



Chief Executive's Department
Civic Centre
HARTLEPOOL

8th September, 2008

The Mayor (Stuart Drummond)

Councillors Aiken, Akers-Belcher, Allison, Atkinson, Barker, Brash, R W Cook, S Cook, Coward, Cranney, Fenwick, Fleet, Fleming, Flintoff, Gibbon, Griffin, Hall, Hargreaves, Hill, Jackson, James, Johnson, Kaiser, Laffey, Lauderdale, A E Lilley, G Lilley, London, A Marshall, J Marshall, McKenna, Dr. Morris, Payne, Plant, Preece, Richardson, Rogan, Shaw, Simmons, Sutheran, Tumilty, Turner, Wallace, Wistow, Worthy, Wright, and Young.

Madam or Sir,

You are hereby summoned to attend a meeting of the COUNCIL to be held on THURSDAY, 18th September, 2008 at 7.00 p.m. in the Civic Centre, Hartlepool to consider the subjects set out in the attached agenda.

Yours faithfully

P Walker
Chief Executive

Enc

PLEASE NOTE VENUE

COUNCIL AGENDA



18th September 2008

at 7.00 p.m.

in the Council Chamber

1. To receive apologies from absent members.
2. To receive any declarations of interest from members.
3. To deal with any business required by statute to be done before any other business.
4. To receive questions from and provide answers to the public in relation to matters of which notice has been given under Rule 10.
5. To approve the minutes of the last meeting of the Council held on 31st July 2008, as a correct record (copy attached).
6. Questions from Members of the Council on the minutes of the last meeting of the Council.
7. To answer questions of members of the Council under Council Procedure Rule 11;
 - (a) Questions to members of the Executive about recent decisions of the Executive (without notice)
 - (b) Questions to members of the Executive and Chairs of Committees and Forums, for which notice has been given.
 - (c) Questions to the appropriate members on Police and Fire Authority issues, for which notice has been given. Minutes of the meeting of the Cleveland Fire Authority held on 6th June 2008 are attached.
8. To deal with any business required by statute to be done.

PLEASE NOTE VENUE

9. To receive any announcements from the Chair, the Mayor, members of the Cabinet or the head of the paid service.
10. To dispose of business (if any) remaining from the last meeting and to receive the report of any scrutiny forum or other committee to which such business was referred for consideration.

- (i) Report of Constitution Committee – Proposed Amendments to Constitution

At the meeting of Council on 31 July 2008, the above report (copy attached), having been moved and seconded, was adjourned to the next meeting of the Council, as required by Council Procedure Rule 24.2. The report may now be dealt with.

11. To receive reports from the Council's committees and working groups other than any overview and scrutiny committee and to receive questions and answers on any of those reports;
12. To consider any other business specified in the summons to the meeting, including consideration of reports of the overview and scrutiny committees for debate and to receive questions and answers on any of those items;
13. To consider reports from the Executive:-
 - (a) Proposals in relation to the Council's budget and policy framework
 - (i) Food Law Enforcement Service Plan 2008/09
 - (ii) Youth Justice (Capacity and Capability) Plan 2008/09
 - (b) Proposals for departures from the budget and policy framework
14. To consider any motions in the order in which notice has been received.
15. To receive the Chief Executive's report and to pass such resolutions thereon as may be deemed necessary.

COUNCIL

MINUTES OF PROCEEDINGS

31st July 2008

The meeting commenced at 7.00 pm in the Civic Centre, Hartlepool

PRESENT:-

The Chairman (Councillor C Richardson) presiding:

COUNCILLORS:

Aiken	Akers-Belcher	Allison
Atkinson	Barker	Brash
R W Cook	Coward	Cranney
Fleet	Fleming	Flintoff
Griffin	Hall	Jackson
James	Johnson	Kaiser
Laffey	A Lilley	G Lilley
London	A Marshall	McKenna
Payne	Preece	Rogan
Shaw	Simmons	Sutheran
Tumilty	Wallace	Wistow
Worthy	Wright	Young

Officers: Paul Walker, Chief Executive
Dave Stubbs, Director of Neighbourhood Services
Andrew Atkin, Assistant Chief Executive
Jill Harrison, Assistant Director Adult and Community Services (Adults Commissioning)
Joanne Machers, Chief Personnel Officer
Sally Robinson, Assistant Director of Children's Services (Safeguarding and Specialist Services)
Richard Smith, Solicitor
Joanne Smithson, Head of Community Strategy
Charlotte Burnham, Scrutiny Manager
Steve Hilton, Public Relations Officer
Amanda Whitaker, Democratic Services Team Manager
Sarah Bird, Democratic Services Officer

At the commencement of the meeting, the Finance Portfolio Holder referred to the recent death of Gavin Robinson, Audit Technician. The Portfolio Holder advised that following an attack on 13th June 2008 and despite the efforts of doctors, Gavin had died on 23rd June 2008. A man had been charged in relation to this incident and was currently awaiting trial. Gavin's funeral had

taken place on 22nd July which had been attended by several hundred mourners, including colleagues from work who had been deeply shocked and saddened by Gavin's untimely death.

The thoughts of the Council were with Gavin's family and girlfriend who also works for the Council. Members stood in silence as a mark of respect.

42. APOLOGIES FOR ABSENT MEMBERS

The Mayor, S Drummond and Councillors S Cook, Fenwick, Gibbon, Hargreaves, Hill, Lauderdale, Dr Morris and Turner.

43. DECLARATIONS OF INTEREST FROM MEMBERS

The following interests were declared by Members:-

Councillor Wallace – Non-prejudicial – Chairman of Primary Care Trust
Councillor Wallace – Agenda item 14 – Motion - Chairman of NHS Joint Committee – Prejudicial interest. Councillor Wallace advised he would be leaving the meeting during consideration of this item.
Councillor Wistow – Member Question 3 - Non Prejudicial – Chairman Centre Excellence, Connected Care
Councillor Hall – Governor of NHS Foundation Trust

The Chairman welcomed Councillor Kaiser to the meeting. Councillor Kaiser had been unable by reason of his ill health to attend meetings for some time.

44. BUSINESS REQUIRED BY STATUTE TO BE DONE BEFORE ANY OTHER BUSINESS

None

45. PUBLIC QUESTION

None

46. MINUTES OF PROCEEDINGS

The Minutes of Proceedings of the Council held on the 19th June 2008, having been laid before the Council.

RESOLVED - That the minutes be confirmed.

The minutes were thereupon signed by the Chairman.

47. QUESTIONS FROM MEMBERS OF THE COUNCIL ON THE MINUTES OF THE PREVIOUS MEETING OF THE COUNCIL

With reference to minute 36 – Appointment of Independent Member to the Council's Standards Committee – Councillor G Lilley expressed concern that the minute did not accurately reflect the objection of the Labour Group to the appointment of Mr Fisher as an Independent Member upon the Council's Standards Committee.

Pursuant to minute 28(b)(i), the Chairman of the Health Scrutiny Forum advised Council that he was able to confirm that the Tees Valley Joint Health Scrutiny Forum had referred, to the Secretary of State, the proposed closure of the North East Ambulance Service NHS Trust Satellite Contact Centre in Ladgate Lane, Middlesbrough and its transfer to Monkton, South Tyneside. . Following a question from Councillor Wistow to the Chairman of the Scrutiny Forum if there was any further information on whether the consultation exercise undertaken by the Ambulance Trust had been appropriate, Cllr Brash advised that the Trust had failed its statutory obligation to consult the Emergency Planning Unit. It was agreed that it was appropriate, therefore, to update the information circulated to Members.

48. QUESTIONS FROM MEMBERS OF THE COUNCIL

- (a) Questions to Members of the Executive about recent decisions of the Executive

None

- (b) Questions to Members of the Executive and Chairs of Committees and Forums, for which Notice has been given

- (i) Question from Councillor Brash to Councillor R Cook, Chairman of Planning Committee

"Can the Chairman of the Planning Committee outline the procedures and protocols for consultation with the public in respect of individual planning applications?"

Councillor Cook responded to the question by highlighting that there is a requirement to publicise all planning applications. The framework is established by the Town and Country Planning (General Development Procedure) Order 1995 (GDO) and general guidance on how this should be applied is provided in Government Circular 15/92, Publicity for Planning Applications. The Council's Statement of Community Involvement summarises the arrangements that will apply in Hartlepool. The GDO makes provision for three basic types of publicity:

- (a) publishing a notice in a newspaper circulating in the locality;
- (b) posting a site notice, visible to the general public;
- (c) neighbour notification to occupiers and owners of adjoining properties.

A table at the end of the Circular sets out the statutory publicity requirements for different types of development. In most cases, local planning authorities can either post a site notice or carry out neighbour notification. For major developments an advert in a local newspaper and either a site notice or neighbour notification are required. In determining which the more appropriate method is, authorities should take account not only of their existing practice but also of the circumstances of the site.

The Circular suggests that neighbour notification may be the more appropriate method where interested parties are limited to those living in the immediate vicinity. In many cases, the development will only be of interest to close neighbours, whose main concern may be about a loss of light or privacy. It enables those who are unable to see a site notice, for example the housebound, to express their views. The Circular suggests also that site notices can be particularly effective where there is doubt about who interested parties are, perhaps because the ownership of adjoining land is uncertain, or because the siting or design of the development is likely to be of interest to more than immediate neighbours. They also allow information about the proposed development to be passed by word of mouth to a larger audience than might otherwise be possible.

Councillor Cook highlighted that the aim of the Council is to let as many people as possible, who may be affected by a development, know about it. Thus all of the methods of publicity are employed to varying degrees and more than the minimum requirement is regularly carried out. Major applications invariably are advertised by all three methods at the same time. Many minor applications are advertised by way of both neighbour letter and site notice. Using 2 applications immediately to hand officers had by way of example identified the publicity on two applications, one a major application the other a minor application to illustrate this:

i. The application for the new Lidl supermarket and housing on Jesmond Gardens which is to be considered at Planning Committee on 6 August has been publicised by way of a press advert, a site notice and 46 letters to the most directly affected neighbours,

ii. The minor application for a new column and cctv camera at the rear of 191 Burbank Street has been publicised by a site notice and letters to 36 nearby neighbours.

Clearly each case is different and officers make judgments with each application as to which neighbours to consult directly and where they think wider publicity by way of a site notice is needed. The principle of information being passed by word of mouth to a larger audience is assumed and experience suggests that this is generally very effective.

Councillor Cook responded to a supplementary question from Councillor Brash who asked if the Chairman agreed that there are instances where consultation has not gone far enough eg. Westbourne Road application? In responding the Chairman advised that he recognised that there would always be some incidences as it is impossible to satisfy everybody, all of the time. However, he was satisfied that Officers did a very effective job. He was prepared to refer a request made by Councillor Brash, that a review be undertaken of the

consultation with the public in respect of individual planning applications, to the next meeting of the Planning Committee.

(ii) Question from Simmons to Councillor Hall, Portfolio Holder for Adult's Services

"This week sees the formal opening of the Hartfields complex in Hartlepool. What do you see as the significance of this site for the future of provision in the fields of housing and adult social care?"

The Portfolio Holder started his response by predicting that prior to the next General Election there would not be any tax cuts. He believed that Adult Social Care would, however, be an issue. He considered Hartfields to be a prime example. The complex had been opened on the afternoon of the Council meeting and tribute was paid to the Partners involved. The complex comprises 242 units and was expected to be fully occupied by February 2009 with a mix of age range, health needs and tenure. The Portfolio Holder concluded that it is an innovative project which we are very fortunate to have in Hartlepool.

In response to a supplementary question regarding the contribution that the development would make to independent living in Hartlepool, the Portfolio Holder referred to the work of the Adult and Community Services Department in the shift to independent living. Hartlepool is a pilot site. The development also contributes significantly to achieving the 400 new housing units which are required each year. In terms of national recognition, the Portfolio Holder had recently attended a national conference where reference had been made to the work of the Joseph Rowntree Foundation and the work achieved in Hartlepool.

Whilst supporting the development, concerns were expressed regarding the possible implications on the viability of other retirement facilities/care homes in the town as a result of the opening of Hartfields. A number of Members expressed the view that the development would have a positive effect. Members were reminded also that the Adult and Community Services Scrutiny Forum was currently carrying out an enquiry into Care Homes to ensure a consistent standard was achieved.

(iii) Question from Councillor Wistow to Councillor Hall, Portfolio Holder for Adult's Services

"The recent announcement of the success of the bid to Government for a new development at Orwell Walk, Rift House, has once again shown that Hartlepool is able to compete well for available resources. What do you feel are the benefits of this project for the area and the town?"

Councillor Hall responded that a lot of the comments made in relation to the Hartfields complex related also to the development at Orwell Walk.. The bid had not been expected to be approved until the end of August. The quality of the bid and documentation had been good. It was highlighted that Orwell Walk was rooted in the centre of the community. This development gave, therefore, an excellent opportunity to uplift the area. The Portfolio Holder was keen to consult with ward members and residents to determine what they want. The

Portfolio Holder gave an assurance that it was not intended to 'ship undesirables in the area'. He was keen to advertise and consult in the proper way.

The following supplementary questions were asked:-

- (i) Can the Portfolio Holder also emphasise that it is an example of Housing Hartlepool seeking to modernise its stock and service for older people in area?
- (ii) The Portfolio Holder had mentioned that this is a scheme rooted in community. Would he agree therefore that if there are any doubts raised in relation to the desirability of the scheme, by making Connected Care at the centre of the scheme will help to convince local residents of the opportunities of being involved in the management of the scheme.

The Portfolio Holder responded to the supplementary questions by referring to the various deals which had ensured this service. It was highlighted that the development provided independence in the community. The services provided by the Health Centre and Connected Care were highlighted also. The Portfolio Holder agreed with the second supplementary question and explained that that was why it was necessary to involve residents in details such as parking, in order to provide excellent services to residents of estates as well as residents of Hartfields and Orwell Walk.

(iv) Question from Councillor R Cook to Councillor Jackson, Portfolio Holder for Neighbourhoods and Communities.

"Can the Portfolio Holder update the Council on the current situation surrounding the numbers 1, 6 and 7 bus services?"

The Portfolio Holder reminded Council that the question referred to the intentions of Stagecoach to withdraw elements of the current services 1, 6, 7 and 7a. On 16th June, the Council had received in writing confirmation that Stagecoach was to withdraw their services 1, 6, 7 and 7a due to lack of patronage. Following a meeting with Robin Knight and the Council's elected Members on 24th June, Mr Knight had written to the Council with an explanation that Stagecoach had looked at the different suggestions on cutting costs on these routes made by Members at the meeting and the figures still 'did not stack up'. It had been stated that on average 10 passengers per bus used the No. 1 service, 11 per bus used the No. 7/7a service and 17 passengers per bus used the No. 6 service during the hours proposed for the withdrawal of these services. On 27th June, Stagecoach had written to the Traffic Commissioner formally giving the 56 days statutory notice to withdraw the services. The services would cease, therefore, on 23rd August. There was, however, a difference from what the Council had thought following the meeting with Mr Knight and what was on the application to the Traffic Commissioner; the No. 1 service would be withdrawn from 6.30pm on every evening of the week and all day on Sundays.

There was a report to be considered at the Cabinet meeting on 4th August when Cabinet would be asked to decide whether to support all, some or none of the services being withdrawn. If Cabinet agreed to support the services, there would be a 30% increase in payment to Stagecoach for supported bus services.

A supplementary question from Councillor Cook sought the Portfolio Holder's view on whether the kind of behaviour adopted by Stagecoach warranted re-regulation of bus services in Hartlepool. In response, Councillor Jackson advised that there was a Bill being considered by Parliament which would give the Council more powers when dealing with bus operators. Officers would be considering how best to use those powers and were doing a fantastic job in trying to resolve this situation.

During the debate which followed, reference was made to the meeting held with Mr Knight and concerns were expressed by a number of Members regarding the effect of de-regulation. The view was expressed that it was necessary for the Council to determine the proportion of 'concessionary fares' used on the services affected and the amount spent by the Council on transport, that possible partnerships with other public bodies be explored together with alternative methods of transport. Details of the implications of the Bill were sought also. It was agreed that a cross-party Working Group be established to consider the issues raised. The Portfolio Holder agreed to set up a Working Group, highlighted the work already being carried out by the Integrated Transport Unit and Officers and noted that information was already available which could be used as by the Working Group including the enquiry carried out by the Neighbourhood Services Scrutiny Forum.

(v) Question from Councillor Simmons to Councillor Tumilty, Portfolio Holder for Culture, Leisure and Tourism

"Can the Portfolio Holder explain what steps he is taking to promote multiculturalism here in Hartlepool?"

The Portfolio Holder responded that the Council's Equality and Diversity Scheme which had been adopted by the Cabinet was committed to promote a community and organisational culture that fully respected and valued the diverse differences and needs. The Council promotes equal opportunities and encourages good race and community relations. The Corporate Access Strategy had been approved by the Performance Portfolio Holder and was a working document. Whilst the Strategy is co-ordinated by the Authority's Diversity Officer it was incumbent upon all service areas to ensure that their services are accessible to all. It was highlighted that Diversity and Social Inclusion is at the very core of the work carried out by the Council. The Council is fully committed to the corporate process on Impact Needs Requirement Assessments.

A monitoring system was being developed to ensure those who access our services are representative of the population of Hartlepool. The Department of Adult and Community Services had adopted the corporate approach to

translation and interpretation services and would provide information in a range of formats including Braille and on video upon request.

Sports and Leisure were developing the range and availability of sport and recreation services specifically targeted at older people, and people who are members of the BME communities. One outcome of this has been the introduction of an exercise session for BME women referred to the service by GPs. An Asian Football team was set up for men who work all hours in their businesses and exercise at the time that is suitable to them.

The Library service provides a number of services designed to promote inclusion including a range of books and magazines in different languages. The Library Service has worked with New Deal for Communities to deliver the 'Connecting Cultures' programme. The first phase of the project has been delivered with good attendances and contributions from the Polish, Pilipino, Pakistani and Bangladeshi communities.

The Museum and Heritage section work to promote their services and encourage a wide take up of activities. The section is leading on the Taste of Africa activities planned for 2008. The organisers of A Taste of Africa, 'Cultures', will be delivering dance and music workshops in Hartlepool. The activities will be taking place in a number of locations across the town including schools. The aim of the activities is to raise awareness of and explore different cultures and identities. The first meeting with Children's services to plan activities will take place in August.

Strategic Arts and Events have held a number of events and initiatives aimed at raising awareness of cultural diversity. These have included 'Across the Sea to New Horizons', a mini festival of events to celebrate the 200th anniversary of the abolition of Transatlantic slavery; a sequence of workshops with a concluding performance of the traditional South Asian sacred dance from Kathakali at High Tunstall College of Technology.

In addition the recent Maritime Festival included a World Music programme catering for a very wide taste in music and helping to expand horizons. The Portfolio Holder advised that this was just a small example of the way in which multiculturalism is being promoted through the services that he is responsible for. He suggested that Councillor Simmons obtain a copy of the Equality and Diversity Scheme and the Corporate Access Strategy which are both published on the Council's website.

Councillor Simmons thanked the Portfolio Holder for his response and asked a supplementary question regarding the measures to be taken to celebrate differences in terms of the Tall Ships event. The Portfolio Holder responded by advising that he was working alongside the Mayor, who had responsibility for Tall Ships, and would take a full part in the corporate decision making.

The Portfolio Holder concluded by advising that if Councillor Simmons had asked him personally he would have given him information. He advised the Council of what multiculturalism means to him personally and referred to his attendance at a Multicultural centre in Southampton which was open to all

groups and faiths as a multicultural community centre. The Portfolio Holder referred also to the different nationalities of his friends and neighbours and highlighted that the Grange ward was in need of a multicultural centre and he would do all he could to assist.

Following the Portfolio Holder's response, Councillor Simmons explained the purpose of his question and the rights of Members to ask questions of Chairs and Portfolio Holders were defended.

- (c) Questions to the appropriate Members on Police and Fire Authority issues, for which notice has been given.

None

49. BUSINESS REQUIRED BY STATUTE

None

50. ANNOUNCEMENTS

The following announcements were made by the Chairman:-

- (i) It was with regret that it was reported that ex Councillor John Lynch was seriously ill. A card was available for Members to sign.
- (ii) The Mayor was not at the Council meeting as the birth of his baby was due.

51. TO DISPOSE OF BUSINESS (IF ANY) REMAINING FROM THE LAST MEETING AND TO RECEIVE THE REPORT OF ANY SCRUTINY FORUM OR OTHER COMMITTEE TO WHICH SUCH BUSINESS WAS REFERRED FOR CONSIDERATION.

None

52. TO RECEIVE REPORTS FROM THE COUNCIL'S COMMITTEES AND WORKING GROUPS

- (i) Report of Constitution Committee

Councillor James, Vice-Chairman of the Constitution Committee, presented a report which sought approval of proposed amendments to the Constitution in terms of the following:-

- Proposed changes to the Policy Framework – Part 2 – Articles
- Council Procedure Rules – Questions to Members – Paragraph 11.2, Part 4

RESOLVED – That the amendments be noted and stand adjourned without discussion until the next Ordinary meeting of Council.

