

FINANCE AND POLICY COMMITTEE AGENDA



Friday 28 March 2014

at 9.30 am

in the Council Chamber,
Civic Centre, Hartlepool.

FINANCE AND POLICY COMMITTEE:

Councillors C Akers-Belcher, Cook, Dawkins, Jackson, James, A Lilley, Martin-Wells, Payne, Richardson, Simmons and Thompson

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

- 3.1 To receive the minutes of the meeting of the Finance and Policy Committee held on 27 February 2014 (*previously circulated/attached for information*).

4. BUDGET AND POLICY FRAMEWORK ITEMS

No items.

5. KEY DECISIONS

- 5.1 Housing Service New Opportunities and Structure – *Director of Regeneration and Neighbourhoods*
5.2 Community Safety Plan 2014-2017 – *Director of Regeneration and Neighbourhoods*
5.3 Community Pool Category 4 Grant Allocations 2014/15 – *Director of Regeneration and Neighbourhoods*



- 5.4 Sale of former King Henry Smith School site, King Oswy Drive – *Director of Regeneration and Neighbourhoods*

6. OTHER ITEMS REQUIRING DECISION

- 6.1 Review of Carers Leave – *Assistant Chief Executive*
- 6.2 Northgate Community Fund – ICT Contract – *Assistant Chief Executive*
- 6.3 Review of the Whistleblowing Policy – *Chief Solicitor*
- 6.4 Irrecoverable Debts – Business Rates – *Chief Finance Officer*
- 6.5 Irrecoverable Debts – Council Tax – *Chief Finance Officer*
- 6.6 Irrecoverable Debts – Sundry Debt – *Chief Finance Officer*
- 6.7 Business Rates – *Chief Finance Officer*

7. ITEMS FOR INFORMATION

- 7.1 Proposed New Centre for Independent Living Burbank Street – *Director of Child and Adult Services*
- 7.2 Workplace Health – *Director of Public Health*

8. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

ITEMS FOR INFORMATION

Date of next meeting – 25 April 2014 at 9.30 am in the Civic Centre, Hartlepool.



FINANCE AND POLICY COMMITTEE MINUTES AND DECISION RECORD

27 February 2014

The meeting commenced at 2.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Christopher Akers-Belcher (In the Chair)

Councillors: Peter Jackson, Alison Lilley, Robbie Payne, Carl Richardson and Chris Simmons

In accordance with Council Procedure Rule 5.2 (ii), Councillor Kevin Cranney was in attendance as substitute for Councillor Marjorie James and Councillor Sylvia Tempest was in attendance as substitute for Councillor Rob Cook.

Also present:

Councillors Jim Ainslie and Geoff Lilley
Edwin Jeffries, Hartlepool Joint Trades Union Committee

Officers: Dave Stubbs, Chief Executive
Peter Devlin, Chief Solicitor
Chris Little, Chief Finance Officer
Denise Ogden, Director of Regeneration and Neighbourhoods
John Mennear, Assistant Director, Community Services
Kerry Trenchard, Acting Performance and Partnerships Manager
Joan Stevens, Scrutiny Manager
Julian Heward, Public Relations Officer
Angela Armstrong, Principal Democratic Services Officer

209. Apologies for Absence

Apologies for absence were received from Councillors Rob Cook, Keith Dawkins, Marjorie James, Ray Martin-Wells and Paul Thompson.

210. Declarations of Interest

Councillor Carl Richardson declared a personal interest in minute 212.

211. Minutes

- (i) Minutes of the meeting of the Finance and Policy Committee held on 24 and 31 January 2014 – Received.

- (ii) Minutes of the meeting of the Health and Wellbeing Board held on 9 December 2013 – Received.
- (iii) Minutes of the meeting of the Safer Hartlepool Partnership held on 13 December 2013 – Received.

212. Workers' Memorial Day *(Assistant Chief Executive)*

Type of decision

Non key.

Purpose of report

To present a request from the Hartlepool Joint Trades Union Committee for the Council to continue to recognise and support Workers Memorial Day on 28 April 2014.

Issue(s) for consideration

The report provided the background to Workers' Memorial Day which takes place around the world on 28 April each year. The proposed arrangements for this year's event were detailed in Appendix 1 along with a list of guest speakers.

The representative from the Hartlepool Joint Trades Union Committee added that the Trades Union fully respect and thank the Council for continuing to support this event with the Hartlepool service becoming the biggest event in the north east.

A Member responded that he fully supported the recommendations and the ongoing campaign to raise awareness of health and safety issues across the Country and it was noted that Hartlepool attracted national guest speakers to this event.

Decision

- (i) That a minute's silence in Council Buildings and to Council staff at 12.30pm on Monday 28 April 2014 be promoted in remembrance of 'those workers who have lost their lives through industrial accident or disease'.
- (ii) That the lowering of flags on public buildings on Monday 28 April 2014 be approved.
- (iii) That the sale of the Workers Memorial Day Remembrance forget-me-not purple ribbons on Council premises to staff and public be approved.
- (iv) That assistance to promote/publicise the event to the wider public be

provided by the Authority.

213. Land at Central Park (*Assistant Director, Regeneration*)

Type of decision

Non key.

Purpose of report

To update the Committee on the proposed sale of land at Central Park and related transactions and seek approval to minor amendments to the previously approved terms and conditions.

Issue(s) for consideration

The report provided the background to the former Steetley Magnesite sites on Old Cemetery Road and the outline planning permission for the development of 484 homes within that area. The decision making route for the sale of the area was outlined in the report. It was proposed that some amendments to the contract head of terms be undertaken and the key amendments were:

- **Site Clearance** – The sale condition requiring Starford to clear the sites had been removed as this had already been completed.
- **Stage Payments Dates** – The dates for the stage payments had been put back by one year in each case due to the time that had elapsed.
- **Contract Termination** – A condition had been inserted to the effect that if the stage payments had not been made because the development sites had not been sold, and the contract for the sale of the Council's land has exchanged but not completed, the contract will terminate and the Council will retain the money paid up to that point.
- **Option to Re-Purchase** – A condition had been inserted to the effect that if the stage payments had not been made as the sites had not been sold but the sale of the Council's land had been completed, the Council will have an option to re-purchase on or after 31 December 2022.

In addition it was recommended that to avoid a future unfunded expenditure commitment, that part of the sale proceeds be earmarked to cover the potential cost of re-purchasing the road land until either this option had expired, or the development had been completed if this occurred earlier than 31 December 2022. Once this potential commitment expired, a report on the use of these monies will be submitted to a future meeting of the Committee. Further details were included within confidential Appendix 3.

This item contained exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, information relating to the financial or business affairs of any particular person (including the authority holding that information).

A Member sought clarification on the timescales for the new access road to the proposed development in view of the recent issues with flooding on the access route to the Headland area. The Director of Regeneration and Neighbourhoods confirmed that the new road would be created in line with the timescales for the development but highlighted that discussions were ongoing with the Port Authority with a view to securing an alternative access to the Headland area should similar access restrictions due to flooding occur in the future.

Decision

- (i) That the amendments as noted above to the terms and conditions for the disposal of land at Central Park to facilitate the regeneration of the former Steetley Magnesite works be approved.
- (ii) That the proposal that part of the sale proceeds were earmarked to cover the potential cost of re-purchasing the road land until either this option had expired, or the development had been completed was approved to avoid a future unfunded expenditure commitment and it was noted that this proposal will be reported to Council as part of a future Medium Term Financial Strategy report.

214. Bullying and Harassment Policy *(Assistant Chief Executive)*

Type of decision

Non key.

Purpose of report

To provide Members with a report in relation to the review of the Council's Bullying and Harassment Policy and Procedure.

Issue(s) for consideration

The report provided the background to the development of the Council's Bullying and Harassment Policy which clearly set out the process for employees wishing to make an allegation and highlighted both the informal and formal routes available to resolve the issue with minimal impact on working relationships where possible. The Local Joint Consultative Committee had been consulted and had agreed the revised policy which

was attached at Appendix 1. As requested by the Finance and Policy Committee, the Policy was circulated to all staff to enable any issues staff wished to be raised to be submitted to the Committee. A number of minor comments were received from employees and trades unions which helped to clarify the policy and associated documentation rather than substantially change it.

A Member questioned what timescales were in place for responding and dealing with any reported incidents. The Chief Executive confirmed that Officers always endeavoured to deal with any reported incidents as quickly as possible. It was noted that Appendix 3 provided an outline of timescales although some investigations may take longer depending on the collation of information or evidence required.

Decision

The following were approved as attached to the report:

- (i) Bullying and Harassment Policy and Procedure;
- (ii) Bullying and Harassment Grievance Form;
- (iii) Bullying and Harassment Guidance Leaflet.

215. Hartlepool Borough Council Smoking Policy *(Assistant Chief Executive)*

Type of decision

Non key.

Purpose of report

To provide an update to the Committee on the revised smoking policy and to seek the Committee's support in its adoption.

Issue(s) for consideration

The report provided the background to the introduction of the Council's Corporate Smoking Policy in October 2010. It was highlighted that smoking continued to cause significant health effects and conditions with nearly one in five (18%) of all deaths among adults over 35 being estimated to be as a result of smoking. In Hartlepool at current smoking levels, there will be approximately 164 deaths each year in adults aged 35 and over which equates to 316.1 deaths per every 100,000 people living in Hartlepool. It was noted that this was higher than the north east average of 282.5 and significantly higher than the England average of 216.0. The aim of the policy was to ensure that the Council was seen to be encouraging a

smokefree workplace as no Council staff should be smoking in works time or whilst on Council business.

The Council's Corporate Management Team were fully supportive of the changes and representatives of the Trades Unions also accepted the wording of the revised policy which was attached at Appendix 1.

Councillor Geoff Lilley joined the meeting.

The Chief Executive confirmed that e-cigarettes were also included within the Policy.

Decision

That the adoption of the revised smoking policy was supported.

216. Civic Collections Review – Final Report (*Assistant Director, Community Services*)

Type of decision

Non key.

Purpose of report

To report on the findings of a comprehensive review of all the historical objects held by the Authority in the Civic Collections.

To seek recommendations as to those items in the Civic Collections that should be permanently transferred into the care of the Museum of Hartlepool.

To identify those items which should be retained for Civic use or returned to their original owners.

To acknowledge the approval of the report by Regeneration Services Committee on 16 January 2014 and accept the report for approval by the Finance and Policy Committee.

Issue(s) for consideration

The report provided the background to the review of the Authority's Civic Collection which had been undertaken. It was highlighted that 343 items had been recorded and these were detailed in Appendix 1. During the review, each item was considered for Accession; Retain for Civic Use; or Disposal and this was identified on the attached appendix. It was noted

that once approved, the physical process of transferring, accessioning and identifying owners for returns will commence in March 2014.

A Member sought clarification on the process for items where ownership could not be traced. The Assistant Director, Community Services confirmed that a detailed and comprehensive search for ownership would be undertaken but in the event that owners could not be identified, the items would be taken into the care of the collection.

The Chair commented that it was important that any items of significant importance or relevance should be on public display and the Assistant Director, Community Services confirmed that this was currently being explored further.

In response to a question from a member of the public, the Assistant Director confirmed that there were thousands of items within the Council's collection, however, the Chair confirmed that the exact location of individual items could not be revealed at the current time for security purposes.

Decision

- (i) That the proposals for Accession; Retain for Civic Use; or Disposal of the Civic Collection be approved as identified in Appendix 1.
- (ii) That the principle of returning items to their owners where this was necessary was supported.
- (iii) The importance to local communities of preserving their material heritage by formally placing such items within the permanent care of the Borough's accredited public museum was noted.
- (iv) That further consideration be given to the public display of items from within the collection within Council buildings.

217. Six Monthly Monitoring of Agreed Scrutiny Recommendations (*Scrutiny Manager*)

Type of decision

Non key.

Purpose of report

To provide Members with the six monthly progress made on the delivery of scrutiny recommendations that fall within the remit of this Committee.

Issue(s) for consideration

The report provided the background to the reporting of progress made

against the investigations undertaken by the previous Scrutiny Co-ordinating Committee and detailed the actions undertaken. It was noted that one action remained in progress and Members were asked to consider whether it was more appropriate to continue to monitor this action through the Overview of Performance and Risk 2013/14 which was reported to this Committee on a quarterly basis.

Decision

- (i) The progress against the agreed recommendations was noted.
- (ii) The remaining action be monitored through the Overview of Performance and Risk 2013/14 report which was presented to this Committee on a quarterly basis.

218. Council Plan 2014-15 (*Corporate Management Team*)

Type of decision

Non key.

Purpose of report

To enable the Finance and Policy Committee to consider and comment on the final draft of the proposed Council Plan 2014/15.

Issue(s) for consideration

The report provided the background to the Council's Service Planning Framework. It was noted the detailed proposals for 2014/15 had been considered by each of the Council's Committees and summaries of the issues raised was attached at Appendix A. The proposed Council Plan was attached at Appendix B and set out how the Council proposed to deliver the priority outcomes. It was proposed to submit the Council Plan to Council for approval on 3 April 2014.

Decision

The proposed Council Plan attached at Appendix B was approved for submission to Council on 3 April 2014.

219. Revised Pay Policy 2014/15 *(Chief Executive)*

Type of decision

Non key.

Purpose of report

To obtain Finance and Policy endorsement subject to Member comments, of the proposed changes to the Council's Pay Policy Statement 2014/15 in advance of Council approval being sought on 3 April 2014 and to confirm any policy, practices and/or understandings which had not previously been formally established by Members.

Issue(s) for consideration

The report outlined the background to the current Pay Policy Statement. It was proposed that the existing pay policy be expanded so it reflected the pay policies which applied to all employees. This will make the pay related arrangements for employees more transparent and bring together the policies reflected in other documents into a single document. The revised Pay Policy 2014/15 was attached at Appendix C. The main changes which were proposed were detailed in the report. It was noted that Hartlepool Joint Trade Union Committee had been consulted and the comments of that Committee were outlined in the report.

A Member raised a number of issues which were clarified by the Chief Executive as follows:

- The Pay Policy Statement ensures that all workers are paid at least the national minimum wage. It was noted that whilst any required uniform was paid for by the Local Authority, payment for time taken to travel to and from work was not included.
- Whilst it was recognised that there were some zero hours contracts in place, there was not a vast amount of them. It was noted that in the majority of cases, employees who were on zero hours contracts welcomed this, for example in the case of casual employees.
- Clarification would be sought on whether an Equality Impact Assessment had been undertaken on the Pay Policy Statement and would be carried out if not.
- In relation to the pay ratios within the Council, it was noted that Senior Officers had not been awarded a pay increase for six years and the Council had introduced the 'living wage' which had resulted in the pay ratios reducing naturally. The denominator of top and bottom salaries was well within the national parameters. It was suggested that consideration be given to including the fact that the Council was aiming

to reduce the pay ratios be included within the Statement.

- It was noted that youth employment was a huge issue in Hartlepool and the Council should be encouraged to offer employment opportunities to young people.
- It was confirmed that all employees who were made redundant from the Local Authority receive the same statutory redundancy pay which was based on a maximum of 30 weeks salary.

A Member sought clarification on the financial implications employing agency workers and whether the Council could create its own pool of workers. The Chief Executive confirmed that the Council had casual registers in various areas of work across all Departments, such as catering, cleaning and drivers. However, there may still be occasions when agency workers are required for specialised areas of work and where some people preferred to be employed on a casual basis.

The Director of Regeneration and Neighbourhoods commented that Members' concerns in relation to agency workers were taken on board and that this would be reduced to a bare minimum.

Decision

- (i) That the 2014/15 Pay Policy (Appendix C) be recommended to Council.
- (ii) That the substantive pay band for the post of Director of Public Health be established at Chief Officer (subject to Public Health England consideration of the revised job description) to reflect the duties and responsibilities as at 1 April 2014.
- (iii) That the number of increments in Chief Officer Band be reduced to five with effect from 1 April 2014.
- (iv) That any other policy, practices and/or understandings which have not previously been formally established by Members as detailed in the 2014/15 Pay Policy (Appendix C) be confirmed.
- (v) That clarification be sought to ensure an Equality Impact Assessment on the Pay Policy Statement had been undertaken.

220. Strategic Financial Management Report as at 31 December 2013 *(Corporate Management Team)*

Type of decision

For information.

Purpose of report

To inform Members of:

- (i) 2013/14 Forecast General Fund Outturn;
- (ii) Corporate Income Collection Performance;
- (iii) Progress in achieving the capital receipts target; and
- (iv) 2013/14 Capital Programme Monitoring.

Issue(s) for consideration

The report provided the background to the submission of bi-monthly financial reports to Members and detailed the 2013/14 General Fund Outturn Forecast. Also outlined in the report was further information on the following:

- Creation of Departmental Reserves
- Projected Grant Income to be Earmarked to fund 2014/15 Expenditure
- Corporate Income Collection Performance
- Business Rates Income
- Council Tax
- Sundry Debts
- Progress in achieving the Capital Receipts Target
- 2013/14 Capital Programme Monitoring

The Chief Finance Officer highlighted that the Council was facing greater financial challenges over the next three years than it had faced since becoming a unitary authority in 1996. The initial assessment of the forecast outturn reported in May 2013 had enabled Members to begin to address these issues and this report provided an update on the initial outturn forecasts for 2013/14. In relation to Business Rates and Council Tax collection rates were slightly lower as at 31 December 2013, compared to the same period in 2012. The Business Rates collection rates had, however increased by the end of January 2014, compared to the same position for 2012. The Council Tax collection rates at the end of January 2014 were still lower than January 2013 and the Chief Finance Officer explained this reflected the impact in 2013/14 of the Local Council Tax Support scheme and the introduction on 12 monthly instalment arrangements.

Decision

The report was noted.

221. Employee Sickness Absence 3rd Quarter 2013/14 (Assistant Chief Executive)

Type of decision

For information.

Purpose of report

To update the Committee on the Council's performance in relation to employee sickness absence for the third quarter of 2013/14.

Issue(s) for consideration

The report provided the background to the direct impact on the quality, level and cost to the provision of services that employees who are absent from work have. The Council's performance, including schools up to the third quarter of 2013/14 was included in the report. It was highlighted that there was an overall downward trend in sickness absence rates across all Departments compared with the last three years, with the exception of Child and Adult Services and Public Health who have an unusually high level of long term sickness absence. The newly formed Public Health Department shows only the information from April 2013 and this figure is higher than would be expected due to the unfortunate combination of the small number of people in the Department coupled with a higher level of long term sickness absence. As more services were transferred it was expected that this figure would reduce.

There was a decline in medium and short term sickness and a slight increase in long term sickness, however overall there was a downward trend which reflected the improvement in the current year's figures to date. It was noted that the Council continued to focus resources to support managers on the long term cases and support employees to return to work as quickly as possible.

Members were pleased to note the overall downward trend in sickness absence as well as the continuing support for long term sickness absences. It was suggested that these positive figures as well as the Members' congratulations to employees for their performance be included in the next edition of Newslines.

Decision

- (i) The employee sickness absence rates for the third quarter of 2013/14 were noted.
- (ii) That a future edition of Newline include an article on the downward trend of sickness absence of Council employees along with Members' congratulations to all employees for this positive performance.

222. Quarter 3 – Council Overview of Performance and Risk 2013/14 *(Assistant Chief Executive)*

Type of decision

For information.

Purpose of report

To inform the Finance and Policy Committee of the progress made against the 2013/14 Council Plan for the period ending 31 December 2013.

Issue(s) for consideration

The report provided the background to the agreement of the current Council Plan as well as an overview of performance and risk which included 236 actions and 217 performance indicators. It was noted that 215 (91%) of all actions had already been completed or assessed as being on target to be achieved by their scheduled completion date. In addition, 45 performance indicators (78%) had been assessed as being on track to achieve their year end target. There were 18 actions (8%) and 12 performance indicators (21%) had been assessed as having made acceptable progress. Further detailed updates were on a Departmental basis.

Decision

The current position with regard to performance was noted.

223. Any Other Items which the Chairman Considers are Urgent

None.

The meeting concluded at 2.44 pm

P J DEVLIN

CHIEF SOLICITOR

PUBLICATION DATE: 6 March 2014

FINANCE AND POLICY COMMITTEE

28th March 2014



Report of: Director of Regeneration and Neighbourhoods

Subject: HOUSING SERVICE NEW OPPORTUNITIES AND STRUCTURE

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Key Decision (test (i)/(ii)) Forward Plan Reference No. RN 31/13.

2. PURPOSE OF REPORT

2.1 Following a request by Members, to provide more detail on proposals to develop the Housing Services Team following the Finance and Policy Committee recommendations of 19th December 2013. The report will provide an overview of the proposals to reduce existing management fees, bring services in-house and deliver new services, including an overview of proposed operational delivery and a more detailed financial analysis of the Housing Services budget. The report seeks Finance and Policy Committee's approval to the proposals to reconfigure the Housing Services team, bring back the management of services and establish a new Social Lettings Agency in Hartlepool.

3. BACKGROUND

3.1 The Housing Services Team in its current form was established in 2011 and delivers a range of statutory and non-statutory housing functions required of a retained housing service such as Housing Advice, Housing Standards, Housing Regeneration and Housing Strategy. In the context of reducing Council resources, new opportunities for the Housing Service are being explored with the aim of generating income to protect and enhance core services to the public and to achieve a more robust Housing Service which provides the statutory services, additional core services and enhanced housing services to meet the aims and objectives of the adopted Housing Strategy.

3.2 At its meeting on 19th December 2013 the Committee considered a report on options to reconfigure the Housing Services Team including proposals to

bring in-house the management of current Council owned stock and management of the Housing Register and to develop a Social Lettings Agency for the management of private rented property. In the context of existing external contracts coming up for renewal in April 2014 and the Housing Register managed by Housing Hartlepool due for review, the report provided an overview of the services to be delivered including a financial analysis of the proposals.

- 3.3 Members determined that on receipt of the final business case the proposals would once again be considered for approval. Since this date further progress has been made to establish detailed proposals for the delivery of the services including costs and requirements of internal Service Level Agreements, setting up rent accounting systems and ongoing ICT support, maintenance schedule of rates and performance indicators. Also further discussions with Housing Hartlepool have taken place regarding its future involvement in service provision. This detail will be presented below for Members' consideration.

4. PROPOSALS

- 4.1 The proposals for the in-house delivery of services and new services are as follows:

1. Management of the Housing Register to continue to be undertaken by Housing Hartlepool at a reduced cost at 50% in 2014/15 and to nil cost from 2015/16 onwards, following detailed negotiations (see paragraph 4.2);
2. Internalise the management of the Council's housing stock (82 new build units and 100 units purchased through the Empty Property Purchasing Scheme);
3. Setting up a Social Lettings Agency for management of private rented stock;
4. Creation of a Housing Trainee Role within the Housing Services team;
5. Introduction of Ward based Selective Licensing.

4.2 Management of the Housing Register

Following the Committees decision to explore further the proposal to bring back the management of the Housing Register detailed negotiations with Housing Hartlepool have taken place and as a consequence it is now proposed that Housing Hartlepool continue to manage the waiting list but with a 50% reduction in the fee payable in 2014/15 reducing to NIL cost from 2015/16 onwards. It is therefore proposed that the management of the Housing Register remain with Housing Hartlepool. Housing Hartlepool could therefore continue to manage/administer the waiting list/Compass for the foreseeable future recognising the job that they do and their expertise in this area. Officers require the current system to be reviewed reflecting the changes in the market and will work together alongside other Compass partners to look at the options available for future management.

4.3 **Housing Management Functions**

Following the Committee decision to explore housing management proposals further, a number of internal meetings have taken place to establish roles, responsibilities and capacity across the Council. In order to achieve this, a review of all the functions required to manage property has been undertaken. To deliver the proposals set out above, the Housing Services Team will take on a number of new responsibilities to achieve effective property management. A summary of the key management tasks is provided below:

4.4 **Policy and Procedures**

In order to manage properties effectively a number of policies and procedures will need to be developed and implemented by the Housing Services Team. The policies provide an indication of the breadth of services and procedures required to manage housing stock effectively. These include, but are not limited to the following:

- Abandoned Tenancies Policy
- Aids and Adaptations Policy
- Allocations Policy
- ASB Policy
- Complaints and Appeals Policy
- Decoration Policy
- Debt Recovery Policy
- Estate Management Policy
- Housing Management Policy
- Pets Policy
- Rechargeable Repairs Policy
- Repairs, Maintenance and Investment Policy
- Rent Setting and Service Charge Policy
- Resident Involvement Policy
- Subletting Policy
- Rent Arrears Policy
- Succession, Assignment and Mutual Exchange Policy
- Tenancy Policy
- Void Management Policy.

- 4.5 As part of the project implementation plan officers have developed a timetable for development of these policies. As the policies start to be written some may be combined but each policy is likely to be short and succinct 2-3 page document. Housing Services staff will be provided with training on each of the policies and procedures to ensure effective implementation.

4.6 **Regulation and Audit Requirements**

Social housing is owned and managed by registered providers (social landlords) such as local authorities or housing associations. The Government department currently responsible for overseeing the social housing sector is the Department for Communities and Local Government (DCLG). Registered providers are financially regulated and funded by the Government through the Homes and Communities Agency (HCA).

