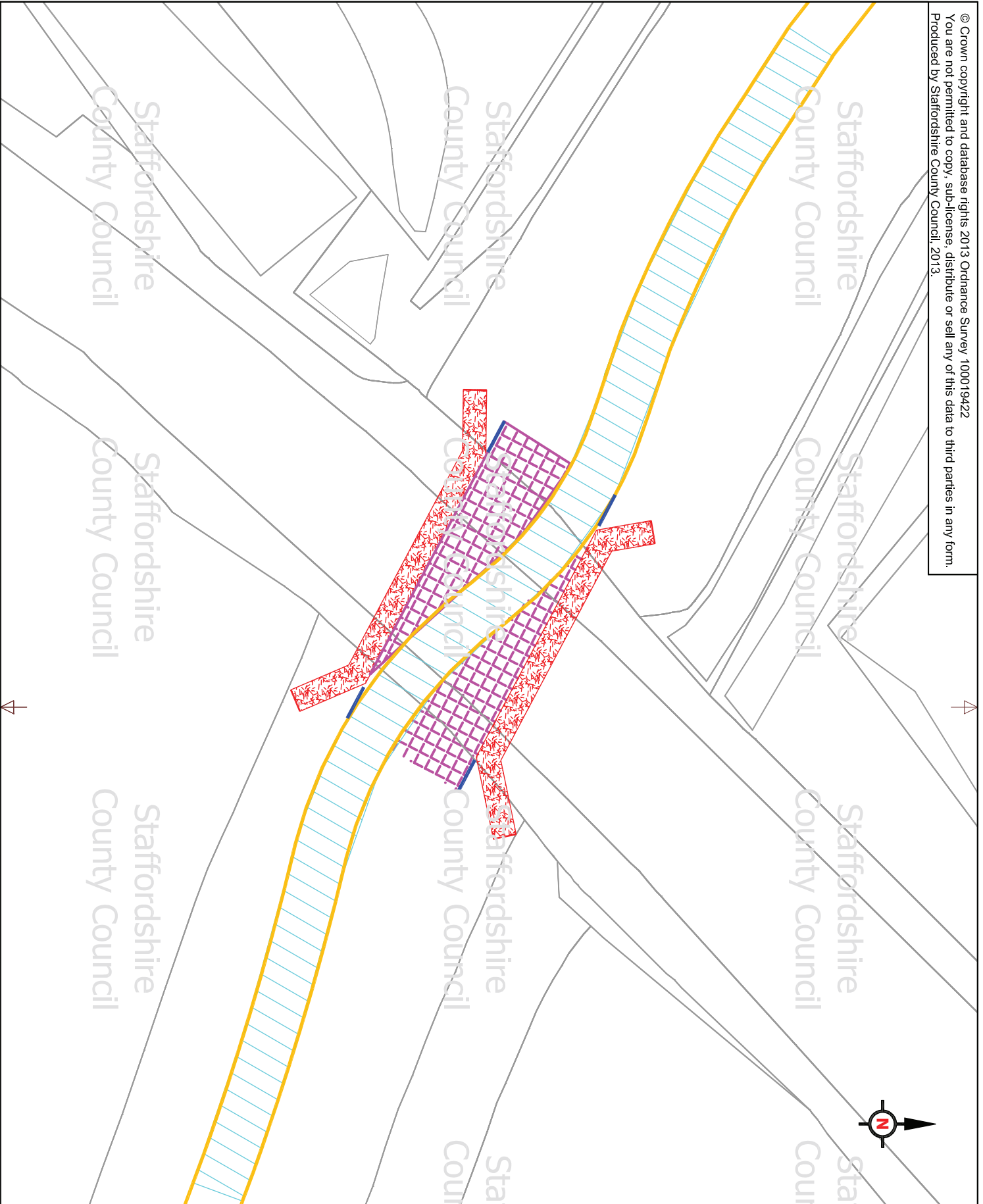
Knutton Lane Bridge
 Option 3
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Key

-  Bridge abutment wall
-  Edgings
-  Route of Greenway
-  Existing fencing
-  Deterrent paving

Rev	Date	Detail	By
Revisions			



The Built County - Highways
 2 Staffordshire Place
 100, Springfield Building, Tipton Street
 Stafford
 ST16 2PH

Lyme Valley North
 Cycle Links
 Phase 2

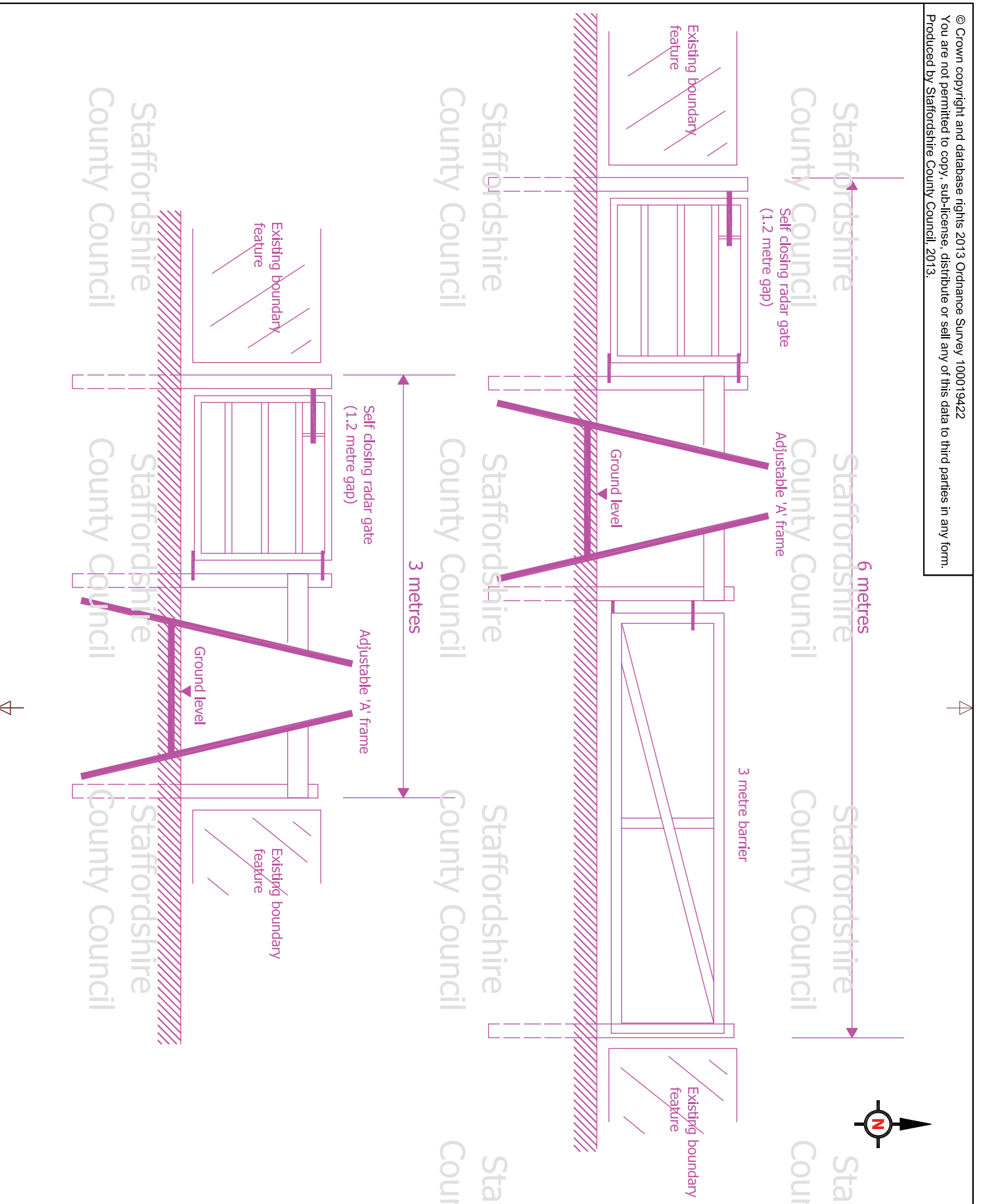
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Revisions			
The Staff County - Highways Staffordshire Place 2, Stafford Road, Stafford Stafford ST16 2DH			
Lyme Valley North Cycle Links Phase 2			
Access Control Arrangements (Radar Gate, 'A' Frame & Vehicular Barrier)			
Prepared/Produced/Checked	Scale		
DMB/RW/NP	NTS		
Date: November 2013 Drawing No.: CDC5277/R01/112 Revision: A3 Status: Draft			

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

REPORT TO CABINET

Date: 5TH FEBRUARY 2014

Title: Safeguarding Children and Vulnerable Adults Protection Policy

Submitted by: Sarah Moore

Portfolios: Safer Communities and Stronger and Healthier Neighbourhoods

Ward(s) affected: All

Purpose of the Report

To advise Cabinet of the role of the Borough Council in safeguarding children and vulnerable adults.

To seek Cabinet approval for the adoption of the Safeguarding Children and Vulnerable Adults Protection Policy in Newcastle-under-Lyme.

Recommendations

To approve the Safeguarding Children and Vulnerable Adults Protection Policy for introduction and delivery in the Borough.

Reasons

The Children Act (1989) and (2004) and the Safeguarding Vulnerable Groups Act (2006) place statutory duties on District Councils to make arrangements to ensure that in discharging their functions they have regard to the need to safeguard and promote the welfare of children and vulnerable adults.

The statutory guidance *Working together to safeguard children: a guide to inter agency working to safeguard and promote the welfare of children (2013)* provides core legislative requirements regarding the expectations of the role of District Councils working alone or in partnership with other organisations.

1. Background

- 1.1 Safeguarding children can be defined as *“The process of protecting children from abuse or neglect, preventing impairment of their health and development, and ensuring they are growing up in circumstances consistent with the provision of safe and effective care that enables children to have optimum life chances and enter adulthood successfully”*
- 1.2 Safeguarding vulnerable adults can be defined as protecting vulnerable adults from abuse or neglect and putting systems in place to prevent abuse or neglect from happening in the future.

