

AUDIT AND GOVERNANCE COMMITTEE

AGENDA



Thursday 9th September 2021

at 10.00 am

in the Civic Centre, Hartlepool.

A limited number of members of the public will be able to attend the meeting with spaces being available on a first come, first served basis. Those wishing to attend the meeting should phone (01429) 523568 or (01429) 523193 by midday on 8th September 2021 and name and address details will be taken for NHS Test and Trace purposes.

MEMBERS: AUDIT AND GOVERNANCE COMMITTEE

Councillors Ashton, Cook, Feeney, B Loynes, D Loynes, Richardson and Riddle.

Standards Co-opted Independent Members: - Ms Gillian Holbrook, Mr Martin Slimmings and Ms Tracy Squires.

Standards Co-opted Parish Council Representatives: Parish Councillor John Littlefair (Hart) and Parish Councillor Alan O'Brien (Greatham).

Local Police Representative: Superintendent Sharon Cooney.

1. APOLOGIES FOR ABSENCE

2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS

3. MINUTES

3.1 To confirm the minutes of the meeting held on 27th August 2021 (*to follow*)

4. AUDIT ITEMS

- 4.1 Internal Audit Plan 2021/22 Update - *Head of Audit and Governance*
- 4.2 Appointing an External Auditor - *Assistant Director Finance*

CIVIC CENTRE EVACUATION AND ASSEMBLY PROCEDURE

In the event of a fire alarm or a bomb alarm, please leave by the nearest emergency exit as directed by Council Officers. A Fire Alarm is a continuous ringing. A Bomb Alarm is a continuous tone.

The Assembly Point for everyone is Victory Square by the Cenotaph. If the meeting has to be evacuated, please proceed to the Assembly Point so that you can be safely accounted for.

5. STANDARDS ITEMS

- 5.1 Review Arrangements for Dealing with Standards Allegations – *Monitoring Officer*

6. STATUTORY SCRUTINY ITEMS

Crime and Disorder Scrutiny

- 6.1 Anti-Social Behaviour Investigation - Monitoring Of Scrutiny Recommendations / Action Plan Update - Covering Report – *Statutory Scrutiny Manager*
- i) Community Safety Update - Assistant Director (Regulatory Services)
ii) Presentation - *Representatives from Thirteen Group*

Health Scrutiny

- 6.2 Child Poverty Investigation - Setting the Scene:-
i) Covering Report - *Statutory Scrutiny Manager*
ii) Child and Family Poverty – *Director of Children's and Joint Commissioning Services*
- 6.3 Big Conversation - Presentation - *Chief Executive, Tees, Esk & Wear Valley NHS FT*
- 6.4 Care Quality Commission (CQC) Inspection Outcome - Presentation - *Director of Operations for Teesside, Tees, Esk & Wear Valley NHS FT*
- 6.5 Independent Complaints Advocacy Service - Update – *Statutory Scrutiny Manager*

7. OTHER ITEMS FOR DECISION

None

8. MINUTES FROM THE RECENT MEETING OF THE HEALTH AND WELLBEING BOARD

No items.

9. MINUTES FROM THE RECENT MEETING OF THE FINANCE AND POLICY COMMITTEE RELATING TO PUBLIC HEALTH

No items.

10. MINUTES FROM RECENT MEETING OF TEES VALLEY HEALTH SCRUTINY JOINT COMMITTEE

No items

11. MINUTES FROM RECENT MEETING OF SAFER HARTLEPOOL PARTNERSHIP

No items.

12. **REGIONAL HEALTH SCRUTINY UPDATE**

No items.

13. DURHAM, DARLINGTON AND TEESSIDE, HAMBLETON, RICHMONDSHIRE AND WHITBY STP JOINT HEALTH SCRUTINY COMMITTEE

No items.

13. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

For information: -

Date and time of forthcoming meetings

Wednesday 29 September, 2021 at 10.00 am

Thursday 14 October 2021 at 2.00 pm

Thursday 11 November, 2021 at 10.00 am

Thursday 16 December, 2021 at 10.00 am

Thursday 13 January, 2022 at 10.00 am

Thursday 10 February, 2022 at 10.00 am

Thursday 17 March, 2022 at 2.00 pm

AUDIT AND GOVERNANCE COMMITTEE

09 September 2021



Report of: Head of Audit and Governance

Subject: INTERNAL AUDIT PLAN 2021/22 UPDATE

1. PURPOSE OF REPORT

- 1.1 To inform Members of the progress made to date completing the internal audit plan for 2021/22.

2. BACKGROUND

- 2.1 In order to ensure that the Audit and Governance Committee meets its remit, it is important that it is kept up to date with the ongoing progress of the Internal Audit section in completing its plan. Regular updates allow the Committee to form an opinion on the controls in operation within the Council. This in turn allows the Committee to fully review the Annual Governance Statement, which will be presented at this meeting of the Committee, and after review, will form part of the statement of accounts of the Council.

3. PROPOSALS

- 3.1 That members consider the issues within the report in relation to their role in respect of the Councils governance arrangements. In terms of reporting internally at HBC, Internal Audit produces a draft report which includes a list of risks currently faced by the client in the area audited. It is the responsibility of the client to complete an action plan that details the actions proposed to mitigate those risks identified. Once the action plan has been provided to Internal Audit, it is the responsibility of the client to provide Internal Audit with evidence that any action has been implemented by an agreed date. The level of outstanding risk in each area audited is then reported to the Audit and Governance Committee.
- 3.2 The benefits of this reporting arrangement are that ownership of both the internal audit report and any resulting actions lie with the client. This reflects the fact that it is the responsibility of management to ensure adequate procedures are in place to manage risk within their areas of operation, making managers more risk aware in the performance of their duties. Greater assurance is gained that actions necessary to mitigate risk are implemented and less time is spent by both Internal Audit and management in ensuring audit reports are agreed. A greater breadth of assurance is given

to management with the same Internal Audit resource and the approach to risk assessment mirrors the corporate approach to risk classification as recorded in covalent. Internal Audit can also demonstrate the benefit of the work it carries out in terms of the reduction of the risk faced by the Council.

- 3.3 Table 1 summarises the assurance placed on those audits completed with more detail regarding each audit and the risks identified and action plans agreed provided in **Appendix A**.

Table 1

Audit	Assurance Level
Youth Employment Initiative Grant	Satisfactory
Covid Emergency Assistance Clinically Extremely Vulnerable Grant	Satisfactory
Covid Emergency Assistance Test and Trace Support Grant	Satisfactory
Covid Local Authority Compliance and Enforcement Grant	Satisfactory
Covid Emergency Assistance Care Home Support Package/Infection Control Grant	Satisfactory
Covid Education Costs Winter Support Fund	Satisfactory
Covid Community Testing Funding	Satisfactory
Borough Hall	Limited
Town Hall Theatre	Limited
Carefirst/CONTROC IT System	Satisfactory
Community Hubs	Satisfactory
Covid Cyber Security	Satisfactory
Troubled Families Grant	Satisfactory

For Members information, Table 2 below defines what the levels of assurance Internal Audit places on the audits they complete and what they mean in practice:

Table 2

Assurance Level	Meaning
Satisfactory Assurance	Controls are operating satisfactorily and risk is adequately mitigated.
Limited Assurance	A number of key controls are not operating as intended and need immediate action.
No Assurance	A complete breakdown in control has occurred needing immediate action.

- 3.4 Members will have noted that the Borough Hall and Town Hall Theatre were both assessed as limited assurance for the reasons outlined below:

Borough Hall:

- There was no evidence on Bar Income Reports that differences between declared income, amounts collected and banked are subject to necessary investigation;
- The inability to account for cash income;
- Non compliance with procurement procedures;
- Budget deficits due to income targets not being met.

Town Hall Theatre:

- Sufficient records are not maintained to identify all lettings.
- The inability to account for cash income;
- Non compliance with procurement procedures;
- Budget deficits due to income targets not being met.

Comprehensive actions to mitigate the risks identified have been agreed with the Assistant Director (Preventative and Community Based Services) and follow up work will be undertaken to ensure satisfactory implementation.

3.5 As well as completing the audits previously mentioned, Internal Audit staff have been involved with the following working groups:

- Information Governance Group.
- Performance and Risk Management Group.

3.6 Internal Audit staff also continue to provide support in the payment of the Governments Business Support Grant Scheme and the Discretionary Business Support Grant Scheme using software analysis tools provided by the Government. This has enabled the status of all Limited Companies who are eligible to be reviewed. This support extended to providing detailed analysis of all businesses who applied for the Governments Discretionary Business Support Grant Scheme, providing a consistent basis for the equitable payment of grants to those who were eligible. Support continues to be provided in the most recent Government Local Restriction Support Grants, across the different elements of grant available, again using software analysis tools provided by the Government to determine the status of all Limited Companies who are eligible.

3.7 Internal Audit, in conjunction with the Payments Team, have also analysed all payments made as part of the Governments Business Support programme via an external credit reference agency provided by the National Fraud Initiative programme. This has given additional assurance around Bank Account details provided by all grant recipients. Internal data matching has been developed to ensure any anomalies when paying multiple grants to applicants are identified and investigated.

3.8 Internal Audit staff also volunteered to be trained in order to play a role in the local system of track and trace that has been implemented by the Council. It was felt that the skills possessed by the team would be appropriate to allow them to effectively carry out and provide support in this role.

3.9 Table 3 below details the audits that were ongoing at the time of compiling the report.

Table 3

Audit	Objectives
Information Protection Policy	Ensure adequate policies/procedures are in place in line with statutory requirements.
Covid Health and Safety Arrangements	Ensure adequate policies/procedures are in place in line with statutory requirements.
Cash/Bank	Ensure clearly defined procedures are in place for the collection and banking of income and procedures for collecting income via the Internet & Cash Office are adequate and effective. All cash collections are promptly, completely and accurately recorded in the Authority's systems.
Computer Audit – Virus Checker Defence Systems	Arrangements are in place that ensure adequate security arrangements are in place in respect of defence against malicious IT attack.
Food and Essential Supplies Covid Grant	Terms and conditions of the grant funding are complied with.
Internet/Email Controls	Council policies are in place and are complied with.
High Tunstall Secondary	Ensure school finance and governance arrangements are in line with best practice.
Golden Flatts Primary	Ensure school finance and governance arrangements are in line with best practice.
Iclipse/Enterprise IT system	Ensure adequate IT controls are in operation.

4. RISK IMPLICATIONS

- 4.1 There is a risk that if Members of the Audit and Governance Committee do not receive the information needed to enable a full and comprehensive review of governance arrangements at the Council, this would lead to the Committee being unable to fulfil its remit.

5. FINANCIAL CONSIDERATIONS

- 5.1 There are no financial considerations.

6. LEGAL CONSIDERATIONS

- 6.1 There are no legal considerations.

7. CHILD AND FAMILY POVERTY CONSIDERATIONS

- 7.1 There are no child and family poverty considerations.

8. EQUALITY AND DIVERSITY CONSIDERATIONS

- 8.1 There are no equality and diversity considerations.

9. STAFF CONSIDERATIONS

- 9.1 There are no staff considerations.

