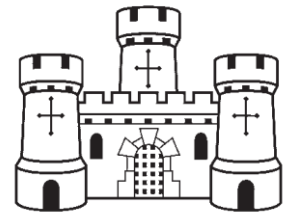


Public Document Pack

Date of meeting Wednesday, 12th February, 2020
Time 2.00 pm
Venue Lancaster Buildings - Lancaster Buildings, Newcastle, Staffs
Contact Geoff Durham



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL

Cabinet

AGENDA

PART 1 – OPEN AGENDA

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
To receive declarations of interest from Members on items included in the agenda.
- 3 MINUTES OF A PREVIOUS MEETING** (Pages 5 - 12)
To consider the Minutes of the meeting held on 15 January, 2020.
- 4 REVENUE AND CAPITAL BUDGETS AND STRATEGIES 2020/21** (Pages 13 - 112)
- 5 DRAFT JOINT LOCAL PLAN** (Pages 113 - 118)
- 6 SAFEGUARDING CHILDREN AND ADULTS AT RISK OF ABUSE OR NEGLECT POLICY AND WORKPLACE DOMESTIC ABUSE POLICY REVIEWS** (Pages 119 - 196)
- 7 FINANCIAL AND PERFORMANCE REVIEW REPORT TO THE END OF QUARTER 3 (Oct-Dec) 2019-20** (Pages 197 - 218)
- 8 FORWARD PLAN** (Pages 219 - 226)
- 9 URGENT BUSINESS**
To consider any business which is urgent within the meaning of Section 100B(4) of the Local Government Act 1972.
- 10 DISCLOSURE OF EXEMPT INFORMATION**
To resolve that the public be excluded from the meeting during consideration of the following reports, because it is likely that there will be disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972.

ATTENDANCE AT CABINET MEETINGS

Councillor attendance at Cabinet meetings:

- (1) The Chair or spokesperson of the Council's scrutiny committees and the mover of any motion referred to Cabinet shall be entitled to attend any formal public meeting of Cabinet to speak.
- (2) Other persons including non-executive members of the Council may speak at such meetings with the permission of the Chair of the Cabinet.

Public attendance at Cabinet meetings:

- (1) If a member of the public wishes to ask a question(s) at a meeting of Cabinet, they should serve two clear days' notice in writing of any such question(s) to the appropriate committee officer.
- (2) The Council Leader as Chair of Cabinet is given the discretion to waive the above deadline and assess the permissibility of the question(s). The Chair's decision will be final.
- (3) The maximum limit is three public questions at any one Cabinet meeting.
- (4) A maximum limit of three minutes is provided for each person to ask an initial question or make an initial statement to the Cabinet.
- (5) Any questions deemed to be repetitious or vexatious will be disallowed at the discretion of the Chair.

Members: Councillors S Tagg (Chair), S. Sweeney (Vice-Chair), T. Johnson, H. Maxfield, P. Northcott and J Waring

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.

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CABINET

Wednesday, 15th January, 2020
Time of Commencement: 2.00 pm

Present:-	Councillor Simon Tagg – Chair
Councillors	S. Sweeney, M. Holland, T. Johnson, P. Northcott and J Waring
Officers	Martin Hamilton, Geoff Durham, Simone Harris, Daniel Dickinson and Sarah Wilkes
Apologies	Councillor(s)

1. **APOLOGIES**

Apologies were received from Dave Adams, Executive Director – Operational Services and Jan Willis, Interim Executive Director - Resources and Support Services.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **MINUTES OF A PREVIOUS MEETING**

Resolved: That the Minutes of the meeting held on 4 December, 2019 be agreed as a correct record.

4. **WELCOME**

The Leader, Councillor Simon Tagg welcomed everyone to the meeting and introduced Mr Daniel Dickinson the Council's Head of Legal and Governance / Monitoring Officer.

5. **REVENUE AND CAPITAL BUDGETS AND STRATEGIES 2020/21**

A report was submitted to Cabinet which reviewed progress on the completion of the revenue and capital budgets for 2020/21 following agreement of the 5 year Medium Term Financial Strategy (MTFS) for 2020/21 to 2024/25.

The Portfolio Holder for Finance and Efficiency, Councillor Stephen Sweeney thanked everyone involved in the preparation of the budgets.

Members' attention was drawn to paragraphs 3.2 of the report which outlined measures to meet budget shortfalls after 2020/21.

The table at paragraph 4.2 showed the factors giving rise to the revenue funding gap for 2020/21. Paragraph 4.3 outlined savings and funding strategies for that period.

With regard to Council Tax, there would be a 2.55% rise amounting to £5 a year per band D property.

Councillor Sweeney advised that there had been 366 responses to the budget consultation. The responses were broadly in line with what the Council was currently doing.

Members' attention was drawn to paragraphs 8, 9 and 10- The Capital Strategy; Treasury Management Strategy and Investment Strategy.

The Leader thanked everyone who had been involved in the preparation of the budgets and strategies. The Council was continuing to move forward. The introduction of the new recycling scheme and the regeneration of the town centre being two of the many things to achieve this.

The Leader stated that the budget was balanced again this year and he fully endorsed the report.

Members fully supported the report stating that it was an imaginative budget with a prudent approach to the Council's assets.

- Resolved:**
- (i) That the progress on the completion of the Revenue and Capital Budgets and updated MTFS Funding Strategy for 2020/21 (Appendix 1) be noted.
 - (ii) That the updated Medium Term Financial Strategy 2020/21 to 2024/25 (Appendix 2) be approved.
 - (iii) That the strategy for ensuring a balanced revenue outturn position for 2019/20 be noted.
 - (iv) That the calculation of the Council Tax base and the Council Tax increase to be proposed for 2020/21 of £5 (2.55%) per Band D equivalent property be noted.
 - (v) That the proposed Empty Homes Premium for long term empty properties (2-5 years 100%, 5-10 years 200% and 10 years plus 300%) be approved.
 - (vi) That the proposed change in accounting policy for Minimum Revenue Provision from the straight line basis to the annuity basis (as per the draft Treasury Management Strategy) be noted.
 - (vii) That the risk assessment at Appendix 3 and S151 Officer's recommendation on the level of reserves and contingencies provisionally required to be maintained in 2020/21 be noted.

- (viii) That the draft Flexible Use of Capital Receipts Strategy (Appendix 6), updated for 2020/21, be noted.
- (ix) That the draft Capital Strategy (Appendix 8) for 2020-30 be noted.
- (x) That the draft Treasury Management Strategy (Appendix 9) for 2020/21 be noted.
- (xi) That the draft Investment Strategy (Appendix 10) for 2020/21 be noted.
- (xii) That the draft Budget and Council Tax proposals be referred to Finance, Assets and Partnerships Scrutiny Committee for comment before the final proposals are considered at Cabinet on 4 February 2020.

6. SCALE OF FEES AND CHARGES 2020/21

A report was submitted to Cabinet seeking approval of the proposed scale of fees and charges to apply from April 2020.

Councillor Sweeney referred Member to Appendix 1 of the report advising that various fees and charges had been frozen for this year. Such fees included car parking charges and the market.

The Leader stated that all increases had been kept at or under 3% and said that it was a measured approach.

The Portfolio Holder for Leisure, Culture and Heritage – Councillor Mark Holland stated that people valued the regeneration of the town centre and by freezing the parking charges it would encourage people to visit.

Resolved: That the fees and charges proposed to apply from 1 April, 2020, as set out in Appendix 1, be approved.

7. HOMELESSNESS AND ROUGH SLEEPING STRATEGY

A report was submitted to Cabinet binging forward the final version of the Newcastle-under-Lyme Homelessness and Rough Sleeping Strategy for Cabinet approval and adoption.

The Council's Portfolio Holder for Community Safety and Wellbeing, Councillor Jill Waring stated that there was more focus on prevention and that rough sleeping was the more extreme category of homelessness.

The Leader endorsed the report and stated that the views of the Economy, Environment and Place Scrutiny Committee would be considered prior to the

Strategy being adopted by the Executive Director – Commercial Development and Economic Growth and Portfolio Holder for Community Safety and Wellbeing.

Members welcomed and supported the Strategy stating that it clearly outlined the Council's obligations and gave a good indication on how the matter would be approached. Councillor Waring was commended for going out and about at 7.30am some mornings to meet people.

Councillor Sweeney stated that there was public perception of being a lot more homeless as the 'rough-sitters' were being included in their calculation.

The Leader stated that the perception needed to be addressed as did aggressive begging and the council had taken steps to address both issues.

- Resolved:**
- (i) That the views of the Economy, Environment and Place Scrutiny Committee on the draft Homelessness and Rough Sleeping Strategy 2020 to 2025 be considered.
 - (ii) That the Executive Director - Commercial Development and Economic Growth in conjunction with the Portfolio Holder for Community Safety and Wellbeing be authorised to adopt the final strategy following amendments - taking into account consultation comments.

8. NEWCASTLE HOUSING ADVICE SERVICE

A report was submitted to Cabinet setting out the way forward for the provision of the Council's statutory homelessness, housing advice and housing register services for April, 2020 onwards.

The Portfolio Holder for Community Safety and Wellbeing, Councillor Jill Waring advised Members that this was a statutory function which was currently delivered by Midland Heart under contract for the Borough. This contract would end on 31 March, 2020.

The contract was put out to tender but only one reply was received. It was therefore proposed to extend the current contract with Midland Heart for up to twelve months which would give the Council time to develop an in-house service.

- Resolved:**
- (i) That the Executive Director - Commercial Development and Economic Growth in conjunction with the Portfolio Holder for Finance and Efficiency be authorised to extend the Newcastle Housing Advice contract with Midland Heart for 12 months.
 - (ii) That the Newcastle Housing Advice service be brought back in-house by 1st April 2021.

- (iii) That the Council works with Midland Heart to undertake the necessary consultations and development of processes to transfer the service effectively.
- (iv) That a temporary post be established to develop the in-house service.

9. UPDATE ON KIDSGROVE SPORTS CENTRE

A report was submitted to Cabinet updating Members on progress made regarding the re-opening of Kidsgrove Sports Centre.

The Leader stated that the Kidsgrove Sports Centre Refurbishment Cabinet Panel had met on Monday 13 January and it had been a productive meeting.

There would be a meeting with the Steering Group and results and costing for the target cost build cost estimate would be provided by Willmott Dixon which could then be used for business case assessments.

Members fully supported this and it was added that the project had cross-party support.

The Leader advised that contractors would be sourced through SCAPE which was a national construction framework. This would save time in following the usual route and a further advantage was that local contractors would be invited to tender.

- Resolved:**
- (i) That the Council's commitment to sports & swimming provision in Kidsgrove be reaffirmed.
 - (ii) That the re-opening of the sports centre as the vehicle for delivery of this commitment, be agreed.
 - (iii) That the progress made by the Kidsgrove Community Interest Group in the development of the design and business model and the new Board membership be noted.
 - (iv) That the procurement of Willmott Dixon through the SCAPE national construction framework to establish a 'build out cost', with associated programme of work, be agreed.
 - (v) That delegated authority be given to the Portfolio Holder for Corporate and Service Improvement, People and Partnerships, along with the Executive Director - Commercial Investment and Economic Development to progress the next stages of the scheme in consultation with the Kidsgrove Sports Centre Steering Group. Further Cabinet reports will be presented upon completion of the detailed business case review in Spring, 2020.
 - (vi) That an all-party Cabinet panel be convened at the appropriate time to consider the revised cost estimates and business plan with a view

to Cabinet making a recommendation to Council on reopening the existing Kidsgrove Sport Centre.

10. COMMISSIONING OF OF DEBT, BENEFIT AND ADVICE SERVICES IN THE BOROUGH 2020-2022

A report was submitted to Cabinet setting out the options available for the provision of a Debt, Benefit and Advice Service for April, 2020 onwards when the current, extended contract expires at the end of March.

The Portfolio Holder for Finance and Efficiency, Councillor Stephen Sweeney advised that this was not a statutory obligation but was carried out by the Council.

- Resolved:**
- (i) That the retender of a Debt, Benefit and Advice service for 2 years with an option to extend for a further 12 months subject to satisfactory performance and availability of funding, be agreed.
 - (ii) That the allocation of funding and proposal as set out in this report be approved and officers and the Chief Executive be authorised, in consultation with the Portfolio Holder for Finance and Efficiency to develop and finalise a specification, undertake the tendering process, and if required to complete any post tender negotiations and award the contract to the successful contractor.
 - (iii) That the requirement of the successful contractor to work with the Council to develop the service delivery in future years of the contract, be supported.

11. OUR BOROUGH HEROES 2020

A report was submitted to Cabinet seeking support to establish an 'Our Borough Heroes' event to celebrate people in the Borough who make exceptional contributions to the community.

The Leader advised that the Council had been in discussion with the Sentinel to explore the possibility of arranging an 'Our Borough Heroes' Programme.

Members' attention was drawn to Paragraph 3.1 of the report which outlined the categories of awards that would be given. Sponsorship would be sought from local businesses and partnerships for each of the awards.

Members fully supported this stating that there were a lot of great people in the Borough who were worthy of such awards. It would encourage and acknowledge what people were doing and would become a model for others.

- Resolved:**
- (i) That an 'Our Borough Heroes' event be established in partnership with The Sentinel.

- (ii) That sponsorship be sought for individual categories from partners and businesses in the Borough.
- (iii) That any shortfall in sponsorship be underwritten, up to a maximum of £15,000.

12. FORWARD PLAN

Consideration was given to the Forward Plan which listed upcoming key decisions to be made by the Cabinet.

Resolved: That the Forward Plan be received.

13. URGENT BUSINESS

There was no Urgent Business.

14. DISCLOSURE OF EXEMPT INFORMATION

Resolved:- That the public be excluded from the meeting during consideration if the following matter because it is likely that there will be disclosure of exempt information as defined in paragraphs contained within Part 1 of Schedule 12A of the Local Government Act, 1972.

15. SCALE OF FEES AND CHARGES 2020/21 - CONFIDENTIAL APPENDIX

Resolved: That the information contained within the confidential appendix be agreed.

16. NEWCASTLE HOUSING ADVICE SERVICE - CONFIDENTIAL APPENDIX

Resolved: That the information contained within the confidential appendix be agreed.

COUNCILLOR SIMON TAGG
Chair

Meeting concluded at 2.40 pm

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

12 FEBRUARY 2020

Report Title: Revenue and Capital Budgets and Strategies 2020/21

Submitted by: Executive Director (Resources and Support Services)

Portfolio: Finance and Efficiency

Wards(s) affected: All

Purpose of the Report

To enable the Cabinet to recommend the 2020/21 General Fund Revenue Budget and the 2020/21 Capital Programme for approval to Full Council, meeting on 19 February 2020 following consideration by the Finance, Assets and Performance Scrutiny Committee on 16 January 2020.

To recommend the Flexible Use of Capital Receipts Strategy (updated for 2020/21), the Capital Strategy for 2020/2030, the Treasury Management Strategy for 2020/21 and the Investment Strategy for 2020/21 for approval to Full Council, meeting on 19 February 2020.

Recommendations

- (a) That the Revenue and Capital Budgets as detailed in this report and in the report to Cabinet dated 15 January 2020 be recommended to Full Council for approval.
- (b) That the updated Medium Term Financial Strategy 2020/21 to 2024/25 (Appendix 2) be recommend to Full Council for approval.
- (c) That the strategy for ensuring a balanced revenue outturn position for 2019/20 be approved.
- (d) That the 2020/21 Borough Growth Fund priorities as set out at paragraph 4.5 be approved.
- (e) That the calculation of the Council Tax base and the Council Tax increase to be proposed for 2020/21 of £5 (2.55%) per Band D equivalent property be recommended to Full Council for approval.
- (f) That the proposed Empty Homes Premium for long term empty properties (2-5 years 100%, 5-10 years 200% and 10 years plus 300%) be approved.
- (g) That the proposed change in accounting policy for Minimum Revenue Provision from the straight line basis to the annuity basis (as per the Treasury Management Strategy) be approved.
- (h) That the risk assessment at Appendix 3 and S151 Officer's recommendation on the level of reserves and contingencies provisionally required to be maintained in 2020/21 be recommended to Full Council for approval.
- (i) That the Flexible Use of Capital Receipts Strategy (Appendix 6), updated for

2020/21, be recommended to Full Council for approval.

- (j) That the Capital Strategy (Appendix 8) for 2020-30 be recommended to Full Council for approval.**
- (k) That the Treasury Management Strategy (Appendix 9) for 2020/21 be recommended to Full Council for approval.**
- (l) That the Investment Strategy (Appendix 10) for 2020/21 be recommended to Full Council for approval.**
- (m) That the Local Council Tax Reduction Scheme (Appendix 11) for 2020/21 be recommended to Full Council for approval.**

Reasons

To enable the Cabinet to recommend a robust and affordable budget for 2020/21 to the Council meeting on 19 February 2020.

The Council needs to have an approved Flexible Use of Capital Receipts Strategy for 2020/21, an approved Capital Strategy for 2020/30, an approved Treasury Management Strategy for 2020/21 and an approved Investment Strategy for 2020/21 in place before the start of the 2020/21 financial year.

1. Background

- 1.1 The Council is committed to the delivery of high quality services. Integral to this ambition is effective targeting of financial resources in line with the vision of “a growing borough that is an attractive and welcoming place for all” and the Council’s stated aims and objectives, as set out in the Council Plan 2018-22, which was approved by Cabinet on 19 September 2018.
- 1.2 The Council has a Medium Term Financial Strategy (MTFS) which sets out its financial position over the next 5 years. This is aligned to the Council Plan 2018-2022 and is the key vehicle for ensuring efficiency in service delivery and targeting resources to priority areas.
- 1.3 There has been good progress against Council Plan objectives in the current year, with high standards of service delivery being achieved overall. Key Outcomes so far in 2019/20 are set out in Appendix 5.
- 1.4 The 2020/21 budget is based on the assumptions set out in the MTFS which was approved as a basis for consultation by the Cabinet at its meeting on 16 October 2019 and scrutinised by the Finance, Assets and Performance Scrutiny Committee at its meeting on 16 December 2019 and again at its meeting on 16 January 2020.
- 1.5 The proposals included in this report will inform the Revenue and Capital Budgets and Council Tax 2020/21 report to Council on 19 February 2020.
- 1.6 The Capital Strategy 2020-30 sets out how the Council proposes to deploy its capital resources in order to achieve its corporate and service objectives. It takes into account other relevant Council strategies, policies and plans and the views of partners and interested parties with whom the Council is involved. It also takes account of the resources which are likely to be available to the Council to fund capital investment and the effect of that investment on the Council’s revenue budget. It will serve as a useful point of reference when determining or reviewing the Council’s Capital Programme.
- 1.7 The Council has adopted the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury

Management Code of Practice. This requires a report to be prepared and approved by the Council concerning the Treasury Management Strategy to be followed in carrying out its treasury management activities in the forthcoming financial year, 2020/21.

- 1.8 The Investment Strategy 2020/21 is compiled according to the Ministry of Housing, Communities and Local Government's Guidance on Local Government Investments ('the Guidance') and the 2017 revised CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes ('the CIPFA TM Code') It sets out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.

2. Budget 2019/20 – Provisional Outturn Forecast

Revenue

- 2.1 Monthly reports monitoring actual spending against budget have shown adverse variances during the first nine months of the year, the latest reported variance being £0.485m as at the end of December. It is forecast that this adverse variance will be reduced to a balanced year end outturn via management action, as detailed at 2.3. A balanced outturn has been achieved from a similar position in previous years.

- 2.2 The main reasons for this overall adverse variance are:

- An action plan to reduce the operating deficit at Jubilee 2 is being implemented and has resulted in a significant year-on-year improvement. Nevertheless the centre is still operating at a net deficit due to continuing high levels of staff sickness and a shortfall in income. It is forecast that the deficit will amount to £0.219m at the close of the financial year;
- Income from car parking is below the budgeted amount due to a combination of historic budget shortfalls and the introduction of parking initiatives designed to drive increased town centre footfall. It is forecast that the income shortfall will amount to £0.191m at the close of the financial year;
- Income from planning application fees is below the budgeted amount and it is forecast that there will be an adverse variance of £0.214m at the close of the financial year. The number of major planning applications received can fluctuate significantly from year to year. Over the two year period from 2018/19 to 2019/20 income is still expected to be significantly above budget; and,
- The provision of temporary cover for Senior Management posts in Resources, Legal and Democratic Services and Planning while recruitment is underway – it is forecast that this will amount to £0.240m at the close of the financial year.
- It should be noted that a balanced year end position is forecast for the Waste and Recycling service.

- 2.3 A strategy to address the overspend is being implemented and it is forecast that the actions identified will reduce the adverse variance to a balanced year end outturn. These actions include:

- Use of additional forecast income from the Staffordshire and Stoke-on-Trent Business Rates Pilot;
- Savings from reorganisation exercises within the Resources and Support Services Directorate;
- Appeals relating to the rateable value of disused or demolished Council Assets;
- Continuing action to reduce the Jubilee 2 operating deficit;

- Grants have been received for a number of areas including Brexit and Air Quality to which significant time spent in these areas can be allocated;
- A review of expenditure currently allocated to the Repairs and Renewals fund is being undertaken to identify items that can be capitalised;
- Use of the Borough Growth Fund to fund officer time spent on priority projects including digital delivery and commercial development.

- 2.4 The Interim Director of Resources and Support Services informed the Ministry of Housing, Communities and Local Government by letter of the Council's intention to make flexible use of up to £500,000 of capital receipts in each of the financial years 2018/19 and 2019/20 on 5 December 2018 and up to £400,000 for the financial year 2020/21 on 5 December 2019.
- 2.5 Officers have reviewed the 'Statutory Guidance on the Flexible Use of Capital Receipts', and have identified expenditure that meets the eligibility criteria laid out in the guidance document, in that it relates to initiatives that are forecast to generate, or have generated, on-going revenue savings through reducing the costs of service delivery.
- 2.6 The Council's Flexible Use of Capital Receipts Strategy for 2020/21 is included as Appendix 6 to this report. Cabinet are asked to endorse the strategy and recommend to Council that it be approved, as required by the statutory guidance.
- 2.7 The majority of savings incorporated in the 2019/20 budget are on target to be achieved. This means that altogether over the ten years from 2010/11 to 2019/20 £22.104m of 'gaps' will have been met via a combination of savings, efficiencies and additional income. Savings from 2017/18 and 2018/19 regarding the Waste and Recycling review that had not been achieved have now been offset by the successful introduction of the chargeable Green Waste service.

Capital

- 2.9 The Capital Programme approved by Council in February 2019 (£5,606,298) has been updated to take account of amounts brought forward from 2018/19 where planned expenditure did not occur (£1,341,573). This has been added to the budget for 2019/20 (apart from cases where costs have been reduced or expenditure will no longer be incurred). The revised budget for capital projects in 2019/20 therefore totals £6,947,871.
- 2.10 It is forecast that the Capital Programme outturn for 2019/20 will largely be in line with the budget and there will not be any significant variance to report. It is anticipated that re-profiling of approximately £1,567,377 will be incurred (i.e. 2019/20 projects carried forward to 2020/21).
- 2.11 The Capital Funding required for the 2019/20 programme includes £3,508,298 of capital receipts. These receipts are still expected however it is anticipated that there will be a delay in one of the asset sales which amounts to around £1,000,000. This is due to the Property Team re-advertising the site and achieving a greater value than originally expected. In addition 'Right to Buy' sales have slowed down this year and it is expected that the target will not be reached for 2019/20. The impact of this and the expected re-profiling from the 2019/20 programme is shown below:

Delay in Sale of Asset	£1,000,000
Reduced Right to Buy Receipts	£400,000
Capital Projects Re-Profiling	£1,567,377
Impact on Funding (Surplus)	£167,377

3. Medium Term Financial Strategy 2020/21 – 2024/25

3.1 The MTFS was approved as a basis for consultation by the Cabinet on 16 October 2019. There have subsequently been a number of amendments to the MTFS resulting in the following revised gaps. Further details of these changes are set out at Appendix 2.

- £1.249m in 2020/21;
- £1.367m in 2021/22;
- £1.115m in 2022/23;
- £1.106m in 2023/24; and,
- £0.858m in 2024/25.

3.2 Previous years' budget shortfalls have been addressed by a combination of measures such as efficiency savings, reductions in expenditure or income increases, consideration of the need for Council Tax increases, the flexible use of capital receipts, and service reviews. Significant progress has been made to meet shortfalls in the years after 2020/21 as shown in the summary below:

Detail	2020/21 £'000	2021/22 £'000	2022/23 £'000	2023/24 £'000	2024/25 £'000
<i>Income</i>	135	50	-	-	-
<i>Commercial Strategy</i>	-	250	250	250	250
<i>Digital Strategy</i>	-	150	150	150	150
<i>Staffing Related</i>	495	37	-	-	-
<i>Good Housekeeping</i>	29	13	-	-	-
<i>Tax Base</i>	385	150	152	154	157
<i>Council Tax Increase</i>	187	227	236	244	253
<i>Contributions</i>	18	-	-	-	-
TOTAL SAVINGS	1249	877	788	798	810
UPDATED MTFS GAPS	1249	1367	1115	1106	858
REMAINING GAP (- = surplus)	-	490	327	308	48

4. Revenue Budget 2020/21

4.1 The revenue funding "gap" for 2020/21 has increased by £0.041m from £1.208m to £1.249m as a result of the following changes:

- The financing of capital expenditure has been reviewed (including the profiling and requirement for projects), the annuity method as opposed to the straight line method for Minimum Revenue Provision (i.e. the principal element or repayments) will now be utilised. This has reduced pressures on the budget during 2020/21 by £0.135m;
- As part of the continued drive to build capacity, additional staffing resources have been allocated for Data Protection/Information Governance, Democratic Services and Human Resources. These have resulted in additional pressures of £0.101m;
- An additional pressure of £0.010m has been identified regarding the costs of continuing with the Britain in Bloom competition within the Borough and an enhanced programme of works to celebrate the Council's 30th year of participation; and,
- A further adjustment to income budgets to reflect long-standing structural issues. This has resulted in an additional pressure of £0.065m.

4.2 The table below shows the factors which give rise to the £1.249m “gap” for 2020/21:-

Additional Income	£'000
Fees and Charges	120
Business Rates Retention Pool levy	200
New Waste Service	100
Total Additional Income (A)	420
Additional Expenditure and Loss of Income	
Reduction in Government funding	35
Government funding re Business Rates baseline	(77)
New Homes Bonus - revised scheme	347
Provision for Pay Awards (including National Insurance)	342
Incremental pay rises for staff	56
Superannuation increase in employers and lump sum contributions	290
Additional holiday pay	34
Price increases e.g. energy, fuel, rates, insurances, supplies & services	75
Adjustments re. one-off items in 2019/20	(148)
Capital Financing Costs	(45)
Additional staffing resources	126
Borough Growth Fund contribution	250
Jubilee 2 operating deficit	100
Reduction in income from under achieved budgets	215
Reduction in waste income and recycling credits awarded	69
Total Additional Expenditure and Loss of Income (B)	1,669
Net Increase In Base Budget (B-A)	1,249

4.3 A number of savings and funding strategies to address the funding gap for 2020/21 have been identified, via a vigorous Efficiency Board process, and agreed with managers as being both feasible and sustainable. The proposed savings, totalling £1.249m are summarised in the table below and set out in detail in Appendix 1:

Category	Amount £'000	Comments
Income	135	Additional sources of income generation and an increased demand for services that the Council charges for.
Staffing Related Efficiencies	495	No redundancies are anticipated to arise from these proposals.
Good Housekeeping Efficiencies, General Other Savings, Changes in Base Budgets	29	Various savings arising from more efficient use of budgets.
Alternative Sources of Finance/ Other Savings	590	Effect of forecast Council Tax Base and Business Rates Base increase, savings from Parish Council concurrent functions contributions. An assumed £5 (2.55%) per band D equivalent increase in Council Tax.
Total	1,249	

4.4 As in previous years, the savings plan set out at Appendix 1 was made available to the Finance, Assets and Performance Scrutiny Committee for scrutiny at its meeting on 16 December 2019. The Committee also scrutinised and approved the recommendations of the Cabinet report of 15 January 2020 at its meeting on 16 January 2020.

Borough Growth Fund

4.5 The savings and funding strategies identified in the table above and in Appendix 1 will enable further investment of £250,000 in the Council's priorities as per the Council Plan 2018-2022 via the Borough Growth Fund. In accordance with the 'Statutory Guidance on the Flexible Use of Capital Receipts', the 'Borough Growth' fund will continue to be used to provide pump-priming investment in initiatives that are forecast to generate on-going revenue savings through reducing the costs of service delivery or through the generation of additional income. The Council's Section 151 Officer will determine whether any proposed use of the fund complies with this guidance on a case by case basis. Priorities for 2020/21 are:

- Council Modernisation – Local Services That Work For Local People
- Building Financial Sustainability
- Recycling and Climate Change
- Town Centres

Council Tax and Collection Fund

4.6 A £5 (2.55%) per Band D equivalent property Council Tax increase (this is the referendum limit announced as part of the Provisional Local Government Finance Settlement for 2020/21 on 20 December 2019), is proposed, producing £187,000 of additional income. This increase in Council Tax would equate to the following monetary amounts for residents:

Property Band	Borough Council Tax £ p	Annual Increase £ p	Weekly Increase £ p
A	134.09	3.33	0.06
B	156.44	3.89	0.07
C	178.78	4.44	0.09
D	201.14	5.00	0.10
E	245.84	6.11	0.12
F	290.53	7.22	0.14
G	335.22	8.32	0.16
H	402.28	10.00	0.19

4.7 The savings and funding strategy also includes an increase in the Council Tax premium charged for long term empty properties in line with an amendment to the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Bill which now permits Councils to charge a 100% premium for domestic properties that have been empty for 2-5 years, 200% for those that have been empty for 5-10 years and 300% for properties that have been empty for 10 or more years.

4.8 The primary aim of this premium is to encourage owners of these properties to bring them back into use. All domestic properties that have been empty for in excess of 2 years are currently charged a 50% premium by the Council. This proposed amendment will generate around £24,000 per annum in terms of an increased tax base for the Council.

4.9 Taking into account the proposed increase in the Council Tax premium and other changes to the Council Tax base (i.e. new properties, discounts and exemptions), the Council Tax base has increased by 270 band D equivalent properties from 37,117 in 2019/20 to 37,387 for 2020/21.

4.10 The Council is required to declare its estimated surplus or deficit on the Collection Fund (for both Business Rates and Council Tax) ahead of the financial year end for 2019/20, this surplus or deficit is then shared between the relevant preceptors in 2020/21 (a surplus if paid out to preceptors, including the Council, and a deficit is repaid to the collection fund from preceptors, including the Council).

- 4.11 The Business Rates Collection Fund is estimated to be in a surplus position at 31 March 2020 when compared to the estimates submitted via the NNDR1 form in January 2019. The surplus is estimated to amount to £4.320m, of which the Council will receive £1.728m during 2020/21. This surplus has arisen as a result of significant growth, above that estimated by Central Government, within the Borough since the Business Rates Retention scheme was introduced. In previous years the Business Rates Appeals Provision has been significantly increased via the collection fund which has offset surplus positions that would otherwise have been achieved during these years.
- 4.12 The Council Tax Collection Fund is estimated to be in a deficit position as at 31 March 2020. This deficit is estimated to amount to £0.529m. Performance for 2019/20 is estimated to be as expected, the deficit amount relates to 2018/19 whereby the surplus declared in January 2019 was £0.540m more than the actual surplus calculated at the financial year end due to an increased bad debts provision being calculated at the financial year end in compliance with revised accounting standards. The Council will be required to repay £0.060m to the Collection Fund regarding this deficit in 2020/21.
- 4.13 The net receipt from the Collection Fund to the Council in 2020/21 will therefore be £1.668m (£1.728m surplus re. Business Rates less £0.060m deficit re. Council Tax). This amount will be paid into the Council's earmarked reserves in order to significantly increase the Council's financial resilience and ability to manage funding risks including those arising from the forthcoming Fair Funding Review.
- 4.14 The Provisional Local Government Finance Settlement for 2020/21 was received on 20 December 2019, this is largely in line with the assumptions that had previously been made via the Medium Term Financial Strategy. The Settlement Funding Assessment for the Council increased by £0.061m as opposed to an assumed £0.077m increase in the Medium Term Financial Strategy, this was as a result of the decreased CPI inflation applied (1.6% as opposed to the forecast of 2.1%). However, this has been offset by the receipt of an Affordable Housing Premium awarded to the Council for the introduction of new Affordable Housing within the Borough during 2019/20, this amounts to £0.016m and negates the decrease in Settlement Funding Assessment previously referred to. The Final Local Government Finance Settlement for 2020/21 is expected to be received during February 2020, it is not expected to differ from the provisional figures received.

5. Budget Consultation

- 5.1 Public consultation has been undertaken on the budget (Appendix 7). The consultation clearly determined that residents again felt that the following services were the most important to them.

- Town Centre regeneration;
- Refuse collection;
- Parks, playgrounds and open spaces;
- Recycling facilities; and,
- Street cleansing.

It also showed that residents feel that services should be protected as far as possible, even if that requires an increase in Council Tax.

- 5.2 The consultation has been reviewed by Cabinet and the views of those residents that have engaged in the consultation have been taken account of, and reflected, in the 2020/21 savings and funding strategy.

6. Capital Programme 2020/21 to 2022/23 and Capital Strategy 2020-30

- 6.1 The Capital Programme for 2020/21 to 2022/23 (Appendix 4) is based on new schemes which are vital to ensure continued service delivery and in assisting the Council to achieve its corporate and service

objectives as set out in the Council Plan 2018-22 approved by Cabinet on 19 September 2018. These schemes total £24.624m, of which £12.454m relates to 2020/21.

- 6.2 The Capital Strategy for 2020-30 (Appendix 8) meets the requirements of statutory guidance issued by the Government in January 2018. The Council's capital investment is carried out within the statutory framework laid down by the Local Government Act 2003 and regulations under that Act. Accordingly, only expenditure which fits the definition of capital expenditure contained in the Act or Regulations pursuant to it will be capitalised.
- 6.3 The Capital Programme is produced in line with the Capital Strategy for 2020-30 (Appendix 8). In addition to the Council's corporate and service objectives, as set out in the Council Plan 2018-22, the Capital Programme is also influenced by a number of external parties and factors:
- Central government and its agencies;
 - Legislation requiring capital works;
 - Partner organisations;
 - Businesses and Developers; and,
 - The needs and views of other interested parties, particularly those of Borough residents.
- 6.4 The Capital Programme for 2020/21 includes £3.151m for the refurbishment and reopening of Kidsgrove Sports Centre. This replaces the Kidsgrove Sports Centre scheme previously scheduled to commence in 2023/24 and will enable the provision of leisure facilities within Kidsgrove ahead of the timescale previously planned.
- 6.5 Delivering the capital programme for 2020/21 will require prudential borrowing to be undertaken. The impact of borrowing is included in the MTFS pressures for 2020/21 and future years.
- 6.6 Advice will be sought from the Council's Treasury Management advisors, Arlingclose, as to the most beneficial timing of prudential borrowing. Their current advice is to borrow on a short term basis (up to 4 years) from other local authorities whilst interest rates remain low, particularly in light of the recent increase in the Public Works Loan Board interest rates.
- 6.7 In summary, investment in the capital programme for 2020/21 to 2022/23 totalling £24.624m will be funded by:
- £5.845m External Funding including Disabled Facilities Grant and s106;
 - £6.993m Capital Receipts;
 - £0.150m ICT Development Fund; and,
 - £11.636m Vehicle Leasing/Prudential Borrowing

7. Treasury Management Strategy 2020/21 and Investment Strategy 2020/21

- 7.1 The Treasury Management Strategy for 2020/21 is attached at Appendix 9. The Minimum Revenue Provision Policy for 2020/21, as referred to at 4.1 of this report, is contained in Annex C to the strategy.
- 7.2 The Treasury Management Strategy for 2020/21 allows for borrowing. Although not utilised in recent years, the Council has previously considered the option of long-term borrowing from the Public Works Loans Board (PWLB), but the government increased PWLB rates by 1% in October 2019 making it now a relatively expensive option. After the utilisation of capital receipts and internal borrowing, the Council will now look to borrow short term from other local authorities in the first instance and will then review any other sources of funding if required.
- 7.3 The Investment Strategy for 2020/21 is attached at Appendix 10. This investment strategy meets the

requirements of statutory guidance issued by the government in January 2018 and is based on guidance provided by Arlingclose, the Council's treasury management advisors. Quantitative investment indicators are included within the Strategy to allow elected members and the public to assess the Council's total risk exposure as a result of its investment decisions.

- 7.4 The Investment Strategy is informed by and consistent with the Commercial Strategy approved by Cabinet in October 2019 which proposes the establishment of a Revolving Investment Fund of £50m funded from a mix of revenue contributions, capital receipts and prudential borrowing. This fund will be used to finance a commercial asset acquisition programme and a strategic asset development programme.
- 7.5 The overriding objective of the Commercial Asset Acquisition Programme will be to generate and secure a long-term and sustainable income stream for the Council. This will be achieved by investing in assets with a projected minimum level of return of 2% above the cost of borrowing and other holding and management costs. The investments will not be required to meet other Council objectives and priorities e.g. regeneration, economic development or housing, and can be located outside the borough.
- 7.6 Direct investment in commercial property offers a relatively familiar path as the Council already has a diversified property portfolio including office, retail and industrial assets which currently generates a net annual revenue stream. Other potential investment opportunities include renewable energy (for example solar farms and solar bonds) and development of a commercial loan portfolio including loans to registered social landlords within the borough to fund housing development.
- 7.7 The aim of the strategic asset development programme will be to steer and manage development opportunities from the Council's property asset base so as to deliver capital receipts and improved revenue income streams but at the same time securing the regeneration, economic development and housing objectives of the Council. Examples include acquisition and development of strategic town centre sites, housing and industrial sites within the borough (including, for example within the Chatterley Valley Enterprise Zone). Developments may be undertaken on a co-investment basis with public, not for profit and private sector partners.
- 7.8 The MTFs assumes that a return of £250,000 will be generated from these investments from 2021/22, rising to £1m p.a. in 2024/25. This assumption will be validated as initial investment proposals are brought forward for Cabinet approval.
- 7.9 The treasury management strategy has been updated to provide the necessary flexibility to manage this significant programme of acquisitions. Any surplus returns will be recycled to fund future investments.
- 7.10 The costs of employing specialist commercial advisers, providing training for members and officers involved in investment decisions and undertaking due diligence on early investment opportunities will be met from the Borough Growth Fund. £100,000 of the fund has been allocated to support the development of the commercial strategy in 2019-20.

8. Balances and Reserves

- 8.1 The minimum reserves level was increased as part of the 2019/20 budget setting process to ensure that robust levels were maintained to reflect the levels of risks shown in the budget. A further review of the Council's Balances and Reserves together with a risk assessment informing the levels of these has been undertaken. Details of the risk factors considered and the weightings applied to each are set out at Appendix 3.
- 8.2 The Council currently holds a minimum balance of £100,000 as a Contingency Reserve. It is proposed that this reserve is re-designated as an Income Reserve with a minimum balance of £100,000 in order to provide increased flexibility to manage year-to-year fluctuations in income. If the Income Reserve is used

in year it is proposed that this be replenished to a balance of £100,000 during the budget setting process for the following financial year.

- 8.3 The Council's S151 Officer has undertaken a financial resilience assessment based in part on the recently published CIPFA Financial Resilience Index and has recommended that a minimum level of unallocated reserves and contingencies of £1.548m be held in 2020/21 to reflect the levels of revenue risk shown. Therefore, the Council's Balances and Reserves Strategy for 2020/21 is that there should be a minimum General Fund balance of £1.448m and an Income Reserve of £0.100m.
- 8.4 The MTFS makes provision for the General Fund balance to be increased to £1.948m over the life of the strategy via annual contributions of £100k commencing in 2021/22. The S151 Officer's recommendation to increase the level of unallocated reserves, together with action already taken to address historic structural budget deficits, is part of continuing action to safeguard the long term financial resilience of the Council and reflects the additional risks that the Council will increasingly be exposed to via the commercial investment strategy over the life of the MTFS.
- 8.5 Earmarked reserves will be bolstered by £1.668m (per 4.13) to further increase the Council's resilience to risk including that relating to the forthcoming Fair Funding Review.
- 8.6 The Councils Balances and Reserves (actual at 31 March 2019, and forecast at 31 March 2020 and 31 March 2021) are set out in Appendix 3.

9. Localised Council Tax Support Scheme 2020/21

- 9.1 Section 13A of the Local Government Finance Act 1992, substituted by section 10 of the Local Government Finance Act 2012 requires each billing authority in England to make a Localised Council Tax Reduction scheme, specifying the reductions which are to apply to amounts of Council Tax payable by persons or classes of person whom the authority consider are in financial need.
- 9.2 Any scheme needs to be approved by the 11th March before the start of a new financial year or a default scheme prescribed by regulations will be imposed by the Secretary of State for Communities and Local Government. The scheme for 2020/21 (Appendix 11), is intended to remain as per the 2019/20 scheme.

10. Legal and Statutory Implications

- 10.1 The Council is required to set its Council Tax for 2020/21 by 9 March 2020. It is planned to approve the final budget and council tax rates on the 19 February 2020.

11. Risk Statement and Major Risks

- 11.1 Section 25 of the Local Government Act 2003 places a duty on the Section 151 Officer to report on the robustness of the budget. The main risks to the Revenue and Capital budgets include:
- Spending in excess of the budget;
 - Income falling short of the budget; and,
 - Unforeseen elements e.g. changes to legislation or reductions in government grants.
- 11.2 Such risks require regular and robust monitoring and it is essential that the Council has sufficient useable reserves to call on if required (see Section 6 above). The review and risk assessment indicates that overall unallocated reserves and contingencies are required to be maintained at £1.548m to reflect the levels of risk shown in the revenue budget. In addition an earmarked reserve of £1m is required to

provide flexibility to manage risks relating to delivery of the capital programme. Earmarked reserves will be bolstered by £1.668m in 2020/21 (per 4.13) to further increase the Council's resilience to risk including that relating to the forthcoming Fair Funding Review.

- 11.3 The assessment of the Section 151 Officer is that the proposals included in this report are robust and will ensure an adequate level of reserves.
- 11.4 Treasury management is a major area of risk for the Council in that large amounts of money are dealt with on a daily basis and there are a number of limits and indicators, which must be complied with.
- 11.5 The overriding consideration in determining where to place the Council's surplus funds is to safeguard the Council's capital. Within this constraint the aim is to maximise the return on capital. Operational procedures, coupled with monitoring arrangements, are in place to minimise the risk of departures from the approved strategy.

12. Key Decision Information

- 12.1 Affects all wards within the Borough and monetary values involved are highly significant.