- 1.3 The Children Act 2004 requires each local authority to establish a Local Safeguarding Children Board (LSCB) made up of representatives from the agencies and bodies which have regular contact with children or have responsibility for services to them (or their families) in the local area.
- 1.4 As a statutory authority providing services in the community to children and their families the Borough Council is required to co-operate in the establishment, operation, and participation of the LCSB and is a member of the Staffordshire Safeguarding Children's Board (SSCB), which became operational in April 2006. The Borough Council also has a legal responsibility to safeguard, promote wellbeing and protect children and vulnerable adults when discharging our functions.
- 1.5 The Borough Council participates in the District Safeguarding Sub Group (for Children and Vulnerable Adults) and has co-ordinated the creation of the Safeguarding Children and Vulnerable Adults Protection Policy, in partnership with the Staffordshire County Council.
- 1.6 The Policy seeks to help protect all children and vulnerable adults living in our communities and to support the Borough Council, its staff, elected members and volunteers.
- 1.7 In line with the legal responsibilities from Section 11 of the Children Act 2004, the Council has undertaken an audit to ensure that in discharging our functions we have regard to the need to safeguard and promote the welfare of children. The audit assessment gave the Council the opportunity to highlight areas of strength and to identify areas for further development.
- 1.8 The Council needs to ensure that it has robust mechanisms in place in order to appropriately co-ordinate Safeguarding activity in the Borough. The following individuals have been identified to champion Safeguarding within our organisation;
 - Portfolio Holder - Cllr Tony Kearon
 - Executive Manager - John Sellgren (Chief Executive)
 - Head of Service - Mark Bailey (Business Improvements and Partnerships)
 - Designated Child and Vulnerable Adult Protection Officer - Sarah Moore (Partnerships Manager).
 - Deputy Designated Child and Vulnerable Adult Protection Officer – Catherine Fox – Community Safety Officer (DV Lead)
- 1.9 The Council intends to identify an Officer from each service area, to act as 'Safeguarding Champions'. These Officers will receive specialist training in this area and will be the point of contact for queries in relation to Safeguarding in their Department. They will assist the Designated Officer to ensure that all staff are trained appropriately to recognise Safeguarding issues and know where to refer concerns in relation to children and vulnerable adults in our communities.

2. Issues

2.1 The Safeguarding Children and Vulnerable Adults Protection Policy and supporting procedure are based on the following principles;

- The welfare of children and vulnerable adults is the primary concern.
- All children and vulnerable adults irrespective of their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/ or sexual orientation have the right to protection from abuse and harm.
- It is everyone's responsibility to report any concerns about abuse in order that prompt action be taken if required.
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately.
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.

2.2 In order to effectively deliver the principles in 2.1 (above) the Borough Council needs to be able to demonstrate;

- Senior management commitment
- A clear statement of the Council's responsibilities towards children and vulnerable adults, available for all staff
- A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children and vulnerable adults
- Safe recruitment procedures
- Training on safeguarding for all staff working with or in contact with children and families and vulnerable adults
- Effective inter agency working
- Effective information sharing

3. Options Considered

3.1 Two options were considered;

- To recommend to Cabinet the approval and introduction of the District Safeguarding Children and Vulnerable Adults Protection Policy in the Borough (Recommended)
- To recommend to Cabinet that the approval and introduction of District Safeguarding Children and Vulnerable Adults Protection Policy should be rejected – thereby placing both the organisation, its key stakeholders and children at risk of harm (Not Recommended)

4. Proposal and Reason for Preferred Solution

4.1 That Cabinet approve the adoption and introduction of the Safeguarding Children and Vulnerable Adults Protection Policy in the Borough.

- 4.2 Reasons for the preferred solution include:
- 4.2.1 Officers have been involved in the development of the Policy with Officers from Staffordshire Safeguarding Childrens Board (SCCB) to ensure that the Policy is suitable for adoption and introduction in the Borough.
 - 4.2.2 The Council needs to ensure that it has robust mechanisms in place in order to appropriately co-ordinate Safeguarding activity in the Borough.
 - 4.2.3 The Children Act (1989) and (2004) and the Safeguarding Vulnerable Groups Act (2006) place statutory duties on District Councils to make arrangements to ensure that in discharging their functions they have regard to the need to safeguard and promote the welfare of children and vulnerable adults.
 - 4.2.4 The statutory guidance '*Working together to safeguard children: a guide to inter agency working to safeguard and promote the welfare of children (2013)*' provides core legislative requirements regarding the expectations of the role of District Councils working alone or in partnership with other organisations.

5. Outcomes Linked to Corporate Priorities

- 5.1 The Safeguarding Children and Vulnerable Adults Protection Policy contributes to meeting the Council's Corporate Priority for Creating Healthy and Active Communities and Creating a Cleaner, Safer and Sustainable Borough.

6. Legal and Statutory Implications

- 6.1 The Council has statutory duties under the Children Act (1989) and (2004) and the Safeguarding Vulnerable Groups Act (2006) to make arrangements to ensure that in discharging functions we have regard to the need to safeguard and promote the welfare of children and vulnerable adults.
- 6.2 The statutory guidance '*Working together to safeguard children: a guide to inter agency working to safeguard and promote the welfare of children (2013)*' provides core legislative requirements regarding the expectations of the role of District Councils working alone or in partnership with other organisations.

7. Equality Impact Assessment

- 7.1 An Equality Impact Assessment is being developed for this area of work.

8. Financial and Resource Implications

- 8.1 There are no specific financial implications or commitments required for the adoption of the Policy.
- 8.2 There are resource implications for Council Officers and Members who are involved in and will co-ordinate safeguarding activity, in particular delivering and participating in training on the Policy and Procedure and making appropriate referrals, signposting and promoting the Policy and safeguarding activity thereafter.

9. Major Risks

- 9.1 Failure to take appropriate action regarding safeguarding may result in the Council being unable to perform its statutory duties, leaving the Council open to legal challenge.

- 9.2 There is also a risk of reputational damage to the Council if it does not deliver its statutory duties lawfully and effectively.

10. Key Decision Information

- 10.1 The Council has statutory duties to safeguard, promote wellbeing and protect children and vulnerable adults.

- 10.2 This report can be considered key in the following ways: -

- It results in the Borough Council committing existing resources for the function to which the decision relates and;
- To be significant in terms of its affects on communities living or working in an area comprising two or more electoral wards in the Borough

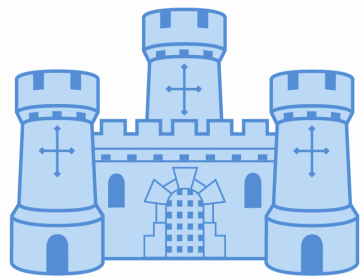
11. Earlier Cabinet/Committee Resolutions

- 11.1 None

12. List of Appendices

Appendix 1 - Safeguarding Children and Vulnerable Adults Protection Policy 2014.

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**NEWCASTLE
UNDER LYME
BOROUGH COUNCIL**

Safeguarding Children and Vulnerable Adults Protection Policy

JANUARY 2014



**The Staffordshire and Stoke-on-Trent
Adult Safeguarding Partnership**
Abuse must stop

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SECTION 1

1.1 Introduction

All children ¹and vulnerable adults² have the right to live their lives to the fullest potential, to be protected, to have the opportunity to participate in and enjoy any activity, and to be treated with dignity and respect.

Newcastle-under-Lyme Borough Council has both a moral and legal obligation to ensure a duty of care for children and vulnerable adults across its services. We are committed to ensuring that all children and vulnerable adults are protected and kept safe from harm whilst engaged in services organised and provided by the Council.

The purpose of this Policy and its associated procedures is to help protect all children and vulnerable adults, including those living in our communities, placed in our care within our services and to protect Newcastle-under-Lyme Borough Council, its staff, elected members and volunteers.

1.2 Policy Statement and Scope

The scope of this Policy is to understand the Borough Council's legislative framework, to outline the procedures to be followed and to identify the relevant contacts in relation to safeguarding children and vulnerable adults. The Policy covers Safeguarding Children and Adult Protection.

Newcastle-under-Lyme Borough Council has a legal responsibility to safeguard, promote wellbeing and protect children and vulnerable adults.

We will aim to comply with our duties by:

- Respecting and promoting the rights, wishes and feelings of children and vulnerable adults.
- Raising the awareness of the duty of care responsibilities relating to children and vulnerable adults throughout the Council.
- Promoting and implementing appropriate procedures to safeguard the well-being of children and vulnerable adults to protect them from harm.
- Creating a safe and healthy environment within all our services, to protect all parties and reduce the risk of abuse or allegations of abuse from occurring.

¹ 'Children' for the purposes of these guidelines are defined as those aged under 18 years

² A vulnerable adult can be anyone who is 18 years old or over, who has a physical or sensory impairment, a learning disability, or a mental health problem and may be unable to protect themselves from harm or abuse. Many frail or confused older people are especially vulnerable. As defined by the [Staffordshire and Stoke on Trent Adult Safeguarding Partnership](#)

- Recruiting, training, supporting and supervising staff, elected members and volunteers to adopt best practice to safeguard and protect children and vulnerable adults from abuse, and to also minimise any risks to themselves.
- Responding promptly to any suspicions or allegations of misconduct or abuse of children or vulnerable adults in line with the Staffordshire Safeguarding Children Board (SSCB) and Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership (SSAP) policies and procedures.
- Requiring staff, elected members and volunteers to adopt and abide by the Council's Safeguarding Children and Vulnerable Adults Protection Policy and Procedures, codes of conduct and associated procedures.
- Reviewing and evaluating this Policy and Procedure on an annual basis or in line with best practice, changing legislation, organisational requirements and service delivery.
- Ensuring representatives of Newcastle-under-Lyme Borough Council who have contact with children, young people or vulnerable adults are subject to safer recruitment procedures. This is also applicable for when the Council is working in partnership with other private, voluntary or contracted organisations and employees.

1.3 Principles

This Policy and supporting Procedures are based on the following principles;

- The welfare of children and vulnerable adults is the primary concern.
- All children and vulnerable adults irrespective of their age, culture, disability, gender, language, racial origin, socio-economic status, religious belief and/ or sexual orientation have the right to protection from abuse and harm.
- It is everyone's responsibility to report any concerns about abuse in order that prompt action be taken if required.
- All incidents of alleged poor practice, misconduct and abuse will be taken seriously and responded to swiftly and appropriately.
- All personal data will be processed in accordance with the requirements of the Data Protection Act 1998.

1.4 Supporting Documents/Legislation

This Policy should be read in conjunction with a number of additional Policies and legislative documents, listed in Appendix A.

The major pieces of legislation and guidance are:

- The Children Act 1989 and 2004
- Safeguarding Vulnerable Groups Act 2006
- Public Interest Disclosure Act 1998
- Data Protection Act 1998
- European Convention of Human Rights

- No Secrets 2000
- Working Together to Safeguarding Children 2013
- Mental Capacity Act 2005
- Disclosure and Barring Service (formerly the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA)
- Staffordshire Safeguarding Children Board's Inter-Agency Procedures for Safeguarding Children and Promoting their Welfare
- Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Inter-Agency Procedures.

SECTION 2

Procedure Guide

2.1 Introduction

This set of Procedures and guidelines sets out how Newcastle-under-Lyme Borough Council will implement the Safeguarding Children and Vulnerable Adults Protection Policy. It is to be used by all staff that come into direct contact with those who fall under the definition of the Procedure, or those who are responsible for managing services that affect these individuals or groups.

The procedure guide is intended to be used in conjunction with the Policy document, and other supporting individual service Procedures. See Appendices for detail.

2.2 Definitions used within the Procedure

- The term children or young person is used to refer to anyone under the age of 18 years in accordance with the Children Act 1989.
- All the Policies and Procedures described within this document refer to vulnerable adults as well as children.
- Vulnerable Adults for the purposes of this Procedure are those 18 and above who receive or are in need of community care services and are unable to take care of themselves as defined on Page 3 of this Policy.
- The term staff, elected members and volunteers is used to refer to employees, district councillors, volunteers and anyone working on behalf of, delivering a service for or representing the Council.