10. ASSET MANAGEMENT CONSIDERATIONS

10.1 There are no asset management considerations.

11. RECOMMENDATIONS

11.1 It is recommended that Members note the contents of the report.

12. REASON FOR RECOMMENDATIONS

12.1 To ensure that the Audit and Governance Committee meets its remit, it is important that it is kept up to date with the ongoing progress of the Internal Audit section in completing its plan.

13. BACKGROUND PAPERS

13.1 Internal Audit Reports.

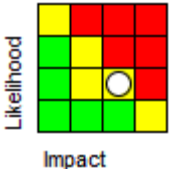
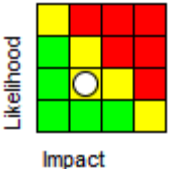
14. CONTACT OFFICER

14.1 Noel Adamson
Head of Audit and Governance
Civic Centre
Victoria Road
Hartlepool
T24 8AY

Tel: 01429 523173

Email: noel.adamson@hartlepool.gov.uk

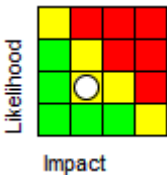
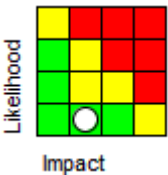
Appendix A

Audit	Objective	Assurance Level		
Youth Employment Initiative Grant	Terms and conditions of the grant funding are compiled with.	Satisfactory		
Risk Identified	Risk Level prior to action implemented	Action Agreed	Risk Level after action implemented	
Expenditure may be claimed without sufficient supporting documentation resulting in the full value not being received.		<p>It is not a contractual requirement for the other four Tees Valley Local Authorities including Stockton Borough Council to complete Internal Audits to ensure a level of assurance on the controls in place for their elements and risk within the Youth Employment Initiative Programme. However, it is best practice for the completion of regular Internal Audits and this has been raised multiple times with the principle representatives from each Local Authority.</p> <p>There will be an agenda item at the next YEI Steering Group Meeting on Tuesday 29th June 2021 which will highlight the practices in place within the Council such as regular quarterly audits incorporating a review of financial claims, performance and management controls. The agenda item will also highlight the Risk Share Agreement which shares the financial risk for the Youth Employment Initiative Programme based on the agreed need of each Local Authority Area. The minutes evidencing this discussion within the meeting and any responses from the Local Authorities will then be shared with HBC Internal Audit.</p> <p>Noel Adamson has also agreed to raise this matter within the Tees Valley Audit Group which incorporates the audit leads from the other Local Authorities.</p>		

Audit	Objective			Assurance Level
Covid Emergency Assistance Clinically Extremely Vulnerable Grant	Terms and conditions of the grant funding are compiled with.			Satisfactory
Risk Identified	Risk Level prior to action implemented	Action Agreed		Risk Level after action implemented
No unmitigated risk identified.				

Audit	Objective			Assurance Level
Covid Emergency Assistance Test and Trace Support Grant	Terms and conditions of the grant funding are compiled with.			Satisfactory
Risk Identified	Risk Level prior to action implemented	Action Agreed		Risk Level after action implemented
No unmitigated risk identified.				

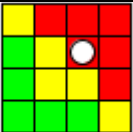
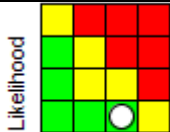
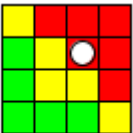
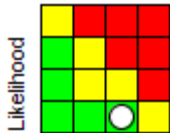
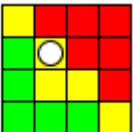

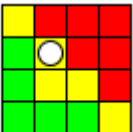

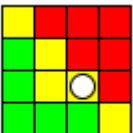

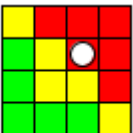

Audit	Objective			Assurance Level
Covid Local Authority Compliance and Enforcement Grant	Terms and conditions of the grant funding are compiled with.			Satisfactory
Risk Identified	Risk Level prior to action implemented	Action Agreed		Risk Level after action implemented
No unmitigated risk identified.				




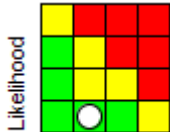
Audit		Objective		Assurance Level
Covid Emergency Assistance Care Home Support Package/Infection Control Grant		Terms and conditions of the grant funding are compiled with.		Satisfactory
Risk Identified		Risk Level prior to action implemented	Action Agreed	Risk Level after action implemented
Non-compliance with Grant Conditions may result in an overpayment and/or payment received in error which may result in a reduction, suspension or withholding of grant payments or require the repayment of the whole or any part of grant monies paid.			Funding has been received from one provider and we will follow up regarding the other provider.	


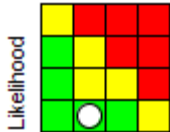

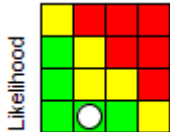
Audit		Objective		Assurance Level
Covid Education Costs Winter Support Fund		Terms and conditions of the grant funding are compiled with.		Satisfactory
Risk Identified		Risk Level prior to action implemented	Action Agreed	Risk Level after action implemented
No unmitigated risk identified.				

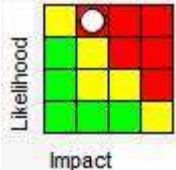
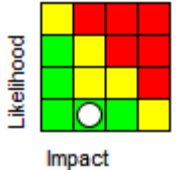
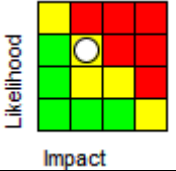
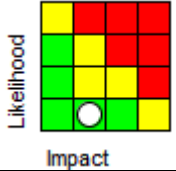
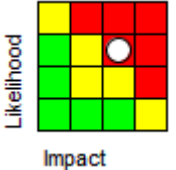
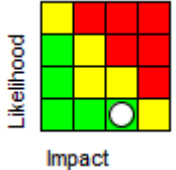
Audit	Objective			Assurance Level
Covid Community Testing Funding	Terms and conditions of the grant funding are compiled with.			Satisfactory
Risk Identified		Risk Level prior to action implemented	Action Agreed	Risk Level after action implemented
No unmitigated risk identified.				

Audit	Objective			Assurance Level
Borough Hall	Ensure that arrangements for collecting and processing income received in respect of events, lettings and bar takings are effectively controlled to ensure that all income due is received, processed and banked in a prompt manner.			Limited
Risk Identified		Risk Level prior to action implemented	Action Agreed	Risk Level after action implemented
Monies may be misappropriated and go unnoticed.		<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div></div><div>Impact</div></div>	The process of rewriting/updating all procedures is taking place.	<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div></div><div>Impact</div></div>
There may be no means of verifying that appropriate checks are undertaken on bar sales.		<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div></div><div>Impact</div></div>	The process of rewriting/updating all procedures is taking place.	<div><div>Likelihood</div><div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div><div><div></div><div></div><div></div><div></div><div></div></div></div><div>Impact</div></div>
The service may not be complying with financial procedures if it does not bank income intact.			Refund was given out of bar float as this was historical procedure that has now been actioned – staff are aware of procedure.	




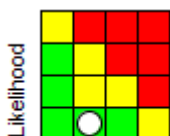

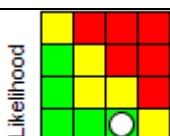




	 <p>Likelihood</p> <p>Impact</p>		 <p>Likelihood</p> <p>Impact</p>
Income may be misappropriated and go unnoticed.	 <p>Likelihood</p> <p>Impact</p>	The monies that were not banked were from the Boys Brigade, they used to get banked in bulk rather in small amounts. They were not banked for one month so this money got carried over to the following week.	 <p>Likelihood</p> <p>Impact</p>
Charges for lettings may not cover costs incurred.	 <p>Likelihood</p> <p>Impact</p>	The process of rewriting/updating all procedures is taking place.	 <p>Likelihood</p> <p>Impact</p>
Suppliers may not be bound by HBC terms and conditions. Inaccurate budget commitments.	 <p>Likelihood</p> <p>Impact</p>	Purchase Orders were raised afterwards as this was the procedure the team were informed to used due to changes in invoices to ensure correct payment – this has now been discussed and reflected in the procedure updates.	 <p>Likelihood</p> <p>Impact</p>
Financial penalties may be incurred if the Council does not comply with the Late Payments of (Commercial) Debts Act 1998.	 <p>Likelihood</p> <p>Impact</p>	The process of rewriting/updating all procedures is taking place.	 <p>Likelihood</p> <p>Impact</p>
Moneys may be used for inappropriate purposes if records are not adequately maintained. Potential teaming / lading of cash.	 <p>Likelihood</p> <p>Impact</p>	£4000.00 for additional bar float happens once every year due to the football awards. This additional money was raised using an old method and was subsequently discussed with finance – new procedure in place. – Discussed with staff, informed of liaison with finance for appropriate procedures, large bar float should not be required in future due to card machines now onsite.	 <p>Likelihood</p> <p>Impact</p>


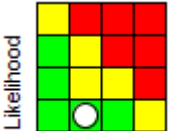
Failure to set appropriate budget may lead to adverse financial performance.		The process of rewriting/updating all procedures is taking place.	
Payments may be made to third parties to undertake activities and benefits of the service may not be realised if reports are not considered and appropriately acted upon.		Stock taker reports are available as are inventory records. – no further action required	

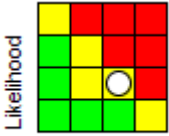
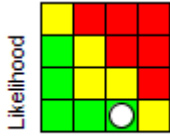
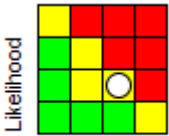
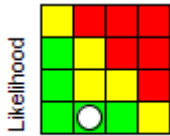

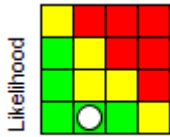
Audit	Objective			Assurance Level
Town Hall Theatre	Ensure that arrangements for collecting and processing income received in respect of events, lettings and bar takings are effectively controlled to ensure that all income due is received, processed and banked in a prompt manner.			Limited
Risk Identified		Risk Level prior to action implemented	Action Agreed	Risk Level after action implemented
There may be no means of verifying that appropriate checks are undertaken on bar sales.			These had completed but unable to locate the paperwork. Staff have been advised of the importance of record keeping. Additional staffing means there is support in place for this.	
If float analysis sheets are not retained with Bar Income Reports, there may be no means of identifying any loss / discrepancies in float balances.			Floats are signed for and kept near the bar. I have been informed these sometimes go missing as there are various sheets all staff sign for multiple items, I am investigating an easier electronic/digital recording of this to ensure this doesn't occur in future. Developing apps for our tablets.	

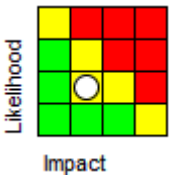
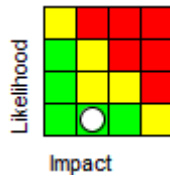
Income may not be secure if it is not banked in a prompt manner.		<p>Staff are aware that all banking must be made.</p> <p>There should be no monies held in the safe now as it was requested that it was all banked.</p>	
Charges for lettings may not cover costs incurred.		The process of rewriting/updating all procedures is taking place.	
If adequate records of lettings are not maintained, charges for use of premises / events may not be raised.		Discussion re: procedures with colleagues and bookings, additional staff will help support this.	