13. Earlier Cabinet Resolutions

Medium Term Financial Strategy 2020/21 to 2022/23 (Cabinet 16 October 2019)
Revenue and Capital Budgets and Strategies 2020/21 (Cabinet 15 January 2020)

14. List of Appendices

Appendix 1: 2020/21 MTFS Funding Strategy
Appendix 2: 2020/21 to 2024/25 MTFS 'Gaps'
Appendix 3: Risk Assessment on Required Balances/Contingency Reserve
Appendix 4: 2020/21 to 2022/23 Capital Programme
Appendix 5: Key Council Achievements in 2019/20
Appendix 6: Flexible Use of Capital Receipts Strategy 2019 to 2022
Appendix 7: 2020/21 Budget Consultation Report
Appendix 8: Capital Strategy 2020 to 2030
Appendix 9: Treasury Management Strategy 2020/21
Appendix 10: Investment Strategy 2020/21
Appendix 11: Local Council Tax Reduction Scheme for 2020/21

15. Background Papers

CIPFA Treasury Management Code of Practice (revised December 2017)
Council's Treasury Management Policy Statement
Local Government Act
Local Authorities (Capital Finance and Accounting) (England) Regulations
Ministry of Housing, Communities and Local Government's Guidance on Local Government Investments
Statutory Guidance on the Flexible Use of Capital Receipts

Appendix 1 - 2020/21 MTFS Funding Strategy

Ref	Service Area	Description	£000's	% of Budget Line(s)	Detail
Income					
I2	Environmental Health	Licensing Income	20	3.8%	Increased demand in licensing requirements from customers
I3	Operational Services	Bereavement Services Income	10	0.7%	Increased memorialisation offer to customers
I4	Housing Regeneration & Assets	Street Naming/ Numbering	20	166.7%	Increased levels of income received during 2018/19 and 2019/20
I5	Recycling and Fleet	New Properties Delivery Charge	16	New	Delivery charge for waste/recycling bins to properties on new developments
I6	Recycling and Fleet	Trade Waste Income	50	10.0%	Increased marketing and sales regarding the trade waste service
I7	Planning and Development	Pre Planning Application Advice	19	76.0%	Increased level of income following review of fee structure
			135		
Staffing Related Efficiencies					
S1	Revenues & Benefits/Customer Services	Restructure	300	TBC	Restructure of Revenues and Benefits and Customer Services
S2	Finance	Car Leasing Scheme	8	72.7%	Car leases not renewed following expiry
S3	Finance	Payroll	25	44.9%	Payroll function to be undertaken by Stoke-on-Trent City Council
S4	All	Vacant Posts, Retirements, Reprioritisation	162	TBC	Vacant posts, service reprioritisation and employees retirement
			495		
Good Housekeeping/General Other Savings/Changes in Base Budgets					
G1	Housing Regeneration & Assets	Bus Station	10	33.4%	Contribution to Banksman post - post ceased
G2	ICT Services	Staffordshire Connects	19	39.6%	Saving in partnership contribution following change of Customer Relationship Manager system
			29		
Alternative Sources of Finance/Other					
A1	Corporate	Council Tax Base	53	0.7%	Increase in Council Tax Base (increase of 270 residential properties), includes the impact of the Empty Homes Premium
A2	Corporate	Business Rates Base	332	7.0%	This additional funding is due to the Business Rates collection fund being in surplus at the end of 2018/19 and is net of additional provision for appeals.
A3	Corporate	Council Tax Increase	187	2.55%	Assumed increase of £5 per Band D equivalent property (2.55%)
A4	Corporate	Parish Council Section 136 Contributions	18	25.0%	Reduction of 25% of the 2016/17 payment made to Parish Councils for concurrent functions as agreed as part of the 2017/18 budget setting process - final reduction
			590		
Grand Total			1,249		

Appendix 2 - 2020/21 to 2024/25 MTFS 'Gaps'

Detail	2020/21 £'000	2021/22 £'000	2022/23 £'000	2023/24 £'000	2024/25 £'000	Description
Employees:						
Increments	56	46	31	13	6	Employees due an increment in 2020/21
Pay awards	294	301	309	317	324	2.5% pay award assumed for all years
Superannuation increases	60	59	58	56	57	17.1% of increase in salaries
Superannuation lump sum increases	230	74	76	78	80	Increase from the currently discounted figure in 2020/21.
National insurance	48	48	47	45	46	13.8% of increase in salaries
Additional holiday pay	34	1	1	1	1	Holiday pay due on overtime
Premises:						
Business Rates	27	23	24	24	25	Inflationary increase in business rates payable (per CPI)
Utilities	7	7	7	13	7	Inflationary increase in gas and electric (per Department for Business, Energy and Industrial Strategy)
Transport:						
Fuel	6	6	6	12	6	Inflationary increase in fuel (per Department for Business, Energy and Industrial Strategy)
Income:						
Fees and charges	-120	-123	-125	-128	-130	3% increase in fees and charges
New Homes Bonus	347	246	158	192	106	Drop out of New Homes Bonus legacy payments
BRR pilot/pooling - additional income	-200	200	-	-	-	Pooling arrangements ahead of the spending review
Government grant	35	35	35	35	35	Reduction in Housing Benefit /Council Tax Admin grant
Settlement Funding Assessment	-77	-79	-80	-82	-84	Inflationary increase in baseline funding level (per CPI)
Business Rates surplus		-500				
New Pressures:						
Borough growth fund	250	-	-	-	-	Contribution to the borough growth fund
Income pressures	284	169	169	169	169	To enable income budgets to be corrected
Jubilee 2 Operating Deficit	100	50	-	-	-	To remove the current operating deficit of Jubilee 2
Borrowing/leasing costs	-45	246	301	260	217	Revenue costs relating to the capital programme
Waste service	-100	-	-	-	-	£100,000 saving based on initial modelling undertaken
Castle House/facilities management	15	-	-	-	-	Review following full occupancy of Castle House
Asset management system	5	-	-	-	-	Annual maintenance costs of software
Streetscene community payback	25	-	-	-	-	Mainstreaming of community payback Streetscene costs
Rough sleepers service	5	-	-	-	-	Increase in contract costs
Additional staffing resources	101	-	-	-	-	Human Resources, Data Protection, Democratic Services
Britain in Bloom	10	-	-	-	-	Additional resources
Microsoft licenses	-	50	-	-	-	Increase in charges to the Council
Contribution to unallocated reserves		100	100	100	100	To increase resilience of Unallocated Reserves
One off Budget Items:						
Flexible use of capital receipts	252	-	-	-	-	Flexible use of capital receipts undertaken in 2019/20
	-400	400				Flexible use of capital receipts undertaken in 2020/21
TOTAL GAPS	1249	1367	1115	1106	858	

Appendix 3 – Risk Assessment on Required Reserve Balances (i) and Actual/Forecast Reserve Balances at 31 March 2019 to 2021 (ii)

i. Risk Assessment on Required Reserve Balances

Note: All these risks relate to the Business Objective ‘To set a balanced, affordable and achievable budget’

All of the risks fall into the “Finance” Category

Item	Risk	Potential Consequences	Risk Score I * L	Risk Rating	Specify Existing Control Measures	Final Score I * L	Balance Required (£)	Final Risk Rating	Further Action Required
1	Increase in fees and charges does not result in higher income levels	Shortfall in income leading to overspends	3 x 4	High	Included in calculation of prudent minimum balances.	3 x 3	260,000	High	None
2	Reduced Income due to non-availability of service (e.g. through closure of facilities for repairs)	Shortfall in income leading to overspends	3 x 3	High	Included in calculation of prudent minimum balances.	3 x 3		High	None
3	Income falls short of Budget because of general change in market conditions, e.g. because of demand fluctuations	Shortfall in income leading to overspends	3 x 5	High	Included in calculation of prudent minimum balances.	3 x 3	81,500	High	None
4	Bad debts reduce the Council's income	Shortfall in income leading to overspends Need to top up Bad Debts Provision	3 x 4	High	The Council has a sundry bad debts provision (£275k balance at 31/03/19). £30k contribution to provision included in the base budget.	3 x 3	81,000	High	Increase monitoring of collection performance
5	Employee budgets – The budget is discounted on the assumption there will be vacancies. The impact of 1% vacancy is about £150,000	Vacancies do not occur leading to additional costs	3 x 3	High	The budget assumes a vacancy factor of 2%. This is realistic compared with experience from previous years.	3 x 3	57,000	High	None
6	Employee Budgets - The 2020/21 employee pay settlement results in an increase higher than included in the budget	Additional unbudgeted costs	2 x 1	Low	Pay Spine review known in advance. Balances sufficient to deal with any additional costs, plus reduced job security in economy.	2 x 1	19,000	Low	None
7	Problems with staff recruitment/retention resulting in the payment of market supplements at extra cost	Additional unbudgeted costs	3 x 3	High	Subject to ongoing review.	3 x 3	19,000	High	None
8	Problems with staff sickness/suspensions resulting in the needs to use	Additional unbudgeted costs	3 x 3	High	Situation subject to ongoing review.	3 x 3	94,000	High	None

Item	Risk	Potential Consequences	Risk Score I * L	Risk Rating	Specify Existing Control Measures	Final Score I * L	Balance Required (£)	Final Risk Rating	Further Action Required
Page 28	agency/interim staff at extra cost.								
9	Council becomes liable to pay compensation or legal fees or other unforeseen commitment arises.	Additional unbudgeted costs	3 x 3	High	Included in calculation of prudent minimum balances	3 x 3	239,500	High	None
10	Inflation relating to supplies and services exceeds the allowance in the budget.	Additional unbudgeted costs	3 x 3	High	Included in calculation of prudent minimum balances	3 x 3	21,700	High	None
11	Existing commitment(s) missed out of budget	Additional unbudgeted costs	3 x 2	Moderate	Budgets subject to checking at several levels. Preparation of standstill budget for comparison.	3 x 2	25,000	Moderate	None
12	Fall in interest rates reduces income to the Council.	Investment income targets not met	2 x 2	Moderate	Rates are very low now. A decrease would make only a relatively small difference. Included in calculation of prudent minimum balances	1 x 2	3,000	Low	None
13	Profile of capital spend differs adversely from that assumed in the investment interest calculation	Investment income targets not met	2 x 2	Moderate	Capital Budgets have been realistically set. Due to low interest rates investment income is no longer significant.	1 x 2		Low	None
14	Fuel costs increase by more than allowed for in budget.	Additional unbudgeted costs	3 x 3	High	Realistic increases included in base budget.	2 x 3	11,000	Moderate	None
15	Energy costs increase by more than allowed for in budget.	Additional unbudgeted costs	3 x 3	High	Realistic increases included in base budget.	2 x 3		Moderate	None
16	Unforeseen major repairs needed to Council properties.	Additional unbudgeted costs	4 x 3	High	Planned maintenance programme in place and stock condition survey.	3 x 2	50,000	Moderate	None
17	Insurances – unexpected increases in premiums.	Additional unbudgeted costs	3 x 3	High	Included in calculation of prudent minimum balances	3 x 3	19,000	High	None
18	Insurances - high level of excesses to be met by Council or uninsured losses	Additional unbudgeted costs	3 x 3	High	Included in calculation of prudent minimum balances. Insurance Provision established.	3 x 3	56,000	High	Monitor level of Insurance Provision
19	Government increase NI rates during 2020/21. An increase of 1% adds about £100,000 to the Council's costs	Additional unbudgeted costs	3 x 3	High	Included in calculation of prudent minimum balances	3 x 3	45,000	High	None

Item	Risk	Potential Consequences	Risk Score I * L	Risk Rating	Specify Existing Control Measures	Final Score I * L	Balance Required (£)	Final Risk Rating	Further Action Required
20	Loss of VAT Exempt Status	Additional unbudgeted costs	3 x 3	High	None	3 x 2	50,000	Moderate	Continue to monitor position regularly
21	Savings built into Budget are not realised	Additional unbudgeted costs	3 x 3	High	Regular Budget Monitoring	3 x 3	37,500	High	None
22	New Legislation imposes extra costs but provides insufficient resources	Additional unbudgeted costs	3 x 3	High	Contingency Reserve available. Included in calculation of prudent minimum balances.	3 x 3	37,500	High	None
23	Partnerships - expenses falling on Council as accountable body	Additional unbudgeted costs	2 x 3	Moderate	Few partnerships in place now. Monitor partnership activities and ensure carried out according to agreements.	2 x 1	7,500	Low	None
24	Civil Emergency	Additional unbudgeted costs	5 x 2	High	Bellwin Scheme will meet 100% of eligible expenditure within 1 month of an emergency (over threshold set- £25k for NBC)	4 x 2	50,500	Moderate	None
25	Investment Counterparty (including own bank re current account, etc) fails to meet its financial commitments	Loss of interest due Ongoing loss of interest owing to loss of capital	2 x 3	Moderate	Use of credit rating agencies Counterparty list based on minimum ratings with CDS overlay. Limits to investments with one counterparty (£7m)	2 x 3	10,500	Moderate	Frequent reviews of investment strategy
26	Municipal Mutual Insurance (MMI) Clawback	Additional unbudgeted costs	4 x 4	Extreme	MMI Provision	4 x 3	37,500	High	Consider increasing amount of provision if reports from administrator indicate it to be necessary
27	Data Protection breach resulting in fine	Additional unbudgeted costs	3 x 3	High	Data Protection Policy Reminders to staff. All staff complete mandatory Data Protection e-learning module.	3 x 3	75,000	High	None
28	Members act against officer advice resulting in cost to the Council	Additional unbudgeted costs	3 x 3	High	Agenda pre-meetings. Liaison with members. Monitoring Officer.	3 x 3	75,000	High	None

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Item	Risk	Potential Consequences	Risk Score I * L	Risk Rating	Specify Existing Control Measures	Final Score I * L	Balance Required (£)	Final Risk Rating	Further Action Required
29	Volatility in respect of Brexit	Additional unbudgeted costs re supplies and services and utilities	3 x 3	High	Include in calculation of prudent minimum balances.	3 x 3	85,000	High	Monitor

Impact (I)

- 1 - Negligible <£25,000
- 2 - Marginal <£50,000
- 3 - Serious <£250,000
- 4 - Critical <£1m
- 5 - Catastrophic >£1m

Likelihood (L)

- 1 - Extremely Unlikely
- 2 - Remote Chance
- 3 - Possible
- 4 - Probable
- 5 - Frequent / very likely

Score

- 1-2
- 3-8
- 9-15
- 16-25

Risk rating

- Low Risk
- Moderate Risk
- High Risk
- Extreme Risk

ii. Actual/Forecast Reserve Balances at 31 March 2019 to 2021

Reserve	Actual Balance at 31/3/19 (£000's)	Estimated Change in 2019/20 (£000's)	Estimated Balance at 31/3/20 (£000's)	Estimated Change in 2020/21 (£000's)	Estimated Balance at 31/3/21 (£000's)	Purpose
General Fund Balance	1,448	-	1,448	-	1,448	Working balance to cover unforeseen adverse events affecting the budget. Approved minimum balance of £1.448m
Contingency Reserve	100	-	100	-	100	To meet cost of unforeseen contingencies or for any other purpose approved by Council. Approved minimum balance of £0.100m
Equipment Replacement Fund	531	90	621	(139)	482	To pay for the replacement of items of plant and equipment
Renewals & Repairs Fund	-	-	-	-	-	To meet the cost of repairs and maintenance of Council owned buildings and structures
ICT Development Fund	49	(33)	16	(8)	8	To meet the cost of new IT requirements, including capital expenditure
Budget Support Fund	302	94	396	(116)	280	To support the General Fund revenue budget or to meet costs approved by Council
Borough Growth Fund	56	7	63	50	113	To fund investment in corporate priorities
Conservation & Heritage Fund	38	-	38	-	38	To provide repair grants to owners of historic buildings
Mayor's Charity Reserve	9	-	9	-	9	To hold funds on behalf of the Mayor's Charity
Museum Purchases Fund	60	(18)	42	-	42	To purchase, conserve and enhance exhibits
Business Reserve	500	(500)	-	1,668	1,668	To hold surpluses of business rates received per the revenue account and to pay subsequent deficits on the collection fund
Keele Master Plan Reserve	36	(18)	18	(18)	-	To meet the costs of the Keele master planning exercise
Elections Reserve	-	50	50	50	100	To provide budget on a 4 year cycle for Borough Elections
Totals	3,129	(328)	2801	1,490	4,291	

Appendix 4 – 2020/21 to 2022/23 Capital Programme (2020/21 shown in detail in second table)

CAPITAL PROJECTS	Proposed Programme			
	2020/21	2021/22	2022/23	TOTAL
	£	£	£	£
PRIORITY - Local Services that work for Local People				
Service Area - Council Modernisation	380,000	506,000	110,000	996,000
Total	380,000	506,000	110,000	996,000
PRIORITY - Growing our People and Places				
Service Area - Housing Improvements	1,070,000	1,080,000	2,615,000	4,765,000
Service Area - Managing Property & Assets	131,531	101,500	410,846	643,877
Total	1,201,531	1,181,500	3,025,846	5,408,877
PRIORITY - A Healthy, Active and Safe Borough				
Service Area - Environmental Health	10,000	0	0	10,000
Service Area – Street Scene and Bereavement Services	295,600	1,170,600	1,265,600	2,731,800
Service Area - Recycling and Fleet	3,766,000	609,500	351,000	4,726,500
Service Area - Leisure	3,682,000	331,000	687,000	4,700,000
Service Area - Museum	95,000	240,000	40,000	375,000
Service Area - Managing Property & Assets	55,547	40,456	273,403	369,406
Service Area - Engineering	165,873	140,193	806,287	1,112,353
Total	8,070,020	2,531,749	3,423,290	14,025,059
PRIORITY - A Town Centre for All				
Service Area - Managing Property & Assets	1,702,553	1,110,383	81,126	2,894,061
Total	1,702,553	1,110,383	81,126	2,894,061
CONTINGENCY/FEASABILITY STUDIES	1,100,000	100,000	100,000	1,300,000
TOTAL	12,454,103	5,429,631	6,740,262	24,623,997

FUNDING				
Capital Receipts C/Fd from 2019/20	2,062,506			2,062,506
Flexible Use of Capital Receipts	-400,000			-400,000
Capital Receipts	4,330,000	500,000	500,000	5,330,000
External Contributions	2,065,000	2,765,000	1,015,000	5,845,000
ICT Development Fund	50,000	50,000	50,000	150,000
Borrowing/Leasing	4,346,597	2,114,631	5,175,262	11,636,491
TOTAL	12,454,103	5,429,631	6,740,262	24,623,997

CAPITAL PROJECTS	Proposed Programme 2020/21 £
PRIORITY - Local Services that work for Local People	
<i>Service Area - Council Modernisation</i>	
Mobile Technology Roll Out	30,000
Desktop Technology Refresh	10,000
Microsoft LAR Uplifts	50,000
Digital Delivery Integration Costs	20,000
Replacement of Civica APP	30,000
Replacement of Civica Financials	30,000
Implementation of SharePoint	20,000
Recontracting of Wide Area Network links	40,000
Fixed line telephony re-contracting	50,000
Packet Shaper refresh	20,000
E-payments replacement	60,000
Public Service Wi-Fi	20,000
Total (Service Area)	380,000
Total Priority	380,000
PRIORITY - Growing our People and Places	
<i>Service Area - Housing Improvements</i>	
Disabled Facilities Grants	1,000,000
Empty Homes Grants	40,000
Carbon Management	30,000
Total (Service Area)	1,070,000
<i>Service Area - Managing Property & Assets</i>	
Stock Condition Survey Works	85,323
Central Depot	46,208
Total (Service Area)	131,531
Total Priority	1,201,531
PRIORITY - A Healthy, Active and Safe Borough	
<i>Service Area – Environmental Health</i>	
CCTV/Body worn cameras	10,000
Total (Service Area)	10,000
<i>Service Area - Streetscene & Bereavement Services</i>	
Footpath Repairs	40,000
Play Area Refurbishment	50,000
Railings/Structures Repairs	25,000
Britain in Bloom	25,000
Tree Management System Updates	20,000
Traveller Encroachment	5,000
Memorial Survey	5,000
Town Centres Street Furniture	5,000
Crematorium Monthly Gardens	5,000
Replacement Cremators	50,000
Community Project Match Funding	5,000
Probation Service Community Payback Scheme	15,600
Vehicle Tracking and Route Optimisation	30,000
Grounds Maintenance Invest to Save Programme	15,000
Total (Service Area)	295,600

Service Area - Recycling & Fleet	
Replacement Bins/Containers	100,000
Wheelie Bins – New Recycling Service	920,000
Paper Recycling Internal Bin Caddie	154,000
Twin Body RCV for New Recycling Service x 7	1,650,000
New Food Waste Collection Service Vehicles x 7	490,000
Corporate Fleet Replacement	352,000
Transfer Station Alterations (New Recycling Service)	100,000
Total (Service Area)	3,766,000
Service Area - Leisure	
Poolside Fitness Equipment	30,000
Floor Cleaning Machine	15,000
Replacement/Increased Seating	1,000
Redecoration/Tiling/Wall Protection	15,000
Carbon Management	40,000
Upgrade Public WiFi	20,000
Kidsgrove Sports Centre	3,151,000
Westlands Tennis Courts LTA Match Funding	210,000
Football Facilities March Funding	200,000
Total (Service Area)	3,682,000
Service Area - Museum	
HLF Match Funding	75,000
CCTV Replacement/Upgrade	20,000
Total (Service Area)	95,000
Service Area - Managing Property & Assets	
Stock Condition Survey Works	55,547
Total (Service Area)	55,547
Service Area - Engineering	
Ryehills over Marian Platt walkway	150,000
Kidsgrove Loopline Bridge Over Walkway in Park	7,865
St James Closed Churchyard, Newchapel	8,008
Total (Service Area)	165,873
Total Priority	8,070,020
PRIORITY - A Town Centre For All	
Service Area - Managing Property & Assets	
Stock Condition Survey Works	174,827
Midway Car Park, Newcastle	452,726
Demolition of Civic Offices	1,000,000
Car Parking Machines	30,000
Markets	40,000
Bus Shelters	5,000
Total (Service Area)	1,702,553
Total Priority	1,702,553
CONTINGENCY	
	1,000,000
FEASIBILITY STUDIES	
	100,000
TOTAL	12,454,103

Appendix 5 – Key Council Achievements in 2019/20

KEY ACHIEVEMENTS IN 2019/20

Britain in Bloom

Newcastle-under-Lyme has achieved its 18th consecutive gold award in the regional Heart of England in Bloom campaign, as well as the judges' discretionary award in the Environmental category for Silverdale Country Park and a merit award for one of our local volunteers. Business sponsorship of the campaign achieved cash income of over £60,000 with further "in kind" contributions to a value of over £10,000. Phase 5 of the Public Art programme, a "snowdrops" sculpture, was installed at Northwood Lane Roundabout. A total of 6 of the Borough's strategic parks and cemeteries achieved Green Flag status this year.

Bereavement Services

The Council's Bereavement Services achieved Gold Standard again in the Charter for the Bereaved and held an annual stakeholder meeting with local Funeral Directors, Memorial Masons and Clergy to discuss future service improvements. A memorial afternoon was held at Keele Cemetery in December for families to remember loved ones.

Environmental Action

The Council delivered a programme of environmental education and enforcement activities, engaging with 25 schools, and facilitated over 1000 hours of community volunteering activity in local parks, open spaces and neighbourhoods. Successful enforcement action has been delivered in relation to unauthorised traveller encampments and abandoned vehicles. The number of vacant allotment plots has reduced and income from this has increased. Birchenwood Playing Fields and pavilion have been leased to a local community sports club. Capital programme improvement and equipment replacement projects have been successfully delivered in relation to the Council's playground stock, and the SUNRISE partnership project has improved biodiversity at Thistleberry Parkway, Lyme Valley Parkway and Pool Dam Local Nature Reserve.

Streetscene

As well as delivering the daily Borough-wide street cleansing and grounds maintenance work, the Streetscene team has worked in partnership with the Probation Service Community Payback team to deliver a programme of litter and graffiti clearance, painting of railings, play equipment and planters, and vegetation management at various sites across the Borough. Deterrent measures to protect against unauthorised traveller encampments have been installed at a number of locations and the Council's footpath and railing stock has been repaired at key sites. A contract has been let to progress the large volume of tree work which has been identified as part of the Council's ongoing tree inspection programme, and a Mobile Elevated Work Platform has been purchased to assist in making this work safer and more efficient.

New Garden Waste Service

Introduced chargeable garden waste service to residents with gardens within the Borough. New service commenced in January 2019, and provides residents with a fortnightly collection service for garden waste for a full twelve months, at the cost of £36 for the year. Nearly 50% of residents signed up for the scheme. The quality of material collected is excellent, and subscriptions have filled a budget hole created by the removal of external funding which helped provide this service in the past.

Our Digital Council

The introduction of a customer portal and self-service tools for a basket of council services will be a major step forward in the digital delivery of services for residents in Newcastle-under-Lyme. Digital technologies have the potential to improve the way the majority of council customers interact with local authority services whilst at the same time generating significant efficiency savings. Over the next 12 months we will further embrace the digital delivery of other services of the Council to enhance the local services offered, a significant dedicated resource has been committed in order to progress this even further.

Added to this, officers in the Recycling and Waste service are delivering major successes in a drive to get the most out of the Bartec waste management system. The technology is used by more than 60 councils in the UK for scheduling all types of waste collection, monitoring performance and continuous service improvement. Bartec helps teams out on the road to record key service data such as missed bins, contamination, presentation rates and so on.

The Council's website

The Council's website retained its Plain English Crystal Mark – a key factor of this award is accessibility, and supports work to ensure compliance and accessibility requirements as stated in the 2018 regulations for Public Sector websites by 23 September 2020.

Leisure

A new Playing Pitch Strategy produced to support the Joint Local Plan work. Delivery of the strategy, will drive external investment in outdoor sport activities. In partnership with the BID, the Ride Staffs Cycle Race was brought to Newcastle Borough.

Jubilee 2

The Council has made good progress towards addressing long term issues through the appointment of Alliance Leisure to support marketing development and Strategy Solutions to sell advertising space at Jubilee 2 to boost membership and increase income generation.

Cultural developments

A Heritage Lottery Bid to provide funding for the extension to the Brampton Museum was submitted, and is planned to commence in April 2020.

Use of Guildhall

The Council continues to work with Support Staffordshire and a range of partners to ensure that valuable community support can be provided from community and voluntary sector groups based at the Guildhall. A wide range of organisations such as Staffordshire Adult Autistic Society, Shaw Trust-Work and Health Programme and Moneyline are providing their services for the people of the Borough. Friends of the Guildhall Group are providing cover for the reception area.

Supporting Retailers and Local Businesses

Working with partners, the Council continues to support retailers and local business to remain and prosper in the town centres. The annual Business Boost competition, which provides business support and cash prizes is open to Newcastle based businesses some of which are based in our town centres. Working with Newcastle Business Improvement District and Appetite Creative People and Places Programme, we continue to celebrate our local cultural heritage by promoting events which encourage visitors, support local businesses and raise the profile of our towns.

Partnership Working and Support

Co-ordination of a range of partnership activity (including a launch of the town centre Public Space Protection Order) to address Anti-Social Behaviour and Begging in the town centre undertaken, and is ongoing. There has also been a review of the town centre CCTV and creation of a joint framework with SOTCC for a new improved service for 2020 and beyond and worked with Newcastle Bid and gained success with the Purple Flag Accreditation.

Delivery of the Daily Vulnerability Hub continues, as does the MARAC pilot, which co-ordinates the response to vulnerable victims of domestic abuse. Several services to deliver support to vulnerable people were commissioned this year:-Safe Recovery, Financial Inclusion and Children and Young.

In the community, assistance given to community groups to achieve external funding and support for the development of Newcastle Dementia Friendly project. The Council has signed up to the Support Staffordshire VCSE Pledge and celebrated our first £2,000 Lyme Lottery winner.

HR Developments

The HR team has undergone restructure and provided a new shared service for Payroll with Stoke City Council. The team have also worked to reorganise Customer Services, Revenues & Benefits and Customer Services. A new Attendance Policy including Guidance and Toolkit documentation provided for staff and training undertaken in December. In addition, Customer Service, Revenues & Benefits & Customer Service have undergone reorganisation.

FUTURE PLANS 2020/21

New Recycling Service

We will be introducing our new recycling and separate food waste collection service to all residents, with a vastly simpler system to use for residents, collecting a greater range of plastics, and utilising wheelie bins for glass cans and plastic, with a strong bag for paper and card. Collections from residents will be made on a fortnightly basis, and will lead to less litter from collections, and more efficient and effective operations. Plans are also in place to introduce a commercial waste recycling service to business within the Borough of Newcastle under Lyme.

Keele University Growth Corridor

The Council continues to have aspirational plans for the long-term expansion of the area to the west of Newcastle as a result of a significant planning exercise by the Council and its partners, focussing on the former golf course at Keele, parts of Silverdale and land adjacent to Keele University. The Keele University Growth Corridor responds to the borough's housing needs and ambitious plans set out in the Keele Deal which identifies opportunities for significant investment at the university and includes the provision for new housing on the former golf course, a new primary school and a small convenience store. An important feature will be the creation of attractive walking routes within the campus and residential parts of the scheme. Land has also been set aside to help the university meet its sustainability aims with renewable energy provision on the campus.

Regeneration of the Newcastle and Kidsgrove Town Centres

The Council has been successful in the first stage of the Future High Streets Fund and is looking forward to developing exciting new plans for the redevelopment of the Ryecroft site as a key site in Newcastle Town Centre. Working with partners the Council will be developing a Business Case for the next stage of the Future High Street Fund.

Newcastle and Kidsgrove towns have both been selected to bid for Town Deal status, two new Town Deal Boards are being developed and working with a wide range of stakeholders including local businesses the Town Boards will be seeking to develop Investment Plans to ensure long term sustainable development takes place.

Re-opening of the Kidsgrove Sports Centre

The Council is working to improve access to sports and leisure facilities for residents in Kidsgrove and surrounding areas as part of a community led initiative to refurbish and re-open the Kidsgrove Sport Centre. A key focus in the coming year will be building on the considerable preparatory work already completed to effect the transfer of the sports centre from the County Council and bring our ambitious plans to fruition.

Britain in Bloom

Newcastle-under-Lyme will be celebrating its 30th year of participation in the regional Heart of England in Bloom campaign. To mark this milestone, a 10 year programme of projects and events will be launched based around 3 themes of public art, parks and youth engagement. 2020 will see Phase 6 of the public art programme being installed on Gallowstree Lane Roundabout, the Borough hosting the regional Heart of England in Bloom awards ceremony at Keele Hall and a refurbishment of the landscaping in the Bearpit (Grosvenor Roundabout) as well as many other community projects. 7 of the Borough's strategic parks and cemeteries will apply for Green Flag status this year.

Bereavement Services

The Council's Bereavement Services will seek to achieve Gold Standard again in the Charter for the Bereaved and hold 2 stakeholder meetings with local Funeral Directors, Memorial Masons and Clergy to discuss future service improvements. The Council will launch an affordable "Resident Funeral" offer in partnership with local Funeral Directors and explore the potential for a greater choice of memorialisation options in the grounds of Bradwell Crematorium.

Environmental Action

The Council will deliver a programme of environmental education and enforcement activities, engage with schools, and facilitate over 1000 hours of community volunteering activity in local parks, open spaces and neighbourhoods. Successful enforcement action will be delivered in relation to unauthorised traveller encampments and abandoned vehicles. The number of vacant allotment plots will be further reduced through proactive letting. Capital programme improvement and equipment replacement projects will be successfully delivered in relation to the Council's playground stock, and Section 106 agreement funding will be used to improve a range of facilities in line with the aims of the Open Space Strategy.

Streetscene

As well as delivering the daily Borough-wide street cleansing and grounds maintenance work, the Streetscene team will continue to work in partnership with the Probation Service Community Payback team to deliver a programme of litter and graffiti clearance, painting of railings, play equipment and planters, and vegetation management at various sites across the Borough. The Council's footpath and railing stock will be repaired at key sites. A contract to progress the large volume of tree work which has been identified as part of the Council's ongoing tree inspection programme will continue, and monthly clearances of identified "grotspot" areas will take place.

ICT Delivery

The ICT team will play a crucial role in supporting the Council's Digital ambitions from both the external customer perspective and for internal users. The technology and solutions that ICT deliver over the next 12 months will pave the way to fundamentally alter how services are delivered; allowing staff to be more productive and deliver better outcomes for the residents, visitors and businesses within Newcastle under Lyme.

HR Developments

Next year, the team will work on Organisational Development for the Council and implement Career Pathways for all posts within the Council. Also, corporate training on Managing Mental Health in the Workplace is planned for delivery.



Flexible Use of Capital Receipts 2019 to 2022



Introduction

In the Spending Review 2015, the Chancellor of the Exchequer announced that to support local authorities to deliver more efficient and sustainable services, the government will allow local authorities to spend up to 100% of their fixed asset receipts (excluding Right to Buy receipts) on the revenue costs of reform projects.

Power under which the guidance is issued

1. The Local Government Act 2003 ('the Act'), section 15(1) requires a local authority '... to have regard (a) to such guidance as the Secretary of State may issue, and (b) to such other guidance as the Secretary of State may by regulations specify ...'.
2. Two codes of practice issued by the *Chartered Institute of Public Finance and Accountancy (CIPFA)* contain guidance on capital receipts and local authority accounting that complement the DCLG guidance. These publications are:
 - *The Prudential Code for Capital Finance in Local Authorities*
 - *The Code of Practice on Local Authority Accounting*
3. Local authorities are required to have regard to the current edition of *Treasury Management in Public Services: Code of Practice and Sectoral Guidance Notes* by regulation 2 of the *Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 [SI 3146]* and to the *Local Authority Accounting Code* as proper practices for preparing accounts under section 21(2) of the Act.

Application

4. This guidance applies with effect from 1 April 2016 to 31 March 2022 – i.e. to the financial year 2016-17 and for each subsequent financial year to which the flexible use of capital receipts direction applies.
5. The Council cannot borrow to finance the revenue costs of service reform and can only use capital receipts from the sale of property, plant and equipment received in the years in which this flexibility is offered.

The Council may not use its existing stock of capital receipts to finance the revenue costs of reform.

Qualifying expenditure

6. The key criteria to use when deciding whether expenditure can be funded by the capital receipts flexibility is that it is forecast to generate ongoing savings to the authority.
7. A list of types of project that would qualify for the flexible use of capital receipts is shown below. This list is not meant to be prescriptive or exhaustive and individual authorities who have projects that will generate ongoing savings that are not included in the list provided in the guidance can apply the flexibility to fund those projects.

Accountability and transparency

8. The Council is required to prepare a strategy that includes separate disclosure of the individual projects that will be funded or part funded through capital receipts flexibility and that the strategy is approved by full Council or the equivalent. This strategy can be included as part of the annual budget documentation and approved by full Council or the equivalent at the same time as the annual budget.

Qualifying expenditure

Types of qualifying expenditure

9. Qualifying expenditure is expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs or to improve the quality of service delivery in future years.
10. Set up and implementation costs of any new processes or arrangements can be counted as qualifying expenditure. The ongoing revenue costs of the new processes or arrangements cannot be classified as qualifying expenditure.

Examples of qualifying expenditure

11. There are a wide range of projects that could generate qualifying expenditure and the list below is not prescriptive. Examples of projects include:
 - Sharing back-office and administrative services with one or more other council or public sector bodies
 - Investment in service reform feasibility work, e.g. setting up pilot schemes
 - Collaboration between local authorities and central government departments to free up land for economic use
 - Funding the cost of service reconfiguration, restructuring or rationalisation (staff or non-staff), where this leads to ongoing efficiency savings or service transformation
 - Sharing Chief-Executives, management teams or staffing structures
 - Driving a digital approach to the delivery of more efficient public services and how the public interacts with constituent authorities where possible
 - Aggregating procurement on common goods and services where possible, either as part of local arrangements or using Crown Commercial Services or regional procurement hubs or Professional Buying Organisations
 - Improving systems and processes to tackle fraud and corruption in line with the Local Government Fraud and Corruption Strategy – this could include an element of staff training
 - Setting up commercial or alternative delivery models to deliver services more efficiently and bring in revenue (for example, through selling services to others)
 - Integrating public facing services across two or more public sector bodies (for example children's social care, trading standards) to generate savings or to transform service delivery.

Accountability and transparency

Preparation

12. For each financial year, the Council should ensure it prepares at least one Capital Strategy ("the Strategy")

Content

13. As a minimum, the Strategy should list each project that plans to make use of the capital receipts flexibility, that it details the split of up front funding for each project between capital receipts and other sources, and that on a project by project basis, a cost benefit analysis is included to highlight the expected savings. The Strategy should report the impact on the Councils Prudential Indicators for the forthcoming year and subsequent years.
14. From the 2017-18 Strategy and in each future year, the Strategy should contain details on projects approved in previous years, including a commentary on whether the planned savings or service transformation have been/are being realised in line with the initial cost/benefit analysis.
15. The Strategy may also include any other matters considered to be relevant.

Approval

16. The Strategy should be approved by the full council.

Timing

17. For any financial year an efficiency Strategy ("the initial Strategy") should be prepared and approved before the start of the year.

2020/21 Strategy

The Council intends to use capital receipts received in 2020/21 to finance qualifying expenditure up to £400,000 in accordance with the Guidance. The projects which will be financed in this way are shown in the table below.

Project	Expenditure	Expected Savings
	£'000	£'000
Digital Delivery Project	100	150*
Recycling and Environmental Action	200	150*
Financial Sustainability	100	100*
Total	400	400

*Projects which are currently in progress.

The individual projects selected within these categories will be financed entirely from in year capital receipts

2019/20 and Previous Years' Flexible use of Capital Receipts

The Council financed qualifying expenditure in 2017/18 and 2018/19 in accordance with the Guidance, and further intends to finance such expenditure in 2019/20, as shown in the table below.

Project	Allocation of Flexible Use of Capital Receipts	Actual Spend	Estimated Savings	Actual One off Savings	Actual Ongoing Saving	Notes
	£'000	£'000	£'000	£'000	£'000	
2017/18						
Castle House Project - Redundancy Costs	80	80	80		80	
2018/19						
Digital Delivery Project	66	66	100		96	Flexible retirements and vacant posts
Chargeable Garden Waste Preparatory Costs	233	233	371		200	CGW income
Waste Recycling Service	142	142	150	150		
Building Efficiency Works Expenditure	59	59	50		50	
2019/20						
Digital Delivery Project	100	TBC	150		145	Payroll Staffordshire Connects
New Recycling Service - Preparatory Costs	120	TBC	100		100	Ongoing project, expect to save circa £100k per annum
Chargeable Garden Waste Preparatory Costs	40	TBC	40		500	CGW income
Building Efficiency Works Expenditure	40	TBC	40		40	
Building for the Future	100	TBC	217			
Restructuring	100	TBC	250		300	Revenues & Benefits, Customer Services and ICT restructure
Total	1080	TBC	1,548	150	1511	

All of these projects are in the process of being completed. The total savings for these projects cannot be totally quantified until their completion, monitoring of these will continue to be provided to Cabinet on a quarterly basis.



2020/21 Budget Consultation report

Headline findings

- 366 responses – three times last year's responses
 - 98 per cent were residents from the borough
- Five council services by far seen as most important
 - Town centre regeneration
 - Refuse collection
 - Parks, playgrounds and open spaces
 - Recycling facilities
 - Street cleaning
- Non-statutory services that respondents want to be protected:
 - Town centre regeneration **by far** the most important, followed by:
 - Outdoor markets
 - Outdoor leisure facilities
- 65 per cent want to protect services even if it means an increase in Council Tax
- Oldest and youngest age groups were under-represented
- Responses from 20 wards
 - Disproportionately high response rate from Audley
 - No responses from Keele.

Background

This survey was available online since 7 November via an online form on the Council's Have Your Say web page, and was publicised by the Communications Team on Facebook and Twitter. There were **366** responses – a huge increase on the 124 for last year's survey - but not all respondents answered every question.

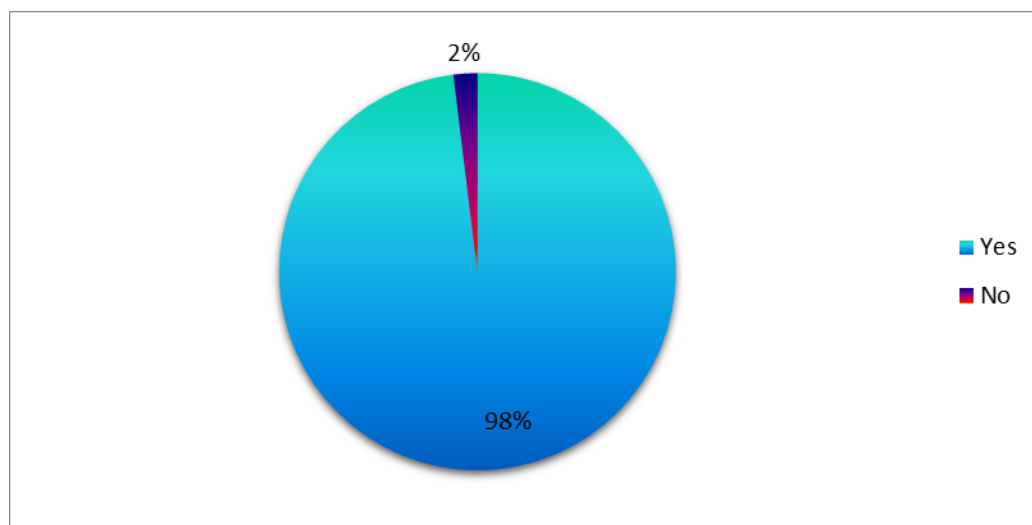
At three different places on the survey, respondents were made aware of the services that were not the responsibility of the Borough Council, but several respondents still recommended that we protected such services from funding cuts.

Analysis of data

Q1) Are you a resident of the borough of Newcastle-under-Lyme?

Not everyone answered this question, but, of the 362 who did, 98 per cent of them said that they were a resident. Only six respondents (two per cent) said that they were not.

Figure 1: Q1) Are you a resident of the borough of Newcastle-under-Lyme? 362 respondents



Q2) What is the single most important thing the Council could do differently to improve the quality of life for your local community?

This was a purely open question – an open text box was provided for respondents to answer, purely unprompted, with no suggested answers to choose from. There was a note on the survey explaining the services that were not the responsibility of the Council, yet there were several mentions of schools, pot holes and police, as the below shows - there were some key themes that were submitted and the following were mentioned by more than five respondents:

- | | |
|--|--------------|
| • Improve /regenerate the town centres / more shops: | 48 responses |
| • Street/paths cleaning of litter | 29 |
| ○ Better leaf clearing from gutters | 10 |
| • Weekly recycling collection with tubs | 26 |
| ○ Free garden waste | 5 |
| ○ Recycle more items | 6 |
| • Whalley's Quarry smell | 22 |
| • Roads/pot holes/road sweeping | 22 |
| • Free car parking in the town centres | 16 |
| • Homelessness (including removing rough sleepers and beggars from Newcastle town centre in particular | 15 |
| • Anti-social behaviour (generally youths) | 12 |
| • Improve Newcastle's market (reduce stall holders rent) | 12 |
| • Reduce Council Tax / spend money more wisely | 11 |
| • More police / open the police station | 10 |

- 10
10
6

Figure 2: Word cloud showing key themes from 308 responses



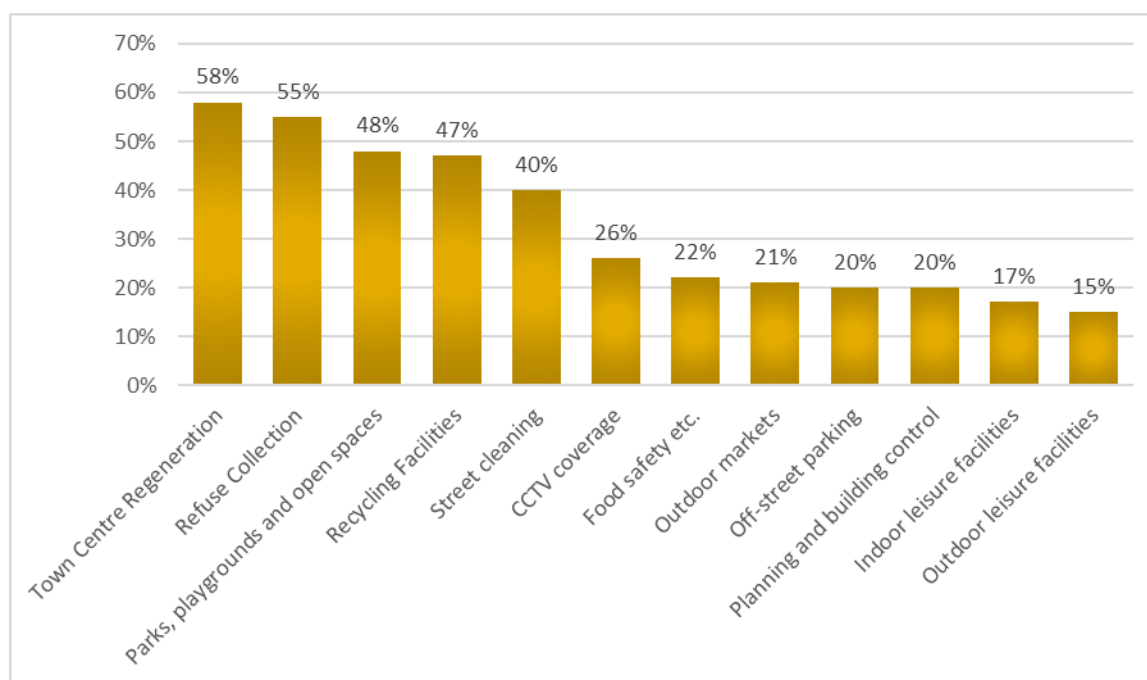
Q3) Which of these Council services are the most important to you?