2.3 Recognition of Abuse including Neglect and Bullying

Important Rule

It is important to remember that many children and vulnerable adults will exhibit some of these signs and indicators at some time, and the presence of one or more should not be taken as proof that abuse is occurring. There may well be other reasons for changes in behaviour such as a death, or the birth of a new baby in the family, relationship problems between parents/carers, etc. However, you should always report anything that causes you to suspect that abuse may be happening in order for appropriate action to be taken to ensure the welfare and safety of children and vulnerable adults.

Recognising Abuse

Recognising abuse is not easy, and it is not the responsibility of Council staff, elected members or volunteers to decide whether or not abuse has taken place or if there is significant risk. We do however have a responsibility to act if we think it may be happening.

Abuse, including neglect, are forms of maltreatment of a child or vulnerable adult. Somebody may abuse a child or vulnerable adult by inflicting harm, by failing to act to prevent harm. Children and vulnerable adults may be abused in a family or in an institutional or community setting; by those known to them or, more rarely, by a stranger for example via the internet. They may also be abused by an adult or adults, or by another child or children.

Types and Signs of Abuse

It is generally accepted that there are these types of abuse:

Children and Vulnerable Adults:

Physical, emotional (or psychological), sexual and neglect.

Vulnerable Adults:

Financial, discriminatory and institutional.

Please note that the tabled examples and signs detailed below may also be indicators of other medical factors and may not necessarily confirm abuse and neglect. These tables are provided as a guide to help practitioners within their assessment process and the work with children, adults and their families.

PHYSICAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none">• Shaking• Pinching• Slapping• Force-feeding• Biting• Burning or Scalding.• Causing needless physical discomfort• Inappropriate restraint• Locking someone in a room	<ul style="list-style-type: none">• Unexplained bruising, marks or injuries on any part of the body• Frequent visits to the GP or A&E• An injury inconsistent with the explanation offered• Fear of parents or carers being approached for an explanation• Aggressive behaviour or severe temper outbursts• Flinching when approached• Reluctance to get changed or wearing long sleeves in hot weather• Depression• Withdrawn behaviour or other behaviour change• Running away from home/ residential care• Distrust of adults, particularly those with whom a close relationship would normally be expected

EMOTIONAL/PSYCHOLOGICAL ABUSE

Examples include

- Intimidation and/or threats
- Bullying
- Rejection
- Shouting
- Indifference and the withdrawal of approval
- Denial of choice
- Deprivation of dignity or privacy
- The denial of human and civil rights
- Harassment
- Being made to fear for one's well being

Signs include

- A failure to thrive or grow
- Sudden speech disorders
- Developmental delay, either in terms of physical or emotional progress
- Behaviour change
- Being unable to play or socialise with others
- Fear of making mistakes
- Self harm
- Fear of parent or carer being approached regarding their behaviour
- Confusion

SEXUAL ABUSE

Examples include

- Rape and other sexual offences
- For vulnerable adults, sexual activity including sexual contact and non-sexual contact that the person does not want, to which they have not consented, could not consent, or were pressured into consenting to
- For vulnerable adults, being denied access to a sexual life
- Being encouraged or enticed to touch the abuser
- Coercing the victim into watching or participating in pornographic videos, photographs, or internet images
- Any sexual relationship that develops where one is in a position of trust, power or authority

Signs include

- Pain or itching in the genital/anal areas
- Bruising or bleeding near genital/anal areas
- Sexually transmitted disease
- Vaginal discharge or infection
- Stomach pains
- Discomfort when walking or sitting down
- Pregnancy
- Sudden or unexplained changes in behaviour, e.g. becoming aggressive or withdrawn
- Fear of being left with a specific person or group of people
- Nightmares
- Leaving home
- Sexual knowledge which is beyond their age or development age
- Sexual drawings or language
- Bedwetting
- Saying they have secrets they cannot tell anyone about
- Self harm or mutilation, sometimes leading to suicide attempts
- Eating problems such as overeating or anorexia

NEGLECT	
Examples include	Signs include
<ul style="list-style-type: none"> • Withholding help or support necessary to carry out daily living tasks • Ignoring medical and physical care needs • Failing to provide access to health, social or educational support • The withholding of medication, nutrition and heating • Keeping someone in isolation • Failure to intervene in situations that are dangerous to the vulnerable person • Inadequate supervision and guidance – leaving the child to cope alone, abandoning them or leaving them with inappropriate carers and failing to provide appropriate boundaries about behaviours such as under age sex or alcohol. 	<ul style="list-style-type: none"> • Constant hunger, sometimes stealing food from others • Dirty or 'smelly' • Loss of weight, or being constantly underweight • Inappropriate dress for the weather • Complaining of being tired all the time • Not requesting medical assistance and/or failing to attend appointments • Having few friends • Worsening of health conditions • Pressure sores • Mentioning their being left alone or unsupervised • Sore or extreme nappy rash • Skin infections • Lack of response to stimuli or contact • Poor skin condition(s) • Frozen watchfulness • Anxiety • Distressed • Child moves away from parent under stress • Little or no distress when separated from primary carer • Inappropriate emotional responses • Language delay

FINANCIAL ABUSE (Vulnerable Adults)	
Examples include	Signs include
<ul style="list-style-type: none"> • Being over charged for services • Being tricked into receiving goods or services that they do not want or need • Inappropriate use, exploitation, or misappropriation of property and/or utilities • Theft • Deception • Fraud • Exploitation or pressure in connection with wills 	<ul style="list-style-type: none"> • Lack of basic requirements e.g. food, clothes, shelter • Inability to pay bills. • Unexplained withdrawals from accounts. • Inconsistency between standard of living and income • Reluctance to take up assistance which is needed • Unusual interest by family and other people in the person's assets • Recent changes in deeds • Power of Attorney obtained when person lacks capacity to make the decision.

DISCRIMINATORY**Examples**

- Use of inappropriate “nick names”
- Use derogatory language or terminology
- Enforcing rules or procedures which undermine the individual’s well being
- Denial to follow one’s religion
- Lack of appropriate food
- Denial of opportunity to develop relationships
- Denial of health care.

Signs

- Being treated unequally from other users in terms of the provision of care, treatment or services
- Being isolated
- Derogatory language and attitude by carers
- Dismissive language by staff
- Hate campaigns by neighbours or others
- Deteriorating health
- Indicators of other forms of abuse

INSTITUTIONAL ABUSE**Examples**

- Service users required to ‘fit in’ excessively to the routine of the service
- More than one individual is being neglected
- Everyone is treated in the same way
- Other forms of abuse on an institutional scale

Signs

- Inflexible daily routines, for example: set bedtimes and/or deliberate waking
- Dirty clothing and bed linen
- Lack of personal clothing and possessions
- Inappropriate use of nursing and medical procedures
- Lack of individualised care plans and failure to comply with care plans
- Inappropriate use of power, control, restriction or confinement
- Failure to access health care, dentistry services etc
- Inappropriate use of medication.
- Misuse of residents’ finances or communal finances
- Dangerous moving and handling practices
- Failure to record incidents or concerns

Other types of abuse

Domestic Violence and Abuse

As of 1st March 2013, the Home Office definition of Domestic **violence and abuse** is:

Any incident or pattern of incidents of controlling³, coercive⁴ or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse; psychological, physical, sexual, financial and/or emotional

Source: www.homeoffice.gov.uk

In all cases where there is knowledge or suspicion that there exists a **potential** for a child or children to be suffering harm as a result of domestic violence and abuse, then a referral should be made to Children's Social Care via the First Response Team (FRT) who act as the first point of contact for all referrals in relation to the welfare and safety of a child (See Appendix E).

Where it is thought that a victim of domestic violence and abuse meets the definition of a vulnerable adult, then an Adult Protection referral should be made to the Contact Centre on **0845 604 2719**.

Forced Marriage

Forced marriage⁵ is a marriage without the full and free consent of both parties. It is a form of domestic violence and an abuse of human rights. In an arranged marriage the family will take the lead in arranging the match but the couples have a choice as to whether to proceed. In forced marriage, one or both spouses do not (or, in the case of some disabled young people and some vulnerable adults, cannot) consent to the marriage and some element of duress is involved. Duress can include physical, psychological, sexual, financial and emotional pressure.

It is important to note that the Mental Capacity Act does **NOT** allow for consent to marry to be given on behalf of a person without capacity to make this decision for themselves.

Human Trafficking

The organised crime of human trafficking into the UK has become an issue of considerable concern to all professionals with responsibility for the care and protection of children and adults. Any form of trafficking humans is an abuse.

³ Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

⁴ Coercive behaviour is: an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

⁵ Research carried out by the then Department for Children, Schools and Families estimated that the national prevalence of reported cases of forced marriage in England was between 5,000 and 8,000, with the youngest victim being 2 years old and the oldest 76 years.

Trafficking of persons means the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat of, or use of coercion, abduction, fraud, deception, abuse of power or of a position of vulnerability. It also includes the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

It is important to note that some cases involve UK-born people being trafficked within the UK, e.g. people being trafficked from one town to another. The consent of the victim of trafficking is irrelevant where any of the above methods have been used.

Trafficked people may be used for sexual exploitation, agricultural labour including tending plants in illegal cannabis farms and benefit fraud. Children as well as adults are trafficked.

If you have a concern regarding the possible trafficking of a person you should immediately contact the Designated Officer or make a referral direct to the appropriate team. Practitioners should not do anything which would heighten the risk of harm or abduction to the child or vulnerable adult.

Race and Racism

People from black and minority groups (and their parents or carers) are potentially likely to have experienced harassment, racial discrimination and institutional racism. Although racism causes significant harm it is not, in itself, a category of abuse (unless the victim meets the definition of a vulnerable adult, in which case an appropriate referral should be made) and dealing with it is considered under other specific policies of the Council.

Hate Crime

The Association of Chief Police Officers (ACPO) and the Crown Prosecution Service (CPS) have a nationally agreed definition of Hate Crime. Hate crimes are taken to mean any crime where the perpetrator's hostility or prejudice against an identifiable group of people is a factor in determining who is victimised. This is a broad and inclusive definition. A victim does not have to be a member of the group. In fact, anyone could be a victim of a hate crime.

The Crown Prosecution Service (CPS) and The Association of Chief Police Officers (ACPO) have agreed 5 monitored strands of hate crime as set out below.

A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victim's:

- disability
- race
- religion or belief
- sexual orientation
- transgender identity

Hate crime can take many forms including:

- physical attacks such as physical assault, damage to property, offensive graffiti and arson
- threat of attack including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate, and unfounded, malicious complaints

- verbal abuse, insults or harassment - taunting, offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace.

If the victim of a Hate Crime meets the definition of a vulnerable adult, an Adult Protection referral should be made to the Contact Centre See Appendix E).