- 4.7 The HCA is the Regulator of Social Housing in England (the regulator) and was passed this responsibility under the Localism Act 2011. The regulatory framework, published March 2012, explains that any local authority that becomes a provider of social housing and is not already registered must notify the regulator of this change in its position.
- 4.8 The regulator has distinct roles in relation to economic regulation and consumer regulation and registered providers are required to meet the relevant standards. Economic standards do not however apply to local authorities in recognition that their responsibilities in these areas are subject to other regulatory arrangements. The economic standards are:
- Governance and Financial Viability
 - Value for Money
 - Rent
- 4.9 Consumer standards apply to all registered providers. Providers' boards and councillors are responsible for ensuring their organisation meets the consumer standards. The regulator's role is limited to setting the consumer standards and intervening only where failure of the standard could lead to risk of serious harm to tenants (the 'serious detriment test'). The consumer standards are:
- Tenant Involvement and Empowerment
 - Home
 - Tenancy
 - Neighbourhood and Community
- 4.10 The standards are set so that tenants, landlords and stakeholders know the outcomes that are expected. This is achieved through setting out policies and publishing accessible, relevant and timely information.
- 4.11 The regulator has no role in monitoring providers' performance or routine compliance with the consumer standards. Government policy advocates a localist approach and further information about the local mechanisms is provided by DCLG – 'Implementing Social Housing Reform: Directions to the Social Housing Regulator – Summary of Responses' published in November 2011. The regulator's regulatory and enforcement powers will only be used where it is necessary to address failures against these standards that give rise to actual or potential serious detriment to tenants (or potential tenants).
- 4.12 The key requirements of the Housing Services Team are to comply with the duties to tenants as set out in legislation, complying with contractual duties to tenants as set out in the various tenancy agreements. Complying with the HCA's regulator's standards and requirements (set out above), and providing help and support to sustain tenancies, but taking enforcement action where necessary.
- 4.13 Rent Collection and Arrears Management
As part of the management of Council owned housing stock and management of private stock through a Social Lettings Agency staff duties will include rent

collection and management of arrears. Early intervention, advice and support to tenants at risk of building up arrears is essential and debt and benefits advice and household budget planning will also be provided. Under the existing arrangements, Housing Hartlepool carry out the rent collection and arrears recovery however, the Housing Advice Team within the Council's Housing Services Team is experienced in providing debt advice and resolving rent arrears issues of cases coming through the Housing Advice route. The team already deals with various stages of rent arrears across the social housing and private housing sectors and have experience in debt management and attending court.

- 4.14 Rent is payable every Monday and can be paid by any one of a number of methods including Direct Debit, Standing Order, card payments and cash. This facility will remain for tenants so that there is minimum disruption for tenants in the transition from managing agent to the Council. Rents are to be reviewed on an annual basis with tenants being informed of any changes in line with prescribed guidance. A rent accounting system will assist in the management of individual rent accounts and staff will be required to implement rent recovery procedures if necessary. The co-location of the Housing Services Team with the Advice and Guidance Hub will assist in supporting customers through any rent/benefit issues.
- 4.15 Tenancy Management
It is proposed that the Housing Services Team carry out all tenancy management related responsibilities and monitor all tenants adherence to the tenancy agreements. There are currently two tenancy agreements in use. Tenants living within the 82 new build units have a Secured Tenancy (Housing Act 1985). All properties let through the Empty Property Purchasing Scheme are let through a new form of tenancy called a 'Local Authority Flexible Tenancy'; this is a 5 year fixed term tenancy agreement with many of the same rights as a secured tenancy. All properties let through a Social Lettings Agency will be let through a fixed term tenancy. This tenancy agreement will be drafted by experienced staff and will include anti-social behaviour clauses.
- 4.16 Introductory tenancies are probationary tenancies that (normally) last 12 months from tenancy sign-up, after which it becomes a secure tenancy on a periodic or fixed-term basis. An introductory tenancy would be granted where the successful applicant does not fulfill the criteria of becoming a secure tenant. This will usually mean people who currently live in the private sector including owner-occupied housing, private rented accommodation, tied housing, armed forces accommodation, and those leaving the care of family or friends. There are a number of tenants within the existing Council stock who are currently on an introductory tenancy.
- 4.17 To increase the number of tenants who sustain their tenancies, the Council's approach would aim to deliver effective tenancy management and support across a range of tenancy types. Tenancy management focuses on pre-tenancy sign-up, continual support to tenants and advice (guidance and assistance) on a range of issues. Effective tenancy management will help

tenants sustain their tenancies, but as a last resort enforcement action may be necessary and the Housing Services Team with advice and guidance from Legal Services will carry out this action.

- 4.18 Within the existing agreements tenants' responsibilities are to take care of their home, pay their rent and service charge when due, cause no nuisance, not conduct business or vehicle repairs in the home, build up of rubbish, to maintain the garden and parking areas etc. Secured tenants have the right to buy, right to exchange, right to sub-let (with permission), right to make improvements (with permission) and the right to succession. It is proposed that in order to communicate effectively with tenants to comply with contractual duties within the tenancy agreement all tenants are visited by a member of the Housing Services Team and then following the handover of management responsibilities from Housing Hartlepool estate inspections will be frequently undertaken and tenants visited when required. A tenant's panel is to be set up to consult and communicate with tenants on future tenancy changes or decisions impacting directly on Council tenants. These measures are help to achieve landlord's responsibilities and are in line with good practice guidance from the regulatory bodies.

4.19 Allocations/Lettings

The Housing Services Team will be responsible for the allocation of properties and lettings of the Council stock. Properties will be allocated in line with the Tees Valley Common Allocations Policy. The objectives of which are :

- To meet the legal requirements for the allocation of social housing as set out in the Housing Act (1996) and Homelessness Act (2002) ensuring that those with the greatest housing needs have those needs met more quickly.
- To let homes in a fair and transparent way through empowering applicants and supporting them to make informed choices about where they want to live.
- To provide improved services for vulnerable people who may find it difficult to apply for housing and offer continuing assistance to them in maintaining a successful tenancy.
- To improve local, regional and national mobility and to encourage balanced and sustainable communities.
- To make efficient use of the social housing stock in meeting housing needs.
- To assist local authorities in preventing and reducing homelessness.

- 4.20 The Council will also be responsible for pre-termination inspections, new tenant selection through the Choice Based Lettings System and void management. It is important that re-let times are short and adhere to the current performance indicator which is 7 day for properties with no repairs, 14 days for properties with minor repairs and 35 days for properties with major repairs. The aim of this performance indicator is to maximise the rent collected by the Council for each of their properties and reduce Council tax liabilities. Water and Council tax notifications and photographic inventories will

also be completed by staff in the Housing Services Team for the 82 new build and 100 empty homes.

4.21 Maintenance

The Council currently holds budgets for both minor and major repairs. The current new build properties on average cost £260 per year to complete minor repairs. The management of the Council owned stock will require a responsive maintenance/repairs service and a long term maintenance programme. The Council will be required to provide a call out 'out of hours' repairs service and the Housing Services Team will deliver this in partnership with Building Design and Management. The ethos behind the Council's management of property is to provide good quality and well managed homes for residents. It is therefore essential that the properties are maintained to a high standard to attract tenants and to protect the Council's housing asset into the future. The Council aims to approach void property repairs in the same way so that any property re-let is in good physical and decorative condition.

4.22 Additional Requirements of a Social Lettings Agency

Members will recall that a detailed overview of the proposals to establish a Social Lettings Agency and an overview of the business case were provided in the last report on the 19th December 2013. All of the management services/requirements set out above are also relevant to the management of private sector stock and provide a management template that can be rolled out into the private sector through a Social Lettings Agency. The only difference will be that the tenancy agreements will be different (fixed term tenancy) and the property types and condition will vary. It is important to start the development of a Social Lettings Agency quickly given the demand for the service and to develop the business over the coming years.

4.23 As detailed in the report of 19th December 2013 an agency would be developed with social objectives at the core of the business plan. The Social Lettings Agency would offer the reliability and good reputation of the local authority to private landlords looking for a managing agent. The agency would aim to provide good quality and affordable housing management and access to a range of skills and expertise in legal, housing advice, benefits, property refurbishment and knowledge of local markets. As a managing agent the Council could insist on good housing standards, reasonable rent levels and effective tenancy agreements. The Council would offer a full housing management package to private owners at a reasonable fee.

4.24 The Council is able to benefit from relatively low costs by using existing resources. The proposal will generate additional income which could assist with future savings targets whilst at the same time help to deliver social objectives in line with the Housing Strategy as set out in Table 2. The business plan assumes that existing Housing Services staff will deliver the scheme and the set up costs and new systems will be shared with the systems required to bring the Management of Council owned properties back in house. It assumes 50 properties will be managed in year 2 and 100 properties in year 3. Further details are provided in the Housing Services Budget Overview set out in Table 2 and paragraphs 7.1-7.4.

4.25 **Ward Based Selective Licensing**

At the meeting of the Regeneration Services Committee on 29th August 2013, the Committee requested a Working Group be brought together in order to explore further the options to introduce a further Selective Licensing designation in the town. A subsequent report has been considered by the Committee in December 2013, to outline the preferred option for exploration by the Working Group, which is to prepare a business case focussed on the licensing of priority wards. The current Selective Licensing designation includes 763 private sector properties that have been licensed within six 'hotspot' areas of distinct streets. If it is proposed to introduce a designation on a much wider scale, this will have further implications in terms of the staffing resources required however, the business case will consider this in line with the licence fees and the costs associated with the administration and implementation of a scheme. The detail of which will be considered by the Regeneration Committee.

4.26 **Transition Period**

It is acknowledged that given the number of properties owned by the Council a staggered handover from Housing Hartlepool would be the most effective and least disruptive process for tenants. It is likely that if approved properties will begin to be handed over on a site-by-site basis from April 2014. This is likely to be in a four stage process with Seaton Lane, Charles Street and Kipling Road schemes being handed over first and the empty home scheme properties (located across the central area of Hartlepool) to be handed back from October 2014. This process has been agreed in principle with Housing Hartlepool and a management fee for the interim period will be paid at a reduced rate of 50% of the current fee over the next two financial years. This will ensure a smooth transition and enable issues or problems to be tackled with the support and expertise of Housing Hartlepool whilst capacity and expertise in house is enhanced.

4.27 **Skills Audit**

The objective, from a staffing point of view has been to develop the new services within existing resources and to use the skills and expertise held across the Housing Services team to provide a fully inclusive management service. Following the Committee decision an extensive skills audit has been carried out within the Housing Services team to identify staff with the skills and the interest in carrying out housing management tasks. The findings of the skills audit were as follows:

- The current Housing Service is made up from 25 members of staff, including the Adaptations Technician and Housing Apprentice.
- From the 23 members of staff audited the number of years direct housing experience ranges from 5 months to 48 years and over half of all current staff have more than 10 years housing experience.
- This experience is very wide ranging and covers the whole housing function from the strategic housing functions (homelessness, private sector housing, empty properties, regeneration) to housing management functions. A number of staff have worked on the property

maintenance side (tradesmen, supervisors) and also there are a number who have worked on front-line housing management (from waiting list management to allocations, tenancy management, estate management, resident involvement etc).

- There are no gaps in experience in terms of the Council managing stock (private or social housing).
- There is a willingness and enthusiasm from everyone to be flexible and most members of staff want to get involved in housing management. This includes people who have previous experience but also people who want to develop their housing career. It is fair to assume that people with previous housing management experience (on both sides – property and front-line) would be willing to mentor people who are new to this area.

- 4.28 The skills audit has provided confidence that existing staff have the skills and the enthusiasm to embrace any additional duties and provide an effective management service for the customer and shows that existing Council staff have the skills base to undertake the work.
- 4.29 The proposed Housing Services Trainee role will assist the Housing Services team in the implementation of the proposed new services as set out in the previous report.

5. INTERNAL SERVICE LEVEL AGREEMENTS

- 5.1 It is acknowledged that the successful delivery of the proposed services requires expertise and input from a number of Council service areas. Following the Committee meeting of the 19th December 2013 a series of meetings have been conducted to establish the service requirements, standards and costs to give further clarity to Members on deliverability of the proposals. The cost of all services provided will be met by the scheme and will provide a work stream and income to a number of teams within the Council.

5.2 Legal Services

To provide legal advice and guidance on housing management issues including rent arrears and anti-social behaviour cases.

5.3 Service Requirements

Work will include the preparation of case files, attendance in court, taking statements, letters before action and defined notices. It is anticipated that approximately 20 cases of rent arrears will require legal support a year and of these 5-6 cases will require Court action. It is projected (based on the experience over the last 3 years) that there will only be a small number of anti-social behaviour cases, which will require Court action (approximately 2 per year).

5.4 Performance Indicators

Instructions received by email or telephone are to be acknowledged same working day. Within 5 working days the Housing Services Team will be provided with preliminary advice and guidance, recommendations / suggested course of action, future steps to be taken, future lines of communication and defined timescales. Urgent matters are to be dealt with same working day.

5.5 Building Design and Management

Provide minor reactive repairs service and carry out programmed (major) repairs to Council owned housing stock and regular safety checks. Building Design Management currently deliver a similar service to the NHS which has proved to be successful.

5.6 Service Requirements

Reactive maintenance requests will be received by the Building Design Management office on a dedicated number from 8am to 5pm Monday to Friday, requests are relayed to the appropriate Construction Officer, categorised and passed to the appropriate operative. Out of normal working hours the calls are taken by Greenbank and relayed to the on-call Construction Officer who will pass the work on the appropriate on-call operative. The on-call Construction Officer will decide if this work is an emergency and needs to be dealt with immediately (make safe) or referred for scheduled repair.

5.7 An on call system operates with 4 teams of 3 operatives on a rotation basis. Each team includes an electrician, a plumber/heating engineer and a joiner. All building maintenance requests are managed through the Metastorm BPM system. Metastorm is a corporate business process management tool which allows users to create an electronic system for handling information and routing it to the appropriate people at the appropriate time.

5.8 A process for building maintenance requests has been developed to record jobs and communicate actions (from a request being raised to the job being completed) across teams/clients through a series of interactive or automated tasks and emails. The system runs parallel to Integra and acts as the trigger for the Job Costing part of the process. In addition, it provides reports for managers to monitor progress and summarise performance.

5.9 Performance Indicators

Emergency repairs and void security must be assessed and resolved on the same day including out of hours calls. Other repairs are to be completed between 3-5 days dependent on level of urgency. For void repairs, minor repairs should be completed within 14 days and major repairs completed within 35 days in accordance with the current Housing Hartlepool service standards.

Table 1: Responsive Repairs Call Out Times

Category	Make Safe Time	Rectification Time
Emergency	4 Hours	24 Hours
Priority	N/A	24 Hours
Routine	N/A	5 Business Days

5.10 Cost

A maximum rate for responsive works has been agreed with Building Design and Management and based on the current maintenance activity on the properties this agreed rate is likely to deliver responsive maintenance within the £300 annual maintenance budget. Responsive work can cover a number of different areas detailed below:

5.11 Examples of responsive jobs for Mechanical works:

- Average fault diagnosis of any gas appliances
- Locate and supply cost for any suspected gas leak
- Locate and repair any minor water leaks within budget or provide cost if bigger implication
- Minor repairs to plumbing appliances e.g. bath's, sinks and toilets.

5.12 Examples of responsive jobs for Building Maintenance works:

- Repairs to locks
- Repair doors and windows
- Repairs to internal doors and loft hatches

5.13 Examples of responsive jobs for Electrical works:

- Fault diagnosis for power failure
- Replacement of damaged sockets
- Replacement of broken light fittings.

5.14 Examples of emergency call out for Mechanical works:

- Gas Leaks
- Isolate gas supply and make safe
- Re-pressurising of boiler
- Checking of electrics, programmers and controls to boiler
- Supply temporary heaters

5.15 Examples of emergency call out for Building Maintenance works:

- Make safe
- Boarding up of windows
- Changing/repairing of locks

5.16 Examples of emergency call out for Electrical works:

- Power Supply
- Identify fault
- Isolate and make safe

5.17 Annual Maintenance:

- Gas check every 12 Months, this includes a flue analysis check, gas tightness, appropriate paperwork & standard clean.
- Cost for the year will be £45, 1 hour labour and 1/2 hour paperwork.
- Electrical check every 3 years, the cost is £120 for 3 Years or prorated £40 per 12 months.

5.18 Any change in tenancy the full costs of the above will apply as a separate charge due to Landlord's Regulations.

5.19 Finance and Audit

Audit the scheme on an annual basis to ensure compliance and provide the overall financial/budgetary support to the Housing Services Team in relation to both revenue and capital budgets.

5.20 Service Requirements

Final accounts and summary information at end of quarter and end of financial year will be necessary and annual auditing of the scheme. Advice on rent setting and rent increases and management of the budget will also be necessary on a monthly basis.

5.21 Performance Indicators

Support required in a general way on a monthly basis and more detail at end of quarter and end of year periods. Budgets to be audited on an annual basis.

5.22 Cost

Currently these services are not paid for and an assumed cost for these services into the future has been budgeted for.

5.23 C.I.C.T

Procurement of an appropriate rent accounting system and subsequent ICT support on use and maintenance of this system.

5.24 Service Requirements

Initial procurement and set up of a rent accounting system including rent collection system and recovery system. The system will be required to generate weekly account statements on an individual property basis and automatically produce standard letters if account goes into arrears. A number of 'off the shelf' property management and accounting systems have been explored and an on-line property management system is also available on the market. Any system is required to be compatible with Integra, Capita and Eclipse. A range of rent payment options for customers are required and rent is payable on a weekly basis. The system also requires the facility to upload Housing Benefit payments. A full written specification is to be developed in partnership with CICT to ensure the system meets the needs of the Housing Services Team. Any system will require the approval of the Partnership Board before procurement can begin. Research has suggested that given the size of the stock to be managed a web-based system is the most effective tool as it can be accessed on-site by staff.

5.25 Performance Indicators

The initial procurement and system set-up will require intensive support in the short term. In the longer term systems maintenance and queries will require a response in line with the current Northgate service standards.

5.26 Cost

Initial research has highlighted a number of costs in relation to the set up for a rent accounting system and additional costs for the ongoing use of such a system. An on-line system is the most cost effective option at £70 a month for

300-400 properties with an additional £20 per 100 properties if required. This system is externally hosted and therefore incurs little set-up costs. Issues such as compatibility with existing systems and data security need to be explored further. An 'off the shelf' housing management and rent accounting system is likely to cost in the region of £7,000-£9,000 per annum. In addition to this annual transaction charges, direct debit charges, software licenses, and additional CICT support costs have also been factored into the financial analysis.

5.27 Anti-Social Behaviour

Provide support on issues of anti-social behaviour associated with the properties owned and managed by the Council.

5.28 Service Requirements

The anti-social behaviour team will be required to respond to issues of anti-social behaviour and provide advice and guidance to Housing Services Staff on an ad-hoc basis. There will also be a requirement to liaise with the Police and attend court when necessary.

5.29 Performance Indicators

It is anticipated that requests for assistance from the ASB Team are responded to on the same day and a course of action agreed between the ASB team and Housing Services. This will be dealt with on a case-by-case basis.

5.30 Cost

Assumptions have been made on the cost of this service based on the number of Anti-Social Behaviour cases experienced within the Council stock on an annual basis and assumptions made on the number of incidents which would require support from the ASB team.

6. ACCOMMODATION

- 6.1 It is proposed to locate the full Housing Services team members alongside the Advice and Guidance Hub on Level 2 of the Civic Centre to reflect the Council's focus on customer service and to achieve effective tenancy management. This will provide a one stop shop for advice and support to Council tenants.

7. FINANCIAL CONSIDERATIONS

- 7.1 Bringing back the management of the Council's housing stock and reducing the fees for the management of the housing waiting list will remove the need to pay a management fee to the external provider. This funding will be used to cover the running costs of providing the service in house. This has enabled a saving to be included in the Departments savings programme for 2014/15, after the transfer of a Principal Officer from the Regeneration Service to the Housing Services Team, which will help to deliver the new services.

- 7.2 The model has assumed a saving of £45,000 in 2014/15 for the management of the housing register as agreed with Housing Hartlepool reducing to a nil payment in 2015/16 and a payment of £20,000 in 2014/15 and 2015/16 for the transitional management arrangements.
- 7.3 The net income arising from the creation of a Social Lettings Agency is still to be determined. 2014/16 are transitional years and any income will be dependent on the number of properties managed. Dialogue with external organizations already delivering Social Lettings Agencies have confirmed that schemes take at least two years to develop.
- 7.4 It also needs to be recognised that the Housing Services team are currently funded from a range of existing grant regimes and temporary income streams. The position on the grant regimes will not be known for a number of months and therefore, for planning purposes, it is anticipated for 2014/15 that all changes will be budget neutral. It is hoped that there will be a potential ongoing benefit from 2015/16 and a detailed assessment of the position will be undertaken next year, as part of the process for developing the 2015/16 budget. Table 1 below provides an overview of the Housing Services Budget if proposals were introduced.

Table 2: Housing Services Budget Overview

	Year 1 - 14/15 £000	Year 2 - 15/16 £000
Housing Services Budget Overview		
Housing Register Contract Savings	(45)	(90)
Possible TUPE	0	0
Housing Trainee	6	6
Principal Officer Transfer	47	47
<u>Additional Running Costs (Service Level Agreements)</u>		
legal	5	5
ICT	10	10
ICT support	3	3
Finance	5	5
Insurance	2	2
Other staffing costs (selective license funded staff)	0	80
Social Lettings Agency set up	3	0
Park Tower Rent Income Loss	13	26
<u>Management Fee Savings</u>		
Social lettings Agency Income Forecast	0	(34)
Empty Properties (phase 2)	0	(20)
Housing Hartlepool Transition Management Fee	20	20
Savings on Management Fee Charges	(83)	(91)
Potential Overall Budget Position	(14)	(31)

8. RISK CONSIDERATIONS

- 8.1 The risks associated with the initial business plan still remain but are mitigated through effective budget planning including bad debt provision and provision for loss of rent in void periods. The budget set out at the original business planning stage for the new build properties and empty property purchase scheme is still robust and each operational year has been as anticipated. This will continue to ensure any future risks are mitigated. The management of services brings additional risks which are set out in **Appendix 1**.

9. RECOMMENDATIONS

- 9.1 Committee is requested to:

- 1) Note the contents of the report;
- 2) Approve the recommendation to reduce the management fee to Housing Hartlepool for the management of the Housing Register by 50% in 2014/15 and to NIL from 2015/16 onwards as set out in paragraph 4.2.
- 3) Approve the proposal to internalise the management of the Council owned stock into the remit of the Housing Services Team on a phased approach from April 2014;
- 4) Further explore the setting up of a Social Lettings Agency in Hartlepool as set out in paragraph 4.22, subject to an agreed business case.
- 5) Agree to the creation of a Housing Trainee Role within the Housing Services team;
- 6) Note that a further report on the development of ward based Selective Licensing is on the Forward Plan to be considered by the Regeneration Committee next financial year.

10. REASONS FOR RECOMMENDATIONS

- 10.1 The recommendations will allow future opportunities for the delivery of Housing Services in Hartlepool to be delivered by the Council. The overall aim is to develop a more robust housing service which provides the statutory services, additional core services and enhanced housing services meeting the aims and objectives of the adopted Housing Strategy and provide a future work stream for a number of Council departments who will be involved in the delivery of housing management and maintenance functions.

11. BACKGROUND PAPERS

- 11.1 Housing Services New Opportunities and Structure Report: Finance and Policy Committee the 19th December 2013.

http://www.hartlepool.gov.uk/meetings/meeting/2979/finance_and_policy_committee

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Table 3: Risk Matrix

Potential Risk	Control Measure
Additional pressure on staffing resource	The additional staffing resource of the Principal Officer and Housing Trainee Post will mitigate any risk of significant pressure on staffing resource however many Housing Services team members will be involved in the management of property.
Disruption to staff and services	With contracts ending in March 2014 a procurement process must take place for the management of Council stock. There is likely to be some disruption to staff and services if the management service is re-procured or brought in-house. The phased handover of property is aimed at reducing any disruption to staff and customers.
No appetite for Housing Services staff to be involved	The skills audit of Housing Services staff has highlighted that there is a strong appetite and enthusiasm to be involved in housing management.
Lack of in-house housing management skills	The skills audit has identified that there is a wide range of housing management skills currently held by staff and no gaps in skills and experience have been identified.
Increased cost of management service if tender process is conducted	There are no guarantees that cost of providing management for the Council owned properties will not increase in years to come. This risk is mitigated by bringing the management back in-house as the Council will have ultimate control over the management budget.
Increased maintenance costs and therefore increased budget pressures	Initial discussions with Building Design and Management teams suggest that the same responsive repairs and long term maintenance service can be provided internally and within the budget set. A team of experienced workers has been

	assembled as part of the Empty Property Purchasing Scheme and these skills can be put to good use through the maintenance of Council owned properties into the future.
Risk of landlords with poor quality stock wishing to engage with Social Lettings Agency	To mitigate this risk the Council will require landlords to meet minimum property standards before accepting their property into the Social Lettings Agency. Inspections will be carried out by Housing Standards Officers to ensure compliance.
Financial risk around collection of rent and arrears management	The Council will have access to all data and records on individual rent accounts and can carry out their own arrears procedures to ensure the amount of rent collected is maximised for the Council. Staff are already very experienced in this work. The Council will also monitor the bad debt provision to ensure it is prudent.
Risk that income forecast for the Social Lettings Agency is not met.	To be prudent and to give the scheme the opportunity to develop the financial projections have assumed that no income is to be generated in 2014/15. The risk of generating income in 2015/16 is reduced by the staffing resource in place for delivery (Principle post).
Capacity of other service areas to deliver Service Level Agreement requirements	Meetings with all service areas affected have indicated that there is the capacity to deliver the work required. A budget will be set accordingly for this work.
Potential conflict between housing advice and housing management functions	As the Council already provides a range of housing functions it is considered that there is no conflict between managing stock and providing housing advice to customers.

FINANCE AND POLICY COMMITTEE

28th March 2014



Report of: Director of Regeneration and Neighbourhoods

Subject: COMMUNITY SAFETY PLAN 2014 - 2017

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Key Decision. RN 24/13 test (ii) applies.