For this question, respondents were asked to choose up to five services from a list of 12 services. As respondents could choose up to five options, totals will add up to more than 100 per cent.

Five services were, by some distance, more popular than the other choices:

- Town Centre Regeneration (chosen by 58 per cent of respondents)
- Refuse collection, (55 per cent)
- Parks, playgrounds and open spaces (48 per cent)
- Recycling facilities (47 per cent)
- Street cleaning (40 per cent)

Figure 3: Which of these Council services are the most important to you? 360 respondents



If you ticked 'other' then please say which service(s) you think are the most important in the box below, remembering that the Council is not responsible for policing, hospitals, the NHS, social care, roads/highways or schools/academies.

Respondents were given the chance to answer 'other' and then to say which other services they considered important, and 13 gave the following responses which are as submitted – only spelling mistakes have been altered:

- On street free parking for short stay (30-60 min).
- Support to the vulnerable and helping residents feel safe in and around the town.
- You have been collecting police increment , we do not have a recognized police presence , only CPSO, but for over 8 years it been going on , also you are now charging extra for garden rubbish on top of council taxes so you have enough money as you do not offer social care anymore.
- I don't feel that this survey is very user friendly - many will be put off by the layout and language used. You need to reach out to every level in the community, young, old, IT literate or not. A simpler score 1-10 might be simpler.
- Partnerships
- Public Toilets in town centre - especially by the multi storey car park Bus services for wheelchair users and better Sunday service Libraries
- Crossing guards at crossings near to schools
- Car parking charges for council car parks: To encourage people to the centre, stop charging. Even if it was one day a week or something, if you are encouraging regeneration, look at the car parks.
- Stop the charge for emptying the green waste bins.
- The environment and carbon reduction
- Improve Youth Services
- Local social groups to learn new skills & get to know other residents but at weekends & evenings not during the day when most people work
- Transport

- Off street parking is vital with the number of houses being built, we've had 3 cars written off so far
- Address parking for the disabled.
- I didn't even know there was a New Vic theatre in Newcastle!
- The disgusting sickening smell from red industries quarry landfill off Cemetery Road.
- Better management of J2
- Environmental health
- Fewer charity shops and fast food outlets; beggars on the streets
- The STINK

Q4) Out of the following services which the Council is not required by law to provide would you most like to see protected? Please tick up to five boxes.

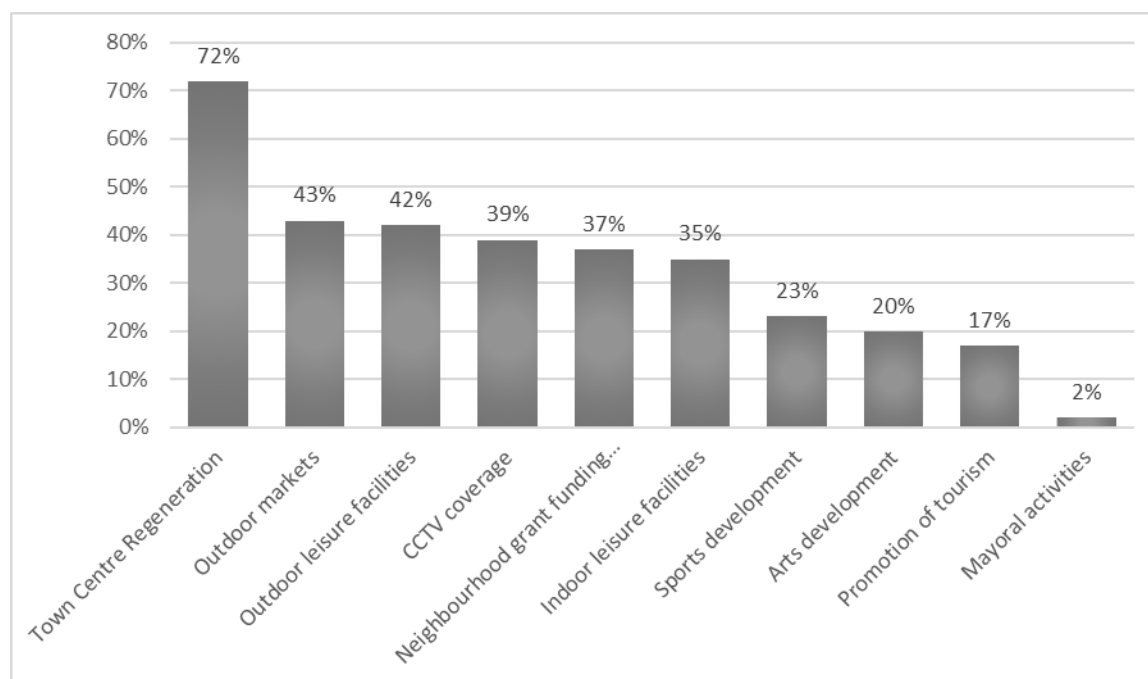
Again, respondents were asked to choose up to five options out of a list of 10 services. There were three services that were significantly more popular than any others, namely:

- Town centre regeneration (72 per cent)
- Outdoor markets (43 per cent)
- Outdoor leisure facilities (42 per cent)

...and four in particular were chosen by relatively few respondents:

- Mayoral activities (2 per cent)
- Promotion of tourism (17 per cent)
- Arts development (20 per cent)
- Sports development (23 per cent)

Figure 4: Out of the following services which the Council is not required by law to provide would you most like to see protected? 360 responses



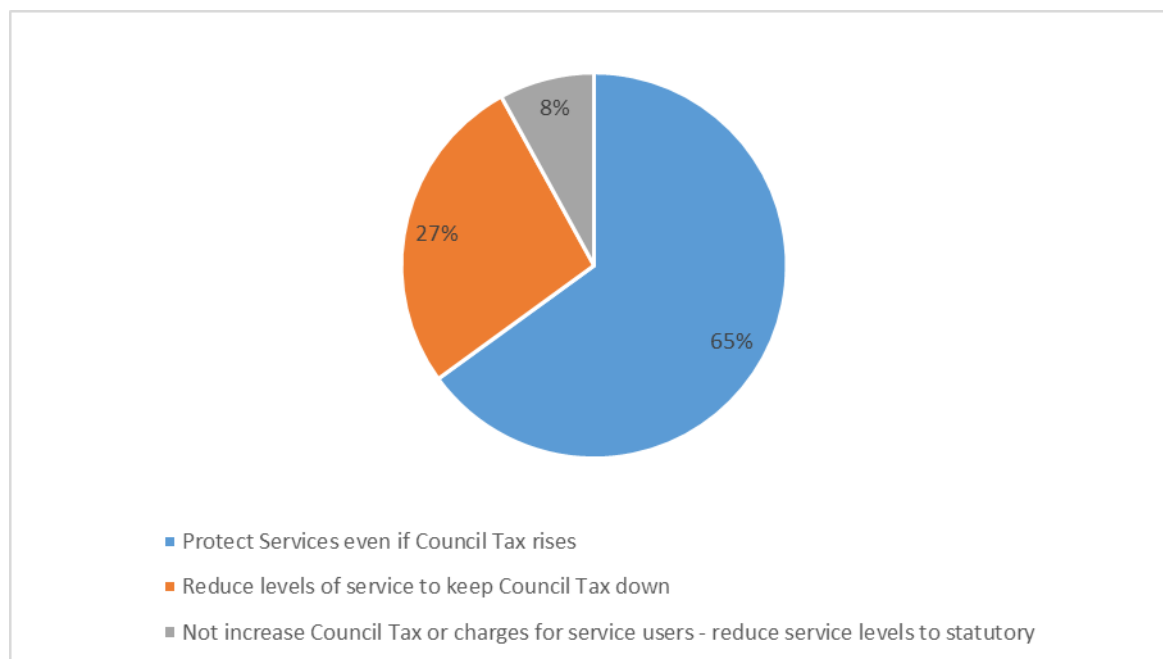
Q5) When making decisions about spending plans for next year and beyond, should we...

Respondents were asked to choose from a set list of three options, and they were chosen as follows:

- *Protect services, even if this means we will need to increase Council Tax and charges to service users because of central funding reductions.* This was by far the most popular option, chosen by almost two-thirds (65 per cent) of all respondents.

- *Reduce levels of service to make sure that Council Tax rises and fee increases for service users are kept to a minimum* was the second most popular choice. A little over one-quarter (27 per cent) of respondents chose this option.
- *To not increase Council Tax or charges for service users, but instead look to reduce service levels towards a core statutory offer - that is, excluding those listed in question 3,* was comparatively unpopular, chosen by 8 per cent.

Figure 5: When making decisions about spending plans for next year and beyond, should we...



Q6) Are there any particular service areas where you feel Newcastle-under-Lyme Borough Council should not reduce its funding?

This was another open comments box where respondents were asked to make suggestions, unprompted. The following themes were mentioned by at least four respondents:

- | | |
|---|--------------|
| • Recycling / refuse collection | 50 responses |
| • Town centre regeneration | 31 |
| • Street cleaning | 24 |
| • Leisure | 16 |
| • Parks | 10 |
| • Arts/Brampton | 7 |
| • CCTV | 5 |
| • Young – but let them choose what they want provided | 5 |
| • Benefit claim processing | 4 |
| • Bus routes to the rural villages | 4 |
| • New Vic Theatre | 4 |

Figure 6: Word cloud showing comments from 202 responses

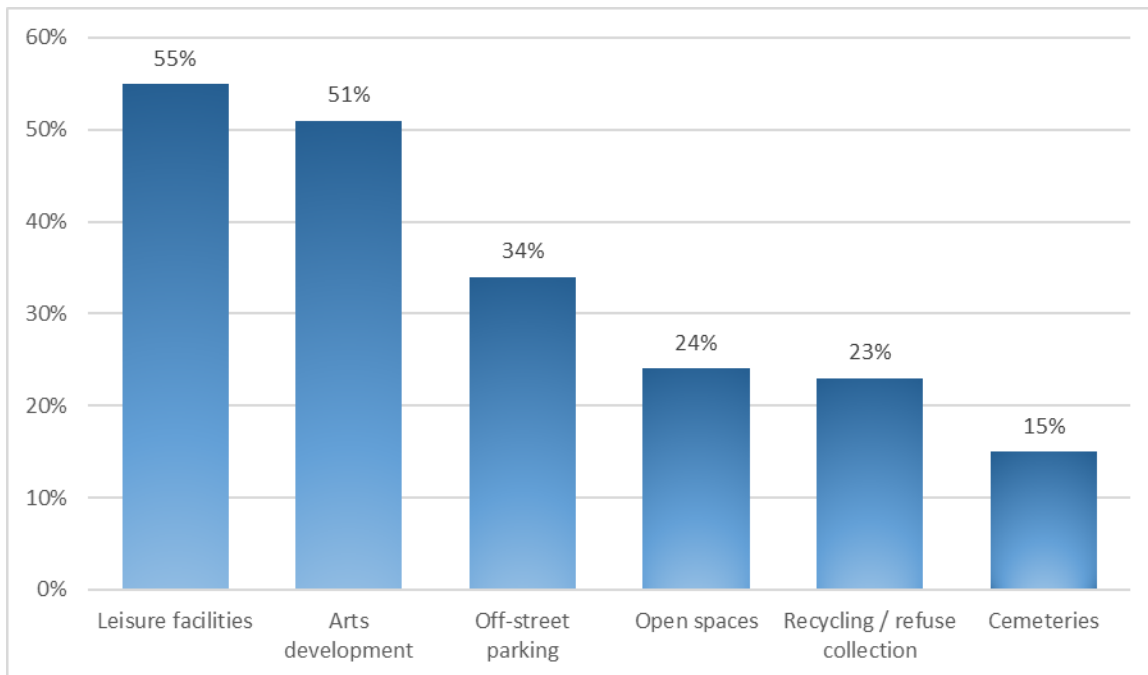


Q7) Which service areas should the Council seek to generate additional income from service users in order to help balance the budget? Please tick as many as you feel are appropriate.

Respondents were asked to choose from a list of six options, and could select as many of these six as they wanted to – explaining why percentages add up to more than 100 per cent.

Like last year, leisure facilities (55 per cent) and arts development (51 per cent) were chosen clearly ahead of the others as the following chart demonstrates.

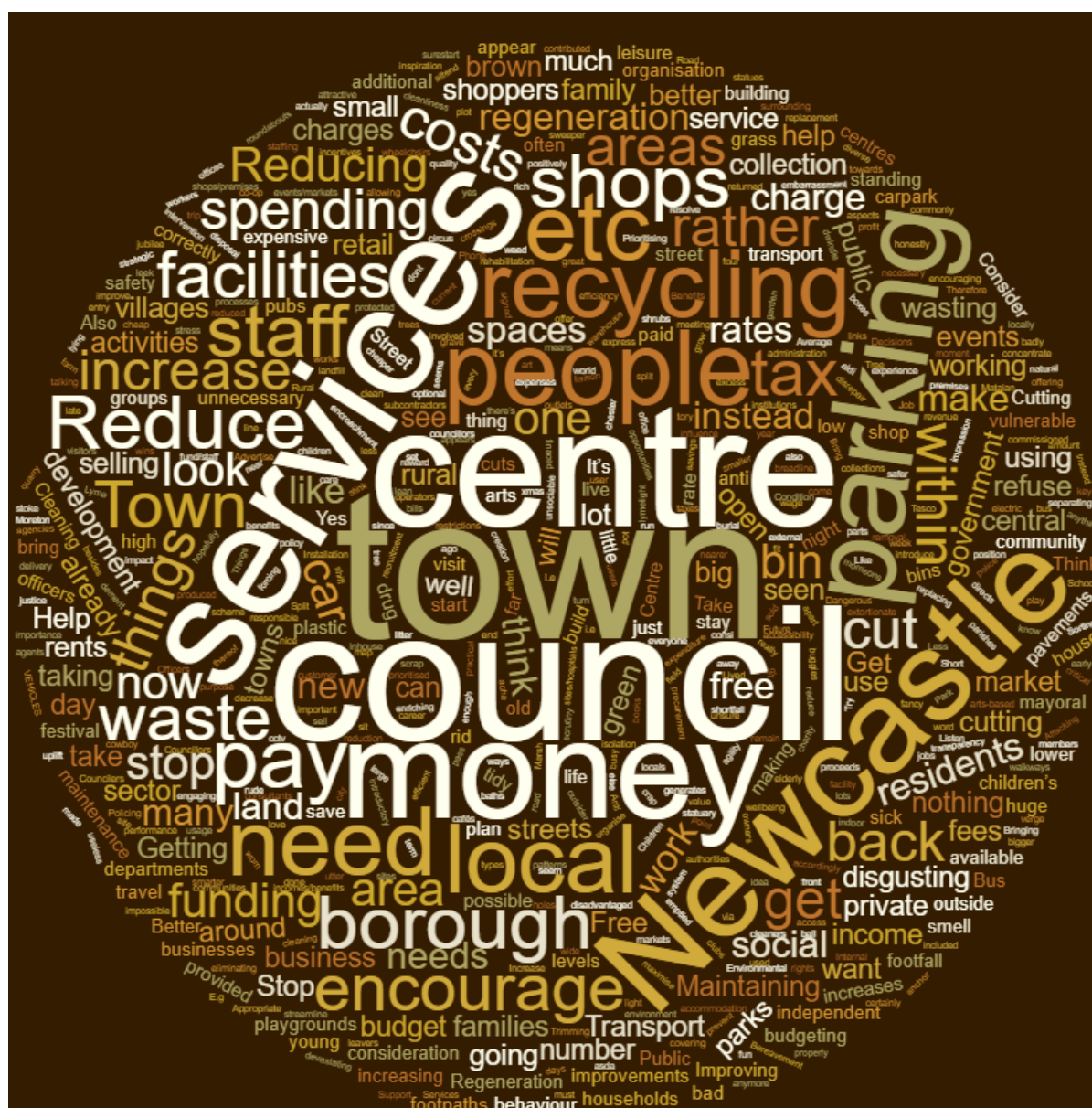
Figure 7: Out of the following services which the Council is not required by law to provide would you most like to see protected? 354 responses



Q8) Is there anything else you think the Council should consider a priority when setting the budget?

Another open comments box invited respondents to make unprompted suggestions. As there were so many comments expressing opinions on a massive range of subjects they have not been analysed in the same way as the previous open questions. However, the following word cloud does give some indication of which subjects were mentioned the most:

Figure 8: Word cloud showing responses from 153 responses



Profile of respondents

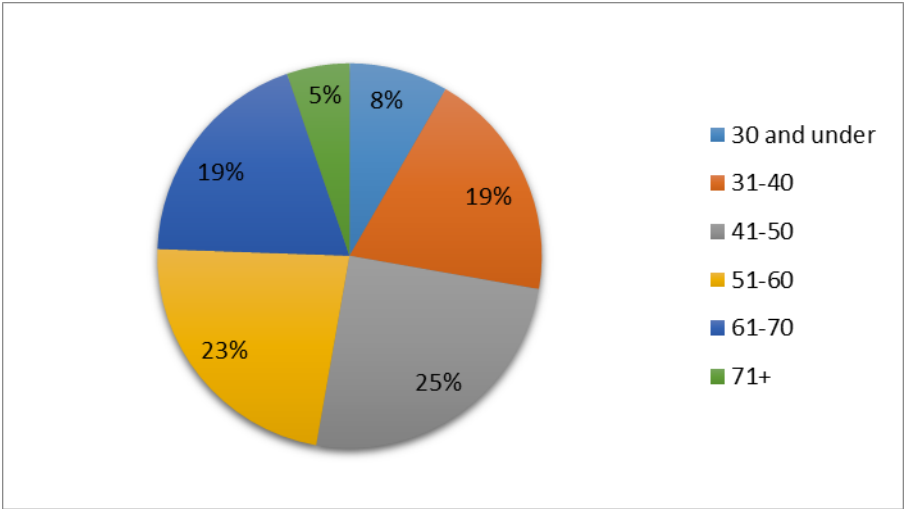
Finally, respondents were asked to provide their age and postcode – this enables us to see how representative of the borough the respondents were. The following table shows how many respondents were received by broad age group compared to the population of the borough.

As the following table shows, the youngest (up to 30) and the oldest age group (71 plus) were very much under-represented, with those aged 41 to 70 being over-represented. Whereas almost one-quarter (23.7 per cent) of the borough's adult residents are aged 30 and under, only 8.3 per cent of respondents were from this age group. Conversely, whereas only 15.3 per cent of the borough's adults are aged 41-50, exactly one-quarter (25 per cent) of respondents were.

Table 1: Age profile of respondents compared to the borough based on 360 responses

Broad age group	Proportion of respondents	Proportion of 18+ residents in the borough
30 and under	8.3%	23.7%
31-40	19.4%	14.0%
41-50	25.0%	15.3%
51-60	22.8%	16.6%
61-70	19.2%	14.0%
71+	5.3%	16.5%

Figure 9: Age profile of respondents -360 responses



Location of respondents

Unfortunately, not all respondents did provide valid postcodes. 333 respondents did put something, but as the below table shows there were several incomplete postcodes. There were submissions from 20 wards (with a massive response from Audley) but none from Keele, as follows:

Table 2: Respondents by ward. 333 respondents

Ward	Respondents
Audley	59
Bradwell	19
Clayton	5
Crackley and Red Street	9
Cross Heath	14
Holditch and Chesterton	10
Keele	0
Kidsgrove and Ravenscliffe	9
Knutton	8
Loggerheads	2
Madeley and Betley	9
Maer and Whitmore	6
May Bank	20
Newchapel and Mow Cop	2
Silverdale	5
Talke and Butt Lane	6
Thistleberry	11
Town	21
Westbury Park and Northwood	18
Westlands	25
Wolstanton	12
Unidentifiable	
Unknown ST4	1
Unknown ST5	32
Unknown ST6	1
Unknown ST7	20
Unknown CW3	2
Unknown TF	1
No postcode provided	34
Outside the borough	4

Appendix 11 – Local Council Tax Reduction Scheme for 2020/21

Claim Type	Council Tax Support Scheme
Pensioner Claimants	
No scope for changes within LCTS	Up to 100% of Council Tax Bill
Working Age Claimants	
Claims will be based on a max of 80% Council Tax Liability (unless in a protected group)	Up to 80% of Council Tax Bill
Properties in bands higher than Band D will be based on 80% Band D Council Tax	Up to 80% of band D rate
Second Adult Rebate will not be retained in the Local Scheme	Nil
Capital Cut off at £6K (non-passported)	No Council Tax Support if capital exceeds £6k
Earnings Disregards	Flat rate of £25 if claimant working
Claimants who are eligible to Severe Disability Premium (SDP)	
May allow up to 100% LCTS as protected group	Up to 100% of Council Tax Bill
Claimants who are eligible to receive War Disablement Pensions, War Widow's Pensions and Armed Forces Compensation Scheme Payments	
May allow up to 100% LCTS as protected group	Up to 100% of Council Tax Bill

Discretionary Payments

The Council has discretion to award Council Tax Support, in excess of the accounts determined by this framework, where it is satisfied that exceptional circumstances exist.

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Capital Strategy

2020 to 2030



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Introduction

The purpose of the Capital Strategy is to set out how the Council proposes to deploy its capital resources in order to assist it to achieve its corporate and service objectives. It takes into account other relevant Council strategies, policies and plans and the views of partners and interested parties with whom the Council is involved. It also takes account of the resources which are likely to be available to the Council to fund capital investment and the effect of that investment on the Council's revenue budget. It will serve as a useful point of reference when determining or reviewing the Council's Capital Programme.

The Council's current detailed capital investment plan is contained in its approved Capital Programme. A Capital Programme totalling £5,606,298 was approved for 2019/20 on 20 February 2019. Of this total £4,606,298 relates to the total cost of new schemes for 2019/20 together with £1,000,000 for schemes funded by external sources (Disabled Facilities Grants). In addition £1,341,573 slippage was incurred in 2018/19, resulting in a total Capital Programme of £6,947,871 for 2019/20. This takes account of slippage coming forward from 2018/19 and is summarised below, showing the constituent categories of projects:

Project Categories	Planned Expenditure £m
Improving Housing in the Borough	1.075
Investing in Community Facilities	2.910
Investing for the Future	0.195
Vehicles, Plant and Equipment	1.768
Capital Contingency	1.000
Total	6.948

Full Council will consider a capital programme to continue investment beyond 2019/20 on 19 February 2020.

The Strategy has been prepared against a background of continuing reductions in funding provided to local authorities by central government and its agencies, arising from the need to restrain public expenditure owing to the ongoing economic conditions and to rebalance public finances. At the same time, the Council's own resources available to finance capital projects have reduced to a low level and will need replenishing before any substantial further capital investments can be made. As a result the Council is considering and consulting upon a programme of asset disposals to address this situation. In addition the Council has also produced a Commercial Strategy with the aim to generate income through commercial activities which can then be reinvested in local priorities.

Key Objectives and Priorities

The Council's Priorities contained in the Council Plan are:

Local Services that work for Local People
Growing our People and Places
A Healthy, Active and Safe Borough
A Town Centre for All

Capital investment projects will be included in the Council's Capital Programme on the basis that they address issues arising from one or more of these Priority Areas. An indication is shown against each project in the Programme of the area or areas it addresses.

New proposals for capital investment will be assessed against the corporate priorities to ensure that they will contribute towards achieving the aims expressed. This assessment will be carried out as part of the appraisal process for new projects.

The Council will also endeavour, through its programme of capital investment, to maintain its assets to a standard such that they remain fit for purpose, enabling continuity of service delivery. In particular, it will carry out regular surveys of its stock of buildings and structures to ascertain their state of repair and any remedial works which may be necessary. Repair or improvement works arising from such surveys will be carried out subject to the availability of resources and consideration of the role the building plays in service delivery and the need to continue the relevant service in order to contribute to meeting corporate priorities. If a building is no longer required for service delivery, it will either be considered for alternative use by the Council or its partners or disposed of and the proceeds made available for future capital investment in priority areas. All property assets are held to either (i) provide Council services, (ii) provide an investment return or (iii) to further regeneration projects.

A Capital Review Group is in place and chaired by the Cabinet Portfolio Holder for Finance and Efficiency. This Group keeps the Council's capital investment strategy under continuous review, including the prioritisation of projects for inclusion in future capital investment programmes over the medium term. Regular reviews of the property portfolio will be carried out by the group to identify properties or land which could potentially be disposed of, following a consultation process in the case of significant proposals, and a capital receipt obtained from the sale.

Where suitable "Invest to Save" projects can be identified the Council will actively pursue such projects as it recognises the benefits, in the form of reduced costs falling on the General Fund Revenue Account, that can result from such investment.

The Council will seek, where practicable and economically justifiable, to develop its investment projects having regard to principles of sustainability, for example in relation to materials used and environmentally friendly modes of operation once in use, following construction or purchase.

Factors Influencing the Capital Programme

Projects for inclusion in the capital programme arise from a variety of sources, some of them internally generated and some arising from external factors. The more significant of these can be summarised diagrammatically as follows:

<u>INTERNAL</u>	<u>EXTERNAL</u>
Corporate Priorities, as set out in the Council Plan	Government sponsored programmes, e.g. Disabled Facilities Grants
Investment identified in Strategies, Policies and Plans	Unforeseen Emergency Works
Work needed to maintain Property Assets	Works required to comply with legislation, e.g. re disabled access, health and safety
Vehicles, Plant and Equipment replacement needs	Projects resulting from Partnership Activity
ICT Investment and Replacement	Availability of External Funding
Invest to Save Projects	Public expectation that works should be carried out

These are discussed in greater detail in sections below:

Links with Other Strategies, Policies and Plans

As well as the Council's Plan and the Capital Programme the Capital Strategy has clear links to many other strategies, policies and plans, the most significant of which are shown in the following table:

Key Strategies:
Economic Development Strategy
Health and Wellbeing Strategy
Stronger and Safer Communities Strategy

Other Strategies:
Asset Management Strategy
Investment Strategy
Medium Term Financial Strategy
Flexible Use of Capital Receipts Strategy
Service and Financial Plans
Procurement Strategy
North Staffs Green Spaces Strategy
Private Sector Housing Renewal Strategy
Housing Strategy
Arts and Cultural Strategy
Customer Access Strategy
Energy Efficiency and Climate Change Strategy and Carbon Reduction Plan
Treasury Management Strategy
Sustainable Community Strategy

An important link is to the Asset Management Strategy (AMS) in that many capital investment projects are related to the Council's fixed assets, such as its stock of buildings. Needs and priorities identified in the AMS will require consideration for inclusion in the Council's Capital Programme and have wider financial consequences. Equally important is the opportunity to generate capital receipts from the disposal of land/property where there is no current or likely future operational need.

The Investment Strategy sets out the Council's policies and practices in relation to commercial investments, for example investments in property and will include information about any such proposals, including funding the expenditure and the effect upon the revenue budget. Expenditure relating to commercial investments will be capital and will be included in the capital programme.

The Medium Term Financial Strategy will take account of the revenue effect of capital investment.

The Flexible Use of Capital Receipts Strategy sets out the conditions and arrangements in place to flexibly use Capital Receipts for qualifying expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs or to improve the quality of service delivery in future years.

Appraisal, procurement and management of capital projects needs to be carried out with regard to the objectives, methodologies the principles and practices set out in the Procurement Strategy.

The various service based strategies will inform the Council's capital investment process through their identification of areas for action and of priorities within individual service areas.

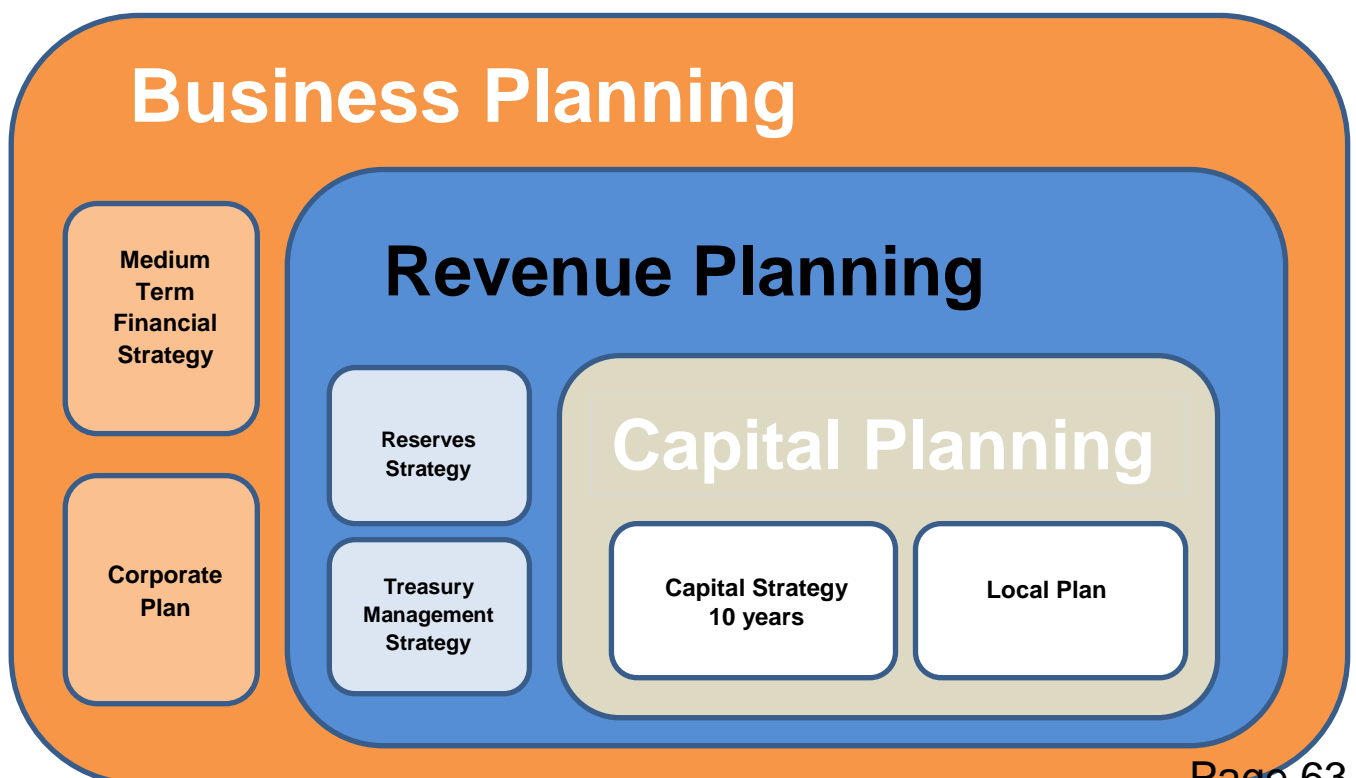
The Treasury Management Strategy needs to reflect planned capital spend, particularly with regard to setting limits for tying up money over the longer term and the limits relating to the amount of permitted borrowing.

In addition the Capital Strategy will be influenced by the results of any Service Reviews which have been carried out by the Council, either as part of the budget preparation process or as one-off exercises. Where these reviews identify areas of service which are to be discontinued, this may give rise to assets which will be available for disposal and possibly generate a capital receipt which will be available for funding further capital investment. Alternatively reviews may identify areas for investment, including potential “invest to save” projects, some of which may be capital investment.

The Council plans to set up a Revolving Investment Fund to assist in the generation of capital receipts and help fund future capital investments. A revolving fund is a fund or account that remains available to finance an organisation's continuing operations without any fiscal year limitation, because the organisation replenishes the fund by repaying money used from the account from additional revenues or savings generated from investments. The Council proposes to set up a fund with an initial value of £1m which will be used to fund projects which will have an investment return. There are many different project areas which this fund could be applied to such as:-

- Digital Delivery Programme
- Asset Disposal
- Economic Growth
- Housing Growth Programme

Simple Business Planning Model



External Influences, Partners and Consultation with Other Interested Parties

The Council's capital investment plans are influenced by a number of external parties and factors: central government and its agencies, legislation requiring capital works, partner organisations, businesses, developers and by the needs and views of other interested parties, particularly those of Borough residents

Government sponsored initiatives and programmes will influence the projects which the Council will include in its capital investment plans. In particular, its Housing Investment Programme in which the Council participates with regard to Disabled Facilities Grants, this is a major area of investment where funding is provided by Government to meet a proportion of the costs of some of these activities. This funding currently consists mainly of grant payments to partially meet the cost of disabled facilities grants payable to eligible applicants.

Where it may be required by legislation to carry out works of a capital nature, such as to comply with the Disablement Disability Act or Health and Safety requirements, or anti-pollution regulations, the Council will consider the most effective way to discharge its obligations and appropriate provision will be made in its Capital Programme once it has determined that it shall carry out the necessary work and that this should be capitalised.

The Council works with a wide range of partners from the public, private, voluntary and community sectors, all of which have an influence over its spending priorities. Relationships with partners, including those concerning capital matters, will be governed by the Council's Partnerships Code of Practice. Wherever possible the Council will seek to work in partnership with others to deliver its capital investment programme in order to provide facilities which meet its own and partners' needs. When working with the private sector, the objective will be to maximise the benefits to the Council and the community from any projects, both in terms of outputs and in relation to obtaining funding for the project.

The Council is a participant in the Local Strategic Partnership (LSP) and will have regard to the content of its Sustainable Community Strategy together with any other elements of the partnership which relate to capital investment and may be able to use the capital programme as a means of fulfilling some of its obligations to the LSP.

Projects for consideration for inclusion in the Capital Programme may arise from the Council's participation in the Staffordshire and Stoke on Trent Local Enterprise Partnership (LEP) or similar sub-regional partnerships which seek to stimulate economic growth.

The Council has established a Town Centre Partnership, together with relevant parties such as representatives of retailers and businesses in the town centres of Newcastle and Kidsgrove. The partnership may identify proposals for town centre improvements which could place demands upon future

capital programmes where such works align with the Council's economic development objectives. It may also present an opportunity for costs to be shared between the parties likely to benefit from their implementation.

The availability of external funding will also influence the projects which the Council will include in its capital investment plans. This is referred to in the following section of the Strategy.

Regard will be given to the Council's obligations under Disabled Access requirements in putting forward proposals for capital investment and in the design of any facilities which are proposed.

Wherever possible the principles of financial and environmental sustainability will be incorporated into any capital projects.

Resources Available to Finance Capital Investment

The following diagram shows the main sources of funding which are available to the Council to finance its capital investment. Individual projects may be financed solely by one of these or by a combination of a number of them.

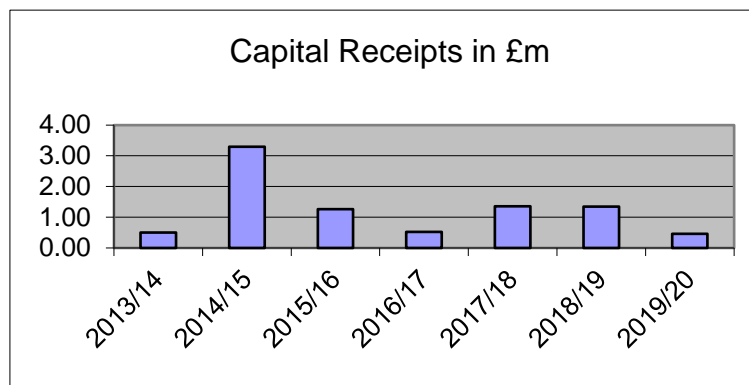
<u>INTERNAL</u>	<u>EXTERNAL</u>
Capital Receipts in Hand	Government Grants
Reserves	Other Grants, e.g. Heritage Lottery Fund
New Capital Receipts from Asset Sales	Contributions from Partners
Revenue Contributions	Other Contributions
	Borrowing

More details of these funding sources are given in the following paragraphs:

Capital Receipts have been the major source of funding for the Capital Programme in recent years. The amount of useable capital receipts in hand at 1 April 2019 was £2m. The majority of capital receipts are committed to finance the currently approved Capital Programme. Additional capital projects may be financed from capital receipts obtained by asset sales or other new capital streams.

A previously significant source of capital receipts has been the Council's continuing right to a share of receipts arising from tenants of Aspire Housing under the Right to Buy legislation. However, Right to Buy sales have diminished from historically high levels, both because of the present depressed property market and there being fewer potential purchasers as time goes by. Future sales income is projected to be in the range of £0.3m to £0.5m per annum.

Capital receipts from sales of land and property (including covenant release payments) have been relatively modest in recent times.



The Asset Management Strategy sets out expected sales over the next ten years. It is anticipated that receipts from sales will increase in the medium term, enabling some increase in financing of capital investment from this source. The Capital Review Group meets on a bi-monthly basis and is responsible for the formulation of strategies in respect of income generation relating to asset disposals.

The ICT Development Fund is specifically earmarked for meeting the costs of ICT development, both capital and revenue. The balance on the Fund at 1 April 2019 was £0.49m. This balance is fully committed to financing projects included in the current ICT Development Programme plus certain ongoing revenue costs. Accordingly, the revenue budget provides for an annual contribution of £0.05m to be made to the Fund in order to replenish it. There are no other reserves currently available to finance capital investment.

The use of capital receipts and reserves to finance new capital projects has an effect upon investment income receipts and hence the General Fund Revenue Account. At current investment interest rates of around 0.5%, every £100,000 of such capital receipts or reserve balances used will cost £500 to the revenue account on an ongoing basis. The use of capital receipts and reserves to finance the Capital Programme 2019/20 was taken account of in the Medium Term Financial Strategy and in the 2019/20 Revenue Budget. Any receipts generated from the sale of assets will be invested until they are required to finance capital expenditure.

Wherever Government grants are available to meet all or part of the cost of capital projects the Council will ensure that these are applied for and used to maximise the amount of investment which can be made and the benefit which will result from that investment.

Funding will be sought towards the cost of capital projects from external parties wherever possible and appropriate. These will include property developers, central government and government agencies, funding bodies such as the National Lottery or the Football Foundation and partner organisations that may join with the Council to bring forward particular projects of mutual benefit. In the current climate, however, the Council may find such sources of funding to be limited.

As a result of changes to the treatment of business rates collected by councils (as implemented by the Local Government Finance Act 2012), which allow part of the amount collected to be retained by them, a Stoke on Trent and Staffordshire Business Rates Pool has been established to pool retained rates relating to a number of Staffordshire authorities, including Newcastle Borough Council. This has benefits with regard to maximising the total amount retained, with the additional amount gained by pooling being available to participating authorities in a number of ways. One of the features of the pooling arrangement is the establishment of an investment fund to finance projects which will contribute to economic regeneration within the areas of the participating authorities.

The Council is presently debt free, having no long term loans outstanding. Its current policy, expressed in its Treasury Management Strategy for 2019/20, approved by Council on 20 February 2019, is:

“Previously borrowing has not been used to fund the capital programme because the Council has had sufficient reserves and useable capital receipts to finance capital expenditure. There will be a requirement to fund some capital expenditure by means of borrowing during the interim period before a permanent means of finance becomes available, for example whilst awaiting a capital receipt. Projections of the need for capital investment in projects necessary to ensure operational continuity over the next few years, together with projections of likely capital receipts arising from asset sales and the availability of reserves to finance this expenditure indicate that there will be an adverse gap between expenditure and resources to finance it. This increases the likelihood of borrowing being used, particularly as an interim measure to bridge the gap between expenditure being incurred and funds from asset sales being realised.”

The capital investment programme set out in Annex B will require a significant amount of borrowing if it is to be carried out in its entirety.

There is no intention to charge any capital investment directly to the General Fund Revenue Account.

The Council does not presently intend to consider the use of Private Finance Initiative type arrangements or tax increment financing to meet the cost of capital investment.

The Executive Director (Resources and Support Services) will prepare estimates of the resources which are presently in hand plus those likely to be available in future to finance capital investment. She will keep these estimates up to date and periodically report upon them to Cabinet and Council, particularly when the Capital Programme is being considered. The Council will decide on the appropriate form of financing for projects included in the Capital Programme based on advice from the Executive Director as to availability and the consequences and costs of use of the various options.

The need to have available liquid funds to be used to pay for capital projects will be considered when drawing up the Council's Treasury Management Strategy. An appropriate limit will be placed on long term investments based on predictions of the capital spending profile over the period covered by the Strategy so that there are likely to be enough readily available easily cashable investments to meet requirements.

Revenue Implications

The impact, if any, upon the General Fund Revenue Account arising from capital investment proposals will be calculated and considered at the time projects are placed before Cabinet or Full Council for inclusion in the Approved Capital Programme or for specific approval. Such impact may be in the form of reduced interest receipts, where projects are to be financed from capital receipts or reserves, borrowing costs, if loan finance is to be employed, or additional running costs arising from the provision of a new or altered facility. Offset against these costs will be any savings which might accrue, for example from “invest to save” projects.

The Council will always have regard to the affordability of its proposed capital investments, in terms of the revenue implications arising.

The revenue implications of the capital programme will be taken account of in the Council's Medium Term Financial Strategy.

Appraisal and Prioritisation of Investment Proposals

In accordance with the Council's Financial Regulations proposals for new capital investment estimated to cost more than £20,000 will be subject to an appraisal process, whereby a business case will be made out for the proposal, considering its contribution towards meeting corporate objectives and service priorities, its outputs and milestones, its cost and sources of and its effect, if any, upon the revenue budget in future years. Less significant projects costing below £20,000 will be subject to a simplified process. All new capital investment proposals must be considered by the Capital Programme Review Group prior to specific Cabinet approval being requested. Before any project may be commenced Specific Cabinet approval must be obtained and the project will only be included in the approved Capital Programme, after considering its priority relative to other proposed projects and the overall level of resources available to fund the Capital Programme as a whole.

Work is being undertaken to develop the project prioritisation process further during 2019/20 in order to provide a robust, transparent and impartial basis for determining the relative merits of individual projects proposed for inclusion in the capital programme. No projects should be considered in isolation. They must be required to be measured against all other competing projects to determine which should go forward. This process should also apply to any projects which are proposed subsequent to the approval of the programme, to ensure that only those projects with a high priority are proceeded with and funds are not diverted to projects of a lesser priority.

A Risk Assessment, in the approved corporate format, will be completed for capital projects over £20,000.

Monitoring Arrangements and Project Management

Progress in relation to individual projects will be monitored through the Council's arrangements for the monitoring of capital projects, which entail quarterly monitoring reports to be received by the Cabinet. The Capital Programme Review Group will also review project progress and corrective action will be initiated where projects fall behind schedule, appear likely to overspend or otherwise give cause for concern. Individual Project Forms will be maintained in respect of each project by the Executive Director (Resources and Support Services) which will track the progress of projects and be available to officers and members with an interest in reviewing progress of those projects.

All projects will be assigned to a named officer who will be responsible for overseeing the project, including project monitoring and control and implementing exception reports and, where appropriate, corrective action if the project deviates from its planned progress or cost.

Where complex major projects are to be carried out, consideration will be given to employing the Prince2 project management methodology.

All capital projects will be subject to Internal Audit review to ensure correct procedures have been followed and sums have been paid out in accordance with Financial Regulations and Standing Orders as they relate to contracts. Where projects have received funding from government or quasi-governmental sources, the expenditure will also be subject in many cases to external audit. European Union funded projects may also be subject to audit by auditors on behalf of that body. Where monitoring returns or claims for reimbursement of expenditure are required to be sent to funding bodies, these will

be completed and forwarded promptly to the relevant body in compliance with any deadlines laid down by them.

All capital investment proposals and project progress and management are subject to the Council's scrutiny arrangements.

Statutory Framework

The Council's capital investment is carried out within the statutory framework laid down by the Local Government Act 2003 and regulations under that Act. Accordingly, only expenditure which fits the definition of capital expenditure contained in the Act or Regulations pursuant to it will be capitalised.

Capital expenditure is defined by the 2003 Act as that which falls to be capitalised in accordance with proper practices, which means in accordance with the Code of Practice on Local Authority Accounting, published by the Chartered Institute of Public Finance and Accountancy (CIPFA), applicable to all local authorities. Annex A sets out a summarised version of the definition provided by the Code. In addition there are a number of other types of expenditure that have been defined by Regulations as being treatable as capital in nature. Generally these do not apply to this Council.