53. TO CONSIDER ANY OTHER BUSINESS SPECIFIED IN THE SUMMONS OF THE MEETING

None

54. REPORT FROM THE EXECUTIVE

(a) Proposals in relation to the Council's budget and policy framework

(i) Corporate Plan 2008/09

The Finance Portfolio Holder presented, on behalf of the Performance Management Portfolio Holder, the Corporate Plan 2008/09 for approval. Parts 1 and 2 of the Plan were appended to the report.

The report set out the aims of the Corporate Plan, its background and reasons for its importance. The Plan had been developed alongside the Local Area Agreement, negotiations for which have recently been concluded with Government Office North East. The Local Area Agreement had been agreed by Council on 29 May 2008. The Plan identified those specific activities to be undertaken to deliver outcomes with the key actions and performance Indicators that will be used to help measure progress.

It was noted that preparation of the Corporate Plan for 2008/9 commenced in November 2007, in line with previous years, allowing Scrutiny to input their views and influence the plan while it was still in its early stages of development. Cabinet had considered the Plan on 7 January, 18 February, 28 April, 27 May and 21 July 2008, and Scrutiny Coordinating Committee had considered the Plan on 18 January, 14 March, 30 May and 4 July 2008. In addition the Service Scrutiny Forums were given an opportunity to comment on draft proposals at meetings between 22 February and 4 March.

Following presentation of the report, information was requested from the Executive in relation to its achievements in the last 12 months and its targets for next 12 months in terms of addressing the 'growing gap' in life expectancy in Hartlepool and the rest of the country.

RESOLVED – That the Corporate Plan 2008/09 be approved for publication.

(ii) Community Strategy

The Finance Portfolio Holder presented, on behalf of the Mayor, the Community Strategy for Council approval. A copy of the final Strategy was appended to the report. It was reported that the Council has a statutory duty to prepare a Community Strategy, in consultation with partners and the Local Strategic Partnership.

The role of the Community Strategy is to set out a strategic long term vision for an area. In doing this, it should consider how difficult cross cutting issues such

as the economic wellbeing of an area, social exclusion and climate change can be tackled. The Local Area Agreement, agreed by Members in May 2008, is the delivery plan for the Community Strategy. The Corporate Plan sets out how Hartlepool Borough Council will help to deliver the Community Strategy.

The Community Strategy Review had taken place over 2 years and provided a range of opportunities for elected members, residents, community groups and public sector organisations to take part. The 3rd draft was considered by Scrutiny Coordinating Committee in March 2008. Section 7 of the Report provided a response to comments made by Scrutiny Coordinating Committee.

Following presentation of the report, concern was expressed that the Strategy did not reflect the urgency which addressing the health situation in Hartlepool deserved. Concern was expressed also in relation to language, describing community empowerment, used in the document.

RESOLVED – That the Community Strategy be approved.

(b) Proposal for Departure from the Budget and Policy Framework

None

COUNCILLOR WALLACE LEFT THE MEETING DURING CONSIDERATION OF THE FOLLOWING ITEM IN ACCORDANCE WITH THE INTEREST HE HAD DECLARED AT THE COMMENCEMENT OF THE MEETING.

55. MOTIONS ON NOTICE

Motion Moved and Seconded:-

‘That this Council resolves to join the Labour Group in fully supporting the Momentum: Pathways to Healthcare project, which will lead to the development of a radically improved healthcare system comprising new community based services and a modern, world class Hospital. A total investment approaching £0.5billion.

Furthermore that this Council joins the Labour Group in its demands throughout the process for:

- A greater focus on, and close consultation to find a proper solution to, transport issues;
- An undertaking to make car parking free at the new hospital;
- Greater clarity on the services that will be provided in our communities;
- Greater protections and support for NHS staff throughout these changes;
- A commitment to tackling the health inequalities of the town and in the region
- A demand that the NHS remains free at the point of need;
- That the new Hospital will be funded publicly so as not to place our local NHS into debt for the years ahead.’

Signed:
J Brash
R W Cook
S Griffin
C Simmons
C Richardson
M A James

Whilst some concerns were expressed regarding the implications of supporting the Motion and its principles, support was expressed by a number of Members particularly in respect of the specific items listed in the Motion.

It was moved and seconded that a recorded vote be taken:

The taking of a recorded vote was agreed.

Motion put –

That the Motion be approved and adopted.

Those in favour of the motion:

Councillors Aiken, Akers-Belcher, Atkinson, Barker, Brash, R W Cook, Coward, Cranney, Fleet, Fleming, Flintoff, Griffin, Hall, Jackson, James, Johnson, Laffey, London, McKenna, A Marshall, Payne, Preece, Richardson, Shaw, Simmons, Wistow, Worthy, Wright and Young.

Those against the motion – None.

Those who abstained – Councillors Allison, A Lilley and G Lilley

Motion Carried.

56. ADULT SOCIAL CARE COMPLAINTS REVIEW PANEL

The Chief Executive reported that it was necessary to review the membership of the Adult Social Care Complaints Review Panel. The 3 year term of office for existing Elected Members, who served as Panel Members, had recently expired. Under the Health and Social Care (Community Health and Standards) Act 2003 and the Local Authorities' Social Services Complaints (England) Regulations 2006, the Council maintains in relation to its adult social care functions, a 3 stage complaints procedure which is conducted in accordance with statutory regulations and guidance.

The purpose of a Complaints Review Panel is designed to consider whether the Council adequately dealt with the complaint in the Stage 2 investigation. The Review Panel should not reinvestigate the complaint, nor should it consider any subsequent new complaints that have not first been considered at Stage 2.

It was highlighted that before serving on a Complaints Review Panel, Members must first complete a training session. Expressions of interest were sought for a total of 6 Elected Members to be appointed to serve on Adult Social Care Complaint Review Panels for a 3 year term of office.

RESOLVED – That the following Members be appointed to serve on the Adult Social Care Complaint Review Panels for a three year term of office:-

Councillors Hall, Sutheran, Griffin, Shaw, Barker and Young

57. MOTION – WEST LOTHIAN COUNCIL

The Chief Executive reported that West Lothian Council, at its meeting on 24th June 2008, had agreed the terms of a motion which stated the following:-

“West Lothian Council expresses its extreme concerns at the rocketing petrol and diesel prices which are forcing individuals to pay sky high prices at the pumps and forcing public services and industry to finance escalating costs.

Council notes that without UK taxes petrol would be currently 41.2p a litre and diesel 48.8p a litre.

Council further notes that the Energy Trends and Prices statistics, produced by the Department for Business, Industry and Regulatory Reform reveals that the UK's taxation of petrol is the third highest out of all EU member states.

Council further notes that the UK treasury is netting substantially increasing Fuel Duty and VAT revenues as a direct result of the increasing fuel prices.

In light of all of the above West Lothian Council calls on the current Labour Westminster Government to act decisively to protect the interests of families, public services and industry by immediately introducing a Fuel Duty Regulator which will use the increasing revenues from VAT to reduce Fuel Duty and so the price per litre of petrol and diesel.

Council resolves to circulate this motion to all UK local authorities, to all West Lothian's MPs and to all Lothian MSPs seeking their support for the above action”.

It was noted that West Lothian Council was seeking this authority's support on these matters.

The Leader of the Labour Group advised that the Motion was not supported by the Labour Group as it had no regard to the consequences. It was highlighted that revenue for the Government was falling.

RESOLVED – That the Chairman of the Council write to West Lothian Council suggesting that a windfall tax would be a better way of regulating prices.

58. RESIGNATION FROM POLITICAL GROUP

The Chief Executive had been informed that Councillor Plant had resigned from the Administrative Group. Councillor Plant had not indicated her intention to join an alternative political group.

RESOLVED – That the report be noted.

59. NEIGHBOURHOOD SERVICES SCRUTINY FORUM–RESIGNATION

The Chief Executive had been informed that Councillor Gibbon had resigned from membership of the Neighbourhood Services Scrutiny Forum.

RESOLVED – That Councillor Fleming replace Councillor Gibbon on the Neighbourhood Services Scrutiny Forum.

60. LOCAL GOVERNMENT ACT 1972 S.85 – NON-ATTENDANCE OF MEMBER

The above item was withdrawn due to Councillor Kaiser being in attendance at the meeting.

The meeting concluded at 9:26pm

C RICHARDSON

CHAIRMAN



CLEVELAND FIRE AUTHORITY

MINUTES OF ANNUAL MEETING HELD ON

FRIDAY, 6 JUNE 2008

PRESENT:	HARTLEPOOL BOROUGH COUNCIL: Councillors Cook, Payne, Fleming
	MIDDLESBROUGH COUNCIL:- Councillors Clark, Ismail, Porley, Williams
	REDCAR AND CLEVELAND BOROUGH COUNCIL:- Councillors Briggs, Dunning, Forster, Ovens
	STOCKTON ON TEES BOROUGH COUNCIL:- Councillors Beall, Dixon, O'Donnell, Stoker, Woodhead
	PROPER OFFICERS:- Clerk, Legal Adviser, Treasurer, Deputy Clerk
	FIRE BRIGADE OFFICERS:- John Doyle, Ian Hayton, Karen Winter
	AUDIT COMMISSION:- Caroline Tyrell
APOLOGIES FOR ABSENCE	Councillor Jones, Rogers (Middlesbrough) Councillor Cooney (Redcar & Cleveland) Councillor Wright (Hartlepool) Councillor Salt (Stockton)

1. APPOINTMENT OF CHAIR

The Clerk sought nominations for the position of Chairman of Cleveland Fire Authority for 2008/09 and 2009/10. Councillor Peter Porley was subsequently proposed and seconded whereupon nominations were closed.

RESOLVED - that Councillor Peter Porley be appointed as Chairman of Cleveland Fire Authority for 2008/09 and 2009/10.

Councillor Peter Porley in the Chair.

The Chairman thanked Members for their nominations and stated he was looking forward to continuing working with Members and Officers on the challenges facing the Authority over the coming two year period. He added he looked forward to working with all members throughout the coming year on our journey to excellence. Councillor Porley wished to place on record the Authority's thanks to Councillors Gordon Henery, John Marshall and Paul Kirton, and especially to Councillor Hazel Pearson for the outstanding contribution, commitment and support she had given over the years. The Chairman also welcomed Councillors Tim Fleming and Edna Wright from Hartlepool, George Rogers from Middlesbrough and Jim Beall from Stockton to the Authority.

On behalf of the Cleveland Fire Authority, the Chairman made a presentation to Councillor Forster in recognition of her period as Chairman. Councillor Forster thanked Members, Officers and staff for the support given to her during her period of office, adding it had been a pleasure and privilege to be the Chairman of the Cleveland Fire Authority. Councillor Forster stated she was proud of the achievements made during her term of office, while

recognizing that there were hard decisions to be made in the future due to the financial situation the Authority now faced. Councillor Foster extended her support and best wishes to Councillor Porley as the new Chairman.

2. DECLARATIONS OF MEMBERS INTEREST

It was noted no declarations of interest were submitted to the meeting.

3. APPOINTMENT OF VICE CHAIR

The Chairman sought nominations for the position of Vice Chair to Cleveland Fire Authority for 2008/09 and 2009/10. It was subsequently proposed and seconded that Councillor Jean O'Donnell be appointed Vice Chair of Cleveland Fire Authority.

RESOLVED – that Councillor O'Donnell be appointed Vice Chair of Cleveland Fire Authority for 2008/09 and 2009/10.

4. MINUTES OF CLEVELAND FIRE AUTHORITY MEETING HELD 28 MARCH 2008

RESOLVED – that the Minutes of the Cleveland Fire Authority Meeting held on the 28 March 2008 be confirmed.

5. MINUTES OF COMMITTEES

The Chief Fire Officer stated he wished to place on record his professional and personal gratitude to the Chairman and Vice Chairman of the Authority, Vera Baird, Solicitor General QC MP, Ian Wright MP, and Frank Cook MP, who together with the Executive Director and himself, had attended a meeting with the Fire Minister to discuss this situation. He also wished to thank the many stakeholders, especially in industry, for the support they have given to the Authority in its attempt to resolve its financial situation. The Chief Fire Officer reported that the reality was that £2m was being taken out of the budget which would have an effect on the community front line services provided by the Brigade.

The Executive Director outlined the outcome of the meeting to members and referred to a draft response to the Minister which had been circulated for members comments. The Chief Fire Officer drew members attention to the statement that the Authority would, if a critical event occurred, advise the wider community that the responsibility rested with the Fire Minister and his Government.

All Members unanimously supported the letter and requested that an open invitation be extended to the Fire Minister to visit the area and that the support of the local authorities be included within the letter. It was also agreed that a press release be sent informing the public of the Authority's position. Councillor Dunning queried if redundancies were being considered and the Chief Fire Officer advised that a business case had been requested by members on the outline proposals put to them, but they were working on the assumption no redundancies would be made. The Executive Director reported it was envisaged 50 Firefighters would be retiring this year, however they would not be in a position to consider the business case to look towards reduction of staff until the end of the year, as there was a defined process which it had been agreed would be undertaken which included consultation with the Trade Unions.

A discussion took place as to whether the letter should conclude the dialogue with the Fire Minister.

RESOLVED –

- (i) that the minutes of the Executive Committee held on 28 March 2008, 9 May 2008, Tenders Committees held on 14 March 2008, 25 April 2008 and 9 May 2008, and Standards Committee held on 29 April 2008 be confirmed
- (ii) that the letter shared with the meeting be sent to the Fire Minister with the addition that an open invitation to visit the area be extended, this letter to be signed by cross party MPs, Chairmen and Mayors/Leaders of the 4 Authorities

6. REPORTS OF THE AUDIT COMMISSION

The Chairman welcomed Caroline Tyrrell from the Audit Commission to the meeting. Caroline advised that during 2008/09 the role of Relationship Manager would be replaced by the post of Comprehensive Area Assessment Lead (CAAL). It was anticipated this appointment would be confirmed and the person in post within the next two months. The CAAL will provide the focal point for the Audit Commission's work in our area, lead the CAA process, and ensure that the combined inspection programme across all inspectorates is tailored to the level and nature of risk for the area and its constituent public bodies.

6.1 AUDIT & INSPECTION PLAN 2008/09

Ms Tyrrell outlined the key elements of the plan which set out the audit and inspection work to be undertaken for the 2008/09 financial year. She added as the audit for 2007/08 was not yet completed, the audit planning process for 2007/08, including the assessment of risk, will continue as the year progresses. The plan will be kept under review and updated as necessary. Caroline referred to Appendix 3 which identified areas where they would be undertaking work, drawing particular attention to Equality and Diversity and User Focus. Caroline referred to the many positives identified during the recent CPA review when the Authority had improved its rating. The risks identified were not major pieces of work and the actions taken would be reviewed to address the issues raised in the CPA report. The Authority had received a high rating under Use of Resources and Assessment.

The Executive Director sought clarification on the rise in the audit fee from £53,100 to £66,000. Caroline advised the bulk of the increase was around the work to be undertaken on Data Quality for 2008/09, and a small increase on the Financial Statements which fed from the cost of the Regional Control room and the new arrangements which may impact on the accounts.

RESOLVED – that the report be noted.

7. REPORTS OF THE CLERK TO THE AUTHORITY

7.1 BUSINESS REPORT

The Clerk submitted a report detailing the revised schedule of Authority meetings, role of CFA Members and Committee structure for 2008/09 and sought Member representatives onto outside bodies.

RESOLVED -

- (a) That the revised schedule of Meetings and Committees of the Authority at Appendix A be approved.
- (b) That the Role of CFA Members as outlined at Appendix B be approved.
- (c) That the Cleveland Fire Authority Meeting and Committee structure, terms of reference and membership as defined in Appendices C - E be approved.
- (d) that the Committees as detailed in Appendix F to the report be constituted with the Membership as indicated below:

POLICY COMMITTEE (4 -1 -1 -1)

HARTLEPOOL BOROUGH COUNCIL:-	Councillor	Payne
MIDDLESBROUGH BOROUGH COUNCIL:-	Councillors	Porley, Williams
REDCAR & CLEVELAND BOROUGH COUNCIL:-	Councillor	Forster
STOCKTON ON TEES BOROUGH COUNCIL:-	Councillors	Dixon, O'Donnell, Woodhead

EXECUTIVE COMMITTEE (4:1:1:1)

Membership the same as the Policy Committee

TENDERS COMMITTEE (2:1)

Chair or Vice Chair	Councillor	Porley
Vice Chair or 1 majority member	Councillor	O'Donnell
Minority member	Councillor	Woodhead

STANDARDS COMMITTEE (2:1:1) plus 3 independent persons

Majority Member:-	Councillors	Briggs, Clark
Minority Member:-	Councillor	Ovens
Minority Member:-	Councillor	Rogers

OVERVIEW & SCRUTINY COMMITTEE (4:1:1:1)

MIDDLESBROUGH BOROUGH COUNCIL:-	Councillor	Jones
REDCAR & CLEVELAND BOROUGH COUNCIL:-	Councillors	Cooney, Dunning, Fitzpatrick
STOCKTON ON TEES BOROUGH COUNCIL:-	Councillors	Beall, Roberts, Stoker

AUDIT & GOVERNANCE COMMITTEE (4:1:1:1)

HARTLEPOOL BOROUGH COUNCIL	Councillors	Cook, Fleming
MIDDLESBROUGH BOROUGH COUNCIL:-	Councillor	Ismail
REDCAR & CLEVELAND BOROUGH COUNCIL:-	Councillors	Briggs, Ovens
STOCKTON ON TEES BOROUGH COUNCIL	Councillors	Salt, Stoker

APPEALS COMMITTEE (4:1:1:1)

MIDDLESBROUGH BOROUGH COUNCIL	Councillors	Ismail, Jones, Rogers
REDCAR & CLEVELAND BOROUGH COUNCIL	Councillors	Briggs, Fitzpatrick
STOCKTON ON TEES BOROUGH COUNCIL	Councillors	Roberts, Salt

JOINT CONSULTATIVE COMMITTEE (4:1:1:1)

HARTLEPOOL BOROUGH COUNCIL	Councillors	Cook, Wright
MIDDLESBROUGH BOROUGH COUNCIL	Councillor	Porley
REDCAR & CLEVELAND BOROUGH COUNCIL	Councillors	Fitzpatrick, Forster
STOCKTON ON TEES BOROUGH COUNCIL	Councillors	O'Donnell, Salt

MEMBER DEVELOPMENT GROUP (4:1:1:1)

HARTLEPOOL BOROUGH COUNCIL	Councillors	Fleming, Payne
MIDDLESBROUGH BOROUGH COUNCIL	Councillors	Porley, Rogers
REDCAR & CLEVELAND BOROUGH COUNCIL	Councillor	Forster
STOCKTON ON TEES BOROUGH COUNCIL	Councillors	O'Donnell, Roberts

(e) that the Member Champions for the ensuing year, outlined at Appendix G are as follows.

- (i) that Councillor Ismail be appointed the Equality and Diversity Champion
- (ii) that Councillor Forster be appointed the Environmental Footprint Champion

- (iii) that Councillor Dunning be appointed the Asset Management Champion
- (iv) that Councillor Payne be appointed the Business/Corporate Risk Champion
- (v) that Councillor Payne be appointed the Hartlepool Community Leadership Champion
- (vi) that Councillor Clark be appointed the Middlesbrough Community Leadership Champion
- (vii) that Councillor Forster be appointed the Redcar & Cleveland Community Leadership Champion
- (viii) that Councillor Stoker be appointed the Stockton Community Leadership Champion

- (f) That the nominations for the ensuing year for representatives and substitutes to outside bodies as outlined at Appendix H be as follows:-
 - (i) that Councillor Porley be appointed as the LGA representative for the ensuing year and Councillors O'Donnell and Forster be the named substitutes.
 - (ii) that Councillors Forster, Porley, Cooney and Williams be appointed as the RMB representatives for the ensuing year and that Councillors Briggs, Dunning, Woodhead and Ovens be the named substitutes for the RMB for the ensuing year.
 - (iii) that Councillor Cook be appointed on the Safer Hartlepool Partnership, Councillor Jones be appointed to the Safer Middlesbrough Partnership, Councillor Briggs be appointed to the Redcar Community Safety Partnership, Councillor Stoker be appointed to the Safer Stockton Partnership.
 - (iv) that Councillor Payne be appointed to the Hartlepool Local Strategic Partnership Board with Councillor Cook as the named substitute; Councillor Jones be appointed as substitute to the District Manager on the Middlesbrough Strategic Partnership Board; Councillor Briggs be appointed as substitute for the District Manager on the Redcar & Cleveland Strategic Partnership Board; Councillor O'Donnell act as substitute for the Stockton District Manager on the Stockton Strategic Partnership Board for the ensuing year.