2. PURPOSE OF REPORT

2.1 To present and seek approval on the final draft of the Community Safety Plan 2014 – 2017 (also referred to as the Community Safety Strategy).

3. BACKGROUND

- 3.1 The Crime and Disorder Act 1998 established a statutory duty for Local Authorities, Police, Fire Brigades, Clinical Commissioning Groups and Probation Trusts to work together to address local crime and disorder, substance misuse and re-offending issues. Collectively these five bodies are known as Responsible Authorities and make up the Safer Hartlepool Partnership.
- 3.2 In accordance with the Crime and Disorder Act 1998 and the Crime and Disorder Regulations 2007, the Safer Hartlepool Partnership is required to produce a three year Community Safety Plan to set out how it intends to tackle crime and disorder, substance misuse and re-offending in Hartlepool.
- 3.3 The current Hartlepool Community Safety Plan which was developed during 2010/11 will come to an end on 31st March 2014.

4. DEVELOPMENT OF THE COMMUNITY SAFETY PLAN 2014-17

4.1 The Community Safety Plan for 2014-17, attached at **Appendix 1**, has been developed based on the findings of the Safer Hartlepool Partnership Strategic

Assessment and public consultation including the Councils Household Survey and Safer Hartlepool Partnership “Face the Public” event.

- 4.2 The plan sets out the Partnership’s four strategic objectives 2014-17.

Strategic Objectives 2014 -17	
Reduce crime and repeat victimisation	Create confident, cohesive and safe communities
Reduce the harm caused by drug and alcohol misuse	Reduce offending and re-offending

- 4.3 During 2014-15 the Partnership will focus on Creating confident, cohesive, and safe communities and the following six priorities.

Annual Priorities 2014-15	
Domestic violence & abuse	Anti-social behaviour
Acquisitive crime	Hate crime
Substance misuse	Re-offending

- 4.4 Following agreement of the Safer Hartlepool Partnership strategic objectives and priorities in December 2013, the first draft of Community Safety Plan 2014-17 was published for a nine week consultation. The consultation process was carried out in accordance with the requirements of the existing Voluntary and Community Sector Strategy undertakings (this contains the former consultation codes of the Hartlepool Compact). It involved an on-line consultation through Survey Monkey, together with direct consultation with Cleveland Police Crime Commissioner (PCC) and a number Hartlepool Borough Council Committee’s and Partnership Boards, detailed in **Appendix 2**.
- 4.5 Although there was relatively low take-up in relation to the on-line survey, there was full support for the proposed Community Safety Plan and its key objectives and priorities from all respondents, together with Committees and Partnership Boards consulted. Feedback from the Office of Cleveland Police and Crime Commissioner also confirmed that the Community Safety Plan supports the objectives of the Cleveland Police and Crime Plan, fulfilling the obligation set out in the Police Reform and Social Responsibility Act 2011 for PCC’s and Community Safety Partnership’s to have due regard for the priorities established in the local Police and Crime Plan and Community Safety Plan.
- 4.6 In general the consultation results confirmed that the Partnership has a good understanding and grasp of the issues that matter to local communities. Some of the comments were broad statements for example a perception that drug dealing is on the increase, whilst others were related to specific actions that are ongoing or due to be developed over the next twelve months by the Partnership. The only exception to this being the harsher punishment of

offenders which is a criminal justice matter subject to national guidance issued by the Ministry of Justice.

- 4.7 Action plans to support the delivery of the Community Safety Plan are been developed by the Safer Hartlepool Partnership Task Groups, (displayed on page 17 of the community safety plan) and will take into account comments and suggestions received through the consultation process, attached at **Appendix 2.**

5. MONITORING & MEASURING SUCCESS

- 5.1 Progress made against the Community Safety Plan will be managed and monitored by the Safer Hartlepool Partnership, through quarterly performance reports and review of Safer Hartlepool Partnership Task Group Action Plans.

6. NEXT STEPS

- 6.1 Upon approval by the Safer Hartlepool Partnership, the Community Safety Plan 2014 -2017 will be presented to full Council for adoption in April 2014 before being published on the Safer Hartlepool Partnership website.

7. LEGAL CONSIDERATIONS

- 7.1 In accordance with the Crime and Disorder Act 1998 and the Crime and Disorder Regulations 2007, the Safer Hartlepool Partnership is required to produce a three year Community Safety Plan to set out how it intends to tackle crime and disorder, substance misuse and re-offending in Hartlepool.

8. EQUALITY AND DIVERSITY CONSIDERATIONS

- 8.1 The Community Safety Plan 2014-17 with an annual refresh, will ensure that the needs of all sections of the community are considered when formulating and implementing strategies to tackle crime, disorder, substance misuse and re-offending in Hartlepool.

9. SECTION 17

- 9.1 Failure to agree the Community Safety Plan would prevent the Safer Hartlepool Partnership from fulfilling its statutory responsibilities around reducing crime and disorder, substance misuse, and re-offending.

10. RECOMMENDATIONS

- 10.1 The Finance & Policy Committee approve and submit the Community Safety Plan 2014-2017 to full Council for adoption.

11. REASONS FOR RECOMMENDATIONS

- 11.1 The Safer Hartlepool Partnership has a statutory duty to develop and publish a three year strategy aimed at reducing crime and disorder, substance misuse, and re-offending behaviour.
- 11.2 The Safer Hartlepool Partnership falls under the remit of the Finance and Policy committee.

12. BACKGROUND PAPERS

- 12.1 Safer Hartlepool Partnership Plan 2011
http://www.saferhartlepool.co.uk/downloads/file/65/safer_hartlepool_partnership_plan-year_3-2011-2014

Report to Safer Hartlepool Partnership 5th July 2013 – Community Safety Strategy 2014-17 http://www.hartlepool.gov.uk/egov_downloads/05.07.13_-_Safer_Hartlepool_Partnership_Agenda.pdf

Report to Safer Hartlepool Partnership 13th December 2013 - Safer Hartlepool Partnership Strategic Assessment
http://www.hartlepool.gov.uk/egov_downloads/13.12.13_-_Safer_Hartlepool_Partnership_Agenda.pdf

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Safer Hartlepool Partnership Plan 2014 – 2017 Year 1

5.2 Finance 28.03.14 Community safety plan App 1



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Foreword

I am pleased to introduce the Safer Hartlepool Partnership Plan for 2014 - 2017. This new three year plan, based on the findings from the Partnership's Annual Strategic Assessment and consultation with the public at the annual "Face the Public" event, outlines the Partnership's strategic objectives and priorities and will be refreshed annually to incorporate new objectives and priorities as they emerge.

Since becoming Chair of the Safer Hartlepool Partnership in May 2013, I have been impressed by the strength of partnership working and the dedication and continued support of those organisations that are responsible for the Partnership; the Council, Police, Fire Authority, Clinical Commissioning Group, Probation and the Cleveland Police and Crime Commissioner.

Despite the ongoing cuts to public services and significant reductions in funding, the Safer Hartlepool Partnership has continued to make Hartlepool a safer place to live, work and socialise. Since the beginning of the previous Partnership Plan in April 2011, recorded crime and anti social behaviour has reduced year on year.

The Safer Hartlepool Partnership has successfully supported and delivered numerous partnership initiatives and some of these successes are outlined in this plan.

During the lifetime of this plan, there are a number of factors which will impact on the Safer Hartlepool Partnership; a challenging economic climate, including the impact of Welfare Reform, changes to commissioning arrangements following the transition of Public Health into Hartlepool Borough Council and the election of a Police and Crime Commissioner and widespread restructuring and change across local public sector agencies.

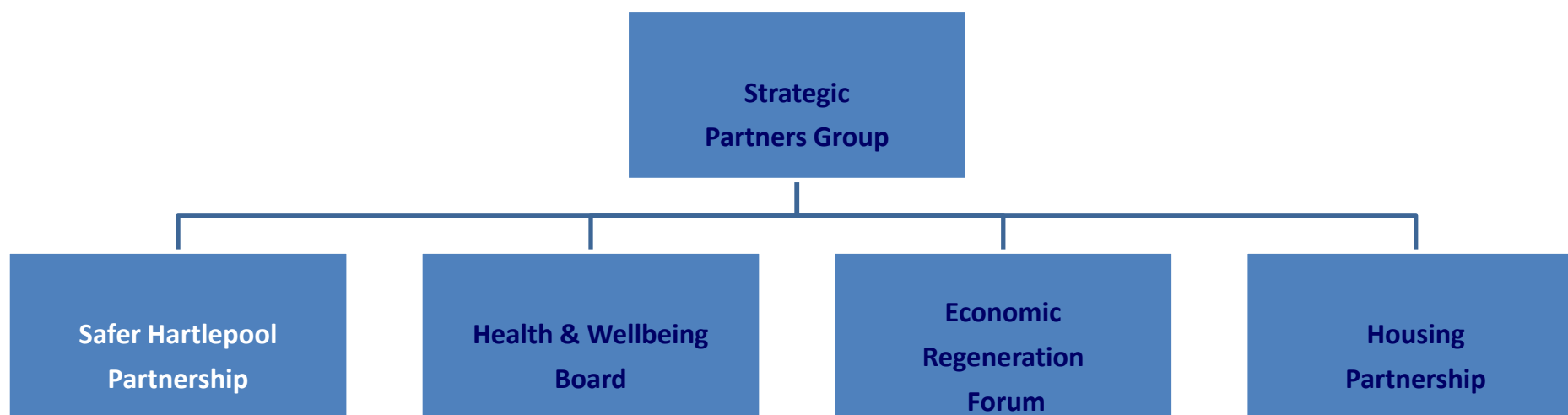
I am confident that this Partnership Plan will help us to make Hartlepool a safer place to live, work, and socialise.



Councillor Christopher Akers-Belcher

The Safer Hartlepool Partnership

The Safer Hartlepool Partnership is Hartlepool's statutory Community Safety Partnership and is one of the four¹ themed partnerships of the Hartlepool Strategic Partners Board. The aim of the Safer Hartlepool Partnership is to make Hartlepool a safer place to live, work and socialise by addressing crime and anti-social behaviour, substance misuse and to reduce re-offending.



The Partnership is responsible for delivering the following: *Community Safety Plan; annual Youth Justice Plan; Substance Misuse Plan (Drugs and Alcohol); CCTV Strategy; Domestic Violence Strategy; Social Behaviour Plan; Prevent Action Plan; Cohesion Strategy; Troubled Families Programme*. The Partnership is also responsible for the delivery of the community safety outcomes within the *Sustainable Communities Strategy* and the *Hartlepool Plan*. These local strategies and plans will have regard to the Cleveland Police and Crime Plan and appropriate national strategies and plans, to ensure that national policy is followed.

¹ The themed Partnerships are: The Safer Hartlepool Partnership, The Health and Well Being Board, the Housing Partnership and the Economic Regeneration Forum

Local Context

Hartlepool is the smallest unitary authority in the North East region and the third smallest in the country comprising of some of the most disadvantaged areas in England. Issues around community safety can be understood by a number of contextual factors:

Population

- Hartlepool has a stable population rate, maintained by low levels of migration.
- Hartlepool has become more diverse in recent years, although a very small proportion of the population are from the Black Minority Ethnic (BME) community.
- 46% of the population in Hartlepool live in five of the most deprived wards in the country, where crime and anti-social behaviour rates are high.

Health & Wellbeing

- The health of people in Hartlepool is generally worse than the England average.
- There is a higher prevalence of long term health problems, including mental health.
- The number of alcohol related hospital admissions and hospital stays for self-harm in Hartlepool are significantly worse than the England average.
- The number of Class A drug users in Hartlepool is more than double the national average.

Deprivation

- Hartlepool has pockets of high deprivation where communities experience multiple issues: higher unemployment, lower incomes, child poverty, ill health, low qualification, poorer housing conditions and higher crime rates.
- Residents living in more deprived and in densely populated areas have high perceptions of crime and anti-social behaviour and feel less safe.

Housing

- Strong links exists between the occurrence of anti-social behaviour and the location of private rented housing.
- The percentage of long term empty properties in Hartlepool is higher than the regional average.

Geography

- Community safety problems are not evenly spread and tend to be concentrated in geographic hotspots, particularly in the most deprived wards in Hartlepool.

Unemployment

- Unemployment rates in Hartlepool are above the regional average and more than double the national average.
- 14.5% of young people aged 18-24 years are unemployed.
- Hartlepool has high rates of people incapable of work due to disability and ill health.

Partnership Activity 2011 – 2014

Over the last the 3 years, the Partnership has delivered a number of projects and initiatives against the strategic objectives in the Partnership Plan 2011 - 2014, and developed new services which have been designed to reduce crime, disorder, anti-social behaviour, substance misuse and re-offending. Examples are listed below:

Strategic Objective: Reduce Crime & Repeat Victimisation

- **Crime Prevention & Target Hardening** - We have continued to offer crime prevention advice and promote safety measures throughout the year, with seasonal campaigns addressing specific crime types and issues. Since 2011 we have targeted hardened more than 1,700 properties in Hartlepool, providing reassurance to victims and reducing their risk of repeat victimisation.
- **Dedicated Victim Service** – We have enhanced our services for victims through the provision of a Victim Support Officer who has been trained to provide crime prevention advice, enabling them to provide a holistic response to victims needs. Over 85% of victims who have received this service report increased feelings of safety.
- **Specialist Domestic Violence Service** – In April 2012 we jointly commissioned Harbour to provide support to victims and families suffering domestic violence and abuse. Over the last 18 months Harbour has received more than 1,000 requests for support.
- **Joint Action Groups (JAG's)** – Using an intelligence led approach the JAG continues to tackle community safety issues at a neighbourhood level. Each multi-agency JAG has a localised action plan that has focused on areas of greatest vulnerability and need, but also keeping abreast of any emerging issues or trends. The JAG has supported the delivery of youth diversionary activities, domestic violence joint repeat visits initiative and neighbourhood CCTV provision.



Strategic Objective: Reduce the harm caused by drug & alcohol misuse

- **Drug and Alcohol Treatment and Support** – The Partnership has commissioned a range of community based specialist services to support those who misuse substances. Operating across four sites in Hartlepool, these services have helped more than 1,000 people on their journey to recovery.
- **Awareness Campaigns** – The Partnership is driving forward campaigns to promote responsible drinking and highlight the dangers of drug misuse - campaigns include Dry January and Substance Misuse Week.
- **Alcohol Arrest Referral** – Operating in Hartlepool custody suite, this scheme had delivered over 1,500 brief interventions to individuals arrested for an alcohol related crime in Hartlepool. Brief interventions include linking alcohol and the offence, with the aim of motivating a reduction in alcohol consumption and re-offending behaviour.
- **Community Alcohol Partnership** – The Community Alcohol Partnership has secured funding to deliver a range of preventative, educational and enforcement activity to address the issue of alcohol misuse amongst young people in our most disadvantaged communities.



Strategic Objective: Create confident, cohesive and safe communities

- **Community Cohesion Action Plan** – A range of activities and initiatives to promote cohesion and inclusion have been supported by the Partnership during 2013 including the roll out of the 'Safe Places Scheme', and a Diversity Event held in November to promote cultural awareness. The event was attended by 150 local community members who received presentations from the Partnership on hate crime and how to report it, and how the Partnership monitors and supports our most vulnerable and at risk victims to ensure that appropriate multi-agency interventions can be deployed to reduce the risk of further victimisation
- **Anti-social Behaviour Awareness Day (ASBAD)** – More than 1,500 secondary school pupils have taken part in the annual ASBAD event. Interactive sessions on topics such as alcohol awareness, making hoax calls, bullying and litter are led by a series of partner agencies, with successive event evaluations demonstrating that ASBAD continues to be successful in engaging young people in thinking about behaviour, its effects and consequences.
- **Restore Project** – Supported by the Police and Crime Commissioner, the Safer Hartlepool Partnership launched their Restore Project in Hartlepool in November 2013. The project has recruited and trained a group of facilitators in restorative conferencing and is now available to provide an alternative way of dealing with the harm caused to victims of minor crimes and anti-social behaviour. Restorative Justice is proven to improve victim satisfaction rates, and reduce offending behaviour by bringing the offender face to face with the harm their behaviour has caused.

Strategic Objective: Reduce offending and re-offending

Reducing offending and re-offending has been one of the main focuses of the Partnership during 2013/14. In response to high rates of reoffending in Hartlepool the Partnership is in the process of developing a new strategy which aims to break the cycle of re-offending behaviour and improve public safety. The strategy will strengthen the ability of the Partnership to work together to provide local solutions to reoffending set against the broader context of the national Transforming Rehabilitation Strategy. Current activities aimed at reducing offending and reoffending include:

- **Triage Programme** - This scheme diverts young offenders into positive activities and support, instead of charging them and taking them to court. The initiative has significantly reduced the numbers of young Hartlepool people entering the criminal justice system in Hartlepool and the success of the scheme is now being replicated across the Cleveland area.
- **Integrated Offender Management (IOM)** – This multi-agency team involving Council, Cleveland Police, Durham & Tees Valley Probation Trust, HMP Prison Service and Outreach Workers, is dedicated to working with the most prolific offenders responsible for committing a large number of crimes in Hartlepool, together with those offenders on substance misuse orders issued by the Courts. The team is currently working with over 100 offenders providing support to address the problems associated with their offending behaviour, and challenging and taking enforcement action where necessary.
- **Troubled Families Programme – Think Family / Think Community** – This government funded initiative is now in its second year. The programme aims to reduce youth offending, reduce anti-social behaviour, increase education attendance and get people into work. During the first year of the programme 56 pay-by-results claims have been made where 64% of young people had reduced their offending behaviour and 93% of families had reduced their anti-social behaviour.



The seventh Safer Hartlepool Strategic Assessment was completed in December 2013 and contains information to aid the Partnership's understanding of the priority community safety issues in Hartlepool. The Assessment forms part of an intelligence-led approach to community safety, which enables a more focused, resource-effective and partnership-orientated delivery of options to help:

- Better understand the patterns and trends relating to crime, disorder and substance misuse issues affecting the Borough;
- Set clear and robust strategic priorities for the Partnership;
- Develop interventions and activities that are driven by reliable intelligence-led evidence.

The Strategic Assessment covers the twelve month period October 2012 to September 2013 and contains analysis of data obtained from both statutory and non-statutory partner agencies including: the Hartlepool Borough Council, Cleveland Police, Durham Tees Valley Probation Service, Cleveland Fire Brigade, North Tees & Hartlepool NHS Foundation Trust, Housing Hartlepool, and Harbour Support Services. Additional information has also been obtained from community consultations and meetings.

Key findings from the Strategic Assessment period include:

RESTRICTED



Safer Hartlepool Partnership

Strategic Assessment 2013

This document contains sensitive information and is intended for strategic priority setting purposes only. No part of this document may be copied or disseminated beyond the authorised recipients without prior consultation with the author or Safer Hartlepool Partnership Co-ordinator.

Strategic Objective: Reduce Crime & Repeat Victimisation

- We continue to make great progress in reducing crime in Hartlepool with year on year reductions in crime for the seventh consecutive year.
- Successful reductions have been achieved in most major crime categories, however acquisitive crime and violence continues to account for more than two thirds of total crime.
- The theft of pedal cycles has been an emerging issue throughout the assessment period.
- Repeat victimisation is evident in most crime categories; however it is even higher in violence offences, particularly domestic related violence.
- In the current economic climate there is potential that the numbers of repeat and vulnerable victims will increase.

Strategic Objective: Reduce the harm caused by drug & alcohol misuse

- The cost of alcohol misuse equates to £459 per head of population.
- Alcohol plays a significant factor in the occurrence of violent crime, including domestic violence and abuse.
- Alcohol specific hospital admissions for adults and under 18's in Hartlepool are significantly higher than the national average.
- The number of people dependant on drugs in Hartlepool is twice the national average.
- There is a clear link between Class A drug misuse and the occurrence of acquisitive crime.
- The number of individuals accessing drug treatment has increased since the previous assessment period.

Strategic Objective: Create confident, cohesive and safe communities

- Anti social behaviour is following an increasing trend with certain communities and neighbourhoods suffering from disproportionate levels.
- Hotspot locations for anti social behaviour are located in areas that are densely populated by privately rented properties.
- Perceptions of anti social behaviour in Hartlepool are above the national average.

Strategic Objective: Reduce offending and re-offending

- Hartlepool has one of the highest proven re-offending rates in the country.
- Re-offenders have greater needs in respect of housing, education, training, employment and substance misuse.
- The number of young people entering the criminal justice system for the first time has reduced by almost 4% in comparison to the previous assessment period.

To ensure that the Partnership is focusing on the issues that residents consider to be a priority, findings from local community consultations have been taken into consideration when setting the strategic objectives and priorities.

Face the Public

At the Safer Hartlepool Partnership 'Face the Public' event held in September 2013 we asked:

“What can the Safer Hartlepool Partnership do to make your neighbourhood a safer place to live?”

Public responses included:

- Maintain partnership working
- Improve Neighbourhood Policing
- Tackle anti-social behaviour & improve neighbourhood safety
- Reduce re-offending
- Break the cycle of domestic violence
- Address substance misuse

Sustainable Community Strategy Consultation

The Sustainable Community Strategy identifies 'Safer, Stronger Neighbourhoods' as one of its key priorities. During consultation on the strategy participants were asked:

“Which one of the Safer Stronger Neighbourhoods improvements is most important to you?”

From the four choices available, the majority of respondents identified creating confident, strong and safe communities as the area most in need of improvement, as below:

- Create confident, strong and safe communities (37%)
- Reduce crime and victimisation (24%)
- Reduce the harm caused by drug and alcohol misuse (23%)
- Reduce offending and re-offending (17%)

Hartlepool Household Survey

The Hartlepool Household Survey was undertaken during May – August 2013. Questionnaires were delivered to 18, 960 households with a 30.6% response rate and over 6,000 completed surveys being returned.

Results from the Household Survey indicate that there has been a general town-wide improvement in perceptions of crime and anti-social behaviour when compared to results from 2008. But when residents were presented with a list of anti-social behaviour issues, and asked to tell us which they felt were a very or fairly big problem in their local area the following three issues were identified:

Rubbish or litter lying around

Speed and volume of road traffic

People using or dealing drugs

Partnership Strategic Objectives 2014-2017

Based on the findings in the annual Strategic Assessment and consultation with the local community, the Partnership will retain the following four strategic objectives during the lifetime of the three year plan:

Strategic Objectives 2014 - 2017	
Reduce crime and repeat victimisation	Reduce the harm caused by drug and alcohol misuse
Create confident, cohesive and safe communities	Reduce offending and re-offending

Partnership Priorities 2014-2015

To reflect community priorities evidenced in the community consultation process, during the first year of this plan our key focus will be to: “**Create confident, cohesive and safe communities**” by concentrating on the following areas of concern:

Annual Priorities 2014 - 2015	
Re-offending - reduce re-offending through a combination of prevention, diversion and enforcement activity	Acquisitive Crime – reduce acquisitive crime through raising awareness and encouraging preventative activity
Domestic violence and abuse –reduce the risk of serious harm and provide the right response to safeguard individuals and their families from violence and abuse	Anti-social behaviour – ensure effective resolution of anti-social behaviour, divert perpetrators and identify and support vulnerable individuals and communities
Substance misuse – reduce the harm caused to individuals, their family and the community, by illegal drug and alcohol misuse	Hate crime - work together to better understand the true impact of hate crime in our communities, improve our understanding of issues for vulnerable groups and increase reporting

Key activities over the next 12 months include:

Restorative Justice - We will embed and promote a partnership approach to Restorative Justice as a tool to reduce crime and anti-social behaviour in Hartlepool.

Community Cohesion - We will embed public reassurance; community engagement and confidence work at a neighbourhood level. In response to the public priorities raised at the Safer Hartlepool Partnership Face the Public event, we will work with the Cleveland Police & Crime Commissioner to further develop Neighbourhood Policing, improving communication with young people and the wider community.

Support for Victims - The Partnership will continue to support dedicated victim services in Hartlepool and improve pathways for victims of anti social behaviour.

Substance Misuse – In response to community concerns raised in relation to drug use and dealing, will we focus on providing education and awareness in relation to the danger of drugs to young people, work together to disrupt the availability of drugs, and promote recovery services.

Environmental Crime Campaign – As identified from the Hartlepool Household Survey, environmental issues continue to be a top priority for residents, as such the Partnership will drive forward an enforcement campaign to tackle environmental issues at the earliest opportunity.

Hate Crime – We will work with local communities to build confidence in reporting hate crime, ensuring victims can access third party reporting centres and rapidly receive the advice and support that they need.

Crime Prevention – The Partnership is committed to continue to offer crime prevention advice and promote safety measures throughout the year. This activity will be accompanied by a wide-scale improvement to Hartlepool street lighting and maximising the use of CCTV technologies.

Anti-social Behaviour – The Partnership will continue to effectively use anti-social behaviour tools and powers to curb the behaviour of serious and persistent offenders, this will also include the extension of Selective Licensing of private rented properties across the town.

Troubled Families Programme – We will continue to develop new ways of working with families to prevent them from offending, increase education attendance and get parents back into work.

Re-offending Strategy – We will develop a strategy to reduce reoffending in Hartlepool which will ensure that local services are coordinated in a manner that meets the needs of offenders, whilst at the same time ensuring local communities remain safe.

Face the Public Event – As part of our continuing commitment to consulting with communities we will hold a Face the Public event in September 2014.

Measuring Performance

Partnership performance monitoring will be undertaken on a quarterly basis to assess progress against key priorities drawn from the strategic assessment and identify any emerging issues. Performance management reports will be provided to the Safer Hartlepool Partnership.