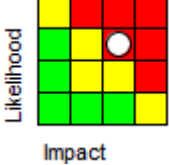
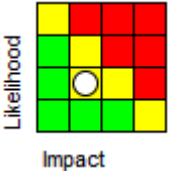
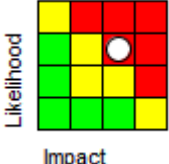
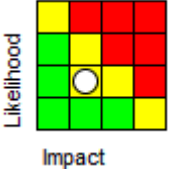
Incorrect charges may be raised for hire of facilities if booking forms are not completed and agreed. Terms and conditions of hire may not be communicated to the hirer.	<p>Likelihood</p> <p>Impact</p>	A new booking system we are researching would make it available to get show information even on residency events.	<p>Likelihood</p> <p>Impact</p>
The service may breach Financial Procedures.	<p>Likelihood</p> <p>Impact</p>	Hartlepool Live – The theatre was one of the venues hosting the event and due to limited budget the headliner was paid by the Town Hall Theatre. After discussions with finance it was decided all money and takings went back into the Hartlepool Live Event budget so a true analysis of income and expenditure be analysed for the future.	<p>Likelihood</p> <p>Impact</p>
Income may be misappropriated and go unnoticed.	<p>Likelihood</p> <p>Impact</p>	There are no key holders that have left – the technician did not hold a key to the safe only the building that was returned. The safe key is not held in the drawer any longer. Small key safes are on both sites holding the safe key.	<p>Likelihood</p> <p>Impact</p>
There may be no compliance with Contract Procedure Rules	<p>Likelihood</p> <p>Impact</p>	Artistic Solutions have been used as casual technicians but also for equipment hire. Our previous technician was on sick or leave on many events causing a higher number of bookings than initially expected. It was also mentioned to us that we should be using this company as they are Hartlepool based reflecting what the authority expect of the service to assist in local economics. Continuing to use Artistic Solutions on a casual basis	<p>Likelihood</p> <p>Impact</p>
Suppliers may not be bound by HBC terms and conditions. Inaccurate budget commitments.	<p>Likelihood</p> <p>Impact</p>	Delays in receipt of payments – we were aware of a couple of these and these were discussed and noted in 1:1's, others are from delays in new suppliers being set up. New procedures be progressed to reflect expectations and timings – these will be reviewed when fully completed to ensure these are in line with audit and	<p>Likelihood</p> <p>Impact</p>

		financial expectations. No further issues and procedures followed.	
Financial penalties may be incurred if the Council does not comply with the Late Payments of (Commercial) Debts Act 1998.	 <p>Likelihood</p> <p>Impact</p>	The process of rewriting/updating all procedures is taking place.	 <p>Likelihood</p> <p>Impact</p>
The Council may be exposed to financial loss in the event payments are made without agreement and agreements do not include provision to protect the financial interests of the Council in the event of default.	 <p>Likelihood</p> <p>Impact</p>	Booking Agreements – the booking forms are outdated and new forms need to be agreed as they do not reflect what is required as the only booking forms the theatre uses are for booking shows which is not always representative of the booking. – New forms in development and will be passed to legal to review. New booking forms and procedures are being developed in line with all venues including amphitheatre so the processes are aligned.	 <p>Likelihood</p> <p>Impact</p>
Failure to set appropriate budget may lead to adverse financial performance.	 <p>Likelihood</p> <p>Impact</p>	The process of rewriting/updating all procedures is taking place.	 <p>Likelihood</p> <p>Impact</p>
Payments may be made to third parties to undertake activities and benefits of the service may not be realised if reports are not considered and appropriately acted upon.	 <p>Likelihood</p> <p>Impact</p>	Stock taker reports are available as are inventory records. – no further action required	 <p>Likelihood</p> <p>Impact</p>
If analysis is not undertaken of the financial performance of events, the service may not be providing shows at a sustainable level, resulting in budget deficit.	 <p>Likelihood</p> <p>Impact</p>	The process of rewriting/updating all procedures is taking place.	 <p>Likelihood</p> <p>Impact</p>

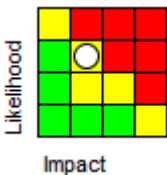

Audit	Objective	Assurance Level		
Carefirst/CONTROC IT System	Ensure adequate IT controls are in operation.	Satisfactory		
Risk Identified	Risk Level prior to action implemented	Action Agreed	Risk Level after action implemented	
<p>Unauthorised access could be gained to the system resulting in inappropriate access to personal / sensitive information that may be used fraudulently or maliciously.</p>	 <p>Likelihood</p> <p>Impact</p>	<p>Revision to current process to be put in place to ensure to ensure that all Controcc and CareFirst user records (who are currently on the system as open users) are checked. Currently we are only told those people who work in A&CBS, but we will request a list of all council leavers from HR to ensure those from other departments (e.g. Children's) are cross checked too. The second part of this issue is related to those who work outside the council (e.g. for thirteen group users etc.) – for these records, if people had not accessed for 3 months, we will either turn off access and the person will have to get in touch to re-request their access to be restarted. Alternatively, we will email those people who have not accessed the system for 3 months to request if they still need access – if no reply, their access will be turned off.</p> <p>This will be run on a regular basis (quarterly) to ensure there are no users accessing who should not have access and this process with be reviewed every six months.</p>	 <p>Likelihood</p> <p>Impact</p>	

Audit	Objective	Assurance Level		
Community Hubs	Compliance with statutory requirements and the provision of a comprehensive and efficient library service for all persons desiring to make use.	Satisfactory		
Risk Identified	Risk Level prior to action implemented	Action Agreed	Risk Level after action implemented	
The local authority does not fulfil its statutory responsibility of providing a comprehensive and efficient library service for all persons desiring to make use.		The management of stock and its provision across the library service is based on the data we have on borrowing, knowledge and experience of those who access the library service and requests such as inter-library loans etc. Consultation on the Community Hub strategy including the library offer will take place over the Summer of 2021 with the resulting outcome reported to Adult and Community Based Services Committee in Autumn 2021. The Consultation will include an overview of the way library stock is managed, the impact of reduced footfall in the libraries (prior to the pandemic) and the reassurance of a continued comprehensive library offer that meets the borrowing requirements of the population across the town.		
Without effective performance management arrangements the library service may not achieve its aims and objectives.		The finalisation of the Community Hub Strategy will lead to the development of a section plan which will contribute to the departmental plan and ultimately the Council plan. Performance data will be established as part of this work and will link to the six University Library Offer themes of health and wellbeing, information and digital, visual and print impaired promise, children's promise, reading and culture and creativity.		
Income may not be collected in full, securely held and paid in promptly.		The library function at Central Hub has been bought together on the 1 st floor of the building meaning that all monies relating to book transactions can be paid directly into the till which will be moved upstairs. Events attendance (mother and toddler) – monies collected from events will be marked against the attendance sheets. Attendance figures are kept and		

		<p>information on amounts taken will be added to the spreadsheet and checked and initialled by a manager/supervisor. Fines and fees – discrepancy between Tallis and tills – staff training began in February 2020 to reinforce the importance of accurate data entry. The subsequent lockdown led to a considerable disruption in service with the building and staff redeployed into the support hub and associated functions. Fines and fees have also been suspended. A restructure in the service is almost at completion – when finalised, training will be given to all library staff reminding them of the importance of accuracy in data entry. A new Library Management System is being procured (implementation March 2022) and the need for good financial management in the system is a key part of the specification. Protocols for accessing the safe will be drawn up, including a sign in sheet to be completed by staff accessing the safe.</p>	
<p>Income may not be collected in full, securely held and paid in promptly.</p>		<p>Some changes have been made since the audit and only library income is now stored in the wall safe. A wall safe protocol has been introduced and considering introducing a process to reconcile income collected to source information held on Tallis, photocopying records, receipt books on a monthly/quarterly basis.</p>	

Audit	Objective	Assurance Level		
Covid Cyber Security	A review will be undertaken of the controls in place to mitigate cyber security risks with a focus on the pandemic response of staff working from home.	Satisfactory		
Risk Identified	Risk Level prior to action implemented	Action Agreed	Risk Level after action implemented	
<p>Insufficient, inoperative or no controls are in place over cyber security which may lead to:</p> <ul style="list-style-type: none"> - undetected attacks on HBC networks, applications and data, - attacks to the network, applications and data are detected but cannot be prevented, - inability to recover from attacks to the network, applications and data, <p>which may result in:</p> <ul style="list-style-type: none"> - loss of data (some of which could be personal and sensitive), - loss of access to network and/or applications for a period of time which affects service delivery, - malware or ransomware being deployed, - fines or other sanctions, - reputational loss. 		<p>The PEN testing is expected to be completed in July 2021 and Internal Audit will be notified when this has been undertaken.</p>		
<p>Insufficient, inoperative or no controls are in place over cyber security which may lead to:</p> <ul style="list-style-type: none"> - undetected attacks on HBC networks, applications and data, - attacks to the network, applications and data are detected but cannot be prevented, - inability to recover from attacks to the network, applications and data, <p>which may result in:</p> <ul style="list-style-type: none"> - loss of data (some of which could be personal and sensitive), - loss of access to network and/or applications for a period of time which affects service delivery, 		<p>Both cyber security and IG training will be added to the departmental induction checklist and will be referenced in the Managers Guide to induction - tying in with items such as does the employee need access to a computer (p.4).</p> <p>IG group to review the method of training aligning with requirements for induction.</p> <p>Include the requirement to undertake cyber security and IG training dependent on role, within the corporate induction.</p> <p>We will also look at a review of what information is</p>		

- malware or ransomware being deployed, - fines or other sanctions, - reputational loss.		provided at the recruitment stage but will not be in a position to provide the whole suite of IG policies.	
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Audit	Objective			Assurance Level
Troubled Families Grant	Terms and conditions of the grant funding are compiled with.			Satisfactory
Risk Identified		Risk Level prior to action implemented	Action Agreed	Risk Level after action implemented
Incorrect data may be recorded resulting in a reduction of grant award.			<p>The Think Family Team rely on two sources of data to verify claims based on an adult no longer claiming an out of work benefit. The first is the DWP Automated Data Matching System. This is becoming increasingly inaccurate as it can only report of non-Universal Credit benefits. As a full service UC area, Hartlepool is receiving fewer matches directly from the DWP. This is a national issue and is being addressed by the Ministry for Housing, Communities and Local Government directly with DWP. Our second source of information is our seconded DWP Employment Advisor who works directly with the families and has access to DWP local systems. Due to a rise in UC claims as a result of COVID-19 our TFEA can only provide details if this has been recorded on the DWP system in a timely fashion. Benefit status is sometimes recorded on our children's social care system by a Social Worker or Family Support Worker, however, this is not a reliable source of information as it's not the primary focus of their work. The TF team does not have access to the HBC benefits system IWorld. After consultation with our regional TF advisor at the Ministry for Housing, Communities and Local Government, we were advised that we do not have an appropriate legal gateway to access this system for the purposes of the Troubled Families Programme.</p>	

AUDIT AND GOVERNANCE COMMITTEE

09 September 2021



Report of: Assistant Director Finance

Subject: APPOINTING AN EXTERNAL AUDITOR

1. PURPOSE OF REPORT

- 1.1 To update Members on issues in relation to appointing an external auditor in respect of the application of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015.