- (g) That the CFA Governance Arrangements Delegation Scheme as outlined at Appendix I be approved.
- (h) That Members approve the amended Financial Procedure Rules at outlined at Appendix J
- (i) That Members approve the Standing Orders and Contract Procedure Rules as outlined at Appendix K.
- (j) That Members endorse and comply with the Authority's Code of Conduct for Members, Standards and Partners Policy and Anti-Fraud and Anti-Corruption Policy as outlined at Appendices M,N and O.
- (k) That the Partnership representatives continue to meet quarterly and report to the full CFA annually on their achievements and future activities.
- (l) That the 2 yearly rotation of the Chair and Vice Chair continue. It should be noted that this arrangement cannot be binding on future Fire Authorities
- (m) That the Chairman and Chief Fire Officer hold regular informal briefings on a regular basis.
- (n) That Members views on how they wish to visit Fire Stations throughout the year be discussed at a future meeting.
- (o) That a Member of a Non Controlling Group continue to be nominated as Chair of the Overview and Scrutiny Committee.

- (p) That the membership for Executive and Policy Committees continue to remain the same and that they do not form part of the Audit and Governance or Overview and Scrutiny Committees membership.
- (q) That Executive/ Policy Committee Members are not appointed to the Appeals Committee.
- (r) That informal briefing meetings continue to be held for all Authority Members prior to the bi-monthly Cleveland Fire Authority Meetings.
- (s) That Members endorse the existing Authority Policies as displayed on the Authority's website - www.clevelandfire.gov.uk.

7.2 FIRE IMPROVEMENT GROUP MEMBERSHIP

On the 25 November 2005 Members resolved the formation of an improvement partnership with Merseyside and Staffordshire Fire Authorities. This partnership has proved to be to the mutual benefit of all three parties. Members discussed representation on the Fire Authority Improvement Group and it was proposed and seconded that the Chairman, Councillors Forster, Stoker, Payne, Cooney and Williams be the representatives.

RESOLVED – that the Fire Improvement Group membership for 2008/09 be the Chairman, Councillors Cooney, Forster, Payne, Stoker and Williams.

7.3 MEMBER DEVELOPMENT PROGRAMME 2008/09

At the Cleveland Fire Authority meeting held on the 28 March 2008, Members approved the Member Development Programme 2008/2009. The Clerk advised Members approval was now sought for the full programme as presented to the meeting, and requested that Members retain this document for insertion into their Members Handbook.

RESOLVED – that the Member Development Programme for 2008/09 be approved.

7.4 SAFER PARTNERSHIP ANNUAL REPORT

The Deputy Clerk informed Members this report updated Members on the work undertaken within the four local Councils Safer Partnerships by Members of the Fire Authority who sat on the Local Safer Partnership Forums and Boards, and showed the work undertaken in each District.

RESOLVED – that the report be noted.

7.5 EXTENSION OF TEMPORARY APPOINTMENT OF MONITORING OFFICER

The Clerk informed Members that Mr J A Brown, the Cleveland Fire Authority Legal Adviser and Monitoring Officer, retired as Chief Solicitor of Hartlepool Borough Council on the 31 March 2008, at which time Mr Peter Devlin was appointed on a temporary basis as Monitoring Officer to comply with s5 of the Local Government and Housing Act 1989. Hartlepool Borough Council had now appointed Mr Devlin as Chief Solicitor. The Clerk stated the Executive Committee of the Authority would need to meet to make a decision regarding the appointment of the Monitoring Officer, and asked Members to approve the extension of the temporary appointment of Mr Peter Devlin until such time as the Executive Committee make an appointment.

RESOLVED – that the extension of the temporary appointment of Mr Peter Devlin as Monitoring Officer to the Cleveland Fire Authority be approved until the Executive Co

7.6 MEMBER INDUCTION PROGRAMME 06 AND 13 JUNE 2008

The Deputy Clerk reported that new members had been invited to attend an Induction prior to the meeting. A further induction/development seminar had been scheduled to take place on the 13 June 2008 at Fire Brigade Headquarters for new Members and to include any Members who wish to update and refresh their development and background knowledge. Unfortunately due to Member holidays and other commitments the seminar on the 13 June 2008 would need to be postponed, and an alternative date arranged after consultation with Members.

RESOLVED – that the Induction programme be approved and adopted, and a further seminar be scheduled after consultation with Members

7.7 WORLD FIREFIGHTER GAMES 24-25 AUGUST AND 1-2 SEPTEMBER 2008

The Clerk reported that during her period as Chair of the Cleveland Fire Authority, Councillor Forster had been very involved in the preparatory work leading up to the Games, and asked that Members consider the attendance of Councillor Forster at this event on the 24 and 25 August and the 1 and 2 September 2008.

The Chief Fire Officer informed the meeting that he wished to table a report to the CFA meeting on the 25 July 2008 regarding the support which could be given by the CFA and those associated with it to the event.

RESOLVED – that Members approved Councillor Forster's attendance at the Merseyside Fire and Rescue Service World Firefighter Games to be held on the 24 and 25 August 2008 and the 1 and 2 September 2008.

7.8 CLERK'S INFORMATION PACK

- 7.8.1 Executive Committee Meeting 9 May 2008
- 7.8.2 Chairman attending the 'Making the Difference – Equality, Diversity & the Fire and Rescue Service Conference' 28 May 2008
- 7.8.3 Audit Commission's Corporate Assessment draft report

RESOLVED - that the report be noted.

8. REPORT OF THE EXECUTIVE DIRECTOR

8.1 Annual Report (incl Best Value Performance Plan) 2007/2008

The Executive Director advised this draft report had been formulated to comply with the requirements of the Audit Commission. This was the Authority's third Annual Report which incorporated the Best Value Performance Plan outturn figures for 2007/2008. The Executive Director asked Members to consider this draft report and forward any views they have to the Deputy Clerk by the 14 June 2008. The Executive Director also requested that Members consider delegating powers to the Executive Committee to be held on the 27 June 2008 to approve this Annual Report.

RESOLVED:

- (i) **that Members views on the the draft Annual Report be forwarded to the Deputy Clerk by the 14 June 2008.**
- (ii) **that the Executive Committee be granted delegated powers to approve the Annual Report 2007/2008 (including the Best Value Performance Plan) at their meeting scheduled to take place on the 27 June 2008**

8.2 Information Pack June 2008

- 8.2.1 Fire and Rescue Circulars FRS/5/2008 to FRS/21/2008
- 8.2.2 Community Awards
- 8.2.3 Changes to Power Under Regulation of Investigatory Powers Act 2000 (FRS 14/2008)
- 8.2.4 Equality Impact Assessment Policy
- 8.2.5 RIPA Policy and Procedure
- 8.2.6 Information Security Policy
- 8.2.7 Regional Management Board Papers

RESOLVED: that the reports be noted

9. REPORT OF THE CHAIR OF PERFORMANCE SCRUTINY

The Chair of the Performance Scrutiny Committee reported to Members that at the meeting held on the 16 May 2008 the following reports were scrutinised by Members and were for Members information:

- (a) **Annual Governance Statement 2007/2008 (Previously the Statement of Internal Control)**
- (b) **Internal Audit Outturn Report 2007/2008**

RESOLVED - that the reports be noted

10. REPORTS OF THE CHAIR OF SCRUTINY SERVICE DELIVERY

10.1 Provision of Legal Services

In the absence of the Chair, the Executive Director spoke to this report. He advised that part of the work of the Scrutiny Service Delivery Committee was to look at services provided to the Authority. Regarding legal services, the Scrutiny Service Delivery Committee had received an update on the legal and related services provided to the Authority under a Service Level Agreement (SLA) with the Legal Services Division of Hartlepool Borough Council. The Executive Director advised that both Members and Officers were satisfied with the service provided, whilst recognizing that an evaluation and review of all legal services was required. Members were therefore asked to consider extending the existing SLA with Hartlepool Borough Council until 31 March 2011 pending an evaluation and review of all legal services during 2009/10.

RESOLVED: that the existing Service Level Agreement with Hartlepool Borough Council for the provision of legal services be extended until 31 March 2011 pending an evaluation and review of all legal services during 2009/10

10.2 Provision of Personal Protection Equipment (PPE), Uniforms and Corporate Wear – Progress Report

The Executive Director advised Members there were currently two contracts running for the purchase and supply of PPE, Uniforms and Corporate Wear. Yorkshire Purchasing Organisation currently has a contract with Bristol Uniform for the purchase and supply of tunics and overtrousers, this contract is due to expire on the 31 March 2009, the remainder of PPE and uniform being under contract with the North East Purchasing Organisation (NEPO). The PPE contract expires on the 31 July 2008 and the uniform contract has been extended until 31 July 2009.

The Executive Director advised the Integrated Clothing Project (ICP) commenced in January 2003, and incorporated the Partner Brigades Group and the Uniform Task Group. The aim of the ICP was to improve the identity and purchasing power of the Fire Service through collaboration, but they are still not in a position to deliver this service. The scope of the ICP fell within the remit of the Office of the Deputy Prime Minister's National Procurement Strategy 2005/2008 for the Fire and Rescue Service. Research identified a need for national standards and specifications and a more efficient central procurement strategy in local government. Firebuy, a national procurement body, had been established and was responsible for putting together the specification for clothing and PPE and letting the contract.

The Executive Director reported that in order to ensure continuity of supply beyond the expiry date of existing contractual arrangements, it was necessary to waive Contract Procedure Rules which would allow the flexibility of extending or entering into interim arrangements for the supply of current PPE, uniforms and corporate wear from existing suppliers for a maximum period of one year, ie from the 1 August 2008 to 31 July 2009. He added it was not anticipated that the waiver arrangements would generate additional costs.

Councillor Payne commented there was a need for Firebuy to specify what they are going to provide and to evaluate if this was value for money. The Executive Director drew attention to page 3 of the minutes of the 16 May 2008, point 5.4 which sets out the objectives of the Uniform Review Group. If it was deemed Firebuy are not value for money the Brigade would seek exemption. Councillor Payne stated Fire Brigade personnel should be involved in the decision over the provision of uniform. The Executive Director stated this would also come under the remit of the Uniform Review Group and issues raised would be fed back to Members.

RESOLVED –

- (i) **that Brigade Officers produce a further report to the Scrutiny Service Delivery Committee on the outcome of the internal consultation exercise and the financial implications of the Integrated Clothing Project contract when known**
- (ii) **that the Contract Procedure rules be waived as necessary pending the adoption of a new contract**

11. REPORTS OF THE LEGAL ADVISER

11.1 Terms of Appointment & Political Composition of CFA Members

The Legal Adviser reported that this report had been requested at the CFA meeting on 28 March 2008. It covered the issues of appointments to the CFA being made on a basis of proportionality across the Cleveland Authority area which had been the accepted practice since 1996 although this was not statutory, and that it was now proposed that appointments be made based on the Borough Councils own political composition rather than across the Cleveland area.

RESOLVED - that the report be noted

11.2 Monitoring Officer/Legal Advisor Role & the Legal Services Service Level Agreement

The Legal Adviser updated Members on the role of the Monitoring Officer/Legal Advisor and the Legal Services provided under the Service Level Agreement with the Legal Services Division of Hartlepool Borough Council

RESOLVED - that Members note the report

11.3 Proposed Amendment to the Articles of Association of the North East Fire Control Company Limited

The Legal Adviser reported that at a meeting of the Board of the North East Fire Control Company Limited held on the 20 December 2007, it was resolved to seek the consent of the Company's Members to the amendment of Article 58 which dealt with the quorum for meetings of the Board. The Board proposed an amendment to Article 58 by substituting "50%" for the existing "75%" in the first sentence, with a proviso that in order to constitute a quorum at least one Fire and Rescue Authority Director from each Fire and Rescue Authority would need to be present. In addition the Board also asked that consideration be given to the provisions of the Articles relating to the Alternate Directors. The present power of appointment under Article 34 is invested in "any director". The North East Fire Control Company Limited therefore invited the Authority to enter into discussion with their Board representatives over "some internal process for identifying and making those alternates whom the Authority would regard as suitable".

After discussion, Members agreed to the amendment of Article 58 by substituting "50%" for "75%" in the first sentence relating to quorum, and nominated and seconded Councillors O'Donnell and Stoker as Alternate Directors.

RESOLVED:

- (i) that an amendment be made to the Articles of Association of the North East Fire Control Company Limited, by substituting "50%" for the existing "75%" in the first sentence of Article 58**
- (ii) that under the power of appointment under Article 34 Councillors O'Donnell and Stoker be Alternate Directors**

11.4 Appointment of an Independent Member to the Standards Committee

The Legal Adviser informed Members that, following the appointments process, Mr Kevin Kelly had been recommended for appointment as an Independent Member of the Standards Committee. The Legal Adviser confirmed that the appointments process had been undertaken in accordance with the selection process and references had been obtained in respect of Mr Kelly which were very supportive of his application.

RESOLVED – that Mr Kevin Kelly be appointed as an Independent Member of the Cleveland Fire Authority's Standards Committee for a term of four years

**12. AUDIT COMMISSION CORPORATE ASSESSMENT REPORT:
PRE PUBLICATION DRAFT**

The Clerk referred to this document which had been embargoed until 00:01 on the 3 June 2008. Members agreed that this report be discussed and recorded for public information.

The Executive Director informed Members of the history leading up to the production of this report. He stated a considerable amount of effort had been put into the detailed response by the Authority to the initial draft version of the corporate assessment report. However, this new report did not reflect any of the changes submitted by the Brigade, only cosmetic changes had been made, and the fundamental points raised regarding the initial views expressed by the Audit Commission's team had not altered. The report also contained factual inaccuracies.

Because of the timescales involved this report had been taken to the Executive Committee meeting held on the 9 May 2008. The Executive Committee Members had discussed the content of this report and expressed their dissatisfaction concerning the outcome. The decision of the Executive Committee was that the contents of the report be noted and the Chief Fire Officer should notify the Audit Commission of the Authority's dissatisfaction with the process and its intention to conclude its involvement at this juncture. The Corporate Assessment report and the response of the Chief Fire Officer were also presented to Members of the Performance Scrutiny Committee on the 16 May 2008 who had also supported the decision reached by the Executive Committee. The Executive Director informed members that there had been no response from the Audit Committee who had since published the report on their website.

The Executive Director drew attention to Appendix 3 to this report, and advised this had been compiled arising from a request by an Executive Committee Member who had asked for comparative information relating to COMAH Fire Authorities and their respective Corporate Assessment ratings.

Councillor Dunning commented the public who were served by the Cleveland Fire Brigade knew they received an excellent service from the Brigade, irrespective of the views of the Audit Commission.

RESOLVED –

- (i) that Members note the Audit Commission's draft pre-publication Corporate Assessment Report on Cleveland Fire and associated papers
- (ii) that Members note and support the decision reached by the Executive Committee (9 May 2008) in relation to a response to the draft report, "to note the contents of this report, and request the Fire Officer to notify the Audit Commission of the Authority's dissatisfaction with the process and its intention to conclude its involvement at this juncture".

13. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

RESOLVED - "That under Section 100(A) (4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the Act namely information:- relating to the financial or business affairs of any particular person (including the Authority holding that information).

14. CONFIDENTIAL MINUTES

RESOLVED – that the minutes of the Executive Committee meetings held on the 28 March 2008 and 9 May 2008, the Tender Committee meetings held on the 14 March, 25 April 2008 and 9 May 2008 be approved.

**COUNCILLOR PETER PORLEY
CHAIRMAN**

COUNCIL

31 July 2008



Report of: Constitution Committee

Subject: PROPOSED AMENDMENTS TO THE
CONSTITUTION

1. Budget and Policy Framework Update

- 1.1 Due to some recent administrative changes in relation to the plans and strategies which make up the Budget and Policy Framework, the Chief Solicitor submitted a report to the Constitution Working Group on 23 June 2008 and Constitution Committee on 11 June 2008. Both the Constitution Working Group and Constitution Committee considered the proposed amendments to the Budget and Policy Framework documents. As a result of the proposed changes it was recommended that Part 2 – Articles, Policy Framework be amended as follows:

(a) Policy Framework

The policy framework means the following plans and strategies:-

Children and Young People's Plan
Commissioning Strategies for Vulnerable People
Corporate Plan
Crime and Disorder Reduction Strategy
The plans and strategies which together comprise the Development Plan
Food Law Enforcement Service Plan
The plan and strategy which comprise the Housing Investment Programme
Local Transport Plan
Quality Protects Management Action Plan
Sustainable Community Strategy
Tees Valley Joint Waste Management Strategy
Youth Justice Plan

RECOMMENDATION

- 1.2 That the Constitution, Part 2 – Articles, Policy Framework be amended as indicated above.

2. COUNCIL PROCEDURE RULES – QUESTIONS TO MEMBERS

- 2.1 A Member had highlighted that there were some consistencies within the Council Procedure Rules in relation to questions to Members. As a result of this, the Chief Solicitor submitted a report to the Constitution Working Group on 23 June 2008 and subsequently the Constitution Committee on 11 July 2008 to enable consideration of the proposed amendments to the Council Procedure Rules – Questions to Members to ensure consistency across the document. The proposed amendments to paragraph 11.2 are as follows:

11.2 Questions on notice at full Council

- i) A Member of the Council may ask:
- the Chair;
 - a Member of the executive; or
 - the chair of any committee, ~~sub-committees~~ or Forums

RECOMMENDATION

- 2.2 That, in accordance with the Council Procedure Rule 24.2, the amendment to the Council Procedure Rules be noted and stand adjourned without discussion until the next ordinary meeting of Council.

COUNCIL
18th September 2008



Report of: The Executive (to be presented by the Adult and Public Health services portfolio Holder)

Subject: FOOD LAW ENFORCEMENT SERVICE PLAN
2008/09

1. PURPOSE OF REPORT

- 1.1 To present the draft Food Law Enforcement Service Plan for 2008/09, which is a requirement under the Budget and Policy Framework, and seek Council's approval.

2. BACKGROUND

- 2.1 The Food Standards Agency has a key role in overseeing local authority enforcement activities. They have duties to set and monitor standards of local authorities as well as carry out audits of enforcement activities to ensure that authorities are providing an effective service to protect public health and safety.
- 2.2 On 4 October 2000, the Food Standards Agency issued the document "Framework Agreement on Local Authority Food Law Enforcement". The guidance provides information on how local authority enforcement service plans should be structured and what they should contain. Service Plans developed under this guidance will provide the basis on which local authorities will be monitored and audited by the Food Standards Agency.
- 2.3 The service planning guidance ensures that key areas of enforcement are covered in local service plans, whilst allowing for the inclusion of locally defined objectives.
- 2.4 A Food Law Enforcement Plan for 2008/09 is attached as Appendix 1 and takes into account the guidance requirements.
- 2.5 The plan has been previously considered by Cabinet on the 23rd June and 18th August 2008 and by Neighbourhood Services Scrutiny Forum

on 11th July 2008. Following this meeting an additional key area of improvement has been added in relation to raising public awareness of a premises rating under the food hygiene awards scheme by door/window stickers.

3. THE FOOD LAW ENFORCEMENT SERVICE PLAN

3.1 The Service Plan for 2007/08 has been updated to reflect last year's performance.

3.2 The Plan covers the following:

(i) Service Aims and Objectives:
That the Authority's food law service ensures public safety by ensuring food, drink and packaging meets adequate standards.

(ii) Links with Community Strategy, Corporate Plan, Departmental and Divisional Plans:

How the Plan contributes towards the Council's main priorities (Jobs and the Economy, Lifelong Learning and Skills, Health and Care, Community Safety, Environment and Housing, Culture and Leisure and Strengthening Communities).

(iii) Legislative Powers and Other Actions Available:

Powers to achieve public safety include programmed inspections of premises, appropriate licensing/registration, food inspections, provision of advice, investigation of food complaints and food poisoning outbreaks, as well as the microbiological and chemical sampling of food.

(iv) Resources, including financial, staffing and staff development.

(v) A review of performance for 2007/08.

4. SUMMARY OF MAIN ISSUES RAISED IN THE PLAN

4.1 During 2007/08 the section had two vacant environmental health officer posts in the final quarter. Steps were taken to ensure that food hygiene inspections were given priority and this allowed the service to ensure that no high risk inspections were left outstanding. Only 4 other inspections were carried forward to next year's inspection programme.

4.2 A total of 437 food hygiene premises inspections were undertaken in 2007/08 this equates to 99% of all programmed inspections planned for the year. However only 213 food standards inspections were undertaken this equates to 83%. The outstanding inspections will be

added to the programme for 2008/09. 165 microbiological samples and 185 compositional/labelling samples were taken, 15 of the samples were regarded as unsatisfactory, mainly as a result of high bacteriological counts and 11 were unsatisfactory as the labelling/composition was incorrect.