The following performance indicators will be monitored over the next 12 months:

Strategic Objective	Performance Indicator
Reduce crime & repeat victimisation	Total recorded crime rate per 1,000 population
	Domestic burglary rate per 1,000 household
	Vehicle crime rate per 1,000 population
	Robbery rate per 1,000 population
	Shoplifting rate per 1,000 population
	Violent crime (including sexual violence) rate per 1,000 population*
	% of violent crime (including sexual violence) that is domestic related
	% of repeat cases of domestic violence (MARAC)
	Violent crime (including sexual violence) hospital admissions for violence per 100,000 population*
Reduce the harm caused by drug and alcohol misuse	Drug offences per 1,000 population
	% of people who think drug use or dealing is a problem
	% of opiate drug users that have successfully completed drug treatment*
	% of non-opiate drug users that have successfully completed drug treatment*
	% of alcohol users that have successfully completed alcohol treatment
	Alcohol related hospital admissions rate per 100,000 population*
	Number of young people known to substance misuse services

*Indicators link to the Public Health Outcome Framework

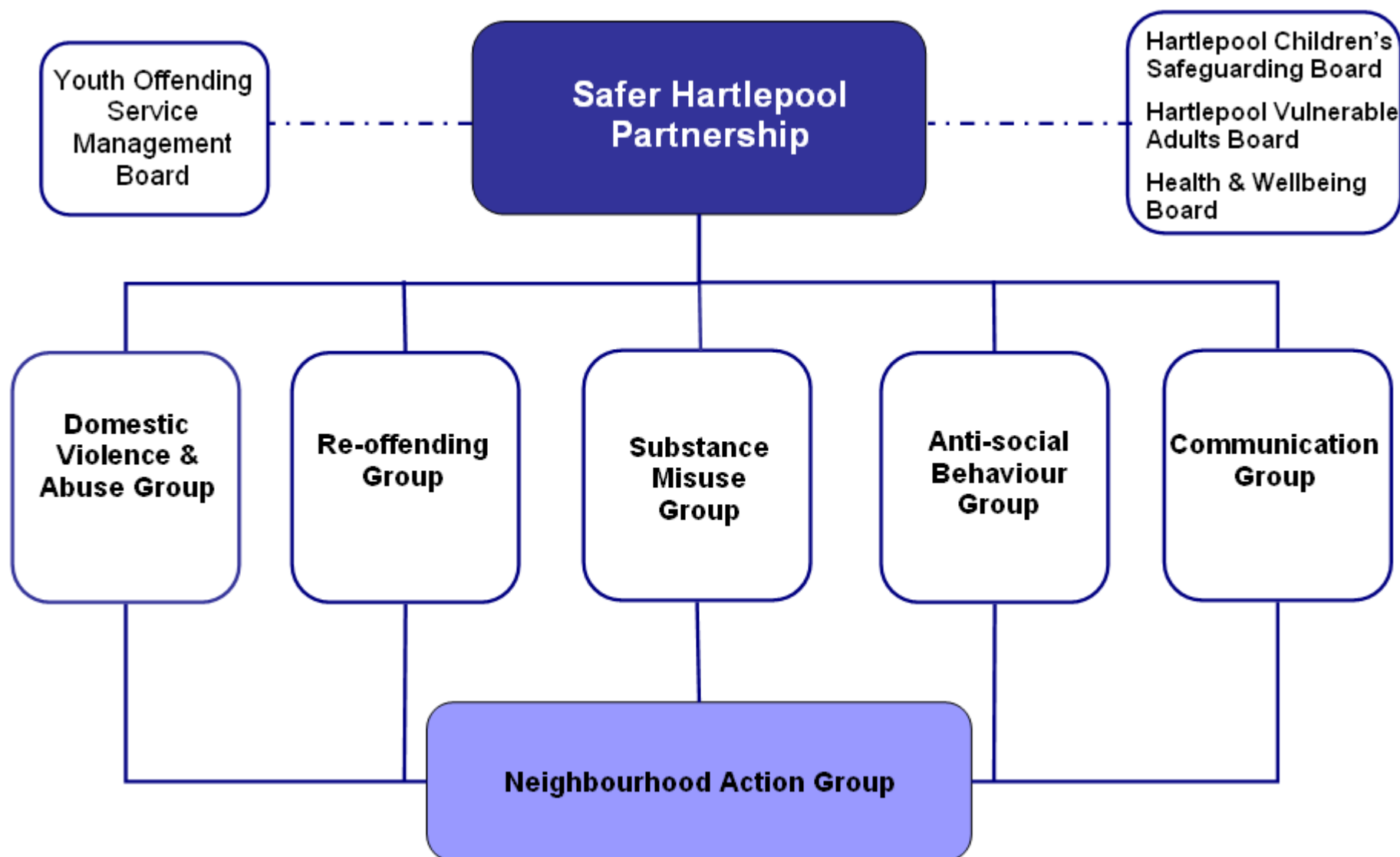
Strategic Objective	Performance Indicator
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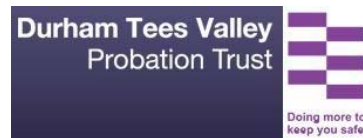
Create confident, cohesive & safe communities	Anti-social behaviour incidents per 1,000 population
	Public order offences per 1,000 population
	Criminal damage rate per 1,000 population
	Deliberate fires rate per 1,000 population
	Number of reported hate crimes & incidents
	% of the population affected by noise - number of complaints about noise
	% of people who feel safe during the day
	% of people who feel safe after dark
	% of people who think rubbish or litter lying around is a problem
	% of people who think groups hanging around the streets is a problem
	% of people who think people being drunk or rowdy in a public place is a problem
	% of people who think vandalism, graffiti and other deliberate damage to property is a problem
	% of people who think noisy neighbours or loud parties is a problem
	% of people who think abandoned or burnt out cars are a problem
	% of people who think that they belong to their local area
	% of people who feel that they can influence decisions that affect their local area
	% of people who believe that people from different back grounds get on well together
	% of people who think that people in the area pull together to improve the local area
Reduce offending & re-offending	Rate of first-time entrants to the Youth Justice System per 100,000 population*
	Re-offending levels - percentage of offenders who re-offend*
	Re-offending levels - average number of re-offences per offender*
	Re-offending rate of Prolific & Priority Offenders
	Re-offending rate of High Crime Causers
	% of Troubled Families who have reduced their offending behaviour

*Indicators link to the Public Health Outcome Framework

To be published in April 2014

The responsibility for delivery of each of the priorities has been allocated to a dedicated theme group of the Safer Hartlepool Executive Group.





Safer Hartlepool Partnership
Community Safety Plan 2014-17
Consultation Process and Feedback

Consultation Period

23rd December 2013 – 23rd February 2014 (9 weeks).

Consultation Engagement Mechanisms

- Online consultation survey with links published on the Safer Hartlepool Partnership Website, Hartlepool Borough Council Website, Hartlepool Borough Council Facebook Page and Hartlepool Borough Council Twitter Page
- Community Safety Plan consultation details published in the Hartlepool Mail on 18th January 2014 and 21st February 2014.
- Targeted email sent to statutory and voluntary sector representatives.
- Community Safety Plan and consultation details disseminated to the Neighbourhood Development and Community Regeneration Officers for discussion all community and voluntary groups attended (encompassing residents associations, friends of and general interest groups).
- Community Safety Plan and consultation details disseminated to 208 Hartlepool residents via the Hartlepool Borough Council Community Regeneration & Development Team...
- Community Safety Plan and consultation details disseminated through HVDA's Voluntary and Community Sector database; this database includes 600 groups of varying scales across Hartlepool.
- Community Safety Plan consultation drop box located in Hartlepool Central Library.
- Community Safety Plan presented to:

Hartlepool Safeguarding Children's Board – 14th January 2014

Neighbourhood Services Committee – 20th January 2014
[http://www.hartlepool.gov.uk/egov_downloads/20.01.14 -
 _Neighbourhood_Services_Committee_Agenda.pdf](http://www.hartlepool.gov.uk/egov_downloads/20.01.14_-_Neighbourhood_Services_Committee_Agenda.pdf)

Audit & Governance Committee – 23rd January 2014
[http://www.hartlepool.gov.uk/egov_downloads/23.01.14 -
 _Audit_and_Governance_Committee_Agenda.pdf](http://www.hartlepool.gov.uk/egov_downloads/23.01.14_-_Audit_and_Governance_Committee_Agenda.pdf)

Finance & Policy Committee – 31st January 2014
[http://www.hartlepool.gov.uk/egov_downloads/31.01.14 -
 _Finance_and_Policy_Committee_Agenda.pdf](http://www.hartlepool.gov.uk/egov_downloads/31.01.14_-_Finance_and_Policy_Committee_Agenda.pdf)

Health & Wellbeing Board – 13th February 2014
[http://www.hartlepool.gov.uk/egov_downloads/13.02.14 -
 _Health_and_Wellbeing_Board_Agenda.pdf](http://www.hartlepool.gov.uk/egov_downloads/13.02.14_-_Health_and_Wellbeing_Board_Agenda.pdf)

On-line Consultation Feedback

As part of the online consultation process participants were asked:

In addition to the key activities which the Partnership intends to undertake during 2014-15, what further action do you feel are needed to address our priorities?

- Action(s) to address re-offending
- Action(s) to address domestic violence and abuse
- Action(s) to address substance (drugs and alcohol) misuse
- Action(s) to address acquisitive crime
- Action(s) to address hate crime
- Action(s) to address anti social behaviour
- Do you have any other thoughts or comments you would like to make?

The consultation results are summarised below, with raw consultation data available on pages 4-7:

Actions to address re-offending - consultation feedback
<ul style="list-style-type: none"> • Greater support for young offenders in the community. • Harsher punishment of offenders. • Review of current offender management - including the introduction of a single Integrated Offender Management (IOM) scheme.
Action to address domestic violence & abuse - consultation feedback
<ul style="list-style-type: none"> • Promote healthy relationships with young people • Targeted preventative work with young males from households where domestic violence is prevalent • Strengthen reporting processes, data recording systems and responses to domestic violence and abuse affecting the Lesbian, gay, Bisexual and Transgender (LGBT) community. • Understand the impact that drugs and alcohol has on domestic violence.
Action(s) to address acquisitive crime - consultation feedback
<ul style="list-style-type: none"> • Delivery of targeted crime prevention campaigns and safety messages to reduce opportunities for crime. • Identify and understand patterns of acquisitive and key drivers for offending - including poverty and substance misuse.
Action(s) to address substance (drugs and alcohol) misuse - consultation feedback
<ul style="list-style-type: none"> • Greater use of tools and powers to tackle drug related activity. • Improve liaison and support to local Neighbourhood Watch groups. • Expand educations and awareness campaign aimed at young people. • Reduce availability of cheap alcohol.

Action(s) to address Hate Crime - consultation feedback
<ul style="list-style-type: none"> • Greater community engagement and integration. • Improve intelligence gathering through Neighbourhood Policing. • Improve confidence and facilities for reporting hate crime. • Promote specialist support services to victims of hate crime.
Action(s) to address Anti-social Behaviour - consultation feedback
<ul style="list-style-type: none"> • Action against environmental crime, particularly littering and dog fouling. • Provision of diversionary and positive activities for young people. • Rapid and effective responses to anti-social behaviour. • Environmental improvement i.e. street lighting.
Other comments and thoughts – consultation feedback
<ul style="list-style-type: none"> • Increase community participation. • Target areas where offenders are operating. • Installation of road traffic calming measure to tackle misuse of vehicles. • Installation of CCTV in crime and disorder hotspots.

Police and Crime Commissioner, Committee and Partnership Board Consultation Feedback

The consultation results are summarised below

Consultee	Comments
Cleveland Police and Crime Commissioner	The Office of the Cleveland Police and Crime Commissioner has read the document and is more than happy with its content. The Community Safety Plan in its current format supports the objectives of the Police and Crime Plan.
Hartlepool Children's Safeguarding Board	Consultation noted and responses encouraged.
Neighbourhood Services Committee	The Chair was pleased to note that the partnership had recognised areas of concern and actions were being taken to address this in the Community Safety Plan.
Audit & Governance Committee	The Committee noted the content of the Community Safety Plan.
Finance & Policy Committee	The Committee noted the content of the Community Safety Plan.
Health & Wellbeing Board	The Board noted the content of the Community Safety Plans and its links to the Health and Wellbeing agenda.

Raw Data from On-line Consultation¹**Actions to address reoffending – consultation feedback**

- Give young offenders some hope to progress in the community within the law.
- I think that people who re - offend should get a more lengthy sentence.
- Immediate prison sentence
- Single Integrated Offender Management

Actions to address domestic violence and abuse – consultation feedback

- Alcohol / drugs play a major part in violence.
- Price per unit increase and end unlimited times to get alcohol in shops and supermarkets
- I think the domestic violence is a serious crime against women mostly.
- Harsher sentences
- Education to young women in relation to recognising abusive relationships within early adolescence. This is provided in some schools but not in others - research NSPCC - suggests that young women who have been victims are more likely to be repeat victims of domestic violence in later life - 1 in 3 young women report that they have been involved in abuse in 'romantic' relationships - role out of This is abuse (home office) within LSCB PSHE work. Also work with young men identifying attitudes and changing behaviours needs to be undertaken.
- The MARAC form could be changed to make it easier for police officers to distinguish the difference between a fight in the street between two people of the same sex to an incident of LGBT domestic abuse. Because there is no question about sexuality or transgender in the MARAC form it's difficult for an officer to make an assumption if the person is transgender or gay or lesbian without being held liable of stereotyping. This means LGBT domestic abuse incidents are being missed which effects reporting data massively.
- Funding should be gained to raise awareness about LGBT Domestic abuse rather than to support those of Domestic abuse, the question is, are there enough victims of LGBT domestic abuse to maintain a support service? What is needed foremost is the knowledge and awareness that LGBT domestic abuse does exist and does happen in our community, once people are aware of it (like LGBT hate crime) more people will come forward and use support services.
- Police officers could be more aware of the services in their town, for example, when the police are called to a heterosexual domestic abuse incident a letter is sent out with harbours details and Victim Supports details straight away, something similar to this should be sent out for other services, if not a letter perhaps just a comment by the police officer dealing with the case letting the victims know that there is actually specialised support services out there for them to access. I.e. if a person has suffered violence in a same sex relationship the officer attending the incident could suggest that there is a support service for those who identify as LGB and/or T.
- Community groups who have such service MUST get out into the community and make people aware of who they are and what they can offer. More events, more groups and more awareness is a necessity.
- Targeted preventative activity with young males from households where domestic violence is prevalent.

¹ Personal identification data i.e. home addresses have been removed from the dataset presented
5.2 Finance 28.03.14 Community safety plan App 2

Actions to address substance (drugs and alcohol) misuse - consultation feedback

- Police are doing a great job but need a dedicated unit to focus on the overall problem
- I think that drug use is more common today as it was in the past.
- Harsher sentences
- Clarify rules on drinking alcohol in public areas and enforce compliance, especially in the night time economy
- Better liaison and support to local neighbourhood watch groups and more links and transparency with Ring Master system
- Extension of work completed by the community alcohol partnership - use work completed that has been positively evaluated to demonstrate effect - again to educate on universal level.
- A clear focus around Minimum Unit Price for alcohol.
- To act more quickly when 'dealers' move into an area, some dealers get a council house on a nearby estate but the drug users loiter in our road going for fixes and unsteady with drugs which they'd taken for months before the Police stopped it. I have noticed there seems to be more drunks loitering in the streets.

Actions to address acquisitive crime - consultation feedback

- Advice on security of house and home
- Don't know what this is and would like it explained
- Walk in crime is more an opportunity of easy crime against the home owners.
- Immediate prison sentence
- Patterns need to be identified and links made. where poverty is the issue support to address, where substance misuse effective treatment programme referral
- Further preventative and education work to get members of the public to take responsibility for preventing crime.
- Over the last 10 months (since the benefit changes) I have had a number of people stop me in the street asking for money. I am disabled and this is intimidating, I keep my purse in my pocket and never get it out or give them anything even if they beg for just "20p" incase they grab it and run off, maybe you could give advice to the elderly/slashed disabled on how to deal with this as I reckon the problem will only get worse

Actions to address anti social behaviour – consultation feedback

- Firmer action on litter dropping and dog messes
- Give the school children more involvement and encourage project involvement so they feel wanted in society
- This crime is to do with people and gangs causing trouble in neighbourhoods.
- Prison for repeat offenders
- Reliable in lighting in Church Square area. More vigorous action against people urinating in public (common in the night time economy)
- Much quicker response to incidents. Links direct with professional witness services to enable instant response and thus information gathering
- Access to positive activities, particularly within deprived communities need to be protected- positive examples are in place - COOL, Detached and mobile, assertive outreach of proactive approaches- however all are subject to internal and external funding issues.
- Diversionary activities in targeted areas suffering high levels of anti social behaviour.
- Check in back alleys, patrolling there as parents shove their kids out to play in alley gated areas, where they are unsupervised for hours.

Actions to address hate crime – consultation feedback

- No comment
- Stop the unfair treatment in all society
- This crime is against region groups and there beliefs.
- Immediate prison sentences
- Better intelligence gathering through Community Policing and a regular presence at local community centres and groups to accomplish this.
- Preventative approaches including adequate equality education within the town - this has become less of an agenda within the school curriculum, resources less within HBC, this has also started to reflect in attitudinal changes - particularly given recent pollicising around immigration etc. Victims need to feel safe to report - this also comes with dialogue and education around what is acceptable within communities. Resources and project work should focus more on this issue.
- Rather than a police officer who has had an injury or has become pregnant a person with passion and conviction about hate crime should be taken on as community engagement officer. This will ensure that the person who takes on the job role will be doing the job through want to make a difference and also it would ensure that the person would take on the job role for the foreseeable future, rather than just for a few months until they get better or have a child. The very fact that the community engagement officer is changed so frequently is problematic, it takes many months for minority groups to trust a specific person therefore the fact that the officer is changed so frequently causes an obvious problem in terms of confidence between police and minority groups.
- Police services and community groups must work together more frequently. For example, events like IDAHO (International Day against Homophobia and Transphobia) are a perfect opportunity for both police and the community to illustrate their partnership work, this will break down social barriers and change public perception of Cleveland Police and hate crime reporting.
- Referring correctly: - Similar to Victim Support Police officers should be referring appropriately, i.e. if an officer is on a call to an incident that involves homophobia the officer should let the victim know about Hart Gables LGBT. This would create knowledge to victims of the support that they can access not only this but it will illustrate that police officers have the knowledge about LGBT issues and support service in the local area, given victims more confidence in police officers thus help breaking down social barriers so that more people are inclined to report similar incidents.
- Local community groups must take on more effort to work with local communities to raise awareness about their own work and also the positive work that Cleveland Police have been a part of, this will help break down social barriers therefore we should hopefully see an increase in reporting to community groups and to Cleveland Police.
- Improve confidence in reporting
- Maybe have people give talks in schools to reduce prejudice against the disabled and point out the consequences for harassing such victims, use peer pressure to halt it.

Do you have any other thoughts or comments you would like to make?

- Hartlepool is in a difficult area of unemployment and is now facing harsh cuts. I think everyone needs to be as vigilant as possible and possible advice on both security of house and home and how to communicate any suspicious actions or incidents.
- Try to bring back the feeling of community spirit instead of everyone for themselves.
- Camera's to be placed in areas where people have been victimised.
- The justice system is far to lenient on offenders of the above crimes, but for litter offenders the fines seem to me to be over the top
- Education is ke, but it needs to be more than in schools. Go to where the offenders are operating.
- Community presence is still the key to making people feel safe and to establish good links with residents
- Installation of speed bumps in bottom half of Chester road. Speeding is always happening here. Also, Back street of Chester Road, Wynstay Gardens and Helmsley Street is seeing dog fouling every day.
- It was so quiet on our estate until private landlords took over houses round about us. So many neighbours have said that they can't believe how thing have "gone down" and how different it is now. Some have moved out because of it and yet the ones who complain would not dream of telling the local police what it is like. May be the Police could hold more local surgeries for residents to get to know their local officer and talk to them, rather than let the bad atmosphere go on. Some neighbours said they were glad when the dark nights came so the streets aren't in the back streets and people aren't out there drinking, swearing and boasting over the fighting they have been involved in. No wonder some of the children are like how they are. Why should the few bad ones spoil our neighbourhood, maybe landlords and social services need to be more involved too. The Police do there best, but it is getting worse, if tenants don't behave they should be evicted.

FINANCE AND POLICY COMMITTEE

28th March 2014



Report of: Director of Regeneration and Neighbourhoods

Subject: COMMUNITY POOL CATEGORY 4 GRANT ALLOCATIONS 2014/15

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Key Decision (test i & ii). Forward Plan Reference No. RN08/14

2. PURPOSE OF REPORT

2.1 The purpose of the report is to outline the level of grants recommended for allocation to Voluntary and Community Sector (VCS) organisations through Category 4 of the Community Pool for 2014/15. A decision is sought from Finance and Policy Committee on these proposals.

3. BACKGROUND

3.1 Following a complete review of the Community Pool Programme in 2011/12 and agreement from Members on 21st November 2011, the programme for 2012/13 and 2013/14 has been allocated through five specific categories which are detailed below:

- Category 1 – The provision of universal welfare benefits and advice;
- Category 2 – The provision of universal credit union support;
- Category 3 – Capacity and resource building in the Voluntary and Community Sector (VCS);
- Category 4 – The provision of town-wide specialist and support services; and
- Category 5 – The provision of development / investment and emergency grants.

3.2 In 2012/13 a formal procurement tendering process was undertaken to award categories 1, 2 and 3 via contracts, with the remaining budget allocated to grants through Categories 4 and 5; the value of this was approximately £150,000. The overall budget for Community Pool in 2012/13 was £403,000,

which supported the delivery of the three contracts, supported 9 VCS groups with core funding costs (Category 4), assisted 3 VCS organisations in dealing with emergency situations (Category 5B) and enabled a VCS organisation to undertake a development and investment project (Category 5A).

- 3.3 A number of revisions were implemented to the delivery of the Community Pool Programme 2013/14 to reflect lessons learnt in delivering the programme in the previous year; these were agreed by Members on 7th January 2013. The overall budget allocation for this financial year has been in line with the previous year and following positive outcomes closely monitored by performance management frameworks, the 3 contracts were extended in line with the conditions of the original contract awarded. In addition to the continued support of the 3 contracts in 2013/14, 11 VCS organisations have been supported with grants towards core costs and 2 grants have been allocated through Category 5. There is a remaining unallocated budget for Category 5 as applications are accepted throughout the year.
- 3.4 Given the extreme financial pressure that the Local Authority is currently facing, all budgets are currently under review. The Community Pool budget was identified as a saving area which was agreed by Full Council on 6 February 2014. The changes to be introduced to enable savings to be made are outlined in the table below.

Category	Purpose	Existing Procurement Method	Proposed 2014-15 Budget (£)	Proposed Procurement Method
Category 1	The provision of universal welfare benefits and advice	Contract	110,000	Contract
Category 2	The provision of universal credit union support	Contract	35,000	Grant
Category 3	Capacity and resource building in the Voluntary and Community Sector (VCS)	Contract	0	N/A
Category 4	The provision of town-wide specialist and support services	Grants	75,000	Grants
Category 5	The provision of development / investment and emergency grants.	Grants	0	N/A
Total			220,000	

- 3.5 The following was proposed at the October 2013 meeting and subsequently ratified by Finance and Policy Committee on 19th December 2013:

- That Category 2 (Credit Union Support) is changed from a contract to a grant;

- The maximum level of grants available is reduced to £10,000 for Category 4;
- Category 4 grants should be allocated to services which directly address Family Poverty issues; and
- Any underspend in Category 5 from the 2013/14 budget should be allocated to Category 5 (A and B) in 2014/15.

3.6 In addition to the removal of the Category 3 contract, these revisions presented significant changes to the level of funding available in grants to the VCS in Hartlepool; the impact of these were fully assessed and Impact Assessments were provided as appendices to the report of 18th October 2013.

4. ALLOCATION OF CATEGORIES 1 AND 2

4.1 In accordance with the agreement of Finance and Policy Committee on 18th October 2013, the allocation of Categories 1 and 2 has now been completed.

4.2 The formal procurement process for Category 1 (The provision of universal welfare benefits and advice) has now taken place. The procurement process included a pre-procurement engagement event with interested service providers, giving them the opportunity to feed comments into the process prior to the specification being finalised. As a result of queries and suggestions made by VCS service providers at this event, the tender submission deadline was extended by a week and the quality / cost ratio used for considering the tenders was changed from 70% quality / 30% cost to 80% quality / 20% cost. As a result of the formal procurement process the contract was awarded to West View Advice and Resource Centre.

4.3 As agreed, support for Category 2 (The provision of universal credit union support) is now being procured via a grant with Hartlepool Credit Union. Officers from the Community Regeneration and Development Team are working with the Credit Union to outline the outputs and beneficiaries to be identified within the offer letter.

5. PROCESS

5.1 As in the previous two financial years, the Community Pool Grant Programme for 2014/15 is open to applications from all VCS organisations in Hartlepool, with set eligibility criteria for both Categories 4 and 5. Applications to Category 5 can be submitted at anytime (subject to funding availability) however Category 4 which is for core funding towards the delivery of specialist and support services is only allocated on a yearly basis.

5.2 The application form and guidance information has been updated to reflect the agreed changes to the overall scheme. The Category 4 grant scheme opened for applications on 3rd February 2014. In light of issues arising from the late submission of two applications in 2013/14, the process was revised so that all applications in 2014/15 had to be submitted via the North East Procurement

Organisation (NEPO) Portal. The application details and changes to the process were advertised to the VCS through a number of mediums, including:

- Letters and emails to all VCS organisations via Hartlepool Voluntary Development Agency (HVDA);
- Council's website;
- Press Releases;
- Correspondence with all existing grant recipients to notify them of the timescales and changes to process; and
- Information briefing available to all VCS groups, held at Belle Vue Centre on 17th February 2014. This was an opportunity for organisations to ask any questions and seek guidance from officers from the Community Regeneration and Development and Corporate Procurement Teams.