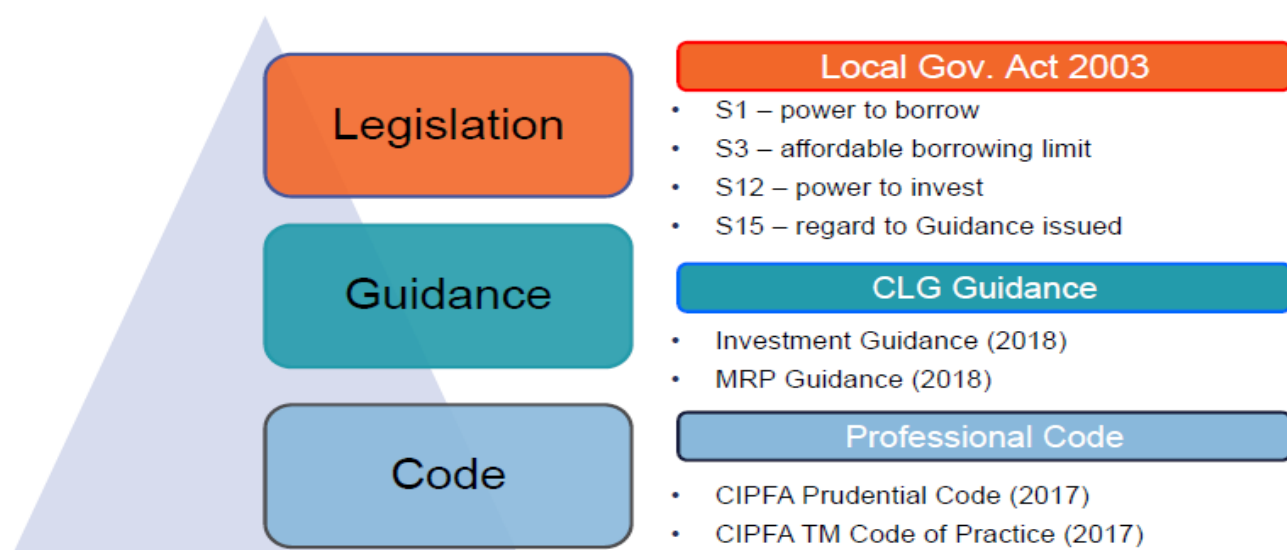
It should be noted that the Act and Regulations are framed in a permissive way, allowing local authorities to capitalise expenditure which fits the definition but not forcing them to capitalise such expenditure. The Council will decide, therefore, whether to include a project meeting the capital definition in its capital programme or to meet its cost from a revenue account.

The Council does not set a minimum amount for the capitalisation of expenditure (de minimis level). Accordingly, any expenditure complying with the above definition may be capitalised.

Capital Finance Regulations stipulate that amounts of less than £10,000 may not be treated as capital receipts. Accordingly, any such sums received, although otherwise capital in nature will be credited to a revenue account.

The Council will consider the flexible use of capital receipts as announced by the Chancellor of the Exchequer in the 2015 Spending Review. The government will allow local authorities to spend up to 100% of their fixed asset receipts (excluding Right to Buy receipts) on the revenue costs of reform projects to allow local authorities to deliver more efficient and sustainable services. The Flexible Use of Capital Receipts Strategy provide further details.

Legal and Regulatory Requirements



Prudential Indicators

The Council shall ensure that all of its capital expenditure, investments and borrowing decisions are prudent and sustainable. In doing so it will take into account its arrangements for the repayment of debt and consideration of risk and the impact, and potential impact, on the Council's overall fiscal sustainability. The Council's prudential indicators (shown in Annex C) are as follows:-

- Estimates of capital expenditure

The Council will make reasonable estimates of the total of capital expenditure that it plans to incur during the forthcoming financial year and at least the following two financial years.

- Actual capital expenditure

After the year end, the actual capital expenditure incurred during the financial year will be recorded.

- Estimates of capital financing requirement

The Council will make reasonable estimates of the total capital financing requirement at the end of the forthcoming financial year and the following two years.

- Actual capital financing requirement

After the year end, the actual capital financing requirement will be calculated directly from the Council's balance sheet.

- Ratio of financing costs to net revenue streams

This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet borrowing costs.

- Authorised limit on external borrowing

The Authorised Limit sets the maximum level of external borrowing on a gross basis (i.e. excluding investments) for the Council. This Prudential Indicator separately identifies borrowing from other long term liabilities such as finance leases. It is consistent with the Council's existing commitments, its proposals for capital expenditure and financing and its approved treasury management policy statement and practices.

- Operational boundary for external debt

This indicator refers to the means by which the authority manages its external debt to ensure it remains within the statutory authorised limit. It differs from the authorised limit in as far as it is based on the most likely scenario, in terms of capital spend and financing during the year.

- Gross debt and capital financing requirement

This is a key indicator of prudence. In order to ensure that over the medium term debt will only be for a capital purpose, the local authority should ensure that debt does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years.

Where the gross debt is greater than the capital financing requirement the reasons for this should be clearly stated in the annual treasury management strategy.

Procurement

Regard will be given to the contents of the Council's Procurement Strategy when considering the delivery of capital projects.

Where estimated project contract costs exceed the relevant statutory threshold, the appropriate EU or other tendering procedures will be followed.

Standing Orders relating to contracts will apply to all contracts proposed to be let in relation to capital projects, together with Financial Regulations and the provisions of the Council's scheme of Delegation.

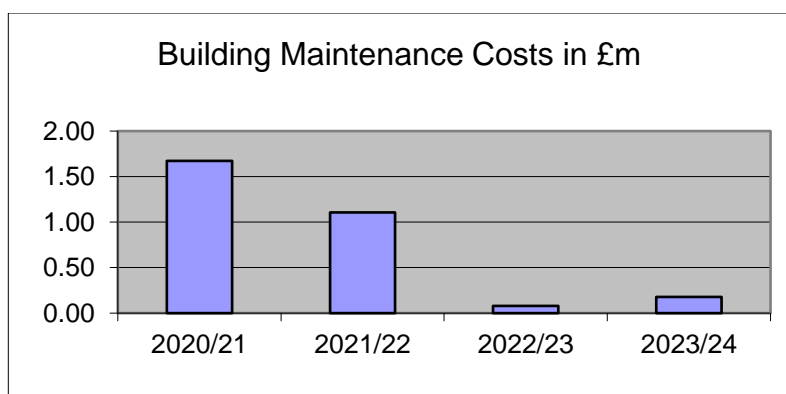
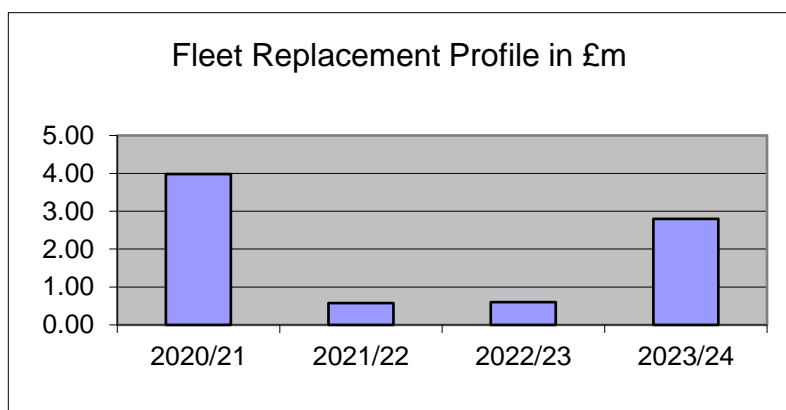
The achievement of Value for Money will be a guiding principle in the procurement of capital works and services and in managing contracts.

Future Capital Programme

Capital investment needs have been assessed over a ten year period (2020/21 to 2029/30) and are set out in Annex B.

During this period, there will be a need for some items of capital investment to be made in order to ensure continued service delivery or to comply with statutory requirements or to ensure health and safety of staff and public. Examples of these include: operational building repairs and maintenance; replacement of vehicles, plant and equipment required to deliver services; disabled facilities grants.

The following charts illustrate the scale of expenditure which the Council will need to fund over the next few years, in respect of fleet replacement, where existing items reach the end of their allotted life and in respect of operational building maintenance works, based on stock condition surveys carried out.



It may be possible to extend the lives of some of the vehicles, if they are in a fit condition when their replacement date is reached. Similarly some of the maintenance/improvement works to the Council's operational properties may be capable of being deferred; periodic stock condition surveys will inform any decisions in this regard. Additionally, some properties may be deemed surplus to operational requirements and eligible for disposal in their current condition.

In addition to the essential works outlined above, there are significant amounts of expenditure which need to be incurred:

- in respect of the commercial portfolio in order to keep properties in a state of repair such as to continue to obtain a reasonable rental income
- to maintain various engineering structures such as walls, bridges, drains, and reservoirs to ensure safety to the public

- to enable agreed actions in relation to approved policies and strategies to be progressed and to meet other Council commitments.

Over the period 2020/21 to 2029/30 it is estimated that £3.6m (commercial properties), £2.4m (engineering structures) and £62.6m (in respect of policy and strategy commitments or similar) need to be spent.

Funding will depend on capital receipts from asset sales. There will be insufficient capital receipts arising from these planned sales to meet all of the costs of the investment programme. Accordingly, it is estimated that around £14.716m of expenditure will have to be funded from borrowing over the ten year period if the programme is to be delivered in its entirety.

In addition, £15.182m of fleet replacement costs will need to be financed, either by leasing or prudential borrowing. For the purposes of completeness, Annex B assumes that these costs will be funded from prudential borrowing. However, this will be subject to a detailed appraisal to determine the most cost effective financing method.

The £15.182m of fleet replacement costs for the 10 year period are shown in the table below:-

Description	20/21 £m	21/22 £m	22/23 £m	23/24 £m	24/25 £m	25/26 £m	26/27 £m	27/28 £m	28/29 £m	29/30 £m	Total £m
Pest Control Vans					0.054					0.063	0.117
Leisure Vehicle					0.018					0.021	0.039
Facilities Management Vehicle					0.018					0.021	0.039
Mayors Car							0.080				0.080
Streetscene Vans	0.100	0.260	0.120		0.018	0.060	0.304	0.264		0.021	1.147
Streetscene Mowers	0.144			0.017	0.180				0.203	0.020	0.564
Streetscene Sweepers			0.124	0.392	0.152	0.157	0.140	0.440			1.405
Streetscene Tractors								0.335			0.335
Streetscene Tools	0.075	0.075			0.019	0.025	0.159	0.041			0.394
Streetscene Trailers			0.007		0.007	0.007		0.008		0.008	0.037
Waste Refuse Fleet	0.015	0.174		2.390		0.414		0.207		2.855	6.055
Waste Recycling Fleet – New Service	2.140						2.560				4.700
Waste JCB Diggers						0.085	0.088				0.173
Waste Van	0.018					0.079					0.097
Total	2.492	0.509	0.251	2.799	0.466	0.827	3.331	1.295	0.203	3.009	15.182

There will be a consequent cost to the revenue budget which will have to be included in the MTFS projections. Based on the expenditure shown in Annex B and forecasts of the amount and timing of receipts and current capital financing costs, the additional costs to the revenue budget will be around £8.171m over 10 years, with the costs in each year 2020/21 to 2029/30 being as shown below.

Year	Total £m
2020/21	0.04
2021/22	0.29
2022/23	0.59
2023/24	0.85
2024/25	1.07
2025/26	1.09
2026/27	1.10
2027/28	1.13
2028/29	1.15
2029/30	0.88
Total	8.17

A capital programme for 2020/21 to 2022/23 totalling £24.624m will be recommended to Full Council on 19 February 2020, consistent with the detail shown in Annex B. The prudential indicators that will apply for this 3 year period are set out at Annex C.

Funding for 2020/21 expenditure is likely to be available from the following sources:

- Further capital receipts from asset sales
- Right to Buy capital receipts
- Government grants
- Other external contributions
- Borrowing/Leasing

All of the above funding sources are likely to be limited so the programme only includes affordable projects.

As described earlier, current estimates of the amount required to be invested in projects to ensure continued service delivery and meet commitments compared with forecasts of likely receipts from asset sales and other available resources indicate that there will be insufficient resources available to fund all of these requirements. If forecast receipts from sales of assets cannot be achieved within this timeframe, the Council may have to review its stance with regard to borrowing, if this proves to be the only practical means of funding necessary investment, particularly if a major unforeseen item of capital expenditure were to materialise, for example major repairs to enable an operational building to continue to be used or new legislation requiring capital spending.

DEFINITION OF CAPITAL EXPENDITURE INCLUDED IN THE CODE OF PRACTICE ON LOCAL AUTHORITY ACCOUNTING IN THE UNITED KINGDOM

All expenditure that can be directly attributed to the acquisition, creation or enhancement of items of property, plant and equipment or the acquisition of rights over certain longer-term intangible benefits is accounted for on an accruals basis and capitalised as a non-current asset. It must be probable that the future economic benefits or service potential associated with the item will flow to the Council - the Council does not have to own the item but it must be more than likely that it has gained the right to use the item in the provision of services or to generate cash from it. In addition it must be possible to measure the cost of the item reliably.

Expenditure that should be capitalised will include expenditure on the:

- Acquisition, reclamation or laying out of land
- Acquisition, construction, preparation, enhancement or replacement of roads, buildings and other structures
- Acquisition, installation or replacement of movable or immovable plant, machinery, apparatus, vehicles and vessels

In this context, the definition of enhancement contained in the previous Code of Practice (SORP) is still applicable and means the carrying out of works which are intended to:

- Lengthen substantially the useful life of the asset, or
- Increase substantially the market value of the asset, or
- Increase substantially the extent to which the asset can or will be used for the purpose or in conjunction with the functions of the local authority concerned.

Under this definition, improvement works and structural repairs should be capitalised, whereas expenditure to ensure that the fixed asset maintains its previously assessed standard of performance should be recognised in the revenue account as it is incurred. Expenditure on existing fixed assets should be capitalised in three circumstances:

- Enhancement - see above
- Where a component of the fixed asset that has been treated separately for depreciation purposes and depreciated over its individual useful life is replaced or restored
- Where the subsequent expenditure relates to a major inspection or overhaul of a fixed asset that restores the benefits of the asset that have been consumed by the authority and have already been reflected in depreciation

Assets acquired on terms meeting the definition of a finance lease should be capitalised and included together with a liability to pay future rentals.

Where an asset is acquired for other than cash consideration or where payment is deferred the asset should be recognised and included in the balance sheet at fair value.

2020/21 to 2029/30 Capital Programme**Annex B**

CAPITAL PROJECTS	2020/21 to 2029/30 Proposed Programme										
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	TOTAL
	£	£	£	£	£	£	£	£	£	£	£
PRIORITY - Local Services that work for Local People											
Service Area - Council Modernisation	380,000	506,000	110,000	102,000	15,000	653,000	40,000	29,000	15,000	550,000	2,400,000
Total	380,000	506,000	110,000	102,000	15,000	653,000	40,000	29,000	15,000	550,000	2,400,000
PRIORITY - Growing our People and Places											
Service Area - Housing Improvements	1,070,000	1,080,000	2,615,000	2,625,000	2,675,000	2,775,000	2,975,000	3,500,000	5,125,000	3,125,000	27,565,000
Service Area - Managing Property & Assets	131,531	101,500	410,846	14,922	2,135	2,804	0	216,174	273,525	0	1,153,437
Total	1,201,531	1,181,500	3,025,846	2,639,922	2,677,135	2,777,804	2,975,000	3,716,174	5,398,525	3,125,000	28,718,437
PRIORITY - A Healthy, Active and Safe Borough											
Service Area - Environmental Health	10,000	0	0	60,000	0	12,000	0	0	0	0	82,000
Service Area - Streetscene and Bereavement Services	295,600	1,170,600	1,265,600	990,600	735,600	220,600	165,600	95,600	55,600	70,600	5,066,000
Service Area - Recycling and Fleet	3,766,000	609,500	351,000	2,899,500	565,500	1,026,500	3,431,000	1,395,000	303,000	3,109,000	17,456,000
Service Area - Leisure	3,682,000	331,000	687,000	17,000	17,000	150,000	0	0	0	0	4,884,000
Service Area - Museum	95,000	240,000	40,000	0	0	0	0	0	0	0	375,000
Service Area - Managing Property & Assets	55,547	40,456	273,403	220,498	89,622	819,395	215,754	219,340	329,716	0	2,263,731
Service Area - Engineering	165,873	140,193	806,287	1,287,105	0	0	0	0	0	0	2,399,457
Total	8,070,020	2,531,749	3,423,290	5,474,703	1,407,722	2,228,495	3,812,354	1,709,940	688,316	3,179,600	32,526,189
PRIORITY - A Town Centre for All											
Service Area - Managing Property & Assets	1,702,553	1,110,383	81,126	183,250	20,800	144,920	159,198	165,229	65,777	10,000	3,643,235
Total	1,702,553	1,110,383	81,126	183,250	20,800	144,920	159,198	165,229	65,777	10,000	3,643,235
CONTINGENCY/FEASABILITY STUDIES	1,100,000	100,000	100,000	0	0	0	0	0	0	0	1,300,000
TOTAL	12,454,103	5,429,631	6,740,262	8,399,875	4,120,657	5,804,219	6,986,552	5,620,343	6,167,619	6,864,600	68,587,861
FUNDING											
Capital Receipts C/Fd from 2019/20	2,062,506										2,062,506
Flexible Use of Capital Receipts	-400,000										-400,000
Capital Receipts	4,330,000	500,000	500,000	500,000	8,000,000	8,000,000	8,000,000	8,000,000	500,000	500,000	38,830,000
External Contributions	2,065,000	2,765,000	1,015,000	1,025,000	1,015,000	1,025,000	1,015,000	1,015,000	1,025,000	1,015,000	12,980,000
ICT Development Fund	50,000	50,000	50,000	50,000	15,000	50,000	40,000	29,000	15,000	50,000	399,000
Borrowing/Leasing	4,346,597	2,114,631	5,175,262	6,824,875	-4,909,343	-3,270,781	-2,068,448	-3,423,658	4,627,619	5,299,600	14,716,355
TOTAL	12,454,103	5,429,631	6,740,262	8,399,875	4,120,657	5,804,219	6,986,552	5,620,343	6,167,619	6,864,600	68,587,861

Annex C – Prudential Indicators

Capital Prudential Indicators

Actual and Estimate of Capital Expenditure

31/03/19 Actual (£000's)	31/03/20 Estimate (£000's)	31/03/21 Estimate (£000's)	31/03/22 Estimate (£000's)	31/03/23 Estimate (£000's)
2,980	7,250	12,454	5,429	6,740

The Capital Financing Requirement (The Councils Borrowing Need)

The second prudential indicator is the Council's Capital Financing Requirement (CFR). The CFR is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of the Council's underlying borrowing need. Any capital expenditure above, which has not immediately been paid for, will increase the CFR.

The CFR does not increase indefinitely, as the minimum revenue provision (MRP) is a statutory annual revenue charge which broadly reduces the borrowing need in line with each assets life.

The CFR projections are below:

31/03/19 Actual (£000's)	31/03/20 Estimate (£000's)	31/03/21 Estimate (£000's)	31/03/22 Estimate (£000's)	31/03/23 Estimate (£000's)
4,405	4,405	8,752	10,867	16,042

The amounts shown above from 2020/21 onwards allow the Council to borrow during those years to finance capital expenditure which cannot be funded from other revenue or capital resources. However, the likelihood of individual schemes, the timings and the amounts involved cannot be assessed with certainty at this point.

The sale of Council assets for capital receipts will have a significant impact upon the CFR, if sales are made the Council's borrowing requirement will be reduced, if not the Council's borrowing requirement will be greater.

Affordability Prudential Indicators

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Actual and Estimates of the Ratio of Financing Costs to Net Revenue Stream

This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

Financing Costs comprise the aggregate of: interest payable, interest receivable and investment income; the amount charged as MRP; depreciation and impairment charges that have not been reversed out of the revenue account.

Net Revenue Stream is defined as the 'amount to be met from government grants and local taxpayers'. This is the Council's 'budgetary requirements' figure shown in the General Fund Revenue Budget, being the net expenditure for the year before deducting government grants (Revenue Support and Business Rates Retention) and adjusting for the Collection Fund surplus/deficit. The relevant figures for this Council are set out in the table below:

	2018/19 Actual (£000's)	2019/20 Estimate (£000's)	2020/21 Estimate (£000's)	2021/22 Estimate (£000's)	2022/23 Estimate (£000's)
Net Revenue Stream	13,327	13,050	13,311	13,577	13,849
Financing Costs	(78)	12	140	386	688
Ratio	(0.59%)	0.09%	1.05%	2.85%	4.97%

Treasury Indicators

Limits to Borrowing Activity

The Local Government Act 2003 requires each local authority to determine and keep under review how much money it can afford to borrow. This is to be determined by the calculation of an affordable borrowing limit which Regulations to the Act specify should be calculated with regard to the CIPFA Prudential Code.

Previously borrowing has not been used to fund the capital programme because the Council has had sufficient reserves and useable capital receipts to finance capital expenditure from these sources.

The Operational Boundary

This is the limit beyond which external debt is not normally expected to exceed.

Operational boundary	2020/21 Estimate (£000's)	2021/22 Estimate (£000's)	2022/23 Estimate (£000's)	2023/24 Estimate (£000's)
Borrowing	75,000	75,000	75,000	75,000
Other long term liabilities	0	0	0	0

The Authorised Limit for External Borrowing

A further key prudential indicator represents a control on the maximum level of borrowing. This represents a limit beyond which external debt is prohibited, and this limit needs to be set or revised by the full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

The Council is asked to approve the following authorised limit:

Authorised limit	2020/21 Estimate (£000s)	2021/22 Estimate (£000's)	2022/23 Estimate (£000's)	2023/24 Estimate (£000's)
Debt	85,000	85,000	85,000	85,000
Other Long Term Liabilities	0	0	0	0

Limits on Interest Rate Exposures (fixed and variable interest rates)

The following limits will apply in relation to the Council's interest rate exposure. They relate to interest on both borrowings and investments. These limits are intended to reduce the risk of the Council suffering unduly from significant adverse fluctuations in interest rates.

Limit on Fixed Interest Rate Exposures (as a percentage of total borrowings / investments)

	Borrowing		Investments	
	Upper	Lower	Upper	Lower
2019/20	100%	0%	100%	0%
2020/21	100%	0%	100%	0%
2021/22	100%	0%	100%	0%
2022/23	100%	0%	100%	0%

Limit on Variable Interest Rate Exposures (as a percentage of total borrowings/ investments)

	Borrowing		Investments	
	Upper	Lower	Upper	Lower
2019/20	100%	0%	100%	0%
2020/21	100%	0%	100%	0%
2021/22	100%	0%	100%	0%
2022/23	100%	0%	100%	0%

In relation to both borrowing and investing fixed rate investments and loans may be anything between 0% and 100% of the total, with the same proportions being permitted for variable rate loans – in effect there is no limit on each type. This enables maximum flexibility to be afforded to take advantage of prevailing interest trends to obtain the best deal for the Council.

Treasury Management Strategy

2020/21



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Introduction

Treasury management is the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council may invest or borrow substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.

Treasury risk management at the Council is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2017 Edition* (the CIPFA Code) which requires the Council to approve a treasury management strategy before the start of each financial year. This report fulfils the Council's legal obligation under the *Local Government Act 2003* to have regard to the CIPFA Code.

Investments held for service purposes or for commercial profit are considered in a different report, the Investment Strategy.

Economic Situation

Highlights of the report supplied by Arlingclose Ltd.

External Context

Economic background: The UK's progress negotiating its exit from the European Union, together with its future trading arrangements, will continue to be a major influence on the Council's treasury management strategy for 2020/21.

UK Consumer Price Inflation (CPI) for September registered 1.7% year on year, unchanged from the previous month. Core inflation, which excludes the more volatile components, rose to 1.7% from 1.5% in August. The most recent labour market data for the three months to August 2019 showed the unemployment rate ticked back up to 3.9% while the employment rate was 75.9%, just below recent record-breaking highs. The headline 3-month average annual growth rate for pay was 3.8% in August as wages continue to rise steadily. In real terms, after adjusting for inflation, pay growth increased 1.9%.

GDP growth rose by 0.3% in the third quarter of 2019 from -0.2% in the previous three months with the annual rate falling further below its trend rate to 1.0% from 1.2%. Services and construction added positively to growth, by 0.6% and 0.4% respectively, while production was flat and agriculture recorded a fall of 0.2%. Looking ahead, the Bank of England's Monetary Policy Report forecasts economic growth to pick up during 2020 as Brexit-related uncertainties dissipate and provide a boost to business investment helping GDP reach 1.6% in Q4 2020, 1.8% in Q4 2021 and 2.1% in Q4 2022.

The Bank of England maintained Bank Rate to 0.75% in November following a 7-2 vote by the Monetary Policy Committee. Despite keeping rates on hold, MPC members did confirm that if Brexit uncertainty drags on or global growth fails to recover, they are prepared to cut interest rates as required. Moreover, the downward revisions to some of the growth projections in the Monetary Policy Report suggest the Committee may now be less convinced of the need to increase rates even if there is a Brexit deal.

Growth in Europe remains soft, driven by a weakening German economy which saw GDP fall -0.1% in Q2 and is expected to slip into a technical recession in Q3. Euro zone inflation was 0.8% year on year in September, well below the European Central Bank's target. In the US, the Federal Reserve began easing monetary policy again in 2019 as a pre-emptive strike against slowing global and US economic growth on the back on of the ongoing trade war with China.

Credit outlook: Credit conditions for larger UK banks have remained relatively benign over the past year. The UK's departure from the European Union was delayed three times in 2019 and while there remains some concern over a global economic slowdown, this has yet to manifest in any

credit issues for banks. Meanwhile, the post financial crisis banking reform is now largely complete, with the new ringfenced banks embedded in the market.

Challenger banks hit the news headlines in 2019 with Metro Bank and TSB Bank both suffering adverse publicity and falling customer numbers.

Looking forward, the potential for a “no-deal” Brexit and/or a global recession remain the major risks facing banks and building societies in 2020/21 and a cautious approach to bank deposits remains advisable.

Interest rate forecast: The Council’s treasury management adviser Arlingclose is forecasting that Bank Rate will remain at 0.75% until the end of 2022. The risks to this forecast are deemed to be significantly weighted to the downside, particularly given the upcoming general election, the need for greater clarity on Brexit and the continuing global economic slowdown. The Bank of England, having previously indicated interest rates may need to rise if a Brexit agreement was reached, stated in its November Monetary Policy Report and its Bank Rate decision (7-2 vote to hold rates) that the MPC now believe this is less likely even in the event of a deal.

Gilt yields have risen but remain at low levels and only some very modest upward movement from current levels are expected based on Arlingclose’s interest rate projections.

A more detailed economic and interest rate forecast provided by Arlingclose is attached at Annex A.

Local Context

On 30th November 2019, the Council held no borrowing and £8.0m of treasury investments. This is set out in further detail at Annex B. Forecast changes in these sums are shown in the balance sheet analysis in table below:

Balance Sheet Summary and Forecast	31/03/2019 Actual £m	31/03/2020 Forecast £m	31/03/2021 Forecast £m	31/03/2022 Forecast £m	31/03/2023 Forecast £m
General Fund CFR	4.4	4.4	8.9	10.8	15.9
Less: External borrowing	(0.1)	(0.1)	(0.1)	(0.1)	(0.1)
Internal (over) borrowing	4.3	4.3	8.8	10.7	15.8
Less: Usable reserves	(6.4)	(6.4)	(6.4)	(6.4)	(6.4)
Less: Working capital	(0.5)	(0.5)	(0.5)	(0.5)	(0.5)
Treasury investments / (New borrowing)	2.6	2.6	(1.9)	(3.8)	(8.9)

The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. The Council’s current strategy is to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing. Where borrowing is required this will be in line with Arlingclose’s current advice of doing so from other local authorities on a short term basis. This will be undertaken until it becomes advantageous to switch to long term debt, with the lowest cost option being considered, include such options as municipal bonds

The Council has an increasing CFR due to the capital programme, but minimal investments and may therefore be required to borrow over the forecast period. More details in relation to the Council’s CFR are included within the Capital Strategy.

CIPFA’s Prudential Code for Capital Finance in Local Authorities recommends that the Council’s total debt should be lower than its highest forecast CFR over the next three years. The table above shows that the Council expects to comply with this recommendation during 2019/20.

Borrowing Strategy

The Council does not currently hold any loans, as per the previous year, as part of its strategy for funding previous years' capital programmes.

The Council's chief objective when borrowing money is to strike an appropriately low risk balance between securing low interest costs and achieving certainty of those costs over the period for which funds are required. The flexibility to renegotiate loans should the Council's long-term plans change is a secondary objective.

Given the significant cuts to public expenditure and in particular to local government funding, the Council's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio. With short-term interest rates currently much lower than long-term rates, it is likely to be more cost effective in the short-term to either use internal resources, or to borrow short-term loans instead. These short term loans will be via local to local borrowing where possible, until a time where it becomes advantageous to switch to longer term debt, including municipal bonds on either a project by project, or overall global basis.

By doing so, the Council is able to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk. The benefits of internal or short-term borrowing will be monitored regularly against the potential for incurring additional costs by deferring borrowing into future years when long-term borrowing rates are forecast to rise modestly. Arlingclose will assist the Council with this 'cost of carry' and breakeven analysis. Its output may determine whether the Council borrows additional sums at long-term fixed rates in 2020/21 with a view to keeping future interest costs low, even if this causes additional cost in the short-term.

Although not utilised in recent years, the Council has previously considered the option of long-term borrowing from the Public Works Loans Board (PWLB), but the government increased PWLB rates by 1% in October 2019 making it now a relatively expensive option. The Council will now look to borrow short term from other local authorities in the first instance and will then review any other sources of funding if required.

Alternatively, the Council may arrange forward starting loans during 2020/21, where the interest rate is fixed in advance, but the cash is received in later years. This would enable certainty of cost to be achieved without suffering a cost of carry in the intervening period.

In addition, the Council may borrow short-term loans to cover unplanned cash flow shortages.

Sources of borrowing:

The approved sources of long-term and short-term borrowing are:

- PWLB and any successor body;
- any institution approved for investments (see below);
- any other bank or building society authorised to operate in the UK;
- any other UK public sector body;
- UK public and private sector pension funds;
- capital market bond investors; and
- UK Municipal Bonds Agency plc and other special purpose companies created to enable local authority bond issues.

Other sources of debt finance: In addition, capital finance may be raised by the following methods that are not borrowing, but may be classed as other debt liabilities:

- leasing;
- hire purchase; and
- sale and leaseback.

Municipal Bonds Agency: UK Municipal Bonds Agency plc was established in 2014 by the Local Government Association as an alternative to the PWLB. It plans to issue bonds on the capital

markets and lend the proceeds to local authorities. This will be a more complicated source of finance than the PWLB for two reasons: borrowing authorities will be required to provide bond investors with a guarantee to refund their investment in the event that the agency is unable to for any reason; and there will be a lead time of several months between committing to borrow and knowing the interest rate payable. Any decision to borrow from the Agency will therefore be the subject of a separate report to Council.

Short-term and variable rate loans: These loans leave the Council exposed to the risk of short-term interest rate rises.

Debt rescheduling: The PWLB allows authorities to repay loans before maturity and either pay a premium or receive a discount according to a set formula based on current interest rates. Other lenders may also be prepared to negotiate premature redemption terms. The Council may take advantage of this and replace some loans with new loans, or repay loans without replacement, where this is expected to lead to an overall cost saving or a reduction in risk.

Investment Strategy

The Council can hold significant invested funds, representing income received in advance of expenditure plus balances and reserves held. In the past 12 months, the Council's investment balance has ranged between nil and £14 million, and similar levels are expected to be maintained in the forthcoming year.

The CIPFA Code requires the Council to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income. Where balances are expected to be invested for more than one year, the Council will aim to achieve a total return that is equal or higher than the prevailing rate of inflation, in order to maintain the spending power of the sum invested.

If the UK enters into a recession in 2020/21, there is a small chance that the Bank of England could set its Bank Rate at or below zero, which is likely to feed through to negative interest rates on all low risk, short-term investment options. This situation already exists in many other European countries. In this event, security will be measured as receiving the contractually agreed amount at maturity, even though this may be less than the amount originally invested.

Given the increasing risk and very low returns from short-term unsecured bank investments, the Council aims to diversify into more secure and higher yielding asset classes during 2020/21.

Under the new IFRS 9 standard, the accounting for certain investments depends on the Council's "business model" for managing them. The Council aims to achieve value from its internally managed treasury investments by a business model of collecting the contractual cash flows and therefore, where other criteria are also met, these investments will continue to be accounted for at amortised cost.

The Council may invest its surplus funds with any of the counterparty types in the table below, subject to the cash limits (per counterparty) and the time limits shown.

Approved investment counterparties and limits

Credit rating	Banks unsecured	Banks secured	Government	Registered Providers
UK Govt / LA's (exc. S114)	n/a	n/a	£Unlimited 50 years	n/a
AAA	£7m – 5 years	£7m – 20 years	£10m – 50 years	£10m – 10 years
AA+	£7m – 5 years	£7m – 10 years	£10m – 25 years	£10m – 10 years
AA	£7m – 4 years	£7m – 5 years	£10m – 15 years	£10m – 10 years
AA-	£7m – 3 years	£7m – 4 years	£10m – 10 years	£10m – 10 years
A+	£7m – 2 years	£7m – 3 years	£10m – 5 years	£10m – 10 years
A	£7m – 13 months	£7m – 2 years	£10m – 5 years	£10m – 10 years
A-	£7m – 6 months	£7m – 13 months	£10m – 5 years	£10m – 10 years
None	£0	n/a	£0	£0
Pooled funds and real estate investment trusts			£2m per fund or trust	

The above limits apply to individual counterparties and represent the maximum amount and maximum duration of any investment per counterparty.

Investment limits are set by reference to the lowest published long-term credit rating from a selection of external rating agencies. Where available, the credit rating relevant to the specific investment or class of investment is used, otherwise the counterparty credit rating is used. However, investment decisions are never made solely based on credit ratings, and all other relevant factors including external advice will be taken into account.

Banks unsecured: Accounts, deposits, certificates of deposit and senior unsecured bonds with banks and building societies, other than multilateral development banks. These investments are subject to the risk of credit loss via a bail-in should the regulator determine that the bank is failing or likely to fail. See below for arrangements relating to operational bank accounts.

Banks secured: Covered bonds, reverse repurchase agreements and other collateralised arrangements with banks and building societies. These investments are secured on the bank's assets, which limits the potential losses in the unlikely event of insolvency, and means that they are exempt from bail-in. Where there is no investment specific credit rating, but the collateral upon which the investment is secured has a credit rating, the higher of the collateral credit rating and the counterparty credit rating will be used to determine cash and time limits. The combined secured and unsecured investments in any one bank will not exceed the cash limit for secured investments.

Government: Loans, bonds and bills issued or guaranteed by national governments, regional and local authorities and multilateral development banks. These investments are not subject to bail-in, and there is generally a lower risk of insolvency, although they are not zero risk. Investments with the UK Central Government may be made in unlimited amounts for up to 50 years.

Registered providers: Loans and bonds issued by, guaranteed by or secured on the assets of registered providers of social housing and registered social landlords, formerly known as housing associations. These bodies are tightly regulated by the Regulator of Social Housing (in England), the Scottish Housing Regulator, the Welsh Government and the Department for Communities (in Northern Ireland). As providers of public services, they retain the likelihood of receiving government support if needed.

Pooled funds: Shares or units in diversified investment vehicles consisting of the any of the above investment types, plus equity shares and property. These funds have the advantage of providing wide diversification of investment risks, coupled with the services of a professional fund manager in return for a fee. Short-term Money Market Funds that offer same-day liquidity and very low or no volatility will be used as an alternative to instant access bank accounts, while pooled funds whose value changes with market prices and/or have a notice period will be used for longer investment periods.

Bond, equity and property funds offer enhanced returns over the longer term, but are more volatile in the short term. These allow the Council to diversify into asset classes other than cash without the need to own and manage the underlying investments. Because these funds have no defined maturity date, but are available for withdrawal after a notice period, their performance and continued suitability in meeting the Council's investment objectives will be monitored regularly.

Real estate investment trusts: Shares in companies that invest mainly in real estate and pay the majority of their rental income to investors in a similar manner to pooled property funds. As with property funds, REITs offer enhanced returns over the longer term, but are more volatile especially as the share price reflects changing demand for the shares as well as changes in the value of the underlying properties. Investments in REIT shares cannot be withdrawn but can be sold on the stock market to another investor.

Operational bank accounts: The Council may incur operational exposures, for example through current accounts, collection accounts and merchant acquiring services, to any UK bank with credit ratings no lower than BBB- and with assets greater than £25 billion. These are not classed as investments, but are still subject to the risk of a bank bail-in, and balances will therefore be kept below £7,000,000 per bank. The Bank of England has stated that in the event of failure, banks with assets greater than £25 billion are more likely to be bailed-in than made insolvent, increasing the chance of the Council maintaining operational continuity.

Risk assessment and credit ratings: Credit ratings are obtained and monitored by the Council's treasury advisers, who will notify changes in ratings as they occur. Where an entity has its credit rating downgraded so that it fails to meet the approved investment criteria then:

- no new investments will be made,
- any existing investments that can be recalled or sold at no cost will be, and
- full consideration will be given to the recall or sale of all other existing investments with the affected counterparty.

Where a credit rating agency announces that a credit rating is on review for possible downgrade (also known as "rating watch negative" or "credit watch negative") so that it may fall below the approved rating criteria, then only investments that can be withdrawn will be made with that organisation until the outcome of the review is announced. This policy will not apply to negative outlooks, which indicate a long-term direction of travel rather than an imminent change of rating.

The Council understands that credit ratings are good, but not perfect, predictors of investment default. Full regard will therefore be given to other available information on the credit quality of the organisations in which it invests, including credit default swap prices, financial statements, information on potential government support, reports in the quality financial press and analysis and advice from the Council's treasury management adviser. No investments will be made with an organisation if there are substantive doubts about its credit quality, even though it may otherwise meet the above criteria.

When deteriorating financial market conditions affect the creditworthiness of all organisations, as happened in 2008 and 2011, this is not generally reflected in credit ratings, but can be seen in other market measures. In these circumstances, the Council will restrict its investments to those organisations of higher credit quality and reduce the maximum duration of its investments to maintain the required level of security. The extent of these restrictions will be in line with prevailing financial market conditions. If these restrictions mean that insufficient commercial organisations of

high credit quality are available to invest the Council's cash balances, then the surplus will be deposited with the UK Government via the Debt Management Office or invested in government treasury bills for example, or with other local authorities. This will cause a reduction in the level of investment income earned, but will protect the principal sum invested.

Investment limits: In order that the Council will not be put at risk in the case of a single default, the maximum that will be lent to any one organisation (other than the UK Government and Registered Providers) will be £7 million. A group of banks under the same ownership will be treated as a single organisation for limit purposes. Limits will also be placed on fund managers, investments in brokers' nominee accounts, foreign countries and industry sectors as below. Investments in pooled funds and multilateral development banks do not count against the limit for any single foreign country, since the risk is diversified over many countries.

Investment limits

	Cash limit
Any single organisation, except the UK Central Government / Registered Providers	£7m each
UK Central Government	unlimited
UK Local Authorities	unlimited
Any group of organisations under the same ownership	£7m per group
Any group of pooled funds under the same management	£7m per manager
Negotiable instruments held in a broker's nominee account	£7m per broker
Foreign countries	£7m per country
Registered providers and registered social landlords	£10m in total
Unsecured investments with building societies	£7m in total
Money market funds	unlimited
Real estate investment trusts	£2m in total

Liquidity management: The Council uses cash flow forecasting to determine the maximum period for which funds may prudently be committed. The forecast is compiled on a prudent basis to minimise the risk of the Council being forced to borrow on unfavourable terms to meet its financial commitments. Limits on long-term investments are set by reference to the Council's medium-term financial plan and cash flow forecast.

Non-treasury investments are covered by the Council's Investment Strategy.

Treasury Management Indicators

The Council measures and manages its exposures to treasury management risks using the following indicators.

Security

The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Credit risk indicator	Target
Portfolio average credit rating	A

Maturity structure of borrowing

This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of borrowing will be:

Refinancing rate risk indicator	Upper limit	Lower limit
Under 12 months	100%	0%
12 months and within 24 months	100%	0%
24 months and within 5 years	100%	0%
5 years and within 10 years	100%	0%

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

Limits to Borrowing Activity

The Local Government Act 2003 requires each local authority to determine and keep under review how much money it can afford to borrow. This is to be determined by the calculation of an affordable borrowing limit which Regulations to the Act specify should be calculated with regard to the CIPFA Prudential Code.

Borrowing limits are set in order to enable the completion of the Council's Commercial Strategy, and will be funded via local to local borrowing until such time as it is advantageous to switch to long term debt. Advice on this will be sought from the Council's treasury management advisors.

The Operational Boundary

This is the limit beyond which external debt is not normally expected to exceed.

Operational boundary	2020/21 Estimate (£000's)	2021/22 Estimate (£000's)	2022/23 Estimate (£000's)	2023/24 Estimate (£000's)
Borrowing	75,000	75,000	75,000	75,000
Other long term liabilities	0	0	0	0

The Authorised Limit for External Borrowing

A further key prudential indicator represents a control on the maximum level of borrowing. This represents a limit beyond which external debt is prohibited, and this limit needs to be set or revised by the full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

The Council is asked to approve the following authorised limit:

Authorised limit	2020/21 Estimate (£000's)	2021/22 Estimate (£000's)	2022/23 Estimate (£000's)	2023/24 Estimate (£000's)
Debt	85,000	85,000	85,000	85,000
Other Long Term Liabilities	0	0	0	0

Limits on Interest Rate Exposures (fixed and variable interest rates)

The following limits will apply in relation to the Council's interest rate exposure. They relate to interest on both borrowings and investments. These limits are intended to reduce the risk of the Council suffering unduly from significant adverse fluctuations in interest rates.

Limit on Fixed Interest Rate Exposures (as a percentage of total borrowings / investments)

	Borrowing		Investments	
	Upper	Lower	Upper	Lower
2020/21	100%	0%	100%	0%
2021/22	100%	0%	100%	0%
2022/23	100%	0%	100%	0%
2023/24	100%	0%	100%	0%

Limit on Variable Interest Rate Exposures (as a percentage of total borrowings/ investments)

	Borrowing		Investments	
	Upper	Lower	Upper	Lower
2020/21	100%	0%	100%	0%
2021/22	100%	0%	100%	0%
2022/23	100%	0%	100%	0%
2023/24	100%	0%	100%	0%

In relation to both borrowing and investing fixed rate investments and loans may be anything between 0% and 100% of the total, with the same proportions being permitted for variable rate loans – in effect there is no limit on each type. This enables maximum flexibility to be afforded to take advantage of prevailing interest trends to obtain the best deal for the Council.

Principal sums invested for periods longer than a year

The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end will be:

Price risk indicator	2020/21	2021/22	2022/23
Limit on principal invested beyond year end	£25m	£25m	£25m

Related Matters

The CIPFA Code requires the Council to include the following in its treasury management strategy.

Financial Derivatives: Local authorities have previously made use of financial derivatives embedded into loans and investments both to reduce interest rate risk (e.g. interest rate collars and forward deals) and to reduce costs or increase income at the expense of greater risk. The general power of competence in Section 1 of the *Localism Act 2011* removes much of the uncertainty over local authorities' use of standalone financial derivatives (i.e. those that are not embedded into a loan or investment).

The Council will only use standalone financial derivatives (such as swaps, forwards, futures and options) where they can be clearly demonstrated to reduce the overall level of the financial risks that the Council is exposed to. Additional risks presented, such as credit exposure to derivative counterparties, will be taken into account when determining the overall level of risk. Embedded derivatives, including those present in pooled funds and forward starting transactions, will not be subject to this policy, although the risks they present will be managed in line with the overall treasury risk management strategy.

Financial derivative transactions may be arranged with any organisation that meets the approved investment criteria. The current value of any amount due from a derivative counterparty will count against the counterparty credit limit and the relevant foreign country limit.

In line with the CIPFA Code, the Council will seek external advice and will consider that advice before entering into financial derivatives to ensure that it fully understands the implications.