- 4.3 On 1st April 2007 the Council launched the Tees Valley Food Hygiene Award Scheme. Each business is awarded a star rating which reflected the risk rating given at the time of the last primary inspection. The star rating was made available to the public via the Council's website and the business was provided with a certificate to display on their premises. The service has made a commitment to work with businesses to improve their rating.
- 4.4 The table below shows the results of the star ratings awarded to businesses on 1 April 2007 compared with on 1 April 2008:

Number of Stars	Number of Premises (1/4/07)	% of premises	Number of Premises (1/4/08)	% of premises
5 Stars	24/759	3%	85/762	11.1%
4 Stars	155/759	20%	217/762	28.5%
3 Stars	226/759	30%	294/762	38.6%
2 Stars	262/759	35%	137/762	18.0%
1 Star	60/759	8%	26/762	3.4%
0 Stars	32/759	4%	3/762	0.4%

- 4.5 The introduction of this scheme has been well received and to date there have been over 100,000 hits on the website. This scheme has raised public expectations and has placed increased emphasis on achieving our programmed inspections.
- 4.6 Towards the end of the 2007/08. Unacceptable standards were found in 1 premise following a programmed inspection. Investigations are still in progress and formal action is under consideration.
- 4.7 In March 2008 the Authority was audited by the Food Standards Agency in relation to feeding stuffs and imported food & feed control. A considerable amount of work was undertaken in preparation for the audit and this had a considerable impact on the limited resources available during the second half of the year.
- 4.8 The detailed report of the audit produced by the Food Standards Agency has now been received and reported to the Adult and Public Health Portfolio Holder on 28th July 2008. The report indicates that the authority has implemented up to date procedures reflecting recent changes in legislation, and that a risk based sampling programme has

been implemented following the Agency's advice. The report identifies no areas for improvement and details only five minor recommendations.

- 4.9 During 2008/09 there are 459 programmed food hygiene inspections, 173 programmed food standards inspections and 66 feed hygiene inspections planned, in addition to an estimated 160 re visits and 70 additional visits to new / changed premises. Such inspections must be carried out by a small team of officers with the suitable qualifications and competencies to undertake them. The volume of inspections and the need to carry out many of them outside normal working hours will place an additional demand on an already heavy workload.
- 4.10 It is anticipated that staff shortages will continue in 2008 / 09 with currently 1 vacant post and another post holder starting her maternity leave in July. We will use a range of measures to attain targets.

5. RECOMMENDATIONS

- 5.1 It is recommended that Council approves the draft Food Law Enforcement Plan 2008/09.



Hartlepool Borough Council

Food Law Enforcement Service Plan

2008/09

FOOD SERVICE PLAN 2008/09

This Service Plan accords with the requirements of the Framework Agreement on Local Authority Food Law Enforcement, and sets out the Council's aims in respect of its food law service and the means by which those aims are to be fulfilled. Whilst focussing primarily on the year 2008-09, where relevant, longer-term objectives are identified. Additionally, there is a review of performance for 2007-08 and this aims to inform decisions about how best to build on past successes and address performance gaps.

1. **Background Information**

Hartlepool is situated on the North East coast of England. The Borough consists of the town of Hartlepool and a number of small outlying villages. The total area of the Borough is 9,390 hectares.

Hartlepool is a unitary authority, providing a full range of services. It adjoins Easington District Council to the north, Sedgfield District Council to the west and Stockton on Tees Borough Council to the south. The residential population is 90,161 of which ethnic minorities comprise 1.2% (2001 census).

2. **Service Aims and Objectives**

Hartlepool Borough Council aims to ensure:

- That food and drink intended for human consumption which is produced, stored, distributed, handled or consumed in the borough is without risk to the health or safety of the consumer.
- Food and food packaging meets standards of quality, composition and labelling and reputable food businesses are not prejudiced by unfair competition.
- The effective delivery of its food law service so as to secure appropriate levels of public safety in relation to food hygiene, food standards and feeding stuffs enforcement.

In its delivery of the service the Council will have regard to directions from the Food Standards Agency (FSA), Approved Codes of Practice, the Regulators Code of Compliance, and guidance from Local Authorities Co-ordinators of Regulatory Services (LACORS).

Service delivery broadly comprises:

- Programmed inspection of premises for food hygiene and food standards
- Registration and approval of premises
- Microbiological sampling and chemical analysis of food
- Food Inspection
- Contributing to the step change on imported food control through inspection and checks of imported foods at retail and catering premises

- Provision of advice, educational materials and courses to food businesses
- Investigation of food and food-related complaints
- Investigation of cases of food and water borne infectious disease, and outbreak control
- Dealing with food safety incidents
- Promotional and advisory work

Effective performance of the food law service necessitates a range of joint-working arrangements with other local authorities and agencies such as the Health Protection Agency (HPA), Meat Hygiene Service (MHS), Food Standards Agency (FSA), HM Revenue & Customs (HMRC), Department of Environment, Food & Rural Affairs (Defra) & the Animal Medicines Inspectorate (AMI). The Council aims to ensure that effective joint-working arrangements are in place and that officers of the service contribute to the on-going development of those arrangements.

The service is also responsible for the following:

- Health and Safety enforcement
- The provision of guidance, advice and enforcement in respect of Smokefree enforcement
- Water sampling; including both private and mains supplies & bathing water
- Provision of assistance to the animal Health Officer for animal health and welfare inspections, complaint investigation and animal movement issues

3. Policy Content

This service plan fits into the hierarchy of the Council's planning process as follows:

- Hartlepool's Community Strategy - the Local Strategic Partnership's (the Hartlepool Partnership) goal is "to regenerate Hartlepool by promoting economic, social and environmental wellbeing in a sustainable manner."
- Corporate (Best Value Performance) Plan
- Neighbourhood Services Departmental Plan
- Public Protection Divisional Plan
- Consumer Services Service Plan
- Food Law Enforcement Service Plan - sets out how the Council aims to deliver this statutory service and the Consumer Services section's contribution to corporate objectives

The Council's Community Strategy sets out its vision for 'a prosperous, caring, confident and outward looking community realising its potential in an attractive environment'. This Food Law Service Plan contributes towards the vision and the Council's seven main priorities in the following ways:

Jobs and the Economy

By providing advice and information to new and existing businesses to assist them in meeting their legal requirements with regard to food law requirements, and avoid potential costly action at a later stage.

Lifelong Learning and Skills

By providing and facilitating training for food handlers on food safety as part of lifelong learning, and promoting an improved awareness of food safety and food quality issues more generally within the community.

Health and Care

By ensuring that food businesses where people eat and drink, or from which they purchase their food and drink, are hygienic and that the food and drink sold is safe, of good quality and correctly described and labelled to inform choice.

Community Safety

By encouraging awareness amongst food businesses of the role they can play in reducing problems in their community by keeping premises in a clean and tidy condition.

Environment and Housing

By encouraging businesses to be aware of environmental issues which they can control, such as proper disposal of food waste.

Culture and Leisure

By exploring ways to promote high standards of food law compliance in hotels, other tourist accommodation, public houses and other catering and retail premises.

Strengthening Communities

By developing ways of communicating well with all customers, including proprietors of food businesses whose first language is not English, and ensuring that we deliver our service equitably to all.

This Food Law Enforcement Service Plan similarly contributes to the vision set out in the Neighbourhood Services Department Plan *“to work hand in hand with communities and to provide and develop excellent services that will improve the quality of life for people living in Hartlepool neighbourhoods”*. Within this, the Consumer Services Section has a commitment to ensure the safe production, manufacture, storage, handling and preparation of food and its proper composition and labelling.

The Council has in place a Food Law Enforcement Policy, which has been revised and subsequently approved by the Adult & Public Health Services Portfolio Holder on 21 March 2005.

The Council is committed to the principles of equality and diversity. The Food Law Enforcement Service Plan consequently aims to ensure that the same high standards of service is offered to all, and that recognition is given to the varying needs and backgrounds of its customers.

4. Legislative Powers and other actions available

The Council has a wide range of duties and powers conferred on it in relation to food safety functions.

The Council must appoint and authorise inspectors, having suitable qualifications and competencies for the purpose of carrying out duties under the Food Safety Act 1990 and Regulations made under it and also specific food regulations made under the European Communities Act 1972, which include the Food Hygiene (England) Regulations 2006 and the Official Feed and Food Controls (England) Regulations 2007.

Authorised officers can inspect food at any stage of the production, manufacturing, distribution and retail chain. The Council must draw up and implement an annual programme of risk-based inspections/interventions so as to ensure that food and feedingstuffs are inspected in accordance with relevant legislation, the Food Law Code of Practice and centrally issued guidance.

The sampling of food for the purposes of microbiological and chemical examination and analysis forms an integral part of the inspection process. It is a critical means of ensuring the microbiological and chemical safety of food, checking composition and labelling. The Food Safety (Sampling and Qualifications) Regulations 1990 provide the framework for sampling.

The inspection of food commodities again forms an integral part of the inspection process and is provided for by virtue of Sections 32 and 9 of the Food Safety Act 1990. The purpose of food inspection is to check that food complies with food safety requirements and is fit for human consumption. Section 9 also sets out provisions relating to the detention, seizure and condemnation of food.

It is recognised that whilst the inspection process is the primary means of securing compliance with food safety legislation, this can be enhanced by the provision of advice, educational materials and training courses.

The service is obliged to investigate complaints relating to the sale of food not complying with food safety requirements, or not of the nature, substance or quality demanded, or injurious to health, or unfit for human consumption, or labelled or presented so as to mislead consumers. Similarly, the service responds to complaints alleging breaches of hygiene requirements.

The investigation of cases of food poisoning and outbreak control is a shared responsibility between the food law service and the County Durham and Tees Valley Health Protection Unit of the Health Protection Agency. Responsibility for the enforcement of measures to control food-borne disease rests with the local authority, with the Health Protection Agency having a statutory duty to designate medical officers to assist the local authority in carrying out their duties in this respect.

A national food/feed incident warning system is in operation throughout the United Kingdom, which acts as a rapid alert system in respect of food/feed related hazards. The service must ensure that any action specified by the Food Standards Agency in a food/feed alert is undertaken promptly and in accordance with any risk assessment carried out by the Agency. If the Authority propose to take alternative action this must first be agreed with the Agency.

In addition to legislative requirements as above, local authority food law services are required to have regard to the Food Law Code of Practice and Feed Law Enforcement Code of Practice and associated Practice Guidance which gives detailed direction to authorities on enforcement of food and feed legislation.

There is currently a requirement to report to the Food Standards Agency annually on performance in relation to food/feed law enforcement activities. Annual performance statistics for all authorities are now made publicly available by the Food Standards Agency and the best and worst performing councils are highlighted.

5. Service Delivery Mechanisms

Inspection Programme

Inspections carried out for food hygiene, food standards and for feeding stuffs are carried out in accordance with the Council's policy and standard operating procedures on food/feed premises inspections and relevant national guidance.

Information on premises liable to inspections is held on the APP computerised system. An inspection schedule is produced from this system at the commencement of each reporting year, in accordance with guidance issued by the Food Standards Agency.

The food hygiene, food standards and feeding stuffs inspection programmes are risk-based systems that accord with current guidance. The current premises profiles are shown in the tables below:

Food Hygiene:

Risk Category	Frequency of Inspection	No of Premises
A	6 months	3
B	12 months	60
C	18 months	385
D	24 months	141
E	36 months or other enforcement	184
Unclassified	Requiring inspection/risk rating	12
No Inspectable Risk (NIR)		28
Total		813

Food Standards:

Risk Category	Frequency of Inspection	No of Premises
A	12 months	1
B	24 months	107
C	36 months or other enforcement	581
Unclassified		12
No Inspectable Risk (NIR)		94
Total		795

Feed Hygiene

Risk Category	Frequency of Inspection	No of Premises
A	12 months	0
B	24 months	48
C	60 months	5
Unclassified		31
Total		84

The inspection programme for 2008/09 comprises the following number of scheduled food hygiene and food standards inspections:

Food Hygiene:

Risk Category	Frequency of Inspection	No of Inspections
A	6 months	6
B	12 months	60
C	18 months	290
D	24 months	57
E	36 months or alternative enforcement strategy	35
Unclassified		11
Total		459

There is currently 1 manufacturing business (a fishery products establishment), that is subject to approval under Regulation 853/2004 however discussions are ongoing in relation to a potential new business. Approved establishments are not included in the inspection programme but instead are subject to a minimum inspection frequency in 12 months as set out in the following tables, in accordance with current guidance.

Product Specific Inspections:

	Primary Inspection	Secondary Inspections	No in Hartlepool
Meat Products	1	2	0
Minced Meat and Meat Preparation	1	2	0
Dairy Products	1	1	0
Fishery Products	1	1	1
Egg Products	1	1	0
Shellfish Purification or despatch	1	1	0

New EU food hygiene legislation applicable to primary production (farmers & growers) has come into effect. On the basis that the local authority officers were already present on farms in relation to animal welfare and feed legislation, the responsibility has been given to us to enforce this legislation. The service has estimated 68 primary producers based on the 2004 Agricultural Census. The database at present does not reflect this new area of responsibility and will need to be updated throughout the course of the year to reflect these premises.

Food Standards:

Risk Category	Frequency of Inspection	No of Inspections
A	12 months	1
B	24 months	57
C	36 months or alternative enforcement	103
Not classified		11
Total		173

Feed Hygiene :

Risk Category	Frequency of Inspection	No of Premises
A	12 months	0
B	24 months	35
C	60 months	0
Unclassified		31
Total		66

An estimated 10% of programmed inspections are of premises where it is more appropriate to conduct inspections outside the standard working time hours. Arrangements are in place to inspect these premises out of hours by making use of the Council's flexible working arrangements, lieu time facilities and, if necessary, paid overtime provisions. In addition, these arrangements will permit the occasional inspection of premises which open outside of, as well as during standard work time hours. The Food Law Code of Practice requires inspections of these premises at varying times of operation.

As a follow-up to primary inspections, the service undertakes revisits in accordance with current policy. For the year 2008/09, the inspection programme would generate an estimated 160 revisits. A number of these premises revisits will be undertaken outside standard working hours and arrangements are in place as described above to facilitate this.

It is anticipated that consistent, high quality programmed inspections by the service will, over time, result in a general improvement in standards, reducing the frequency for recourse to formal action.

The performance against inspection targets for all food hygiene and food standards inspections is reported monthly as part of the Neighbourhood Services Department internal performance monitoring. In addition, performance against inspection targets is reported quarterly to the Adult & Public Health Services Portfolio Holder as part of the Neighbourhood Services Department plan update.

Port Health

Hartlepool is a Port Health Authority however it is not a border inspection post or point of entry and therefore no food enters the port.

Fish Quay

There is a Fish Quay within the Authority's area which provides a market hall although it is not currently operational and there are associated fish processing units, one of which is an approved establishment.

Registration and Approval of Premises

Food and feed business operators must register their establishments with the relevant local authority. This provision allows for the service to maintain an up-to-date premises database and facilitates the timely inspection of new premises and, when considered necessary, premises that have changed food/feed business operator or type of use.

The receipt of a food/feed premises registration form initiates an inspection of all new premises. In the case of existing premises, where a change of food/feed business operator is notified, other than at the time of a programmed inspection, an assessment is made of the need for inspection based on the date of the next programmed inspection, premises history, and whether any significant change in the type of business is being notified. It is anticipated that approximately 70 additional premises inspections will be generated for new food businesses during 2008/09 and approximately 5 for new feed businesses.

A competent authority must with some exceptions, approve food business establishments that handle food of animal origin. If an establishment needs approval, it does not need to be registered as well.

Food premises which require approval include those that are producing any, or any combination of the following; minced meat, meat preparations, mechanically separated meat, meat products, live bivalve molluscs, fishery products, raw milk (other than raw cows' milk), dairy products, eggs (not primary production) and egg products, frogs legs and snails, rendered animal fats and greaves, treated stomachs, bladders and intestines, gelatine and collagen and certain cold stores and wholesale markets.

The approval regime necessitates full compliance with the relevant requirements of Regulation (EC) No 852/2004 and Regulation (EC) 853/2004.

There is 1 premises in the Borough (a fishery products establishment), which is subject to approval.

Microbiological and Chemical Analysis of Food/Feed

An annual food/feed sampling programme is undertaken with samples being procured for the purposes of microbiological or chemical analyses. This programme is undertaken in accordance with the service's Food/Feed Sampling Policy.

All officers taking formal samples must follow the guidance contained in and be qualified in accordance with relevant legislative requirements and centrally issued guidance, including that contained in the Food Law Code of Practice/Feed Law Enforcement Policy and associated Practice Guidance. Follow-up action is carried out in accordance with the service's sampling policy.

Microbiological analysis of food and water samples is undertaken by the Health Protection Agency's Newcastle Laboratory based at Newcastle General Hospital. Chemical analysis of informal food/feed samples is undertaken by Tees Valley Measurement and formal samples are analysed by the Council's appointed Public/Agricultural Analyst at Durham County Council. From April 2005 sampling allocations from the Health Protection Agency, which is responsible for the appropriate laboratory facilities, has been based on a credits system dependant on the type of sample being submitted and examination required.

The allocation for Hartlepool is 8,300 credits for the year 2008-09.

Points are allocated as follows:

Sample type	No of credits
Food Basic	25
Food Complex	35
Water Basic	20
Water Complex	25
Dairy Products	10
Environmental Basic	25
Environmental Complex	35
Certification	15

A sampling programme is produced each year for the start of April. The sampling programme for 2008-09 includes national and regional surveys organised by LACORS and HPA/Local Authority Liaison Group.

Sampling programmes have been agreed with the Food Examiners and Tees Valley Measurement (a joint funded laboratory based at Canon Park, Middlesbrough). These have regard to the nature of food/feed businesses in Hartlepool and will focus on locally manufactured/processed foods/feed and food/feed targeted as a result of previous sampling and complaints.

In 2007 the Food Standards Agency, the Local Authorities Coordinators of Regulatory Services (LACORS) and the Association of Port Health Authorities set a national target that imported food should make up 10% of the food samples taken by local and port health authorities. The service shall therefore aim to meet this target.

Microbiological Food Sampling Plan 2008-09

April Local Shopping Basket Survey Ice Survey	May Local Shopping Basket Survey Ice Survey	June Local Shopping Basket Survey Ice Survey LACORS/ HPA Egg mix & environmental samples from restaurants & takeaways Imported coffee/pastries
July Local Shopping Basket Survey Ice Survey LACORS/ HPA Egg mix & environmental samples from restaurants & takeaways Spices purchased over the Internet	August Local Shopping Basket Survey Ice Survey LACORS/ HPA Egg mix & environmental samples from restaurants & takeaways	September Local Shopping Basket Survey Ice Survey LACORS/ HPA Egg mix & environmental samples from restaurants & takeaways
October Local Shopping Basket Survey Ice Survey LACORS/ HPA Egg mix & environmental samples from restaurants & takeaways LACORS/ HPA Shelled Nuts Survey	November Local Shopping Basket Survey Ice Survey LACORS/ HPA Shelled Nuts Survey	December Local Shopping Basket Survey Ice Survey LACORS/ HPA Shelled Nuts Survey Products purchased over the internet
January Local Shopping Basket Survey Ice Survey LACORS/ HPA Shelled Nuts Survey	February Local Shopping Basket Survey Ice Survey LACORS/ HPA Shelled Nuts Survey	March Local Shopping Basket Survey Ice Survey LACORS/ HPA Shelled Nuts Survey

In addition to carrying out food sampling, arrangements are in place to enable inspections linked environmental sampling to be carried out,

The products sampled as part of the shopping basket survey include:

- Dressed crab
- Trifle
- Ready to Eat Pasta
- Salad Boxes/Ready to Eat Salad
- Chicken from Rotisseries
- Slush from Slush Puppies

- Ready to Eat Quiche
- Speciality Meats from Supermarkets
- RTEF Chilled Section Reduced Products
- Raw Diced Poultry

Composition and Labelling Sampling Plan 2008-09

MONTH	TEST	SAMPLES
April	Sodium in Health/Fitness Bars / Labelling of above	13 13
May	Meat Content of Locally Produced Sausages Imported Foods (2 Bakery & 2 Coffee)*	3 4
June	Added Water in Pre-packed Cooked Chicken / Labelling of above	5 5
July	Reformed Meat in Sandwiches	20
Aug	Fat & Sodium in Ready Meals*/ Labelling of above	6 6
Sept	Gluten Free Products (qualitative) / Labelling of above	8 8
Oct	Peanut Protein Takeaway Meals (qualitative)	12
Nov	Meat Content of Locally Produced Pies	2
Dec	Fish Species in ready Meals / Labelling of above	6 6
Jan	Vitamin C in Fruit Juice / Labelling of above	18 18
Feb	Folic acid in breakfast Cereals / Labels of above	To be confirmed
Mar	Fat in Margarine/Spreads / Labels of above	12 12

Total samples = 205

*Part of FSA Survey

Feeding Stuffs

It is planned that six informal animal feeding stuffs samples will be taken this year.

At present feeding stuffs sampling has been given a low priority due to the lack of local manufacturers and packers. An annual feeding stuffs sampling plan however has been drawn up to carry out informal sampling at the most appropriate time of the year in respect of farms, pet shops and other retail establishments.

Feeding stuffs Sampling Plan 2008/09

April - June	0
July - September	2 Pet food samples
October - December	2 samples from grain stores for mycotoxins
January - March	2 home grown products

Private Water Supplies

There are two premises using private water supplies in their food production, one is a brewery and the other a soft drinks manufacturer. Regular sampling is carried out of these supplies in accordance with relevant legislative regulations.