5.3 The deadline for Category 4 was 12 noon on Thursday 27th February 2014. 19 applications were received; the total requested was £169,685.68. With £75,000 available, this presents an over-subscription of £94,685.68. As in the two previous years, demand for these grants is high and given the levels of funding available, disappointment to some interested parties would be unavoidable.

5.4 Due to the level of funding requested being in excess of that available, a thorough assessment process was undertaken by a panel of officers with representation from Neighbourhood Management, Child & Adult Commissioning and First Contact & Support Hub Teams, with input from the Corporate Procurement Team. Applications were considered and scored (a possibility which was specifically outlined in the application guidance) against the information provided in the application forms. Prior to the panel meetings, the applications were pre-screened to ensure that proposals to be considered by the panel met the primary criteria to provide a service which addresses issues associated with Family Poverty.

5.5 All applications which passed the pre-screening process were fully considered and scored by the panel, with consideration given to the following areas:

- Nature of the service delivered and how this relates to the strategic aims and objectives of Category 4 of the Community Pool;
- Accessibility to the service;
- Number of people benefitting from the service, outputs and outcomes;
- Monitoring and performance management processes in place;
- Sustainability, leverage and partnership working; and
- Level of funding received from Hartlepool Borough Council.

5.6 In line with the procedure followed in 2013, the panel applied a weighting to ensure that appropriate consideration and priority was given to projects demonstrating a clear strategic fit to Family Poverty and the Council's

priorities and objectives. As in previous years, funding is awarded to the highest scoring applications until the funding is fully expended.

- 5.7 As part of the evaluation process, supporting information provided with applications is checked in order to safeguard and protect the Council's investment; given the timescales involved this process is still underway and it should be noted that any concerns highlighted through this process may impact on the grant recommendations outlined in **Appendix 1**. Finance and Policy Committee are therefore requested to consider delegating authority for approval to the Director of Regeneration and Neighbourhoods should any alterations to recommendations be required (in line with the process outlined in Section 5.6).

6. PROPOSALS

- 6.1 Details of the applications recommendations for approval following the completion of the consideration process outlined in Section 5 can be found in the confidential **Appendix Number 1. This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely 'Information relating to the financial or business affairs of any particular person (including the authority holding that information)' (para 3)**
- 6.2 The level of funding recommended for approval is £75,000 (total budget available); this would support 9 of the 19 applications.

7. ISSUES FOR INFORMATION AND FUTURE CONSIDERATION

- 7.1 There are a number of issues that came to light as part of the process through which applications were considered; these have been outlined in Sections 7.2 and 7.3 for information.
- 7.2 The submission of applications via the North East Procurement Organisations (NEPO) portal has opened the programme up to applications from larger VCS organisations who have not previously applied to the Community Pool, and in turn, applications have not been received from some of the smaller VCS organisation who are past/current recipients of Category 4 grant assistance (despite support with using the system being made available). This will be reviewed as part of the annual evaluation of Community Pool (Category 4) application process.
- 7.3 The standard of applications has not been as high as in previous years, especially in relation to outlining performance management and monitoring arrangements. This relates to the support needs of the sector, and has highlighted a requirement for training; this will be investigated through ongoing work on the Voluntary and Community Sector (VCS) Strategy.

8 FINANCIAL CONSIDERATIONS

- 8.1 To safeguard the Council's investment and minimise risk, it is recommended that where grant aid is approved, the frequency of payments should be determined on a case by case basis dependent on the level of grant and purpose of the funding. In all cases it is proposed that an element of the grant funding is paid in advance to support the projects.
- 8.2 Thorough monitoring and performance management processes are in place for the delivery of grants to ensure that the projects are performing as expected. The frequency of monitoring and performance management will be determined on a case by case basis, the detail of which will be set out in individual offer letters ensuring that organisations are aware of monitoring requirements from the outset of the project.
- 8.3 This approach will highlight successes within the local supply base, but will primarily allow the Council to monitor the impact of service provision within the VCS in the robust manner.

9. LEGAL CONSIDERATIONS

- 9.1 There are no known direct legal implications at this stage in relation to Community Pool.

10. PROCUREMENT CONSIDERATION

- 10.1 Set procurement processes have been adhered to in order to commission services via the Community Pool. The Corporate Procurement Team have been fully involved in the allocation of contracts and grants through the Community Pool.

11. EQUALITY AND DIVERSITY CONSIDERATIONS

- 11.1 Impact assessments were prepared as part of the report presented to Finance and Policy Committee on 18th October 2013.

12. SECTION 17 OF THE CRIME & DISORDER ACT 1998 CONSIDERATIONS

- 12.1 There are no Section 17 implications to this report.

13. STAFF CONSIDERATIONS & SUPPORT

- 13.1 There are no known staff implications at this stage in relation to Community Pool; however as in the last two years, further advice and guidance will be available for all organisations that are unsuccessful in securing funding

through Category 4. This will be delivered by the Community Regeneration and Development Team.

14. RECOMMENDATIONS

- 14.1 Finance and Policy Committee are requested to note the contents of the report and progress on the Community Pool Programme to date, including the allocation of Categories 1 and 2 as set out in Section 4 of this report.
- 14.2 Finance and Policy Committee are requested to consider the following for approval:
- i. Recommendations for allocating grants in Category 4 as set out in **Appendix 1. This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely 'Information relating to the financial or business affairs of any particular person (including the authority holding that information)' (para 3))**
 - ii. Delegated authority for approval to the Director of Regeneration and Neighbourhoods should any alterations to recommendations be required as a result of supporting information checks.

15. REASONS FOR RECOMMENDATIONS

- 15.1 Recommendations have been made in line with the processes and changes agreed by Finance & Policy Committee on 18th October 2013 and ratified on 19th December 2013. This report summarises the process undertaken to make recommendations for funding.

16. BACKGROUND PAPERS

- (i). Item 5.1 from Cabinet on 21st November 2011.
- (ii). Minutes from Cabinet on 21st November 2011.
- (iii). Item 6.1 from Cabinet on 6th February 2012.
- (iv). Minutes from Cabinet on 6th February 2012.
- (v). Item 5.1 from Cabinet on 20th February 2012.
- (vi). Minutes from Cabinet on 20th February 2012.
- (vii) Item 5.12 from Cabinet on 19th March 2012.
- (viii) Minutes from Cabinet on 19th March 2012.
- (ix) Item 1.2 from Mayor's Portfolio on 21st May 2012.
- (x) Minutes from Mayor's Portfolio on 21st May 2012.
- (xi) Item 5.1 from Cabinet on 7th January 2013.
- (xii) Minutes from Cabinet on 7th January 2013.
- (xiii) Item 5.2 from Cabinet on 15th April 2013.
- (xiv) Minutes from Cabinet on 15th April 2013.
- (xv) Item 4.1 from Finance & Policy Committee on 23rd August 2013.

- (xvi) Minutes from Finance & Policy Committee on 23rd August 2013.
- (xvii) Item 4.2 from Finance & Policy Committee on 18th September 2013.
- (xviii) Minutes from Finance & Policy Committee on 18th September 2013.
- (xix) Item 5.3 from Finance & Policy Committee on 18th October 2013
- (xx) Minutes from Finance & Policy Committee on 18th October 2013
- (xxi) Item 6.1 from Finance & Policy Committee on 19th December 2013
- (xxii) Minutes from Finance & Policy Committee on 19th December 2013

17. CONTACT OFFICER

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FINANCE AND POLICY COMMITTEE

28th March 2014



Report of: Director of Regeneration and Neighbourhoods

Subject: Sale of Former Henry Smith School site, King Oswy Drive

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Key decision (test (i)). Forward Plan Reference RN 13/09.

2. PURPOSE OF REPORT

2.1 To seek approval for the sale of the remainder of the Former Henry Smith School site, King Oswy Drive.

3. BACKGROUND

3.1 The former Henry Smith School in King Oswy Drive (as shown hatched in **Appendix 1**) was closed and demolished in 2002/3. From that time until the transfer of part of the site to Vela (shown cross hatched on the plan at **Appendix 1**) for the construction of 25 affordable bungalows, the site has been unused except for parking for St Hilds' School and as temporary site compounds. The land is designated as a surplus asset on the Council's asset register and is identified in the disposals strategy as a potential development site.

3.2 Prior to the disposal of part of the site to Vela in 2012 for the provision of elderly bungalows the whole development site was marketed for sale by informal tender subject to a development brief. Although a number of tenders were received these were disappointing and substantially below the Estates & Regeneration Managers valuation.

3.3 Subsequently outline planning permission was obtained for the construction of up to 110 private market houses on the remainder of the site at the same time as the full planning permission for the Vela development. The transfer to Vela was completed on 23rd August 2013 and they are now on site.

- 3.4 The remainder of the site has not been marketed since the transfer to Vela, although it was intended to begin marketing in March or April of this year. Although approaches have been made by developers previously, proposed bids have been below the Estates & Regeneration Manager's opinion of value. However recently an offer has been received which is worthy of consideration taking account of the substantial numbers of planning permissions that have already been granted and are in the process of consideration which will lead to substantial supply within the town.
- 3.5 Normal practice in relation to the sale of land and property and set out in the disposals policy is to initially test the market by seeking tenders and should these prove unsuccessful then negotiations may be undertaken directly with individual parties. In relation to this site tenders have previously been sought without success and therefore Members are not contravening policy to accept the proposed tender should this be decided.
- 3.6 Taking account of current market conditions the Estates & Regeneration Manager considers the offer to be acceptable. The Heads of Terms are set out in **Confidential Appendix 2. This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (paragraph 3) information relating to the financial or business affairs of any particular person (including the authority holding that information.**
- 3.7 As the site already has outline planning permission, the purchaser will only require approval of reserved matters, and it is understood that 80 to 90 houses are being proposed by the developer.

4. OPTIONS

- 1) Remarket the site on an informal tender basis seeking bids from the general market and risk the opportunity of securing a sale on the terms as set out in confidential Appendix 2. This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (paragraph 3) information relating to the financial or business affairs of any particular person (including the authority holding that information.
- 2) Delay the marketing of the site awaiting an improvement in the overall housing market which may lead to land values increasing whilst taking account of the risk that continued approval of planning consents may lead to supply exceeding demand.
- 3) Accept the proposed offer and secure a sale at a level which will contribute substantially towards the Councils Capital Receipts Target and reduce the risk of a funding shortfall if capital receipts are not achieved. .

5. ASSET MANAGEMENT CONSIDERATIONS

- 5.1 The decision to adopt a commercial approach to asset management requires the Council to realise the full value of any properties or property rights that it disposes of.

6. FINANCIAL CONSIDERATIONS

- 6.1 The offer made is considered to reflect fully the market value of the site in current market conditions.
- 6.2 As noted above, the receipts from the site have been earmarked to meet the £6.5m capital receipts target identified in the Medium Term Financial Strategy. The MTFS report anticipated this receipt within the total capital receipts forecast for 2014 / 15. This report also advised Members that the achievement of capital receipts (including this land sale) was necessary to fund existing capital expenditure commitments. The completion of this sale in the early part of 2014 / 15 significantly reduces the risk of achieving the necessary capital receipts target.
- 6.3 As detailed in the **Confidential Appendix 2. This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely, (paragraph 3) information relating to the financial or business affairs of any particular person (including the authority holding that information.** Part of this receipt will be received on a phased basis. However in accounting terms once contracts are exchanged these instalments will be accrued and accounted for as if the cash had been received in 2014 / 15.

7. EQUALITY AND DIVERSITY CONSIDERATIONS

- 7.1 There are no equality or diversity implications.

8. RECOMMENDATIONS

- 8.1 Committee is recommended to consider the options as set out in paragraph 4 and approve the offer submitted.

9. REASONS FOR RECOMMENDATIONS

- 9.1 Full consideration has been given to the offer received, which as noted above is considered to reflect fully the market value of the site. Whilst a site such as this would normally be marketed, given the level of the offer received, it may not be advantageous in this instance given the time and

costs involved and that the present bid may not still be available at the end of the marketing period.

- 9.2 Certain safeguards have been built in to the agreement to ensure that the site is developed in a timely manner, and the developer is considered to be a in good position to complete the purchase and carry out the development successfully.

10. BACKGROUND PAPERS

- 10.1 Finance and Corporate Services Portfolio Report and Decision Record of 12th December 2012.

11. CONTACT OFFICERS

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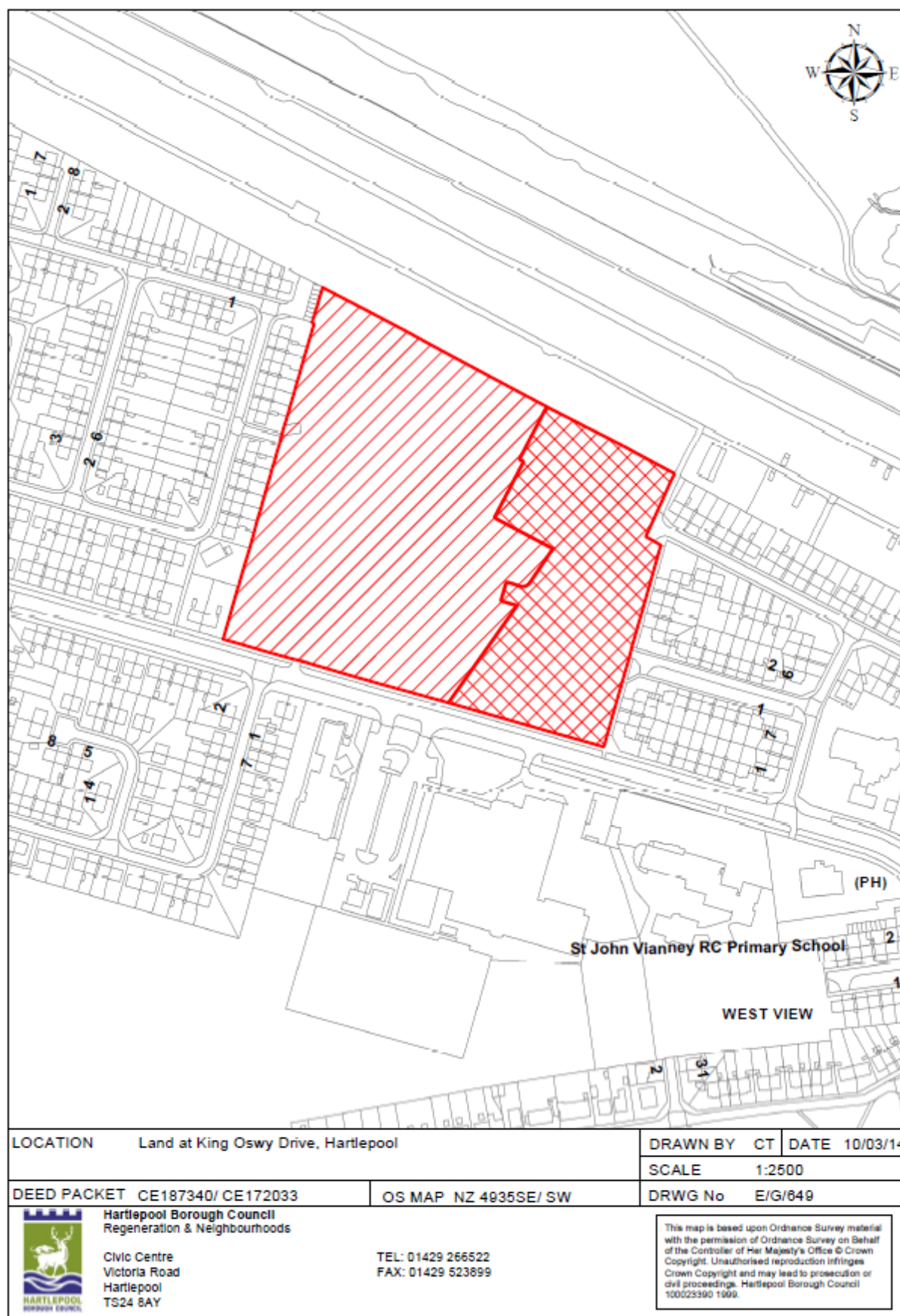
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APPENDIX 1

SITE PLAN



FINANCE AND POLICY COMMITTEE

28 March 2014



Report of: Assistant Chief Executive

Subject: REVIEW OF CARERS LEAVE

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision.

2. PURPOSE OF REPORT

- 2.1 To obtain Finance and Policy Committee ratification of changes to the Carers Leave arrangements which have been provisionally agreed with the Trade Unions.

3. BACKGROUND

- 3.1 The national conditions of service set out the maternity leave arrangements for employees, which are a combination of statutory and occupational arrangements. In addition, provision is made in national conditions of service for maternity support leave (similar to paternity leave but the employee has to be the mothers nominated carer which is a wider definition than for paternity leave where eligibility is limited to the father, spouse or partner of the mother or adopter). All other carers leave in the Council and schools is a combination of statutory and occupational arrangements with the latter being detailed in policies and schemes rather than conditions of service.
- 3.2 The Council and schools have the following carers leave provisions as detailed in Table 1 with the main differences in occupational provision detailed in **Appendix 1**.

Table 1 – Carers Leave Provisions

Council Provisions	School Provisions
Adoption	
Fostering	
Maternity	
Paternity Leave	
Maternity Support Leave	
Caring for Children/Caring for Adults	Dependants Leave
Flexible Working	
General support for the carer	Not applicable

- 3.3 The Single Status Agreement, which applies to most Council employees and all non teaching employees in school, was implemented in 2007. One of its main purposes was to harmonise conditions of service for employees employed under the Local Government Services (Green Book) conditions of service.
- 3.4 The main provisions of the Children and Families Act 2014 in relation to carers leave include
- i) Increasing statutory adoption pay to bring it in line with statutory maternity pay (the new statutory provision is pay at 9/10th pay for the first 6 weeks which schools already pay to employees taking adoption leave so this will not change the current adoption policy)
 - ii) New entitlement to paid time off to attend adoption appointments prior to adoption (the primary adopter may take up to five days at 6.5 hours per day and the secondary adopter may take up to two days at 6.5 hours per day – this extends the current provision of 2.5 days pro rata unpaid leave for training for the primary adopter)
 - iii) New entitlement for spouses, partners and fathers of the child to unpaid time off to accompany a pregnant woman to up to 2 ante natal appointments
 - iv) Introduction of a new right to shared parental leave
 - v) Extending the right to request flexible working where the purpose is not to care for a child or adult
- 3.5 A review of the support ('occupational carers leave arrangements') provided by the Council and schools to employees so they can meet their caring responsibilities e.g. adoption, fostering, maternity, paternity, caring for adult dependants and children etc has been undertaken with the trade unions and the Assistant Director (Children) with the following aims
- i) Update the local support to reflect the provisions contained in the Children and Families Act
 - ii) Ensure occupational support is directed where it is most needed
 - iii) Harmonise the arrangements for employees on the same conditions of service in the Council and schools
 - iv) Harmonise the occupational arrangements for adoption and maternity as the statutory arrangements will be harmonised by the Children and Families Act
 - v) Ensure national conditions of service are adhered to
 - vi) Ensure that support is provided in a cost effective way without having a detrimental effect on service delivery.
- 3.6 In the last 3 years only 2 employees in the council and schools have taken maternity leave in their first year of service. Since 2006, 1 employee has adopted and 1 employee is approved for adoption and 7 employees have fostered and 1 is approved for fostering. No other Councils in the Tees Valley currently provide comprehensive fostering support to employees.

3.7 The Assistant Director (Children) advises that

- People do not normally enter into a long term fostering arrangement immediately as this normally follows a period of short term fostering where the foster parent and foster child have already had the opportunity to establish a relationship and therefore the current support to enable relationships to be built during long term fostering is not needed;
- The current Council arrangements do not provide sufficient support to short term foster carers when a child is first placed with them;
- The current school arrangements for adoption and fostering are significantly less generous than the current Council arrangements provided;
- Children up to the age of around 7-8 tend to be adopted whereas older children are more likely to be fostered;
- The Fostering and Adoption Teams encourage people to apply to become Council foster carers and/or adoptive parents. Enhancing, where appropriate, and aligning the current support the Council and schools provide to employees where it is most needed may encourage more to become foster carers and/or adoptive parents;
- The Council pre placement provisions for adoption and fostering provide for significantly more time off than is needed, particularly as the Fostering and Adoption teams are flexible and will arrange pre placement meetings and training outside of normal working hours where appropriate.

4. PROPOSALS

- 4.1 Provisional agreement has been reached with the Trade Unions, subject to ratification from this Committee, to incorporate into the Single Status Agreement the current Council and school occupational carers leave arrangements for employees (excluding teachers) as amended by the proposed changes (as summarized in Table 2 and detailed in Appendix 1).

Table 2 – Summary of proposed changes to occupational carers leave arrangements

Type of Leave	Summary of provisionally agreed changes
Adoption	Rationalise the payment arrangements and align them to the national maternity provisions. Apply the new statutory pre adoption arrangements with a day not being restricted to the statutory definition of 6.5 hours.
Fostering	Apply the statutory pre adoption arrangements to fostering. Short term foster carers entitled to the same support as birth and adoptive parents. Fostering leave for long term fostering arrangements limited to where a relationship between foster parents and foster children has not already been formed and may be taken in 'bite size' chunks. Rationalise the payment arrangements.
Maternity	Removal of one year qualifying period for access to the

	occupational provisions
Maternity Support	Application of national conditions of service
Type of Leave	Summary of provisionally agreed changes
Ante Natal Appointments	Apply the new statutory right to leave to accompany a pregnant woman to appointments with a day not being restricted to the statutory definition of 6.5 hours and provide paid leave.
Caring for Children/Caring for Adults/Dependants	Employees required to have a robust care plan for their dependants in place tailored to their individual circumstances in order to be entitled to leave where the robust care plan is not sufficient. Immediate access to the occupational provisions for foster parents. Leave limited to 1 week (equivalent to 37 hours - pro rata for part time employees) paid leave per leave year regardless of the number of adults and children the employee cares for. etc. In exceptional circumstances additional leave may be granted.
General support for the carer	Updated arrangements apply to all Green Book employees in the Council and extended to school support staff

- 4.2 It is anticipated that the above changes will be broadly cost neutral, although there will be some savings as a result of the changes to the caring for children/adults provisions and some additional costs as a result of the improvements to the occupational maternity arrangements. Schools have been consulted on the proposed changes and no concerns have been raised. The proposed arrangements will apply to all Council employees, including centrally employed teachers as a consequence of the Pay Policy decisions by Finance and Policy Committee on 28 February 2014.
- 4.3 No changes have been agreed in respect of the new right to shared parental leave as the draft regulations have only just been published with a view to them coming into force on 1 October 2014 and take effect for babies born on or after 5 April 2015. No action is necessary in respect of requesting flexible working as the current Council and school arrangements already allow employees to make requests for flexible working for reasons other than caring for a child or adult.
- 4.4 The Assistant Director (Children) is supportive of the proposed changes in relation to the fostering and adoption proposals as they ensure that the support provided more closely meet employees needs in terms of caring for children and also supporting the employee to be a carer e.g. by allowing time off to attend carer support meetings and undertake carer related promotional work which may result in other people becoming carers. The changes also help to encourage employees to become adoptive parents and foster carers in a cost effective way without potentially having a significant detrimental impact on service delivery across the Council.
- 4.5 Hartlepool Joint Trade Union Committee (HJTUC) has commented as follows

“HJTUC support the proposed changes to Carers Leave as they harmonise the support provided to Council employees and support staff in schools and incorporating the provisions into the Single Status Agreement provides additional protection for employees if TUPE applies. HJTUC welcome the proposed realignment to areas where it will be of most help and the removal of the discriminatory qualifying period for access to the occupational maternity provisions. Whilst the unions would normally be pressing for improvements to the overall package HJTUC recognises the current economic situation and the need to provide support without having a detrimental impact on service provision, particularly in schools where the absence of employees can have a direct impact on the education of children. It has therefore reluctantly agreed to some lessening of provision in some areas in exchange for improvements elsewhere. HJTUC welcomes the flexibility for additional support when caring for dependant adults and children where the employee has taken responsibility for making robust care arrangements but these are simply not sufficient”.

- 4.6 Corporate Management Team has considered the proposals and are supportive of the recommended changes.

5. RECOMMENDATION

- 5.1 That the provisional agreement reached with the Trade Unions to incorporate into the Single Status Agreement the current occupational carers leave arrangements for employees (excluding teachers) as amended by the proposed changes (as summarized in Table 2 and detailed in Appendix 1) be ratified.
- 5.2 That subject to agreement by the Committee that the revised policy is communicated widely.