2.4 Risks that increase the likelihood of abuse happening to Vulnerable Adults

There are certain situations and factors that put people at particular risk of abuse. If one or more of these factors are present, it does not mean that abuse will occur but it will increase the risk:

- Isolation
- Living in the same household as an abuser
- A previous history of abuse
- The existence of financial problems
- A member of the household experiences emotional or social isolation
- Inappropriate physical or emotional environment e.g. lack of privacy and/ or personal space
- Where there has been a change of lifestyle e.g. illness, unemployment or employment
- Dependence on others for personal and practical care
- Where a person is dependent on other people to administer money or where several people manage their money
- Where the vulnerable person exhibits difficult and challenging behaviour
- The carer has difficulties such as debt, alcohol or mental health problems
- Poor leadership in care services
- Unmonitored provision of care e.g. where reviews or inspections do not take place
- Failure to comply with standard operating policies and procedures.

Increased Risk to Vulnerable Children

There are many issues that may contribute to child abuse, but some factors *increase* the risk to children and make them more vulnerable to abuse. They can be found in the background of parents, in the environmental situation and in attributes of the child themselves.

Parental factors:

- Parent has a mental illness
- Parent is abusing drugs or alcohol
- Parent has already abused a child
- Pregnancy was not wanted
- Parent has a background of abuse when growing up
- Young, unsupported mother often with low education
- Parents have unrealistic expectations of the child and lack parenting knowledge
- Parent is isolated and has little support
- Parent has a learning difficulty

Environmental factors:

- Overcrowding in the house
- Poverty or lack of opportunity to improve the family's resources
- Domestic violence is present
- A non biological adult (i.e. unrelated) living in the house
- Family is experiencing multiple stresses

Child factors:

- Baby is sickly, colicky or unwanted
- Child has a physical or learning disability
- Child is the product of an abusive relationship
- Lack of attachment between child and parent
- Child resides in care, particularly residential
- Child is excluded from mainstream school
- Child uses drugs/ alcohol

It is possible to limit the situations where the abuse of children and vulnerable adults may occur, by promoting good practice to all staff and elected members (see Appendix F).

2.5 Responding to Disclosure, Suspicions and Allegations

Council employees/ elected members/ volunteers may come across cases of suspected abuse either through direct or indirect contact with children and vulnerable adults, for example, running a holiday activity, or for peripatetic staff visiting homes as part of their day to day work. It is not an employee's/ elected members/ volunteer's responsibility to decide whether or not a child or vulnerable adult has been abused. It is however their responsibility to act immediately on any such suspicions and report their concerns and to ensure any relevant information is passed to the appropriate team (see Appendices B (i) and B (ii)).

Responding to Disclosure

Abused children and vulnerable adults are more likely to disclose details of abuse to someone they trust and with whom they feel safe. By listening and taking seriously what the child or vulnerable adult is saying employees/ elected members/ volunteers are already helping the situation.

The following points are a guide to help employees respond appropriately:

Dos and Don'ts	
Dos	Don'ts
<ul style="list-style-type: none">• React calmly so as not to frighten the child or vulnerable adult• Take what the person says seriously, recognising the difficulties inherent in interpreting what is being said by a person who has for example a speech impairment and / or differences in language	<ul style="list-style-type: none">• Dismiss the concern• Panic• Allow your shock or distaste to show• Probe for more information than is offered• Speculate or make assumptions

<ul style="list-style-type: none"> • Avoid asking leading or direct questions other than those seeking to clarify your understanding of what the person has said. They may be subsequently formally interviewed by the Police and/or Social Care Services and they should not have to repeat their account on several occasions. The first person told may become a witness at court if they have asked/gained direct relevant information. • Reassure the child or vulnerable adult that they are right to tell • Explain to them that concerns may have to be shared with someone who is in a position to act • Make a written record of what has been disclosed at the earliest opportunity. 	<ul style="list-style-type: none"> • Make negative comments about the alleged abuser • Make promises or agree to keep secrets • Ask the child, young person, vulnerable adult or any witnesses to sign your written information as this may be significantly detrimental to any subsequent police investigation • Do not take photographs of any alleged injuries. Any such recording must only be done by an approved medical or other practitioner, following referral.
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Responding to Child/Adult Protection and Safeguarding Concerns

It is the responsibility of the individual employee, elected member or volunteer to take a lead on reporting any concerns. If any employee, elected member or volunteer has any concerns regarding a child or vulnerable adult who they think is being abused it is important for them to act **immediately**. All child/adult protection and safeguarding concerns must be recorded on the initial concerns reporting form (see Appendix C) and the information shared with the appropriate Staffordshire County Council Team and Newcastle-under-Lyme Borough Council's Designated Officer notified.

The record for concerns should include:

- The date and time
- The child or vulnerable adult's name, address and date of birth
- The nature of the allegation
- A description of any visible injuries
- Observations – e.g. a description of the child or vulnerable adult's behaviour and physical and emotional state
- What the child or vulnerable adult said and what was said in reply. *Please record this as accurately as possible, using their choice of language*
- Any action taken as a result of the concerns being raised e.g. who was spoken to and resulting actions. Include names, addresses and telephone numbers
- Sign and date what has been recorded
- Store the information in accordance with relevant procedures, e.g. Data Protection

NB: if the child lives outside of Staffordshire but accesses services within Staffordshire, the referral must be made to the area in which the child resides.

Please see Appendix B (i) and B (ii) for Procedural Flowcharts.

Where there is evidence of immediate harm then the employee should phone 999 and report the incident to the Police. Where there is any possibility that a criminal act may have been committed care should be taken not to take any action that may jeopardise any subsequent criminal investigation.

- Where concerns relate to a child or young person advice must be sought from Staffordshire Children's Social Care's First Response Team based at the MASH on **0800 1313126 (between 8.00 am and 5.30 pm and 4.30 pm on a Friday)** or via a brief e-mail firstr@staffordshire.gov.uk with your contact details (**please note this should not include any confidential details about a child or young person**) and explain the need for an urgent response due to a child protection concern.
- To make an Adult Protection referral advice should be sought from the Contact Centre **0845 604 2719**.
- **Outside of 8.00 am and 5.30 pm** any concerns relating to a child should be directed to Staffordshire County Council **Emergency Duty Service on 0845 6042886**.
- Alternatively you can contact Staffordshire Police Central Referral Unit on **101** or dial **999 in an emergency**.

The Borough Council's Designated Officer or Deputy should also ensure that the employee reporting the incident is reassured that their concerns are being appropriately addressed and that they have access to staff support if needed.

Consent

Whilst professionals should in general discuss any concerns with the child and family and where possible seek their agreement to making referrals to Staffordshire Children's Social Care Services, this should only be done where such discussion and agreement-seeking will not place the child or others at increased risk of suffering significant harm.

Consent is **not** required for child protection referrals; however you, as the referring professional, would need to inform parents or carers that you are making a referral as stated above, unless by alerting them you could be putting that child or others at risk.

Consent is not required for adult protection referrals; however it is good practice to gain consent if possible. If the vulnerable adult lacks capacity to make a decision to share the information for themselves, a decision can be taken in their best interests about whether this is appropriate.

Responding to allegations against Staff and Volunteers

Detailed procedures and guidance relating to the management of allegations against people who work with children are contained within the following documents:

- Working Together to Safeguarding Children (2013) Chapter 2
- SSCB Inter-Agency Procedures: Section 4A

It is essential that any concerns for the welfare of a child arising from abuse or harassment by a member of staff or a volunteer should be reported **IMMEDIATELY** to the Designated Officer or Deputy and the Head of Human Resources (see Appendix E).

If a child or children have suffered or be at risk of suffering significant harm the Designated Officer or Deputy will contact First Response and speak to the LADO (Local Authority Designated Officer).

If the matter does not meet the threshold for significant harm the Designated Child Protection Officer/ Deputy will contact First Response and speak to the LADO within 24 hours.

The LADO is a statutory role in relation to allegations against children⁶. They provide an 'Initial Discussion' which allows for the giving of advice and guidance relating to the most appropriate way of managing the allegation or concern, and most importantly will help establish what the 'next steps' should be in terms of investigating the matter further.

The LADO will help ensure that, where appropriate, specific activities are initiated (e.g. Child Protection/Police processes) and *consideration* is given to issues such as – notifying the child's parents/carers; suspending the adult; risks to other children; communication with relevant other organizations/bodies; supporting the adult and possible media interest. The LADO will also monitor the progress of an investigation and assist an employer in the taking of any difficult judgments about a person's suitability to remain in the children's workforce.

If the allegation is in respect of abuse or harassment of a vulnerable adult, the Designated Officer or Deputy will make a referral to Contact Centre 0845 604 2719.

Support for the Referrer

The Council will fully support and protect all elected members/ employees/volunteers who, in good faith (without malicious intent), make a referral about a colleague who may be abusing a child or vulnerable adult and report his or her concern about a colleague's practice.

This support may take the form of counselling through the Council's service, moving the person reporting the abuse / potential abuse to another workplace temporarily whilst the incident is investigated. The Council also has a whistle blowing procedure which a referrer can follow if there are reasons why the standard procedures for dealing with allegations make them feel particularly vulnerable, or if they consider their concerns are not being acted upon appropriately. However, all elected members/ employees/ volunteers have a duty to safeguard and promote the welfare of children and vulnerable adults and in order to investigate concerns robustly it may not be possible to maintain complete anonymity, but the interests of the referrer will be protected when concerns are raised.

Types of Investigation

There may be a number of strands to a child or adult protection investigation e.g. professionals strategy meetings, child protection conferences and core groups, criminal investigations, joint evaluation meetings as well as disciplinary investigations. Elected members/ employees/ volunteers may need to be involved as witnesses, holders of key information, or in regard to ongoing processes around protection and welfare.

Further guidance available at: <http://www.staffscb.org.uk/> or <http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

⁶ As defined in Working Together 2013, Chapter 2, page 48

APPENDIX A

Guidance and Legislation

The Children Act 1989 – provides legislation to ensure that the welfare and developmental needs of children are met, including their need to be protected from harm. The welfare of the child is paramount.

The Children Act 2004 – Section 11 places a duty on all organisations to ensure that their functions are discharged with regard to the need to safeguard and promote the welfare of children. The Act offered the legislative framework for the implementation of the five Every Child Matters principles which are considered to be integral to achieving positive outcomes and life chances for all children and young people from birth into adulthood. These principles are:

- Be healthy
- Staying safe
- Enjoying and achieving
- Making a positive contribution Achieving economic wellbeing

Working Together to Safeguard Children 2013, 2010, 2006, 1999 - This statutory guidance revised by the government in 2013 details the roles and responsibilities of all agencies with the aim of promoting effective working together to promote the welfare and safety of children. To view the 2013 Working Together to Safeguard Children statutory guidance please go to; www.education.gov.uk

Inter-agency procedures for safeguarding children and promoting their welfare in Staffordshire are available on line at www.staffsscb.org.uk.