2. BACKGROUND

- 2.1 In January 2014, the Local Audit and Accountability Act received Royal Assent. It was agreed to update the Audit and Governance Committee on the arrangements in place to ensure that Council complies with the requirements of the Act. This report provides an update to members in relation to the arrangements for appointing external auditors. It was agreed at the meeting held on 16 July 2015 that the Audit and Governance Committee support exploring the possibility of the Council becoming an “opted in” Authority, in order to benefit from collective buying power and the removal of the requirement to set up a separate Auditor Appointing Panel, when securing future external audit services.
- 2.2 Public Sector Audit Appointments Limited (PSAA) was incorporated by the Local Government Association (LGA) in August 2014. PSAA is a company limited by guarantee and is a subsidiary of the Improvement and Development Agency (IDeA) which is wholly owned by the LGA.
- 2.3 In July 2016, the Secretary of State for Housing Communities and Local Government specified PSAA as an appointing person for principal local government and police bodies for audits from 2018/19, under the provisions of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015.
- 2.4 Acting in accordance with the role of appointing person PSAA is responsible for appointing an auditor and setting scales of fees for the

duration of an appointing period for eligible bodies that choose to opt into its national scheme. The Regulations require the appointing person to set the duration of each appointing period; the maximum duration is five years. The first appointing period spans the five consecutive financial years commencing 1 April 2018. It covers the audits of accounts for the financial years 2018/19 to 2022/23. The second appointing period is likely to span the five consecutive financial years commencing 1 April 2023. It will cover the audits of accounts for the financial years 2023/24 to 2027/28.

3. APPOINTMENT OF EXTERNAL AUDITORS

3.1 There are currently a number of issues surrounding the provision of external audit services:

- The audit industry is under heavy scrutiny;
- There is great regulatory pressure to improve audit quality;
- Audit resources are stretched;
- Delayed local audit opinions an unresolved national concern;
- Local government audit's focus is being questioned;
- Additional work means additional fees are needed;
- Regulations need updating.

3.2 The aim of PSAA is to secure the delivery of an audit service of the required quality for every opted-in body at a realistic market price and to support the drive towards a long term competitive and more sustainable market for local public audit services

The benefits of the current arrangement of central purchasing have resulted in reduced fees with the Council not having to set up a separate Auditor Appointment Panel to deal with any future appointment. PSAA are also looking to maximise value for local public bodies by:

- securing the delivery of independent audit services of the required quality;
- awarding long term contracts to a sufficient number of firms to enable the deployment of an appropriately qualified auditing team to every participating body;
- encouraging existing suppliers to remain active participants in local audit and creating opportunities for new suppliers to enter the market;
- encouraging audit suppliers to submit prices which are realistic in the context of the current market;
- enabling auditor appointments which facilitate the efficient use of audit resources;
- supporting and contributing to the efforts of audited bodies and auditors to improve the timeliness of audit opinion delivery; and

- establishing arrangements that are able to evolve in response to changes to the local audit framework.
- 3.3 Correspondence received from the PSAA have outlined the following proposed timetable for opting in to procurement arrangements:

September 2021	Eligible bodies will be invited to join PSAA's national scheme <i>(will require a decision by Full Council)</i>
January 2022	Deadline for eligible bodies to notify PSAA of their decision to opt in
February 2022	Procurement will commence
June 2022	PSAA Board will award new contracts where possible and determine if there is a need to extend current ones to enable PSAA to meet its statutory duty to appoint to all opted-in bodies
December 2022	PSAA Board will confirm auditor appointments for 2023/24

4. RISK IMPLICATIONS

- 4.1 Members of the Audit and Governance Committee do not receive the information needed to enable a full and comprehensive review of the Councils arrangements for the provision of external audit services, leading to non-compliance with statutory requirements and the Council being unable to prove it provides value for money services in this area.

5. FINANCIAL CONSIDERATIONS

- 5.1 In order to prove the Council meets its duty of providing best value, the most appropriate procurement method must be used to provide external audit services. The current method of a centralised collective purchase arrangement has led to significant savings to the Council.

6. LEGAL CONSIDERATIONS

- 6.1 The Council has a legal duty to ensure it has an annual external audit of its accounting records and financial statements.

7. CHILD AND FAMILY POVERTY CONSIDERATIONS

- 7.1 There are no child and family poverty considerations.

8. EQUALITY AND DIVERSITY CONSIDERATIONS

- 8.1 There are no equality and diversity considerations.

9. STAFF CONSIDERATIONS

- 9.1 There are no staff considerations.

10. ASSET MANAGEMENT CONSIDERATIONS

- 10.1 There are no asset management considerations.

11. RECOMMENDATIONS

- 11.1 It is recommended that Members of the Audit and Governance Committee support the Council's continued membership of PSAA for the provision of external audit services.
- 11.2 It is recommended that a report from the Audit and Governance Committee be presented to Full Council requesting authority for the Council's continued membership of PSAA in accordance with the requirements of the Local Audit and Accountability Act 2014 and the Local Audit (Appointing Person) Regulations 2015.

12. REASON FOR RECOMMENDATIONS

- 12.1 To ensure that the Audit and Governance Committee is kept up to date with all issues that are relevant to the pursuance of its remit.
- 12.2 To ensure that the Council has in place arrangements to procure the best possible external audit service at the most competitive price by benefiting from collective buying power whilst removing the requirement to set up a separate Auditor Appointing Panel.
- 12.3 Remove the risk that the Authority is unable to appoint its own external auditors given the relatively small size of the Authority and limited capacity within the external audit market.

13. BACKGROUND PAPERS

- 13.1 Local Audit and Accountability Act 2014.
Local Audit (Appointing Persons) Regulations 2015.

14. CONTACT OFFICER

- 14.1 James Magog
Assistant Director Finance
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Hartlepool
TS24 8AY
Tel: 01429 523003
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AUDIT AND GOVERNANCE COMMITTEE

9TH SEPTEMBER 2021



Report of: Monitoring Officer

Subject: REVIEW ARRANGEMENTS FOR DEALING WITH
STANDARDS ALLEGATIONS

1. PURPOSE OF REPORT

- 1.1 To seek a view from the Committee regarding proposed changes to the 'Arrangements for Dealing with Standards Allegations'.

2. BACKGROUND

- 2.1 In January 2019, the Committee on Standards in Public Life published a report on ethical standards in local government. Essentially, the report considered all aspects of the current regime relating to the conduct of Elected Members and set out 26 recommendations for change. The vast majority of the recommendations in the report were for the Government to action, but the first recommendation was that the Local Government Association ('the LGA') should create an updated Model Member Code of Conduct.
- 2.2 The Members Model Code of Conduct is due for consideration by Full Council at a future meeting to coincide with further national guidance due to be issued to supplement the Code. Therefore, the Chief Solicitor was of the view that it was timely and appropriate to review the 'Arrangements for Dealing with Standards Allegations'. The revisions, as detailed in **Appendix A**, are proposed to strengthen the arrangements.

3. PROPOSALS

- 3.1 A summary of the proposals are as below:
- (a) Complaints about the conduct of a Parish Councillor towards a Clerk should be made by the Chair or by the Parish Council as a whole, rather than the Clerk. This was recommended by the Committee on Standards in Public Life from their best practice recommendations.

- (b) A complaint of an alleged breach of the code of conduct to be made within 3 months of the alleged breach occurring.
- (c) Additional sanctions inserted:
 - Recommend to the Council that the Subject Member be issued with a formal censure (i.e. the issue of an unfavourable opinion or judgement or reprimand) by motion.
 - Instruct the Monitoring Officer or Parish Council, to implement a Communications Plan for the Subject Member.
 - Instruct the Monitoring Officer, or Parish Council, to apply the informal resolution process.
 - Instruct the Monitoring Officer, or Parish Council, to restrict the Subject Member's access to confidential or exempt information.
- (d) Removal of below sanction, due to change in Committee structure:
 - Recommend to the Leader of the Authority (operating executive arrangements) that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities
- (e) Assessment criteria added as **Appendix 2**, and additions to the Assessment Criteria include:
 - Preliminary questions
 - Informal resolution procedure

4. **RECOMMENDATIONS**

- 4.1 That the Committee consider the proposals set out in **Appendix A**.

5. **REASONS FOR RECOMMENDATIONS**

- 5.1 To strengthen the existing arrangements for dealing with standards allegations.

6. **BACKGROUND PAPERS**

- 6.1 Local Government Association Model Member Code of Conduct Consultation - <https://www.local.gov.uk/local-government-association-model-member-code-conduct-consultation#example-lga-guidance-and-recommendations->
- 6.2 Audit and Governance Committee Report - Revised Code of Conduct for Elected Members and Co-Opted Members and Best Practice Recommendations – Chief Solicitor and Monitoring Officer – 7 January 2021

7. CONTACT OFFICER

- 7.1 Hayley Martin | Chief Solicitor
Hartlepool Borough Council
Tel: (01429) 523002
Email: Hayley.martin@hartlepool.gov.uk



ARRANGEMENTS FOR DEALING WITH STANDARDS ALLEGATIONS

UNDER THE LOCALISM ACT 2011



1. BACKGROUND

These “Arrangements” set out how you may make a complaint that an elected or co-opted member of this Authority *[or of a parish council within the Borough]* has failed to comply with the Authority’s Code of Conduct, and sets out how the Authority will deal with allegations of a failure to comply with the adopted Code of Conduct.

Under Section 28(6) and (7) of the Localism Act 2011, the Authority must have in place “arrangements” under which allegations that a member or co-opted member of the Authority *[or of a parish council]*, or of a Committee or Sub-Committee of the authority, has failed to comply with that Authority’s Code of Conduct can be investigated and decisions made on such allegations.

Such arrangements must provide for the Authority to appoint at least one Independent Person, whose views must be sought by the Authority before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the Authority at any other stage, or by a member *[or a member or co-opted member of a parish council]* against whom an allegation as been made.

2. THE CODE OF CONDUCT

The Authority has adopted a Code of Conduct for members, which is attached as **Appendix One** to these arrangements and available for inspection on the Authority’s website www.hartlepool.gov.uk and on request from Reception at the Civic Centre.

[Each parish council is also required to adopt a Code of Conduct. If you wish to inspect a Parish Council’s Code of Conduct, you should inspect any website operated by the parish council and request the parish clerk to allow you to inspect the parish council’s Code of Conduct.]

The Council’s Code of Conduct will have application when a Member acts in their official capacity, namely where they are conducting the business of the Borough Council or otherwise acting, claiming to act, or giving the impression that they are acting as a representative of the Borough Council. Further, that at the time of the alleged misconduct, they were an elected or co-opted member of the Borough Council.

3. MAKING A COMPLAINT

If you wish to make a complaint, please write or email to –

Mrs H Martin
 Chief Solicitor & Monitoring Officer
 Hartlepool Borough Council
 Civic Centre
 Victoria Road
 Hartlepool
 TS24 8AY

Or –

Hayley.martin@hartlepool.gov.uk

The Monitoring Officer is a senior officer of the authority who has statutory responsibility for maintaining the register of members' interests and who is responsible for administering the system in respect of complaints of member misconduct.