6. REASONS FOR RECOMMENDATIONS

- i) To update the carers leave provisions to reflect the new provisions contained in the Children and Families Act
- ii) To ensure occupational support is directed where it is most needed
- iii) To harmonise the arrangements for employees on the same conditions of service in the Council and schools
- iv) To harmonise the occupational arrangements for adoption and maternity as statutory arrangements will be harmonised by the Children and Families Act
- vii) To ensure national conditions of service are adhered to

7. BACKGROUND PAPERS

Children and Families Act 2014
 National Conditions of Service in respect of maternity
 Finance and Policy Committee Report 28 February 2014

Council's Support for Employees with Caring Responsibilities Policy
Council's Adoption and Fostering leave Scheme
Council's Caring for Children Scheme
Council's Caring for Adults Scheme
Council's Paternity and Maternity Support Leave Scheme
Council's Flexible Working Policy and Procedure
Guide to Adoption & Fostering Leave for Staff in Schools
Guide to Parental Leave for Staff in Schools
Paternity Leave Policy & Procedure for Schools
Guide to Dependants Leave for Staff in Schools
Guide to Paternity Leave and Maternity Support Leave for Staff in Schools
Flexible Working for Staff in Schools

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Appendix 1

Proposed Changes to Carers Leave Provisions

Type of Leave	Current Council Provisions	Current School Provisions	Proposed Council and School Provisions	Comment
Adoption	Up to 4 weeks paid pre placement adoption leave for primary and secondary adopters	Up to two and a half days for training. Annual leave or unpaid leave for the matching process	The primary adopter may take up to five days paid leave and the secondary adopter, where there is a joint application, may take up to two days unpaid leave to attend adoption meetings pre placement.	Based on provisions in Children and Families Act whereby the primary adopter is entitled to paid leave of up to five days (at a maximum of 6.5 hours per day) and the secondary adopter is entitled to unpaid leave of up to two days (at a maximum of 6.5 hours per day) in order to attend appointments at any place for the purpose of having contact with the child or for any other purpose connected with the adoption
	Able to carry forward unused paid pre placement leave	No entitlement	No entitlement	
	Up to 4 weeks paid pre placement leave for short term and long term adoption for second employees (where both adopters are employed by the Council) who are either the	No entitlement	The primary adopter may take up to five days paid leave and the secondary adopter, where there is a joint application, may take up to two days	Based on provisions in Children and Families Act

6.1

Adoption cont.	primary and secondary adopter		unpaid leave to attend adoption meetings pre placement.	
	Second employees (where both adopters work for the Council) entitled to paid leave for 9 weeks (post placement)	No entitlement	No entitlement to post placement leave	All employees able to request unpaid leave (and may be able to buy annual leave under a salary sacrifice scheme in future). Very unlikely to affect any employees as only one employee has adopted a child since 2006 and only one other is approved for adoption. The chance of both adopters also being Council employees is extremely low
	Full pay (including Statutory Adoption Pay i.e. SAP) for 9 weeks. SAP for a further 30 weeks Nil pay thereafter	9/10ths pay (including SAP) for the first six weeks. Half pay plus SAP for the next twelve weeks. SAP for next 21 weeks. Nil pay thereafter (up to a maximum of 52 weeks)	Half pay plus SAP at £136.78 per week be paid for the first eighteen weeks of adoption leave and increased to 9/10ths pay (including SAP) for the first six weeks and half pay plus SAP for the next twelve weeks when the proposed SAP increase to 9/10ths pay for the first six weeks is implemented SAP for a further 21	Reflects current provisions in Children and Families Act and is consistent with maternity provisions

6.1

Adoption Cont.			weeks Nil pay thereafter. Entitlement to half pay removed where employee has received occupational fostering pay in respect of the same child.	
	No provision for employees to repay adoption leave payments if they leave within 3 months of returning to work	Recovery arrangements in place if employees leave within 3 months of returning to work. 13 weeks in the case of a Teacher.	Maternity provisions for repayment to be applied	
Fostering	Up to 4 weeks paid pre placement leave for short term and long term fostering for employees who are either the primary and secondary foster carer	5 days paid leave for pre and post placement training	The primary foster carer may take up to five days paid leave and the secondary foster carer, where there is a joint application, may take up to two days unpaid leave to attend fostering meetings pre placement.	Based on provisions in relation to adoption in Children and Families Act. Requirements to attend meetings pre placement similar for adoption and fostering
	Able to carry forward unused paid pre placement leave	No entitlement	Not able to carry forward	
	Paid long term fostering able to be taken after short term fostering of the same child	No entitlement	Not able to be taken	Not appropriate as leave is given for foster carer and child to build up a relationship. Provision made in Caring for Children Scheme
	Second employees (where	No entitlement	No entitlement to post	All employees able to

Fostering (cont.)	both foster carers work for the Council) entitled to paid leave for 9 weeks (post placement)			placement leave	request unpaid leave (and may be able to buy annual leave under a salary sacrifice scheme in future). Very unlikely to affect any employees as only one employee fosters a child per year and the chance of both foster carers also being Council employees is extremely low
	9 weeks post placement paid leave for long term foster carers		No entitlement	Employees have choice of 18 weeks at half pay post placement leave OR 9 weeks at full pay post placement	
	No provision for employees to repay fostering leave payments if they leave within 3 months of returning to work			Maternity provisions for repayment to be applied	
	Longer term fostering entitlement must be taken as a single block	No entitlement		Able to take entitlement in 'bite size' blocks of a minimum of a week	More appropriate to long term fostering as children typically aged 8 or older
Maternity	Reduced benefits to employees on maternity leave in first year of local government service not entitled to occupational provisions			Occupational maternity provisions apply to all employees regardless of service	
Statutory Paternity Leave	Comply with law that provides for 2 weeks leave paid at Statutory Paternity Pay (SPP) for fathers, husband or partner of the mother (or adopter) or child's adopter				
Maternity Support Leave	Entitlement in accordance with national conditions of service	Entitlement to two weeks paid leave for the	Apply the current Council arrangements in order to		

	which stipulate one weeks paid leave for the nominated carer (which is a broader definition than Paternity leave). Where employees entitled to both Statutory Paternity Leave and Maternity Support Leave then combined entitlement is one week paid leave including SPP and one week at SPP	nominated carer (which is a broader definition than Paternity Leave). Where employees entitled to both Statutory Paternity Leave and Maternity Support Leave then combined entitlement is two weeks paid leave including SPP	be compliant with national conditions of service	
Ante natal appointments	No entitlement for spouses, partners and fathers of the child to accompany a pregnant woman to ante natal appointments		Spouses, partners and fathers of the child have the right to paid time to accompany a pregnant woman to up to 2 ante natal appointments.	Based on provisions in Children and Families Act whereby the spouses, partners and fathers of the child have the right to unpaid time to accompany a pregnant woman to up to ante natal appointments (at a maximum of 6.5 hours per day)
Caring For Children (Dependants leave for staff in school).	No provision in either the foster carer scheme or the caring for children scheme for short term foster carers and children to establish relationships	No entitlement	'establishing relationships between the short term foster carer and child' becomes one of the criteria for long term leave under the Caring for Children Scheme.	

6.1

Caring For Children (Dependants leave for staff in school) cont.			No additional entitlement to leave.	
	Foster carers are not eligible to take leave to care for children until one year after placement	No provision	Foster carers become eligible for the Caring for Children scheme from day 1.	
	Prospective adopters and foster carers are eligible for leave	No provision	Remove eligibility from prospective adopters and foster carers	Pre placement leave is provided under the adoption and fostering arrangements.
	Entitlement to 5 days per child per year for emergency and short term reasons	Up to five days paid leave regardless of the number of children/adults the employee cares for	Providing employees have robust care arrangements in place, are well organised personally and also have fall back plans in place full time employees may be granted up to 1 week (equivalent to 37 hours - pro rata for part time employees) paid leave per leave year regardless of the number of adults and children the employee cares for to deal with emergencies and unexpected events where there are no other alternatives e.g. changing working arrangements,	

6.1

Caring For Children (Dependants leave for staff in school) cont.			working from home, taking annual leave or flexileave etc. In exceptional circumstances additional leave may be granted.	
	Entitlement to 5 days per child per year for longer term reasons	Up to five days paid leave regardless of the number of children/adults the employee cares for	Providing employees have robust care arrangements in place, are well organised personally and also have fall back plans in place employees may be granted up to 1 week (equivalent to 37 hours - pro rata for part time employees) paid leave per leave year regardless of the number of adults and children the employee cares for to deal with longer term caring requirements where there are no other alternatives e.g. changing working arrangements, working from home, taking annual leave or flexileave etc. In exceptional circumstances additional leave may be granted.	

Caring For Adults (Dependants leave for staff in schools).	Entitlement to 5 days per dependant adult per year for emergency and short term reasons	No additional entitlement	Combined with Caring for Children arrangements - no additional paid leave	
	Entitlement to 5 days per dependant adult per year for longer term reasons	No additional entitlement	Combined with Caring for Children arrangements - no additional paid leave	
General support for the carer	<p>Employees are entitled to time off on normal pay to attend assessment meetings with Council staff.</p> <p>Additional support is available to employees who have been subject to a carers assessment as follows</p> <ul style="list-style-type: none"> • Access to the Councils Employee Support Officer (and service) in accordance with the Council's Employee Support Policy • Time off on normal pay to <ul style="list-style-type: none"> ➤ Attend official Carer Support and Consultative groups run/facilitated by Council departments ➤ Receive counselling 	No entitlement	<p>Employees who have undertaken a formal carers assessment by a social care department of a Council are entitled to paid time off, up to a maximum of 1 week (equivalent to 37 hours - pro rata for part time employees) paid leave per leave year which may be increased by the Assistant Chief Executive where he/she agrees there are exceptional circumstances to</p> <ul style="list-style-type: none"> • attend carer assessment meetings • attend official carer support and consultative groups run, facilitated and/or funded by the Council 	

6.1

<p>General cont.</p>	<p>where this is being funded by the Council</p> <ul style="list-style-type: none"> ➤ Undertake City & Guilds training: 'Learning for Living – on-line learning for carers' or similar ➤ Be involved in official Carers promotional work" 		<ul style="list-style-type: none"> • undertake training (including e-learning) specifically linked to the employees caring responsibilities e.g. moving and lifting or dementia friends training where a related outcome has been identified in the employees carer plan • undertake training (including e-learning) which will enable the employees to be actively involved in carer related promotional work (including information workshops) e.g. dementia champion training where the employee has made a commitment to be actively involved • be actively involved in carer related promotional work (including information workshops) 	
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FINANCE AND POLICY COMMITTEE

28th March 2014



Report of: Assistant Chief Executive

Subject: NORTHGATE COMMUNITY FUND - ICT CONTRACT

1.0 TYPE OF DECISION/APPLICABLE CATEGORY

None Key Decision.

2.0 PURPOSE OF REPORT

2.1 The ICT contract provides for the provision of a contribution to the local economy beyond a number of other commitments made which include significant job creation and reinvestment in the infrastructure and ICT services for the Council. Given that the commitment is Northgate's it is appropriate that they are closely involved in the decision making and this means the process will be different to that for other such funds.

2.2 There are number of aspects to this which give an overall value (on an annual basis) which Northgate have committed to as part of the new contract.

- Commitment to 25 volunteering days per annum
- A Community Fund of £40,000 per annum (the main focus of this report)
- A social value requirement on suppliers for procurement activity associated with the Hartlepool Business Centre (this would have to be determined on an annual basis)
- Residual value of recycled hardware (this would have to be determined on an annual basis)

2.3 Through the early stages of the contract there is the potential, as the new contract provides for the upgrading of council machines that there will be a significant number of machines that could be "donated" to local groups as part of this refresh. Software licences would have to be funded by the local groups themselves as the Council and Northgate could not commit to this. These would not be supported in any way but would provide kit and equipment at very limited cost. This would essentially negate any residual value identified in bullet point 4 above. Any such process would be outside

the bidding process and agreements in respect of the Community Fund and would be administered by Northgate.

- 2.4 As part of the development of this report Northgate have held discussions with representatives from Gus Robinson Developments to identify any areas where the support provided for such activity from both organisations may be aligned. This is covered in the report.

3.0 BACKGROUND

- 3.1 The council has recently signed up to support GO ON North East which is a regional version of a national campaign designed to build the digital skills of people, businesses and charities. GO ON UK is a national charity which aims to reduce the proportion of individuals, small businesses and charities without basic on line skills and increase the number of people accessing digital services.
- 3.2 It is felt that the support available through the new ICT contract and the commitment of the Council's ICT provider to support such an initiative would be beneficial. The fact that the commitment in the new contract (as outlined above) is for each of the 7 years of the contract is increasingly beneficial as it provides for ongoing development and support rather than an approach funded by one off resources.
- 3.3 Through Viewpoint we have been assessing a number of measures over the last 8 years as shown below:

	2006	2010	2012
Internet connection in the home	70%	78%	87%
No access to Computer / Laptop / Tablet / smartphone etc	21%	20%	No comparable question

- 3.4 In addition, and through analysis of Experian data there is evidence that 39% of working adults have an email account, approximately 20% of the adult population in Hartlepool use their mobile phones to access the Internet and 23% have recently looked into the purchase of additional mobile services or accessories (this latter group includes a higher proportion than the UK average of lower income workers, young people in social housing and families with high levels of benefit need).
- 3.5 Whilst this information shows that access is increasing there is still the potential that a significant proportion of households do not have access to the internet with the potential that as society overall moves more to online forms of communication and access that these groups suffer from greater disadvantage of opportunity.

4.0 PROPOSALS

- 4.1 There are a number of aspects to the proposals covered in this report. Whilst the primary focus is in respect of the Community Fund there are also considerations in respect of general public access to and availability of ICT equipment through council venues.

4.2 Public Access Machines

- 4.2.1 The issue of public access machines is an important one for Hartlepool Council and there has been significant effort invested in providing public access machines at a range of council venues. These include libraries and a range of other community venues. There are currently approximately 100 machines in a range of venues across the town with the largest concentration being at the Central Library and other libraries (where there are 64 machines). Given the current usage of machines and issues in relation to licensing amongst others, it is not proposed that the provision of physical machines forms part of the Community Fund priorities as options in this regard are covered below.
- 4.2.2 There is potentially provision within the ICT contract, as part of the annual reconciliation, to identify (within the current contract value) those excess units which may be utilised within community venues to facilitate access where there is demand and use. Whilst it will also be important to manage this process to deliver any potential savings it would be proposed that officers consider this at this stage to provide additional units where demand would suggest this would be beneficial (but without exceeding contracted units).

4.3 Priorities for the Community Fund

- 4.3.1 The priorities which are established for the use of this fund may vary over time. However at this stage, it is proposed that the following form the key priorities with funding and activity to be targeted toward
- Match funding the Gus Robinson Foundation for scholarships for disadvantaged young people and ex-offenders. The Northgate contribution to this would be £10K per annum (to match the current contribution from the Gus Robinson Foundation) and would be paid through Hartlepool College. This would enable funding for course attendance, rather than giving monies directly to any individuals.

The remaining £30K would be attributed to initiatives such as:

- The cost of training courses to enhance core IT skills offered in the community via community groups.
- Those changes coming through as a result of the implementation of Universal Credit which may be supported by both the investment in skills and access to equipment but which may also require the provision of access on line to book appointments and progress applications etc

- Establishing a network of community based digital champions to help promote on line service take-up. Some members of the public will remain digitally excluded because they are unwilling to use and will need others to help them use on-line services.
- Establishing facilities to support the training of local, people, schools and teachers to enhance digital skills NB in this regard it should be noted that Northgate have been discussing the development of a Northgate / Hartlepool College Information and Learning Technology (ILT) suite within the college targeted at local teachers training. The ILT suite would be located within the College and targeted at Hartlepool schools.

4.4 It is proposed that each element which may be supported through this provision would be subject to an agreed set of outcomes (including for example numbers of local people trained, growth in direct use of Council (and other local public sector organisations) on-line services and capabilities (i.e. social media, registration in My Hartlepool, on line consultations, etc.) and a corresponding decline in telephone and other types of contact, which would be required to be reported on an annual basis to enable the impact of the funding to be determined and if necessary the priorities revised over time

4.5 Proposals which are received which are tangential to the priorities would not be supported, this includes general costs of community organisations and projects and costs which do not meet the core priorities.

4.6 In simplistic terms we would be looking toward:

- An annually allocated fund
- Funding allocated on an annual basis based on submissions received
- Identified outcomes and outputs monitored and reported back
- Aligned closely to the priorities established
- Projects and activity agree by the Northgate Community Fund

4.7 **Northgate Community Fund Forum**

4.8 The contract provides for the establishment of a Community Fund Forum and it is proposed that the Forum meets annually to agree priorities and is made up of:

- Leader of the Council plus two other elected members
- Assistant Chief Executive
- Northgate (Director Business Services Director and Programme Director)

4.9 **Management of and use of the fund**

4.10 Whilst the commitment from the new ICT provider is significant it is important than in both getting maximum from it and minimising the bureaucracy around it that the allocation and monitoring of the benefits attributable does not become an industry in itself.

- 4.11 The fund and the contributions to it are annual and can be monitored and allocated on this basis. There may be proposals which are agreed which have an ongoing affect on fund availability and if this is the case they can be accounted for as such.
- 4.12 Applications to the fund to be requested from community and voluntary groups, the Council, other public sector partners, and Northgate on an annual basis (for applications which have received funding in previous years this should also include a summary of outcomes and outputs achieved).
- 4.13 There are a number of application processes for similar funds in place across the council, the most closely aligned is that for Community Pool for which there are application forms and a process which can be adapted and potentially simplified to align with the objectives and approval routes for this fund.
- 4.14 The criteria for scholarships through Hartlepool College and the Gus Robinson foundation are preset in that pupils are assessed purely on individual merit and achievement. The wider application process for other elements of the fund will be managed by Chief Executive's PA team with submissions being provided to them.
- 4.15 Applications will be considered by the Northgate Community Fund Forum based on advice from the Assistant Chief Executive and the Northgate representative in the light of those applications which have been identified to deliver best the core objectives and deliver greatest impact.
- 4.16 Each organisation which has been successful in achieving an award from the fund will be required to provide annual monitoring information which will be reported to the Social Value Form at the same time as applications are decided each year. This provides for the assessment of the achievement of objectives for those organisations which may be requesting repeat or further funding.

4.17 Eligibility

To be eligible for grant organisations must meet the following criteria

- The organisation must deliver services in Hartlepool Borough.
- The organisation must have been in existence for more than 12 months.
- The projects must be able to demonstrate that they deliver value for money
- Organisations must not be in receipt of funding for similar activities from the Council

4.18 Grant Rates

The Maximum grant available in each application and to each organisation is £5,000.

4.19 Publicity

All projects which are supported through this fund must make reference in any publicity to the project being funded by the Northgate Community Fund

5.0 RECOMMENDATIONS

5.1 That the Committee

- i. Note the proposals included in this report for the operation of the Northgate Community Fund
- ii. Agree the Membership of the Community Fund Forum
- iii. Agree that the forum will meet annually to determine Grant allocations
- iv. Agree that £10,000 be ring fenced from the fund to match fund the current contributions from the Gus Robinson Foundation for scholarships to be paid through Hartlepool College
- v. Agree that the application process be annual and that the process for this year commence following agreement from this committee.

6.0 BACKGROUND PAPERS

There are no Background Papers to this report

7.0 CONTACT OFFICER

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FINANCE AND POLICY COMMITTEE

28 March 2014



Report of: Chief Solicitor

Subject: REVIEW OF THE WHISTLEBLOWING POLICY

1. TYPE OF DECISION

Non Key decision.

2. PURPOSE OF REPORT

2.1 The Council's "Corporate Whistle Blowing Procedure" document was last revised in 2008, albeit reports on "protected disclosures" have been submitted through the 'Annual Report' to subsequent meetings of the Council's former Standards Committee.

2.2 The Enterprise and Regulatory Reform Act, 2013, made a change insofar as disclosures would not be protected unless there was a reasonable belief on behalf of the individual making the disclosure that it was in the 'public interest'. Previously, there was no requirement for such a 'public interest' qualification upon a disclosure. This change has therefore been incorporated within the revised document as appended herewith (**Appendix 1**) together with other revisions deemed suitable, mainly to up-date the document since the last revision in 2008. Although the Council's Whistle Blowing document had formerly been approved by the Council's Standards Committee this role has now been assigned to the Council's Finance and Policy Committee under the category of "Other Plans and Strategies" as outlined within the Council's Constitution (Part 3 – Responsibility for Functions).

3. BACKGROUND

3.1 The Public Interest Disclosure Act, 1998, amends the Employment Rights Act, 1986 to provide protection to those individuals who reveal serious employer misconduct through "whistle blowing". In those circumstances, such whistle blowing would take precedence over and above a worker's private contractual and common law duties of confidentiality to his employer. It is of course highly advisable for an organisation to operate a policy to outline, amongst other things, how an individual can make qualifying disclosures and more particularly that in making a protected disclosure he/she is thereafter protected from victimisation and harassment. The

Enterprise and Regulatory Reform Act, 2013, now provides, as stated, that such disclosures are not protected unless believed to be made in the public interest.

- 3.2 Whistle blowing protection applies to all employees and workers and would therefore include casual staff, agency personnel and trainees. The definition behind “worker” is necessarily wide and it is also of note that the government have recently introduced the category of “employee shareholders” for those individuals who work through a public service mutual. The revised document therefore comprises references to both “employees” and “workers” at this time.

4 QUALIFYING DISCLOSURES

- 4.1 To qualify for protection through a protected disclosure made in the public interest there must be a reasonable belief by the person making the disclosure to show that one or more of the following events has happened, is happening or is likely to happen;

- Criminal offence
- Failure to comply with any legal obligations
- Miscarriage of justice
- Danger to health and safety
- Danger to the environment, or
- Deliberate concealment of any of the above.

- 4.2 It has previously been decided through the Employment Appeal Tribunal that a disclosure must consist of tangible information and not mere allegations. There are also some categories of disclosures which are specifically excluded from the governing legislation ie, information protected by legal or professional privilege and where applicable, constraints imposed through the Official Secrets Act. Disclosures shall also be made in an “acceptable manner” and therefore the revised document as appended herewith provides specific references in how a disclosure could be made, together with the necessary support and safeguards that would have application. Essentially, a protected disclosure should be made to an employer or other appropriate person/authority or to an individual’s Legal Advisor. Only in very special cases should there be wider disclosure. As well as the public interest criteria, any disclosure should be made in good faith. If a disclosure is of an exceptionally serious nature, then wider public disclosure could then be justified.

- 4.3 Unless a disclosure is made in “bad faith”, a protected disclosure should not result in an employee/worker being disciplined and/or dismissed. As indicated, there is legal protection through any form of detrimental act or omission if it has occurred through any protected disclosure being made. There is also a right for an individual making a disclosure not to be unfairly dismissed through making a protected disclosure and any consequent dismissal will be automatically unfair. If it was found that there had been detriment, an individual aggrieved can make application by way of complaint

to an Employment Tribunal and if the complaint is well founded, the Tribunal can make a declaration to that effect and award, if appropriate, compensation. Compensation will be based upon the degree of victimisation suffered and any loss which resulted from that victimisation.

5. SUMMARY AND CONCLUSIONS

- 5.1 The revised document has been considered through the Local Joint Consultative Committee and its contents noted and that a report would be submitted to the Finance and Policy Committee. Essentially the revisions incorporate statutory changes and general up-dating. It is to be noted that a revision to this document is an 'action' within the Council Plan 2014/15. Further, it is essential for such a document is accessible to employees and workers (and potentially other stakeholders) and the current document is therefore located on the Council's Intranet. It is also suggested that this document has as wider coverage as possible, for example, through an article in the Council's staff newsletter ('Newslines') and such other sources that will highlight the presence of such a document and its importance.

6. RECOMMENDATION

- 6.1 That the Committee approve the revisions to the Council's 'Corporate Whistle Blowing Policy and Procedure' document as appended herewith.

7. REASONS FOR RECOMMENDATIONS

- 7.1 To comply with the changes in legislation.

8. BACKGROUND PAPERS

- 8.1 Enterprise and Regulatory Reform Act, 2013.
Public Interest Disclosure Act, 1998.
Employment Rights Act, 1986.

9. CONTACT OFFICERS

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HARTLEPOOL BOROUGH COUNCIL



CORPORATE WHISTLE BLOWING POLICY & PROCEDURE

1. Introduction

Hartlepool Borough Council is committed to ensuring that all its activities are lawful and that the highest possible standards are observed. A number of policies and procedures exist which are intended to promote high standards and to investigate and rectify any shortcomings.

Employees and workers (ie., casual, agency personnel etc) are often the first to realise when something is wrong within a public authority but may not always voice their concerns. This might be because they fear reprisals or harassment or because they think speaking up is disloyal to colleagues.

This policy document and its procedure provides a way in which concerns in the public interest about malpractice or wrongdoing may be raised and investigated when other procedures are not sufficient or are inappropriate. It is intended to encourage employees and workers to raise serious concerns and to protect them from any form of harassment.

All employees and workers of the Council may use this procedure. Agency workers and staff seconded to or from a third party, may raise concerns relating to that third party, if relevant through the individual's secondment, but which can also be raised under this policy and procedure.

Contractors working for the Council may also use the provisions of these procedures to make the Council aware of any concerns that the Contractor's staff may have with regard to any contractual or other arrangement with the Council.

2. Existing Procedures

The grievance procedure exists for employees to raise complaints about their employment. Copies of this procedure are available in all departments and from the Human Resources Division. The 'Bullying and Harassment Policy' provides a special procedure for employees and workers to make a complaint about intimidation, victimisation or discrimination. Copies of this policy are available in all departments or can be obtained from a Manager, the Human Resources Division or via the Council's Intranet. These procedures do not replace and are separate to the Council's complaints procedure.

3. Aims of the Whistle Blowing Policy

- Encourage employees and workers to feel confident in raising serious concerns in the public interest that the Council will act upon those concerns.
- Provide ways for employees and workers to raise those concerns and get feedback on any action taken as a result.

- Ensure that employees and workers get a timely response to their concerns and to make them aware how their concerns can be pursued,
- Reassure employees and workers that if they raise any concerns in the public interest and reasonably believe them to be true, they will be protected from harassment by their colleagues. The Council as employer could be liable should any such harassment occur.