Markets in Financial Instruments Directive (MiFID II): The Council has retained retail client status with its providers of financial services, including advisers and banks, allowing it access to a smaller range of services but with the greater regulatory protections afforded to individuals and small companies. This is believed to be the most appropriate status given the size and range of the Council's treasury management activities. The Council may upgrade their client status to professional if the requirements to do so are met during the year. This will allow a greater range of services but without the same level of regulatory protections provided by retail client status.

Financial Implications

The budget for investment income in 2020/21 is £49k. If actual levels of investments and borrowing, or actual interest rates, differ from those forecast, performance against budget will be correspondingly different.

Other Options Considered

The CIPFA Code does not prescribe any particular treasury management strategy for local authorities to adopt. It is believed that the above strategy represents an appropriate balance between risk management and cost effectiveness. Some alternative strategies, with their financial and risk management implications, are listed below.

Alternative	Impact on income and expenditure	Impact on risk management
Invest in a narrower range of counterparties and/or for shorter times	Interest income will be lower	Lower chance of losses from credit related defaults, but any such losses may be greater
Invest in a wider range of counterparties and/or for longer times	Interest income will be higher	Increased risk of losses from credit related defaults, but any such losses may be smaller
Borrow additional sums at long-term fixed interest rates	Debt interest costs will rise; this is unlikely to be offset by higher investment income	Higher investment balance leading to a higher impact in the event of a default; however long-term interest costs may be more certain
Borrow short-term or variable loans instead of long-term fixed rates	Debt interest costs will initially be lower	Increases in debt interest costs will be broadly offset by rising investment income in the medium term, but long-term costs may be less certain
Reduce level of borrowing	Saving on debt interest is likely to exceed lost investment income	Reduced investment balance leading to a lower impact in the event of a default; however long-term interest costs may be less certain

Annex A – Arlingclose Economic & Interest Rate Forecast November 2019

Underlying assumptions:

- The global economy is entering a period of slower growth in response to political issues, primarily the trade policy stance of the US. The UK economy has displayed a marked slowdown in growth due to both Brexit uncertainty and the downturn in global activity. In response, global and UK interest rate expectations have eased.
- Some positivity on the trade negotiations between China and the US has prompted worst case economic scenarios to be pared back. However, information is limited, and upbeat expectations have been wrong before.
- Brexit has been delayed until 31 January 2020. While the General Election has maintained economic and political uncertainty, the opinion polls suggest the Conservative position in parliament may be strengthened, which reduces the chance of Brexit being further frustrated. A key concern is the limited transitional period following a January 2020 exit date, which will maintain and create additional uncertainty over the next few years.
- UK economic growth has stalled despite Q3 2019 GDP of 0.3%. Monthly figures indicate growth waned as the quarter progressed and survey data suggest falling household and business confidence. Both main political parties have promised substantial fiscal easing, which should help support growth.
- While the potential for divergent paths for UK monetary policy remain in the event of the General Election result, the weaker external environment severely limits potential upside movement in Bank Rate, while the slowing UK economy will place pressure on the MPC to loosen monetary policy. Indeed, two MPC members voted for an immediate cut in November 2019.
- Inflation is running below target at 1.7%. While the tight labour market risks medium-term domestically-driven inflationary pressure, slower global growth should reduce the prospect of externally driven pressure, although political turmoil could push up oil prices.
- Central bank actions and geopolitical risks will continue to produce significant volatility in financial markets, including bond markets.

Forecast:

- Although we have maintained our Bank Rate forecast at 0.75% for the foreseeable future, there are substantial risks to this forecast, dependant on General Election outcomes and the evolution of the global economy.
- Arlingclose judges that the risks are weighted to the downside.
- Gilt yields have risen but remain low due to the soft UK and global economic outlooks. US monetary policy and UK government spending will be key influences alongside UK monetary policy.
- We expect gilt yields to remain at relatively low levels for the foreseeable future and judge the risks to be broadly balanced.

	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Average
Official Bank Rate														
<i>Upside risk</i>	0.00	0.00	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.21
Arlingclose Central Case	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75
<i>Downside risk</i>	-0.50	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.73
3-mth money market rate														
<i>Upside risk</i>	0.10	0.10	0.25	0.25	0.25	0.25	0.25	0.25	0.30	0.30	0.30	0.30	0.30	0.25
Arlingclose Central Case	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75	0.75
<i>Downside risk</i>	-0.50	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.75	-0.73
1-yr money market rate														
<i>Upside risk</i>	0.10	0.20	0.20	0.20	0.20	0.20	0.20	0.25	0.30	0.30	0.30	0.30	0.30	0.33
Arlingclose Central Case	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85	0.85
<i>Downside risk</i>	-0.30	-0.50	-0.55	-0.65	-0.65	-0.65	-0.65	-0.65	-0.65	-0.65	-0.65	-0.65	-0.65	-0.60
5-yr gilt yield														
<i>Upside risk</i>	0.30	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.40	0.40	0.45	0.45	0.37
Arlingclose Central Case	0.50	0.50	0.50	0.55	0.60	0.60	0.60	0.60	0.60	0.60	0.60	0.60	0.60	0.57
<i>Downside risk</i>	-0.35	-0.50	-0.50	-0.55	-0.60	-0.60	-0.60	-0.60	-0.60	-0.60	-0.60	-0.60	-0.60	-0.56
10-yr gilt yield														
<i>Upside risk</i>	0.30	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.40	0.40	0.45	0.45	0.37
Arlingclose Central Case	0.75	0.75	0.80	0.80	0.85	0.85	0.90	0.90	0.95	0.95	1.00	1.00	1.00	0.88
<i>Downside risk</i>	-0.40	-0.40	-0.40	-0.40	-0.45	-0.45	-0.45	-0.45	-0.50	-0.50	-0.50	-0.50	-0.50	-0.45
20-yr gilt yield														
<i>Upside risk</i>	0.30	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.40	0.40	0.45	0.45	0.37
Arlingclose Central Case	1.20	1.20	1.25	1.25	1.25	1.30	1.30	1.30	1.35	1.35	1.35	1.40	1.40	1.30
<i>Downside risk</i>	-0.40	-0.40	-0.45	-0.45	-0.45	-0.45	-0.45	-0.45	-0.45	-0.45	-0.45	-0.50	-0.50	-0.45
50-yr gilt yield														
<i>Upside risk</i>	0.30	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.40	0.40	0.45	0.45	0.37
Arlingclose Central Case	1.20	1.20	1.25	1.25	1.25	1.30	1.30	1.30	1.35	1.35	1.35	1.40	1.40	1.30
<i>Downside risk</i>	-0.40	-0.40	-0.45	-0.45	-0.45	-0.45	-0.45	-0.45	-0.45	-0.45	-0.45	-0.50	-0.50	-0.45

PWLB Certainty Rate (Maturity Loans) = Gilt yield + 1.80%

PWLB Local Infrastructure Rate (Maturity Loans) = Gilt yield + 0.60%

Annex B – Existing Investment & Debt Portfolio Position

	30/11/2019 Actual Portfolio £m	30/11/2019 Average Rate %
<i>Treasury investments:</i>		
Banks & building societies (unsecured)	4.2	0.40
Government (incl. local authorities)	3.0	0.73
Money Market Funds	1.0	0.72
Total treasury investments	8.2	
Total external borrowing	0.0	
Net investments	8.2	

Annex C – Minimum Revenue Provision Policy

Background

In instances whereby Local Authorities have a positive Capital Financing Requirement (CFR), Ministry of Housing, Communities and Local Government (MHCLG) Guidance requires them to adopt a prudent approach in order to fund the repayment of debt. This may be achieved by setting aside a minimum amount from revenue, known as the Minimum Revenue Provision (MRP). This means that the Council would be required to pay off an element of the accumulated General Fund capital spend each year (the CFR) through a revenue charge (the MRP).

MHCLG Regulations and Guidance have been issued which require the Full Council to approve **an MRP Statement** in advance of each year. Four options for prudent provision of the MRP are provided to councils, these being:

Option 1 – Regulatory Method

For debt which is supported by the Government through the Revenue Support Grant system, authorities may continue to use the formulae in the current regulations, since the Revenue Support Grant is calculated on that basis. Although the existing regulation 28 is revoked by regulation 4(1) of the 2008 Regulations, authorities will be able to calculate MRP as if it were still in force. Solely as a transitional measure, this option will also be available for all capital expenditure incurred prior to 1 April 2008.

Option 2 – Capital Financing Requirement Method

This is a technically much simpler alternative to Option 1 which may be used in relation to supported debt. While still based on the concept of the CFR, which is easily derived from the balance sheet, it avoids the complexities of the formulae in the old regulation 28 (though for most authorities it will probably result in a higher level of provision than Option 1).

Option 3 – Asset Life Method

For new borrowing under the Prudential system for which no Government support is being given and is therefore self-financed, there are two options included in the guidance.

Option 3 is to make provision over the estimated life of the asset for which the borrowing is undertaken. This is a possibly simpler alternative to the use of depreciation accounting (Option 4), though it has some similarities to that approach.

Within option 3, two methods are identified. The first of these, the equal instalment method, will normally generate a series of equal annual amounts over the estimated life of the asset. The original amount of expenditure ("A" in the formula) remains constant.

The cumulative total of the MRP made to date ("B" in the formula) will increase each year. The outstanding period of the estimated life of the asset ("C" in the formula) reduces by 1 each year.

For example, if the life of the asset is originally estimated at 25 years, then in the initial year when MRP is made, C will be equal to 25. In the second year, C will be equal to 24, and so on. The original estimate of the life is determined at the outset and should not be varied thereafter, even if in reality the condition of the asset has changed significantly

The formula allows an authority to make voluntary extra provision in any year. This will be reflected by an increase in amount B and will automatically ensure that in future years the amount of provision determined by the formula is reduced.

The alternative is the annuity method, which has the advantage of linking MRP to the flow of benefits from an asset where the benefits are expected to increase in later years. It may be particularly attractive in connection with projects promoting regeneration or administrative efficiencies or schemes where revenues will increase over time.

Option 4 – Depreciation Method

Alternatively, for new borrowing under the Prudential system for which no Government support is being given, Option 4 may be used.

This means making the MRP in accordance with the standard rules for depreciation accounting. A step in this direction was made in the last set of amendments to the MRP rules [SI 2007/573]. However, the move to reliance on guidance rather than regulations will make this approach more viable in future.

Authorities will normally need to follow the standard procedures for calculating depreciation provision. But the guidance identifies some necessary exceptions:

The MRP continues until the total provision made is equal to the original amount of the debt and may then cease.

If only part of the expenditure on the asset was financed by debt, the depreciation provision is proportionately reduced.

MRP Policy in respect of Finance Leases

The introduction of International Financial Reporting Standards in 2011/12 resulted in some leases being reclassified as finance leases instead of operating leases. This resulted in a positive CFR and as such the need to set aside a MRP.

In accordance with the revised MHCLG Guidance this Council will set aside an annual MRP equal to the amount of the lease that has been taken to the Balance Sheet to reduce the finance lease liability i.e. the principal amount of the finance lease. This approach will produce an MRP charge which is the same as Option 3 in the guidance (Asset Life Method – annuity method). The revised guidance aims to ensure that authorities are in the same position as if the change in accounting standards had not occurred.

MRP Policy – Other Capital Expenditure

Capital Financing Requirement (CFR)

The Council's CFR is currently positive. This means that there is a requirement to set aside a MRP for the redemption of debt. The Prudential Indicator for the CFR, shown at Table 1 in the Treasury Management Strategy, indicates that the CFR will become positive within the period covered by the Strategy. This is based on the assumption that there will be a general overall increase in expected capital expenditure, which cannot be funded from revenue or capital resources. Accordingly, the Council needs to determine the option it will employ to make the necessary MRP in respect of the amount borrowed, when this occurs.

Option for making MRP

The most appropriate of the four options permitted by the Regulations is Option 3, the Asset Life Method, within which there are two further options, an equal instalment method and an annuity method (as detailed in 1.1 – option 3). The Council is permitted to apply either of these two further options to projects on a scheme by scheme basis. However preference will be the annuity method.

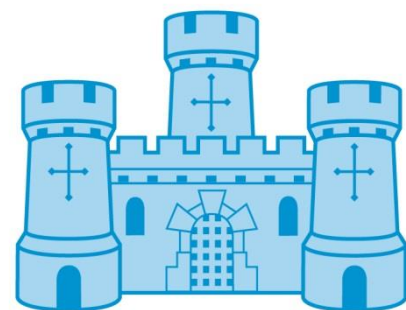
It should be noted that MRP does not commence until the year following that in which the asset concerned became operational; however, voluntary MRP can be made at any given time if considered prudent.

Annex D – Treasury Management Glossary of Terms

- **Basis Points** – there are 100 basis points to 1%.
- **Credit Default Swap** – an additional assessment of credit worthiness by providing a risk analysis of changes in credit quality as perceived by the market.
- **CFR** – the Capital Financing Requirement is the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources.
- **CIPFA** – the Chartered Institute of Public Finance and Accountancy, is the professional body for accountants working in Local Government and other public sector organisations.
- **Counterparty** – an institution with whom a borrowing or investment transaction is made.
- **CPI** – a measure that examines the weighted average of prices of a basket of consumer goods and services. The Consumer Price Index is calculated by taking price changes for each item in the predetermined basket of goods/services and averaging them; the goods are weighted according to their importance. Changes in CPI are used to assess price changes associated with the cost of living.
- **Credit Rating** – is an opinion on the credit-worthiness of an institution, based on judgements about the future status of that institution. The main rating agencies are Fitch, Standard and Poor's and Moody's.
- **Depreciation** – the measure of the cost or revalued amount of the benefits of the fixed asset that have been consumed during the period. Consumption includes wearing out, using up or other reduction in the useful life of a fixed asset whether arising from use, time or obsolescence through either changes in technology or demand for the goods and services produced by the asset.
- **DMADF and DMO** – the DMADF is the 'Debt Management Account Deposit Facility' which is a highly secure fixed term deposit account with the Debt Management Office, part of Her Majesty's Treasury.
- **Forward Commitments** - agreeing in advance to place an investment with a borrower at a future specified date at an agreed interest rate.
- **GDP** – Gross Domestic Product is the market value of all officially recognised final goods and services produced within a country in a given period of time.
- **GILTS** – the name given to bonds issued by the UK Government. Gilts are issued bearing interest at a specified rate, however, they are traded on the markets like shares and their value rises or falls accordingly. The 'yield' on a gilt is the interest paid divided by the market value of that gilt.
- **IFRS (International Financial Reporting Standards)** – International accounting standards that govern the treatment and reporting of income and expenditure in an organisation's accounts, which came fully into effect from 1 April 2010.
- **Leasing** - a lease is a contractual arrangement calling for the lessee (user) to pay the lessor (owner) for use of an asset.
- **Liquidity** – relates to the amount of readily available or short term investment money which can be used for either day to day or unforeseen expenses. For example Call Accounts allow instant daily access to invested funds.
- **MHCLG** – Ministry of Housing, Communities, and Local Government (formerly the Department for Communities and Local Government).

- *Money Market Funds (MMF)* – Money Market Funds are investment funds that are invested by a Fund Manager in a wide range of money market instruments. MMF's are monitored by the official ratings agencies and due to many requirements that need to be fulfilled; the funds usually receive the highest quality rating (AAA) so provide minimal risk. They are very flexible and can be withdrawn in the same way as any other call deposit.
- *MPC* – interest rates are set by the Bank of England's Monetary Policy Committee. The MPC sets an interest rate it judges will enable the inflation target to be met
- *MRP* – the Minimum Revenue Provision represents the revenue charge for the repayment of debt.
- *PWLB* – the Public Works Loan Board is a statutory board that is run within the UK Debt Management Office (DMO), its function is to lend money to Local Authorities and other prescribed bodies.

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**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Investment Strategy

2019/20



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Introduction

This strategy is compiled according to the Ministry of Housing, Communities and Local Government's Guidance on Local Government Investments ("the Guidance") and the 2017 revised CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes ("the CIPFA TM Code"). It sets out the Council's policies for managing its investments and for giving priority to the security and liquidity of those investments.

The Guidance distinguishes between Treasury Management Investments and Other Investments. Treasury Management Investments are those which arise from the Council's cash flows and debt management activity and ultimately represent balances which need to be invested until the cash is required for use in the course of business. Other Investments are all those falling outside of normal treasury management activity, as defined above. They may be made with the express purpose of making a financial surplus for the Council, usually as a means towards balancing the revenue budget. They may be funded from borrowing where appropriate. The prime example referred to in the Guidance is direct investment in property assets. Loans, for example to voluntary organisations, local enterprises or joint ventures are also classified as Other Investments.

The Council invests its money for three broad purposes:

- because it has surplus cash as a result of its day-to-day activities, for example when income is received in advance of expenditure (known as [treasury management investments](#)),
- to support local public services by lending to or buying shares in other organisations ([service investments](#)), and
- to earn investment income (known as [commercial investments](#) where this is the main purpose).

This investment strategy meets the requirements of statutory guidance issued by the government in January 2018, and focuses on the second and third of these categories.

Possible Revisions to the Strategy

The initial strategy may be replaced with a revised strategy at any time during the year in cases where any treasury management issues (including investment issues) need to be brought to the attention of Full Council.

Treasury Management Investments

The Council typically receives its income in cash (e.g. from taxes and grants) before it pays for its expenditure in cash (e.g. through payroll and invoices). It also holds reserves for future expenditure and collects local taxes on behalf of other local authorities and central government. These activities, plus the timing of borrowing decisions, lead to a cash surplus which is invested in accordance with guidance from the Chartered Institute of Public Finance and Accountancy. The balance of treasury management investments is expected to fluctuate between £0m and £14m during the 2020/21 financial year.

Contribution: The contribution that these investments make to the objectives of the Council is to support effective treasury management activities.

Further details: Full details of the Council's policies and its plan for 2020/21 for treasury management investments are covered in a separate document, the treasury management strategy.

Service Investments: Loans

Contribution: During 2019/20 the Council has not lent money to local charities, housing associations or any other bodies. However the Council would consider applications from such bodies individually, in order to support local public services and stimulate local economic growth.

Security: The main risk when making service loans is that the borrower will be unable to repay the principal lent and/or the interest due. In order to limit this risk, and ensure that total exposure to service loans remains proportionate to the size of the Council, upper limits on the outstanding loans to each category of borrower have been set as follows:

Loans for service purposes in £ thousands

Category of borrower	31/03/2019 Actual			2020/21
	Balance owing	Loss allowance	Net figure in accounts	Approved Limit
Local charities	0	0	0	500
Housing associations	0	0	0	10,000
Other bodies	0	0	0	500
TOTAL	0	0	0	11,000

Accounting standards require the Council to set aside loss allowance for loans, reflecting the likelihood of non-payment. The figures for loans in the Council's statement of accounts are shown net of this loss allowance. However, the Council makes every reasonable effort to collect the full sum lent and has appropriate credit control arrangements in place to recover overdue repayments.

Risk assessment: The Council assesses the risk of loss before entering into and whilst holding service loans on an individual basis for each proposal. The risks inherent in the proposal will be reported to members when it is placed before them for consideration together with an assessment of the likelihood of any of them materialising, their impact on the revenue budget and the mitigating controls that will be put in place. Risk factors to be assessed include:

- barriers to entry into and exit out of the market concerned;
- the nature and level of competition;
- how the market and customer needs will evolve over time;
- ongoing need for further investment to be made; and
- whether there is sufficient internal capacity to assess the business case and risks relating to the proposal.

An initial review of each proposal will be carried out by Council officers, intended to determine whether there are any risks apparent at that stage which indicate that the proposal should not be proceeded with. Provided this is not the case and it has also been determined that there is a worthwhile business case for further consideration, a more detailed risk assessment will be carried out. Where necessary, owing to lack of internal expertise, external advisors may be used to assist with the assessment of appropriate risks. Any other appropriate sources of information may be used to assess and monitor risk,

including credit ratings, if these are relevant. Data used to monitor ongoing risk will be reviewed regularly and appropriate action will be taken if there are any indications of increasing risk or risks materialising.

The Council will consider the following points:

- the degree to which the loan complies with corporate policies and furthers corporate objectives;
- the overall desirability of the activity which the loan is intended to fund;
- affordability in terms of the use of capital or other resources and impact on the revenue budget;
- the likelihood that the loan will be repaid in accordance with agreed terms; and
- the total amount of loans already made to ensure that as a whole the Council is not over-exposed to the risk of default.

All proposed loans will be subject to approval by members, normally via Full Council, following consideration of a report setting out all relevant matters, including compliance with the above criteria.

All loans will be subject to credit control arrangements to recover overdue repayments. Credit risk will be determined by reference to the “expected credit loss” model for loans and receivables as set out in International Reporting Standard (IFRS) 9 Financial Instruments.

Service Investments: Shares

Contribution: The Council currently does not invest in the shares of suppliers and local businesses in order to support local public services and stimulate local economic growth. This is due to the nature of the risks associated with investing in shares i.e. they are volatile and may fall in value meaning that the initial outlay may not be recovered. If the Council was to consider investing in shares, then in order to limit the risk, upper limits on the sum invested in each category of shares would need to be set.

Shares held for service purposes in £ thousands

Category of company	31/03/2019 actual			2020/21
	Amounts invested	Gains or losses	Value in accounts	Approved Limit
Suppliers	0	0	0	250
Local businesses	0	0	0	250
TOTAL	0	0	0	500

Non-specified Investments: Shares are the only investment type that the Council has identified that meets the definition of a non-specified investment in the government guidance. The limits above on share investments are therefore also the Council’s upper limits on non-specified investments. The Council has not adopted any procedures for determining further categories of non-specified investment since none are likely to meet the definition.

If the Council were to consider placing funds in any other type of investment which would be categorised as Non-Specified, the security of the capital sum would be the paramount concern. The same requirements as to credit ratings relating to Specified Investments will

apply, and in appropriate cases the advice of the Council's treasury management advisors will be sought.

Commercial Investments: Property

Contribution: The Council invests in local commercial property with the intention of making a profit that will be spent on local public services. These are held primarily to earn income to be used to support the revenue budget although in some cases there may also be a contribution towards the economic wellbeing of the Borough.

Security: In accordance with government guidance, the Council considers a property investment to be secure if its accounting valuation is at or higher than its purchase cost including taxes and transaction costs.

A fair value assessment of the Council's investment property portfolio has been made within the past twelve months, and the underlying assets provide security for capital investment.

The majority of the investment property portfolio was acquired some time ago and there is no debt associated with any of the properties and the initial investment costs have been recouped many years ago. Investment properties are valued at fair value. The values of the properties will fluctuate according to market conditions prevailing from time to time, however these fluctuations do not constitute losses of capital invested. The value of investment properties included in the Council's balance sheet as at 31 March 2019 is £16,415m.

If there are any new commercial investments funded from borrowing, their value will be monitored to determine whether it is sufficient to act as security for the capital invested and outstanding borrowing. If there is a significant fall in value then this will be reported to members.

Risk assessment: There are risks associated with making and holding commercial investments which require assessment and management.

With regard to the Council's current portfolio of commercial investments, comprising investment properties, the main risk is of not achieving the budgeted amount of income or of expenditure exceeding budgeted amounts. These risks are assessed and provided for via the assessment of the appropriate amount to hold in reserve in General Fund Balances. If the result of the assessment shows that current levels are inadequate, the necessary additional contribution will be made via inclusion in the Medium Term Financial Strategy.

With regard to consideration of proposed new commercial investment there will be additional risks to be assessed and taken account of. The degree of control which the Council has over the materialisation of these risks and its ability to mitigate them should they arise will be important considerations. In most, if not all, cases the Council will be operating in a competitive environment and possibly one which it is not experienced in operating within, all of which increases the level of risk.

A comprehensive risk assessment, taking account of all appropriate factors, will be carried out on an individual basis for each investment proposal. The risks inherent in the proposal will be reported to members when it is placed before them for consideration together with an assessment of the likelihood of any of them materialising, their impact on the revenue budget and otherwise and available mitigation measures. Risk factors to be assessed include:

- barriers to entry into and exit out of the market concerned;
- the nature and level of competition;
- how the market and customer needs will evolve over time;
- ongoing need for further investment to be made, for example to adapt investment property or repair defects or carry out cyclical maintenance; and

- whether there is sufficient internal capacity to assess the business case and risks relating to the proposal.

An initial review of each proposed investment will be carried out by Council officers, intended to determine whether there are any risks apparent at that stage which indicate that the proposal should not be proceeded with. Provided this is not the case and it has also been determined that there is a worthwhile business case for further consideration of the investment, a more detailed risk assessment will be carried out. Where necessary, owing to lack of internal expertise, external advisors may be used to assist with the assessment of appropriate risks. Any other appropriate sources of information may be used to assess and monitor risk, including credit ratings, if these are relevant. Data used to monitor ongoing risk will be reviewed regularly and appropriate action will be taken if there are any indications of increasing risk or risks materialising.

An independent review shall be undertaken by external investment property advisors on the Council's existing commercial property portfolio. The recommendations from this review will be actioned where necessary.

Liquidity: Compared with other investment types, property is relatively difficult to sell and convert to cash at short notice, and can take a considerable period to sell in certain market conditions. There is no outstanding borrowing in relation to the current portfolio so any sales proceeds would be available in full to support capital investment.

In the case of any future commercial property investments, the likely degree of liquidity will be a consideration in deciding whether to make the investment.

Loan Commitments and Financial Guarantees

Although not strictly counted as investments, since no money has exchanged hands yet, loan commitments and financial guarantees carry similar risks to the Council and are included here for completeness. To date, the Council is not contractually committed to make any loans.

Proportionality

The Council is dependent on profit generating investment activity to achieve a balanced revenue budget.

Net investment property income is subject to fluctuation according to market conditions and other factors such as bad debts and unforeseen expenditure. Accordingly the possibility of shortfalls in contribution towards the revenue budget from this source is one of the factors specifically taken into consideration in calculating the level of General Fund balance to be held as a contingency against adverse budget variances. Currently a total of £1,448m is held in balances to cover this and other risks and can be drawn upon in the event of risks materialising.

It is not planned to vary the amount of investment property held in the short term. However, in accordance with the Asset Management Strategy, all such property will be kept under review to determine whether the return obtained justifies retention and there may be instances where it is decided to dispose of property to obtain a capital receipt. The net contribution made towards balancing the revenue budget and the options for replacing any significant loss of income will be one of the factors taken into account when determining whether or not to dispose of a property.

Borrowing in Advance of Need

The Prudential Code for Capital Finance in Local Authorities (2017) issued by CIPFA states that local authorities should not borrow more than or in advance of their needs purely to profit from the investment of the extra sums borrowed. This is repeated in the Statutory Investment Guidance issued by the Ministry of Housing, Communities and Local Government.

The reasons for making an investment are unlikely to be purely in order to make a profit since investments may also be made with the intention of furthering corporate aims or service objectives, such as economic regeneration.

Accordingly, borrowing will be permitted in respect of Other Investments. The Council will consider each proposal to borrow on its merits. As well as the corporate or service benefits due regard will be given to the financial impact upon the revenue budget in terms of capital financing costs.

All borrowing will be subject to approval by members, normally via Full Council, following consideration of a report setting out all relevant matters, including those referred to above.

Capacity, Skills and Culture

Council members and staff involved in dealing with Other Investments will have regard to the provisions of the CIPFA Prudential Code and the regulatory regime within which local authorities operate when carrying out these functions.

Investment in commercial property is a specialist area and the Council will therefore commission external advice in order to effectively appraise investment proposals, negotiate with third parties or manage certain types of investment on an ongoing basis. The external advice will be commissioned on a case by case basis and where asset management is required external managers may need to be employed, particularly if investment is made in residential property.

Decisions to make Other Investments and the means of financing them will be subject to member approval. This will normally be by Full Council (but may be by Cabinet where permitted by the Council's Constitution). Members will consider a report setting out all matters relevant to the making of an investment before making a decision. The normal scrutiny and call-in arrangements will apply.

Investment Indicators

The Council has set the following quantitative indicators to allow elected members and the public to assess the Council's total risk exposure as a result of its investment decisions.

Gross and Net Income - Historic and Current Year

	2016/17 Actual	2017/18 Actual	2018/19 Actual	2019/20 Estimate
	£'000	£'000	£'000	£'000
Commercial Properties				
Gross Income	1,294	1,327	1,193	1,066
Gross Expenditure (exc. Recharges)	(749)	(871)	(934)	(920)
Net Income	545	456	259	146
Net Service Expenditure (Whole Council)	(6,510)	(6,776)	(7,011)	(7,280)
Ratio of Net Income to Net Service Expenditure	8.37%	6.73%	3.69%	2.01%

Gross and Net Income - Over Period of Approved Medium Term Financial Strategy 2020/21 to 2024/25 – Based on 2% increase on 2019/20

	2020/21 Estimate	2021/22 Estimate	2022/23 Estimate	2023/24 Estimate	2024/25 Estimate
	£'000	£'000	£'000	£'000	£'000
Gross Income	1,024	1,045	1,066	1,087	1,109
Gross Expenditure	(524)	(535)	(545)	(556)	(567)
Net Income	500	510	521	531	542

Vacancy Levels

2016/17 Actual	2017/18 Actual	2018/19 Actual	2019/20 Actual at Q2	2019/20 Target
%	%	%	%	%
8.3	7.7	10.1	8.3	12.0

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

12 February 2020

Report Title: Draft Joint Local Plan

Submitted by: Executive Director Commercial Development and Economic Growth

Portfolios: Planning and Regeneration

Ward(s) affected: All wards

Purpose of the Report

To advise Cabinet on the completion and outcome of the previous formal consultation on the "Preferred Options" stage of the Joint Local Plan.

To provide an update on the plan-making process for the Newcastle-under-Lyme and Stoke-on-Trent Joint Local Plan.

To seek approval for the Draft Local Plan (Part One – Strategy and Policies) and for the public consultation exercise to be carried out during Spring 2020 in line with the adopted Statement of Community Involvement.

To confirm that the results of the consultation exercise on the Draft Local Plan Consultation document will be reported back to Cabinet in September 2020.

To present any recommendations arising from consultation with the Planning Committee and Economy, Environment and Place Scrutiny Committee on the Draft Local Plan Part One Consultation Document.

Recommendations

- A. That Cabinet notes the responses to the previous consultation exercise carried out on the Preferred Options Consultation Document (full copy of the Preferred Options Consultation and Responses Document is attached to this pack as background information), and that the document be published on the relevant Joint Local Plan web page.
- B. That the presentation of the Draft Local Plan in two parts be agreed, with Part One for strategic and development management policies to be consulted upon in Spring 2020 and Part Two for proposed site allocations be consulted upon Autumn 2020.
- C. That approval is given for:
 1. The Draft Joint Local Plan Part One Strategy and Policies Consultation document (attached as Appendix 1 to this report) to be published for formal public consultation during Spring 2020.
 2. That the consultation be carried out in accordance with the Statement of Community Involvement (SCI).
- D. That the results of the consultation exercise be reported back to Cabinet in Summer 2020 to inform the next stage of plan preparation (Part 2 Site Allocations) in partnership with Stoke-on-Trent City Council.

Reasons

The Joint Local Plan helps to guide and shape the long term policies for the area. It is a statutory development plan and will replace the existing adopted Joint Core Spatial Strategy 2006-2026 (which was adopted in 2009). The Joint Local Plan Part One sets out the strategy and policies and Part Two will propose site allocations.

1. Background

- 1.1 Consultation on the Draft Joint Local Plan Part One Strategy and Policies Consultation document (Appendix 1) forms part of the legal process in the preparation of the Joint Local Plan which is a statutory development plan and is being prepared with Stoke-on-Trent City Council. The plan period is 2013 to 2037 and will eventually replace the adopted Joint Core Spatial Strategy 2006 - 2026 (which was adopted 2009). The Council have signed up to an agreed plan making programme which seeks to get a full plan through the examination process and adopted.
- 1.2 The Joint Local Plan will guide and help to shape the long term policies and plans for the area. The baseline year for all evidence and development targets is from 2013. There is in place a strong evidence base and key evidence completed since Preferred Options stage includes the Retail and Leisure Study; Strategic Flood Risk Assessment and Water Cycle Study. Key evidence also needs to be in place at the time of submission and therefore an update to the Strategic Housing Market Assessment and a full review of the supply and demand of employment land across the joint functional economic market area and housing market area are in the process of being commissioned. In addition, both Councils are publishing their Strategic Housing Land Availability Assessments alongside this consultation document. Infrastructure planning and viability will help in determining the best and most sustainable sites which will be subject to Part Two of the Draft Local Plan.

2. Issues

- 2.1 The previous stage of the plan preparation was the Preferred Options Consultation which was approved in January 2018, and was subject to formal public consultation in accordance with the Statement of Community Involvement. 824 representations were received as part of the consultation resulting in 5,494 individual points. In addition 7 petitions were received in connection with specific sites. The results of the consultation exercise and the officer response thereto are contained within the Preferred Options Consultation and Responses Document which is available on request or via the additional documents website link.
- 2.2 The general emerging themes have been taken into account and reflected in the Draft Local Plan Consultation document, which is the subject of this report. Additional work is progressing to review all potential site options. Part Two of the Draft Local Plan will propose site allocations.
- 2.3 The timetable has been amended to allow time to respond to changes in the new National Planning Policy Framework and supporting guidance. In particular, the Plan period has been extended from 2033 to 2037 to comply with the requirement that the Plan covers a minimum of 15 years from submission to the Secretary of State. The key implication is that we have to project the needs for homes and employment land to cover this additional period. Accordingly the Draft Local Plan is now presented in two parts, Part One for strategy and policies and Part Two for proposed site allocations (additional sites are currently being considered to address the additional time period).

3. Proposal

Proposed Draft Local Plan Part One Consultation document

3.1 This is the next stage of the plan making process and expresses the policies required in the Joint Local Plan to meet the needs of Newcastle-under-Lyme and Stoke-on-Trent up until 2037 and in particular to support growth. It also confirms the position regarding retail and leisure including hierarchy of centres and proposals for the amendment of some centre boundaries, all aimed at making our centres more resilient to the major changes in retail and consumer behaviours. The Draft local Plan document proposes policies for the following areas:

1. Delivering sustainable development and sustainable healthy communities.
2. Economy
3. Housing
4. Transport
5. Centres
6. Design and Heritage
7. Natural and Rural Environment
8. Climate change and environmental resources (including minerals)
9. Infrastructure

4. Reasons for Proposed Solution

4.1 The Joint Local Plan is a statutory requirement and the formal review process started in 2013. It will provide the framework to guide future development.

5. Options Considered

5.1 Not to prepare a Joint Local Plan. This option is not feasible as it is a statutory duty to prepare a Local Plan and it is felt that the current core spatial strategy does not reflect the framework to meet future housing and economic needs.

6. Legal and Statutory Implications

6.1 The Local Plan forms part of the Borough Council's Policy Framework and it must be compiled and adopted in accordance with statutory processes. These include conforming to the requirements set out within the Planning and Compulsory Purchase Act, 2004 ("the 2004 Act") and the Town and Country Planning (Local Planning) (England) Regulations 2012 ("the 2012 Regulations").

6.2 Once adopted, the Local Plan will replace the saved policies from the Newcastle-under-Lyme Local Plan 2011 and the adopted Core Spatial Strategy.

6.3 The National Planning Policy Framework and the National Planning Practice Guidance contain guidance on how to prepare a Local Plan has been taken into account in the preparation of this report together with the legal requirements as set out in 2004 Act and the 2012 Regulations.

6.4 Regulation 18 of the 2012 Regulations require the Council as the Local Planning Authority to publish and consult on its proposal for the local plan and to consider and representations received.

7. Equality Impact Assessment

7.1 A joint Equality Impact Assessment has been undertaken and is included as an appendix to this report.

8. Financial and Resource Implications

8.1 The costs of Local Plan preparation are provided for in current budget provision plus use of reserves. This should be sufficient to cover preparation costs.

8.2 The preparation of the plan is being carried out in-house and managed by the Planning Policy Team. There has been, and will continue to be, a requirement to procure additional resources, particularly in terms of producing evidence base documents and providing additional technical and

administrative support to the team, this will help with the amount and type of work required and also provides flexibility within the team to reduce staff related risks.

- 8.3 It should be noted that given the scale and nature of the Local Plan, resources and support from other Borough Council departments will continue to be required to ensure compliance with all relevant corporate priorities.

9. **Major Risks**

- 9.1 It is important to consult at an early stage in the preparation of the Joint Local Plan so as to and to ensure evidence is up to date and robust. This will help to ensure that the plan is found sound at public examination.
- 9.2 Without a Joint Local Plan in place the Authorities would not be fulfilling their statutory duty and the Ministry of Housing, Communities and Local Government would need to take steps to make sure this requirement was fulfilled. In addition, the Local Plan process makes sure the Council has the lead role in guiding and supporting the long-term development of the area.
- 9.3 The Joint Local Plan needs to be “positively” prepared and where needs are identified it must demonstrate how these are being met and demonstrate that all reasonable alternatives have been considered.
- 9.4 Elements of the evidence base which inform the strategy are being updated. This does not present an immediate risk. However the timetable for Part Two is dependent on the significance of the outcome of the updated evidence and will also be informed by the responses from Part One consultation, where this has direct implications on Part Two of the Draft Local Plan.

10. **Sustainability and Climate Change Implications**

- 10.1 Sustainability and climate change is at the heart of the plan with specific policies contained therein. The sustainability assessment ensures that all considerations for sustainability and climate change are taken into account.

11. **Key Decision Information**

The Plan affects all the wards of the Borough and approval of the Draft Local Plan for public consultation is a key decision.

12. **Earlier Cabinet/Committee Resolutions**

- 12.1 Each stage of the plan making process has received Cabinet approval.

13. **List of Appendices**

Appendix 1 – Draft Local Plan Consultation Document

[Draft Joint Local Plan - Part One Strategy and Policies 2020 FINAL.pdf](#)

Appendix 1A - Draft Local Plan Consultation Document – Appendix 13.1 Policies Map

[Appendix1PoliciesMap.pdf](#)

Appendix 2 – Draft Local Plan Sustainability Assessment

[Joint Draft Local Plan Part One - Strategy and Policies Sustainability Appraisal.pdf](#)

Appendix 3 – Draft Local Plan Habitat Regulations Assessment

[HRA Screening Report Final.- Draft Local Plan 2020.pdf](#)

Appendix 4 – Draft Local Plan Equality Impact Assessment

[Equality Impact Assessment - Joint Local Plan FINAL 2020.pdf](#)

Appendix 5 – Preferred Options Consultation Responses Document

https://www.newcastle-staffs.gov.uk/sites/default/files/IMCE/Planning/Planning_Policy/POJLP/FINAL_10.2.20_PDF.pdf

Appendix 6 – Joint Local Plan Revised Timetable

[Joint Local Plan Timetable - Jan 2020.pdf](#)

14. **Background Papers**

Evidence documents:

Strategic Housing Market Assessment (updated 2017).

Employment Land Review 2015

Retail and Leisure Study 2019

Strategic Flood Risk Assessment 2019

Green Belt Assessment Part 1 2017

Preferred Options Consultation Document 2018

Newcastle-under-Lyme Rural Area Topic Paper Part 1 Hierarchy of Centres 2020

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

12 February 2020

Report Title: Safeguarding Children and Adults at Risk of Abuse or Neglect Policy and Workplace Domestic Abuse Policy Reviews.

Submitted by: Partnerships Manager

Portfolios: Community Safety and Wellbeing

Ward(s) affected: All

Purpose of the Report

To reaffirm to Cabinet the role of the Borough Council in safeguarding children and adults at risk of abuse and neglect and in supporting staff who may be affected by domestic abuse.

Recommendation

- A. That Cabinet approve the reviewed and updated version of the Safeguarding Children and Adults at Risk of Abuse or Neglect Policy for the Borough Council in Newcastle-under-Lyme.**
- B. That Cabinet approve the reviewed and updated version of the Workplace Domestic Abuse Policy for the Borough Council in Newcastle-under-Lyme.**

Reasons

The Children Acts (1989) and (2004), the Care Act (2014) 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 adults at risk of abuse and neglect.

The statutory guidance '*Working together to safeguard children: a guide to inter agency working to safeguard and promote the welfare of children (2018)*' provides core legislative requirements regarding the expectations of the role of District Councils working alone or in partnership with other organisations.

The Safeguarding Children and Adults at Risk of Abuse or Neglect and Workplace Domestic Abuse Policies provides guidance for Council Officers, Members, Partners and the public on how the Council will respond to safeguarding concerns and support staff affected by domestic abuse.

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 The safeguarding duties apply to an adult who: has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect; and as a result of those care and support needs is unable to protect themselves from

either the risk of, or the experience of abuse or neglect. The adult experiencing, or at risk of abuse or neglect will hereafter be referred to as the adult throughout this policy.

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 and builds upon the provisions of the Children Act (1989) Act.

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 LSCB 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 when discharging our functions.

1.5

The Care Act (2014) introduced a statutory requirement for each local authority to establish a Safeguarding Adults Board (SAB) made up of representatives from the agencies and bodies which have regular contact with adults at risk of abuse and neglect or have responsibility for services to them (or their families) in the local area. The Borough Council is a member of the Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Board (SSASPB).

1.6

The Borough Council participates in the District Safeguarding Sub Group (for Children and Adults at risk of abuse and neglect) and has led the review of the Safeguarding Children and Adults at Risk of Abuse and Neglect Policy template, which was used as a template for good practice and adopted by all participating Districts in Staffordshire.

1.7

The Safeguarding Policy seeks to help protect all children and adults at risk of abuse and neglect living in our communities and to support the Borough Council, its staff, elected members and volunteers.

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;

- Chief Executive.
- Head of Human Resources and Organisational Development.
- Designated Safeguarding Officer - Partnerships Manager.
- Deputy Designated Safeguarding Officer – Partnerships Vulnerability Officer.

1.9

As part of the Safeguarding Policy, the Council recognises domestic abuse as a form of abuse and in 2013, created a complementary Workforce Domestic Abuse Policy to raise awareness of domestic abuse and demonstrate a commitment to the welfare of staff. This Policy is overdue for a review and so has been considered alongside the review of the Safeguarding Policy.

2. **Issues**

2.1.1 The Safeguarding Policy and supporting procedure is based on the following principles;

- The welfare of children and adults at risk is the primary concern.
- All children and adults at risk 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.

2.1.2

In order to effectively deliver the principles in 2.1.1 (above) the Borough Council needs to be able to demonstrate;

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

In summary the amendments to the Safeguarding Policy include;

- 2.1.3
- Updates to references made to legislation.
 - Updates to the types of abuse to include contextualised safeguarding.
 - Changes in contact details for the Safeguarding Champions and useful contacts.
 - Inclusion of guidance for staff on responding to threats of suicide.

- 2.2.1
- The Borough Council condemns domestic abuse and recognises that it is both a crime and unacceptable, we are committed to the welfare of our employees and we will support and assist any employee who is experiencing problems related to domestic abuse. We recognise that often a work place can be the first place of identification of domestic violence and it is therefore essential that the Workforce Domestic Abuse Policy is strong and victim centred.

- 2.2.2
- The Workforce Domestic Abuse Policy demonstrates the Council's commitment to reducing domestic abuse and the actions that will be taken in responding to employees who are experiencing domestic abuse and where there are concerns that an employee may be a perpetrator. It aims to create a safer workplace and to send out a strong message that domestic abuse is unacceptable by raising awareness and providing useful guidance to assist managers and colleagues when supporting members of staff who disclose domestic abuse.

In summary the amendments to the Workforce Domestic Abuse Policy include;

- 2.2.3
- Updates to references made to legislation.
 - Changes in contact details for the Points of Contact / Champions and useful contacts.
 - Inclusion of guidance for managers and staff on responding to disclosures of domestic abuse.

3. **Proposal**

- 3.1
- That Cabinet approve the reviewed and updated version of the Safeguarding Children and Adults at Risk of Abuse or Neglect Policy for the Borough Council in Newcastle-under-Lyme.
- 3.2
- That Cabinet approve the reviewed and updated version of the Workplace Domestic Abuse Policy for the Borough Council in Newcastle-under-Lyme.