In order to ensure that we have all the information which we need to be able to process your complaint, please complete and send us the model complaint form, which can be downloaded from the Authority's website, next to the Code of Conduct, and is available on request from Reception at the Civic Centre.

Please do provide us with your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please indicate this in the space provided on the complaint form, in which case we will not disclose your name and address to the member against whom you make the complaint, without your prior consent. The Authority does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

The Monitoring Officer will acknowledge receipt of your complaint within 5 working days of receiving it, and will keep you informed of the progress of your complaint.

4. PUBLICITY

The Monitoring Officer will request both the complainant and the subject member do not make public the complaint until the Monitoring Officer (in unison with the Independent Person) has decided how the matter should be dealt with and until any investigation is formally completed. Should the complainant and/or the subject member disclose details of the complaint or any part of the investigation prior to its conclusion, then this would be a material consideration as to the confidentiality behind that item when it is formally reported to the relevant Council Committee, following the completion of that investigation. Any consideration as to whether that disclosure of information was in the public interest will be determined by the Monitoring Officer at that time, and included as a reference within that report.

5. WILL YOUR COMPLAINT BE INVESTIGATED?

The Monitoring Officer will review every complaint received and, after consultation with the Independent Person, take a decision as to whether it merits formal investigation. This decision will normally be taken within 20 working days of receipt of your complaint. Where the Monitoring Officer has taken a decision, he/she will inform you of his/her decision and the reasons for that decision.

Where he/she requires additional information in order to come to a decision, he/she may come back to you for such information, and may request information from the member against whom your complaint is directed. *[Where your complaint relates to a Parish Councillor, the Monitoring Officer may also inform the Parish Council or your complaint and seek the views of the Parish Council before deciding whether the complaint merits formal investigation.]*
[Complaints about the conduct of a Parish Councillor towards a Clerk should be made by the Chair or by the Parish Council as a whole, rather than the Clerk in all but exceptional circumstances.]

In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve the member accepting that his/her conduct was unacceptable and offering an apology, or other remedial action by the authority. Where the member or the authority make a reasonable offer of local resolution, but you are not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.

If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to refer the matter to the Police and other regulatory agencies.

We would normally expect, unless there are exceptional circumstances, a complaint to be made within 3 months of the potential failure of the Code of Conduct occurring. Where a complaint is received outside this time limit the Monitoring Officer will consult with both the Chair of the Audit and Governance Committee and one of the Independent Persons as to whether the complaint should progress.

Vexatious Complaints

A complaint is unlikely to be referred for investigation where the complaint is either habitual/repeated or is vexatious in nature, or is otherwise the unreasonable pursuit of a complaint. The Council shall keep under review those complaints that have been determined to be either habitual, repeated or vexatious and for the avoidance of doubt, will not disregard any new issues which are so significantly different from the original complaint that they need to be addressed as a separate complaint. However, it will be unlikely that a matter would proceed for investigation in the following circumstances:

- A persistence in pursuing a complaint where the local assessment and determination process has been fully and properly implemented and exhausted.
- Where the complainant has persistently changed the substance of a complaint or raises identical or similar issues or otherwise seeks to prolong unreasonably the matters of complaint through further concerns or questions whilst the original complaint is being addressed.
- The complaint is unreasonable or disproportionate in the amount of time expended and those matters of complaint are considered to be unreasonable as to impose a significant burden in terms of time and cost to be expended by the Council, if such matters were pursued.
- Is a matter of complaint which can fairly be characterised as being obsessive or manifestly unreasonable through, for example, repetitive allegations.
- The matter of complaint is politically motivated and where press and other publicity has been attracted to the matter of complaint before the same have been reported to the Council's Monitoring Officer and which the Monitoring Officer in unison with the Independent Person reasonably believes is not in the public interest to warrant an investigation. It will be also be a consideration as to whether independent evidence is likely to be obtained and the nature of seriousness of complaint which may not warrant any further action being taken.

6. HOW IS THE INVESTIGATION CONDUCTED?

If the Monitoring Officer decides that a complaint merits formal investigation, he/she will appoint an Investigating Officer, who may be another senior officer of the authority, an officer of another authority or an external investigator. The Investigating Officer will decide whether he/she needs to meet or speak to you to understand the nature of your complaint and so that you can explain your understanding of events and suggest what documents the Investigating Officer needs to see, and who the Investigating Officer needs to interview.

The Investigating Officer would normally write to the member against whom you have complained and provide him/her with a copy of your complaint, and ask the member to provide his/her explanation of events, and to identify what documents he needs to see and who he needs to interview. In exceptional cases, where it is appropriate to keep your identity confidential or disclosure of details of the complaint to the member might prejudice the investigation, the Monitoring Officer can delete your name and address from the papers given to the member, or delay notifying the member until the investigation has progressed sufficiently.

At the end of his/her investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to you and to the member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires more consideration.

Having received and taken account of any comments which you may make on the draft report, the Investigating Officer will send his/her final report to the Monitoring Officer.

Timescales

If a complaint has been referred for investigation it will be conducted and completed as expeditiously as possible, and this generally will be within six months of the start of the investigation.

If an investigation is likely to exceed this six months timescale then an update report will be brought before the Audit and Governance Committee to explain why an extension to the six months is required.

7. WHAT HAPPENS IF THE INVESTIGATING OFFICER CONCLUDES THAT THERE IS NO FAILURE TO COMPLY WITH THE CODE OF CONDUCT?

The Monitoring Officer will review the Investigating Officer's report and, if he is satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to you and to the member concerned *[and to the Parish Council, where your complaint relates to a Parish Councillor]*, notifying you that he is satisfied that no further action is required, and give you both a copy of the Investigating Officer's final report. If the Monitoring Officer is not satisfied that the investigation has been conducted properly, he may ask the Investigating Officer to reconsider his/her report.

8. WHAT HAPPENS IF THE INVESTIGATING OFFICER CONCLUDES THAT THERE IS A FAILURE TO COMPLY WITH THE CODE OF CONDUCT?

The Monitoring Officer will review the Investigating Officer's report and will then either send the matter for local hearing before the Hearings Sub Committee or, after consulting the Independent Person, seek local resolution.

8.1 Local Resolution

The Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing. In such a case, he/she will consult with the Independent Person and with you as complainant and seek to agree what you consider to be a fair resolution which also helps to ensure higher standards of conduct for the future. Such resolution may include the member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the Authority. If the member complies with the suggested resolution, the Monitoring Officer will report the matter to the Audit and Governance Committee *[and the Parish Council]* for information, but will take no further action. However, if you tell the Monitoring Officer that any suggested resolution would not be adequate, the Monitoring Officer will refer the matter for a local hearing.

8.2 Local Hearing

If the Monitoring Officer considers that local resolution is not appropriate, or you are not satisfied by the proposed resolution, or the member concerned is not prepared to undertake any proposed remedial action, such as giving an apology, then the Monitoring Officer will report the Investigating Officer's report to the Hearings Sub-Committee which will conduct a local hearing before deciding whether the member has failed to comply with the Code of Conduct and, if so, whether to take any action in respect of the member.

The Authority has agreed a procedure for local hearings, which is attached as **Appendix Three** to these arrangements.

Essentially, the Monitoring Officer will conduct a "pre-hearing process", requiring the member to give his/her response to the Investigating Officer's report, in order to identify what is likely to be agreed and what is likely to be in contention at the hearing, and the Chair of the Hearings Sub-Committee may issue directions as to the manner in which the hearing will be conducted. At the hearing, the Investigating Officer will present his/her report, call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer may ask you as the complainant to attend and give evidence to the Hearings Sub-Committee. The member will then have an opportunity to give his/her evidence, to call witnesses and to make representations to the Hearings Sub-Committee as to why he/she considers that he/she did not fail to comply with the Code of Conduct.

If the Hearings Sub-Committee, with the benefit of any advice from the Independent Person, may conclude that the member did not fail to comply with the Code of Conduct, and so dismiss the complaint. If the Hearings Sub-Committee concludes that the member did fail to comply with the Code of Conduct, the Chair will inform the member of this finding and the Hearings Sub-Committee will then consider what action, if any, the Hearings Sub-Committee should take as a result of the member's failure to comply with the Code of Conduct. In doing this, the Hearings Sub-Committee will give the member an opportunity to make representations to the Sub-Committee and will consult the Independent Person, but will then decide what action, if any, to take in respect of the matter.

9. WHAT ACTION CAN THE HEARING SUB-COMMITTEE TAKE WHEN A MEMBER HAS FAILED TO COMPLY WITH THE CODE OF CONDUCT?

The Audit and Governance Committee has delegated to the Hearings Sub-Committee such of its powers to take action in respect of individual members as may be necessary to promote and maintain high standards of conduct. Accordingly the Hearings Panel may –

- 9.1 Recommend to the Council that the Subject Member be issued with a formal censure (i.e. the issue of an unfavourable opinion or judgement or reprimand) by motion
- 9.2 Publish its findings in respect of the member's conduct;
- 9.3 Report its findings to the Authority *[or to the Parish Council]* for information;
- 9.4 Recommend to the member's Group Leader (or in the case of ungrouped members, recommend to the Authority or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
- ~~9.5 Recommend to the Leader of the Authority (operating executive arrangements) that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;~~
- 9.6 Instruct the Monitoring Officer to *[or recommend that the Parish Council]* arrange training for the member;
- 9.7 Remove *[or recommend to the Parish Council that the member be removed]* from all outside appointments to which he/she has been appointed or nominated by the authority *[or by the Parish Council]*;
- 9.8 Withdraw *[or recommend to the Parish Council that it withdraws]* facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or
- 9.9 Exclude *[or recommend that the Parish Council exclude]* the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Authority, Committee and Sub-Committee meetings.
- 10 Instruct the Monitoring Officer or Parish Council, to implement a Communications Plan for the Subject Member;
- 10.1 Instruct the Monitoring Officer, or Parish Council, to apply the informal resolution process;
- 10.2 Instruct the Monitoring Officer, or Parish Council, to restrict the Subject Member's access to confidential or exempt information.

NOTE The Hearings Sub-Committee has no power to suspend or disqualify the member or to withdraw members' or special responsibility allowances.

10. WHAT HAPPENS AT THE END OF THE HEARING?

At the end of the hearing, the Chair will state the decision of the Hearings Sub-Committee as to whether the member failed to comply with the Code of Conduct and as to any actions which the Hearings Sub-Committee resolves to take.

As soon as reasonably practicable thereafter, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair of the Hearings Sub-Committee, and send a copy to you, to the member *[and to the Parish Council]*, make that decision notice available for public inspection and report the decision to the next convenient meeting of the Authority.

11. WHO ARE THE HEARINGS SUB-COMMITTEE?

The Hearings Sub-Committee is a Sub-Committee of the Authority's Audit and Governance Committee. The Audit and Governance Committee has decided that it will comprise a maximum of seven members of the Authority and comprising members drawn from at least 2 different political parties. Subject to those requirements, a Member is appointed on the nomination of party group leaders in proportion to the strengths of each party group on the Authority.