4. What is Malpractice or Wrongdoing?

Employees and workers are encouraged, and expected, to report malpractice or wrongdoing and could in certain circumstances be subject to disciplinary action if they know of this and do not report it. Malpractice or wrongdoing might include any of the following. This is not a comprehensive list but gives examples of the sorts of things which could be raised, under the procedures listed in section 2, where appropriate, or under this procedure:-

- a) Unlawful acts or omissions, acts which are criminal or in breach of civil law or statutory duty;
- b) failure to comply with appropriate professional or other established standards;
- c) corruption or fraud;
- d) actions which are likely to cause physical danger to any person;
- e) failure to take reasonable steps to report and rectify any situation which is likely to cause a significant avoidable cost, or loss of income, to the Council or would otherwise seriously prejudice the Council;
- f) failure to draw relevant matters to the attention of Councillors or Chief Officers or failure to comment appropriately on matters within an employee's or worker's responsibilities which might significantly affect an action or decision of, or on behalf of, the Council.
- g) abuse of power, or the use of the Council's powers and authority for any unauthorised or ulterior purpose;
- h) unfair discrimination in the Council's employment or services;
- i) other unethical conduct

5. How do I Raise a Concern?

If an employee or worker has a concern then he/she should raise it with their Line Manager as soon as possible. If there are reasons why he/she cannot raise it with his/her manager, or through the procedures listed in section 2, then the following procedure should be followed.

5.1 Raise the matter with

- The Council's Monitoring Officer
Mr Peter Devlin- Chief Solicitor

- * or in the absence of the Council's Monitoring Officer, with the Deputy Monitoring Officer Ms Alyson Carman – Legal Services Manager / Solicitor.
- 5.2** Letters to the Chief Solicitor will not be opened by anyone else if marked Personal & Confidential. The Chief Solicitor can be contacted on tel: 266522 ext. 3003.
- 5.3** Whilst concerns may be initially raised verbally, this should be confirmed in writing.
- 5.4** When a matter is raised with the Chief Solicitor he/she will review the information made available and determine whether any of the following actions are appropriate, namely;
- conduct his/her own investigations
 - investigation by another officer or through Internal Audit as appropriate
 - referral to the Police
 - referral to the external Auditor
 - referral for independent enquiry
 - referral for consideration under another procedure (for example., disciplinary, grievance, etc)
 - no action
- 5.5** Any action will be determined upon the information provided, and if appropriate through meeting with the employee or worker raising the concern (off site if necessary). In respect of a written report, or a verbal report which the Chief Solicitor has agreed to accept, the Chief Solicitor will advise the employee or worker in writing within 10 days of what is to happen and where applicable, giving an estimate of the time any investigation is expected to take. The Chief Solicitor will also report as necessary to Council Members.

Some concerns may be resolved by agreed action without any need for formal investigation.

If any urgent action is required this will be taken before any investigation is conducted.

6. Support and Safeguards

It can be difficult for employees and workers to raise concerns and Hartlepool Borough Council aims to support those who do so and to take steps to ensure that they are not victimised or harassed. The Chief Solicitor may take appropriate action to protect those individuals raising concerns in the public interest. An employee or worker who raises concerns will not be penalised by the Council, e.g. in relation to general treatment or to any job or promotion application, or any request for a reference.

This procedure does not override or affect an employee's rights to protection under the provisions of the Employment Rights Act 1996 inserted by the Public Interest Disclosure Act 1998. The Act protects employees and workers against detriment as a result of making a "protected disclosure" and specifies a range of matters, which may be the subject of a protected disclosure. Namely;

- a) that a criminal offence has been committed, is being committed or is likely to be committed,
- b) that a person has failed, is failing or is likely to fail to comply with any legal obligation to which he is subject,
- c) that a miscarriage of justice has occurred, is occurring or is likely to occur,
- d) that the health or safety of any individual has been, is being or is likely to be endangered,
- e) that the environment has been, is being or is likely to be damaged, or
- f) that information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed.

Some of the malpractice referred to in this procedure, e.g. commission of a criminal offence, would also be the subject of the statutory protection afforded by the Act; others, e.g. the provision of misinformation to the Council or causing financial loss to the Council, would not be subject to statutory protection. The Council believes that its employees are entitled to the additional protection afforded by the procedure.

6.1 Harassment

Disciplinary action will be taken against anyone harassing an employee or worker because he/she has raised legitimate concerns in the public interest.

6.2 Anonymous Allegations

Anonymous allegations are difficult to investigate and, for that reason, cannot always be given the same consideration as formal written allegations. In considering whether any action is to be taken the seriousness and credibility of the allegations will be taken into account as will the feasibility of investigating them and the reason(s) for anonymity being maintained.

6.3 Confidentiality

It is much easier to investigate concerns when those raising them are willing for their names to be disclosed if necessary in the investigation. However if employees and workers specifically ask for their names not to be disclosed then this will be respected subject only to any requirement to disclose under any obligation, as a matter of law or required good practice. This may, in some situations impede the investigation. If the only evidence of wrongdoing or malpractice is that of the complainant as an eyewitness of the complainant then he/she will usually need to be prepared to make a statement.

7. Links to Other Procedures

7.1 Disciplinary Action

Employees who are subject to disciplinary action and who raise concerns under this procedure should note that the disciplinary action will not necessarily

be halted or delayed as a result. However in some circumstances this may be appropriate or necessary.

7.2 Unproven Allegations

If an employee or worker makes an allegation in the public interest and if this is not confirmed through the investigation, no action will be taken against him/her. The Council will also try to minimise any negative effects of an allegation being investigated and not confirmed.

7.3 Deliberately False Allegations

The Council will take disciplinary action against any employee deliberately making allegations they know to be false or unfounded, whether frivolously or maliciously. Action will also be taken against any employee or worker inventing or otherwise falsifying facts in order to make a complaint.

7.4 Other Procedures

If a matter is raised under the Whistle-Blowing policy which could more appropriately be dealt with under another procedure the Chief Solicitor will consult the appropriate Chief Officer who would institute the other more appropriate procedure and, if this is agreed, refer the matter on, advising the complainant accordingly.

8. Taking Concerns/Complaints Further

8.1 If employees and workers are not able to have their concerns addressed satisfactorily through this or the Council other procedures then they may need to consider taking matters outside the authority and consulting one of the following:-

- the Council's External Auditor,
- the Police
- the Local Government Ombudsman
- the Monitoring Officer (for issues regarding a councillors conduct)
- the relevant professional bodies or regulatory organisations
- Public Concern at Work
- the employees Trade Union
- Citizens Advice Bureau
- The Information Commissioner
- The Health and Safety Executive

Note

Employees engaged in Adult Social Care and Community Services are encouraged to refer matters of concern to the Care Quality Commission (www.cqc.org.uk), who act as the independent regulator for all health and social care services.

Details of how to contact the above is attached at Appendix 1

Public Concern at Work (www.pcaw.org.uk) is the Whistle Blowing charity. The organisation has four primary activities;

- to offer free, confidential advice to people concerned about crime, danger or wrongdoing at work.***
- to help organisations deliver and demonstrate good governance.***
- inform public policy and***
- promote individual responsibility, organisational accountability and the public interest.***

8.2 The Assistant Chief Executive, or the Monitoring Officer can give advice on raising concerns externally, as can trades unions and professional associations.

8.3 Employees who raise concerns outside the Council should ensure that confidential information is not disclosed inappropriately. The Chief Solicitor can advise on such matters.

8.4 The Public Interest Disclosure Act 1998 (as amended by the Enterprise and Regulatory Reform Act, 2013) also provides for protection under the Act to be extended to disclosure to a 'prescribed person' identified by the Secretary of State in regulations made under the Act. For matters relating to the proper conduct of public business, value for money, fraud and corruption in local government bodies, the 'prescribed person' is the Council's External Auditor whose details can be confirmed through the Chief Solicitor or Chief Finance Officer..

9. Records of Complaints

The Chief Solicitor as Monitoring Officer will be responsible for maintaining records of concern raised and of outcomes. Records will be kept in a form, which does not compromise confidentiality.

10. Trades Unions

This procedure has been agreed with the Hartlepool Joint Trade Union Committee and Trades Union representatives as indicated may give advice on the use of this or other procedures to raise concerns. Employees and workers raising concerns may invite their Trades Union representative, or a colleague, to accompany them during any meetings or interviews.

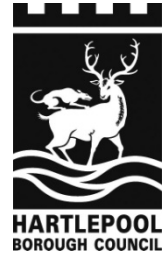
Appendix 1

**Contact details for outside organisations as outlined
in Paragraph 8 of the Whistle Blowing Policy & Procedure**

Name of Organisation	Address	Telephone Number	E-mail/Web Address
External Auditor Mazars LLP	MAZARS Durham Rivergreen Centre Aykley Heads DH1 5TS Durham	0191 383 6344	Durham.contact@mazar s.co.uk
Police – Cleveland Constabulary	Ash House, Ill Acre, Princeton Drive, Thornaby, Stockton-on-Tees. TS17 6AJ.	Emergency/Non- emergency lines.	www.cleveland.police.uk
Local Government Ombudsman	Local Government Ombudsman PO BOX 4771 Coventry CV4 OEH	0300 061 0614	advice@.lgo.org.uk
Monitoring Officer	Hartlepool Borough Council Civic Centre Victoria Road Hartlepool TS24 8AY	01429 523003	Peter.devlin@Hartlepool. gov.uk
Public Concern at Work	Third Floor, Bank Chambers, 6-10, Borough High Street, LONDON. SE1 9QQ.	020 7404 6609 (advice line) 020 3117 2520 (general enquiries)	www.pcaw.org.uk
Care Quality Commission	Finsbury Tower, 103-105, Bunhill Row, LONDON. EC1Y 8TG.	03000 616 161	www.cqc.org.uk
Relevant Professional bodies or regulatory organisations	Enquire for further information at Civic Centre Hartlepool	01429 523003	portal.master@hartlepool .gov.uk

FINANCE AND POLICY COMMITTEE

28 March 2014



Report of: Chief Finance Officer

Subject: IRRECOVERABLE DEBTS – BUSINESS RATES

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision

2. PURPOSE OF REPORT

- 2.1 To seek members approval to write-out a number of business rates debts which are now considered to be irrecoverable.

3. BACKGROUND

- 3.1 The Council's financial procedure rules provide that any debt due to the Council of £1000 or more can only be written-out with the express permission of Members.
- 3.2. The Council currently bills and collects about £30.6million of business rates per annum and with the introduction of the retained business rates system on 1st April 2013, it is even more important that the Council has effective arrangements for recovery of these sums. In addition, the Council is responsible for continuing to vigorously pursue collection of outstanding business rates arrears from the former National Non Domestic Rates Pool that operated until 31st March 2013.
- 3.3. The Council's performance in collection of NNDR is positive. In 2012/13, 98% of business rates were collected within the financial year it was billed. National statistics show that Hartlepool's performance at 98% compared favourably with other councils, the average collection for metropolitan and unitary authorities in 2012/13 was 97.1%. In terms of long term collection of business rates, after 5 years in Hartlepool in excess of 99.5% of business rates due will have been collected.
- 3.4. High levels of collection of Business Rates are being sustained in respect of the 2013/14 financial year. At the end of February 2014,

98.1% of the amount due for the year had been collected and the Council is on track to collect a high proportion of Business Rates due for the year. Whilst every effort is made to collect all business rates due, certain debts will become irrecoverable, and this report seeks member approval to their write out of the Council's accounts.

- 3.5. £225,143.94 of the £226,650.67 in **Appendix A** for write out relates to the Public Safety Charitable Trust and their occupation of properties on the Teesbay Retail Park/ Prospect Way. The status and activities of this organisation which had attempted to claim charitable relief on a number of properties nationally were the subject of a legal challenge by three Councils. As officers were aware of legal challenges in other parts of the country, a decision was made not to incur costs in pursuing a Hartlepool legal challenge but to monitor developments elsewhere.
- 3.6. Following a protracted legal process, the High Court in London determined that this organisation were not entitled to charitable relief. Following this decision, the Public Safety Charitable Trust was subsequently placed into bankruptcy. The risk of this outcome had been identified and factored into bad debt provisions associated with the former National Non Domestic Rates / Business Rates Pool at the end of March 2013.
- 3.7. As a bankruptcy case, the Council's options to recover the outstanding debt in respect of the Public Safety Charitable Trust are limited to submitting a claim in insolvency proceedings. The Council is unlikely to receive any settlement from these proceedings, as the Council ranks below other creditors notably HM Revenue and Customs, therefore the debt is being written out of the accounting system.

4. FINANCIAL IMPLICATIONS

- 4.1. Historical accounting provisions have been established and have been charged against the former National Non Domestic Rates / Business Rates pool for any debts prior to 1st April 2013, considered to be at risk of non recovery. Of the proposed write outs contained in this report of £233,894.07, the majority (94% or £219,993.76) will be charged against the central government National Non Domestic Rates Pool bad debt provision and thereby will have no financial impact on the Council.
- 4.2. The appendices attached to this report detail the individual business rates debts over £1000, and the reasons why each debt remains unrecovered:

Appendix A – Sole Trader / Trust in Bankruptcy £226,650.67.

Appendix B – Sole Traders / Miscellaneous * £5,677.45.

Appendix C – Limited Company / company dissolved - £1,565.95

Appendices A and B contain exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (para3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

All debts submitted for write-out from the accounting records have been comprehensively scrutinised by officers.

5. RECOMMENDATION

- 5.1. That members agree to write-out irrecoverable business rates debts to the value of £219,993.76 against the historical National Non Domestic Pool bad debts provision.
- 5.2. That Members agree to write out irrecoverable business rates debts to the value of £13,900.31, the cost of which shared between central government and the Council.

6. REASONS FOR RECOMMENDATION

- 6.1 To ensure the appropriate accounting treatment of debtors within the council's financial systems.

7. BACKGROUND PAPERS

- 7.1. No background papers.

8. CONTACT OFFICER

John Morton
Assistant Chief Finance Officer
Email: john.morton@hartlepool.gov.uk
Contact: 01429 523093

Business Rates**Companies Ceased Trading - Liquidation/Bankruptcy****Balance over £1000****6.4 APPENDIX C**

Account Ref	Name	Address	O/S BALANCE	From	To	Reason for write off
9050318444	Property Management Services Ltd	Nursery Inn, Hopps Street	£1,565.95	27/01/11	07/07/11	Company Dissolved
		TOTALS	<u>£1,565.95</u>			

FINANCE AND POLICY COMMITTEE

28 March 2014



Report of: Chief Finance Officer

Subject: IRRECOVERABLE DEBTS – COUNCIL TAX

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision

2. PURPOSE OF REPORT

- 2.1 To seek members approval to write-out a number of Council Tax debts which are now considered to be irrecoverable.

3. BACKGROUND

- 3.1 The Council's financial procedure rules provide that any debt due to the Council of £1000 or more can only be written-out with the express permission of Members.
- 3.2. After the award of appropriate discounts, exemptions and Local Council Tax Support, the Council collects annually about £37.8m of Council Tax covering over 42,000 properties. The Council's performance in collection of Council Tax is positive especially given the difficult economic climate, with 97% of Council Tax being collected within the financial year it is billed. National statistics show that Hartlepool at 97% for 2012/13, compares favourably with other councils with the average collection for metropolitan and unitary authorities in 2012/13 being 96.8%.
- 3.3. For 2013/14, with the introduction of the Local Council Tax Support Scheme the Council is required to collect Council Tax from 6,000 households that previously paid no Council Tax. The Council is also collecting more Council Tax from 2,600 households that previously received partial Council Tax Benefit. Collection of this debt is challenging however, given the Revenues Service's proactive strategy for engaging with households affected by this change, collection is progressing well and at the end of February 2014, 68.1%% of the Council Tax debt due for 2013/14 had been collected and arrangements are in place with 56% of this council tax payer group to pay regular

sums. This position augurs well for the long term level of collection of these sums.

- 3.4. After 5 years, in Hartlepool in excess of 99.2% of Council Tax will have been collected and the Council continues to vigorously pursue recovery of the remaining amounts. However, the Council recognises that those facing hardship may require additional time to pay their Council Tax. During the recovery process efforts are made to distinguish between those that “can’t pay” from those that “can pay but won’t pay”.
- 3.5. A range of recovery actions are deployed to secure recovery including court action, bailiffs, Attachment of Earnings Orders, Attachment of Benefits Orders, bankruptcy proceedings and charging orders. For absconded debtors, extensive tracing is undertaken over a period of time and should any forwarding address become apparent, the Council Tax debt would be reinstated onto the system, and enforcement action would recommence.
- 3.6. If any payment is subsequently received in respect of any of the individual debts referred to in this report, the relevant debt will also be reinstated onto the council tax system. Whilst every effort is made to collect debts due to the Council, certain debts become irrecoverable, and this report seeks agreement for their write-out.

4. FINANCIAL IMPLICATIONS

- 4.1. In terms of the total council tax debit to be collected, the amount proposed for write out continues to be very low, national benchmarking puts Hartlepool in the lowest quartile for Council Tax write out’s and the proposed write out’s in this report are well within the financial planning assumptions underpinning the Council’s budget.
- 4.2. The appendices attached to this report detail the individual Council Tax debts over £1000, and the reasons why each debt remains unrecovered. The amounts recommended for write out are the net debt outstanding and the net amounts involved often span more than one financial year:

Appendix A – Deceased Individuals - £2,017.05

Appendix B – Absconders - £4,006.88

Appendix C – Miscellaneous - £1,221.30

Appendices A, B and C contain exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (para3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

All debts submitted for write-out from the accounting records have been comprehensively scrutinised by officers.

5. RECOMMENDATION

- 5.1. That members agree to write-out irrecoverable Council Tax debts to the value of £7,245.23 and to note this will be charged against the existing bad debts provision.

6. REASONS FOR RECOMMENDATION

- 6.1 To ensure the appropriate accounting treatment of debtors within the council's financial systems and financial accounts.

7. BACKGROUND PAPERS

- 7.1 No background papers.

8. CONTACT OFFICER

John Morton
Assistant Chief Finance Officer
Email: john.morton@hartlepool.gov.uk
Contact: 01429 523093

FINANCE AND POLICY COMMITTEE

28 March 2014



Report of: Chief Finance Officer

Subject: IRRECOVERABLE DEBTS – SUNDRY DEBT

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision

2. PURPOSE OF REPORT

- 2.1 To seek members approval to write-out a number of sundry debts which are now considered to be irrecoverable.

3. BACKGROUND

- 3.1. The Council's financial procedure rules provide that any debt due to the Council of £1000 or more can only be written-out with the express permission of Members.
- 3.2. Each year the Council issues sundry debtor invoices totalling about £23m and in the current financial year over 98% of these debtor invoices are being paid within 3 months. At the end of February 2014, the value of sundry debt outstanding greater than 3 months old was £0.49m, substantially lower than the corresponding figure at February 2013 of £0.72m.
- 3.3. Whilst every effort is made to collect debts due to the Council, certain debts become irrecoverable and this report seeks Member agreement for their write-out. The majority of debts put forward for write out, £10,227.32, relate to unpaid social care contributions charges following the passing away of the individual and where there are no assets. The other two debts totalling £5,514.17 relate to companies in liquidation and for which the Council has little prospect of receiving any payment, as the Council ranks below other company creditors.

4. FINANCIAL IMPLICATIONS

- 4.1. The Council as part of its financial accounts preparation undertakes analysis and sets aside a provision for potential non collection of sundry debt. The amounts identified for write out in this report can be accommodated within the assessed provision.
- 4.2. The appendices attached to this report detail the individual Sundry Debts over £1000, and the reasons why each debt remains unrecovered:

Appendix A – Companies in Liquidation - £5,514.17

Appendix B – Deceased Individuals - £10,227.32 *

Appendix B contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (para3), information relating to the financial or business affairs of any particular person (including the authority holding that information)

All debts submitted for write-out from the accounting records have been comprehensively scrutinised by officers.

5. RECOMMENDATION

- 5.1. That Members agree to write-out irrecoverable Sundry Debts to the value of £15,741.49 and to note this will be charged against the existing bad debts provision.

6. REASONS FOR RECOMMENDATION

- 6.1. To ensure the appropriate accounting treatment of debtors within the Council's financial systems and financial accounts.

7. BACKGROUND PAPERS

- 7.1. No background papers.

8. CONTACT OFFICER

John Morton
Assistant Chief Finance Officer
Email: john.morton@hartlepool.gov.uk
Contact: 01429 523093

Sundry Debt Write offs over £1000 – Companies In Liquidation
Period 1st May 2013 to 28th February 2014

The following Sundry Debts are the balances left outstanding following Companies ceasing to trade.

Debtor No	Name and Address	Due date	Amount	Reason for Write off
8063270	SMC Environmental Limited Unit 13-14 Newburn Bridge Ind Mainsforth Terrace Hartlepool	14.9.12	£3772.61	Company in Liquidation.
8054607	Southern Cross Healthcare Group Healthcare Group Southgate House Archer Street Darlington	29.2.12	£1741.56	Company in Liquidation
		TOTAL	£5,514.17	

FINANCE AND POLICY COMMITTEE

28th March 2014



Report of: Chief Finance Officer

Subject: BUSINESS RATES

1. TYPE OF DECISION/APPLICABLE CATEGORY

Non Key Decision

2. PURPOSE OF REPORT

2.1 The purpose of the report is to:

- i) Provide details of the financial risks surrounding business rate appeals and the Council's arrangements for assessing and managing that risk;
- ii) Inform Members of the Business Rates system amendments announced by the Government in the Chancellor's December 2013 Autumn Statement;
- iii) Provide details of how the Council is responding to these national policy changes.

3. BACKGROUND

- 3.1 The Medium Term Financial Strategy reports have previously highlighted the significant financial risks transferred to Councils as a result of the localisation of Business Rates. The Government's 'Safety Net' arrangements compensate Councils when the annual shortfall in business rates exceeds 7.5% of the 'Safety Net Threshold' set by the Government as part of the annual Local Government Finance Settlement. 'Safety Net' grant is only paid for the shortfall beyond this limit. Hartlepool's 'Safety Net' limit is £1.76m for 2014/15 and £1.81m for 2015/16.
- 3.2 As previously reported this is a significant risk for Hartlepool owing to the impact of potential in-year reductions in Business Rates paid by the Power Station, which accounts for 21% (£6.35m) of the annual Business Rates collected by the Council. Up to 2012/13

there had been reductions in the Business Rates paid by the Power Station in 5 out of the previous 7 years, which highlights the financial risks facing the Council. Therefore, a specific risk reserve has been established to manage this position and to hopefully avoid the need for in-year budget cuts if there is an in- year reduction in Business Rates assessed for the Power Station.

- 3.3 A further significant financial risk is the impact of successful rateable value appeals, which in most cases will be back dated to 1st April 2010. This issue is detailed in section 4.

4. RATING APPEAL RISKS

- 4.1. The current Rateable Value list has been effective from 1st April 2010. In September 2013, there were approximately 135,000 outstanding appeals at a national level. The Government has given a commitment to finalise 95% of outstanding appeals by July 2015. This timescale means there will continue to be significant uncertainty regarding the impact of appeals.
- 4.2 Appeal outcomes affect not only future business rate income but will also have a potential backdating financial impact. Under the new Localised Business Rates system it is now clear that the Government will pass 50% of the cost of appeals onto Local Authorities. Locally this cost will be borne by the Council (49%) and Cleveland Fire Authority (1%). The Council therefore faces back dated appeals costs for 2010/11, 2011/12 and 2012/13. This principle is financially unfair as Central Government have had the full financial benefit of business rates income collected over these years before the outcome of the appeal. The Government are now transferring 50% of the cost/risk of refunds in relation to backdated appeals to Councils and Fire Authorities.
- 4.3 At 1st April 2013, excluding the power station, there were 330 Hartlepool businesses that had lodged appeals against their rateable values. The combined Rateable Value of these appeals is about £23.3m, with an associated gross annual rates yield of £10.1m of which Hartlepool BC's annual share would be £4.96m. This position will change as new appeals can be submitted at any time. In addition, the Valuation Office can change rateable values at any time to reflect experience in other geographical areas and / or the market conditions (i.e. 'tone of the list' changes).
- 4.4 The Council has an established working relationship with the Valuation Office Agency (VOA) and the VOA is willing to provide information as to appeals that have been lodged in a local authority area and the broad basis of the appeal. They are also able to share indicative timelines as to when the appeal will be listed for a decision.

- 4.5 However, the VOA are unwilling to provide any specific details regarding particular appeals or give any indication in their professional view as to the probability of appeal success / what the likely Rateable Value reduction may be. This position therefore makes forecasting the potential financial impact of appeals extremely difficult.
- 4.6 In practice, many appeals will be unsuccessful or may result in relatively small changes in rateable value. To enable an assessment the cost of appeals to be made, the Council has recently procured access to a national rating database that is used extensively by rating industry advisors. This database holds historical and current details of all rateable values, appeals, appeal outcomes, appeals pending, information on the advisors leading on particular appeals etc.
- 4.7 Using information within this national database it will be possible to quantify more accurately the potential financial costs in relation to successful rating appeals. This complex analysis is currently being undertaken and the outcomes of the exercise will inform a financial plan for managing the risk which will be reported to Members. The Council will need to develop a strategy for funding the costs of successful appeals covering:
- **The impact in 2015/16 and future years** - at this stage it is hoped the reduction in Business Rates income arising from appeals will be offset from growth in the overall Business Rates base and / or the Council Tax base. If this does not occur the forecast budget deficits will increase. This position will need to be reviewed as part of the 2015/16 budget process and underlines the continuing financial risk arising from the re-localisation of business rates;
 - **The impact in 2013/14 and 2014/15** – the Council will have collected Business Rates income on the pre-appeal rateable value. At the end of these financial years an assessment on the value of forecast successful appeals will be made. This element of the income received will be set aside to cover the payment of rates refunds when appeal results are known. It is hoped this approach will not impact on the forecast 2013/14 outturn or the budget position for 2014/15.
 - **The impact of back dated appeals covering 2010/11 to 2012/13** – the Council will be required to fund 49% of the cost of these appeals, despite the Government previously collecting 100% of the Business Rate income based on the pre-appeal rateable value.