The “No Secrets” guidance is available at:
<http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH4008486>

Care Standards Act 2000 – this Act details the statutory responsibility for all agencies to ensure the protection of vulnerable adults. In summary this Act –

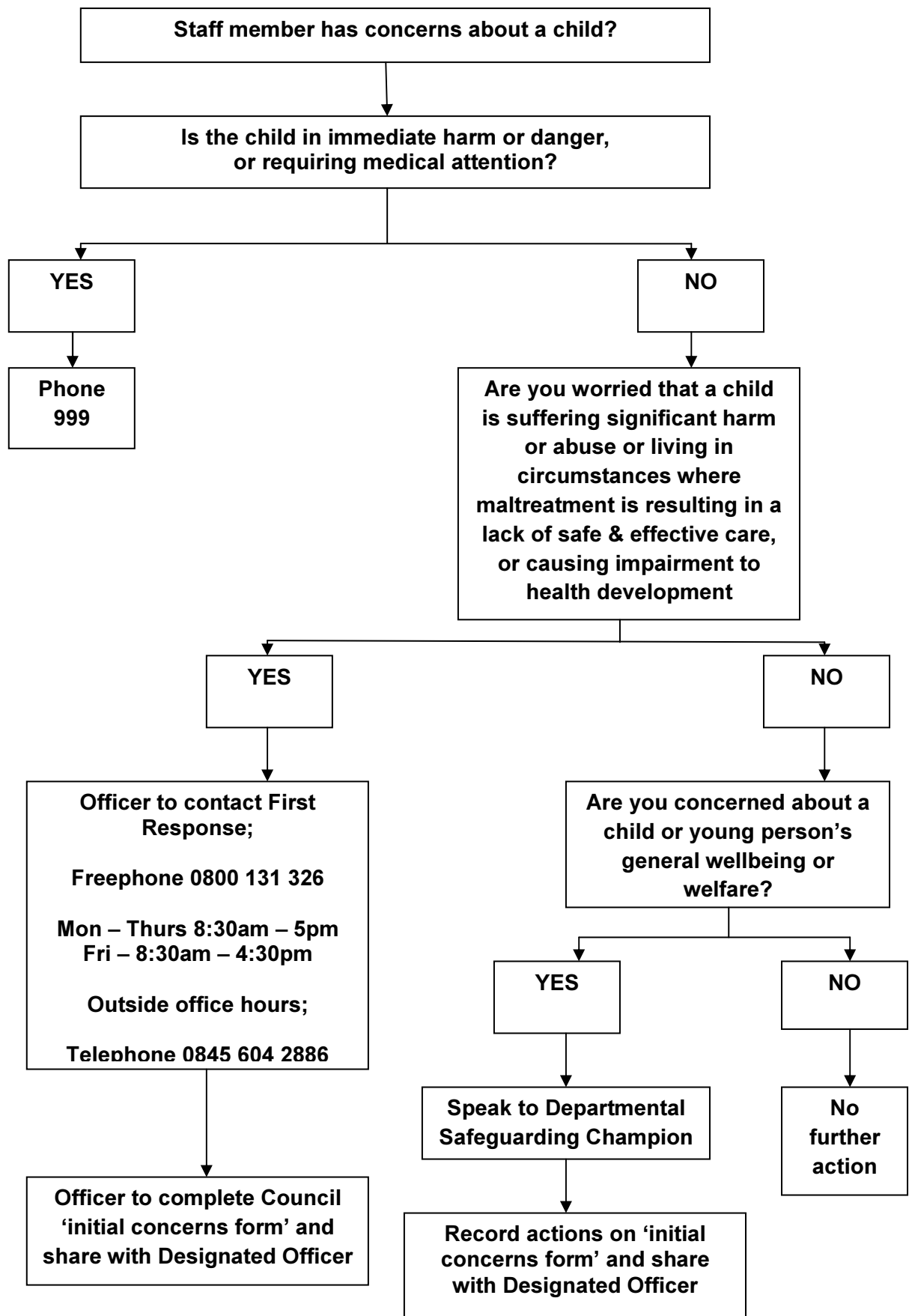
- establishes a new, independent regulatory body for social care and private and voluntary healthcare services (“care services”) in England to be known as the National Care Standards Commission;
- provides for an arm of the National Assembly for Wales to be the regulatory body for such services in Wales;
- establishes new, independent Councils to register social care workers, set standards in social care work and regulate the education and training of social workers in England and Wales;
- establishes an office of the Children’s Commissioner for Wales;
- reforms the regulation of child minders and day care provision for young children;
- provides for the Secretary of State to maintain a list of individuals who are considered unsuitable to work with vulnerable adults.

The Mental Capacity Act 2005 - provides a framework to empower and protect people who may lack capacity to make some decisions for themselves. The Act makes clear who can take decisions in which situations, and how they should go about this. Anyone who works with or cares for an adult who lacks capacity must comply with the MCA when making decisions or acting for that person. This applies whether decisions are life changing events or more every day matters and is relevant to adults of any age, regardless of when they lost capacity.

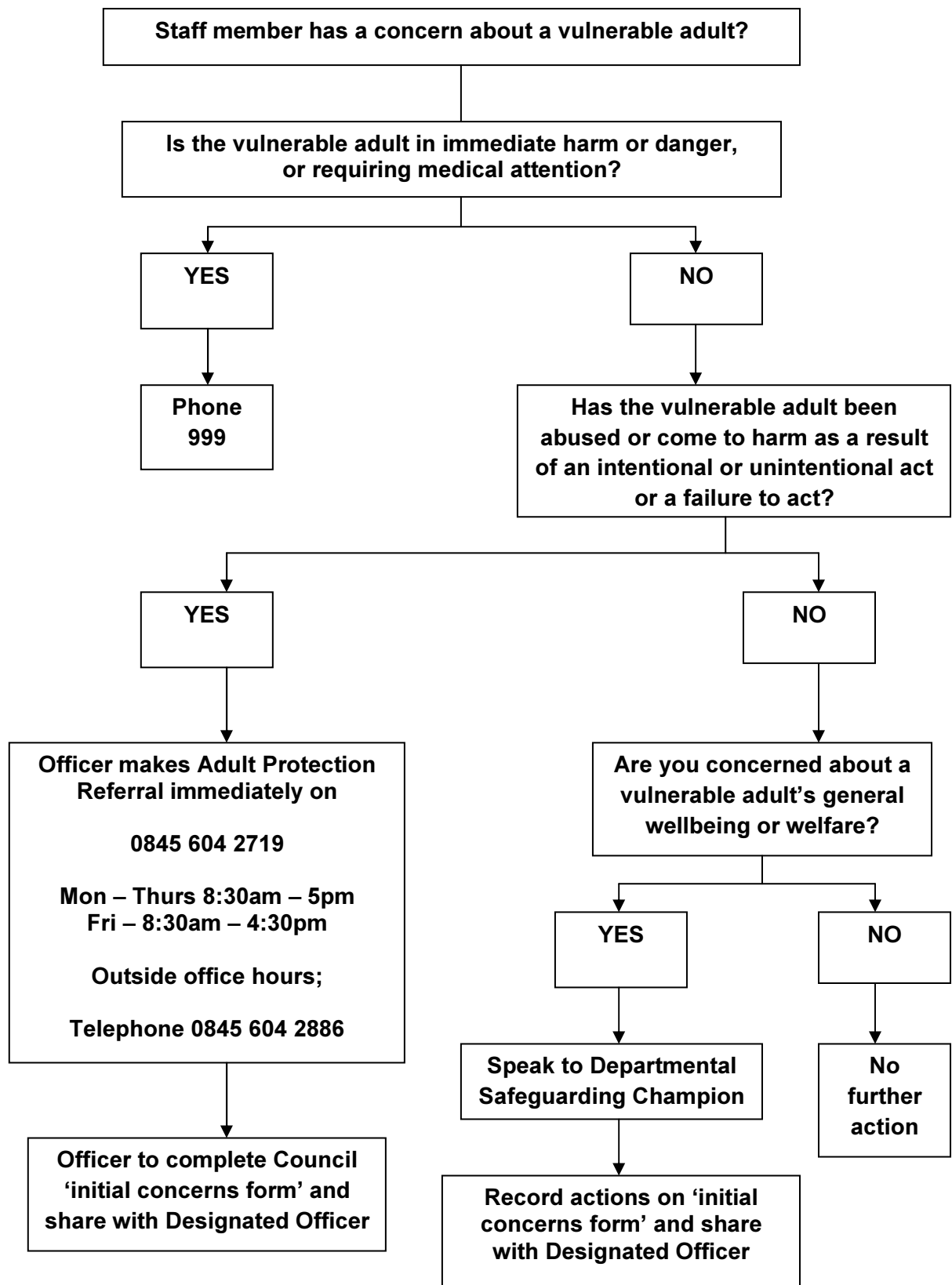
Interagency Procedures for Adult Protection in Staffordshire can be found at <http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

There is a wide range of associated legislation and guidance available, see the Office of Public Sector Information for more information (www.opsi.gov.uk)

APPENDIX B (i)



APPENDIX B (ii)



CONFIDENTIAL

Safeguarding Children and Vulnerable Adults

Initial Concerns Form

This form should be completed and shared with the Designated Officers in the Partnerships Team – sarah.moore@newcastle-staffs.gov.uk and catherine.fox@newcastle-staffs.gov.uk

ABOUT YOU

Your name	
Job title	
Department	
Contact tel no	
E-mail address	
Date concern raised	
Time concern raised	

ABOUT THE CHILD/VULNERABLE ADULT

Name of child / vulnerable adult you have concerns about	
Address of child / vulnerable adult you have concerns about	
Date of Birth of child/vulnerable adult (if known)	
Name of parent or carer responsible for child /vulnerable adult (if known)	

NATURE OF YOUR CONCERN

(please include as much detail as possible)

ACTION YOU HAVE TAKEN

<p>What you have done with the concern? e.g. reported to Police, passed to First Response etc.</p>	
<p>Date action taken</p>	
<p>Reference number if applicable</p>	

To be completed by Designated Officer

<p>Date and time concern received</p>	
<p>Actions you have taken</p>	
<p>Reference Number if applicable</p>	
<p>Has the Multi Agency Referral Form (MARF) been completed</p> <p>http://www.staffsscb.org.uk/professionals/procedures/</p>	

Roles and responsibilities within the Council

Staff, Elected Members and Volunteers

It is everyone's responsibility to report any concerns about abuse that they may have in order to ensure that prompt action can be taken if required.

Staff, Elected Members and Volunteers;

- should not begin any regulated activity involving direct access to children, young people or vulnerable adults prior to the Council receiving a satisfactory DBS check in accordance with DBS policy.
- should be aware of this policy and procedure and of any local or national related policies / procedures that are applicable for their service area, as part of their induction programme.
- need to complete Level 1 Safeguarding training and additional child protection and vulnerable adults training if applicable to their employment role and responsibilities (i.e. if they have direct or some form of indirect contact with children / young people / vulnerable adults).
- should be aware of appropriate and inappropriate behaviour when working with children, young people and vulnerable adults.
- need to know who their Designated Officer and Deputy Designated Officer is.
- have an expected responsibility to take action when they have concerns, witness or hold information that relates to the abuse of a child, young person or vulnerable adult.
- complete an initial concerns form to record any concerns that they may have about a child or vulnerable adult and make appropriate referrals (if required).
- seek advice or assistance from their Safeguarding Champion if they are unsure of what to do with their concerns about a child or vulnerable adult.