The Independent Person is invited to attend all meetings of the Hearings Sub-Committee and his/her views are sought and taken into consideration before the Hearings Sub-Committee takes any decision on whether the member's conduct constitutes a failure to comply with the Code of conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

12. WHO IS THE INDEPENDENT PERSON?

The Hearings Sub-Committee is a Sub-Committee of the Authority's Audit and Governance Committee. The Audit and Governance Committee has decided that it will comprise a maximum of seven members of the Authority and comprising members drawn from at least 2 different political parties. Subject to those requirements, a Member is appointed on the nomination of party group leaders in proportion to the strengths of each party group on the Authority. The Independent Person is a person who has applied for the post following advertisement of a vacancy for the post, and is the appointed by a positive vote from a majority of all the members of the Authority.

A person cannot be “independent” (subject to transitional arrangements) if he/she –

- 12.1 Is, or has been within the past 5 years, a member, co-opted member or officer of the authority;
- 12.2 *[Is or has been within the past 5 years, a member, co-opted member or officer of a parish council within the authority’s area], or*
- 12.3 Is a relative, or close friend, of a person within paragraph 12.1 or 12.2 above. For this purpose, “relative” means –
 - 12.3.1 Spouse or civil partner;
 - 12.3.2 Living with the other person as husband and wife or as if they were civil partners;
 - 12.3.3 Grandparent of the other person;
 - 12.3.4 A lineal descendent of a grandparent of the other person;
 - 12.3.5 A parent, sibling or child of a person within paragraphs 11.3.1 or 11.3.2;
 - 12.3.6 A spouse or civil partner of a person within paragraphs 11.3.3, 11.3.4 or 11.3.5; or
 - 12.3.7 Living with a person within paragraphs 11.3.3, 11.3.4 or 11.3.5 as husband and wife or as if they were civil partners.

The Independent Person is invited to attend all meetings of the Hearings Sub-Committee and his/her views are sought and taken into consideration before the Hearings Sub-Committee takes any decision on whether the member’s conduct constitutes a failure to comply with the Code of conduct and as to any action to be taken following a finding of failure to comply with the Code of Conduct.

13. REVISION OF THESE ARRANGEMENTS

The Authority may by resolution agree to amend these arrangements, and has delegated to the Hearings Sub-Committee the right to depart from these arrangements where the Sub-Committee considers that it is expedient to do so in order to secure the effective and fair consideration of any matter.

14. APPEALS

There is no right of appeal for you as complainant or for the member against a decision of the Monitoring Officer or of the Hearings Sub-Committee.

If you feel that the Authority has failed to deal with your complaint properly, you may make a complaint to the Local Government Ombudsman.

Appendix One The Authority's Code of Conduct

Appendix Two Assessment Criteria

Appendix Three Procedure for Hearings

APPENDIX 1

Please see the below link to the Authority's Code of Conduct

[www.hartlepool.gov.uk/downloads/file/4813/hartlepool_borough_councils_constitution_2018-19_part_5 - codes and protocols](http://www.hartlepool.gov.uk/downloads/file/4813/hartlepool_borough_councils_constitution_2018-19_part_5_-_codes_and_protocols)

APPENDIX 2

HARTLEPOOL BOROUGH COUNCIL
AUDIT AND GOVERNANCE COMMITTEE
ASSESSMENT CRITERIA FOR DEALING WITH STANDARDS ALLEGATIONS
UNDER THE LOCALISM ACT, 2011

Assessment Criteria

Before commencing an assessment of a complaint, it needs to be satisfied that:-

1. It is a complaint against one or more named Members of the Council or a Parish Council within the Borough of Hartlepool.
2. The named Member was in office at the time of the alleged conduct and the Code of Conduct was in force at the time.
3. The complaint, if proven, would be a breach of the Code under which the Member was operating at the time of the alleged misconduct.

If the complaint fails one or more of the above requirements it cannot be investigated as a breach of the code and the complainant will be informed that no further action will be taken in respect of the complaint.

Preliminary Questions

1.1 The complaint will be assessed by the Monitoring Officer, in consultation with the Independent Person, and the following assessment criteria applied:

- a) Was the person complained of acting in an official capacity at the time of the alleged conduct?
- b) Did the alleged conduct occur when the person complained of was acting as a Member of another authority?
- c) Is the complaint about dissatisfaction with the Council's or Parish Council's decisions, policies and priorities, etc?
- d) Is the complaint submitted in writing?
- e) Is the Subject Member of the complaint named?
- f) Is the complaint a 'repeat complaint', or supported by new or further evidence substantiating or indicating that the complaint is exceptionally serious or significant?
- g) Is the complaint anonymous, or supported by independent documentary evidence

substantiating or indicating that the complaint is exceptionally serious or significant?

- h) Is there sufficient information/evidence to substantiate the complaint has been submitted by the Complainant?
- i) Is the complaint malicious, trivial, politically motivated or retaliatory?
- j) Is the Complainant unreasonably persistent, malicious and/or vexatious?
- k) Did the alleged misconduct happen more than 3 months ago?
- l) Is the complaint relatively minor and would dealing with the complaint have a disproportionate effect on both public money and officers' and Members' time?
- m) Have the circumstances changed so much that there would be little benefit arising from an investigation or other action?
- n) Has the complaint been the subject of an investigation or other action and there is nothing more to be gained by further action being taken?
- o) Is the complaint such that it is unlikely that an investigation will be able to come to a firm conclusion on the matter, e.g. where there is no firm evidence on the matter?
- p) Is the complaint about a deceased person?
- q) Is the complaint about a person who is no longer a Councillor or Parish Councillor or Co-opted Member?
- r) Is the complaint about a Council employee?

The Monitoring Officer will determine whether the complaint is accepted or rejected. If the complaint is rejected, the Complainant will be notified accordingly, with reasons, normally within 20 working days of receipt of the complaint by the Monitoring Officer. There is no right of appeal against the Monitoring Officer's decision.

Decisions to refer a complaint for investigation

A complaint is likely to be investigated when it meets one or more of the following criteria:-

- It is so serious, if proven, to justify in the public interest a formal investigation of the complaint.
- It is part of a continuing pattern of less serious misconduct that is unreasonably disrupting the business of the Authority and there is no other avenue left to deal with it, other than by investigation.

Note: In considering the above points, consideration will be given to the time that has passed since the alleged conduct occurred.

Decisions not to refer for investigation

A complaint is unlikely to be referred for investigation where it falls into any of the following categories:-

- The complaint appears to be vexatious, malicious, politically motivated, relatively minor or insufficiently serious,
- The same, or substantially similar, complaint has already been the subject of an investigation and there is nothing more to be gained by further action being.
- The complaint concerns acts carried out in the Members private life, when they are not carrying out the work of the authority or have not misused their position as a Member.
- It appears that the complaint concerns, or is really about dissatisfaction with a Council decision, or policy rather than a breach of the Code.
- There is not enough information currently available to justify a decision to refer the matter for investigation.
- The complaint is about someone who is no longer a member of the Authority.
- A significant period of time has elapsed since the events the subject of the complaint occurred.
- The complaint is such that it is unlikely that an investigation will be able to come to a firm conclusion on the matter.

Other Considerations

- Training for the Member concerned is considered to be a more appropriate way of dealing with the matter.
- The Monitoring Officer in conjunction with the Independent Person believe that a breakdown in relationships has occurred which may be effectively dealt with by conciliation/mediation and the member complained of and the complainant are amenable to engaging in such alternative action.
- An investigation is not the most cost effective way of resolving the matter and the Monitoring Officer is able to deal with it informally.
- Some other action is more appropriate e.g. a review and/or change to the Authority's policies and procedures.
- The conduct complained of is not so serious that it requires a substantive investigation.

Informal Resolution

The Monitoring Officer will, in consultation with the Independent Person, determine whether the complaint can be resolved through informal resolution.

Informal resolution may be the simplest and most cost effective way of resolving the complaint and may be appropriate where:

- a) The Subject Member appears to have a poor understanding of the Code of Conduct and/or related Council or Parish Council procedures; or
- b) There appears to be a breakdown in the relationship between the Complainant and the Subject Member; or
- c) The conduct complained of appears to be a symptom of wider underlying conflicts which, if unresolved, are likely to lead to further misconduct or allegations of misconduct; or
- d) The conduct complained of appears common to a number of Members of the Council or Parish Council, demonstrating a lack of awareness, experience or recognition of the particular provisions of the Code of Conduct and/or other Council or Parish Council procedures, etc; or
- e) The conduct complained of appears to the Monitoring Officer not to require a formal censure; or
- f) The complaint appears to reveal a lack of guidance, protocols and procedures within the Council or Parish Council; or
- g) The complaint consists of allegations and retaliatory allegations between Councillors; or
- h) The complaint consists of allegations about how formal meetings are conducted; or
- i) The conduct complained of may be due to misleading, unclear or misunderstood advice from officers.

Informal resolution may consist of one or more, (but not limited to), of the following actions, which do not have to be limited to the Subject Member, but may extend to other Councillors, including the whole Council or Parish Council, where it may be useful to address systemic behaviour:

- a) Training;
- b) Conciliation/mediation;
- c) Mentoring;
- d) Apology;
- e) Implementing changes to the Council's or Parish Council's procedures.
- f) Conflict management;
- g) Development of the Council's or Parish Council's protocols;
- h) Other remedial action by the Council or Parish Council; or
- i) Other steps (other than investigation), if it appears appropriate to the Monitoring Officer in consultation with the Independent Person.

Decisions to refer the complaint to another Authority

The Monitoring Officer is likely to refer complaints to another Authority where:-

- The Complaint is about someone who is no longer a Member of an Authority within Hartlepool, but is a Member of another Authority. In such cases the Monitoring Officer may refer the complaint to the Audit and Governance Committee of that other Authority.

Anonymous Complaints

The Monitoring Officer will only consider anonymous complaints if there is independent evidence to substantiate them. There must be documentary, photographic or other evidence which supports the substance of the anonymous complaint. However, even if such evidence has been provided, the Monitoring Officer in consultation with the Independent Person is unlikely to consider a complaint that is minor in nature, or appears to be malicious or politically motivated.

If the subject member requests to know the identity of the complainant, then representations will be sought from the Complainant and the Subject Member and thereafter this information will be reported to the Audit and Governance Committee as to whether or not there should be disclosure of the complainant's name to the Subject Member.

Considering Requests for withholding a complainant's details

The Monitoring Officer and where required a Hearing Sub-Committee will need to determine whether or not the complainant's details should be withheld from the subject member. Rarely is it in the public interest not to disclose the complainant's details. This could be on the basis that disclosure could prejudice an investigation, may lead to intimidation of the complainant or indeed, any witnesses involved, or could lead to evidence being compromised or destroyed. This will necessarily involve undertaking an assessment of the potential risks against the wider connotations of procedural fairness and the principles of natural justice.

Withdrawing Complaints

A complainant may ask to withdraw their complaint prior to any investigation being undertaken.

In such circumstances, and before coming to a decision on the request, consideration will need to be given to;

- whether the public interest in taking action about the complaint (eg because of its seriousness) outweighs the complainant's wish for the matter to be withdrawn;
- if the complaint can be actioned e.g. investigated, without the complainant's participation or assistance;
- the actual reasons given (if any), and what other reasons there appear to be, for the request to withdraw and whether those reasons would support a decision to agree to the withdrawal of the complaint.