The Government has indicated that Councils will be able to quantify their potential appeal financial costs for this period and set up accounting provisions to pay these costs over a period of up to 5 years.

For the purpose of complying with accounting regulations for the 2013/14 Statement of Accounts it is recommended that the Council opt to fund the estimated cost of back dated appeals over 5 years. This approach will then enable the Council to develop a financing strategy for funding these costs which it is currently hoped will avoid increasing the 2015/16 and 2016/17 budget deficits. This approach will involve funding back dated appeal costs through a combination of:

- a) allocating uncommitted resources from the 2013/14 outturn (assuming the final outturn exceeds the minimum net managed under spend already built into supporting the 2014/15 to 2016/17 budgets);
- b) completing a further review of existing reserves and the risk they are being held to manage over the summer 2014, as part of the 2015/16 budget process;
- c) In the event that items (a) and (b) do not provide sufficient funding the shortfall will need to be addressed as part of the 2015/16 budget strategy, which will include consideration of the 2014/15 forecast outturn position.

- 4.8 The Power Station has submitted a number of appeals, which if successful could reduce the Business Rates payable. However, this change is not expected to have a significant impact on the Council's financial position up to March 2015 as any reduction in the rateable value will be offset by a corresponding reduction in the value of Transitional Relief received by the Power Station. Transitional Relief is allocated to businesses which received a significant increase in the rateable value of their property in April 2010 and is designed to phase the increase in Business Rates over a number of years. However, there is a significant future potential financial risk to the Council from 2015/16 if the Government do not continue the existing Transitional Relief scheme as any reduction in the Power Station rateable value would reduce the Council's Business Rates income from this year. The Council would then have to manage any recurring Business Rates income reduction up to the level of the 'Safety Net' from its own resources, or by making higher budget cuts.

5. CHANCELLOR'S AUTUMN STATEMENT 2013

- 5.1 The Chancellor announced a number of Business Rate changes in the Autumn Statement covering:
- **Small Business Rate Relief (SBRR)** – which will continue the arrangements operated in 2013/14 in 2014/15 and will in addition potentially increase the number of business properties eligible for this relief. The Government has stated Council's will be fully compensated for the reduction in Business Rates income arising from this policy through the payment of a Section 31 Grant;
 - **Retail Sector Relief** – this will provide a Retail Sector Discount of £1,000 on the rates bill of occupied retail, food and drink premises. This assistance will be delivered using discretionary relief powers introduced by the Localism Act, with the Government committing to fully re-imburse Councils, via a Section 31 Grant for the local share of cost of this discretionary relief. The Government has issued guidance to Councils about the operation and delivery of this initiative.
 - **Business Rates Instalments** – From April 2014 the Government has announced that it will legislate to allow businesses to pay business rates bills over 12 months, rather than 10 months as provided under previous legislation. The Council has promoted the availability of a 12 monthly instalment plan option on the 2014/15 Business Rate bills and will reschedule instalments for any business that decides to take up this offer.
- 5.2. To help Councils manage the issue of empty domestic properties, Council Tax regulations allow Councils to charge an additional 50% premium on domestic properties that have been empty for at least 2 years. However, there is no provision within business rating regulations to allow Councils to charge similar premiums for long term empty business properties.
- 5.3. In recognition of the issue of vacant retail properties, the Chancellor has also announced that from 1st April 2014, relief on Business Rates at 50% for up to 18 months can be granted to new occupiers of retail premises that have been empty for at least one year. Again the Government will compensate the Council by way of a Section 31 grant for any relief awarded under this measure.
- 5.4. Given the breadth of these changes, analysis will be undertaken in 2014/15 to establish the actual local impact of the national business rates policy amendments announced by the Chancellor. Full details will be set out for Members in a future monitoring report.

- 5.5. As part of the Council's management arrangements, officers have in March 2014 written to all businesses affected by the Chancellor's announcement to advise them of their entitlements in 2014/15 and raising awareness of the extended scope of SBRR. Details of these changes have also been forwarded to Economic Development Officers who engage with businesses on a daily basis.

6. CONCLUSION

- 6.1 Previous reports have highlighted the additional financial risks facing Councils as a result of the re-localisation of Business Rates. Locally, the most significant financial risk previously reported relates to the Government's 'safety net' arrangement for compensating Councils for in-year reductions in Business Rates. Owing to the potential impact of Business Rates paid by the Power Station there is a significant annual risk of Business Rates shortfalls beyond the 'safety net limit' which would need to be funded by the Council. To manage this risk a specific risk reserve has been established.
- 6.2 This report provides details of additional financial risks arising from back dated rating appeals. The Government has determined that 50% of these costs should be funded locally, despite the Government having previously received the gross Business Rates for 2010/11, 2011/12 and 2012/13 in previous years. The Council has not previously identified funding for these costs as the position was uncertain and it has not previously been possible to estimate accurately the impact of Business Rates appeals.
- 6.3 Further information is becoming available which will enable the Council to forecast the cost of Business Rates appeals. In addition, the accounting requirements to be applied at the end of 2013/14 for Business Rates appeals are becoming clearer. Therefore, it should be possible over the next few months to forecast the initial cost of Business Rates appeals to be funded by the Council. The report therefore proposes a strategy for funding these costs and asks Members to note that a further report will be provided when more detailed information is available.
- 6.4 The report also provides details of a range of changes to Business Rates announced by the Chancellor and outlines how these issues will be implemented locally. These changes in support for businesses are fully funded by the Government.

7 RECOMMENDATIONS

It is recommended that Members:

- i) note the financial risks of backdated business rate appeals and the arrangements for assessing and managing that risk.
- ii) note the Business Rates system amendments announced in the Chancellor's December 2013 Autumn Statement and the Council's response to these national policy changes.
- iii) note a future report will be submitted to Members on the actual local impact of the national business rates policy changes announced by the Chancellor.
- iv) approve the recommended strategy for funding the cost of back dated appeal costs through a combination of the following and note that further details will be reported when more information is available:
 - a. allocating uncommitted resources from the 2013/14 outturn (assuming the final outturn exceeds the minimum net managed under spend already built into supporting the 2014/15 to 2016/17 budgets);
 - b. Completing a further review of existing reserves and the associated risk they are being held to manage over the summer 2014 as part of the 2015/16 budget process;
 - c. In the event that items (a) and (b) do not provide sufficient funding the shortfall will need to be addressed as part of the 2015/16 budget strategy, which will include consideration of the forecast 2014/15 outturn position

8. REASONS FOR RECOMMENDATION

- 8.1 To appraise Members of the financial risks associated with backdated business rate appeals and inform members of how the Council is responding to the changes to the business rates system announced by the Government to operate from 1ST April 2014.

9. BACKGROUND PAPERS

None.

10. CONTACT OFFICER

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FINANCE AND POLICY COMMITTEE

28th March 2014



Report of: Director of Child and Adult Services

Subject: PROPOSED NEW CENTRE FOR INDEPENDENT LIVING BURBANK STREET

1. TYPE OF DECISION/APPLICABLE CATEGORY

1.1 Non-key decision.

2. PURPOSE OF REPORT

2.1 To consider the approach to procuring the proposed new Centre for Independent Living project at Burbank Street.

3. BACKGROUND

3.1 A report was presented to Finance and Policy Committee on 19th December 2013 outlining the potential to redevelop land at Burbank Street shown hatched on the plan at **APPENDIX 1** to provide 24 units of accommodation for adults with disabilities and complex needs, together with the option to develop a new purpose built Centre for Independent Living.

3.2 Committee approved the grant of options to a developer in relation to the existing CIL and the adjoining site (sites "B" and "C" on the plan at **APPENDIX 1**). Site "A" on the plan at **APPENDIX 1** has now been sold to Mariner Care under delegated powers and construction has started.

3.3 Committee also approved the preparation of a detailed business case for a new CIL to determine the financial viability and preferred option for financing the development through the Council's budget setting process. The principal determinant of the viability of the scheme will mainly be determined by the cost of the new building and therefore preparations are being made to prepare a tender to seek competitive bids.

3.4 The stages of the tender process in this instance will comprise:

1. Pre-qualification – preparation and submissions of Pre Qualification Questionnaires by interested parties and evaluation by project team. This should be completed in May 2014.
2. Preparation of the full design, specification and Bills of Quantities by the Council's Building Consultancy team and preparation of the final tender documents including a pre-tender estimate. This should be completed in early July.
3. Statutory consents, including any necessary planning permission, and Building Regulation approval, will be sought and this work should be completed in August or September. Whilst planning permission for the development proposed by Mariner Care was granted on 23.12.13, the final design if different to this will require a new planning permission.
4. Invitation to Tender - preparation and submissions of full tenders by interested parties and evaluation by project team. This should be completed in August.
5. In parallel with the tender process, the Council's Building Consultancy team will develop an 'in-house comparator', i.e. a fully costed proposal based upon an in-house development solution. This will not be submitted as a tender; however its existence will be made clear to bidding organisations. Bidders will be advised that the Council reserves the right not to award a contract as a result of the tender exercise and that it may opt to develop and fund the property using in-house resources.
6. It is intended to award the tender in September 2014 with a view to the construction work beginning in September or October so that the new CIL can be completed in late 2015.

3.5 The tender will be on the basis of a final design and full specification of the building and external areas. In addition to a conventional construction contract, tenderers will be given the option to offer lease terms on the basis that they would acquire the freehold and lease the completed building back to the Council. However, it is proposed to ask for tenders on the basis that if the lease route is offered, the asset will return to the Council's ownership at the end of the lease term.

3.6 On the basis that a new CIL is approved, it will be built on Site B at Burbank St as a replacement of both the existing CIL and facilities at Warren Rd, Cromwell St and Handprints in Surtees St. This will allow centralisation and consolidation of services and staff in the new building. Consideration is being given to options for the future of the Warren Rd site. The other premises are held on short leases and would be vacated.

4. PROPOSALS

- 4.1 It is proposed to initiate the process of inviting tenders from interested parties.

5. ASSET MANAGEMENT CONSIDERATIONS

- 5.1 It is important that the Council makes the most appropriate use of its assets to facilitate the delivery of regeneration objectives and service improvements. The Director of Child and Adults has identified that there is an under provision of suitable accommodation within the Borough for adults with complex needs and disabilities together with concerns that the existing CIL and associated premises are not fit for purpose.
- 5.2 The current operational facilities are expensive to run and have a limited life without significant future investment. Rationalisation of provision would enable existing leases from third party landlords at Surtees and Cromwell Streets to be terminated and the co-location of services would reduce overall operating costs. These factors have been incorporated in the viability appraisal. The whole life costs of a replacement modern building compared with the ongoing investment requirements for the existing stock are key considerations in the viability study.
- 5.3 If the lease route is chosen, it is proposed that tenders will be requested on the basis that the asset will return to the Council's ownership at the end of the lease term. It will therefore remain a long term asset to the Council.

6. RISKS

- 6.1 The timescale given above is a best case scenario, and whilst every effort will be made to adhere to them there is a risk that the design, specification and planning / building regulation stages may take longer to complete. There is insufficient information about the project detail at this stage to provide a more certain timetable and in addition at the time of writing this report, the rights to the drawings of the building for which planning permission have been granted have not been formally received, and the ability to use these will have a relatively significant impact on the design stage.

7. FINANCIAL CONSIDERATIONS

- 7.1 Any proposed scheme in relation to the development of a new Independent Living Centre involves a significant financial commitment.
- 7.2 An initial option appraisal has been undertaken to identify the costs over the next thirty five years of the following:

Retaining and maintaining the current buildings;

Using Prudential Borrowing to enable the development of a new Independent Living Centre

Sale of Site B to a developer to provide a new Independent Living Centre which the Council would then lease.

- 7.3 Condition surveys indicate that the existing facilities at Warren Road and Havelock will require significant investment over a number of years, which is not specifically provided for within the overall budget and will need to be considered against other priorities for funding from the overall Property Maintenance budget.
- 7.4 The condition survey has identified total investment requirements of £2m, within the next 5 years. These costs would increase to £5m over 35 years. Assuming these costs were spread over 35 years the annual cost would be £0.147m, which provides a benchmark for assessing the financial viability of a new Centre for Independent Living.
- 7.5 There will be an ongoing additional revenue costs of providing a new Centre for Independent Living which will reflect the capital costs of this facility, which will either be funded directly by the Council using Prudential Borrowing, or the payment of an annual lease charge to an external provider. The tendering exercise will determine which option provides best value for money.
- 7.6 The location of existing facilities/services onto a single site will enable savings in running costs to be achieved and an initial assessment of forecast savings has been completed.
- 7.7 A detailed assessment of the costs of providing a new facility and the savings from locating facilities/services onto a single site has been undertaken and this indicates there will be a net ongoing additional revenue costs in the order of £60,000 to £90,000. These figures may change when the detailed tenders are received. In terms of funding the additional revenue cost it is envisaged these services will form part of the Council's Better Care Fund plan and can therefore be funded from this budget. The Better Care Fund has initially been included within CCG two year allocations covering 2014/15 and 2015/16 but is referred to in a joint letter from the Department of Health and Department of Communities and Local Government (dated 20 December 2013) as a 'multi-year fund' which aims to ensure that 'integrated care becomes the norm by 2018', indicating that the funding will be available on a longer term basis.
- 7.8 To enable the timetable detailed in paragraph 3.4 to be followed it is recommended that a report is submitted to full Council to seek approval of a maximum revenue funding limit and Prudential Borrowing limit for this scheme. These figures will be based on the detailed assessment of costs which has been completed. This arrangement will enable this scheme to

progress after full tender submissions have been assessed, provided these figures are within the limits approved by full Council. A further report will be submitted to inform Members of the outcome of the tender assessment. In the unlikely event that the tender submissions exceed the approved limits the additional report will need recommend a strategy for funding any shortfall and the seeking full Council approval before the project can progress.

8. EQUALITY AND DIVERSITY CONSIDERATIONS

- 8.1 There are no equality or diversity implications identified at this stage, but an impact assessment will be undertaken if the proposed development is approved.
- 8.2 The development of a new Independent Living Centre would improve both physical access and equality of access to services for people with protected characteristics.

9. RECOMMENDATIONS

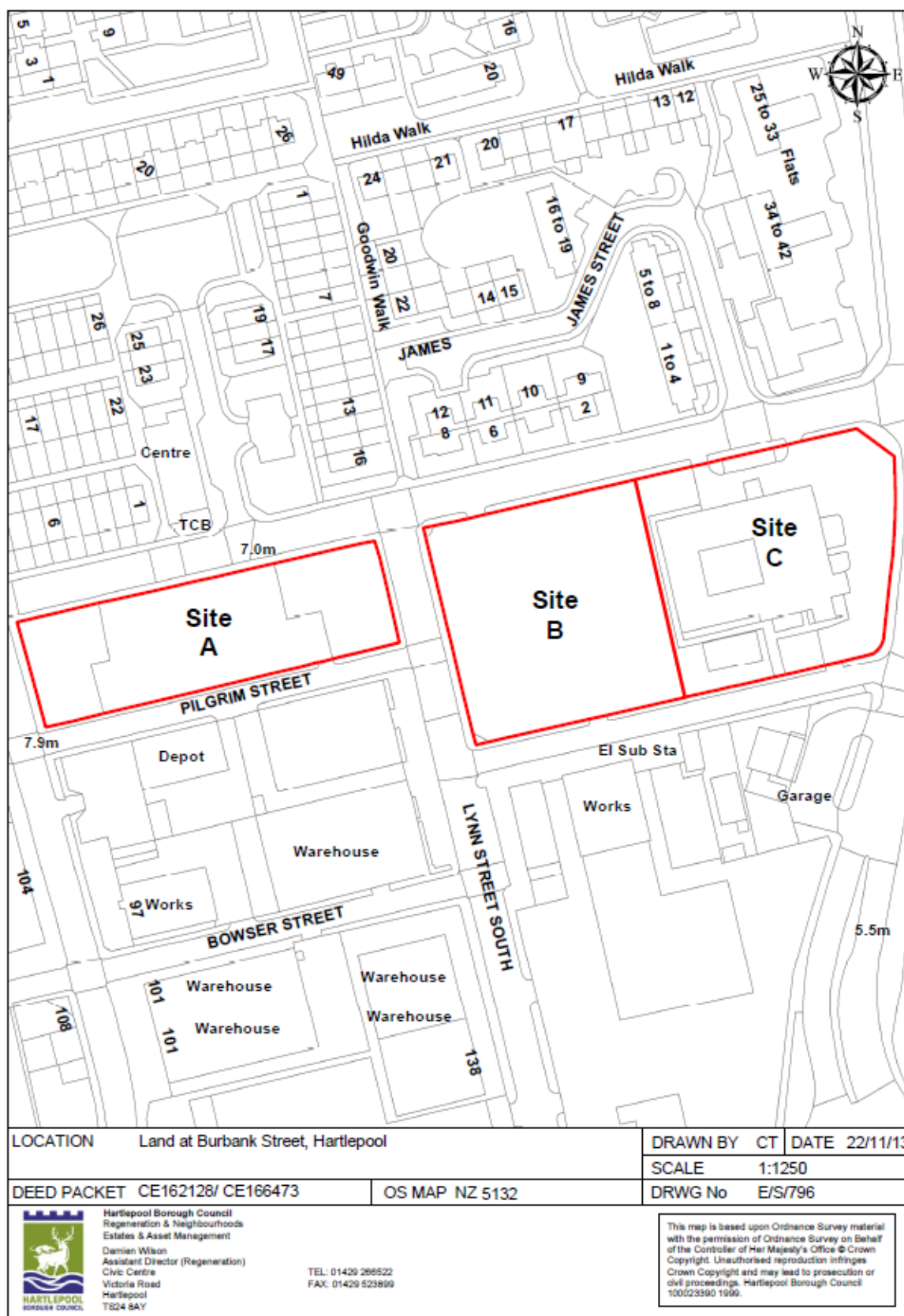
- 9.1 Committee is recommended to approve:
- The initiation of the tendering process and to note the approach to be taken and the timescales outlined in section 3.4;
 - To seek Council approval of a maximum revenue funding limit and Prudential Borrowing limit for this scheme and to note the approach to be taken for reporting the outcome of the tendering process outlined in section 7.8.

10. BACKGROUND PAPERS

- 10.1 Report to Adult Services Committee 17 June 2013.
- 10.2 Report to Finance and Policy Committee on 28 June 2013.
- 10.3 Report to Planning Committee on 25 September 2013.
- 10.4 Report to Finance and Policy Committee on 19 September 2013.

11. CONTACT OFFICERS

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FINANCE AND POLICY COMMITTEE

28th March 2014



Report of: Director of Public Health

Subject: Workplace Health

1 TYPE OF DECISION / APPLICABLE CATEGORY

Non-key.

2 PURPOSE OF REPORT

- 2.1 This paper will introduce a short presentation regarding the topic of workplace health and wellbeing, which is led by the Health Improvement Team within the Council's Public Health department.
- 2.2 The presentation will inform members of the approaches being taken by Hartlepool Borough Council in relation to improving workplace health and wellbeing, for the Council workforce and also partner organisations across the town.
- 2.3 Key issues and outcomes will be highlighted within the presentation and there will be an opportunity for questions and discussion following the presentation.

3 CONTACT OFFICERS

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FINANCE AND POLICY COMMITTEE

28th March 2014



Report of: Director of Regeneration and Neighbourhoods and
Chief Finance Officer

Subject: CLAWBACK – THE DOMES, TEES ROAD SEATON
CAREW HARTLEPOOL

1. TYPE OF DECISION/APPLICABLE CATEGORY

- 1.1 Key Decision tests (i) and (ii) apply however due to the time constraints it has not been placed in the Forward Plan and an exemption has been granted.

2. PURPOSE OF REPORT

- 2.1 To seek approval to dispose of the Council's clawback interest in the Domes, Seaton Carew subject to the terms and conditions as set out in **confidential Appendix B This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information.**

3. BACKGROUND

- 3.1 The Council agreed to the release of a restrictive covenant on the land as shown edged in **Appendix A** in 2012 to enable the land to be disposed of for residential development with the proceeds of sale being invested by the owner to develop the Domes.
- 3.2 The release of the covenant was agreed subject to the payment of the agreed value. In order to facilitate the development and aid cash flow agreement was reached for either payment by the developer in instalments over a period of 15 years or if the development was sold the payment of a minimum agreed value or market value whichever was the highest. (full

details set out in Confidential **Appendix B**) **This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information.**

- 3.3 The owner has successfully developed the site with 2 domes which provide quality facilities in the form of indoor football pitches, a golf facility and a health and fitness studio. This development adds significantly to the leisure visitor attraction of the town and has become a key regeneration initiative for Seaton Carew. An opportunity has arisen for the development to be sold and the owner has approached the Council seeking an agreement to purchase the Council's interest in the site.
- 3.4 The proposed purchaser of the site has significant business interests in the leisure retail sector and proposes to invest in developing the site further to include an ice skating dome as well as expressing a wider interest in contributing towards the implementation of the Hartlepool Vision. In contrast although the current owner has longer term ambitions for the site these would not be achievable in the medium term.

4. PROPOSALS

- 4.1 It is proposed to accept the offer as set out in **Confidential Appendix B** **This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information.**
after taking account of the risk and legal issues.

5.0 FINANCIAL CONSIDERATIONS

- 5.1 The clawback deed provides for the payment of a capital sum on the sale of the Domes in excess of that proposed, however taking account of the risk factors associated with achieving this figure and taking account of the current trading position, the offer received is considered attractive in the current climate.
- 5.2 In addition, the receipt of a one-off payment now would remove the risk associated with instalment payments over a 15 year period which would be contingent on the business trading profitability for this period.
- 5.3 The potential for instalment payments had not been reflected in the current Medium Term Financial Strategy (MTFS) as the timing of the first payments falls outside the period covered by the MTFS. In addition, the potential to now receive a one-off payment to purchase the Council's interest in the site

is not included in the MTFS as this situation was not anticipated to arise when the MTFS was prepared.

- 5.4 On the basis of Members approving the request to dispose of the Council's interest in return for a one-off payment a strategy for using this money will need to be developed. This strategy will need to consider the financial risks facing the Council, which were detailed in the MTFS report and include the achievement of capital receipts, including the development of Jackson's Landing and/or the onward sale of this land for development. The availability of this one off funding will help the Council address these risks.
- 5.5 In the event that Members wish to consider using an element of these resources for one off priorities it needs to be recognised that this will reduce the resource available to manage risk. Therefore, it is recommended by the Chief Finance Officer that the majority of funding is allocated to manage financial risks.
- 5.6 Whilst, not directly related to the request to dispose of the Council's interest, the development of the Domes will provide an increase in Business Rates and the Council will retain 49% of this increase under the Business Retention changes implemented in April 2013. Similarly, the associated housing developments at Seaton Carew will provide increased Council Tax income and New Homes Bonus payments in future years.

6. RISK CONSIDERATIONS

- 6.1 As noted above in 3.2, the restrictive covenant was released in return for certain payments to be paid over a period. These comprised a profit share to be paid annually in perpetuity starting in the 3rd year of operation, subject to minimum payments applying in years 3 to 15. The Council is also entitled under the Clawback to a share of net sale proceeds on sale of the property subject to a total minimum payment. The risks relating to the Clawback arrangements are considered more fully in Confidential **Appendix B This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information).**

7. EQUALITY AND DIVERSITY CONSIDERATIONS

- 7.1 There are no equality or diversity considerations in relation to this matter.

8. ASSET MANAGEMENT CONSIDERATIONS

- 8.1 The attention of the Committee is drawn to the Asset Management element of the Medium Term Financial Strategy. The decision by Members in

January 2009 requires a commercial, proactive approach to be taken on Asset Management issues.

- 8.2 The decision to adopt a commercial approach to asset management requires the Council to realise the full value of any properties or property rights that it disposes of.

9. SECTION 17 OF THE CRIME AND DISORDER ACT 1998 CONSIDERATIONS

- 9.1 There are no Section 17 considerations in relation to this matter.

10. RECOMMENDATIONS

- 10.1 Committee are recommended

To approve the disposal of the Council's interest in the Domes for the sum as set out in confidential **Appendix B This item contains exempt information under Schedule 12A Local Government Act 1972 (as amended by the Local Government (Access to Information) (Variation) Order 2006) namely (para 3), information relating to the financial or business affairs of any particular person (including the authority holding that information.**

i) taking account of the risk and financial issues

ii) To note that this income was not anticipated when the MTFS was approved and a strategy for using these resources needs to be developed, which needs to reflect the financial risks the Council will need to manage over the period of the MTFS.

11.0 REASONS FOR RECOMMENDATIONS

- 11.1 Full consideration has been given to the offer received together with supporting financial evidence to suggest that the current trading position is difficult and the long term investment proposals to maintain and further develop the site may be affected. Although provision exists in the clawback agreement that a higher capital sum should be paid to the Council on disposal, consideration has to be given to the achievability of this sum taking account of the current financial trading position and the potential consequences of rejecting the proposal.

- 11.2 It is essential that the Council maximises the return from its assets in financial terms, but consideration as to the wider economic benefits from the retention and longer term investment in the site to provide a wider tourism and leisure offer in the town is also fundamental to the wider prosperity of the town and a balance needs to be achieved.

12. BACKGROUND PAPERS

12.1 Cabinet Report – 5th March 2012

13. CONTACT OFFICER

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