Safeguarding Champions

Each Directorate has a number of Safeguarding Champions.

Safeguarding Champions should;

- provide advice and guidance to members of staff or volunteers who may have concerns about the abuse of a child or vulnerable adult.
- ensure that concerns are recorded appropriately on the system and appropriate referrals made if appropriate to the First Response Service Team or Adult Protection Team.
- participate in training and disseminate information within their department.

Designated Officer and Deputy Designated Officer

The Council's Designated Officer is Sarah Moore (Partnerships Manager) and the Deputy Designated Officer is Catherine Fox (Community Safety Officer – DV Lead).

It is their responsibility to:

- provide advice and assistance to the Safeguarding Champions and Elected Members.
- receive information from staff, elected members and volunteers who have concerns, and register /log them on the Council's system.
- be the delegated liaison on behalf of the Council for any formal investigations into allegations of abuse undertaken by the Police and / or Staffordshire County Council's Children's Social Care Service (CSC).

Classification: NULBC **UNCLASSIFIED**

- receive, participate and co-ordinate the appropriate child protection and vulnerable adults protection training.

If the absence of the Designated Officer or Deputy Designated Officer, queries can also be raised directly with Staffordshire County Council's First Response Team or the Vulnerable Adult Protection Team (see **Appendix E** for contact details).

Head of Business Improvement and Partnerships

The Head of Business Improvement and Partnerships is responsible for:

- ensuring policy documents and procedures are up to date and in line with best practice as defined under the "No secrets" guidance and other legislative or statutory guidance.
- ensuring that employees (including volunteers, contractors, agents and other partner representatives) and elected members are aware of this Policy and understand how to comply with this procedure.
- working with responsible bodies to implement and promote a partnership approach to working together to protect children and vulnerable adults in all areas of the community.

Head of Human Resources

The Head of Human Resources is responsible for ensuring that:

- appropriate procedures are in place to carry out pre-employment checks for all employees and volunteers working with the Council who have (or may be reasonably expected to have) contact with children or vulnerable adults.
- DBS checks are renewed every three years in accordance with DBS policy.
- DBS checks and employee references are kept secure and confidential in compliance with the DBS Code of Practice.
- a record is maintained all employees and volunteers that have completed a DBS check and are considered to be suitable for working with children, young people and vulnerable adults.
- training is in place for all staff who fall into the definition of level 1 (basic) or level 2 (specialist / intermediate) and any additional specialist training as part of the corporate training plans for induction and on-going training, and that adequate budget is in place to fund training for those staff who require it as a part of their role.
- appropriate support is provided for any employee that reports a concern in good faith, even if these concerns are subsequently proven to be unfounded.

CONTACT INFORMATION**Newcastle-under-Lyme Borough Council's;**

- **Safeguarding Champions are;**
 - TBC
 - TBC
- **Designated Officer** is Sarah Moore (Partnerships Manager) – 01782 742496 – sarah.moore@newcastle-staffs.gov.uk
- **Deputy Designated Officer** is Catherine Fox (Community Safety Officer – DV Lead) – 01782 742238 – catherine.fox@newcastle-staffs.gov.uk .
- **Head of Business Improvement and Partnerships** is Mark Bailey – 01782 742751 – mark.bailey@newcastle-staffs.gov.uk
- **Head of Human Resources** is Richard Durrant – 01782 742260 – richard.durrant@newcastle-staffs.gov.uk
- **Staffordshire County Council Children's Social Care Services First Response Team:**
For all child protection issues contact:
 - First Response Team based at the MASH on **0800 1313126 (between 8.30 am and 5.30 pm and 4.30 pm on a Friday)** or via a brief e-mail firstr@staffordshire.gov.uk with your contact details (**please note this should not include any confidential details about a child or young person**) and explain the need for an urgent response due to a child protection concern.
- To make an Adult Protection referral advice should be sought from the Contact Centre **0845 604 2719**.
- **Outside of office hours** any concerns relating to a child or vulnerable adult should be directed to Staffordshire County Council **Emergency Duty Service on 0845 6042886**.
- Alternatively you can contact Staffordshire Police Central Referral Unit on **101** or dial **999 in an emergency**.

Promoting Good Practice with Children and Vulnerable Adults

Code of conduct for the protection of children and vulnerable adults

It is possible to limit the situations where the abuse of children and vulnerable adults may occur, by promoting good practice to all staff, elected members and volunteers.

This code of conduct details the type of practice required by all employees, elected members and volunteers when in contact with children or vulnerable adults. Suspicions or allegations of non-compliance of the Code by a member of staff will be dealt with through the Council's Disciplinary Procedure.

Newcastle-under-Lyme Borough Council supports and requires the following good practice by employees, members and volunteers when in contact with children and vulnerable adults.

When working with children and vulnerable adults all parties should:

- Adhere to the children, young people and vulnerable adult's policy at all times
- Treat all children and vulnerable adults equally, with respect and dignity
- Be an excellent role model including not smoking or drinking alcohol in the company of children and vulnerable adults
- Ensure that personal care is delivered in a dignified manner that meets the needs of the individual
- Involve parents, guardians and carers wherever possible
- Build balanced relationships on mutual trust that empower children and vulnerable adults to share in the decision making process

Employees shall work to the organisation's policies and procedures, including for example:

- Safeguarding Children and Vulnerable Adults Policy
- Code of Conduct
- Whistle blowing

Social networking sites

Due to the increasing personal use of social networking sites, staff, members and volunteers within the workforce should be aware of the impact of their personal use upon their professional position. Guidance on the personal use of social networking sites for adults involved in services for children, young people and vulnerable adults is available at **Appendix J**.

First aid and treatment of injuries

If a child or vulnerable adult requires first aid or any form of medical attention whilst in the care of an employee, then the following good practice should be followed:

- Be aware of any pre-existing medical conditions, medicines being taken by participants or existing injuries and treatment required

- Keep a written record of any injury that occurs, along with the details of any treatment given
- Where possible, ensure access to medical advice and / or assistance is available
- Only those with a current, recognised First Aid qualification should respond to any injuries
- Where possible any course of action should be discussed with the child/vulnerable adult, in language that they understand, and their permission sought before any action is taken
- In more serious cases, assistance must be obtained from a medically qualified professional as soon as possible
- The child's or vulnerable adult's parents/guardians or carers must be informed of any injury and any action taken as soon as possible, unless it is in the child's or vulnerable adult's interests and on professional advice not to do so
- A notification of accident form must be completed and signed and passed to the Health and Safety Officer.

Transporting children and vulnerable adults away from home

If it is necessary to provide transport to take children or vulnerable adults away from home or school the following good practice must be followed:

- Where practical request written parental/guardian consent if members of staff are required to transport children or vulnerable adults
- Always tell another member of staff that a child or vulnerable adult is being transported, giving details of the route and the anticipated length of the journey
- Never transport a child or vulnerable adult unaccompanied, other than in exceptional circumstances. Plan pick ups and drop offs to minimise the risk of being alone with a child or vulnerable adult
- Ensure all vehicles are correctly insured and well maintained
- Ensure drivers hold current, appropriate driving licenses, and have undergone training as appropriate (e.g. minibus driving, use of wheelchair hoist)
- All reasonable safety measures must be taken, e.g. children in the back seat behind the driver, seatbelts worn and booster seats in place
- Ensure where possible at least one male and one female accompany mixed groups of children or vulnerable adults. These adults should be familiar with and agree to abide by the Council's Safeguarding Children and Vulnerable Adults Policy and Procedures
- Always plan and prepare a detailed programme of activities and ensure copies are available for other staff and parents/guardians

Use of Contractors

Contractors must comply with the principles set out in:

- The Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012
- The Department for Education 'Revised guidance on safeguarding children and safer recruitment in education (2010)'
- Disclosure and Barring Service (DBS) Checks: Policy and Guidance for service providers and CQC staff (July 2011).

Newcastle-under-Lyme Borough Council and its employees, elected members and volunteers should undertake reasonable care that contractors doing work on behalf of the

Council are monitored appropriately. Service level Agreements or contracts in place for these contractors should therefore specify this requirement.

Any contractor or sub-contractor engaged by the Council in areas where workers are likely to come into contact with children or vulnerable adults⁷ and take part in 'regulated activity'⁸ (as defined within the new definition with effect from September 2012) must have an appropriate DBS checks in place. Additionally they must have their own equivalent Children and Vulnerable Adult Safeguarding Policy, or failing this, must confirm in writing to the relevant departmental manager that they have read and understood and are willing to comply with the terms of this policy and associated procedures.

There are five types of check that are available. Further guidance is provided on the DBS website (www.gov.uk/disclosure-barring-service) to enable employers to establish, which, if any, level of check is required. The checks that are available are:

1. **Enhanced Check for Regulated Activity (Children)** - used when someone is undertaking regulated activity relating to children. This check involves a check of the police national computer, police information and the children's barred list.
2. **Enhanced Check for Regulated Activity (Adults)** - used when someone is undertaking regulated activity relating to adults. This check involves a check of the police national computer, police information and the adults barred list.
3. **Enhanced Check for Regulated Activity (Children and Adults)** - used when someone is undertaking regulated activity relating to both children and adults. This check involves a check of the police national computer, police information and the children's and adults barred list.
4. **Enhanced DBS Check** - used where someone meets the pre September 2012 definition of regulated activity. This level of check involves a check of the police national computer and police information.
5. **Standard DBS Check** - used primarily for people entering certain professions such as: members of the legal and accountancy professions. Standard DBS checks just involve a check of the police national computer and do not include a check of police information or the children's or adults barred lists.

Where there is potential for contact with children or vulnerable adults it is the responsibility of the manager who is using the services of the contractor (the Client) to check that the correct Disclosure and Barring Service (DBS) check has been satisfactorily completed.

⁷ The DBS definition of regulated activity relating to **adults** no longer labels adults as 'vulnerable'. Instead the definition identifies the **activities** which, if any requires them, lead to that adult being considered vulnerable at that particular time. This means that the focus is on the activities required by the adult and not on the setting in which the activity is received, nor on the personal characteristics or circumstances of the adult receiving the activities. There is no longer a requirement for a person to do the activities a certain number of times before they are engaging in regulated activity. Further guidance is on the DBS website: www.gov.uk/disclosure-barring-service

⁸ The full definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, as amended (in particular, by the Protection of Freedoms Act 2012). Further information can be found at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/143666/eligibility-guidance.pdf

Guidelines on Children and Vulnerable Adults in Publications and on the Internet

Websites and publications provide excellent opportunities to publicise achievements of individuals and provide a showcase for the activities of children and vulnerable adults. In some cases, however, displaying certain information about children and vulnerable adults could place them at risk.

The following procedure must be followed to ensure the Council's publications and information on the internet does not place children or vulnerable adults at risk.