APPENDIX 3

HEARING PROCEDURES FOR THE AUDIT AND GOVERNANCE COMMITTEE:

HARTLEPOOL BOROUGH COUNCIL

Definition and Interpretation

‘Member’ means the Member of the authority who is the subject of the allegation being considered by the Audit and Governance Committee, unless stated otherwise. It also includes the Member’s nominated representative.

‘Investigator’ means the Monitoring Officer or other Investigating Officer, and his or her nominated representative.

‘Committee’ also refers to ‘a sub-committee’ of the Council’s Audit and Governance Committee.

‘Legal Adviser’ means the officer responsible for providing legal advice to the Committee. This may be the Monitoring Officer or the Deputy Monitoring Officer, another legally qualified officer of the authority, or someone appointed for this purpose from outside the authority.

Representation

The member may be represented or accompanied during the meeting by a Solicitor, Counsel or, with the permission of the Committee, another person.

Legal Advice

The Committee may take legal advice from its legal adviser at any time during the hearing or while they are considering the outcome. The substance of any legal advice given to the Committee should be shared with the member and the investigator if they are present.

Setting the scene

After all the Members and everyone involved have been formally introduced, the Chair should explain how the Committee is going to proceed with the hearing.

Preliminary procedural issues

The Committee should seek to resolve any issues or disagreements about how the hearing should be conducted, prior to the formal hearing process.

Making findings of fact

After dealing with any preliminary issues, the Committee should then consider whether or not there are any significant disagreements about the facts contained in the investigator's report.

If there is no disagreement about the facts, the Committee can move on to the next stage of the hearing.

If there is a disagreement, the investigator, if present, should be invited to make any necessary representations to support the relevant findings of fact in the report. With the Committee's permission, the investigator may call any necessary supporting witnesses to give evidence. The Committee may give the Member an opportunity to challenge any evidence put forward by any witness called by the investigator.

The Member should then have the opportunity to make representations to support his or her version of the facts and, with the Committee's permission, to call any necessary witnesses to give evidence.

NOTE

At any time, the Committee may question any of the people involved or any of the witnesses, and may allow the investigator to challenge any evidence put forward by witnesses called by the Member.

If the Member disagrees with any relevant fact in the investigator's report, without having given prior notice of the disagreement, he or she must give good reasons for not mentioning it before the hearing. If the investigator is not present, the Committee will consider whether or not it would be in the public interest to continue in his or her absence. After considering the Member's explanation for not raising the issue at any earlier stage, the Committee may then:

- (a) continue with the hearing, relying on the information in the investigator's report;
- (b) allow the member to make representations about the issue, and invite the investigator to respond and call any witnesses, as necessary; or

- (c) postpone the hearing to arrange for appropriate witnesses to be present or for the investigator to be present if he or she is not already.

The Committee will usually move to another room to consider the representations and evidence in private.

On their return, the Chair will announce the Committee's findings of fact.

Did the Member fail to follow the Code?

The Committee needs to consider whether or not, based on the facts it has found, the Member has failed to follow the Code of Conduct.

The Member should be invited to give reasons why the Committee should not decide that he or she has failed to follow the Code.

The Committee should then consider any verbal or written representations from the investigator.

The Committee may, at any time, question anyone involved on any point they raise in their representations.

The Member should be invited to make any final relevant points.

The Committee will then move to another room to consider the representations.

On their return, the Chair will announce the Committee's decision as to whether or not the Member has failed to follow the Code of Conduct.

If the Member has not failed to follow the Code of Conduct

If the Committee decides that the Member has not failed to follow the Code of Conduct, the Committee can move on to consider whether it should make any recommendations to the authority.

If the Member has failed to follow the Code

If the Committee decides that the Member has failed to follow the Code of Conduct, it will consider any verbal or written representations from the investigator and the Member as to:-

- (a) whether or not the Committee should recommend action to be taken; and
- (b) what form any action should take.

The Committee will then move to another room to consider whether or not to impose a sanction on the Member and if so, what the sanction should be.

The Chair will announce the Committee's decision.

Recommendations to the Authority

After considering any verbal or written representations from the investigator, the Committee will consider whether or not it should make any recommendations to the authority, with a view to promoting high standards of conduct among Members.

The written decision

The Committee will announce its decision on the day and provide a short written decision on that day. It will also need to issue a full written decision within 5 working days from the conclusion of the hearing.

AUDIT AND GOVERNANCE COMMITTEE

9TH September 2021



Report of: Statutory Scrutiny Manager

Subject: ANTI-SOCIAL BEHAVIOUR INVESTIGATION -
MONITORING OF SCRUTINY
RECOMMENDATIONS / ACTION PLAN UPDATE –
COVERING REPORT

1. PURPOSE OF REPORT

- 1.1 To provide Members with an update in relation to the implementation of the recommendations formulated by the Audit and Governance Committee following completion of its investigation in to Anti-Social behaviour in Hartlepool

2. BACKGROUND INFORMATION

- 2.1 The scrutiny investigation into anti-social behaviour in Hartlepool was undertaken during the 2019/20 municipal year and concluded in March 2020 with publication of a final report. Contained within the report were a number of recommendations which have been compiled in to an action plan.
- 2.2 Consideration will be given at today's meeting to progress against the implementation of each of the actions contained within the Action Plan, a copy of which is attached at **Appendix A**.

3. ISSUES FOR CONSIDERATION

- 3.1 The recommendations of the Committee cover a range of responsible bodies and updates will be provided at today's meeting from:-
- i) Community Safety
 - ii) Thirteen Housing - Presentation

4. RECOMMENDATIONS

The Audit and Governance Committee note the update and seek clarification on any issues, where required.

BACKGROUND PAPERS

Audit and Governance Committee's Final Report and Action Plan – Anti-Social Behaviour in Hartlepool – 12 March 2021

Audit and Governance Committee Minutes and Decision Record – 12 March 2021

Contact Officer:- Joan Stevens – Statutory Scrutiny Manager
Legal Department
Hartlepool Borough Council
Tel: 01429 284142
Email: joan.stevens@hartlepool.gov.uk

ANTI-SOCIAL BEHAVIOUR ACTION PLAN

RECOMMENDATION	RESPONSE / PROPOSED ACTION ⁺	FINANCIAL / OTHER IMPLICATIONS	LEAD OFFICER	COMPLETION DATE*
a) Perception of Anti-Social Behaviour				
<p>i) That in response to concerns regarding under reporting of ASB in Hartlepool:</p> <p>- Work be undertaken with Nottingham Trent University and partner organisations (including Police, Fire Brigade and RSL) to explore the overlaying of data, including Office for National Statistics, risk factors and identified characteristics, to highlight areas of unreported ASB and plan the future focus of resources; and</p>	<p>An approach has been made to Nottingham Trent University to establish how we can work together.</p>		Sylvia Pinkney	<p>Discussions with Nottingham Trent university commenced December 2020. Following discussions, the University indicated they were willing to consider working with Hartlepool on the project, their final decision is awaited.</p>

- Based on the area identified following the overlay of data, a focused exercise be undertaken to promote reporting.	To be carried out as part of the work with Nottingham Trent University.		Sylvia Pinkney	Dependant on above discussions
ii) That as part of the overlaying of data referenced in (i) above, the Audit and Governance Committee receive, as part of its 2020/21 Work Programme, a further report on the correlation between areas with significant levels of rented accommodation and ASB.	To be carried out as part of the work with Nottingham Trent University.		Sylvia Pinkney	Dependant on above discussions
<p>iii) That options for the involvement of young people in Hartlepool (potentially through the Youth Council and Children in Care Council) in the development of the below be explored:</p> <ul style="list-style-type: none"> - A promotional campaign to redress the perception that young people are the primary source of ASB. - A young person focused approach to preventing and responding to ASB. - Improved communication with young people about the impact of ASB and the diversionary activities that are available.' 	<p>The Youth Council/Children in Care Council/Youth Service can be asked if they would like to be involved in this piece of work.</p> <ul style="list-style-type: none"> • Increased the number diversionary activities over the summer holidays (27 additional 4 hour sessions to our usual offer to young people). One day per week over the holidays entered into local parks to offer diversionary activities for young people, high numbers of young people engaged and many have gone on to engage in youth activities offered by the service. • As part of Bright Lights Project ran over the summer holidays, young people decided that ASB and the 		<p>Zoe McKenna</p> <p>Zoe McKenna/ Young People</p> <p>Zoe McKenna/ Young People</p> <p>Zoe McKenna/ Young People</p>	COMPLETE.

	<p>effects on the environment would be their first chosen topic.</p> <ul style="list-style-type: none"> • Young people and staff met with staff from Summerhill and given a guided tour of the site and a discussion of the effects of ASB took place. • Met with the local MP to discuss issues pertinent to young people. • Following this meeting, young people have created a script, recorded their voices and alongside the images they took on the visit a short film is currently been put together. This will be shared on social media by HBC Youth Services and Summerhill. • A booklet is also currently been created, this will also show the emotive words of the young people, showcase the posters they created and the images they took. This will be distributed accordingly. • Youth Workers continue to undertake outreach work with young people on a weekly basis on the Summerhill site. • Young people also chose sexual harassment as all of the members had experienced or knew someone who had 			
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	<p>experienced public sexual harassment from males, they explored the #crimenotcompliment campaign which calls for public sexual harassment to be made a crime. Young people created an information board in one of the youth centres. Options will be considered to explore this further with young people.</p> <ul style="list-style-type: none"> • Undertaken 6 sessions with young people exploring ASB, statistics in terms of who commits ASB, the effects on self and communities and how we can re-dress the balance that young people are the sole undertakers of ASB. Many excellent ideas were forwarded by young people. This is to be explored further. • Created and distributed an updated information leaflet showcasing the opportunities available for young people. • Established an Instagram account to better communicate with young people. • Currently updating information that is on sites so young people and their parents/carers • Worked in partnership with 			
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	<p>PFC Trust, Hartlepower, West View Project and Hartlepool and Stockton Health (HASH) to put together a bid to create a link worker social prescriber post/s to link young people up with their communities. The bid has been successful. The person/s will be employed by the PFC Trust but based within the youth service.</p> <ul style="list-style-type: none"> Submitted a bid to continue to have musical based activities in 2022 and 2023. 			
b) Partnership Working				
<p>i) That in terms of the Integrated Community Safety Team:</p> <ul style="list-style-type: none"> The Team be commended on their success in bringing agencies together in a ground-breaking partnership arrangement to deliver enforcement and education activity within the resources available; and Existing levels of staffing be maintained to ensure the sustainability of current activities and that a review of the current enforcement responsibilities be undertaken to ensure that the Team's enforcement responsibilities are balanced and have no negative impact on its ability to respond to ASB as a priority. 	<p>Email was sent to the Team from the Chair – 15.01.21.</p> <p>The structure is kept under review to ensure it is appropriate to best meet demands on the service.</p>		<p>Chair A&G</p> <p>Sylvia Pinkney</p>	<p>COMPLETE.</p> <p>COMPLETE.</p>

ii) That the Cleveland Fire Brigade be commended on the value of their inter-agency working, in terms of ongoing home visits as a useful tool for the identification of vulnerable individuals.	Email sent to CFB 15.1.21 from the Chair.		Chair A&G	COMPLETE.
iii) That the Audit and Governance Committee receive, as part of its 2020/21 Work Programme, a further report on the development of relationships between both primary and secondary schools and older people/residential homes.	In the current climate, this work cannot be delivered due to the vulnerability of older people/people in residential care. Schools in Hartlepool link up with care homes within their community to build cross generational links and relationships. This is undertaken by individual schools and there is no one programme delivered across Hartlepool.		Amanda Whitehead	COMPLETE.
iv) That in terms of the Safer Hartlepool Partnership partners, that: - The partners commit and sign a pledge to prioritise anti-social behaviour as a significant crime and record / respond to it accordingly; - An anti-social behaviour update be included as an annual item on SHP agenda to raise the profile of anti-social behaviour and enable all partners to feedback any issues and/or areas of good practice in dealing with anti-social behaviour;	ASB has been identified as one of the three high priority areas for the Safer Hartlepool Partnership for 2020/21. An ASB group is to be established to lead on the delivery of this priority through 2021.		SHP SHP	COMPLETE. COMPLETE.