Food inspection

The purpose of food inspection is to check that food complies with food safety requirements and is fit for human consumption, and is properly described and labelled. As such, the activity of inspecting food commodities, including imported food where relevant, forms an integral part of the food premises inspection programme. Food inspection activities are undertaken in accordance with national guidelines.

Provision of advice, educational materials and courses to food/feed businesses

Following changes in relation to certified courses we are reviewing the training courses offered by the section. Where we are unable to deliver courses we will advise businesses of alternative local providers.

It is recognised that for most local food businesses contact with an officer of the service provides the best opportunity to obtain information and advice on legislative requirements and good practice. Officers are mindful of this and aim to ensure that when undertaking premises inspections sufficient opportunity exists for business operators to seek advice. In addition, advisory leaflets including those produced by the Food Standards Agency are made available.

In February 2006 the Food Standards Agency introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses to introduce a documented food safety management system. Since this time significant resources have been directed towards assisting businesses to fully implement a documented food safety management system.

Guidance is also prepared and distributed to food businesses relating to changes in legislative requirements. The service also encourages new food/feed business operators and existing businesses to seek guidance and advice on their business. It is estimated that 40 such advisory visits will be carried out during the year.

On 1st April 2007 the Council launched the Tees Valley Food Hygiene Award Scheme. At this time each business was awarded a provisional star rating which reflected the risk rating given at the time of the last primary inspection. The star rating was made available to the public via the Council's website and the business was provided with a certificate to display on their premises. The service has made a commitment to work with businesses to improve their rating.

Feeding stuffs advice is available via the Council's web site.

A limited level of promotional work is also undertaken by the service on food safety, with minimal impact on programmed enforcement work.

Investigation of Food/Feed and Food/Feed-Related Complaints

The service receives approximately 22 complaints, each year concerning food/feed, all of which are subject to investigation. An initial response is made to these complaints within two working days. Whilst many complaints are investigated with minimal resource requirements, some more complex cases may be resource-intensive and potentially affect programmed inspection workloads.

All investigations are conducted having regard to the guidance on the 'Home Authority Principle'.

The procedures for receipt and investigation of food/feed complaints are set out in detailed guidance and internal policy documents.

Investigation of cases of Food Poisoning and Outbreak Control

Incidents of food related infectious disease are investigated in liaison with the Durham and Tees Valley Health Protection Unit and in the case of outbreaks in accordance with the Health Protection Unit's Outbreak Control Policy.

Where it appears that an outbreak exists the Principal EHO (Commercial) or an EHO, will liaise with the local Consultant in Communicable Disease Control and, where necessary, the Director of Durham and Tees Valley Health Protection Unit, to determine the need to convene an Outbreak Control Team.

Further liaison may be necessary with agencies such as the Food Standards Agency, the Health Protection Agency, Hartlepool Water and Northumbrian Water.

Statistical returns are made weekly by the service to the Communicable Disease Surveillance Centre.

It is estimated that approximately 100 food poisoning notifications are received each year. Most cases are sporadic in nature and can be investigated as part of the normal day-to-day workload. It is recognised, however, that in the event of a major outbreak a significant burden is likely to be placed on the service and this would inevitably impact on the performance of the inspection programme.

Dealing with Food / Feed Safety Incidents

A national alert system exists for the rapid dissemination of information about food and feed hazards and product recalls, this is known as the food/feed alert warning system.

All food and feed alerts received by the service are dealt with in accordance with national guidance and internal quality procedures.

Food and feed alert warnings are received by the service from The Food Standards Agency via the electronic mail system, and EHCNet during working hours. Two officers have also subscribed to receive alerts via their personal mobile phones.

The Principal EHO (Commercial Services) or, if absent, the Consumer Services Manager ensures that a timely and appropriate response is made to each alert.

Out of hours contact is arranged through Richard Court, telephone number 01429 869424.

In the event of a serious local incident, or a wider food safety problem emanating from production in Hartlepool, the Food Standards Agency will be alerted in accordance with guidance.

Whilst it is difficult to predict with any certainty the number of food safety incidents that will arise during any 12 month period, it is estimated that the service is likely to be notified of between 60 – 80 food alerts during 2008/09, a small proportion of which will require action to be taken by the Authority. This level of work can ordinarily be accommodated within the day-to-day workload of the service, but more serious incidents may require additional resources and may have an effect on the programmed inspection workload and other service demands.

In addition an increasing number of Allergy Alerts are being sent to local authorities. A total of 41 were received during 2007/08 many relating to labelling irregularities by UK manufacturers who have for example omitted to declare the presence of an allergen in the food.

Investigation of Complaints relating to Food/Feed Safety and Food Standards in Premises

The service investigates all complaints that it receives about food/feed safety and food standards conditions and practices in food/feed businesses. An initial response to any complaint is made within two working days. In such cases the confidentiality of the complainant is paramount. All anonymous complaints are also currently investigated.

The purpose of investigation is to determine the validity of the complaint and, where appropriate, to seek to ensure that any deficiency is properly addressed. The general approach is to assist the food/feed business operator in ensuring good standards of compliance, although enforcement action may be necessary where there is failing in the management of food/feed safety, or regulatory non-compliance.

Based on the number of complaints in 2007/08 it is estimated that approximately 40 such complaints will be received in 2008/09.

Feed Law Enforcement

From 1 January 2006 feed businesses must be approved or registered with their local authority under the terms of the EC Feed Hygiene Regulation (183/2005).

This legislation relates to nearly all feed businesses. This means, for example, that importers and sellers of feed, hauliers and storage businesses now require approval or registration. Livestock and arable farms growing and selling crops for feed are also within the scope of the provisions of the regulation.

Liaison arrangements

The service actively participates in local and regional activities and is represented on the following:

- North East Chief EHO Group
- North East Public Protection Chief Officers Group
- Tees Valley Heads of Public Protection Group
- Tees Valley Food Liaison Group
- The Local HPA/Local Authority Sampling Group
- Tees Valley Public Health Group
- North East Trading Standards Liaison Group
- North East Trading Standards Animal Feed Group

There is also liaison with other organisations including the Chartered Institute of Environmental Health, the Trading Standards Institute, LACORS, the Health Protection Agency, Defra, OFSTED and the Commission for Social Care Inspections.

Officers also work in liaison with the Council's Planning, Building Control and Licensing Sections.

Home Authority Arrangements

The Authority commits its support to the Home Authority Principle.

The Authority has no formal arrangements with food/feed businesses to act as Home Authority at the present time. The Authority acts as originating authority for two food premises; a brewery and a soft drinks manufacturer. Regular visits are made to these premises to maintain dialogue with management and an up to date knowledge of operations.

General

The delivery point for the food/feed law enforcement service is at:

Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Members of the public and businesses may access the service at this point from 08.30 - 17.00 Monday to Thursday and 08.30 - 16.30 on Friday.

A 24-hour emergency call-out also operates to deal with Environmental Health emergencies, which occur out of hours.

6. Resources

Staffing Allocation

The Director of Neighbourhood Services has overall responsibility for the delivery of the food/feed law service. The Head of Procurement, Property & Public Protection has responsibility for ensuring the delivery of the Council's Environmental Health service, including delivery of the food/feed law service, in accordance with the service plan. The Consumer Services Manager, with the requisite qualifications and experience, is designated as lead officer in relation to food safety and food standards functions and has responsibility for the day to day management of the service.

The resources determined necessary to deliver the service in 2008/09 are as follows:

1 x 0.25 FTE Consumer Services Manager (with responsibility also for Health & Safety, Licensing and Trading Standards)

1 x 0.35 FTE Principal EHO Commercial (with responsibility also for Health & Safety and Animal Health)

3 x FTE EHO (with requisite qualifications and experience and with responsibility also for Health & Safety)

1 x 0.56 FTE Part-time EHO (with requisite qualifications and experience and with responsibility also for Health & Safety)

1 x FTE Technical Officer Food (with requisite qualifications and experience)

1 x 0.25 FTE Part-time Technical Officer (Animal Health & Licensing) (with requisite qualifications &/or experience)

The Consumer Services Manager has responsibility for planning service delivery and day to day management of the Food Law service, Health & Safety at Work, Licensing, Public Health, Water Quality, Trading Standards, Animal Health & Welfare and I.T. as well as general management responsibilities as a member of the Procurement, Property & Public Protection Management Team.

The Principal EHO (Commercial Services) has responsibility for the day to day supervision of the Food/Feed Law Service, Health & Safety at Work, Public Health, Water Quality and Animal Health & Welfare. The Principal EHO (Commercial Services) is designated as lead officer in relation to animal feed and imported food control.

The EHO's have responsibility for the performance of the food premises inspection programme as well as the delivery of all other aspects of the food law service, particularly more complex investigations. In addition these officers undertake Health & Safety at Work enforcement.

The food technical officer is also responsible for inspections, as well as revisits, investigation of less complex complaints and investigation of incidents of food-borne disease.

The Technical Officer (Animal Health & Licensing) has responsibility for the performance of the feed premises inspection programme as well as the delivery of all other aspects of the feed law service, assisted by authorised Trading Standards Officers as necessary.

Administrative support is provided by Support Services within Neighbourhood Services department.

All staff engaged in food/feed safety law enforcement activity will be suitably trained and qualified and appropriately authorised in accordance with guidance and internal policy.

Staff undertaking educational and other support duties will be suitably qualified and experienced to carry out this work.

Financial Resources

The annual budget for the Consumer Services section in the year 2008/09 is:

	£000
Employees	730.5
Other Expenditure	362.8
Income	(218.1)
Net Budget	875.2

This budget is for all services provided by this section i.e. Health & Safety, Licensing, Trading Standards and resources are allocated in accordance with service demands.

Equipment and Facilities

A range of equipment and facilities are required for the effective operation of the food/feed law service. The service has a documented standard operating procedure that ensures the proper maintenance and calibration of equipment and its removal from use if found to be defective.

The service has a computerised performance management system, the Authority Public Protection computer system (APP). This is capable of maintaining up to date accurate data relating to the activities of the food/feed law service. A documented database management standard operating procedure has been produced to ensure that the system is properly maintained, up to date and secure. The system is used for the generation of the inspection programmes, the recording and tracking of all food/feed activities, the production of statutory returns and the effective management of performance.

Training Plans

The qualifications and training of staff engaged in food/feed law enforcement are prescribed and this will be reflected in the Council's policy in respect of appointment and authorisation of officers.

It is a mandatory requirement for officers of the food/feed law service to maintain their professional competency by undertaking a minimum of 10 hours core training each year through attendance at accredited short courses, seminars or conferences. This is also consistent with the requirements of the relevant professional bodies.

The Council is committed to the personal development of staff and has in place Personal Development Plans for all members of staff.

The staff Personal Development Plan scheme allows for the formal identification of the training needs of staff members in terms of personal development linked with the development needs of the service on an annual basis. The outcome of the process is the formulation of a Personal Development Plan that clearly prioritises training requirements of individual staff members. The Personal Development Plans are reviewed six monthly.

The details of individual Personal Development plans are not included in this document but in general terms the priorities for the service are concerned with ensuring up to date knowledge and awareness of legislation, building capacity within the team with particular regard to approved establishments, the provision of food hygiene training courses, developing the role of the Food Safety Officer, and training and development of new staff joining the team.

Detailed records are maintained by the service relating to all training received by officers.

7. Service Review and Quality Assessment

Quality Assessment

The Council is committed to quality service provision. To support this commitment the food law service seeks to ensure consistent, effective, efficient and ethical service delivery that constitutes value for money.

A range of performance monitoring information will be used to assess the extent to which the food service achieves this objective and will include on-going monitoring against pre-set targets, both internal and external audits and stakeholder feedback.

Specifically the Principal EHO (Commercial Services) will carry out accompanied visits with officers undertaking inspections, investigations and other duties for the purpose of monitoring consistency and quality of the inspection and other visits carried out as well as maintaining and giving feedback with regard to associated documentation and reports.

It is possible that the Food Standards Agency may at any time notify the Council of their intention to carry out an audit of the service.

Review

It is recognised that a key element of the service planning process is the rational review of past performance. In the formulation of this service plan a review has been conducted of performance against those targets established for the year 2007/08.

This service plan will be reviewed at the conclusion of the year 2008/09 and at any point during the year where significant legislative changes or other relevant factors occur during the year. It is the responsibility of the Consumer

Services Manager to carry out that review with the Head of Procurement, Property & Public Protection.

The service plan review will identify any shortfalls in service delivery and will inform decisions about future staffing and resource allocation, service standards, targets and priorities.

Following any review leading to proposed revision of the service plan Council approval will be sought.

Performance Review 2007-08

This section describes performance of the service in key areas during 2007/08.

During 2007/08 the section has not been fully staffed having two vacant EHO posts in the final quarter. Steps were taken to ensure that food hygiene inspections were given priority and this allowed the service to enable that no high risk inspections were left outstanding. Only 4 inspections were carried forward to next year's inspection programme.

Inspection Programme

The food premises inspection programme for 2007/08 did not quite reach the target of 100%. Due to staff shortages 99% of Food Hygiene and 83% of Food Standards inspections were achieved. The outstanding inspections will be added to the programme for 2008/09.

Registration and approval of premises

Premises subject to approval were inspected and given relevant guidance.

Food Sampling Programme

The food sampling programme for 2007/08 has been completed. The microbiological results are:

Microbiological Sampling (1/4/07 - 31/3/08)

	Total no. of samples	Number of Samples	
		Satisfactory	Unsatisfactory
<u>Bacteriological Surveys</u>			
Shopping Basket	94	82	12
Fresh Herbs	12	12	0
Salad & Kebabs	10	10	0
Edible Seeds	27	27	0
Cooked Meats	8	7	1
Imported Foods	14	12	2

The composition and labelling results are:

Food Standards Sampling (01.04.07 – 31.03.08):

Nature of Sample	Reason for Sampling	Satisfactory	Unsatisfactory
Locally produced meat pies	Meat content	2	0
Honey	Floral origin	16	0
Honey	Labelling regulations	16	0
Pre-packed foods	Calcium claims	8	0
Pre-packed foods	Labelling regulations	8	0
Soft drinks	Vitamin C	18	0
Soft drinks	Labelling regulations	18	0
Locally produced sandwiches	QUID	5	7
Locally produced sandwiches	Labelling regulations	12	0
Ready meals	Fat and salt	9	0
Ready meals	Labelling regulations	9	0
Breakfast cereals	Sodium	12	0
Breakfast cereals	Labelling regulations	12	0
Locally produced sausages	Meat content	3	0
Ready meals	Fish content	5	0
Ready meals	Labelling regulations	5	0
Meat product	Meat content	1	0
Cooked ham	Added water	5	0
Cooked ham	Labelling regulations	5	0
Imported foods	Heavy metals	10	0
Imported foods	Labels	6	4

In conjunction with Middlesbrough and Stockton Borough Council the Authority received funding from the FSA to sample imported exotic fruit and vegetables and canned products.

Where unsatisfactory samples are identified, officers carry out follow-up work to identify the cause and take appropriate action.

A number of the locally produced sandwiches which were sampled were found to have incorrect quantities of ingredients when compared with the declarations on their labels (e.g. a turkey & stuffing sandwich was reported to contain too much turkey but insufficient stuffing.)

Several of the imported foods sampled failed to comply with the Food Labelling Regulations 1996 (e.g. some of the products did not include information about suitable storage conditions on their labels.) Advice was provided to the businesses concerned.

The programme of feeding stuffs sampling was undertaken and all samples were found to be satisfactory. Feeding stuffs has been given a low priority due to the lack of local manufacturers and packers.

Food Inspection

The service undertook no formal seizure of unfit food in the year.

Promotional Work

In February 2006 the Food Standards Agency (FSA) introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses to introduce a documented food safety management system. Since this time our resources have been directed towards continuing to assist businesses to fully implement a documented food safety management system.

The service was unable to provide food hygiene training during the year due to insufficient resources.

The team has continued to offer advice and information on request with 56 advisory visits to businesses being carried out during the year.

Food Hygiene Award Scheme

On 1 April 2007 the Authority in conjunction with the other Tees Valley authorities launched the Tees Valley Food Hygiene Award scheme. The scheme was based around a national pilot being undertaken by the Food Standards Agency.

In accordance with the 'Food Law Code of Practice', following every 'primary' inspection a risk rating is undertaken which is used to determine the frequency of inspection for the business. Of the seven main categories used to determine the overall rating score the following three factors are used to create a star rating:

1. Food Hygiene and Safety
2. Structure and Cleaning
3. Management and Control

These ratings are the only ones that are directly controllable by the business and are the reason they have been used to obtain the food businesses star rating.

The total score from the 3 categories is then used to derive the star rating ranging from 0 (major improvements needed) through to 5 stars (excellent).

The table below shows the results of the star ratings awarded to businesses on 1 April 2007 compared with on 1 April 2008:

Number of Stars	Number of Premises (1/4/07)	% of premises	Number of Premises (1/4/08)	% of premises
5 Stars	24/759	3%	85/762	11.1%
4 Stars	155/759	20%	217/762	28.5%
3 Stars	226/759	30%	294/762	38.6%
2 Stars	262/759	35%	137/762	18.0%
1 Star	60/759	8%	26/762	3.4%
0 Stars	32/759	4%	3/762	0.4%

Complaints

During the year the service dealt with 36 complaints relating to the condition of food premises and food handling practice. In addition, 22 complaints of unfit or out of condition food, extraneous matter, mould and unsatisfactory labelling of food items were also received. These investigations have been undertaken all within our target of 2 working days; however, they have had some effect on performance of the inspection programme.

Food Poisoning

The service received 100 notifications of food poisoning during the year and investigated 1 outbreak of infectious disease, which occurred in a residential /nursing care home and which was found to be viral in nature.

Food Safety Incidents

The Service received 63 food alerts and 41 allergy alerts from the Food Standards Agency during the year. All requiring action were dealt with expeditiously. No food incidents were identified by the Authority that required notification to the Food Standards Agency.

Enforcement

During 2007/08, no emergency prohibition notices were served on businesses where formal cessation of a food activity was necessary however 1 voluntary closure of a food business was agreed. No hygiene improvement notices were served on businesses to ensure compliance with food safety issues. No prosecutions or formal cautions were undertaken.

FSA Audit

In March 2008 the Authority was audited by the FSA in relation to feeding stuffs and imported food & feed control. A considerable amount of work was undertaken in preparation for the audit and this had a considerable impact on the limited resources available during the second half of the year.

We have received initial feedback including a draft report and have drawn up an action plan to address the areas requiring improvement. We are currently awaiting the final report.

Improvement Proposals 2007/08

The following areas for improvement were identified in the 2007/08 Food Service Plan.

1. Complete review / internal audit of food quality system.

This work was completed.

2. Produce a summary of the Food Enforcement Policy

Due to other priorities and resource constraints this was not completed and it has therefore been included in next years plan.

3. Reduce the number of premises in bands 0-2 stars in food hygiene awards scheme by 5%

This target was exceeded with the number of premises in the 0-2 star bands falling from 47% to 21.8% (a reduction of 25.2%)

4. Record all food samples on the Authority Public Protection computer system

This work was completed.

8. Key Areas for Improvement 2008/09

In addition to committing the service to specific operational activities such as performance of the inspection programme, the service planning process assists in highlighting areas where improvement is desirable. Detailed below are specifically identified key areas for improvement that are to be progressed during 2008/09.

1. Produce a summary of the Food Enforcement Policy
2. Complete the Action Plan in relation to the FSA Audit
3. Carry out configuration of APP to enable completion of food & feed statutory returns in accordance with new guidance

4. Implement the requirements of the revised Food Law Code of Practice, which is expected to be published in June 2008.
5. To promote awareness of the Tees Valley Food Hygiene Award Scheme and make information in relation to the business' 'star rating' more transparent we will provide the food business operator with a window/door sticker which we will encourage them to display. (This is in addition to the current practice of providing businesses with a Certificate and displaying the 'star rating' on the Council website)

Report to: The Executive, to be presented by the Regeneration and Liveability Portfolio Holder

Subject: Youth Justice (capacity & capability) Plan 2008/09

1. PURPOSE OF REPORT

To consider the Youth Justice (capacity and capability) Plan for approval.

2. BACKGROUND

2.1 The Local Authority is responsible for the Youth Offending Service and is supported by other partners – Primary Care Trust, Police and Probation. The Youth Offending Service (YOS) is a multi-disciplinary team and has secondments from all partners, as well as a financial commitment to core funding.

2.2 Each year the Youth Justice Board (YJB) requests the Youth Offending Service to set out in an annual plan, how they are going to respond to the Youth Justice Performance Management Framework, to address areas of under performance and deliver continuous improvement.

2.3 The Government have agreed a new national Youth Justice Performance Framework for 2008/09 and beyond, which is aligned to the new National Indicator set for Local Authorities and Partnerships. There are 6 specific youth justice indicators:

NI 111 Number of first time entrants to the youth justice system aged 10-17

NI 19 Rate of proven re-offending

NI 43 Rate of court convictions leading to custodial sentence

NI 44 Ethnic composition of offenders of youth justice disposals

NI 45 Engagement in education, training and employment

NI 46 Suitable accommodation

2.4 The format of the annual plan has been changed for 2008/09 to reflect the changes made to the Youth Justice Performance management framework.