4. **Reasons for Proposed Solution**

- 4.1
- The Council needs to ensure that it has robust mechanisms in place in order to respond appropriately to safeguarding concerns and disclosures of domestic abuse.
- 4.2
- Reasons for the preferred solution include:
- 4.2.1
- Officers were involved in the initial development of the Policy with Officers from Staffordshire Safeguarding Children's Board (SSCB) and Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Board (SSASPB) to ensure that the Policy is suitable and effective.
- 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), the Care Act (2014) 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 adults at risk of abuse and neglect.

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 (2018)' provides core legislative requirements regarding the expectations of the role of District Councils working alone or in partnership with other organisations.

4.2.5 Both Policies require review every 2 years, to ensure that they are up to date to reflect current working practice, contact information for procedures and any changes / amendments to legislation.

5. Options Considered

5.1 For the Safeguarding Policy and the Workforce Domestic Abuse Policy two options were considered;

- That Cabinet approves the updated Policies for delivery in the Borough (Recommended).
- That Cabinet rejects the approval of the updated Policies – thereby placing both the organisation, its key stakeholders and children and adults at risk in danger of harm (Not recommended).

6. Legal and Statutory Implications

6.1 The Council has statutory duties under the Children Act (1989) and (2004), the Care Act (2014) 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 adults at risk of abuse and neglect.

6.2 The statutory guidance 'Working together to safeguard children: a guide to inter agency working to safeguard and promote the welfare of children (2018)' 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 additional financial implications or commitments required for the adoption of the Policy.

8.2 There are resource implications (using existing resources) for Council Officers and Members who are involved in and will co-ordinate safeguarding activity, in particular delivering and participating in training on the Policies and accompanying Procedures and making appropriate referrals, signposting and promoting the Policies 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 Failure to take appropriate action regarding safeguarding may lead to a child or adult at risk suffering unnecessary harm.

9.3 Failure to take appropriate action regarding domestic abuse with employees may affect performance, morale, sickness levels and overall wellbeing of the workforce.

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

10. **Sustainability and Climate Change Implications**

10.1 There are no implications.

11. **Key Decision Information**

11.1 This affects communities living or working in an area comprising two or more electoral wards in the Borough.

12. **Earlier Cabinet/Committee Resolutions**

12.1 Safeguarding Children and Adults at Risk of Abuse or Neglect Policy – 2018.

12.2 Workforce Domestic Violence Policy - 2013.

13. **List of Appendices**

13.1 Appendix 1 – Safeguarding Children and Adults at Risk of Abuse or Neglect Policy 2020.

13.2 Appendix 2 – Workforce Domestic Abuse Policy 2020.

14. **Background Papers**

14.1 None.

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Safeguarding Children and Adults at risk of Abuse or Neglect Policy and Procedure

JANUARY 2020



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Section 1

1.1 Introduction

All children ¹and adults at risk of abuse and neglect ² 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 adults across its services. The Borough Council is committed to ensuring that all children and adults are protected and kept safe from harm whilst engaged in services organised and provided by the Council. We believe that safeguarding is everybody's responsibility.

The purpose of this Policy and its associated procedures is to help protect all children and 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 adults at risk. The Policy covers safeguarding children and adults.

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

This will include;

- Respecting and promoting the rights, wishes and feelings of children and adults.
- Raising the awareness of the duty of care responsibilities relating to children and adults throughout the Council.
- Promoting and implementing appropriate procedures to safeguard the well-being of children and 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.
- Recruiting, training, supporting and supervising all staff, elected members and volunteers to adopt best practice to safeguard and protect children and adults at risk from abuse, and to also minimise any risks to themselves.
- Responding promptly to any suspicions or allegations of misconduct or abuse of children or adults in line with the Staffordshire Safeguarding Children Board (SSCB) inter-agency policies and procedures for safeguarding children and promoting their

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

² The safeguarding duties apply to an adult who: has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect; and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect. The adult experiencing, or at risk of abuse or neglect will hereafter be referred to as the *adult* throughout this policy.

welfare and the Staffordshire and Stoke on Trent Adult Safeguarding Partnership Board (SSASPB) adult safeguarding Procedures.

- Requiring all staff, elected members and volunteers to complete Level 1 safeguarding training as a minimum and adopt and abide by the Council's Safeguarding 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 that representatives of private, voluntary, community partnerships and contractors with Newcastle-under-Lyme Borough Council, who have contact with children, young people or adults at risk, are subject to safer recruitment procedures and have adequate policies in place.

1.3 Principles

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

- The welfare of children and adults is the primary concern.
- All children and 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 act on any concerns about abuse in order that children and adults are appropriately safeguarded.
- 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 B.

The major pieces of legislation and guidance are:

- The Children Act 1989 and 2004
 - Care Act 2014
 - Guidance to the Care Act 2014
 - Safeguarding Vulnerable Groups Act 2006
 - Public Interest Disclosure Act 1998
 - Data Protection Act 1998
 - General Data Protection Regulation (GDPR) 2018
 - European Convention of Human Rights
 - Working Together to Safeguard Children 2018
 - Mental Capacity Act 2005
 - Disclosure and Barring Service (formerly the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA)
 - Staffordshire Safeguarding Children Board's (SSCB) Inter-agency policies and procedures for safeguarding children and promoting their welfare
www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx
- Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Board (SSASPB) Inter-Agency Procedures.

1.5 Training

Safeguarding training, approved by SSCB and SSASB, will be made available to and undertaken by all staff, members and volunteers, to a minimum of a Level 1 standard. The Level 1 training is available as e-learning on the SSCB's website for children safeguarding and on the STEP (GO) e-learning portal for adult safeguarding (instructions can be found on the Council's intranet site under Human Resources).

Face to face sessions for Level 1 training is provided to staff without access to a computer and also to the Borough's Licensed taxi drivers.

Level 1 one training should be undertaken by all new employees / volunteers, within 3 months of commencement, as part of their induction process. It is the responsibility of Line Managers to ensure completion. Level 1 training should be undertaken by all employees, elected members and volunteers every 3 years.

Level 2 and 3 safeguarding training will be made available to (and undertaken by) staff with (or likely to have) contact with children and/or adults at risk, or delivering the role of a Safeguarding Champion within the organisation e.g. Working Together, Safe Recruitment etc.

Level 4 safeguarding training will be provided to (and undertaken by staff) with a responsibility for safeguarding in their job description, for example, the Chief Executive, Head of Human Resources and the assigned Designated Lead Officers.

1.6 Review

This Policy will be reviewed every 2 years to ensure that it is working effectively and to update it if necessary. Trade Unions and Health & Safety representatives will be consulted regarding any proposed changes.

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 Adults at Risk of Abuse and Neglect Policy. It is to be used by all staff that come into 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 adults at risk as well as children.
- Adults at risk for the purposes of this procedure are an adult who: has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect; and as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.
- The term staff, elected members and volunteers is used to refer to employees, district councillors, volunteers and anyone working on behalf of, delivering a commissioned 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 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 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. The Council/authority has a responsibility to act if it believes it may be happening.

Abuse and neglect are forms of maltreatment of a child or adult. Somebody may abuse a child or adult by inflicting harm, or by failing to act to prevent harm. Children and 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.

2.4 Types and Signs of Abuse

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

Children

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

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 with the 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	Signs include
<ul style="list-style-type: none"> • Intimidation and/or threats • Bullying • Rejection • Shouting • Indifference and the withdrawal of approval • Denial of choice • Deprivation of dignity or privacy 	<ul style="list-style-type: none"> • 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

<ul style="list-style-type: none"> • The denial of human and civil rights • Harassment • Being made to fear for one's well being 	<ul style="list-style-type: none"> • Self harm • Fear of parent or carer being approached regarding their behaviour • Confusion
SEXUAL ABUSE	
Examples include	Signs include
<ul style="list-style-type: none"> • Rape and other sexual offences • For 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. • 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 	<ul style="list-style-type: none"> • 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 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

	<ul style="list-style-type: none"> • 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
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Adults

Physical abuse, emotional (or psychological) abuse, sexual abuse, neglect, financial abuse, discriminatory, organisational, neglect and acts of omission and self-neglect. (See also domestic abuse and modern slavery in other types of abuse below)

Type of abuse	Description	Type of abuse	Description
Physical	Hitting slapping, shoving, kicking, rough handling or inappropriate restraint.	Neglect/acts of omission	Includes ignoring medical, emotional or physical needs, failure to provide access to support services, withholding necessities such as food and heating.
Sexual	Any type of inappropriate sexual behaviour including rape, indecent exposure, sexual harassment or innuendo, showing of indecent photographs and sexual acts to which the adult has not consented.	Financial	Includes fraud, theft, assuming ownership of money or items, scamming, getting an adult to spend money unwisely.
Self-neglect	May be as a result of an adult's lifestyle choice, and includes behaviour such as hoarding and extreme poor personal hygiene.	Organisational/ Institutional	Poor practice in a nursing/care or hospital setting or even in an adult's own home. This can be one incident or a series of incidents as a result of an organisations poor practice, policy or procedure.
Discriminatory	Is often on the grounds of age, race, gender, gender identity, culture, religion sexual orientation or disability.	Emotional/ Psychological	Includes threats of harm, intimidation, harassment, coercion, cyber bullying, denial of cultural and religious needs.

2.5 Other Abuse

Domestic Abuse

As of 1st March 2013, the Home Office definition of **Domestic 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 cases that meet the **threshold for significant harm** – for further information please refer Section 1E threshold framework 'Accessing the right help at the right time'. www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx

Where it is thought that a victim of domestic violence and abuse meets the definition of an adult at risk of abuse and neglect, then an Adult Safeguarding referral should be made to the Adult Protection Contact Centre on **0345 604 2719**.

The Council have a Workforce Domestic Abuse Policy which can be found on the intranet under A – Z of Policies and Strategies, which offers guidance to employees and Managers for supporting staff who may be affected by the subject.

Hidden Harm

Children may be suffering from the effects of what is known as 'hidden harm' if they live with parents or carers who are misusing drugs or alcohol. Children in these situations may be acting as young carers or they may be subjected to any of the forms of abuse described above. Separate policies and procedures for children living with parents who misuse substances and those who are deemed as young carers can be found on the SSCB website. www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx

Child Sexual Exploitation (CSE)

Child sexual exploitation is a form of sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology. (DFE2017)

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.

Children and Young People do not make informed choices to enter or remain in sexual exploitation. Rather, they do so from coercion, enticement, manipulation, fear or desperation.

Contextualised Safeguarding

Contextualised safeguarding is an approach to safeguarding that responds to young people's experiences of harm outside of the home, for example, with peers, in schools and in neighbourhoods.

The child protection system, therefore, needs to engage with individuals and sectors who do have influence over/within extra-familial contexts, and it needs to recognise that assessment of, and intervention with, these spaces are a critical part of safeguarding practices. Contextualised safeguarding expands the objectives of child protection systems with recognition that young people are vulnerable to abuse in a range of social contexts. For further guidance www.staffsscb.org.uk/Professionals/Procedures/Procedures.aspx

Forced Marriage

Forced marriage⁵ is a marriage without the full and free consent of both parties. It is a form of domestic abuse 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 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.

Female Genital Mutilation

Female genital mutilation (FGM) includes procedures that intentionally alter or cause injury to the female genital organs for non-medical reasons." (World Health Organisation 2014). It is illegal in the UK.

FGM is known by a number of names including „female genital cutting“, „female circumcision“ or initiation“. The term female circumcision suggests that the practice is similar to male circumcision, but it bears no resemblance to male circumcision, has serious health consequences and no medical benefits. FGM is also linked to domestic abuse, particularly in relation to „honour based violence“.

For further guidance

<http://www.staffsscb.org.uk/Professionals/Procedures/Section-Four/Section-Four-Docs/Section-4M-Female-Genital-Mutilation.pdf>

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.

Modern slavery

Modern slavery encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

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.

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, and 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 trafficking of a person you should immediately contact the Designated Safeguarding 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 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 an adult at risk of abuse and neglect, 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 an adult at risk of abuse and neglect, an Adult Protection referral should be made to the Adult Protection Contact Centre on **0345 604 2719**.

Safeguarding People who are vulnerable to being drawn into Violent Extremism and / or Terrorism

The current threat from terrorism in the United Kingdom can involve the exploitation of vulnerable people, including children of all ages, young people and adults to involve them in terrorism or activity in support of terrorism.

Violent Extremism is defined by the Crown Prosecution Service (CPS) as:

"The demonstration of unacceptable behaviour by using any means or medium to express views, which:

- *Encourage, justify or glorify terrorist violence in furtherance of particular beliefs;*
- *Seek to provoke others to terrorist acts;*
- *Encourage other serious criminal activity or seek to provoke others to serious criminal acts;*
- *Foster hatred which might lead to inter-community violence in the UK."*

There are a number of offences that can be considered when dealing with violent extremism. They include offences arising through spoken words, creation of tapes and videos of speeches, internet entries, chanting, banners and written notes and publications.

The main offences employed to date have been soliciting murder and inciting racial hatred.

The Stoke-on-Trent and Staffordshire Local Safeguarding Children Boards and the Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Board recognise the need to protect people against the messages of all violent extremism including that linked to Far Right / Neo Nazi / White Supremacist, Al Qaeda ideologies, Irish Nationalist and Loyalist paramilitary groups, and that linked to Animal Rights movements.

For further guidance <http://www.staffsscb.org.uk/Professionals/Procedures/Section-Six/Section-Six-Docs/Section-6L-Staffordshire-and-Stoke-on-Trent-LSCB-and-SSASPB-Prevent-Channel-Guidance.docx>

2.6 Increased Risk

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 misusing drugs or alcohol
- Parent has already abused a child
- Parent has previously had children removed
- Unwanted pregnancy / terminations
- Parent has a background of abuse when growing up
- Parents have unrealistic expectations of the child and lack parenting knowledge
- Parent is isolated and has little support
- Parent has a learning difficulty/ disability

Environmental factors:

- Overcrowding in the house
- Poverty or lack of opportunity to improve the family's resources
- Domestic abuse 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
- Lack of attachment between child and parent
- Child resides in care, particularly residential
- Child is excluded from mainstream school
- Child uses drugs/ alcohol
- Child goes missing
- Child is living in private fostering arrangements

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

2.7 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 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 adult has been abused. Council employees/ elected members/ volunteers, that suspect abuse have a responsibility to act and report their concerns immediately on any such suspicions to ensure any relevant information is passed to the appropriate team. (See Appendix A(i) and (Aii)).

Responding to disclosure

Abused children and adults at risk 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 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	
Do	Don't
<ul style="list-style-type: none"> • React calmly so as not to frighten them. Making safeguarding personal by seeking the views and wishes of the adult at risk in relation to the safeguarding concern. • 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 • 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 Children's Social Care (CSC) 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 adult at risk that they are right to tell. • Explain to them that concerns may have 	<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 • Make negative comments about the alleged abuser • Make promises or agree to keep secrets • Ask the child, young person, adult at risk of abuse and neglect or any witnesses to sign your written information as this may be significantly detrimental to any subsequent police investigation • Take photographs of any alleged injuries. Any such recording must only be done by an approved medical or other practitioner, following referral. • Examine injuries

<p>to be shared with someone who is in a position to act.</p> <ul style="list-style-type: none"> • Make a written record of what has been disclosed at the earliest opportunity using the Council's initial concerns form (See Appendix C). 	
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Responding to Concerns

It is the responsibility of the individual employee, elected member or volunteer to take action where there are safeguarding concerns regarding an adult or child.

The employee, elected member or volunteer must make a record of the concern using the Initial Concerns Form (Appendix C). All concerns must then be shared with the Designated Safeguarding Officer or Deputy. If these persons are not available then any concerns should be discussed with a Safeguarding Champion who will take responsibility for safeguarding when the Designated Safeguarding Officer is unavailable.

The employee, elected member or volunteer must make a record of the concern, this should include:

- The date and time
- The child or adult's name, address and date of birth
- The nature of the abuse
- A description of any visible injuries
- Observations – e.g. a description of the child or adult's behaviour and physical and emotional state
- What the child or 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 and whether an early help assessment has been started/ completed
- Sign and date what has been recorded
- Store the information in accordance with relevant procedures, e.g. Data Protection
- Report to and inform your line manager and/or the Council's Designated Safeguarding Officer or Deputy.

A copy of the completed initial concerns form should be shared with the Designated Safeguarding Officer or Deputy on completion and submitted to First Response or the Adult Protection Contact Centre as appropriate (see contact information below). If concerns do not meet the threshold for significant harm the initial concerns form should be shared with the Early Help Team.

Concerns relating to a child

Actions to be taken by the employee / elected member / volunteer / designated officers/ safeguarding champions;

- If after reviewing the SSCB Thresholds document⁶ it is evident that the child or young person is at **risk of significant harm**, a call must be made to First Response on 0800

⁶ <http://www.staffsscb.org.uk/Professionals/Procedures/Section-One/Section-One-Docs/Section-1E-SSCB-Thresholds-for-Intervention-Guidance.pdf>

1313126 (between 8.00 am and 5.30 pm and 4.30 pm on a Friday). Outside of 8.00 am and 5.30pm any child protection concerns should be directed to Staffordshire County Council Emergency Duty Service on 0345 6042886.

- First Response will ask you for a range of information, all of which is listed on the MARF. They will also ask you what your concerns are and what evidence you have to demonstrate that the child or young person is at risk of significant harm, so it's important to have as much information as possible before you make the call but this shouldn't delay it either. Call takers will also want to know if an early help assessment (see Section 2.6 below) has been completed. If you're not sure you can contact your Early Help Team.
- **In an emergency where someone is at risk of immediate harm - dial 999**

Concerns relating to an adult

- If you have concerns about an adult record the information (as listed above) on the initial concerns form and then seek advice from the Adult Protection Contact Centre on **0345 604 2719**.
- **In an emergency where someone is at risk of immediate harm - dial 999**

***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.**

All reported concerns must be discussed prior to making a referral with the agency's Designated Safeguarding Officer(s). If this person(s) is not available, either because they are on annual leave or off sick then any concerns should be discussed with a nominated deputy who will take responsibility for safeguarding when the designated lead is unavailable such as a Safeguarding Champion. The Designated Officer/ Deputy should also ensure that the employee reporting the incident is reassured that they have access to staff support if needed.

2.8 Early Help - Responding to lower level concerns in relation to children that do not meet the threshold for significant harm

Staff, members and volunteers may come into contact with children and families that need additional support and help. It is important that action is taken early to enable children to have the best outcomes. There are a range of agencies that can provide early help and support to children and families. The overall aim of early help is to support children, young people and families at the earliest possible stage of a problem emerging to prevent them from reaching crisis point and the need for statutory intervention. The Early Help Team can provide early help to children and families, consent should be obtained from parents/carers for a request for support to be made. Staff can also seek advice from the Designated Safeguarding Officers (see Appendix E) in relation to dealing with lower level concerns; further information on Early Help is available at <http://www.staffsscb.org.uk/Professionals/Staffordshire-Early-Help-Strategy/Staffordshire-Early-Help-Strategy.aspx>

2.9 Threats of Suicide

All Borough Council Employees and Members should treat all threats of suicide as a potential life threatening risk to individuals and a reputational risk to the organisation if we do not act appropriately. Individuals expressing suicidal intentions must be taken very seriously, see Appendix I for Suicide Guidance.

2.10 Consent

Safeguarding children and consent

It is important for professionals to discuss their concerns with the child (where appropriate) and family because it can help to resolve issues that otherwise would not warrant a referral to First Response. Discussing concerns early on also builds trust and encourages parents to work with professionals; this in turn keeps children safe and prevents issues escalating. However, there may be circumstances where parents refuse to give consent and it is in this instance that, employees, members or volunteers should make a judgement as to whether, without help, the needs of the child would escalate.

Consent is **not** required for referrals that meet the threshold for significant harm (i.e. child protection); however you, as the referring professional, must 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. If you have not spoken to the parent/ carer, First Response will ask you to do so before they proceed with the call, however, consent is not essential in safeguarding matters when there are serious concerns for safety.

Adult safeguarding and consent

It is important that professionals discuss safeguarding concerns with the adult (if appropriate to do so) and gain their consent to make an adult safeguarding referral if possible. However, information can be shared without consent if there is an overriding public or vital interest;

- Risk of harm to the wellbeing and safety of the adult or others
- Other adults or children could be at risk
- It is necessary to prevent crime or a crime may have been committed
- The person lacks capacity to consent.

2.11 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 (2018) Chapter 2
<https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>
- SSCB inter-agency procedures: Section 4HA

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 Safeguarding Officer / or Deputy and the Head of Human Resources (see Appendix E for contact details).

If the matter does not meet the threshold for significant harm the Head of Human Resources or Designated Safeguarding 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 children⁷. 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.

⁷ As defined in Working Together (2018)

The LADO will liaise with Police and children's social care safeguarding teams when appropriate, and also discuss with the Designated Safeguarding Lead or Deputy other issues such as – notifying the child's parents/carers; suspending the adult; risks to other children; communication with relevant other organisations/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 an adult, the Council's Designated Safeguarding Officer will make a referral to Adult Protection Contact Centre 0345 604 2719.

2.12 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 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 whistleblowing 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 adults at risk 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.

Disclosure

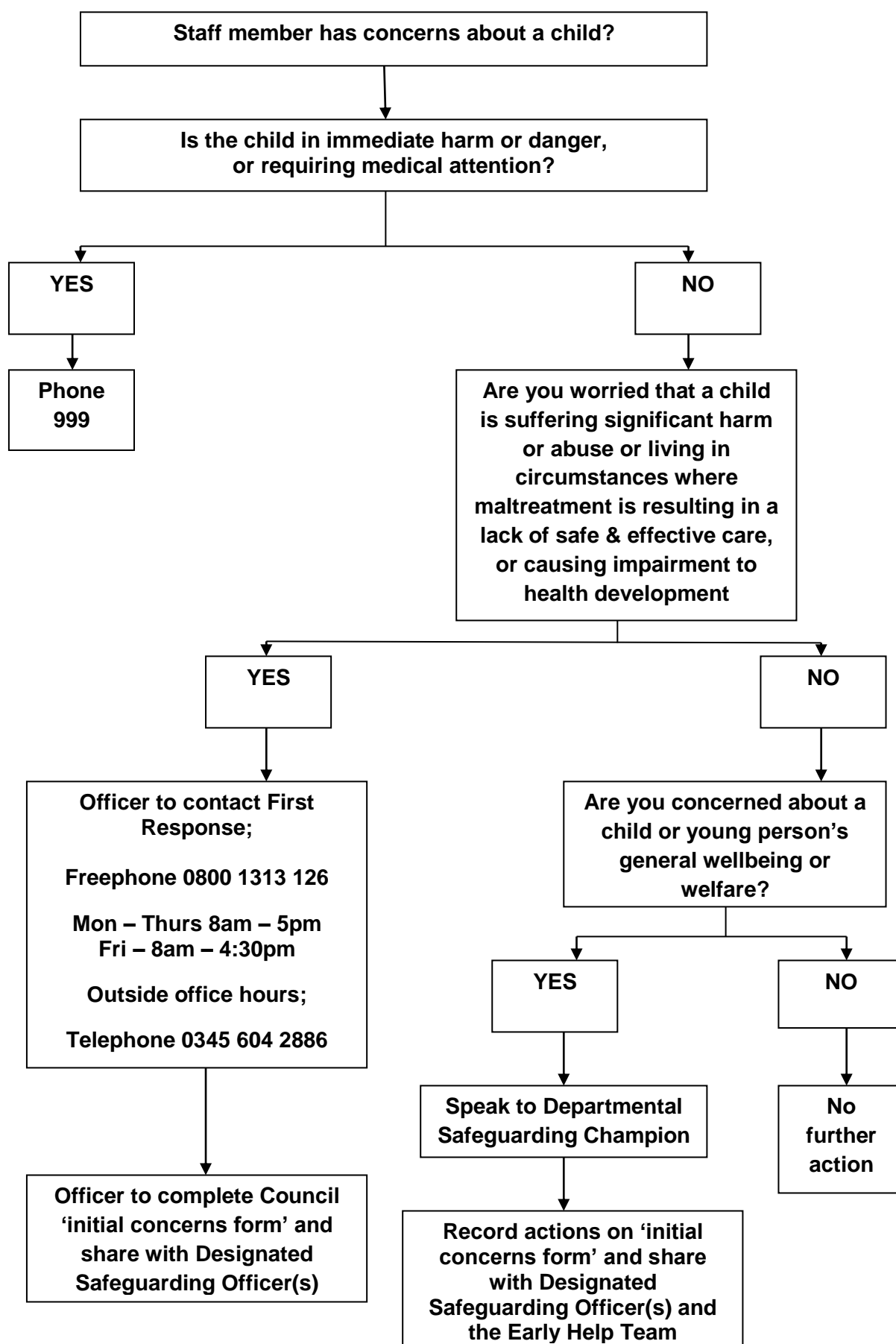
There may be a number of strands to a child or adult safeguarding enquiry e.g. Professional strategy meetings, child protection conferences and core groups, criminal investigations joint evaluation meetings (under Staffordshire LADO procedures) as well as disciplinary investigations. Elected members/ 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.staffsscb.org.uk/>

<http://preview.staffordshirecares.info/StayingSafeintheCommunity/Stopabuseofadults.aspx>

APPENDIX A (i)



APPENDIX A (ii)

Staff member has a concern about an *adult at risk?

Is the adult at risk in immediate harm or danger, or requiring medical attention?

YES

Phone
999

NO

Is the adult at risk experiencing abuse or neglect, including self neglect?

YES

NO

Officer makes Adult Protection Referral immediately on

0345 604 2719

Mon – Thurs 8am – 5pm
Fri – 8am – 4:30pm

Outside office hours;

Telephone 0345 604 2886

Officer to complete Council 'initial concerns form' and share with Designated Safeguarding Officer(s)

Are you concerned about the general wellbeing or welfare of the adult at risk?

YES

NO

Speak to Departmental Safeguarding Champion

No further action

Record actions on 'initial concerns form' and share with Designated Safeguarding Officer(s)

* An adult at risk of abuse or neglect;
has needs for care and support (whether or not the local authority is meeting any of these needs) and;
- is experiencing, or at risk of abuse or neglect; and
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect, significant harm or exploitation.

Types of abuse:

- Physical - Sexual
- Financial - Discriminatory
- Neglect - Self-neglect
- Organisational abuse
- Domestic abuse
- Modern slavery

APPENDIX B

Guidance and Legislation

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.

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 2018 - this statutory guidance as revised by the government in 2018 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 2018 Working Together to Safeguard Children statutory guidance please go to; <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>

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/DH_4008486

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 childminders 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.

Care Act 2014 – builds on recent reviews and reforms, replacing previous legislation to provide a coherent approach to adult social care in England. Part one of the Act (and its statutory guidance) consolidates and modernises the framework of care and support law; it set out new duties for local authorities and partners, and new rights for service users and carers. The Act aims to achieve:

- clearer, fairer care and support;

- wellbeing – physical, mental and emotional – of both the person needing care and their carer;
- prevention and delay of the need for care and support;
- putting people in control of their own care.

Further information can be found at <https://www.gov.uk/government/publications/care-act-2014-statutory-guidance-for-implementation>

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 C

CONFIDENTIAL

Safeguarding Children and Adults at Risk of Abuse and Neglect

Initial Concerns Form

This form should be completed by staff/ members and volunteers to record any concerns regarding the safeguarding of a child or an adult and it should then be shared with your Safeguarding Champion / Line Manager.

It is your responsibility to submit safeguarding concerns to First Response or Adult Safeguarding and to ensure that a copy of the initial concerns form is shared with the Designated Safeguarding Officers in the Partnerships Team – sarah.moore@newcastle-staffs.gov.uk ext 2496 and catherine.fox@newcastle-staffs.gov.uk ext 2238.

ABOUT YOU

Your name	
Job title	
Department	
Contact no	
E-mail address	
Date and time concern raised	

ABOUT THE CHILD / ADULT AT RISK

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

NATURE OF YOUR CONCERN

(Please include as much detail as possible)

ACTION YOU HAVE TAKEN

What you have done with the concern? e.g. reported / referred to Police, First Response, Adult Protection Team, Daily Hub etc. Who did you speak to?	
Have you obtained consent from the adult or child to make the referral?	
Date action taken	
Reference number if applicable	

To be completed by Designated Safeguarding Officer(s)

Name of Designated Safeguarding Officer	
Date and time concern received	
Actions taken	
Has a referral been made prior the Daily Hub?	
Link to SSCB Procedures; http://www.staffsscb.org.uk/professionals/procedures/	

APPENDIX D

Roles and responsibilities within the Council

Staff, Elected Members and Volunteers

It is everyone's responsibility to report any safeguarding concerns 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 or adults at risk prior to the Council receiving a satisfactory DBS check in accordance with the 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 as a minimum and additional safeguarding children and adults at risk training if applicable to their employment role and responsibilities (i.e. if they have direct or some form of indirect contact with children and adults at risk).
- should be aware of appropriate and inappropriate behaviour when working with children and adults at risk.
- need to know who their Designated Safeguarding Officer, Deputy Designated Safeguarding Officer and Safeguarding Champion is.
- have an expected responsibility to take action when they have concerns, witness or hold information that relates to the abuse of a children and adults at risk.
- complete an initial concerns form to record any concerns that they may have about a child or adult at risk 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 adult at risk.

Safeguarding Champions

Each Directorate has a number of Safeguarding Champions (see **Appendix E** for contact details).

Safeguarding Champions should;

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

Designated Safeguarding Officer and Deputy Designated Safeguarding Officer

The Council's Designated Safeguarding Officer is Sarah Moore (Partnerships Manager) and the Deputy Designated Safeguarding Officer is Catherine Fox (Partnerships Vulnerability Officer).

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).

- receive, participate and co-ordinate the appropriate safeguarding children and adults at risk protection training.

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

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 adults at risk.
- DBS checks are carried out in accordance with the Council's Recruitment, Selection and Induction Policy.
- DBS checks and employee references are kept secure and confidential in compliance with the DBS Code of Practice.
- a record is maintained of all employees and volunteers that have completed a DBS check and are considered to be suitable for working with children and adults at risk.
- training is in place for all staff, elected members and volunteers 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.

Chief Executive

The Chief Executive 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 adults at risk in all areas of the community.

- **Newcastle Borough Council Safeguarding Champions are;**
 - Jane Finnemore – Environmental Officer – 01782 742588 – jane.finnemore@newcastle-staffs.gov.uk
 - Michelle Hopper – Environmental Officer – 01782 742597 – michelle.hopper@newcastle-staffs.gov.uk
 - Claire Ryles – Technical Assistant – 01782 742524 – Claire.ryles@newcastle-staffs.gov.uk
 - Gillian Taylor – Housing Team Leader – 01782 742563 – Gillian.taylor@newcastle-staffs.gov.uk
 - Joanne Halliday – Head of Assets, Housing and Regeneration – 01782 742451 – joanne.halliday@newcastle-staffs.gov.uk
 - Darren Walters – Environmental Health Team Manager – 01782 742587 – darren.walters@newcastle-staffs.gov.uk
 - Andrea Roe – Principal Accountant – 01782 742107 – andrea.roe@newcastle-staffs.gov.uk
 - Rosie Bloor – Customer Services Manager – 01782 742483 – rosie.bloor@newcastle-staffs.gov.uk
 - Ruth Copley-Jones – Human Resources Officer – 01782 742267 – ruth.copley-jones@newcastle-staffs.gov.uk
 - Giovanna Facciponti-Moore – Human Resources Officer – 01782 742263 – giovanna.facciponti-moore@newcastle-staffs.gov.uk
 - Jeremy Regan – Technical Support and Customer Services Manager – 01782 742199 – jeremy.regan@newcastle-staffs.gov.uk
 - Andy Arnott – Sports and Events Manager – 01782 742624 – andrew.arnott@newcastle-staffs.gov.uk
 - Lucy Taylor – Sports Development Manager – 01782 742615 – lucy.taylor@newcastle-staffs.gov.uk
- **Designated Safeguarding Officer** is Sarah Moore (Partnerships Manager) – 01782 742496 – sarah.moore@newcastle-staffs.gov.uk
- **Deputy Designated Safeguarding Officer** is Catherine Fox (Partnerships Vulnerability Officer) – 01782 742238 – catherine.fox@newcastle-staffs.gov.uk
- **Head of Human Resources** is Georgina Evans – 01782 742261 – georgina.evans@newcastle-staffs.gov.uk

Contact information for making a referral regarding a safeguarding concern:

- For all child protection issues contact Staffordshire County Council's First Response Team based at the MASH on **0800 1313 126 (between 8am and 5pm Monday to Thursday and 8am and 4.30 pm on a Friday)** or via a brief e-mail frist@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. If concerns do not meet the threshold for significant harm the initial concerns form should be shared with the Early Help Team, contact details are available from the Designated Safeguarding Officers.

For concerns about a childcare provider, advice should be sought from OFSTED on **0300 123 4666 (between 8am - 6pm on Monday to Friday)** or enquiries@ofsted.gov.uk

- To make an Adult Protection referral advice should be sought from the Adult Protection Contact Centre **0345 604 2719 (between 8am and 5pm Monday to Thursday and 8am and 4.30 pm on a Friday)**.
- **Outside of office hours** any concerns relating to a child or adult at risk of abuse and neglect should be directed to Staffordshire County Council **Emergency Duty Service on 0345 6042886**.
- Alternatively contact Staffordshire Police Central Referral Unit on **101** or dial **999 in an emergency**.

APPENDIX F

Promoting Good Practice with Children and Adults at Risk

Code of conduct for the protection of children and adults at risk

It is possible to limit the situations where the abuse of children and adults at risk 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 adults at risk. 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 adults at risk.

When working with children and adults at risk all parties should:

- Adhere to the Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy at all times;
- Treat all children and adults at risk equally, with respect and dignity;
- Be an excellent role model including not smoking or drinking alcohol in the company of children and adults at risk;
- 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 adults at risk to share in the decision making process.

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

- Safeguarding Children and Adults at Risk of Abuse and Neglect Policy
- Code of Conduct
- Whistle blowing
- Safer Recruitment
- Bullying and Harassment.

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 and adults at risk is available at:

http://www.staffsscb.org.uk/Search.aspx?search_keywords=social+networking

First aid and treatment of injuries

If a child or adult at risk 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/adult at risk, 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 adult at risk'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 adult at risk'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;
- Familiarise yourself with the bruising in non-mobile babies policy and procedure. This can be found on the SSCB website <http://www.staffsscb.org.uk/Professionals/Procedures/Section-Three/Section-3-Managing-Individual-Cases.aspx>

Transporting children and adults at risk away from home

If it is necessary to provide transport to take children or adults at risk 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 adults at risk;
- Always tell another member of staff that a child or adult at risk is being transported, giving details of the route and the anticipated length of the journey;
- Never transport a child or adult at risk unaccompanied, other than in exceptional circumstances. Plan pick ups and drop offs to minimise the risk of being alone with a child or adult at risk;
- 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 adults at risk. These adults should be familiar with and agree to abide by the Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy;
- 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 'Keeping Children safe in education (2015)';

- Disclosure and Barring Service (DBS) Checks: Policy and Guidance for service providers and CQC staff (July 2011).

The operation of effective safeguarding practice relies on having safer selection and recruitment policies in place, which are implemented on each occasion a person is employed or volunteers to work with children or adults at risk of abuse and neglect.

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 adults at risk¹ and take part in 'regulated activity'² (as defined within the new definition with effect from September 2012) must have an appropriate DBS check in place. Additionally they must have their own equivalent 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 adults at risk 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.

1 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

2 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 Adults at Risk 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 adults at risk. In some cases, however, displaying certain information about children and adults at risk 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 adults at risk.

- Publications or information on an internet site must never include personal information that could identify the child or adult at risk. Any contact information must be directed to the Council or another relevant organisation.
- Before publishing any information about a child or adult at risk, written consent must be obtained from the child or adult at risk'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.
- The content of photographs or videos must not depict a child or adult at risk in provocative pose or in a state of partial undress. Children and adults at risk must never be portrayed in a demeaning or tasteless manner.
- For photographs or videos of groups or teams of children or adults at risk ensure that only the group or team is referred to not individual members. Credit for achievements by an individual child or adult at risk are to be restricted to first names only.
- All published events involving children or adults at risk must be reviewed to ensure the information will not put children or adults at risk. Any publications of specific meetings or child/adult at risk 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 adults at risk who are considered particularly vulnerable e.g. the subject of a child or adult at risk 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 Adults at Risk – (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 adults at risk 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 adult at risk protection.
- Organisers must check the credentials of any photographers and organisations used.
- Where possible the consent of the parent/guardian/carer for photographing, videoing and / or filming of a child or adult at risk 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 adults at risk or one to one photographic sessions.
- Do not allow photographic sessions outside of the activities or services, or at a child or adult at risk's home.
- It is recommended that the names of children or adults at risk should not be used in photographs or video footage, unless with the express permission of the child or adult at risk's parent, guardian or carer.
- 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 Adults at Risk of Abuse and Neglect 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 Safeguarding Officer or Deputy Designated Safeguarding 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 the Council’s 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, adults at risk 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 Safeguarding Officer or Deputy Designated Safeguarding 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 Adults at Risk of Abuse and Neglect 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”

APPENDIX G

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 adult at risk 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, convictions or cautions.
- 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 adults at risk where it is a requirement of the job or volunteering role, one of which must be the previous employer.
- 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 adults at risk 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 adults at risk. References should include the applicant's suitability to work with children or adults at risk where it is a requirement of the job. 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 adult at risk 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 adults at risk 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 adults at risk from possible abuse.

The induction and training should include;

- The contents and navigation of Conexus which includes the Councils Code of Conduct for employees.
- An assessment of any additional training needs required to be carried out by the local manager.
- Clarification of the expectations, roles and responsibilities of the job or volunteering role.

As a minimum the Council expects all staff to have participated in formal children and adults at risk safeguarding training within 3 months of commencement of employment with the Council. Refresher training will be required every 3 years. It is the responsibility of line managers in services where children and/or adults at risk are clients/customers to liaise with the Designated Safeguarding Officer(s) to identify additional appropriate training that may be required.

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 adults at risk 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.

APPENDIX H

A safer place for children – Guidance for promoting the Safety of Children in Public settings

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1. INTRODUCTION

Public settings such as sports centres and community facilities can be dynamic and exciting places for children, providing relevant and accessible services. To enable these services to flourish it is essential that they are a safe place for the children who use them. Children should feel safe and secure and know that they will receive suitable help if required.

These guidelines have been produced to support organisations responsible for such settings to create an appropriately safe environment. They have been written specifically for managers of public settings, committee members and directors of voluntary organisations who require a framework to assist them in the development of policies and procedures to promote the safety of children.

Guidance promoting the safety of children is one of the foundations of a well-managed service. Rather than reacting to particular difficulties or threats, we should seek to proactively create an environment in which children feel comfortable and safe where their self-confidence can grow.

As agencies working with children, it is important that we are seen to create safe public settings within the community which take the issue of children's safety seriously.

It is important that such settings make information available to parents to ensure the safety of their children when using such facilities. This should include details of who to contact if they have concerns such as:

- Child abuse and neglect
- Bullying
- Forced marriage
- Sexual exploitation
- E-safety

These guidelines must be read and used in conjunction with the policies and procedures of the Staffordshire Safeguarding Children Board which can be found at <http://www.staffsscb.org.uk> and the Borough Council's Safeguarding Children and Adults at Risk of Abuse and Neglect Policy 2015 which can be found at <https://www.newcastle-staffs.gov.uk/all-services/community/partnerships/safeguarding>

2. LEGAL BACKGROUND

The ultimate responsibility for children using public settings rests with their parents or carers. This should be made clear to all parents and carers whose children use such settings. Unless staff are leading a specific activity which parents have agreed that their child can attend, they are not generally in loco parentis ie taking the responsibility of a parent.

Staff leading specific activities in public settings should take such care of children as a reasonable parent would take. This is both a personal responsibility of the staff member and that of the employer.

For staff not directly involved in leading such activities, their employers owe a duty of care to children under the Occupier's Liability Act 1957. This duty is to take such care as is reasonable to ensure that visitors will be safe in using the setting for the purpose for which they are permitted to be there. The standard of care expected in relation to children is higher than in relation to adults because staff must expect children to be less careful than adults. In the event that there is anything on the premises which is both an allurements and danger to children, the 1957 Act requires that reasonable care must be taken to protect them from that danger.

Whether or not staff take direct responsibility for children in the course of their duties, they should be guided at all times by the fundamental principle of the Children Act 1989 that **the welfare of the child is paramount**.

Staff should be aware of their organisations policies concerning child protection and health & safety and should ensure they comply with those policies at all times.

Any hirers, organisations or individuals using the premises to put on an activity for children should be required to use the same standards and duty of care as the organisation ultimately responsible.

3. UNSUPERVISED CHILDREN (under the age of 8) IN PUBLIC BUILDINGS

Children are the legal responsibility of their parents and carers and the view of Staffordshire Safeguarding Children Board (SSCB) is that all children under the age of 8 should be accompanied by an appropriate adult whilst they are in a public setting unless they are part of organised and supervised activities.

Clearly the Council would not wish to discourage any child children from visiting public settings but it is important that the responsible organisation takes reasonable steps to ensure the safety of children and to inform parents and carers of their responsibilities.

The way in which staff deal with unaccompanied children discovered in the building must be based both on an awareness of the responsibility of the parent or carer, and their duty of care to all children on the premises.

If a member of staff believes that a child may be under the age of 8, the following steps should be followed:

- If possible, staff should try to ensure colleagues are present when dealing with an unsupervised child.
- Staff should try to avoid being left alone with the child.
- Staff should attempt to establish whether the child is allowed by the parent or carer to come and go alone. If satisfied that this is so, staff should allow the child to leave. If

staff gather this information only from the child they will need to use their judgement to ascertain whether the child is competent to leave alone.

Relevant factors to consider are:

- Whether the child exhibits signs of nervousness.
- Whether the child appears to clearly understand the questions they are asked.
- Whether the child seems physically capable.
- Whether the child appears to know clearly and readily where he or she lives.
- How far the journey is.
- Whether there are any known hazards on the journey.

If in doubt, staff should encourage the child to remain in the building until they have been able to contact a parent or carer. Children under 8 should not normally be allowed to leave alone unless it is known that in the particular case the parent/carer allows it.

Recommended actions for staff:

- Ask the child if they are expecting to be collected by an adult. Even if the child is expecting to be collected soon, do not wait before taking the next step.
- If the child is able to give an address or telephone number; try to contact the parent or carer. If the setting holds registration details, check to see if the child, parent or carer is a registered user of the facilities.
- If it is not possible to contact the parent or carer, see if the child can give contact details of a relative or close family friend.
- Never release a child into the care of another adult unless it is known that they are the parent or carer or the parent/carer has given permission.
- If all attempts fail, please contact the relevant children's social care team (or emergency duty team if outside office hours) or the police.
- Under no circumstances should a child ever be escorted home by a member of staff.
- Under no circumstances should a member of staff try to physically restrain a child from leaving the premises.
- The incident should be reported to the relevant senior manager at the earliest opportunity.

Where concerns relate to a child or young person a referral must be made to Staffordshire Children's Social Care's First Response Team based at the MASH on 0800 1313126 (between 8am and 5pm Monday to Thursday and 8am to 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 Adult Protection Contact Centre 0345 604 2719.

Outside of 8am and 5pm any concerns relating to a child should be directed to Staffordshire County Council Emergency Duty Service on 0345 6042886.

Alternatively you can contact Staffordshire Police on 101 or dial 999 in an emergency where someone is at risk of immediate harm.

4. ORGANISED ACTIVITIES FOR CHILDREN IN PUBLIC SETTINGS

The Children Act 1989 (as amended by the Care Standards Act 2000) regulates the provision of 'day care'. This is defined as care provided at any time for children under the age of 8 on premises other than domestic premises.

It is unlikely that any public setting will need to register under the Act, but the standards should nevertheless be noted and used wherever possible. This represents good practice and a common sense approach. The Act does **not apply** if the total period during any day on which care is provided is **two hours or less** (thus exempting most activities, events and groups).

It also does not apply if such care (even though exceeding 2 hours in the day) is provided at the premises on fewer than six days in any year if the person providing such day care has notified Ofsted in writing before the premises are so used for the first time in that year.