- Publications or information on an internet site must never include personal information that could identify the child or vulnerable adult. Any contact information must be directed to the Council or another relevant organisation.
- Before publishing any information about a child or vulnerable adult, written consent must be obtained from the child or vulnerable adult's parent / guardian. If the material is changed from the time of consent, the parents/guardians must be informed and consent provided for the changes (See **Appendix I(i)**).
- The content of photographs or videos must not depict a child or vulnerable adult in provocative pose or in a state of partial undress. Children and vulnerable adults must never be portrayed in a demeaning or tasteless manner.
- For photographs or videos of groups or teams of children or vulnerable adults ensure that only the group or team is referred to not individual members. Credit for achievements by an individual child or vulnerable adult are to be restricted to first names only.
- All published events involving children or vulnerable adults must be reviewed to ensure the information will not put children or vulnerable adults at risk. Any publications of specific meetings or child/vulnerable adult events e.g. team coaching sessions, must not be distributed to any individuals other than to those directly concerned.
- Particular care must be taken when publishing photographs, film or videos of children or vulnerable adults who are considered particularly vulnerable e.g. the subject of a child or vulnerable adult protection issue or a custody dispute.

Important Note: Any concerns or enquiries about publications or internet information should be reported to the Council's Communications Team.

Guidelines on Use of Photography, Videoing and Filming of Children and Vulnerable Adults – (Including Mobile Phone Technology)

There is evidence that some individuals have used public events as an opportunity to take inappropriate photographs or film footage of children. The following best practice is to be adopted to protect children and vulnerable adults who are being photographed or videoed.

- When commissioning professional photographers or inviting the press to cover Council services, events and activities organisers must ensure that they make expectations clear in relation to child and vulnerable adult protection.
- Organisers must check the credentials of any photographers and organisations used.
- Where possible the consent of the parent/guardian for photographing, videoing and / or filming of a child or vulnerable adult must be obtained prior to the event or activity.
- Where possible anyone wishing to use photographic/film/video equipment at a venue must obtain the approval of the Council.

- An activity or event specific identification badge/sticker must be provided and clearly displayed at all times by the accredited photographers, film and video operators on the day of the activity or event.
- Unsupervised access must not be allowed to children or vulnerable adults or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child or vulnerable adult's home.
- It is recommended that the names of children or vulnerable adults should not be used in photographs or video footage, unless with the express permission of the child or vulnerable adult's parent or guardian.
- The Council reserves the right at all times to prohibit the use of photography, film or video at any event or activity with which it is associated.
- The specific details concerning photographic/video and filming equipment should, where possible, be published prominently in event programmes and must be announced over the public address system prior to the start of an event. The recommended wording is;

“In line with the recommendation in the Council’s Safeguarding Children and Vulnerable Adults Protection Policy, the promoters of the event request that any person wishing to engage in any video, zoom or close range photography should register their details with staff at the spectator’s entry desk before carrying out any such photography. The promoter reserves the right to decline entry to any person unable to meet or abide by the promoter’s conditions.”

Any concerns with photographers or video or film operators are to be reported to the Council’s Designated Officer or Deputy Designated Officer and where relevant, the Police.

Parents/Carers use of Photographic and Filming Equipment at Events

It is good practice to inform parents/carers of our expectations of them using their own photographic/filming equipment at events organised by the Council.

- Parents/carers and spectators should register with the organiser their intent to use zoom, close range photography or filming equipment at an event.
- Children, vulnerable adults and parents/carers should be informed that if they have concerns they can report these to the organiser.
- Concerns regarding inappropriate or intrusive photography or filming should be reported to the organiser, or senior member of staff present. It is their responsibility to record the incident on the initial reporting a concern form and pass on to the Designated Officer or Deputy Designated Officer to take appropriate action.

An example of wording to be displayed at an event or on publicity material prior to the event should follow the lines of:

“In line with the Council’s Safeguarding Children and Vulnerable Adults Protection Policy, any person wishing to engage in zoom, close range photography or filming, should register their intent with the event/activity organiser, prior to carrying out any such photography or filming. The organiser reserves the right to refuse any such photography or filming if there are concerns or complaints about its appropriateness”

An example form for use at events and taking photographs, video material is given at **Appendix I(ii)**.

Best Practice in the recruitment of staff and volunteers

Pre-recruitment

If any form of advertising is used to recruit staff and volunteers, it should reflect:

- The responsibilities of the role.
- The level of experience or qualifications required (e.g. experience of working with children is an advantage)
- The Council's open and positive stance on children and vulnerable adult protection.
- The use of the Disclosure and Barring Service procedures to promote safe recruitment and selection processes.

Applicant Information

All applicants, whether for paid or voluntary, full or part-time positions, should complete an application form which should elicit the following information:

- Name, address and National Insurance Number.
- Past career, relevant interests, any gaps in employment and reasons for leaving.
- Relevant experience, educational qualifications, job specific qualifications and training.
- Any criminal record.
- The names of at least two people (not relatives) willing to provide written references that comment on the applicant's previous experience of , and suitability for, working with children or vulnerable adults where it is a requirement of the job or volunteering role,
- And a willingness to assist in the completion of a DBS check

Checks and References

Staff and volunteers recruited to work in services for children and vulnerable adults must be checked for any possible irregularities (or issues), which may give reason for concern.

A minimum of two references should be taken up, one of which must be the previous employer and if available, at least one should be associated with former work with children or vulnerable adults. References should include the applicant's suitability to work with children or vulnerable adults where it is a requirement of the job (**See Appendix H**). Where references are given verbally, they must follow a prescribed format and a written record kept.

In accordance with guidance from the Disclosure and Barring Service (DBS) all posts that have direct contact with children and vulnerable adults will require an Enhanced DBS check. These checks will be completed by the Human Resources Team.

Interview

Interviews are carried out in line with the Council's Recruitment and Selection procedures. The interview is likely to include questions on how to deal with children and vulnerable adult protection issues. Questions will assess competencies around:

- Forming appropriate relationships
- Acting in an appropriate way to protect the safety of individuals

- Behavioural cues and signs

Induction and Training

Checks are only part of the process to protect children and vulnerable adults from possible abuse. Appropriate training will enable individuals to recognise their responsibilities with regard to their own good practice and the reporting of suspected poor practice/concern of possible abuse. It is important that the recruitment and selection process is followed by relevant inductions and training in order to further protect children and vulnerable adults from possible abuse.

The induction and training should include:

- An assessment of the training needs required carried out by the local manager.
- Clarification, agreement and signing up to the Council's Code of Conduct for Employees.
- Clarification, agreement and signing up to the Council's Safeguarding Children and Vulnerable Adults Protection Policy and Procedure (see **Appendix J**).
- Clarification of the expectations, roles and responsibilities of the job or volunteering role.

As a minimum the Council expects all staff who have contact with children, young people or vulnerable adults to have undergone formal children and or vulnerable adults training related to their job within 6 months of commencement of employment with the Council. Refresher training will be required every 3 years. This is the responsibility of line managers in services where children and/or vulnerable adults are clients/customers.

Probation, Monitoring and Appraisal

All newly appointed members of staff undergo an agreed period of probation on commencement of their role.

All members of staff who have contact with children and vulnerable adults will be monitored and their performance appraised. This will give an opportunity to evaluate progress, set new goals, identify training needs and address any issues of poor practice. Line managers should be sensitive to any concerns about poor practice and act on them at an early stage. They should also offer appropriate support to those who report concerns/complaints.

Particular care must be taken to monitor casual and agency staff, whose less frequent employment reduces the opportunities for regular supervision and training and who may therefore be less familiar with policies and procedures.

It is the responsibility of line managers to monitor good practice. This can be done in a number of ways:

- Direct observation of the activity or service
- Staff appraisals, mentoring and providing feedback on performance
- Children's and adults' feedback on the activities or services

Rehabilitation of Offenders

Newcastle-under-Lyme Borough Council is committed to the fair treatment of its employees (both paid and voluntary), potential staff or users of its service, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

Having a criminal record will not necessarily bar someone from working or volunteering with the Council. This will depend on the nature of the position, the nature of the offence, how long ago and at what age the offence was committed and any factors which may be relevant.

Failure to declare a conviction, caution or pending police action, will disqualify the applicant from appointment or result in summary dismissal if the discrepancy comes to light.

Safeguarding Reference Check

APPENDIX H

Applicants Name:

Post Applied for:

Referees Name:

Position:

Organisation:

Relationship to applicant:

Please complete the following questions in relation to the above persons suitability to work with *children / vulnerable adults.

*The above named person worked with *children / vulnerable adults in the following context:*

Please provide details of any disciplinary procedures the applicant has been subject to involving issues related to the safety and welfare of children or vulnerable adults, including any in which the disciplinary sanction has expired, and the outcome of those:

Please provide details of any allegations or concerns that have been raised about the applicant that relate to the safety and welfare of children or vulnerable adults or behaviour towards children or vulnerable adults, and the outcome of those concerns e.g. whether the allegations or concerns were investigated, the conclusion reached, and how the matter was resolved:

I am satisfied that the above named person is suitable to work with *children/
vulnerable adults ***Yes / No**

If no, please give specific details of your concerns and the reasons you believe the above named person might be unsuitable.

I understand that I have a responsibility to ensure that the above information is accurate and does not contain any material misstatement or omission; and relevant factual content of the reference may be discussed with the applicant.

Signature.....Date.....

* delete as appropriate # please attach a separate sheet if necessary

Example Consent Form

APPENDIX I (i)

All information will be treated in strict confidence

Please use block capitals and print clearly

Event/Activity:	Date:
Name of child:	Date of birth:
Home address:	
Home telephone No:	Mobile telephone No:
Medical conditions (if any) e.g. asthma, diabetes, allergies:	

I confirm that my son/daughter is in good health and I give consent / do not consent for my son/daughter to participate in the above event/activity.

I consent / do not consent to any emergency treatment required by my son/daughter during the course of the event/activity

I give / do not give consent for my son/daughter to be photographed during the course of the above event/activity and I consent to the photographs being used by Newcastle-under-Lyme Borough Council for bona fide promotional purposes. This also includes the use on the World Wide Web (internet).

The information you provide will be used in accordance with the Data Protection Act 1998, to ensure the safety of all participants and may be shared with other people/organisations involved in the delivery of the above event/activity, if appropriate. By signing this form you are consenting to the Council using the information, which you have supplied in the manner stated above.

Name of Parent/Guardian (*please print*):

Relationship to child:

Signature:

Date:

APPENDIX I (ii)

Consent Form for the use of Cameras and other Image Recorders

Event you would like to take photographs at:	
Reason for taking photographs:	
Name of company (if taking photographs in a professional capacity)	
Full name and address of person taking photographs:	
Telephone number:	
Mobile telephone number:	
Email address:	
Date of Birth:	
Relationship of the photographer and subject(s):	
Reason for taking photographs and/or uses the images are being, or are intended to be put to (i.e. family record / advertising etc):	

I declare that the information provided is true and correct and that images will only be used for the purposes stated.