2.5 The Youth Justice (capacity and capability) Plan 2008/09 comprises 5 sections:

Section A

The national and local context of youth justice – what are the strategic aims and priorities of the national and local youth justice systems

Section B

Use of resources and value for money - the extent to which the YOS's financial, staff, programme and ICT resources have been used to deliver quality Youth Justice services

Section C

Capacity and Capability – a preventing offending and reoffending problem-solving tool, which is designed to help YOS management boards, and the YJB, arrive at an annual direction of travel assessment against local and national strategic aims of the youth justice system, and to monitor performance and continuous improvement

Section D

Business change and innovation: Youth Justice: the Scaled Approach is designed to assist youth justice services to direct time and resources to young people appropriately, in accordance with their risk assessment. YOS's will be expected to implement the scaled approach model from April 2009, which will coincide with the introduction of the provisions arising from the Criminal Justice and Immigration Act. The most significant youth justice provision in the Act relates to the Youth Rehabilitation Order (YRO).

Section E

Workforce Development – the extent to which the YOS workforce development strategy will help the YOS and its partners to effectively manage the risks of future delivery.

3. DECISION MAKING ROUTE FOR THE YOUTH JUSTICE PLAN

3.1 The Plan is part of the Budget and Policy Framework for the authority. The programme has been fulfilled as follows:

- 1) An issues paper has been prepared and this was considered and approved by the Cabinet on 9th June 2008.
- 2) The draft Youth Justice Delivery Plan was considered by the Regeneration & Planning Services Scrutiny Forum on 25th July 2008.
- 3) The final plan was considered by the Cabinet on 4th August 2008 and has been recommended for approval.

3.2 Consultation during the development of the plan has been undertaken with partner organisations, staff, service providers and victims.

4. THE YOUTH JUSTICE (CAPACITY & CAPABILITY) PLAN 2008/09

4.1 The Youth Justice (capacity & capability) Plan for 2008/09 is attached at Appendix 1.

4.2 The key areas for improvement in service delivery and performance during 2008/09 are:

- Reducing First Time Entrants to the youth justice system.
- Reducing re-offending by young people.

These are measured by the new National Indicators NI111 and NI19, mentioned in paragraph 2.3 above.

4.3 During 2007/08, the number of young people who offended for the first time (259), had reduced, compared to the number in 2006/07 (298). In order to maintain this reduction the YOS must continue to work with partners, to increase referrals to the Hartlepool Intervention Project (HIP), which is the main mechanism for the co-ordination and delivery of preventative services in Hartlepool. This should reduce First Time Entrants, as measured by NI111.

4.4 Re-offending rates have reduced, and access to education, training and employment places have improved. However, performance at 81% is below the target of 90%, but Hartlepool consistently exceeds the average for both national, regional and most similar areas. If there is to be a change in the offending patterns of young people, we must strive to provide education, training or employment for all young offenders, and ensure that suitable accommodation is available – sometimes bed and breakfast is the only option available. The planned development of a Young Person's Housing Strategy by the Council, may assist.

5. RECOMMENDATION

5.1 The Council approves the Youth Justice (capacity & capability) Plan 2008/09 for submission to the Youth Justice Board.

Contact officer: Alison Mawson
Safer Hartlepool Partnership Co-ordinator

Background papers

Youth Justice Board guidance



Youth Justice

(Capacity and Capability)

Plan

2008-2009

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ABBREVIATIONS/GLOSSARY

APACS	Assessment of Police and Community Safety
ASBU	Anti-social behaviour Unit
Asset	National Assessment tool for offenders
BME	Black and Minority Ethnic
CCJB	Cleveland Criminal Justice Board
CCJB	Cleveland Criminal Justice Board
CJSSS	Simple, Speedy, Summary Justice
ETE	Education, Training and Employment
EYE	Electronic Yellow Envelope
FIP	Family Intervention Project
FTE	First Time Entrants to the criminal justice system
HIP	Hartlepool Intervention Project
HMIP	HM Inspectorate of Probation
HYPED	Hartlepool Young People's Substance Misuse Team
INSET	Regional Youth Justice Board Training
ISSP	Intensive Supervision and Surveillance Programme
MAPPA	Multi-agency Public Protection Arrangements
NI	National Indicator
OBTJ	Offences brought to justice
Onset	National Assessment tool for those at risk of offending
PPO	Prolific and other priority
PSA	Public Service Agreement
PSR	Pre-sentence Report
PYO	Persistent Young Offender
RAP	Resettlement and Aftercare Programme
ROSH	Risk of serious harm
YIP	Youth Inclusion Programme
YJB	Youth Justice Board
YOS	Youth Offending Service
YRP	Youth Rehabilitation Order

SECTION A – THE NATIONAL AND LOCAL CONTEXT OF YOUTH JUSTICE

A1

What are the strategic aims of the youth justice system in England and Wales?

Nationally the strategic aims of the youth justice system for 2008 – 11 are:

- Prevent offending.
- Reduce re-offending.
- Ensure safe and effective use of custody.
- Increasing victim and public confidence.

A2

What are the strategic aims and priorities of the local youth justice system?

In 2007/08 Hartlepool achieved an overall performance rating of level 3, which at 69.6% is just below the 70% required to obtain level 4. Against the YOS (Youth Offending Service Team) Performance Management Framework (level 0-5).

The two main areas requiring improvement are:

- reducing First Time Entrants to the youth justice system
- reducing offending by young people

both of which are reflected in the national strategic aims:

- preventing offending
- reducing re-offending

Despite the work of the Hartlepool Intervention Project and the establishment of 3 youth inclusion programmes in the town First Time Entrants figures continued to increase during 2006-07 and for the first six months of 2007-08, however, during the last six months of 2007/08, a significant reduction in numbers was achieved. Work with all agencies will continue to obtain a reduction in the number of First Time Entrants, through current prevention arrangements and the development of Targeted Youth Support.

In terms of re-offending the YJB Performances measures show Hartlepool as a level 1 where overall the re-offending rate in Hartlepool after 12 months has reduced year on year from the 2002 cohort which was 39.6% to the 2005 cohort at 28.8% a percentage reduction of 27.3% over the period. Re-offending performance is a contentious issue where smaller YOS's are concerned, due to the fact that the fortunes of a relatively few young offenders can have a marked effect upon the perceived performance of the YOS.

In 2007/8 three performance measures failed to reach the target:

- 1) Final Warning, a target of 95% with an outcome of 88.9% which reflected 1 young person out of 9 who was offered an intervention programme but failed to engage.

- 2) Detention and Training order Planning target of 95% outcome 92.9% again this reflected 1 young person out of 14 not taking their planning meeting within the National Standard timescale.
- 3) Young people in education, training or employment, again a target of 90%, 81% was achieved, which whilst below the target is above the national, regional and family group performance. Work will continue with partner agencies. Training providers and the Learning Skills Council to improve the number of young people in education, training and employment.

Following a regional audit of Assets in 2007 and the YOS inspection in October 2006 Hartlepool YOS recognised the need for further staff training to raise the quality of assessments and intervention plans. The introduction of Youth Justice: the scaled approach during 2009 will clearly be linked to the quality of assessment and understanding of the risk management process. Development of these areas in preparation for the scaled approach will be a key priority during 2008/09.

The two key areas for Hartlepool YOS of reducing the number of first time entrants and reducing re-offending, whilst not included in the Local Area Agreement as improvement targets, are included as local indicators.

Hartlepool YOS sits in the Community Safety and Prevention Division of the Regeneration and Planning Department in the Local Authority. This enables the YOS to be connected directly to the strategic partnership responsible for Community Safety, Substance Misuse, Prolific and Other Priority Offenders, and Anti Social Behaviour. The YOS Management Board provides effective strategic direction. Strategic influence is provided by most members of the Management Board also being members of other cross cutting partnerships.

The YOS manager is a member of a number of groups where strategies need to take into account young offenders; prevention of offending group, anti-social behaviour, family intervention project, parenting strategy, alcohol and young people, integrated working and information sharing programme board, children fund, pupil referral unit management board, social inclusion strategy groups, Multi Agency Public Protection Arrangements (MAPPA) Strategic Management Board, the Local Children Safeguarding Board and the Cleveland Criminal Justice Board. The Children and Young People's Plan has been developed with the YOS working closely with the outcome lead for 'making a positive contribution'. The Head of Community Safety and Prevention represents the YOS on the Children's and Young People's Strategic Partnership as well as a number of other areas within community safety.

The Head of Community Safety and Prevention has chaired the YOS Management board since 2006 when the Board was restructured. Now that the Board is established it was felt inappropriate for the Head of Community Safety and Prevention who line manages the YOS Manager to continue as Chair and a more independent Chair would benefit the YOS governance arrangements. From September 2008, the Assistant Director, Planning and Service Integration for Children's Services will Chair the Management Board.

SECTION B – USE OF RESOURCES AND VALUE FOR MONEY

B1

The YOS Budget for 2008/09 has remained relatively stable with contributions from partners agencies being similar to the previous year with inflation added. The National Probation Service, and Health Contribution has diminished slightly but this is due to a change in the seconded staff.

The Resettlement and Aftercare Programme Funding remains ringfenced whilst the Intensive Supervision and Surveillance Programme funding for the Tees Valley is administered through Middlesbrough Council.

Hartlepool has agreed to pilot the pooling of YOS prevention funding with the Children's Services Department to achieve better outcomes for children and young people. Work is on going to develop integrated Targeted Youth Support, building on the prevention work already being undertaken.

Whilst the accommodation needs of staff are met, the suitability of accommodation to deliver group work and reparation are limited. Initial work was undertaken during 2007/08 to provide a building where work with the young people on Orders could be undertaken, however the estimated costs of refurbishment have proved prohibitive.

Further investigation into the use of suitable premises will continue during 2008/09.

Staff Resources:

Hartlepool YOS has a current workforce of 65.

This includes outsourced workers within the voluntary and statutory sectors, (Barnardo's, Children's Society, Substance Misuse Service, Housing, Connexions, Belle Vue and Manor Residents).

The services has 8 Referral Panel Volunteers, 10 Sessional workers and 2 Remand Carers. The remaining staff are managers, practitioners and administration workers.

Appropriate staff are seconded from Children's Services, Probation, Health and the Police.

There are currently 5 vacancies – 2 health staff who have been recruited and will commence in August, 2 Intervention Workers (HIP and YIP) and an Accommodation Officer, where recruitment to these posts is underway.

Programme Resources:

The Hartlepool Intervention Project (HIP) Panel co-ordinates prevention activity dealing with all referrals for young people at risk of becoming involved in offending, anti-social behaviour and social exclusion. Referrals are allocated to the HIP team, the Youth Inclusion Programme (YIP) or voluntary sector partners. A wide range of diversionary work and activities are undertaken with the young people.

The Hartlepool Substance Misuse Service (HYPED) provides tier 2 and 3 interventions. The YOS fund a Substance Misuse Nurse who is seconded to HYPED and works directly with young people who misuse alcohol and illegal substances.

The Straightline Project offers health advice to young people reported by the police for being in possession of alcohol.

The YOS healthworker provides a direct link to Child and Adolescent Mental Health services, and provides advice for young men and women in terms of sex education and family planning.

Staff have been trained to deliver 'Pathway Plus' a cognitive behaviour programme which forms a key plank in the Effective Practice strategy in providing modular training to address key factors in offending.

The Case Managers are trained to deliver 'Teen Talk', a package of cognitive offending based worksheets.

Young people can access the Resettlement and Aftercare Programme (RAP) – an intensive programme of support for young people who have substance misuse and mental health difficulties. The programme can include assistance with accommodation, counselling, education/training/employment, constructive use of leisure, family support, substance misuse, mental health, health and life skills issues.

The Intensive Supervision and Surveillance Programme (ISSP) is the most rigorous community based intervention available for young offenders. It combines community based surveillance with a comprehensive and sustained focus on tackling the factors that contribute to the young person's offending behaviour.

An accommodation officer post is part funded by the YOS, the worker is based with the Council's Homeless section and provides a valuable link for the service.

2 remand foster carers are available for the YOS, when not used for remands these carers often plug the gap in provision for difficult young people with accommodation problems.

The Children's Society provide victim offender mediation, liaising with victims and preparing Victim Impact Statements to be used with young offenders.

Barnardo's Heartbeat Projects provides mentoring programmes and sessions in anger management, offending behaviour, self-esteem and victim awareness. The project also undertakes parenting interventions on behalf of the YOS both with parents on a voluntary and statutory basis.

Team members have undertaken basic assessment skills in working with young people who sexually abuse.

The YOS has access to Barnardos' Bridgeway Project which provides specialist interventions and therapeutic work with young people who have sexually abused. A service is also provided for those young people who are victims of sexual abuse.

ICT

The Careworks case management system is embedded into the working practice of the case managers. Information obtained from the system is used to develop the services of the YOS. Data from Asset identifies the risk factors that need to be addressed to prevent further offending and assists the Management Board to identify problem areas and propose solutions.

Hartlepool YOS has engaged fully in the Wiring Up Youth Justice Programme. The Connectivity project went live in August 2007 with the ability to send ASSET, Placement Alerts, Pre-sentence Reports and Risk of Serious Harm documents electronically to the Placements Team. More recently the project has enabled the transfer of the Post Court Report, Vulnerability, Risk Management Plan and notification of the Court Outcome. The previous 'Yellow Envelope' documentation has now been replaced by EYE (electronic yellow envelope).

The remote working grant enabled a computer link to be made to the court building, allowing access to the case management system by the workers in the court and enabling the electronic transfer of data quickly and efficiently for those young people remanded or receiving custodial sentences.

Hartlepool YOS are involved in the pilot of the Youth Justice Management Information System (MIS) which enable the YOS to provide the Youth Justice Board with statutory performance information and use management data more effectively when making decisions.

A number of laptops have been purchased to assist practitioners with their work in the community. Work is ongoing within the Local Authority to provide mobile connections so that the case management system can be accessed by practitioners wherever they are.

The development of Contact Point within the Local Authority is ongoing and links are being established with the Careworks system.

Section B – Use of resource & Value for money

Youth offending team budget source for the financial year 2008/9

Agency	Staffing Costs	Payment in kind	Other	Total
Police	£50,258	£0.00	£24,514	£74,772
Probation	£37,665	£0.00	£11,593	£49,258
Health	£35,391	£0.00	£24,514	£59,905
Local Authority	£496,357	£0.00	£250,201	£746,558
YJB	£225,904	£0.00	£75,575	£501,479
Safer Communities Fund	£0.00	£0.00	£0.00	£0.00
Other WAG	£0.00	£0.00	£0.00	£0.00
Other	£0.00	£0.00	£0.00	£0.00
CAR	£0.00	£0.00	£0.00	£0.00
Total	£845,575		£586,397	£1,431,972

Section B – Use of resource & Value for money

Services planned for the financial year 2008/09

Core Activity	Expenditure
Preventative Service	£348,731
PACE	£21,741
Pre-court	£163,696
Remand	£137,276
Court	£107,815
Community	£485,368
Custody	£98,794
Miscellaneous	£0.00
Other	£68,551
Total	£1,431,972

Section B – Use of resource & Value for money

Probation Contribution

Cash contribution	Payment in kind 1 Excluding staff		Payment in kind 2 Staffing		Total (£)
	Item	Cash value (£)	Grade and Number	Cash Value (£) including costs	
£11,593	0	0	1	£37,665	

Section B – Use of resource & Value for money

Staff in the youth offending team (by headcount)

	Strategic Manager		Operations Manager		Practitioner		Admin		Sessional	Student	Volunteer	Total
	PT	FT	PT	FT	PT	FT	PT	FT				
Permanent	1	0	0	0	0	0	1	1	0	0	0	3
Fixed term	0	0	0	1	0	12	3	0	0	0	0	16
Outsourced	0	0	0	2	0	7	0	0	0	0	0	9
Temporary	0	0	0	0	0	0	0	0	10	0	8	18
Vacant	0	0	0	0	0	5	0	0	0	0	0	5
Children	0		0	2	0	7	0	0	0	0	0	
Police	0	0	0	0	0	1	0	0	0	0	0	1
Health	0	0	0	0	0	0	0	0	0	0	0	0
Education	0	0	0	0	1	0	0	0	0	0	0	1
Connexions	0	0	0	0	1	1	0	0	0	0	0	2
Other	0	0	0	0	0	1	0	0	0	0	0	1
	1	0	0	5	2	34	4	1	10	0	8	65

Section B – Use of resource & Value for money

Staff in the youth offending team by gender and ethnicity based on census 2001 categories

	Strategic Manager		Operations Manager		Practitioner		Admin		Sessional		Student		Volunteer		Total	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
White British	1	0	1	4	11	19	0	5	4	6	0	0	0	8	17	42
White Irish	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other white	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
White & Black Caribbean	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
White & Black African	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0
White & Asian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other mixed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Indian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Pakistani	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bangladeshi	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Asian	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Caribbean	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
African	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other black	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Chinese	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other ethnic group	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

SECTION C – CAPACITY AND CAPABILITY

1. Assess the extent to which the YOS has contributed to reducing first time entrants to the Criminal Justice system and reducing any disproportionality including young people from Black and Minority Ethnic (BME) backgrounds

Preventing offending is the principal aim of the youth justice system. Reducing the number of first-time entrants into the youth justice system forms part of Government's Public Service Agreement (PSA) 14, "Increase the number of children and young people on the path to success", and it significantly contributes to the Every Child Matters outcomes. It is National Indicator (NI) 111 and it is performance indicator 24 in the Assessment of Police and Community Safety (APACS).

The Hartlepool Intervention Project (HIP) Panel continues to be the main mechanism for the co-ordination and delivery of preventative services in Hartlepool. The panel offers support to children, young people and their families who are at risk of becoming involved in crime, anti-social behaviour or social exclusion. During the year the National Probation Service and the Hartlepool Young People Substance Misuse Team (HYPED) have been added to the Panel which consists of representatives from Children's Service (Education, Social Care, Youth Services, Connexions and Children's Fund), Child and Adolescent Mental Health Service, Primary Care Trust, Local Authority Housing, Housing Hartlepool, Police, Anti-Social Behaviour Unit, Connexions, Barnardo's, Fire Brigade, and the Youth Offending Service (YOS). All referrals accepted by the Panel are subject to Onset (YJB prevention assessment tool) assessments and an intervention plan drawn up following a Family Focus group, involving the young person and their family.

There has been a 13% decrease in the number of first time entrants (FTE) in 07/08 compared to the previous year 06/07 (298 to 259). Although there was a decrease, the first two quarters continued the trend of the previous year with figures increasing (90 and 82 respectively) however the third and fourth quarters showed reductions in these figures of approximately 50% (46 and 41).

The increase in numbers has been the subject of much discussion both within the YOS Management Board and the Safer Hartlepool Partnership as well as the Police and Cleveland Criminal Justice Board (CCJB). The trend is not unusual with other Cleveland Police Districts experiencing increased numbers. It has been acknowledged that the introduction of Neighbourhood Policing and the Offences Brought to Justice (OBTJ) target have had a significant impact on the number of children and young people coming into the criminal justice system. Performance Indicator 24 in the Assessment of Police and Community Safety will ensure that we are now working with the same targets and not conflicting ones.

An analysis of the increasing numbers in the second quarter of 07/08 was undertaken and it was found that a significant number of young people entering the system had been subject to fixed term exclusions from school. Discussions have taken place with the secondary heads to promote referrals to the HIP Panel. Training/awareness sessions have taken place in some of the Secondary and Primary schools, this is an ongoing process.

The HIP workers have been amalgamated with the Family Intervention Project (FIP) workers and support the work of both projects. The team sits jointly between the Anti-social Behaviour Unit (ASBU) and the YOS, ensuring that young people coming to the attention of the ASBU are given appropriate support.

Training has been given to the Police Officers and Community Support Officers to make them aware of the referral process and what preventative services are available, to ensure timely appropriate referrals are made for those young people coming to their attention and promote early diversion for those young people at risk.

The YJB Prevention Funding has enabled the establishment of a Youth Inclusion Programme (YIP) in three areas of the town and work with the schools in these areas is developing positively.

The YOS Inspection Report (Oct 2006) commented positively on the "HIP and YIP arrangements contributing to targeted community regeneration and providing a multi-agency resource addressing the needs of referred families".

A six module Prevention Awareness Course has been developed and delivered in the secondary schools with the schools identifying pupils they believe to be at risk of becoming involved in crime or anti-social behaviour. All young people receiving a reprimand are involved in a court scene acting out the roles and discussing the impact of offending upon the young person, their family, the victim and the community, as well as giving them an understanding of the court process.

The Straightline Project, an alcohol awareness programme, has continued to be developed with referrals now being taken directly from parents who have concerns for their children, in relation to alcohol.

Children and young people from black and minority ethnic backgrounds are proportionally under represented in the youth justice system in Hartlepool which is positive.

During 2008-09 work will continue to raise the awareness of HIP with all partner agencies to encourage referrals as early as possible. A prevention awareness day promoting all prevention activity will be held on 17th September 2008.