If the Act applies, it is an offence to provide day care unless registered to do so. It is therefore important that public settings either:

- Do not agree to care for any child for more than two hours in any day; or
- Check that a notification to Ofsted is in force and that no more than 5 such activities take place in any year; or
- Check the registration requirements before offering activities that are likely to be covered by the Act

National standards for day care have been issued under the Children Act 1989. The relevant standards are the National Standards for Sessional Care. Sessional care is day care for children under eight for a session of less than a continuous period of 4 hours in any day on non-domestic premises. The standards are written mainly with nursery care in mind but will only apply if a building is registered to provide day care. However, it is considered good practice to comply with these standards wherever possible.

There are 14 national standards dealing with all aspects of care from the suitability of the adults to health and safety requirements. To comply with as many of the standards as realistically possible, the following guidance should be adhered to:

- For craft activities and events where a high level of staff input/supervision is required and the audience is made up of children of all ages, implement a limit of 15 children per event - in line with the minimum staffing to children ratio (1:15 for 7-16 year olds) in the Children Act 1989. Where 2 or more staff are present, the maximum attendance figure can be increased in line with venue requirements.
- For family events and performance events for larger audiences, where a wide audience of children and parents or carers is present and staff input/supervision is minimal, limits on numbers should be implemented according to venue requirements.
- For events targeted at specific age groups, the staffing ratios in the Children Act 1989 should be followed wherever reasonably possible:
 - 1:3 for children under 2 years
 - 1:4 for 2 year olds
 - 1:8 for 3 - 7 year olds
- For all events children under 8 years must be accompanied by a responsible adult.
- There must be a first aid box complying with the Health and Safety (First Aid) Regulations 1981 in every community building or venue and preferably several members of staff trained in Emergency First Aid.
- There must be access to a telephone on the premises.
- Equipment must conform to safety standards.

- COSHH reports should be filled out for new materials and resources used in any activities or events with children, by a senior member of staff. All staff should be encouraged to attend the COSHH internal training course.
- Risk assessment forms should be filled out for all events and activities for children in all community libraries, by a senior member of staff. Where a regular event of similar content takes place repeatedly in the same location, e.g. parent and toddler group or story times, then only 1 risk assessment needs to be carried out at the outset. All staff should be encouraged to attend the risk assessment internal training course.
- The organisation accepts that when children are present in a building that noise levels will rise. Examples of acceptable levels are: a baby crying is acceptable, teenagers shouting at the top of their voices is not.
- Special needs should be catered for, wherever possible.

When planning an activity, the following should be considered;

- Suitable numbers of adults to supervise the event.
- When using outside speakers/entertainers, at least one member of staff should remain with the group at all times.
- General health and safety considerations must be borne in mind.
- Activities should not discriminate against any person on grounds of disability and must take any reasonable steps to enable disabled children can take part in the activity.
- Awareness of first aid arrangements.
- Maximum attendance figure, based on staff, space and the type of activity. If there is any doubt about the ability to control numbers, then limit the activity.
- Ensure that the activity complies strictly with the requirements of the building's fire certificate and any recommendations or requirements of the fire authority and the premises' insurers.
- Any publicity materials should specify the age of the children which the event is aimed at and clearly state starting and finishing times. It should include advice to parents and carers collecting children from an activity that they should instruct their children to stay in the building until collected.

During the activity

- A register of all children attending the event should be maintained, including:
 - name
 - address
 - telephone number
 - name and signature of parent or carer collecting
 - consent to activity
 - any known medical conditions and how they should be dealt with
 - All staff should be identifiable (by wearing staff badge).
- If a child wishes to leave an event, every effort should be made to persuade them to stay until the return of the parent or carer.
- A child should only be released into the care of the agreed parent or carer, unless previously agreed that the child would leave alone.
- A child should only be allowed to leave in the care of another child if it is deemed that the supervising child is of an age and competence to be able to accept responsibility for their own or another's safety and permission has been obtained from the parent or carer.
- Under no circumstances should a child ever be escorted home by a member of staff.
- Under no circumstances should a member of staff try to physically restrain a child from leaving the premises.

- Activities should be scheduled to end at least half an hour before the premises close to allow time for parents or carers who are late in collecting their child.

5. EVACUATION PROCEDURES

- A poster clearly displaying the location of the premises' assembly point should be clearly displayed.
- All staff must be familiar with procedures to ensure the safety of children, including any requirements imposed by the fire authority.
- On the sounding of the alarm, a nominated member of staff should have responsibility for checking that no unaccompanied children are left on the premises.
- Any unaccompanied children should be taken by staff to the assembly point and supervised until the parent or carer arrives to collect them. Children who are not expected to be met and who are allowed to leave the building unaccompanied should be allowed to make their own way home.
- During an organised activity, staff must lead children to the assembly point taking the register of children attending the event. The register must be checked to ensure that all children are safely accounted for. If any child is not present this must be reported immediately to the emergency services.

6. ADULTS IN AREAS DESIGNATED FOR CHILDREN'S USE

It is important to remember that adults may use public settings, including areas designated for children's use, for a variety of legitimate purposes. However, staff must be watchful of adults acting in ways that may threaten a child's safety and be responsive to any concerns expressed by a child.

Clearly this is a sensitive area so staff should be cautious, but as stated previously; a child's welfare is paramount.

If a member of staff observes an adult in an area designated for children who does not appear to be there for legitimate purposes, they should be politely asked by staff if they can be helped in any way. If necessary, the staff member should remain in the children's area with the adult, or the adult should be asked to leave the area. Any concerns about an adult's behaviour should be immediately shared with the senior staff member on duty.

Any areas designated for children need to be clearly signed as for the use of children and their parents or carers.

7. USE OF STAFF TOILETS

Where there is no public toilet on the premises, it is reasonable to allow children to use the staff facilities in an emergency. Staff should be in attendance for security purposes, but it is strongly advised that staff do not enter the toilet with the child. Wherever possible, parents should be encouraged to accompany their child to the toilet, with staff escorting them to and from the staff areas for health and safety reasons.

8. CONSULTATION AND SURVEYS

When staff undertake consultation work and surveys, it is important that they should be aware of sensitivities regarding talking to children.

If it is proposed to consult or survey children under the age of 14, either on a 1:1 basis or as part of a focus group, permission should be sought from parents or carers in advance. If the

resulting data is purely statistical, there will be no data protection considerations. However, if it may be possible to identify a child from the data produced, express permission should be sought from the parent or carer.

If it is proposed to undertake consultation or surveys in a public setting, notices should be displayed that explain why children are being approached. It is also strongly recommended that a publicity campaign takes place before the consultation or survey commences.

All interviews with children should take place in a public area and staff should wear identification at all times.

9. AVOIDING SITUATIONS WHERE STAFF MAY BE IN A VULNERABLE POSITION

It is important that staff working in public settings are aware of the following:

- A child should never be accompanied into a toilet, unless in an emergency.
- A child should never be allowed to sit on a member of staff's knee.
- When dealing with difficult situations with children, staff should always try to ensure another member of staff is present to observe and offer support if required.
- A child should not be led by the hand off the premises in search of a parent or carer. They should be kept safe until the parent or carer arrives. If there is cause to believe that the child has been abandoned/ forgotten, the police should be called.
- If a child is obviously distressed, staff should try to comfort them.
- Staff should never make arrangements to contact a child in a personal capacity
- Staff should not do things of a personal nature for a child that they can do for themselves.
- Staff should not be left alone with a child, for reasons of their own safety and liability.

10. DEALING WITH UNACCEPTABLE BEHAVIOUR

The organisation should have a written policy that defines unacceptable behaviour, including racist, sexist and other offensive language, to ensure that it is dealt with consistently. The policy should identify that staff that are expected to deal with such behaviour.

It is important that staff deal with such situations calmly and quietly and avoid putting themselves or others in danger.

Most Local Safeguarding Children Boards and Local Authorities have an anti-bullying policy that has been adopted by schools and other children's services. It is advised that organisations responsible for public settings should apply the same principles.

There should be a clear policy in place which ensures that any member of staff knows how to respond should they witness a child being bullied, or a child complains of being bullied to them.

11. FAMILY FRIENDLY

Staff should have empathy for parents with young children. They are our users of the future, as well as the present and so we should always endeavour to offer a family friendly environment.

Organisations responsible for public settings should consider whether they:

- Welcome breastfeeding and display a sign indicating this. Are staff sympathetic, and if requested is a suitable private room/area made available wherever possible?
- Welcome baby changing. Are staff supportive to parents needing to do this?

- Assist parents with pushchairs/buggies and those in wheelchairs who are entering or leaving the premises.

12. PHOTOGRAPHING CHILDREN

Care should be taken to seek prior consent from parents or carers when taking photographs of children on the premises in order to protect children's identity and prevent images of children being manipulated on the Internet.

The following guidelines should be followed:

- Never identify a child in a photograph by name, including posters, publicity materials or websites.
- Never use a photograph of an individual child or without seeking the consent of the parent or carer.
- It is generally considered to be acceptable to use large group shots without seeking consent, providing it is not possible to identify an individual child.

13. USE OF THE INTERNET

All public settings that provide access to the internet via computers, games consoles or mobile phones should have an acceptable use policy in place. This policy should clearly stipulate that all children under the age of 10 must be supervised by an adult when using the Internet.

SSCB strongly recommends that any organisation responsible for a public setting which provides internet access utilises filtering software e.g. Websense to prevent all users, but especially children, from accessing certain categories of sites.

It must be borne in mind that adults may attempt to approach a child on the premises via the internet. For this reason all children using the internet should be advised against divulging personal information for their own safety.

14. THE WIDER CONTEXT OF CHILD SAFETY

The Staffordshire Safeguarding Children Board (SSCB) is a statutory body responsible for developing, monitoring and reviewing child protection policies, procedures and practice issues and making sure training is available to agencies working with children. It brings together the main agencies; education, health, social care, police and the voluntary sector working in partnership with children, families and communities to provide an effective system that safeguards and promotes the welfare of children in need of protection.

Organisations responsible for public settings must ensure that all staff have access to current police, social care and relevant community contacts to support their work. These and other useful contacts can be found in the appendices of the Staffordshire Safeguarding Children Boards' Procedures which is available on the internet at <http://www.staffsscb.org.uk>

When services are delivered through partnership projects it is essential that the policy of the organisation responsible for the public setting is synthesised with that of other partners and a common approach to child safety is agreed as part of the partnership agreement.

Child safety is a society-wide responsibility. It is important for all staff to be aware that as part of the community working with children they share in this responsibility. Appropriate training should be provided to staff in order to maintain their knowledge and understanding of safeguarding issues and awareness of local procedures.

APPENDIX i

DISCLOSURE & BARRING SERVICE CHECKS

The Disclosure & Barring Services (DBS) has been established to improve access to information on criminal records held by the police. This service enables criminal convictions checks to be undertaken for candidates selected to work with vulnerable client groups, including children.

How it happens;

A disclosure application form must be filled in by the individual and submitted by an authorised body.

The original copy of a range of ID, which must be photocopied and authorised by an appropriate officer is required. Each organisation will then have its own designated officer, usually in human resources, who will be the counter signatory, and who will send off the form to the CRB.

The DBS will return the disclosure certificate to the counter-signatory with a copy to the applicant.

When a criminal record is revealed;

Where there is a perceived risk of future misconduct, based on information in the disclosure, this should be discussed with the individual.

If the report relates to a candidate for a post, and it is decided not to appoint, where appropriate the candidate should be given written reasons for the decision. An appointment should not be made before the disclosure has been received.

The fact that a person has a criminal record does not automatically render him or her unsuitable for work with children or other vulnerable groups. Research has shown that one adult male in three has a criminal record (excluding motoring offences) by the time he is thirty. Furthermore, NSPCC records suggest that only one in ten people who pose a threat to children actually have a past conviction.

However, it is not only sexual offences, which may render a person unsuitable. A person's suitability should be looked at as a whole in the light of all the information available.

In deciding the relevance of convictions and/or other matters revealed in a Disclosure, a number of points should be considered:

- What is the nature of the offence?

In general, convictions of sexual, violent or drug offences will be particularly strong, contra-indications for work with children or other vulnerable groups.

- What is the nature of the appointment?

Often, the nature of the appointment will help to assess the relevance of the conviction. For example, serious sexual, violent, drug or drink offences would give rise to particular concern where the position was one of providing care. Driving or drink offences would be relevant in situations involving transport of children or other vulnerable groups.

- When did the offence occur?

Offences, which took place many years in the past, may often have less relevance than recent offences.

However, convictions for serious violent or sexual offences or serious offences involving substance abuse are more likely to give cause for continuing concern than, say an isolated case of dishonesty committed when the person was young. The chance for rehabilitation must be weighed against the need to protect children or other vulnerable groups.

- Frequency of offence

Similarly, a series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction.

APPENDIX ii

CHILD PROTECTION ISSUES

Whilst many staff are rarely directly involved in child protection issues it is important that everyone is aware of their duties both as responsible members of society and as employees.

All organisations should have their own child protection procedures, copies of which should be available for both public and staff. It is also valuable for partnership working to invite someone from the children's social care team to talk to staff.

Section 47 of the Children Act 1989 states that the Local Authority has a duty to investigate if a child is believed to be at risk of significant harm. As responsible adults, everyone has a duty to report any suspicion of significant harm.

Referrals to children's social care can be made anonymously and can be made by a member of the public or staff. It is not necessary to have proof but you do need to have serious concern. In cases of suspected ill treatment, severe neglect or abuse the child's welfare is paramount and you will not be contravening the data protection act if you disclose names and addresses to children's social care or the Police. It will help children's social care investigate the case if you can supply context and evidence and your reasons for suspicion.

If you have serious concerns about a child it is helpful to record the following:

- the concerns you have
- what actions you have taken
- any physical signs that you have seen
- what the child has said
- the observations of any other member of staff

Make sure you inform your manager.

Inform either children's social care or the police. The social worker will check files; contact the police and school to find out if anything is known about the family. From this information they will decide whether they need to take the matter further. It could be that no action is required or that the family can be offered support. Child protection procedures will only be followed if all the information they collate suggest it is appropriate.

Where a child protection investigation is indicated, they will arrange a meeting with the police officer from the child protection unit to decide what action the investigation requires. You should be contacted and informed about what is happening.

Children are most likely to disclose information about abuse to people outside the family and often to a trusted adult. If this should happen try and stay calm;

- listen
- respect what the child is telling you
- don't interrupt, prompt or ask questions
- reassure the child if they are upset
- you must tell the child that you cannot keep the information secret
- write down everything, date, time, what has been said, any injuries you have seen
- often children will not want to make eye contact with you but will carry on looking at a book or colouring as they talk

As with all witnessed instances, inform your line manager and children's social care. Remember that the guiding principle of child protection is that the community has a

responsibility for the wellbeing of all children and that all professionals should work together to provide that protection.

What to do if you have suspicions about another member of staff;

The most important consideration is the welfare of the child. Refer to your local guidelines and inform the local authority designated officer (LADO). As a general rule, in the first instance report your concern to your manager. If it is your manager you are concerned about, go directly to the most senior person with responsibility for children and young people within your building authority. Managers should treat any suspicion as urgent and the person concerned should be removed from duties that involve direct contact with children. The staff member should be informed of your concerns. Unless there has been a complaint from a child, the situation can usually be dealt with as an internal matter.

Remember that the guiding principle of child protection is that the community has a responsibility for the well-being of all children and that all professionals should work together to provide that protection.

APPENDIX I

THREATS OF SUICIDE GUIDANCE – JANUARY 2020

1	Introduction
1.1	Colleagues should treat all threats of suicide as a potential life threatening risk to the individual and a reputational risk to the organisation if we do not act appropriately. Anyone expressing suicidal intentions must be taken very seriously.
1.2	This guidance is to help colleagues when dealing with cases when someone suggests or implies they may be considering the possibility of committing suicide. Colleagues are not expected to counsel individuals when this occurs, but we need to ensure we take the right action informing the relevant agency within a given timescale.
2	Assessing Risk
2.1	There are two categories of risk which the individual needs to consider:- <ul style="list-style-type: none">• Is there an immediate risk of someone committing suicide or• If not immediate, is there a suggestion this will happen in the near future?
2.2	On being presented with someone who is threatening suicide, colleagues should continue the conversation to establish the individual's true state of mind and assess it as best as they can. If colleagues cannot make a judgement on their intention then it should be assumed that they intend to harm themselves.
3	Dealing with the conversation
3.1	If, during the conversation, it becomes apparent that the individual is suggesting they intend or might commit suicide, then you should take note of what is said. You should remain calm during the conversation and listen carefully, acknowledging any concerns. Make sure that you clarify who they are, their home address and contact telephone number and try to find out their current location. This will be useful if you need to contact the police, adult social care or ambulance service.
3.2	During the conversation it would be good to suggest speaking to someone about their feelings. If you feel comfortable enough - suggest the options of family, friends, doctor or one of the following support services; <ul style="list-style-type: none">• Samaritans (116 123, call is free, Open around the clock - 24 hours service, 365 days of the year) email: jo@samaritans.org.• Mental Health Access Team – based at Harplands Hospital – who deliver a high quality, safe and compassionate care service to provide a holistic assessment of an individual's mental wellbeing – they can be contacted on 0300 1230907 Option 1 or 07739 775202.• Staffordshire Mental Health Helpline - provide emotional support for people concerned about their mental health or that of someone they know. The Helpline will – listen to worries and concerns, provide support when it is needed most, give information about local services that may be able to help and help plan next steps - 0808 800 2234 – Opening hours - 7pm-2am weekdays and 2pm-2am weekends.• For people who have been recently bereaved additional support is available from the Dove Service, who offer free bereavement counselling in North Staffordshire. The service can be accessed by self referral either by telephone on 01782 683155 or via their website www.thedoveservice.org.uk/contact-us/
3.3	If the contact is face to face try to assess if there is any personal risk to you. If you feel uncomfortable or at risk when dealing with an individual inform a colleague (if possible), or follow the emergency protocol.

4	Ending the conversation
4.1	If it becomes apparent during the conversation that there is an immediate risk to the individual or they confirm that they have already taken steps to commit suicide e.g. overdose, then make them aware that you have a safeguarding obligation to report it to the emergency services. In this instance end the conversation and contact the Police to pass on the facts of the conversation.
4.2	In all other cases you should highlight your concerns to the individual about what they have said. Tell them that you have an obligation to pass on these concerns to someone who may be able to help them and contact the Partnerships Team (details below).
5	The 'DO NOT' list
5.1	<ul style="list-style-type: none"> • Do not dismiss a cry for help. • Do not get emotionally involved and try to resolve the problem yourself. • Do not suggest that we don't care. • Do not 'do nothing' following the conversation.
6	Following the conversation.....
6.1	If you consider there to be an immediate risk to the individual, phone 999 immediately.
6.2	Unless there is an immediate risk to the individual (as described above) you should review the notes you have taken (or any historical notes) to make sure you have captured the key elements of the conversation.
6.3	Once you have built a picture, follow the organisations Safeguarding procedure. You must complete the 'Initial Concerns referral form', available on the Intranet at http://svintranet/departments/business-impr-partners/safeguarding and/or speak to a member of the Partnerships Team who will assist in identifying the appropriate next steps.
7	Options on what to do next
7.1	It may be appropriate to call the individual back, especially if the conversation has been difficult/heated, to build a further picture. This could also give the individual time to have calmed down. If you feel that you need further advice on what to do next then please contact the Partnerships Team to discuss the case in more detail.
7.2	<p>In all cases you should fill in the Initial Concerns referral form and email it to Catherine Fox, Sara Finn and Sarah Moore in the Partnerships Team to highlight concerns detailing the facts of the incident. Take the name of the person you have spoken to and add that to the notes.</p> <p>When filling in the referral form the following information will help them:</p> <ul style="list-style-type: none"> • Name and address of the person you are concerned about; • The date of birth or age of the person; • Do they go by any other name? • Has the client got capacity to understand? • Do they live in owned property/social housing/private rent? • Do they live with anyone else? • Have they any family member they are in contact with? • Details of your concern. <p>If you need guidance in completing the form please contact the Partnerships Team.</p>
7.3	In all cases – keep detailed notes so that these can be maintained for future reference.

Contact Details for the Partnerships Team:-

- Sarah Moore - Partnerships Manager – Designated Safeguarding Lead - 01782 742496
- Catherine Fox – Partnerships Vulnerability Officer - Deputy Designated Safeguarding Lead – 01782 742238
- Sara Finn – Partnerships Support Officer – 01782 742554

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WORKPLACE DOMESTIC ABUSE POLICY

FEBRUARY 2020

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Part 1 - Policy

1.1 Introduction

Domestic abuse can affect the health and self-confidence of an employee who may feel unable to confide in others or seek help. It is therefore paramount to be aware of domestic abuse as a possible cause when an employee is depressed, distracted, lacking in self-confidence or visibly injured. Suffering from domestic abuse can lead to a drop in an employees work performance, increased absence and elevated stress.

Newcastle under Lyme Borough Council condemns domestic abuse and recognises that it is both a crime and unacceptable, we are committed to the welfare of our employees and we will support and assist any employee who is experiencing problems related to domestic abuse. We recognise that often a work place can be the first place of identification of domestic violence and it is therefore essential that our Domestic Abuse Policy is strong and victim centred.

Domestic abuse varies both in frequency and intensity. Given that the pattern of domestic abuse is one of escalation, there is no level of abuse, which should be viewed, as acceptable or insignificant.

The Council recognises further, that to condemn domestic abuse we must tackle perpetrators of this crime within our organisation too. Whether that be encouraging attendance at perpetrator programmes running across the Borough or taking disciplinary action if appropriate.

This Policy will apply to everyone working for Newcastle under Lyme Borough Council, in whatever capacity and everyone has the right to raise the issue of domestic abuse with their employer in the knowledge that they will treat the matter effectively, sympathetically and confidentially.

The Council further recognises that domestic abuse is an equalities issues.

1.2 Purpose

The Council is committed to reducing domestic abuse and this Policy sets out the actions that will be taken in responding to employees who are experiencing domestic abuse and where there are concerns that an employee may be a perpetrator.

We will create a safer workplace and we will also send out a strong message that domestic abuse is unacceptable we will do this by creating awareness and providing useful guidance and support to managers and colleagues when supporting members of staff who disclose that they are experiencing this form of abuse.

We recognise that our employees will be amongst those affected by domestic abuse either as a survivor, an individual who is still living with domestic abuse, someone has been impacted by a domestic violence homicide or as an individual who perpetrates domestic abuse.

By having a policy in place to assist staff experiencing domestic abuse it is possible to create a safe and supportive environment where the workplace can become a place of safety.

1.3 Aims of the Policy

- To demonstrate Newcastle under Lyme Borough Council's commitment to support employees experiencing domestic abuse responding sensitively and effectively.
- To create a safe and supportive culture in the Council to encourage reporting.
- To raise awareness and understanding of domestic abuse throughout the Council
- To contribute to the health and well-being of employees
- To increase awareness of managers in recognising that an employee may be experiencing domestic abuse and to provide advice and appropriate victim centred action.
- To offer clear, confidential, sympathetic and consistent advice to employees experiencing domestic abuse.
- To establish and publicise support for employees experiencing domestic abuse.
- Remove fear of stigmatisation.

1.4 Definitions

Domestic abuse is defined by the Home Office as:

“Any incident or pattern of incidents of controlling, coercive 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
- emotional

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.

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 “

This definition, includes so called ‘honour’ based violence, female genital mutilation (FGM) and forced marriage.

Domestic abuse can happen to anyone regardless of age, gender, race, sexuality, wealth and geography. Although the majority of domestic abuse happens to women we as a Council understand that domestic abuse can happen to both men and women.

Domestic abuse can include abuse by a son, daughter or any other extended family members as well as current or ex partners.

1.5 Legal Implications

Employers have a duty of care under the Health and Safety at Work Act 1974, to ensure as far as is reasonably practicable, the health and safety at work of their employees.

The Management of Health and Safety at Work Regulations 1999 also requires employers to assess the risks of violence to employees and make arrangements for their safety by effective planning, organisation and control.

Newcastle under Lyme Borough Council recognises its legal responsibilities in promoting the welfare and safety of all our staff.

1.6 The Facts

- One in Four women and one in six men will experience domestic abuse in the course of their lifetime.
- Domestic abuse accounts for one quarter of all violent crimes.
- Repeat victimisation is common. No other type of crime has a rate of repeat victimisation as high.
- On average, two women per week are killed by a male partner or former partner. Domestic abuse is the largest cause of morbidity in women aged 19-44, greater than war, cancer and motor vehicle accident.
- In the UK in any one year more than 20% of employed women take time off work because of domestic abuse.
- 2% of women lose their job as a direct result of domestic abuse.
- Research suggests that up to 50% of women have at some stage given up their job as a result of being abused.

1.7 Types of domestic abuse

Domestic abuse is the abuse of power over one person by another. It can take many different forms including physical, sexual, emotional, verbal and financial abuse, it is known as both domestic violence and domestic violence.

The list below gives examples of the types of domestic abuse, it is important to be aware that domestic abuse can come in various forms, the list below is just some of the examples:

- **Destructive criticism and verbal abuse:** shouting/mocking/accusing/name calling/verbally threatening
- **Pressure tactics:** sulking, threatening to withhold money, disconnect the telephone, taking the car away, threatening to commit suicide, take the children away and report to welfare agencies unless their demands are complied with.
- **Disrespect:** persistently insulting in front of others, not listening or responding when spoken to, interrupting phone calls, taking money from purse without asking, refusing to help with child care or housework, humiliating, criticising, putting people down.
- **Breaking trust:** lying, jealousy, withholding information, having other relationships, breaking promises and shared agreements.
- **Isolation:** monitoring or blocking telephone calls, preventing movements, forbidding seeing other people – friends/relatives, monitoring money.
- **Harassment and stalking: Fixated behaviour** i.e.: following someone, checking up, loitering outside work or home. **Obsession** - opening mail, checking telephone calls, ordering and cancelling items on your behalf.

Unwanted attention - Unwanted phone calls, messages, letters, gifts, damage to property. **Repeated behaviour** – any kind of nuisance or threatening behaviour including bullying.

- **Threats:** making angry gestures, using physical size to intimidate, shouting, destroying possessions, breaking things, punching walls, wielding a weapon, threatening to kill or harm a partner or ex partner or their children, threatening to hurt family or friends.
- **Sexual violence:** using force, threats or intimidation to make you perform sexual acts, having sex with someone that doesn't want to, any degradation treatment based on sexual orientation.
- **Physical violence:** punching, slapping, hitting, biting, pinching, kicking, pulling hair out, pushing, shoving, burning, strangling.
- **Denial:** Claiming it's the partners fault, saying their partner has brought it on themselves, insist it will never happen again? Deny they did anything, Play down what has happened.
- **Online/Digital abuse** – Receiving any form of abuse online including threats and harassment, being stalked via GPS locaters on phones/computers, threats to family members/friends.
- **Other forms of domestic abuse** - Female Genital Mutilation, Forced Marriage and Honour Crimes.

Whilst the above can be forms of abuse it is also important to state that domestic abuse is power and control of another and forms a pattern of abusive and controlling behaviour, it is rarely a one off and usually escalates in frequency and severity over time.

1.8 Possible signs of domestic abuse

Domestic abuse can greatly impact on the working life of someone who is being abused, some signs of abuse are:

- Uncharacteristic depression, anxiety, distraction or problems with concentration
- Changes in the quality of work performance for no apparent reason
- The receipt of repeated upsetting calls/texts/e-mails, or the individual being a victim of vandalism or threats.
- Nervous when receiving phone calls.
- Unusual number of calls from home and strong reaction to the calls
- Obsession with time or avoiding lunch breaks or socialising outside work.
- Late for work and needing to leave early
- Secretive about home life
- Needing regular time off for appointments
- Increased hours being worked for no apparent reason
- Repeated injuries, or unexplained bruising or explanations that do not fit the injuries displayed.
- Partner may be dropped off & picked up outside of work or frequently met at lunchtime.
- Isolating themselves from colleagues.
- Flowers/gifts sent to work for no apparent reason.
- Insufficient money.
- May be quiet, avoid interaction, not engaging in conversation.
- Worries a lot about leaving their children.
- Visible injuries/bruising with unlikely explanations.
- Change in dressing – excessive clothes in the summer.
- Increase in make up – to cover up injuries/where someone's been upset.

- May be anxious/cry at work.
- Frequent medical absences.
- Staying longer hours but not taking flexi.

It is important to note that the above is not a checklist. Some victims may display no indicators. Victims of domestic abuse suffer a broad range of physical and emotional consequences. A more important sign is when an individual behaves in a way that is unusual for them.

1.9 Training

The Council will provide training to Managers and also useful points of contact for support and specialist domestic abuse services. A list of domestic abuse points of contact / champions and trade union representatives will also be made available, so that they are made aware of the effect domestic abuse can have on an employee's life and career.

Part 2 - Procedure

2.1 What can you expect from Newcastle under Lyme Borough Council?

Employees experiencing domestic abuse know their abusers better than anyone else and when it comes to their own safety the following should be considered with the employee:

- *Support*

We are concerned about your health, safety and welfare and we will respond in an effective, confidential and sympathetic manner to any employee disclosing that they are experiencing domestic abuse. We can refer you onto specialist services such as New Era who can provide both practical and emotional support for both adults and children.

- *Time Off*

You may need time to attend counselling sessions, meetings with professionals or court hearings or to make alternative living arrangements etc, you may be entitled to time off in accordance with the Flexible Working Hours Policy, any employee experiencing domestic abuse who is not covered by this scheme will need to speak to their line manager or HR.

Any periods of absence or sickness as a direct result of domestic abuse will still be managed under the Council's Attendance Management Policy and procedure, however, support will be offered during these periods.

- *Counselling*

Confidential counselling is available through specialist support services for staff. The Council's current provider 'The Dove Counselling Service' needs to be arranged on a self-referral basis. The details of those sessions will remain confidential between the counsellor and the employee. Contact details for the Dove Counselling Service are 01782 683155 or enquiries@thedoveservice.org.uk

- *Adapted Working Arrangements*

A change in working hours, work location, work patterns or other temporary measures for protecting your safety will be available to you as far as reasonably practical. The Council will fully consider any security arrangements for you, such as screening of telephone calls and not giving information about your work arrangements to callers.

The Council recognises domestic abuse may have a negative impact on your work performance and you will not be discriminated against because of domestic abuse. However it is important that you discuss any problems and needs with your manager, points of contacts or your trade union representative.

- *Money*

There may be ways in which the Council can help with financial issues for example changing the method by which you receive your salary or issuing an advance of pay.

For those who believe they would benefit from the green travel plan in particular the purchasing of a bus pass please contact the Human Resources Team.

- *Publicity*

We employ a Vulnerability Officer who leads on domestic abuse and is based within the Partnerships Team. This Officer has a responsibility to ensure that approaches to domestic abuse across the Borough are coordinated and communicated effectively.

- *Support Programmes*

We work in close partnership with New Era and through your Point of Contact, manager or trade union representative you may be able to access their I Matter Programme. The Council will also offer the opportunity to access confidence building or assertiveness training courses, as domestic abuse can affect an employees self esteem.

- *Confidentiality*

The Council recognises that confidentiality is essential for an employee experiencing domestic abuse in most circumstances whatever you tell your line manager will remain confidential and will not be revealed to anyone without your permission.

However, there are some circumstances in which confidentiality cannot be assured, these occur when there are concerns about children or adults at risk or where the employer needs to act to protect the safety of employees.

In circumstances where this organisation has to breach confidentiality it will seek specialist advice before doing so. If it is decided to proceed in breaching confidentiality after taking advice, it will be discussed with you why it is doing so and your agreement will be sought where possible. (Please refer to the Safeguarding Policy).

In cases where Families First are informed they recognise that living domestic abuse is frightening for adults and children. Families First will want to support you in protecting your children and they will work with you to see if there is any help they can offer before things get worse.

If an employee discloses to colleagues they will be reminded that this information must remain strictly confidential and any breaches of this may result in disciplinary action.

- *Points of contact*

Points of contact are available within the Council who have had specific training in domestic abuse, you may wish to speak to them if you don't wish to speak to your line manager, a list of their names is available at the end of the Policy.

2.2 Are you experiencing domestic abuse? - Who can you turn to?

If you are being abused by your current or ex partner, there are things that you can do and there is help available, you don't have to suffer in silence.

There are individuals and organisations that can give you both practical and emotional support, inside and outside of the Council. You can talk to your manager, HR, designated domestic abuse points of contact / Champion or your trade union representative.

Claire's Law (Domestic Violence Disclosure Scheme)

This scheme is to allow disclosures to be made if a person is in a relationship and there are concerns that a partner has been abusive, an application can be made to the Police under the following –

Right to ask – Victims (potential and actual), parents, neighbours, friends and agencies working with someone can make a request to the Police for a disclosure to be made under the Right to Ask. **The application can be made by ringing 101.**

Right to know – The Police can make a proactive decision to disclose to a victim or potential victim if they are aware of previous convictions for domestic abuse.

2.3 Role of Domestic Abuse Points of Contact / Champion

- To ensure that they have as much up to date information as is possibly available before the session takes place.
- To ensure sessions are not interrupted
- To create an environment of support and understanding to encourage employees to come forward and ask for help
- To actively listen and believe each employee who requests help and assistance, remembering that it is not easy to ask for help and that by asking for support this could increase the victim's vulnerability.
- To be patient, non judgemental and supportive, always reassuring the employee that they are not to blame.
- To ensure that the employee is aware of all the options available to them, being mindful that the victim may not be ready to engage yet but they should have the information.
- To always respect the decision of the employee.
- To reassure the employee that any records kept will not be kept on their personnel file or affect promotion prospects in the future
- Keep information confidential (subject to the requirements of child and adult protection).
- To be aware that dealing with domestic abuse demands a multi-agency approach.
- To assist the employee to think through an emergency check plan/leaving list.

2.4 Perpetrators of domestic abuse in the Workplace

Any act of domestic abuse is unacceptable and will not be condoned. Perpetrators of domestic abuse might be using workplace resources such as telephones, fax or emails to threaten, harass or abuse their current or former partners and may involve other colleagues, who may or may not be aware of their motives in assisting them.

The Council will not tolerate this abuse and we will take disciplinary action if appropriate. This could include a change of duties or withdrawing access to certain computer programmes.

Domestic Abuse as detailed in paragraph 1.7 could be damaging and potentially dangerous for those being abused as well as possibly bring the service and council into disrepute if the abuse is allowed to continue.

If an employee approaches the Council about their abusive behaviour, we will provide information about the services that run perpetrators services and the support available to them.

The Council will treat any allegation, disclosure or conviction of a domestic abuse related offence on a case by case basis with the aim of reducing risk and supporting change.

An individual cautioned or convicted of a criminal offence relating to domestic abuse may be subject to action being taken against them under the Council's Disciplinary Procedure. The council reserves the right to take appropriate action where there is a direct connection between the caution or conviction and their work. Should an employee's activities outside of work have an impact on their ability to perform the role for which they are employed and/or be considered to bring the organisation into disrepute, in some circumstances it may be deemed inappropriate for the individual to continue in their current role. In these circumstances the possibility of redeployment may be considered as an alternative to dismissal.

2.5 What if the Victim and Perpetrator both work for the Council?

In a situation where both the victim and perpetrator work for the Council action will be taken where appropriate. Safety will be a priority when considering what changes to make. Action may need to be taken to ensure that as far as reasonably practicable the perpetrator and victim do not come into contact in the workplace.

2.6 Guidance for Managers

Managers have a responsibility to take the lead in implementing an effective Workplace Domestic Abuse Policy and for embedding a culture, which does not tolerate domestic abuse.

As a Manager it is important that you respond positively to an employee disclosing a problem with domestic abuse. Discussing this issue will have taken a great deal of courage and your response may be a crucial factor in determining whether an employee seeks help. Research shows that victims of domestic abuse wish somebody had asked them about it, therefore managers will ask the question where appropriate.

Managers should ensure that –

- All employees are familiar with and act in accordance with this Policy
- Health and Safety risks to staff are minimised in workplaces and immediate vicinity.
- They routinely remind staff never to divulge personal information about employees to callers.
- Employees experiencing domestic abuse are taken seriously and dealt with sensitively and according to the Policy.
- Any discussions that take place happen in private.
- They are not judgmental.
- Employees working with those experiencing domestic abuse are adequately trained and are given appropriate support and supervision in their work.
- They acknowledge that staff dealing with people experiencing domestic abuse may find work stressful and difficult.
- Respect a person's decision if they choose to go back to or stay with the perpetrator – the most dangerous time for a victim is when they leave and this shouldn't be underestimated.

Managers will be trained to:

- Identify if an employee is experiencing difficulties
- Ask the question where appropriate, you are advised to have a conversation with the Partnerships Vulnerability Officer before these discussions take place.
- Provide initial support
- Offer referrals to support services.
- Discuss ways to help the person stay safe in the workplace
- Consider options such as diverting phone calls and emails, allowing staff to use assumed names.
- Be aware that there may be additional issues facing employees to seeking help because of their ethnic background, religion, age, sexual orientation or disability which may make them feel more vulnerable when talking about their situation.
- Ensure that communication is maintained with the employee during any absence, whilst remembering to maintain confidentiality of their whereabouts.
- Have an agreed method of communication with the employee should they be absent so they know you are safe.
- Understand that they are not counsellors.
- Where the employee is a perpetrator of domestic abuse, make them aware that domestic abuse is a serious issue, which can lead to criminal convictions and of the “zero tolerance” policy of the Council.
- Understand and refer to the Council's Safeguarding Children and Adults at risk of abuse or neglect Policy and responsibilities.

2.7 Recording Information

Any discussions that take place between a Manager and an employee must be documented as clearly as possible. The records need to be clear and accurate and kept securely, password protected and stored electronically.

Please see Appendices 2 and 3 for further guidance with points to consider.

2.8 Reporting Concerns

The Council encourages employees to report if they suspect a colleague is experiencing or perpetrating abuse. Employees should speak to their line manager about their concerns in confidence in the first instance or a trade union representative.

In dealing with a disclosure from a colleague, employers should ensure that the person is made aware of this Policy and that there is internal and external support available. Encourage them to talk to the Council's Point of Contacts or Domestic Abuse lead in confidence.

2.9 Implementation, Monitoring and Review

The Council will include the Workforce Domestic Abuse Policy in all inductions of new staff. Management, HR staff, designated points of contact/Champions and trade union representatives will receive more specialised training.

The Council will ensure that training for managers is timely with the implementation of this Policy as we recognise that without such the Policy will be ineffective. The Council will publicise the updated Workforce Domestic Abuse Policy for staff to boost awareness through utilizing the intranet and informing staff at team meetings.

Any breaches of the Policy will be dealt with through the Council's disciplinary procedure.

This Policy will be reviewed every 2 years to ensure that it is working effectively and to update it if necessary. Trade Unions and Health & Safety representatives will be consulted regarding any proposed changes.

This Policy has been written taking guidance from GLOW (previously Arch North Staffs), Women's Aid, Refuge and the Local Government Association, GMB and UNISON best practice guidelines for Workplace Policy.

APPENDIX 1

CONTACT INFORMATION

General Contacts

New Era Domestic Abuse 24hr Helpline	0300 303 3778
Reducing Reoffending Partnership (RRP) (Perpetrators service)	01785 601690
24hr National Helpline	0808 2000 247
Elizabeth House Refuge	01782 713737
Victim Support	0845 30 30 900
Sexual Assault Referral centre	0800 970 0372
Savana (sexual violence support)	01782 433204
Childline	0800 11 11
Male National Domestic Violence Helpline	0808 801 0327
Broken Rainbow (LGBT)	0845 2604 460
Newcastle Housing Advice	0345 850 9698
(Emergency out of hours number 01782 615599)	
Advocacy After Fatal Domestic Abuse (AAFDA)	07768 386922
Police	101
Police Emergency	999
Forced Marriage Unit	0207 008 0151
National Stalking Helpline	0808 802 0300
National Centre for Domestic Violence	0844 8044 999
Paladin (Stalking advocates)	020 3866 4107

Newcastle under Lyme Borough Council Contacts

Points of contacts / Champions:

• Catherine Fox (Partnerships Vulnerability Officer)	Ext 2238
• Sarah Moore (Partnerships Manager)	Ext 2496
• Michelle Hopper (Environmental Officer)	Ext 2597
• Paul Alan Pickerill (GMB Union Representative)	07789815646

Union Representatives:

Unison;

• Chris Hewetson	Ext 2275
• Jackie Cicatello	Ext 4444

GMB;

• Paul Alan Pickerill	07789815646
• Anne Marie Ruscoe	Ext 50006

Websites for further information:

<http://www.new-era.uk/> - Information and support in Stoke and Staffordshire on domestic abuse and support available

<http://www.rrppartnership.com/new-era> - Information on support and programmes available for perpetrators of domestic abuse.

www.findtheglow.org.uk – information about domestic abuse, homelessness and housing support.
www.womensaid.org.uk - for information about services available, your legal rights, campaigns etc
www.lgbt-dv.org - a web-site developed for survivors of same sex abuse
www.aafda.org.uk – Action After Fatal Domestic Abuse
www.stalkinghelpline.org – for information if you're being stalked either physically or cyber stalked.
www.mensadviceline.org.uk – Advice for men in abusive relationships.
www.gov.uk/forced-marriage - Information on forced marriage and honour violence.

APPENDIX 2a

Action Card if Domestic Abuse is Disclosed

Points to consider when an employee reports issues to a Line Manager /Colleague.

1	Prior to any discussions taking place advice is available from Catherine Fox – Vulnerability Officer in the Partnerships Team to discuss issues.
2	Ask the employee if they want to have the discussion with the Line Manager or prefer to speak to the Vulnerability Officer?
3	If the employee is happy to discuss with the Line manager then to discuss the issues in a sensitive way.
4	Consider what the priorities of the employee are – housing, legal advice, children, police. Consider if they need any emergency help such as a refuge – look at help in an emergency situation, however, seek advice for other issues.
5	Advise of support services available through New Era
6	Consider does the employee need any time off to attend appointments for safety reasons.
7	Consider if the employee requires special arrangements such as a change in working location or change in hours for safety reasons.
8	If any new arrangements are agreed put them in writing.
9	Remain in contact with the employee on a frequent basis and discuss safety options.
10	Continue to document any discussions that take place with the employee.
11	Consider if any advice is needed from the Vulnerability Officer over safety issues.
12	If no support is wanted document the conversation, still offer support information.
13	If no support is wanted consult the Vulnerability Officer regarding next steps (no names need to be given)

APPENDIX 2b

Action Card if Domestic Abuse is Suspected

Points to consider when a Line Manager identifies concerns or is notified by a 3rd party of potential Domestic Abuse issues.

1	Prior to any discussions taking place advice is available from Catherine Fox – Vulnerability Officer in the Partnerships Team to discuss issues.
2	Have an informal discussion with the employee - please ensure clear records are kept of all discussions that take place. Consider why the concerns have been raised attendance? Performance? Welfare?
3	Line manager to discuss the issues in a sensitive way to determine if there is a domestic abuse issue.
4	If the employee discloses abuse line manager to give advice on support available and document the discussion – also see the Action card relating to Victims of Domestic abuse.
5	If no domestic abuse issue is disclosed still advise of support available, the member of staff may not be ready to disclose at that point. Document the discussions.
6	Consider liaising with HR if there are issues relating to performance and no domestic abuse is disclosed.

APPENDIX 2c

Action Card for Perpetrators of Domestic Abuse:

Points to consider when either an employee reports their own issues as a Domestic Abuse Perpetrator to their Line Manager or a Line Manager identifies concerns or is notified by a 3rd party of potential Domestic Abuse issues.

1	Prior to any discussions taking place advice is available from Catherine Fox – Vulnerability Team in the Partnerships Team to discuss issues.
2	Have an informal discussion with the employee - please ensure clear records are kept of all discussions that take place.
3	During the informal discussion advise employee of perpetrator programmes run by Arch North Staffs – these are available to support and help changes in behaviour.
4	Consider with HR if it is necessary to take action Under the Councils Disciplinary Procedure.
5	Consider what action needs to be taken if abuse is being carried out in works time.
6	Consider if it's appropriate for the employee to carry out their role or if another role is more suitable.
7	Consider and agree any new arrangements with the employee and put the agreement in writing.
8	Remain in contact with the individual on a frequent basis and document all interviews.