Signed:

Date:

Authorised by:

Date:

Position:

Under the Data Protection Act 1998 the information that you have provided will be used only for the purposes contained within our Registration Document which is publicly available from Newcastle-under-Lyme Borough Council or the Information Commissioners Office, www.ico.gov.uk.

Newcastle-under-Lyme Borough Council
Safeguarding Children and Vulnerable Adults Protection Policy
January 2014

APPENDIX J

Safeguarding yourself

Guidance on the personal use of social networking sites for adults involved in services for children, young people and vulnerable adults

Due to the increasing personal use of social networking sites, staff and volunteers within the workforce should be aware of the impact of their personal use upon their professional position.

In practice, anything posted on the internet will be there forever and is no longer in your control. Remember when something is on the internet even if you remove it, it may have already been “snapshotted” by a “web crawler” and so will always be there. Current and future employers and service users may see this. Keep all professional work completely separate from your private life.

The following guidance, in addition to the above, will safeguard adults from allegations and protect an individual’s privacy as well as safeguard vulnerable groups.

Failure to comply with the following may result in organisations taking disciplinary action.

- Social networking sites such as facebook have a range of privacy settings which are often set up to ‘expose’ your details to anyone. When ‘open’ anyone can find you from a search of the social networking site or even from a Google search. Therefore, it is important to change your setting to ‘just friends’ so that your details, comments, photographs can only be seen your invited friends. Check settings regularly to ensure they have not changed during updates to sites such as facebook
- Have a neutral picture of yourself as your profile image
- Do not post embarrassing material or comments that may call into question your employment status
- Do not accept friendship requests unless you know the person or want to accept them - be prepared for being bombarded with friendship requests from people you do not know
- Do not make friendship requests with service users
- Choose your social networking friends carefully and ask about their privacy controls
- Do not accept friendship requests on social networking or messaging sites from students, pupils, young people (or their parents) or service users that you work with. For those working with young people remember that ex pupils may still have friends that you may have contact with through your work
- Exercise caution. For example, if you write on a friends ‘wall’ on facebook all of their friends can see your comment even if they are not your friend
- There is a separate privacy setting for facebook groups and networks. You may have your own profile set to private, however, when joining a group or a network please be aware that everyone in that group or network is able to see your profile

- If you have younger friends or family members on your social networking groups who are friends with students, pupils, young people (or their parents) or service users that you work with, be aware that posts you write will be visible to them
- Do not use your personal or professional details (email or telephone) as part of your profile
- If you or a friend are tagged in an online photo album (facebook, flickr) the whole photo album may be visible to their friends, your friends and anyone else tagged in the photo album
- You do not have to be friends with anyone to be tagged in their photo album, if you are tagged in a photo you can remove the tag but not the photo
- You should be aware of the privacy settings on photo sharing websites
- Your friends may take and post photos that you may not be happy about. You need to speak to them first to request that it is removed rather than contacting the web provider. If you are over the age of 18, the website will only look into issues that contravene their terms and conditions
- Do not use your personal profile in any way for official business. If you are going to be a friend of your organisations official social networking group ensure you have a separate professional profile

If you have difficulty in implementing any of this guidance contact the Designated Officer.

For further information contact:

Staffordshire Safeguarding Children Board – <http://www.staffsscb.org.uk/>

Staffordshire Safeguarding Vulnerable Adults Board – <http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

APPENDIX K

Declaration

Newcastle-under-Lyme Borough Council is fully committed to safeguarding the wellbeing of children and vulnerable adults by protecting them, from neglect, physical, sexual, emotional and financial harm.

Working as an employee or volunteer of Newcastle-under-Lyme Borough Council or as an elected member it is important that you have taken time to thoroughly read this Safeguarding Children and Vulnerable Adults Protection Policy.

By being made aware of the Policy it is our intention to ensure that all are proactive in providing a safe and secure environment for the children and vulnerable adults in our communities.

I can confirm that I have read and understood Newcastle-under-Lyme Borough Council's Safeguarding Children and Vulnerable Adults Protection Policy and I accept the principles therein.

Name (*please print*):

Position:

Signed:

Date:

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

Date 5TH FEBRUARY 2014

1. **REPORT TITLE** Parish/Town Councils – Review of Concurrent Functions and Funding

Submitted by: Head of Business Improvement and Partnerships – Mark Bailey

Portfolio: Communications, Policy and Partnerships

Ward(s) affected: All

Purpose of the Report

To present to Cabinet a proposal for a review of the existing funding arrangements dedicated to parish/town council concurrent functions.

Concurrent functions are services which can be carried out by the Borough Council but are also within the statutory remit of a parish or town council. The services are discretionary and there is – at present – no comprehensive and definitive list of such services.

To avoid 'double taxation' (where a service which could be provided by either the Borough Council or a parish/town council is financed from the parish precept in a parished area and by the Borough Council in non-parished areas with no corresponding reduction in Council Tax for the parished areas) the Borough Council provides an scheme of whereby a grant is provided to parish/town councils in the borough for use by these councils against concurrent function expenditure.

Due to the ongoing financial pressures being faced by the Borough Council, it is proposed that the current arrangements for funding concurrent functions is reviewed, and that a list of functions designated as concurrent is drafted and developed in conjunction with parish and town councils in the Borough.

This report sets out a review process and asks Cabinet to approve this proposal with a view to implementing any changes in time for the 2015/16 financial year and beyond, following consultation with parish/town councils in the Borough.

Recommendations

- a) **That Cabinet notes the contents of the report**
- b) **That Cabinet supports a review of existing arrangements for concurrent funding of parish/town councils and requests that the Transformation & Resources Overview and Scrutiny Committee undertake such a review in order to report back to Cabinet in time for implementation of a revised scheme for 2015/16.**

Reasons

The Borough Council currently operates a grant system whereby it provides funds for each of the parish/town councils in the Borough to support their activities. Given the financial pressures on the Borough Council and the need to ensure that the existing system continues to operate effectively, it is proposed that a comprehensive review of the existing grant system (which has an annual budget of £62,000) is carried out in time for implementation in 2015/16.

1. **Background**

1.1 There are currently ten parish/town councils within the Borough of Newcastle under Lyme.

1.2 A number of services provided by these councils can also be provided by Newcastle under Lyme B.C. These services are discretionary and include the following: -

- Open space and recreation grounds/facilities;
- Burial grounds;
- Bus shelters;
- Public conveniences;
- Litter collection;
- Non statutory street lighting

It should be noted that there is no definitive list of services which are regarded as 'concurrent'.

1.3 When considering concurrent functions in this context, the issue of 'double taxation' is one which needs to be addressed. 'Double taxation' arises when a service could be provided by either the Borough Council or a parish/town council and, therefore, is funded via the parish precept in parished areas and by the Borough Council in non-parished areas (with no corresponding reduction in council tax for the non-parished areas).

1.4 In order to avoid double taxation, a number of schemes are in place in different areas of the country to effectively reimburse parished areas. At present, Newcastle under Lyme B.C. operates a grant system, whereby each parish/town council is provided with an annual sum of money (each parish/town council allocation is based on a calculation against each council's tax base) with which to fund concurrent functions (section 136 of the Local Government Act 1972 allows principal local authorities to pay grants to parish/town councils in respect of concurrent functions).

1.5 At present, the Borough Council allocates around £62,000 per annum to parish/town councils in the Borough under the existing grant system. Given the financial pressures on the Borough Council, however, it is proposed that a review of the existing grant provision for concurrent functions is undertaken.

2. **Issues and Areas for Consideration**

2.1 In terms of a review of the Borough Council's funding of concurrent functions, it is proposed that this is undertaken during the 2014/15 financial year and implemented in time for the 2015/16 financial year. This will allow for the maximum possible consultation with parish/town councils and also allows Members and officers an opportunity to examine all aspects of how the current system works in practice.

2.2 It is therefore proposed that a number of key areas form the basis of a review. These include:

- An analysis of existing parish/town council spend under the heading of concurrent functions;
- A review of the existing NULBC budget for concurrent functions;
- The possible options available for dealing with the funding of concurrent functions (see comment below);
- The potential for introducing additional controls into the process whereby parish/town councils report their concurrent functions spending to the Borough Council (including whether some functions are, in future, to be determined as not 'concurrent');

- Any other questions relevant to the issue, e.g. the level of service provided by parish/town councils compared to the same services delivered in non parished areas by the Borough Council
- 2.3 In order to assist with such a review, the National Association of Local Councils (NALC) produced a document in 2011 entitled “Managing Double Taxation – A guide for local (town and parish) councils and principal local authorities’. This document offers, for example, an analysis of the options available to NULBC in terms of future funding of concurrent functions (see bullet point above).
- 2.4 As said, the timetable for this review will be determined as a part of the 2014/15 scrutiny work programme and it is suggested that the Transformation and Resources Overview and Scrutiny Committee oversee the review, which may include face to face discussions with parish/town council representatives.
3. **Options**
- Option A – that Cabinet support the proposals set out in this report, to undertake a Scrutiny review of concurrent functions and their funding by the Borough Council in time for any recommendations to be implemented in time for the 2015/16 financial year and to involve parish/town councils in such a review (Recommended)
 - Option B – that Cabinet does not support the proposals in the report, thereby potentially losing the opportunity to review the existing approach for the funding of concurrent funding and thereby missing an opportunity to ensure that the system is working effectively (Not Recommended)
4. **Proposal**
- 4.1 It is proposed Cabinet consider the report and agree to the proposals set out for a review of the existing funding regime for concurrent functions as delivered by the parish/town councils in the Borough.
- 4.2 Cabinet are asked to recommend that the review is overseen via the Scrutiny process and that parish/town councils are consulted as part of the review
5. **Reasons for Preferred Solution**
- 5.1 The existing system of Newcastle under Lyme B.C. funding of parish/town council concurrent functions has been in place for some years and – given the financial pressures facing NULBC, together with the ongoing demand from citizens to deliver high quality services, a review of concurrent functions is required to ensure that funds are being used effectively and efficiently by parish/town councils and that the existing levels of funding are appropriate.
6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**
- 6.1 The recommendations set out in the report support the corporate priority of the Council to be a co-operative council, delivering high-quality, community-driven services.
7. **Legal and Statutory Implications**
- 7.1 The Borough Council is permitted to provide funding as it does currently under s.136 of the 1972 Local Government Act, but there is no compulsion on NULBC to provide this funding.
8. **Equality Impact Assessment**
- 8.1 An Equality Impact Assessment is being developed.

9. **Financial and Resource Implications**

9.1 There are resource implications in terms of the provision of concurrent function funding and this will be considered as part of the review, together with any potential support offered by NULBC to parish/town councils.

10. **Major Risks**

10.1 The major risks with these proposals include: -

- Reputational – if the Council chooses to reduce funding
- Lack of buy-in from parish/town councils

11. **Sustainability and Climate Change Implications**

11.1 No direct implications.

12. **Key Decision Information**

12.1 This item is included on the Forward Plan

13. **Earlier Cabinet/Committee Resolutions**

None

14. **List of Appendices**

None

15. **Background Papers**

Managing Double Taxation: A guide for local (parish and town) councils and principal local authorities – National Association of Local Councils January 2011