A strong partnership has been developed with Manor Residents Association to develop the YIP model used in the Owton Manor area across the town.

Junior YIPs covering children aged 8-13 will be developed during the year initially starting in the Dyke House area.

Hartlepool YOS is to be one of the pilot sites for the pooling of YJB Prevention Funding within the Local Authority to ensure a focused package of support is delivered to young people in need. This initiative will be linked to the newly established officer group of service leads associated with PSA 14 "Increase the number of children and young people on the path to success" and will assist in delivering Targeted Youth Support.

Risks to future delivery and continuous improvement

New Risks

- Widening of Prevention Agenda in Children's Services, focus taken away from preventing Crime and Anti-social Behaviour.

Current Risk

- Failure of agencies to identify children and young people at risk at an early stage.
- Number of referrals increase beyond capacity of the team.

Intervention Plans not linked to assessment of Risk factors identified Onset.

Action	Success Criteria	Owner	Deadline
Ensure YOS involvement in Development of Prevention Services	Agreed Prevention Structure	YOS Manager	Sept 2008
Multi agency Prevention Awareness Day	Event takes place HIP referrals increase.	Prevention Team	Sept 2008
Monitoring referrals to HIP	Young person receives a service	HIP Chair	Ongoing
ONSET and Intervention Planning Training	Intervention plans address risk factors	Interventions Co-ordinator /Prevention Manager	Sept 08

2. Assess the extent to which the YOS has contributed to reducing reoffending and reducing any disproportionately including young people from BME backgrounds.

Nationally the YJB is the lead agency for preventing youth reoffending and the harm caused through reoffending to others as part of PSA 23, "Make communities safer". This aim also significantly contributes to the Every Child Matters outcomes. It is National Indicator (NI) 19 and it is performance indicator 23 in the Assessment of Police and Community Safety (APACS).

In Hartlepool the overall reoffending rate after 12 months has reduced year on year from the 2002 cohort (i.e. group of offenders) at 39.6% to the current 2005 cohort at 28.8% a percentage reduction of 27.3% over the period. The re-offending rates compare favourably with those of:

The statistical neighbour, being below in all of the four cohorts.

England and Wales, where other than in 2002 the re-offending rate is again lower.

Whilst overall the re-offending rate is lower the re-offending rates of those receiving community sentences has shown some increased trends. The numbers in the cohorts are relatively small and the more serious and persistent offenders tend to be a large percentage of the cohort. Increased numbers entering the system since April 2006 may start to affect the figures further.

The day to day work of the YOS staff is directed at reducing re-offending by children and young people through rigorous assessment and interventions to address the identified risk factors and strengthen positive factors. Following a regional audit of Assets (YJB assessment tool) and the YOS Inspection in 2006, Hartlepool YOS invested in further training with staff both within the YOS locally and regionally to raise the quality of assessments and intervention plans.

Pathways Plus (an accredited cognitive behaviour offending programme) has been delivered to young people, initially to those on the Intensive Supervision and Surveillance Programme (ISSP - an alternative to custody) and will be delivered during 2008/09 to young people with lower tariff community orders.

Education, training and employment, as well as suitable accommodation for young people, are seen as the areas which we need to continually monitor and improve, if we are to change the offending patterns of young people in the youth justice system. In 2007-08, 81% of young people completing statutory orders were in education, training or employment (ETE) against a national target of 90%. Whilst the performance level was below the target, it was above the national, regional and family group performance. Against a national target of 95% for young people being in suitable accommodation at the end of their Orders, Hartlepool achieved 95.9%. Whilst the target was achieved,

placements for 16-17 year olds who become homeless remains problematic with bed and breakfast accommodation often being the only option. Additional support to young people is offered through the Resettlement and Aftercare Programme (RAP) which has resulted in a number of positive outcomes for young people in sustaining accommodation and engaging in employment/training, however the posts are only funded for another year.

Children and young people from black and minority ethnic backgrounds are proportionally under represented in the youth justice system in Hartlepool.

During 2008/09 the YOS will be preparing for the introduction of the Scaled Approach, which is designed to assist youth offending services to direct time and resources to young people appropriately, in accordance with their risk assessment. This will involve the development of a tiered approach to interventions based on risk, supported by the new Youth Rehabilitation Order to be introduced in the Criminal Justice and Immigration Act. The work on improving the quality of assessment and intervention planning will therefore be a key feature during the year. A recent regional quality assurance of Assets showed significant improvements in the quality of Assets being completed. In Hartlepool the areas for improvement have been identified in relation to offence analysis and risk, training has been organised to address these areas.

The publication of the updated guidance to youth offending teams on the Prevent and Deter strand of the Prolific and Other Priority Offenders (PPO) Strategy clearly defines Deter as targeting high risk young offenders with the potential to become the PPOs of the future. Work with young offenders who are identified in the Deter cohort will link to the introduction of The Scaled Approach with those young people identified in the cohort receiving appropriate levels of intervention and support.

Risks to future delivery and continuous improvements

Current Risks:

Ability to engage young people in Full Time Education Training and Employment. (ETE)

Lack of appropriate accommodation for homeless 16-17 year olds
Quality of Asset assessments and Intervention Plans.

Action	Success Criteria	Owner	Deadline
Continue to strengthen links with Training providers	Increase in ETE Performance	YOS Manager	Ongoing

Continue to work with partner agencies to increase accommodation	No young person placed in Bed and Breakfast	YOS Manager	Ongoing
Asset Training Intervention Planning to address areas identified in QA of Asset	Offence Analysis undertaken Intervention plans address risk factors identified Risk of serious harm assessment and Management plan completed on all relevant cases	YOS Operational managers	Oct 08

3. Assess the extent to which the YOS has contributed to reducing custodial remands and sentences and reducing any disproportionality including young people from BME backgrounds.

Using custody only as a last resort is one of the key assumptions that underpin the YJB's strategy for the secure estate (custodial settings) for children and young people. Reducing the use of custody for young people is National Indicator (NI) 43. It forms part of PSA 14, "Increase the number of children and young people on the path to success", and it significantly contributes to the Every Child Matters outcomes.

In 2007/08 Hartlepool achieved a performance of 6.7% for the use of Remand compared to the target of less than 9%. There were 8 occasions when young people were remanded into custody from 115 Remand decisions.

In terms of custodial sentences, again the target of 5% or less was achieved with a performance of 5%, which equates to 15 custodial sentences from 300 sentences. Effective services are in place prior to court hearings to assess young people for Bail ISSP or remand to Local Authority accommodation as an alternative to custody.

Two remand carers are available for remands to Local Authority accommodation, or where no suitable accommodation is available, and there is a risk of custody because of homelessness.

Work with the Housing Advice Team and Social Care Teams to provide suitable accommodation to address the needs of those young people who become homeless is ongoing.

YOS court staff have a good working relationship with the youth court magistrates and court staff. All Pre Sentence Reports (PSRs) are quality assured by operational managers and an evaluation sheet is completed by the sentencing magistrates indicating a sound congruence rate and high satisfaction levels.

Recently there have been a number of young people coming from police custody in Middlesbrough to court on a Saturday morning which has led to a review of the arrangements for court cover to ensure that remands to custody are not made without all relevant information being made available to the court.

Risks to future delivery and continuous improvement

Current risk:

Young people placed before the court on a Saturday where there is a risk of a custodial remand and no YOS representative present.

Action	Success Criteria	Owner	Date
Agree arrangements for staff to cover court on Saturdays and Bank Holidays	No young person remanded to custody on a Saturday without presence of YOS representative in court	YOS Manager	July 08

4. Assess the extent to which the YOS has contributed to addressing the risk of serious harm to the public through local application of YJB risk of serious harm procedures.

Nationally, HM Inspectorate of Probation's (HMIP) joint inspections of Youth Offending Services have highlighted significant concerns in the way in which Youth Offending Services manage the risk of serious harm to the public, posed by children and young people.

All young people are assessed using the Asset assessment tool and where a risk is identified, a second assessment, a Risk of Serious Harm (ROSH) is completed. Where the ROSH indicates a medium or high risk, a Risk Management Plan is completed to manage risk and reviewed 6 weekly by YOS management. Again the importance of timely and good quality assessments is essential and needs to be consistent across the team. This will be reinforced through further risk training for the team.

The Chair of the YOS Management Board randomly selects cases and checks procedures are being followed, reporting back to the Management Board.

Further checks are to be carried out by managers to ensure all new offences of a violent or sexual nature result in a ROSH being completed.

YOS is actively involved in the Multi-Agency Public Protection Arrangements (MAPPA) for any young person who has been registered under MAPPA.

The YOS Manager sits on the Teesside MAPPA Strategic Management Board representing Hartlepool, Stockton and South Tees YOS's and chairs the Procedures Sub Group.

Risks to future delivery and continuous improvement

Current Risks

- Risk Assessment is not consistent and appropriate across the team.
- Changes in circumstances in relation to risk of harm are responded to immediately.

Action	Success Criteria	Owner	Date
ASSET training to identify Risk and appropriate offences	Young people with relevant offences have a ROSH completed	Operational Managers	Ongoing

5. Assess the extent to which the YOS has contributed to keeping children and young people safe from harm.

The YOS has a statutory duty under section 11 of the Children Act 2004 to safeguard and promote the welfare of the child. The YJB's Strategy for the Secure Estate for Children and Young People requires that the Every Child Matters outcomes must also govern all secure establishments for children and young people.

Where an indication of vulnerability is identified in the Asset or Onset assessment, a Vulnerability Management Plan identifying the risk as low, medium or high is implemented, plans are reviewed 6 weekly. Staff from Children's Services and the Anti-social Behaviour unit will attend future meetings to ensure a multi-agency response. Numbers of young people and levels of vulnerability are reported to the YOS Management Board quarterly.

The YOS Manager is a member of the Hartlepool Safeguarding Children's Board, chairs the Operational Practice and Policy Group and is a member of the Performance and Quality Sub Group. The Deputy YOS Manager is a member of the Training Sub Group. YOS staff participate in the multi-agency safeguarding training.

Procedures are in place to ensure relevant information is routinely forwarded to the Secure Estate staff including risk, safeguarding and substance misuse information, when a young person receives a custodial remand or sentence.

YOS workers are contacted in the event of any vulnerability or safeguarding issues identified in custody. Strong links are in place with the nominated workers in Castington and the RAP team. As part of the workforce development, three members of the YOS staff are to job shadow workers in Castington.

It is also important to ensure that the remand carers are receiving the appropriate information relating to young people placed in their care whether placed by the YOS or Children's Services.

Risks to future delivery and continuous improvement

Current Risk:

Remand Carers do not receive appropriate information/documentation on placement

Action	Success Criteria	Owner	Date
Ensure staff complete appropriate documentation before placing a young person	No young person placed without appropriate documentation	YOS Children's Services	Ongoing

6. Assess the extent to which the YOS has contributed to improving public confidence in the fairness and effectiveness of the Youth Justice System

The Working Together to Cut Crime and Deliver Justice: A Strategic Plan for 2008-2011 sets out how English and Wales criminal justice agencies, including youth justice services, will deliver a justice system which engages the public and inspires confidence. The YJB has a corporate responsibility to contribute to achieving PSA 24: "Deliver a more effective, transparent and responsive Criminal Justice System for victims and the public".

The YOS has maintained a performance level of 4/5 (5 highest) against National Standards during 2007/08.

Magistrates are confident in YOS services, with the Pre-sentence report recommendations being followed in 87% of cases.

In 2007/08 a further 8 community volunteers have been recruited and trained to sit on Referral Order Panels.

The Head of South Tees YOS chairs the Cleveland Criminal Justice Board (CCJB) and represents the Tees Valley YOS's. The Stockton YOS Manager is the representative on the Communications sub-group and the Hartlepool Manager is the representative on the Performance group ensuring YOS representation at all levels of the CCJB.

The YOS Manager meets with the Youth Court Panel Magistrates quarterly to discuss issues relevant to the Youth Justice System.

YIP's have been established in three areas (Dyke House, Owton Manor and North Area) of the town and work closely with local community groups.

The YOS participated in the Anti-social Behaviour Awareness Day and delivers the Prevention Awareness Course in all secondary schools. Positive news stories are promoted through the Safer Hartlepool Partnership and the Council's Heartbeat magazine however there is no guarantee that they will be published in the local press.

A Hartlepool young offender recently received a national award as the most inspirational young person from the Kids Count Charity, after attending a Referral Order Panel, where he met with the victim of his crime and has since turned his life around.

There are a wide range of community reparation projects undertaken by young people working with the YOS.

Along with partner agencies the YOS promotes the work of the Cleveland Criminal Justice Board during the annual Inside Justice Week.

Risks to future delivery and continuous improvement

Current risks:

- Negative publicity relating to young people and crime/anti-social behaviour.

Action	Success Criteria	Owner	Date
Promote good news stories relating to young people and YOS activities	Increase public confidence in the Youth Justice system	YOS Manager	Ongoing

7. Assess the extent to which the YOS has contributed to improving satisfaction in the Criminal Justice System for those who have been victims of youth crime.

The YJB has a corporate responsibility to contribute to achieving PSA 24: "Deliver a more effective, transparent and responsive Criminal Justice System for victims and the public". The Criminal Justice System Strategic Plan 2008-11 sets out how English and Wales criminal justice agencies, including youth justice services, will deliver a justice system which puts the needs of victims at its heart. The plan states that the Criminal Justice System must give victims a voice and ensure that offenders make amends to their victims and communities.

The Code of Practice for Victims of Crime which came into force in April 2006, set statutory minimum standards for services to victims from the criminal justice agencies. There are particular challenges in meeting the needs of the most vulnerable victims. Young people are particularly subject to repeat victimisation for violent crime and it is important to recognise that some young victims of crime may go on to be involved in both offending and further victimisation.

The YOS works in partnership with the Children's Society to deliver services to victims, and restorative justice. The YOS Inspection in 2006 cited the joint work with the Children's Society as an area of good practice, offering a well developed range of service provision to victims. All victims are invited to become involved in a restorative process. Victim impact statements are routinely used when the victim does not wish to attend Referral Order Panels in person or have direct contact if the offender is subject to another Order.

Until recently there has been very little uptake by victims to participate in direct mediation with the offender. However, there has been a recent increase in the number of victims attending Panel, where direct mediation takes place. 100% of victims have indicated that they are satisfied or very satisfied with the service they receive.

The father of a young victim recently commented:

"I feel the system has worked and I am very satisfied with the youth justice process".

When the police officer said the young person would be sent to the Youth Offending Service I was very unhappy because I thought he'd probably get a holiday or something and nothing would change.

Instead I am very pleased with what the Youth Offending Service has achieved. My son has been free of any problems with the young person. In fact, my son told me a teacher saw them talking together and came over to check everything was alright, but he said they're both prefects at school now and get along well together.

It has given me faith in the local police and the police officer's guidance changed a really frustrating and stressful time into something positive."

Risks to future delivery and continuous improvement

Current Risks:

Ensure victims who have provided Victim Impact Statements receive feedback on outcomes at all levels of intervention

- Timescales restrict preparation with young people and can lead to non-engagement with victims at Referral panels

Action	Success Criteria	Owner	Date
Case Mangers to make use of Victim Impact Statements in work with young people. Record Young person's response Children's Society to feedback response to victims	Victims receive feedback on young persons response	Operations Manager Children's Society	Sept 08
Ensuring young people are prepared for panel where victim will attend	Victims express satisfaction after panel	Children's Society Case Manager Panel Co-ordinator	Ongoing

SECTION D - BUSINESS CHANGE AND INNOVATION.

Simple, Speedy, Summary Justice (CJSSS)

From April 2008, youth courts across England and Wales will be adopting, through a phased implementation, a revised model of the established court process within the adult magistrates court. Simple Speedy Summary Justice (CJSSS) is based upon three principles:

- better proportionate preparation for first hearing in court
- ensuring that pleas are heard at first hearing and guilty pleas are dealt with on the day
- contested trials should proceed straight to trial within a reasonable timeframe.

The Referral Order process remains unchanged as most young people are dealt with on their first appearance however the level of change in practice and procedures for each YOT will vary according to their individual agreements and relationship with their local youth court.

At the present time it has been indicated that CJSSS will be implemented in the youth courts of Cleveland in December 2008.

Hartlepool YOS is confident that CJSSS can be implemented within the youth court without too many problems. The work builds on the ongoing procedures in relation to Persistent Young Offenders (PYO). The system relies on all agencies within the court system sharing information to deal with cases as quickly as possible.

As with the PYO timescales, delays are normally with the other agencies at the front end of the process, before an admission or finding of guilt.

The YOS will strive to meet national standards in relation to the preparation of court reports. The YOS court team will endeavour where possible to undertake assessments on young people pleading guilty and appearing for the first time. Stand down reports will be used where recent assessments have been completed and the young person is known to the YOS.

Youth Rehabilitation Order (YRO) and Youth Justice: The Scaled Approach

Youth Justice: the Scaled Approach is designed to assist youth justice services to direct time and resources to young people appropriately, in accordance with their risk assessment. YOS's will be expected to implement the scaled approach model in Autumn 2009, which will coincide with the introduction of the provisions arising from the Criminal Justice and Immigration Act 2008 and the publication of revised National Standards. The most significant youth justice provision in the Act relates to the Youth Rehabilitation Order (YRO).

The YRO will be the new generic community sentence for young offenders and will combine a number of existing sentences into one generic sentence. It will be the standard community sentence used for the majority of children and young people who offend.

The YRO represents a more individualized risk and needs-based approach to community sentencing.

The new sentencing framework and Youth Justice: The Scaled Approach will bring about changes to the way practitioners assess young people, make recommendations to court, plan and deliver interventions.

Work has already been undertaken in relation to improving the quality of assessments and intervention plans with further specific training taking place during 2008-09. The YOS will partake fully in the YJB training for the Scaled Approach and the new sentencing framework, commencing in January 2009. YOS managers will implement quality assurance measures to improve assessment quality, risk assessment decisions and agree intervention plans.

Magistrates will be informed of progress in relation to the YRO and the Scaled Approach through the Youth Court Panel meetings.

Workforce Development

Due to the new local focus and improved workforce development infrastructure in youth justice services, YOS's will be expected to commission directly from the Open University (OU) using local budgets in 2009–11, maintaining an equivalent level of workforce development opportunities as provided by the YJB during 2008/09.

Hartlepool YOS is committed to developing a competent and effective workforce. Other than recently appointed members of staff, all case managers have undertaken the Professional Certificate in Effective Practice. The YOS has fully supported the regional INSET training and the Workforce Development representative has taken an active part in the Regional Workforce Development Group.

Workforce development opportunities and commissioning of services will continue to be explored on a local, Tees Valley and Regional basis.

SECTION E – WORKFORCE DEVELOPMENT

E1.1 Assess the extent to which the YOT Workforce Development Strategy will help the YOT partnership to effectively manage the risks to future delivery.

Hartlepool Youth Offending Service strives towards the development of a confident and skilled workforce. Skills are acknowledged and developed in order to provide a credible service to meet the needs of local, regional and national demands and criterion.

In order to develop and retain the workforce it is essential to have, in the first instance, a credible and robust recruitment procedure.

All managers are trained in Hartlepool Borough Council's recruitment procedures and interviewing skills. *Discouraging discrimination and actively encouraging applications from BME groups*

Interview panels (when appropriate) have youth or service user representation.

The Service is committed to reviewing interview procedures/protocols to come in line with regional Workforce Development group's recommendations.

Development and retention of skilled staff is a process which is implemented and reviewed regularly and training is high on the agenda.

- All new staff, (including Sessional and some volunteers), partake in a series of 'induction' processes. These include; the Borough Council corporate full induction programme; YJB Regional Training (INSET), Introduction to the World of Youth Justice; peer shadowing; Information System training (inputting data on Care Works); Job Shadowing with partner agencies; Child Protection. *All of the above are essential and mandatory elements of the induction.*
- Panel volunteers receive a comprehensive package of Panel training and in addition to the above, staff are encouraged to actively plan part of their own induction process. However, the YOS induction programme is currently under review to formalise some aspects of the ad hoc process.

Hartlepool Borough Council has undergone a restructure of its appraisal programme and all managers have received training in its implementation and delivery. Part of the appraisal policy includes staff development and training. The process includes self assessment and line manager assessment in terms of the competency framework. Level indicators inform and identify and plan personal development.

The Service is committed to the regional INSET programme and over the three years that it has been running the YOS has used more than 300 training days over the 23 different cohorts. All new staff have participated in the

training in terms of the basic competencies and requirements (Assessment, Risk Management, Diversity etc). However, where gaps in skills in relation to the Key Elements of Effective Practice are identified during supervision and appraisal, all relevant staff have been offered places on the appropriate cohort.

Hartlepool Youth Offending Service is fully committed to the Youth Justice Board Professional framework and all staff are actively encouraged to undertake the relevant elements. Most staff have undertaken the Professional Certificate in Effective Practice with positive changes in working practices being evident.

Referral Order Panel members are encouraged to participate in local and regional training. Partner agency staff are also encouraged to participate in any effective practice training.