NB:

ALL EMPLOYEE'S OF NULBC SHOULD NOTIFY THE COUNCIL OF ANY CRIMINAL CONVICTIONS RELATING TO DOMESTIC ABUSE

APPENDIX 3a

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO CABINET

12 February 2020

Report Title: Financial and Performance Review report – Third quarter (Oct-Dec) 2019-20.
Submitted by: Executive Management Team

Portfolios: Corporate & Service Improvement, People & Partnerships, Finance & Efficiency

Ward(s) affected: All

Purpose of the Report

To provide Cabinet with the Financial and Performance Review report – third quarter 2019-20.

Recommendation

That Members note the contents of the attached report and continue to monitor and challenge the Council's performance alongside its financial performance for the same period.

Reasons

The Financial and Performance Management monitoring reports provide information on a quarterly basis regarding the performance of individual council services and progress with delivery against our priorities, alongside related financial information on the organisation.

1. Background

- 1.1 This quarterly report provides Members with a detailed update on how the Council has performed during the third quarter 2019-20 by presenting performance data and progress summary set within a financial context.
- 1.2 This report provides broad financial information (Appendix A) and also details performance (Appendix B) for the third quarter of 2019/20.
- 1.3 A summary of the overall performance picture is presented in section 4 of this report and members will note that performance is generally progressing well.

2. 2019-20 Revenue and Capital Budget Position

- 2.1 The Council approved a General Fund Revenue Budget of £13,050,020 on 20 February 2019. Further financial information is provided in Appendix A.

3. Development of the Financial and Performance Report

- 3.1 The performance section –Appendix B was reviewed and updated for 2019-2020 and the indicators continue to reflect the priorities in the Council Plan.
- 3.2 In addition to eleven new indicators, the report includes a progress summary for each priority, detailing the progress with the delivery of planned activities.
- 3.3 Additional performance information is provided, not only to ensure the monitoring of the corporate activities of the council, but also to inform Members, businesses and residents of performance in their local economy.

- 3.4 The format and content of the report will continue to be reviewed and developed in order to reflect the progress of the planned aims of the Council Plan 2018-2022, with a final report in 2019-20 providing a detailed report including more annual results of our achievements and outturns.

4 Performance

- 4.1 The latest performance information for quarter three has been analysed and all indicators monitored for this period are listed in the table found in Appendix B.
- 4.2 Any indicators failing to meet the set targets include a comment explaining why the indicator has not performed well, and what steps are being taken to ensure improvement in the future.
- 4.3 The layout for Appendix B has undergone further development for 2019-2020.
- 4.4 For this report a total of 23 indicators were monitored, and the proportion of indicators which have met their target (where set) or are within tolerance levels during this period stands at 83%.
- 4.5 There are 4 indicators off target this quarter, and officers consider that the performance against these indicators does not give rise to serious cause for concern at present (see commentary provided at Appendix B). The management of each of the service areas concerned continue to monitor and take steps to deal with under achievement of targets where possible and/or appropriate.

Further quarterly updates will be provided for Members in future reports.

- 4.6 Positive performance can be seen in a range of services and members will note that some services are affected by both seasonal and external factors. It should also be noted for consideration that some indicators have stretched targets set and local targets that are higher than the national ones.
- 4.7 Progress on delivery of planned activities is summarised for each priority and no concerns are highlighted.

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 Assessment

- 6.1 There are no differential equality issues arising directly from this monitoring report.

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 ongoing changing market conditions 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 choose whether or not to use Council facilities or in the case

of the waste/recycling service where the volume of recycled materials is liable to fluctuate. 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. **Sustainability and Climate Change Implications**

9.1 N/A

10. **Key Decision Information**

10.1 Included on the Forward Plan

11. **Earlier Cabinet/Committee Resolutions**

11.1 N/A

12. **List of Appendices**

12.1 Financial information (Appendix A), and Performance (Appendix B).

13. **Background Papers**

13.1 Working papers held by officers responsible for calculating indicators.

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Financial Position Quarter Three 2019/20

1. General Fund Revenue Budget

- 1.1 The Council approved a General Fund Revenue Budget of £13,050,020 on 20 February 2019. 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.

2. Capital Programme

- 2.1 A Capital Programme totalling £5,606,298 was approved for 2019/20. Of this total £3,606,298 relates to the total cost of new schemes for 2019/20 together with £1,000,000 for schemes funded by external sources (Disabled Facilities Grants), £1,000,000 contingency. In addition £1,326,573 was brought forward from the 2018/19 Capital Programme, resulting in a total Capital Programme of £6,947,871 for 2019/20.

3. Revenue Budget Position

- 3.1 At this point in the financial year, we would have expected to have spent £14,634,540; we have actually spent £15,119,287. Therefore, as at the end of the third quarter, the general fund budget shows an adverse variance of £484,747.

- 3.2 The main reasons for the overall adverse variance to date are:

- a. Jubilee 2 is operating at a net overspend. This is predominately in relation to high levels of staff sickness which are required to be covered for and a shortfall in income received by the centre.
- b. Income from car parking is below the budgeted amount, this is due to a drop in off street parking.
- c. Income from planning application fees is below the budgeted amount, this is due to the number of major planning applications received to date– this may fluctuate during the final quarter of the financial year.
- d. The provision of temporary cover for Senior Management posts.

- 3.3 An action plan to address the adverse variance incurred to date has been devised and will continue to be implemented over the next three months. It is forecast that the actions identified will reduce the adverse variance to a balanced year end outturn. These actions include:

- a. Use of additional forecast windfall from the Staffordshire and Stoke-on-Trent Business Rates Pilot.
- b. Savings from restructures within the Resources and Support Services Directorate.
- c. Appeals relating to the Rateable Value of disused or demolished Council Assets.

- d. The implementation of an action plan to reduce the Jubilee 2 operating deficit.
- e. Grants have been received for a number of areas including Brexit and Air Quality to which significant staff time spent in these areas can be allocated.
- f. A review of expenditure currently allocated to the Repairs and Renewals fund is being undertaken to identify items that can be capitalised.
- g. It should be noted that the Waste and Recycling service is forecast to outturn a balanced year end position.

4. Capital Programme Position

- 4.1 The Capital Programme approved by Council in February 2019 has been updated to take account of amounts brought forward from 2018/19 where planned expenditure did not occur. This has been added to the budget for 2019/20 (apart from cases where costs have been reduced or expenditure will no longer be incurred). The revised budget for capital projects in 2019/20 totals £6,947,871.
- 4.2 The Capital Funding required for the 2019/20 programme includes £3,508,298 of capital receipts. These receipts are still expected however it is anticipated that there will be a delay in one of the asset sales which amounts to around £1,000,000. This is due to the Property Team re-advertising the site and achieving a greater value than originally expected. In addition 'Right to Buy' sales have slowed down this year and it is expected that the target will not be reached for 2019/20 and continues to be monitored.
- 4.3 £1,847,500 of the revised budget was expected to be spent by 31 December; the actual amount spent was £1,927,610 resulting in an adverse variance at the end of the third quarter of £80,110 This overspend relates to mainly to two projects, which are the defects work on Castle House and some essential repair works on Knutton Lane Bridge. Funding of this shortfall will partly be covered by slippage of in year projects and it is assumed that £49,000 will be recovered from Kier which covers the consequential loss of use of the multi-function rooms in Castle House.

5. Borough Growth Fund

As part of the 2019/20 budget a 'Borough Growth' fund of £304,000 has been established, which will be used to enable investment in the Council's priorities via initiatives that are forecast to generate on-going revenue savings through reducing the costs of service delivery or through the generation of additional income. It is intended that the 'Borough Growth' fund will be invested in further as part of the 2020/21 budget setting process. Progress on the utilisation of the 'Borough Growth' fund is as follows:

Project	Description	Funding Requirement (£)		
		2019/20	2020/21	2021/22
A town centre for all - Car Parking Strategy	39 upgraded parking machines are required at £6,000 each. The capital programme allows for the replacement of 6 machines during 2019/20, it is proposed that 5 are also funded via the Borough Growth fund for each of the following 3 years. Work around income and potential changes to pricing structures is currently ongoing.	30,000	30,000	30,000
A town centre for all - CCTV	Contribution towards upgrading and the supply and installation of cameras in the Town Centres.	30,000		
A town centre for all - Town Centre Officer	Proportion of salary and on costs for 6 months net of restructure saving re. Economic Regeneration will be a further commitment from the fund in 2020/21. Post has been appointed to.	12,500	25,000	25,000
A town centre for all - Markets	Cabinet agreed to progress a programme of market improvement arising from the National Association of British Market Authorities review of the market, elements of this programme may be funded from the Borough Growth Fund including relocation of the stalls to reduce the market size/enhance trading locations (£5,000), purchase of gazebos for hire (£2,500) and the provision of electricity to the stalls (£10-15,000)	20,000		
Total Requirement		92,500	55,000	55,000
Funding Available		104,000	75,000	75,000
Council transformation - Digital Delivery Apprentices	3 Apprentice posts agreed for 2 year period at a cost of £52,000 per annum split 1/3's between ICT, Human Resources and Borough Growth Fund. Assumed 6 months for 2019/20 with further commitment from the fund in 2020/21 and 2021/22 (final 6 months)	8,667	17,333	8,667

Council transformation - JADU	Potential costs re. completion of forms and interface that will communicate with CIVICA APP (Environmental Health software)	15,000		
Council transformation - Environmental Health Integration				
Council transformation - Digital Business Manager	Salary and on costs for 6 months following restructure of Resources and Support Services, will be a further commitment from the fund on an ongoing basis. Post has been appointed to.	30,000	60,000	60,000
Council transformation - Project Management Resources	Work currently being undertaken on potential project management resources - it has not yet been finalised.	45,000		
Total Requirement		98,667	77,333	68,667
Funding Available		100,000	100,000	100,000
Building for the future - Commercial investment advisors	Tender for advisors produced by Property Section, estimate of £50,000 per annum plus potential commission on advice. Expression of interest received.	50,000	50,000	50,000
Total Requirement		50,000	50,000	50,000
Funding Available		100,000	75,000	75,000

How did we do in Quarter 3 2019 - 20



Priority 1: Local Services that Work for Local People

Progress Summary

Overall, our performance with a combination of monitoring and target driven indicators for this priority is positive in this quarter but work is underway to impact on the result. Seven new indicators which were added in Qtr 1 to track progress with our outcomes for the priority, continue to be monitored.

A summary of progress with planned activities for Priority One from the Council Plan 2018-2022 are as follows:-

- **Increase Access to Information;**

- **Website**

There has been a significant increase this quarter in the number of people engaging with the Council via its website with 104,714 unique users in this quarter compared to 93,982 the previous quarter. Half of all these engagements are via people using their mobile phone rather than a laptop, PC or tablet.

- **Press and media**

The Council dealt with 139 media enquiries and analysis shows that 78 per cent of these engagements resulted in either very positive or positive coverage for the authority. There are 26,098 people following Council social media accounts – 9,194 on Twitter and 16,904 on Facebook. On the Council's main Twitter account there are 8,478 followers, there were 192 tweets in the last quarter, 5,499 profile visits and 118 new followers recruited.

For the corporate Facebook account there are 4,642 followers, we reached 23,400 people with messages in the last quarter, 1,400 responded to our posts and peak daily reach was 11,678.

- **Budget consultation**

A total of 366 residents took part in a digital budget consultation exercise and the excellent feedback has been fed into preparation of the 2020/21 budget.

- **Improve Customer Satisfaction;**

- **Secure "Customer Service Excellence"**

Restructuring activities within Customer and Digital Services towards the end of 2019 have delayed progress towards achieving the Customer Service Excellence standard. However, a report regarding this has been completed ready for submission to EMT in January 2020. It is now anticipated that assessment will be carried out in the new financial year and accreditation will be achieved by June 2020.

- **Develop customer & citizen surveys**

The Customer and Digital Services Team are currently working on ways to collect citizen feedback more effectively. Approaches being looked at include automatically asking customers to provide feedback at the end of any web transaction, end-of-call feedback mechanism for telephone contact and feedback kiosks for face-to-face customers. The team are also looking at how we can improve our in-field data collection facilities through better use of mobile technology, in line with the Council's Digital Strategy.

- **Digital Delivery**

The Council's Digital Strategy was formally agreed by Cabinet in December 2019 and the Digital Team are currently concentrating on developing a 1st phase work plan and detailed business case. The work plan is being prioritised to focus on services that are heavily used by customers or support the Council's commercial ambitions. However, the Digital Team will not only be concentrating on improving basic digital services, but on fundamental service re-design; to take advantage of everything that digital can offer. The team will also focus on digital inclusion and has already started to engage with partner organisations to encourage a joined up approach.

Progress Summary continued

- **Complete migration from Lagan to JADU Customer Relationship Management System**

In September 2019 the Council successfully migrated all of its Customer Support forms away from the Lagan CRM platform and completed the transition to the replacement Jadu system. The Digital Team are currently looking at how these services can be developed and improved now that the initial deadline driven migration has been completed. The Lagan system was successfully decommissioned by the Staffordshire Connects partnership and data protection was the key factor in how this was done.

Current improvements scheduled for launch in early 2020 include improved forms for Licensing and Environmental Services alongside the integration of the Revenues and Benefits portal application. The latter is a significant development, as this was previously a separate service which will now become part of our general customer portal – removing the need for multiple authentication details. The service will also introduce an e-billing option for the first time, potentially making significant savings for the authority with regards to postage costs.

- **Deliver new Recycling and Waste Service:**

Procurement exercises are now complete for wheelie bins, recycling bags, vehicles for dry recycling and food waste, and material reprocessing MRF. Work is completed on route modelling and the new recycling collection service rounds are now developed and being fine-tuned. Five day working will continue, and collection days will largely stay the same, which will therefore have minimum impact on residents. Work on draft communications for residents is nearly finalised. Draft budgets for the new service are now complete. During the next quarter the fine tuning of the route modelling will be complete, and plans for a pilot round to commence in advance of the main service change will be completed and ready to roll out.

- **Ensure Workforce has the right skills, at the right time, in the right place:**

- **Deliver workforce plan**

In this quarter all executive / senior management posts have been recruited, with the exception of the Executive Director – Resources & Support Services (s151). Candidates have either commenced in December 2019 or the beginning of January 2020. The interim Executive Director – Resources & Support Services (s151) will continue until this post has been filled and the post is currently being advertised with a closing date of 27th January 2020 with the selection process taking place in February 2020.

- **Develop organisational culture**

It is expected that an organisational development plan will be instigated following the recruitment of all vacant senior management roles. This will then enable the Chief Executive to work with his senior management team to outline the Council's expectations which will underpin the culture. In the meantime, the HR team are continuing to work with all departments to outline what is expected of them as managers and employees (the psychological contract) and providing positive challenge as and when required. HR are continuing to work with all managers to coach and mentor them through all the HR policies to embed good practice and develop their skills in managing staff successfully to enable a positive working culture.

- **Review, update and implement HR Policies**

Ongoing discussions with the Trade Unions on Organisation Change and Redeployment have continued to take place. The Appeals for Attendance Management Stage 1 & 2 have been revised within the guidance document to ensure that this is an Officer (not Member) panel. This process has been agreed with the Trade Unions including Regional Representatives. Continuing to see year on year improvement with absence figures even though it is above target, but it remains an area of focus.

Progress Summary continued


- **Improve Employee relations**








Regular and ongoing discussions with the Trade Unions around policies, processes and ways of working have been achieved between the Council and its recognised Trade Unions and HR will continue in the next quarter to work positively with the Trade Unions on all employee related matters, including involvement in the current executive recruitment process.


The HR team have been dealing with a high volume of employee cases to support managers through disciplinary, attendance and capability processes. Many cases have had union involvement and these have been dealt with by both parties in a professional, fair and transparent way of working.

- **HR Shared Service Centre**

The Shared Service for Payroll went live on 1st November 2019. Both November and December 2019 payrolls were completed on time with minimal disruption to staff. A new self-service portal has been implemented as part of this new ways of working and all managers have been trained on this new system and have started to use this with effect from November 2019 to input expenses, overtime, change of contracts etc. A £25,000 saving will be delivered for 2020-21.

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr 3 2018-19	Result Qtr 2 2019-20	Result Qtr 3 2019-20	Target Qtr 3 2019-20	How have we performed?	Status
1.1	Environmental Health	Cllr. Trevor Johnson	Percentage of food premises that have a zero or one national food hygiene rating	Low	1.25 % (13 out of 1107 published premises)	1.14% (13 out of 1,136 published premises)	0.97% (11 out of 1135 published premises)	5%	The figure remains well within target this quarter.	
1.2 New	Environmental Health	Cllr. Trevor Johnson	Percentage of category A and B food business inspections completed on time	High	100%	100%	100%	-	This work stream is high priority and fully completed.	-
1.3 New	Environmental Health	Cllr. Stephen Sweeney	No. Accidents/Incidents reported (RIDDOR)	Low	1	1	1	-	There was one incident which was slip, trip, fall and no further action required. There is no target set as it would be inappropriate to set a target in this respect.	-

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr 3 2018-19	Result Qtr 2 2019-20	Result Qtr 3 2019-20	Target Qtr 3 2019-20	How have we performed?	Status
1.4a	Recycling & Fleet	Cllr. Trevor Johnson	Household collections from the kerbside (%):- • Dry Recycling	High	19.3%	17.70%	21.63%	20%	Dry Recycling and food collection performance improved in quarter 3, targeted communications have been undertaken, particularly during December. Quarter 2 figures slightly amended following Waste Data Flow validation, and are slightly better than previously reported.	
1.4b			• Food	High	5.26%	5.31%	5.93%	5%		
1.4c			• Amount of residual Waste per household	Low	109.94 kg's	104.50 kg's	102.36 kg's	107.5kgs (per household) cumulative		
1.4d New	Operations	Cllr. Trevor Johnson	Number of missed kerbside collections:- Total (per 100,000 collections)	Low	-	67	55	80 (per 100,000 collections)	In this quarter there were a total of 1,240,800 collections of residual, garden waste, recycling and food. There were missed collections of Residual - 214, Garden Waste – 132 and Recycling -333.	
1.5	Operations	Cllr. Trevor Johnson	Levels of street and environment cleanliness (LEQ survey) free / predominantly free of litter, detritus, graffiti and fly-posting)	High	94.5% 96.67% 100% 100%	97.04% 96.86% 100% 100%	92.03% 91.4% 99.5% 100%	91% 91% 97% 99%	The results for the second survey undertaken for 2019-20 are detailed here, all are on or exceeding the target, with a further survey in Qtr.4.	
1.6	Customer & ICT	Cllr. Simon Tagg	Percentage of requests resolved at first point of contact	High	98%	99%	98%	97%	An excellent result, exceeding the target set for Qtr. 3.	
1.7	Customer & ICT	Cllr. Simon Tagg	% Unmet demand (number of calls not answered as a % of total call handling volume)	Low	7.48%	6.79%	5.80%	10%	The result continues to improve on the previous two quarters.	
1.8 New	Digital Delivery	Cllr. Simon Tagg	Total number of digital on-line transactions (Jadu).	High	-	6,080	14,453	-	The result has increased this quarter due to the launch of Garden Waste subscriptions 2020 in November. The indicators for Digital Delivery are currently under review.	-

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr 3 2018-19	Result Qtr 2 2019-20	Result Qtr 3 2019-20	Target Qtr 3 2019-20	How have we performed?	Status
1.9 New	Communication	Cllr. Simon Tagg	Total number of unique users to the website	High	-	93,982	104,714	79,500	There has been a significant increase this quarter in the number of people engaging with the Council via its website. Half of all these engagements are via people using their mobile phone rather than a laptop, PC or tablet.	
1.10	Revenues & Benefits	Cllr. Stephen Sweeney	Time taken to process Housing/Council Tax Benefit new claims and change events	Low	5.86 days	4.91 days	5.00 days	10 days	The result exceeds the target set and above those achieved last year	
1.11	Revenues & Benefits	Cllr. Stephen Sweeney	Percentage of Council Tax collected	High	77.7%	52.9%	77.4%	76.08%	The results are above the targets set and equal to or above those achieved last year	
1.12	Revenues & Benefits	Cllr. Stephen Sweeney	Percentage of National non-domestic rates collected	High	82.9%	58.6%	83.7%	78.66%		
1.13	Human Resources	Cllr. Simon Tagg	Average number of days per employee lost to sickness	Low	7.34days	4.9 days	6.98 days	6 days Qtr.3 (8 days annual)	Reduction in absence rates for comparable period 2018/19. There is the expectation that over the winter months, absence will increase and therefore rise is not unexpected. Work is ongoing to ensure consistency of application of attendance management policy.	
1.14 New	Human Resources	Cllr. Simon Tagg	Staff turnover	Low	-	8.80%	8.58%	10%	Turnover remains within target.	
1.15 New	Human Resources	Cllr. Simon Tagg	Staff vacancy rates	Low	-	11.15%	11%	-	Vacancy rate continues to improve.	-

Priority 2: Growing our People and Places

Progress Summary

For this section, we had the introduction of four new indicators for planning in the last quarter which measure the speed and quality of decisions. A summary of progress with planned activities for Priority 2 from the Council Plan 2018-2022 are as follows:-

- **Refresh of Economic Development Strategy**

The new Strategy was adopted by Cabinet in September and now reflects our Council Plan priorities and those of the Growth Deal with the County Council.

- **Deliver Joint Local Plan**

The Draft Local Plan continues to be developed in preparation for consultation in 2020, although there was a short delay to the programmed consultation aiming for Feb/March to March/April 2020 to account for the need to extend the plan period from 2033 to 2037. Agency staff were recruited by NUL to support the team whilst the permanent structure to the policy team is being adjusted. Further resources have helped to finalise evidence and policies, but has also highlighted the need to refresh evidence central to the strategy.

- **Progress University Growth Corridor**

The University Growth Corridor (UGC) Programme meetings have taken place, including workshops with Silverdale and Keele Parish Councils.

- **Deliver appropriate housing to those in need:**

- **Retender Housing Advice service –**

Newcastle housing advice (NHA) service delivers the Council's homelessness, housing advice and housing register services in the Borough. The Council has made the decision to bring the service back in-house by 1st April 2021, over the forthcoming year the Council will be working with the current contractor Midland heart to transfer the service effectively.

- **Joint allocation policy and procurement of a Choice Based Lettings system**

Officers have continued to work with Aspire Housing to draft a new Joint Allocation Policy. This joint policy will allow customers of the Borough to access social housing owned and managed by Aspire Housing and other Private Registered Providers to whom the Council has partnerships within the Borough. The Council and Aspire Housing will procure a joint Choice Based Letting (CBL) system that will deliver the platform for the administration function of the housing register. This will allow our customers to make one application for social housing, a greatly improved approach compared to our current systems requiring 2 applications. Consultation on the draft policy will be undertaken next quarter.

- **One Public Estate**

The Borough Council have received a sum of £50,000 from 'One Public Estate', (a body set up to encourage public agencies to work together to make better use of their property assets), to cover the cost of undertaking the masterplanning of Knutton Village. This will involve preparing proposals for the use or development of a number of cleared sites around the centre of Knutton in the ownership of the Borough and County Councils and Aspire Housing with the objective of bringing forward new housing development in the area and to assess the potential for investing in the improvement and consolidation of community facilities. Aspire Housing is also contributing to the resources of the Study with a view to it reviewing its role as a provider of affordable housing in the area, including that of housing for the elderly. Officers have been working with White Young Green to seek views of our partners and as part of the commission it is expected that an exhibition and further local consultation will be undertaken to assist in arriving at recommendations for action.

Progress Summary continued

- **Consideration of a property investment model**

Consideration is being given to the Borough Council taking a more active role in developing its sites (i.e. by way of forming a property development company or similar) either on its own or in a partnership arrangement. In Qtr. 3, the Commercial Strategy 2019-24 was approved by Cabinet and the commercial investment advisors appointed to review and advise in respect of the Council's commercial portfolio.






- **Masterplan of land at:- Chatterley Close area by Bradwell crematorium; off Liverpool Road, Keele Golf Course and Birchenwood**

This quarter has seen the development of specifications for the masterplan of land in the Chatterley Close area, Bradwell, with tenders submitted in Qtr. 4 to ensure a qualified and experienced consultant can undertake the work. Keele masterplan was approved in principle last year and is subject to consideration as part of the development of the Joint Local Plan. Following the Phase 1 environmental impact assessment for Birchenwood, a preliminary ground investigation survey will be commissioned in the next quarter.

- **Planning Consent – Sidmouth Ave**

In Qtr. 3, planning consent was granted for;

- (i) Demolition of the post 1950's building extensions, making good external walls on the existing (i.e. remaining) building;
- (ii) Change of use of the existing building to residential;
- (iii) Three substantial 4-5 bedrooomed detached houses, each having integral garages – being on the area of cleared land arising from the demolition referred to at point (i) above.

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr 3 2018-19	Result Qtr 2 2019-20	Result Qtr 3 2019-20	Target Qtr 3 2019-20	How have we performed?	Status
2.1	Property	Cllr. Paul Northcott	Percentage of investment portfolio vacant (NBC owned)	Low	8.9%	8.3%	7.6%	12%	This indicator remains well within target.	
2.2	Planning & Development	Cllr. Paul Northcott	Speed of major development applications (P151a)	High	-	74.6%	76.8%	60%	These indicators remain well within target and are improving or being maintained at an acceptable level.	
2.3			Quality of major development applications (P152a)	Low	-	1.5%	1.3%	10%		
2.4			Speed of non-major development applications (P153)	High	-	82.9%	84.9%	70%		
2.5			Quality of non-major development applications (P154)	Low	-	1%	1%	10%		

Priority 3: A Healthy, Active & Safe Borough

Progress Summary

Progress Summary

Overall the performance for this priority advises the progress within this area, and considering the impact of a problem with the J2 facility at the moment, there are many users with leisure and cultural activities.

A summary of progress with planned activities for Priority 3 from the Council Plan 2018-2022 are as follows:-

- **Secure J2 Remedial works**

The health suite closed in May 2019 and has been stripped out to confirm the source of the water leak. Customer consultation has been completed and views fed into the redesign of the health suite. Discussions have been held with the building contractor and a settlement reached. A scheme of works has now been finalised.

- **Secure J2 commercialisation**

A contract has been awarded to Alliance Leisure for marketing support to drive up membership sales and improve retention. This contract started in September 2019. Additional advertising income will also be generated at Jubilee2 through an agreement with Strategi Solutions Ltd, who have begun marketing the advertising screens.

- **Kidsgrove Sports Centre**

Designs for remodelling the sports centre have been completed by a Leek based architectural practice and the costs of such works are to be developed by Willmott Dixon with a view to securing a tender price for the works to be commenced in Summer 2020. At the same time solicitors are working on the transfer of the sports centre to the Council in readiness for the redevelopment works.

- **Secure funds for Museum Extension**

Plans for improving the resilience of the museum by creating separate gallery and education spaces and expanding the retail and craft sales area have now been granted planning permission. Grant applications have now been submitted to the National Lottery Heritage Fund, Chlore Foundation and Red Industries. The project also received financial support of the Civic Society and Friends of the Museum. Tender documentation has been prepared for the capital work and is to be priced through the SCAPE procurement framework contractor.

- **Open Space Strategy**

Heart of England in Bloom results were announced in Qtr 2. The council secured its 18th Consecutive Gold Award in the competition. The Council was awarded 6 Green Flag Awards for: Brampton Park, Lyme Valley Parkway, Bathpool Park, Queens Gardens, Bradwell Crematorium and Keele Cemetery.

- **Streetscene Fleet procurement**

The procurement process for the purchase of 5 new tractors, a mini digger and trailer, and a tractor mounted chipper are pending. A Mobile Elevated Work Platform (MEWP) to assist the tree team in carrying out the tree work programme, has been purchased and is now in use.

- **Feasibility study for Crematorium extension**

An officer working group has been established to progress the feasibility study and this work will link into the masterplanning for the Chatterley Close area which is being commissioned at present.

- **Affordable Funeral Scheme**

A project team is in place and meeting regularly to progress this project. There is a delay due to capacity issues so the timeline is being reviewed. Recruitment is complete for vacancies in the Bereavement Services team so the project will progress with expressions of interest from potential delivery partners and drafting of contract documentation.

- **Deliver Capital Programme projects**

Previously reported projects have been completed or are in progress relating to play area refurbishments, traveller encroachment deterrent measures at identified sites, repairs to railings/gates/fences at a number of parks and open spaces.

Progress Summary continued

- **Protect our communities by delivering priority community safety, food safety & licensing projects:**

- **Taxi Licensing Policy**

In the first quarter members of the Licensing and Public Protection Committee approved the content of the taxi policy. The policy document is a wide scale reform of the current policy, to ensure that the Council has a policy that is fit for purpose in respect of the legislative framework and administration of the service. Members of the Licensing and Public Protection Committee have approved the policy and agreed that the policy has been implemented on 1st November 2019 with the exception of equality training and completion of a new knowledge test which will be implemented in January 2020.

- **Commission new CCTV Service**

A review of the existing CCTV provision in Newcastle Town Centre has now been completed and agreement has been reached with the Business Improvement District (BID) regarding financial contributions to support the development of the project. A report was approved by Cabinet and officers are working with Stoke-on-Trent City Council who will manage the new service following installation of new equipment. The new service will be fully operational by 1st April 2020.

- **Town Centre ASB enforcement**

A range of Partnership activity continues to be co-ordinated, including; the CCTV review and recommissioning; working closely with partners to identify individuals in need of support, working with the rough sleepers team to ensure that appropriate support is provided, utilising the Council's civil enforcement powers such as Community Protection Notice Warnings (CPNWs), CPNs and Injunctions, introduction of PSPOs for the Town Centre and Queen Elizabeth Park, working with the Police to encourage use of Section 34/35 powers (criminal powers), and developing a range of community safety projects to improve the aesthetics of the town centre and contribute to improving perceptions of safety. The council has recently appointed a Rough Sleeper Co-ordinator to assist in galvanising partnership activity with some of our vulnerable residents.




- **Air Quality Local Development Plan**

Work is continuing with Stoke-on-Trent City Council and Staffordshire County Council to create the Air Quality Local Development Plan to bring about improvements in Nitrogen Dioxide (NO₂) levels. The legal directions require plans to be drawn that will deliver compliance with the EU air quality limit values, in "the shortest possible time". If this cannot be achieved through the delivery of a business case which sets out a viable preferred option, the government will require the Local Authority to impose a charging "Clean Air Zone" (CAZ), which would require drivers of older vehicles, which don't meet modern emissions standards, to pay a charge when they are driven within defined areas that form the CAZ. Specialist consultants have been appointed. This work has involved extensive transport and air quality modelling, a review of the national data which identified the potential problem and the development of a project plan to progress the work to a full business case (FBC) submission to Government.

The Initial Evidence Submission (IES) has been completed and approved by Government and work has commenced on appraising and modelling the potential measures. This quarter has also seen progress with development of draft sections of the business cases, in particular the strategic, commercial and management cases.

Since the original contracts were awarded, extensions for further works in respect of modelling, communications and project management support have been approved by Cabinet and commissioned. A further grant has been received.

The project plan is regularly updated and reviewed to reflect the reality of the work required to deliver an Outline Business Case (OBC) and FBC across the three Councils.

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr 3 2018-19	Result Qtr 2 2019-20	Result Qtr 3 2019-20	Target Qtr 3 2019-20	How have we performed?	Status
3.1a	Community Safety	Cllr. Jill Waring	Anti-Social Behaviour (ASB) cases:- -New cases received during the quarter						There are currently 6 cases discussed at the ASB, Youth Violence and Gangs Case conference.	-
				Low	72	95	59	-		-
3.1b			-Current open cases at the end of the quarter	Low	1 (31/12/18)	17	7	-		-
3.1c	Community Safety	Cllr. Jill Waring	-Cases closed in the quarter	High	73	106	64	-		-
3.2 New	Community Safety	Cllr. Jill Waring	Number of referrals made regarding vulnerability by participating organisations at the Daily Hub	High	73	32	33	-	A total number of 32 referrals were made from Daily Hub meetings that have taken place over the period 1st June 2019 – 30th September 2019.	-
3.3	Culture & Arts	Cllr. Mark Holland	Number of people visiting the museum	High	9,634 Qtr 3 (54,862 cumulative)	21,847 Qtr 2 (38,622 cumulative)	10,498 Qtr 3 (48,701 cumulative)	10,000 Qtr 3 (48,000 cumulative)	Visitors are above the target for Qtr 3 and for the year to date.	
3.4	Leisure	Cllr. Mark Holland	Number of people accessing leisure and recreational facilities	High	144,597 Qtr 3 (463,120 cumulative)	146,029 Qtr 2 (287,608 cumulative)	139,241 Qtr 3 (426,849 cumulative)	150,000 Qtr 3 (450,000 cumulative)	The aqua sauna remains a key issue on leavers' questionnaires, with another issue being the building repairs. However officers continue to actively promote leisure activities to increase memberships.	
Page 215 New	Leisure	Cllr. Mark Holland	Net growth in J2 Membership (Quarterly)	High	2.38% (2,992 members)	-2.35% (2955 members)	-3.45% (2853 members)	4.5% Qtr3 (3,201 members) 6.31% Annual	The annual target is 3250 members and is being impacted on as detailed above.	

Priority 4: A Town Centre for All

Progress Summary

For this quarter, the results demonstrate a varying level of activity and further comments are detailed in this report.

A summary of progress with planned activities for this priority from the Council Plan 2018-2022 are as follows:-

- **Prepare a Town Centre Strategy**

The Council has been successful in progressing to the next stage of the Future High Street Fund and has been invited to take part in the Town Deal. As part of the Future High Streets Fund the Council has commissioned Stantec to assist in the development of the first stage Business Case in line with MHCLG requirements for the submission date of 30th April 2020.

Officers have started to pull together partners for the establishment of the Town Deal Board for its first meeting in January 2020.

- **Market**

The Service Improvement Plan for the market was presented at the June Cabinet and also for consideration at the Economic Development & Enterprise Scrutiny meeting where it was approved with recommendations noted and for delivery in 12 months. A new Town Centre Officer has been appointed and progress is being made in delivering on the improvement plan, this has included moving some of the stalls to the southern side of the Guildhall where there is greater footfall and the stalls can be used in conjunction with the farmers market, plans have been made to focus on specialist markets such as the successful Continental Market, the Antiques Forum has also trialled trading on a Saturday morning on the lower end of the market this will recommence in April 2020.

- **Business Support**

Work continues in signposting business queries to the Growth Hub and maintenance of Business support pages on website. The 2019 Business Boast competition has been completed with over 20 businesses taking part in 4 prize categories.

- **Parking Policy**

A review and strategy has been produced, this was considered by the Environment, Economy and Place Scrutiny Committee in September. Cabinet endorsed the Strategy in October and following further consultation with the Business Improvement district and the Town Centre Board the strategy has been adopted.

- **Property diversification**


The Council has produced a specification for a commercial review of our stock which has been out to procurement; next quarter specialist consultants will be working to complete the review and give recommendations on future options appraisals for our commercial stock in the town centre.

- **Establish Town Centre Communications Group**

The New Vic Theatre has now joined the core group which consists of the Borough Council, Business Improvement District, HitMix Radio, Newcastle College and Newcastle-based information platform BaBaBaboon. The group continues to meet on a regular basis and the goal is to share and jointly promote positive messages and information about Newcastle town centre.

- **Develop a Kildgrov Town Centre Investment Plan**

Following the announcement of the Town Deal partners are coming together to form a new Board. A readiness checklist has been submitted to MHCLG outlining the town's preparedness to develop new plans. In the next quarter the Board will be seeking to ensure that appropriate consultants are commissioned to meet the requirements of the Town Deal in line with further guidance as received from MHCLG.

Ref	Service Area	Portfolio Holder	Indicator	Good is	Result Qtr 3 2018-19	Result Qtr 2 2019-20	Result Qtr 3 2019-20	Target Qtr 3 2019-20	How have we performed?	Status
4.1 New	Regeneration & Economic Development	Cllr. Stephen Sweeney	Car parking usage:- Number of tickets purchased	High	125,568	119,779	114,813	-	The figure is less than the last quarter result.	-
4.2 New	Regeneration & Economic Development	Cllr. Simon Tagg	Footfall	High	889,573	822,302	826,648	-	The footfall figure has increased this quarter.	-
4.3	Regeneration & Economic Development	Cllr. Stephen Sweeney	Average stall occupancy rate for markets	High	48%	42%	43%	60%	Recruitment of a Town Centre Officer to drive the market improvement plan and the introduction of a Saturday Antique Market are factors that will improve the stall vacancy rate going forward. In addition to the regular market offer the "Festive Feast" continental market ran from 6-10 November. Visiting markets are not included in this indicator result.	

N/A Performance information not available at this time or due to be provided at a later date



Performance is not on target but direction of travel is positive



Performance is not on target where targets have been set



Performance is on or above target

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Cabinet Forward Plan: Newcastle under Lyme Borough Council

Notice of Key Decisions to be taken under the Local Authorities (Executive Arrangements) (Meetings & Access to Information) (England) Regulations 2012 between 4 February 2020 and 2 September 2020

This Plan gives 28 clear days' notice of key decisions which either the Cabinet or individual Cabinet Portfolio Holders expect to take over the next few months. An authority cannot take a key decision without giving 28 clear days' notice unless an urgent decision is required.

"Key decisions" are defined as those Executive/Cabinet decisions which are likely:

- a. to result in the Council incurring expenditure or making savings of an amount which is significant having regard to the Council's budget for the service or the function to which the decision relates. (NB: The financial threshold above which expenditure or savings become significant has been set by the Council at £100,000 Revenue and £250,000 Capital Expenditure).
- b. to be significant in terms of its effects on communities living or working in an area comprising two or more wards of the Borough.

Although it is not a statutory requirement this Forward Plan also contains details of other major decisions likely to be taken by the Cabinet, or individual Portfolio Holders, during the same period.

Occasionally it is not possible to give 28 days' notice of a specific decision and so include the details in the forward plan. In those circumstances urgent key decisions may still be made under the urgency procedures set out in the Access to Information Procedure Rules within the Council's Constitution.

A decision notice for each key decision made is published within 6 days of it having been made.

Whilst the majority of decisions listed in this Plan will be taken at meetings which are open to the public to attend, there may be some decisions which are considered in private meetings because the reports for the meeting contain confidential or exempt information under Schedule 12A of the Local

Government Act 1972 (see below for relevant paragraphs) and the public interest in withholding the information outweighs the public interest in disclosing it.

If you object to a report being considered in private you can tell us why by emailing DemocraticServices@newcastle-staffs.gov.uk or contacting the address below. Any representations received at least 8 working days before the meeting will be published with the agenda together with a statement of the Council's response. Any representations received after this time will be reported verbally to the meeting.

The Cabinet is made up of the Leader, Deputy Leader and Cabinet Members with the following portfolios:

Leader of the Council (Corporate & Service Improvement, People & Partnerships)	Councillor Simon Tagg
Deputy Leader & Cabinet Portfolio Holder (Finance & Efficiency)	Councillor Stephen Sweeney
Cabinet Portfolio Holder (Community Safety & Well Being)	Councillor Jill Waring
Cabinet Portfolio Holder (Environment & Recycling)	Councillor Trevor Johnson
Cabinet Portfolio Holder (Leisure, Culture & Heritage)	Councillor Mark Holland
Cabinet Portfolio Holder (Planning & Growth)	Councillor Paul Northcott

Paragraphs under Schedule 12A of the Local Government Act 1972 – Exempt Information

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under the authority
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals an authority proposes;
 - a. to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b. to make an order or direction under any enactment
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime

Copies of the Council's Constitution and agendas and reports relevant to any key decision may be accessed on the Council's website www.newcastle-staffs.gov.uk or may be viewed during normal office hours and copies or extracts obtained on payment of a reasonable fee (unless the publication contains exempt information) at:

**The Chief Executive's Directorate, Castle House, Barracks Road
Newcastle-under-Lyme, Staffordshire ST5 1BL**

Telephone 01782 742222 Or Contact: DemocraticServices@newcastle-staffs.gov.uk

Title of Report	Brief Description of Report	Cabinet Portfolio holder / Officer contact	Decision maker & earliest date decision may be made	Relevant Overview & Scrutiny Committee	Wards affected	Reason for exemption under Sched 12A (if in private session)
Safeguarding Policy and Workforce Domestic Abuse Policy Reviews	<p>The Safeguarding and Workplace Domestic Abuse Policies provides guidance for Council Officers, Members, Partners and the public on how the Council will respond to safeguarding concerns and support staff affected by domestic abuse.</p> <p>The report seeks to reaffirm to Cabinet of the role of the Borough Council in safeguarding children and adults at risk of abuse and neglect and</p>	Cabinet Portfolio Holder - Community Safety and Wellbeing	Cabinet 12 February 2020	Health, Wellbeing and Partnerships	All Wards	N/A

	<p>in supporting staff who may be affected by domestic abuse.</p> <p>It also seeks Cabinet approval for the adoption of the reviewed and updated versions of the Safeguarding Policy and Workplace Domestic Abuse Policy for the Borough Council in Newcastle-under-Lyme.</p>					
Revenue and Capital Budget	To consider the Council's revenue and capital budget and propose Council Tax levels.	Cabinet Portfolio Holder - Finance and Efficiency	Cabinet 12 February 2020	Finance, Assets and Performance	All Wards	N/A
Draft Joint Local Plan for Newcastle-under-Lyme and Stoke-on-Trent 2013/14 - 2037	To obtain approval to go out to public consultation on the draft joint local plan under Regulation 18 of the Town and Country (Local Planning) (England) Regulations 2012.	Cabinet Portfolio Holder - Planning and Growth	Cabinet 12 February 2020	Economy, Environment and Place	All Wards	N/A
CCTV Policy	To seek approval for a	Cabinet Portfolio	Cabinet 18	Health, Wellbeing	All Wards	N/A

Report	CCTV Policy and principles which will govern the operation of the closed circuit television (CCTV) systems operated by the Council as a data controller to assist it in carrying out its enforcement, public safety and other functions.	Holder - Community Safety and Wellbeing	March 2020	and Partnerships		
Anti-social Behaviour Policy Review	To seek Cabinet approval for the adoption of a revised Anti-social Behaviour (ASB) Policy and Procedure for the Borough Council in Newcastle-under-Lyme, following a number of amendments to reflect changes in working practice.	Cabinet Portfolio Holder - Community Safety and Wellbeing	Cabinet 18 March 2020	Health, Wellbeing and Partnerships	All Wards	N/A
Review of Housing Allocations Policy	The Report seeks Cabinet approval to amend the Council's Housing Allocations Policy to accord with changes in government legislation	Cabinet Portfolio Holder - Community Safety and Wellbeing	Cabinet 18 March 2020	Economy, Environment and Place	All Wards	N/A

	and guidance.					
Future High Streets Fund (early first draft business case submission)	To review the early first draft business case submission.	Cabinet Portfolio Holder - Corporate and Service Improvement, People and Partnerships	Cabinet 18 March 2020	Economy, Environment and Place	All Wards	N/A
Crematorium Grounds Extension	Proposal to design an extension to the existing Crematorium Grounds	Cabinet Portfolio Holder - Environment and Recycling	Cabinet 20 May 2020	All Relevant Scrutiny Committees	Bradwell	N/A
Cremator Replacement Project	Authority to repair / replace cremators at Newcastle crematorium	Cabinet Portfolio Holder - Environment and Recycling	Cabinet 20 May 2020		Bradwell	N/A
Open Space Strategy Addendum	An addendum to the existing Open Space Strategy is required to ensure that the strategy remains current through the life of the Joint Local Plan.	Cabinet Portfolio Holder - Environment and Recycling	Cabinet 20 May 2020	Economy, Environment and Place	All Wards	N/A
Affordable Funerals	To consider introducing affordable funerals.	Cabinet Portfolio Holder - Environment and Recycling	Cabinet 20 May 2020	Economy, Environment and Place	All Wards	N/A
Redeployment Policy	To implement a redeployment policy	Cabinet Portfolio Holder - Corporate	Cabinet 2 September	Finance, Assets and Performance	All Wards	N/A

	for the Council.	and Service Improvement, People and Partnerships	2020			
Organisation Change Policy	To implement a new organisation change policy for the Council.	Cabinet Portfolio Holder - Corporate and Service Improvement, People and Partnerships	Cabinet 2 September 2020	Finance, Assets and Performance	All Wards	N/A