Whilst there has been some interest expressed, the service has yet to submit any candidates for the foundation degree.

In addition to the above, the Service has commissioned bespoke training in;

- ASSET improvement
- Domestic Violence and its effects on young people
- Knife and gun crime
- Risk Management
- Diversity in Youth Justice
- Report Writing
- PACE (appropriate adult)
- ONSET
- Information sharing and confidentiality
- Quality assurance
- Working with sexually abusive Young People

The YOS staff can also take advantage of the Local Safeguarding Board training in terms of;

- Child Protection
- Substance misuse
- Domestic violence
- Neglect
- Child sexual exploitation
- Safeguarding teenagers

The partner agencies also offer development work in terms of training or shadowing.

- Substance misuse
- Mental health
- Child development

- Victim work
- Information sharing

Job specific training is also offered:

- Court work
- Health and safety
- First aid
- Minibus training
- Management and Supervision

All line managers participate in the Council's 'be the difference' programme and a variety of management training is offered. Additionally, all have undertaken the INSET Effective Supervision Skills for Youth Justice Managers.

Plans for future development:

- Quality Assurance training for first line managers (in terms of Asset improvement)
- Accredited training in implementation of the YRO (aimed at managers and senior practitioners)
- Training for staff who supervise orders
- Implementing the new Scaled Approach

Assess the extent to which the YOT Workforce Development Strategy will help the YOT partnership to effectively manage the risks to future delivery.

Hartlepool Youth Offending Service strives towards the development of a confident and skilled workforce. Skills are acknowledged and developed in order to provide a credible service to meet the needs of local, regional and national demands and criterion.

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All managers are trained in Hartlepool Borough Council's recruitment procedures and interviewing skills. Discouraging discrimination and actively encouraging applications from BME groups

Interview panels (when appropriate) have youth or service user representation.

The Service is committed to reviewing interview procedures/protocols to come in line with regional Workforce Development group's recommendations.

Development and retention of skilled staff is a process which is implemented and reviewed regularly and training is high on the agenda.

- All new staff, (including Sessional and some volunteers), partake in a series of 'induction' processes. These include; the Borough Council corporate full induction programme; YJB Regional Training (INSET), Introduction to the World of Youth Justice; peer shadowing; Information System training (inputting data on Care Works); Job Shadowing with partner agencies; Child Protection. All of the above are essential and mandatory elements of the induction.
- Panel volunteers receive a comprehensive package of Panel training and in addition to the above, staff are encouraged to actively plan part of their own induction process. However, the YOS induction programme is currently under review to formalise some aspects of the ad hoc process.

Hartlepool Borough Council has undergone a restructure of its appraisal programme and all managers have received training in its implementation and delivery. Part of the appraisal policy includes staff development and training. The process includes self assessment and line manager assessment in terms of the competency framework. Level indicators inform and identify and plan personal development.

The Service is committed to the regional INSET programme and over the three years that it has been running the YOS has used more than 300 training days over the 23 different cohorts. All new staff have participated in the training in terms of the basic competencies and requirements (Assessment, Risk Management, Diversity etc). However, where gaps in skills in relation to the Key Elements of Effective Practice are identified during supervision and appraisal, all relevant staff have been offered places on the appropriate cohort.

Hartlepool Youth Offending Service is fully committed to the Youth Justice Board Professional framework and all staff are actively encouraged to undertake the relevant elements. Most staff have undertaken the Professional Certificate in Effective Practice with positive changes in working practices being evident.

Referral Order Panel members are encouraged to participate in local and regional training. Partner agency staff are also encouraged to participate in any effective practice training.

Whilst there has been some interest expressed, the service has yet to submit any candidates for the foundation degree.

In addition to the above, the Service has commissioned bespoke training in;

- ASSET improvement
- Domestic Violence and its effects on young people
- Knife and gun crime
- Risk Management
- Diversity in Youth Justice
- Report Writing
- PACE (appropriate adult)
- ONSET
- Information sharing and confidentiality
- Quality assurance
- Working with sexually abusive Young People

The YOS staff can also take advantage of the Local Safeguarding Board training in terms of;

- Child Protection
- Substance misuse
- Domestic violence
- Neglect
- Child sexual exploitation
- Safeguarding teenagers

The partner agencies also offer development work in terms of training or shadowing.

- Substance misuse
- Mental health
- Child development
- Victim work
- Information sharing

Job specific training is also offered:

- Court work
- Health and safety
- First aid
- Minibus training
- Management and Supervision

All line managers participate in the Council's 'be the difference' programme and a variety of management training is offered. Additionally, all have undertaken the INSET Effective Supervision Skills for Youth Justice Managers.

Plans for future development:

- Quality Assurance training for first line managers (in terms of Asset improvement)
- Accredited training in implementation of the YRO (aimed at managers and senior practitioners)
- Training for staff who supervise orders
- Implementing the new Scaled Approach

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COMMENTS FROM BOARD CHAIR

Hartlepool Youth Offending Service continues to deliver a highly respected service. The statutory partner organisations are active within the YOS management board, which meets quarterly.

Staff team members and management board representatives participated in a productive and enjoyable joint development event, to assist the production of this Youth Justice Plan.

During 2007/08, the YOS has consolidated its services for delivering the prevention agenda, involving a voluntary sector organisation in the co-ordination of the 3 youth inclusion programmes. During 2008/09, we look forward to further developments with our pilot programme to pool YOS funding with that for Targeted Youth Support. There is a growing understanding of the need to focus the preventative work across the whole town in order to address emerging risks for young people, which could lead them into anti-social behaviour and/or offending. National indicator NI 111 is included within Hartlepool's Local Area Agreement as a local indicator, and thus partners will be accountable for performance on reducing first time entrants.

In order to reduce the numbers of young people entering custody, Hartlepool is a partner in the Tees Valley Intensive Supervision and Surveillance Programme. The number of young people referred to this programme during 2007/08 has increased to 51, compared to 42 in 2006/07, with two-thirds successfully completing the programme, compared to just less than half in 2006/07. Hartlepool YOS staff have gained confidence in the service provided by ISSP and have been recommending this option more often in their pre-sentence reports. This confidence is now reflected in the successful completions.

The introduction of a local protocol between the Council and providers of supported accommodation has improved access for young people to appropriate accommodation, but we still find, on occasions that 'bed and breakfast' is the only option. The Council, with its partners, is proposing to develop a young persons housing strategy for Hartlepool during the next 12 months. YOS staff involvement in the development of this strategy will be crucial.

The YOS Management Board takes account of the strategic direction required for both Ever Child Matters and Community Safety outcomes. The Management Board's direct accountability is to the Safer Hartlepool Partnership, but it also routinely reports to the Children and Young People's Strategic Partnership (the Children's Trust) on matters of interest. The Chair of the Board is a member of both Partnerships.

At the last meeting of the Management Board it was agreed the Chair would rotate to the representative from Children's Services, and therefore will be my

last report as chair. I will continue as a member of the Board, to ensure the links with the community safety agenda are maintained. Sue Johnson, Assistant Director (Planning and Integration) in Children's Services will take over the Chairship and I wish her continued success.

COUNCIL
18th September 2008



Report of: Chief Executive

Subject: BUSINESS REPORT

1. Annual Report on Treasury Management Activity and Actual Prudential Indicators for 2007/2008

Background

As part of the annual Budget and Policy Framework process the Council approved the overall Treasury Management Strategy and associated Prudential Indicators on the 14th February, 2007

This report provides a review of the actual treasury activity for 2007/2008 and the actual Prudential Indicators for 2007/2008.

The submission of this report to Council is a requirement of the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management, Department for Communities and Local Government (DCLG) Investment Guidance and the CIPFA Prudential Code for Capital Finance in Local Authorities.

This report summarises:

- The Council's Capital expenditure and financing 2007/08;
- Treasury Position at 31st March 2008;
- Prudential Indicators and compliance issues
- Economic Background for 2007/08;
- Regulatory Framework, risk and performance.

The Council's Capital Expenditure and Financing 2007/2008

The Council's approved capital programme is funded from a combination of capital receipts, capital grants, revenue contributions and Prudential Borrowing. Prudential borrowing can either be:

- Supported Prudential Borrowing - which means part of financing costs are supported by the Government through revenue grant system; or
- Unsupported Prudential Borrowing – which the Council funds solely from its own budget.

Part of the Council's treasury management activity is to address this Prudential borrowing need, either through borrowing from external bodies, or utilising temporary cash resources within the Council. The wider treasury activities also include managing the Council's day to day cash flows, its previous borrowing activities and the investment of surplus funds. These activities are structured to manage risk foremost, and then optimise performance.

Actual capital expenditure forms one of the required prudential indicators. As shown at Appendix A, the total amount of capital expenditure for 2007/08 was £20.7m, of which £2.2m was funded by Prudential Borrowing.

The Council's underlying need to borrow is called the Capital Financing Requirement (CFR). This figure is the accumulated value of capital expenditure which has not been financed from either capital or revenue resources. Each year the Council is required to apply revenue resources to reduce this outstanding balance.

Whilst the Council's gauge of its underlying need to borrow is the CFR, the Council can manage the actual borrowing position by either:

- Borrowing to the level of the CFR; or
- choosing to use temporary internal cash flow funds instead of borrowing (under-borrowing); or
- borrowing for future increases in the CFR (borrowing in advance of need). This strategy would be followed when it was anticipated long term borrowing rates were expected to increase in order to minimise costs.

The Council's actual CFR for the year was £76m as shown at Appendix A. This is lower than the approved estimate owing to the rephasing of capital expenditure until 2008/2009.

Treasury Position at 31st March 2008

The table below shows the treasury position as at the 31st March, 2008, compared with the previous year:

Treasury position	31st March 2007		31st March 2008	
	Principal	Average Rate	Principal	Average Rate
Fixed Interest Rate Debt				
- PWLB	£16.9m	4.48%	£21.8m	4.46%
Market Loans	£35m	4.09%	£45m	4.00%
Total Long Term Debt	£51.9m	4.21%	£66.8m	4.15%
Variable Interest Rate Debt				
- Temporary loans	£19m	5.47%	£Nil	N/A
Total Debt	£70.9m	4.55%	£66.8m	4.15%
Total Investments	£35.2m	4.85%	£46.4m	5.31%
Net borrowing position	£35.7m		£20.4m	

The Council's level of borrowing was below the CFR because the Council was able to use temporary internal cash flow funds to defer borrowing.

A key performance indicator shown in the above table is the very low average rate of long term debt of 4.15% (4.21% at 31st March, 2007). Although there is no directly comparable data available, the national average rate of PWLB borrowing is 5.77%, 1.63% higher than the Council's average rate.

It should be noted that the accounting practice required to be followed by the Council (the SoRP), changed for 2007/8 and required financial instruments (debt and investments etc.) in the statutory accounts to be measured on an accruals basis. The figures in this report are shown on a cash basis as this is how treasury management activity is managed in the year. Therefore, there is an accounting difference in these two sets of figures which are produced for different purposes.

The Council's investment policy for 2007/08 was approved by Council on 14th February, 2007 and complies with the relevant DCLG Guidance. Actual investment activity during the year complied with the approved strategy and the Council had no liquidity difficulties.

The level of investments increased in the year, mainly as a result of improved cash flow arising from a reduction in the level of debtors. As reported in the Outturn Strategy this increased the Council's Investment income and this was the main reason for the increase in General Fund reserves at 31st March 2008.

Prudential Indicators and Compliance Issues

Details of each Prudential Indicator are shown at Appendix A. Some of the prudential indicators provide either an overview or specific limits on treasury activity. The key Prudential Indicators to report at outturn are described below.

Net Borrowing and the CFR - In order to ensure that borrowing levels are prudent, the Council's external borrowing, net of investments, must only be for a capital purpose. Net borrowing should not have exceeded the CFR for 2007/2008 plus the expected changes to the CFR over 2008/2009 and 2009/2010. The Council has complied with this Prudential Indicator.

The Authorised Limit is the "Affordable Borrowing Limit" required by Section 3 of the Local Government Act 2003. The Council does not have the power to borrow above this level. Appendix A demonstrates that during 2007/2008 the Council has maintained gross borrowing within its Authorised Limit.

Economic Background for 2007/2008

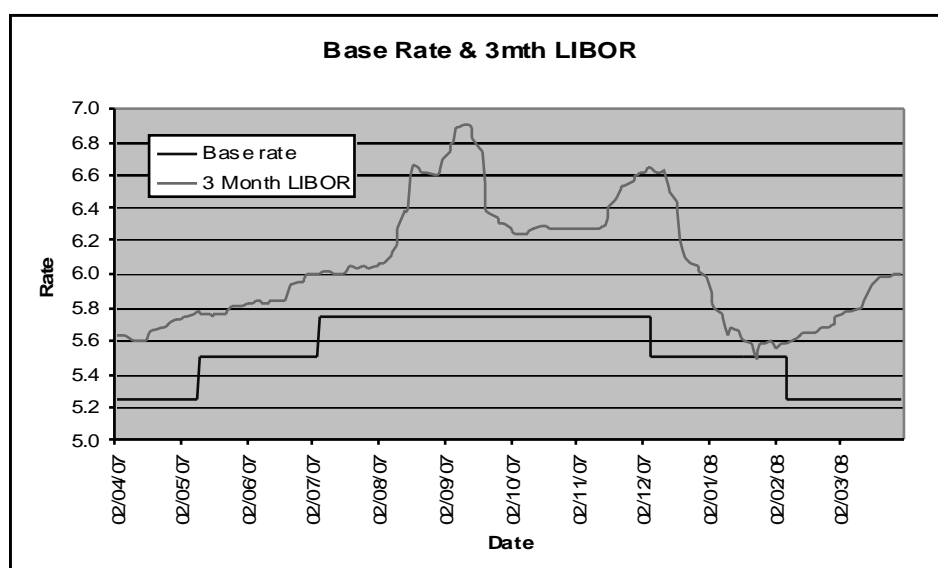
The rising trend in UK interest rates continued in the first half of the 2007/08 financial year. The domestic economic backdrop continued to present problems for the Monetary Policy Committee, notably in the early summer. CPI inflation breached the 3% upper limit of the Government's target range in April (reported in May), consumer spending growth remained buoyant and an expanding number of companies expressed intentions to raise prices.

The official Bank Rate was raised to 5.5% in May and 5.75% in July in response to the deteriorating inflation outlook. In addition, the Bank of England's May and August Inflation Reports hinted that more hikes might be necessary.

The 'credit crunch' became more pronounced in late August 2007 as the tightening of credit conditions, triggered initially by the failure of various US mortgage lending institutions, undermined investor confidence. Inter bank lending rates (as measured by LIBOR) rose to above over 6.5% as financial organisations' reluctance to lend money to counterparties resulted in a shortage of funds in the market. The most public aspect of the 'credit crunch' was the failure of Northern Rock, leading to the Government's decision to guarantee all deposits with this institution.

Central banks attempted to boost market liquidity by the injection of funds into the banking system. However, this had little impact. A series of disappointing financial results and a persistent undercurrent of mistrust ensured a wide margin between official and market rates continued to year end.

The 'credit crunch' provoked a significant change in the Bank of England's assessment of UK economic prospects over the medium term. It was clearly concerned that the tightening of liquidity and the consequent rise in borrowing rates across the entire economy could lead to a rapid slow down in activity but would also help to contain inflation pressures. The Bank Rate was cut by 0.25% on two occasions in December and February, ending the year at 5.25%. The graph below summarises the movements for the year.



Long-term rates during the year were volatile but with a general trend towards lower rates, mainly as a result of investors seeking the increased attractiveness of safer investments.

In response to continuing market uncertainties the Council's lending criteria were revised as part of the 2008/09 strategy (approved by Council in February 2008) in order to reduce risk. As part of this strategy the Councils has reduced its investments with less highly rated counter parties and increased investments with the Government Debt Management Office. This strategy protects the Council's cash investments, although the return earned will be slightly lower.

Regulatory Framework, Risk and Performance

The Council's treasury management activities are regulated by a variety of professional codes and statutes and guidance:

- The Local Government Act 2003 (the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity;
- The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken (although no restrictions were made in 2006/2007);
- Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act;
- The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities;
- The SI also requires the Council to operate the overall treasury function with regard to the CIPFA Code of Practice for Treasury Management in the Public Services;
- Under the Act the ODPM (now DCLG) has issued Investment Guidance to structure and regulate the Council's investment activities.
- Under section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8th November 2007.

The Council has complied with all of the above relevant statutory and regulatory requirements which limit the levels of risk associated with its treasury management activities. In particular its adoption and implementation of both the Prudential Code and the Code of Practice for Treasury Management means both that its capital expenditure is prudent, affordable and sustainable, and its treasury practices demonstrate a low risk approach.

The Council is aware of the risks of passive management of the Treasury Portfolio and, with the support of Butlers, the Council's advisers, has proactively managed its treasury position

Conclusion

The report provides Council with an overview of the Treasury Management activities for 2007/2008, as required by legislation. The report demonstrates that these activities have been undertaken in accordance with relevant legislation, regulations and the Council's approved Treasury Management Strategy. Therefore, there are no specific issues to bring to Members attention.

Proposal

Council is requested to note the report.

Appendix A

Prudential Indicators 2007/2008 to 2010/20111. Ratio of Financing Costs to Net Revenue Stream

This indicator shows the proportion of the total annual revenue budget that is funded by the local tax payer and Central Government, which is spent on servicing debt. The outturn is lower than the estimate as a result of higher than expected investment income arising from advantageous changes in cash flows.

2007/08 Estimate £'000		2007/08 Outturn £'000
9.87%		4.09%

2. Capital Expenditure

This indicator shows the total of capital expenditure for the year.

2007/08 Estimate £'000		2007/08 Outturn £'000
18,694	Capital Expenditure	20,689

The actual is higher than the estimate as a result of additional scheme specific capital grants being received after the estimate was approved.

3. Capital Expenditure Financed from Borrowing

This shows the borrowing required to finance the capital expenditure programme.

2007/08 Estimate £'000		2007/08 Outturn £'000
6,552	Capital Expenditure Financed from Borrowing	2,208

The actual is lower than the estimate owing to some expenditure being rephased to 2008/09 and the temporary use of grant income to finance capital expenditure.

4. Capital Financing Requirement (CFR)

The CFR is used to determine the minimum annual revenue charge for capital expenditure repayments (net of interest). It is calculated from the Authority's Balance Sheet and is shown below. Forecasts for future years are directly influenced by the capital expenditure decisions taken and the actual amount of revenue that is set aside to repay debt.

2007/08 Estimate £'000		2007/08 Outturn £'000
82,413	Capital Financing Requirement	76,299

The actual is lower than the estimate as a result of rephased capital expenditure.

5. Authorised Limit for External Debt

The authorised limit determines the maximum amount the Authority may borrow at any one time and the levels for each forthcoming year are detailed below. The authorised limit covers both long term borrowing for capital purposes and borrowing for short term cash flow requirements. The authorised limit is set above the operational boundary to provide sufficient headroom for operational management and unusual cash movements. In line with the Prudential Code, the level has been set to the flexibility to borrowing to finance capital expenditure occurring for up to three years in advance if more favourable interest rates can be obtained.

2007/08 Limit £'000	
125,000	Authorised limit for external debt

The above Authorised Limit was not exceeded during the year. The level of debt as per the Balance Sheet at the year end was £66,800,000.

6. Operational Boundary for External Debt

The operational boundary is the most likely prudent, but not worst case scenario, level of borrowing without the additional headroom included within the authorised limit. The level is set so that any sustained breaches serve as an early warning that the Authority is in danger of overspending or failing to achieve income targets and gives sufficient time to take appropriate corrective action.

2007/08 Limit £'000	
100,000	Operational limit for external debt

The operational limit was not exceeded in the year.

7. Interest Rate Exposures

This indicator is designed to reflect the risk associated with both fixed and variable rates of interest, but must be flexible enough to allow the Authority to make best use of any borrowing opportunities.

The upper limits for exposure to both fixed and variable interest rates are expressed in percentage terms and are set for the forthcoming three years at

2007/08 Estimate £'000	Upper limits on fixed and variable interest rate exposure	2007/08 Outturn £'000
100%	Fixed Rates	100%
35%	Variable Rates	0%

The above table shows 100% of loans as having fixed rates. For the purpose of this statutory indicator the Council's "Lenders Option, Borrowers Options" (LOBO) loans are classified as fixed rate. However, the interest rates on these loans are subject to review at defined periods and may change. If rates are increased the Council has the option of repaying these loans without penalty.

8. Maturity Structure of Borrowing

This indicator shows the maturity structure of the Council's total borrowings. The limits on the amount of projected fixed rate borrowing maturing in each of the following periods is expressed as a percentage of the total projected fixed rate borrowing.

The table shows 100% of loans maturing in the period "10 years and above" and in the Council has a range of maturity period ranging from 10 years to 70 years.

	Upper Limit	Lower Limit	Actual
under 12 months	35%	0%	0%
12 months and within 24 months	35%	0%	0%
24 months and within 5 years	35%	0%	0%
5 years and within 10 years	35%	0%	0%
10 years and above	100%	65%	100%