<p>- That enforcement action be expanded and the resulting issues of displacement of ASB be monitored and reported to the SHP; and</p> <p>- A Member Champion for anti-social behaviour be appointed and appointed to sit on the Safer Hartlepool Partnership to demonstrate the Council's commitment to dealing with ASB.</p>	<p>Performance against agreed PI's for ASB is reported back to the Safer Hartlepool Partnership on a quarterly basis. Enforcement action is always taken where appropriate. Any emerging issues are monitored and reported as appropriate.</p> <p>To be discussed with Safer Hartlepool Partnership Chair.</p>		<p>Sylvia Pinkney</p> <p>SHP</p>	<p>COMPLETE.</p> <p>January 2021</p>
<p>v) That links between the Police, the Targeted Outreach Team and Youth Offending Team be strengthened along with improved communication between Council departments, schools, voluntary and community sector to provide a more effective and holistic approach to anti-social behaviour.</p>	<p>This will be investigated as part of the work of the new Safer Hartlepool Partnership Anti-Social Behaviour Group.</p> <p>Links already exist between the Police, Targeted Outreach Team and the Youth Offending Team as well as with other Council departments and partners and schools.</p> <p>In response to this recommendation the following is an outline of existing activities, joint working and information sharing currently in place:</p>		<p>Sylvia Pinkney</p>	<p>Work commenced January 2021</p>

	<p>Anti-Social Behaviour Awareness Day (ASBAD)</p> <p>As part of its broader responsibilities around reducing crime and disorder, since 2005 Hartlepool's Community Safety Team has organised and co-ordinated an Anti-social Behaviour Awareness Day on behalf of the Safer Hartlepool Partnership. This is a weeklong event aimed at Year 8 students consisting of interactive scenes covering different aspects of anti-social behaviour that reflect real life issues encountered by young people, agencies and residents in Hartlepool.</p> <p>By targeting Year 8 pupils, the event aims to influence young people at a crucial developmental stage as attitudes and perceptions begin to change. It aims to provide young people with knowledge and understanding of the roles of various support and Community Safety focused agencies working in Hartlepool; the help, advice and support that is available to them; the impact that anti-social behaviour can have on the lives of individuals; and the repercussions and consequences of engaging in anti-social or</p>			
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	<p>criminal behaviour.</p> <p>Crucial Crew Since the mid-1990's, Crucial Crew is the annual multi-agency initiative that teaches children in Hartlepool how to stay safe. The event is held at EDF Energy's Hartlepool Power Station and over 1,300 Year 6 pupils from 32 local primary schools attend over the course of the two-week event.</p> <p>Crucial Crew uses a series of practical workshops to re-create dangerous situations that children might encounter in their everyday lives, with the issues being covered including fire safety, road safety, home safety and water safety.</p> <p>Organisations involved in the delivery of Crucial Crew include Hartlepool Borough Council, Northern Powergrid, Cleveland Fire Brigade, EDF Energy, Beamish Open Air Museum, the RNLI, and Cleveland Police.</p> <p>Police Led Sessions in Primary Schools</p> <p>Hartlepool Neighbourhood Policing Teams regularly visit</p>			
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	<p>and deliver focussed sessions in local primary schools to engage with pupils around issues including ASB, knife crime and County Lines.</p> <p>Initially approached by a local primary school due to their concern regarding these issues, a number of primary schools have since requested this input which has been delivered by PC Geoff Coggin.</p> <p>Police School Liaison</p> <p>Funded by the PCC, a dedicated PCSO resource links in with schools to deliver educational sessions to primary school pupils on topics such as internet safety, hate crime.</p> <p>Fire Brigade Education Officer</p> <p>Cleveland Fire Brigade employ education officers who work in schools to deliver educational sessions in relation to the dangers of deliberate fires and fire safety.</p> <p>Police Early Intervention</p>			
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	<p>Coordinator</p> <p>The Early Intervention Coordinator sits within the integrated Hartlepool Community Safety Team. The coordinator works with young people in schools who have been identified as being involved / at risk of becoming involved in ASB or hate crime.</p> <p>The coordinator receives referrals directly from schools, the Youth Offending Team and the Council's Anti-social Behaviour Officers and other Council departments.</p> <p>It is now standard practice that a condition of any Acceptable Behaviour Agreement is for the young person to work with the early intervention coordinator over a number of sessions.</p> <p>Police Youth Offending Officer</p> <p>A dedicated police officer works in the Youth Offending Team – this has been standard practice for a number of years.</p> <p>Targeted Youth Outreach Service</p>			
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	<p>Funded by the PCC, Hartlepool Community Safety Team commissions a targeted youth assertive outreach service. This service is provided by a VCS organisation, Belle Vue Centre.</p> <p>The targeted youth outreach plan is circulated weekly to HBC Youth Service, Youth Offending Service and the Neighbourhood Policing teams.</p> <p>Where partners/ departments identify emerging issues, this outreach plan is adjusted accordingly to include locations that would benefit from the team's presence.</p> <p>When engaging with young people, the team will divert them to positive activities delivered by a range of VCS providers as available / appropriate.</p> <p>Operation Staysafe</p> <p>Staysafe is a multi-agency initiative to tackle disorder and protect young people from harm, including drink and drugs.</p> <p>In summary Operation Staysafe:</p> <ul style="list-style-type: none"> • Is based on partnership 			
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	<p>between the Police and the Local Authority,</p> <ul style="list-style-type: none"> • Uses police intelligence to sweep ASB 'hotspot' areas late at night, • Removes children and young people from the streets if they are at risk of significant harm, • Takes them to a designated 'safe place' where a multi-agency team assesses risks, • Returns children and young people to care of parents or guardians when possible, • Offers and pursues multi-agency support when necessary. <p>Information Sharing</p> <ul style="list-style-type: none"> • Intelligence sharing between services as needed. • Multi-agency meetings / action plans / days of action arranged as needed. For example problems in parks last year. • Children's Services/YOT case officers invited to Acceptable Behaviour Agreement interviews where appropriate. • Fortnightly AS13 report circulated to HBC Children's Service, Youth Offending 			
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	<p>Service, Special Education Team, Early Interventions Team, and Cleveland Police regarding young people stopped and warned by the police due to their ASB.</p> <ul style="list-style-type: none"> • Monthly report circulated to Youth Offending Service regarding young people who have signed Acceptable Behaviour Agreements with the ASBU. <p>Neighbourhood Police Team</p> <p>Visits have taken place at primary and secondary schools to deliver sessions on ASB, hate crime, online safety, snapchat, Instagram, bullying, knife crime, Covid implications and laws, sexual consent and laws. Joint visits with VCAS for County Lines as a priority to identify victims of hate crimes. Further sessions will take place at Youth Centres in the future.</p> <p>Sessions delivered to hard to reach students at various schools and live streamed to over 2000 students when the students were studying from home. Catcote School live streamed Whodunit (forensic day) was streamed to 21 schools in the Tees Valley</p>			
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	<p>area.</p> <p>Next Steps / Going Forward:</p> <p>Under 18 ASB/Community Safety Issues</p> <p>Representatives from the Youth Justice Service, HBC Youth Service and Hartlepool Community Safety Team will meet bi-monthly to discuss emerging and ongoing issues relating to young people involved in ASB and other Community Safety matters. Outcomes / actions from these meetings will then be shared in other forums as appropriate, e.g. VEMT.</p> <p>Cross-border working</p> <p>Work is underway to develop a multi-agency Joint Working Agreement across Cleveland to ensure information and intelligence in relation to young people involved / at risk of being involved in ASB is shared effectively and appropriately across Local Authority boundaries</p>			
vi) That the PCC be lobbied to identify continued funding for the Target Outreach Team.	Funding for the Targeted Youth Outreach service has been extended for a year to cover 2021/22. In line with the		Chair A&G	COMPLETE.

	<p>Council's commissioning rules, work is ongoing to undertake a commissioning exercise to decide which VCSE provider will undertake the service.</p> <p>Community Safety are leading on this.</p> <p>Email sent to PCC 15.01.21 from the Chair.</p>			
vii) That approaches to communication and intelligence sharing between Council departments, schools, VCS and outside organisations (especially retailers across the town) be reviewed to improve help promote confidence and awareness.	<p>This will be investigated as part of the work of the new Safer Hartlepool Partnership Anti-Social Behaviour Group. Strong intelligence sharing is in place within the Integrated Community Safety Team. A series of ASB sub-groups have been set up involving various partners including community groups and information is shared within these groups.</p>		Sylvia Pinkney	Work commenced January 2021
<p>viii) That in relation to Cleveland Police activities:</p> <p>- Concerns regarding the loss of Police satellite units and the subsequent wasted police time attending court be raised with Cleveland Police and the OPCC; and</p> <p>- The Audit and Governance Committee receive, as part of its 2020/21 Work Programme, a further report on the implementation of</p>	<p>Email sent to Insp Reeves 15.01.21 – response awaited.</p> <p>Update – the Neighbourhoods Teams have 12 constables and 15 PCSO's and awaiting the arrival of two further officers.</p>		<p>Chair A&G</p> <p>Cleveland Police</p>	<p>COMPLETE.</p> <p>COMPLETE.</p>

promised increases in Neighbourhood Police and PCSO numbers in Hartlepool.	<p>Additionally the teams are supported by a Community Safety Team who work with diverse and hard to reach communities. Each morning the demand on the Neighbourhoods Teams is reviewed and a monthly activity report is produced. In addition to the above, each ward now has a PCSO.</p> <p>There is now a T/Sgt and two further Police Officers who have joined NPTs along with a new PCSO.</p>			
c) Reporting and Satisfaction				
i) That the outcome of the Thirteen's pilot scheme to increase the reporting of ASB, and online app, be evaluated and its potential roll out to non-Thirteen customers explored.	The development of the app will be discussed at the Community Safety Team at its next meeting and a representative from Thirteen will present the outcome to the Committee on 9 September 2021.		Angela Corner – Thirteen	
ii) That the development of further options for the reporting of anti-social behaviour be explored alongside more traditional reporting mechanisms, including: <ul style="list-style-type: none"> - Online and use of electronic apps (including the Fix-My-Street scheme); - More innovative ways for older 	This will be investigated as part of the work of the new Safer Hartlepool Partnership Anti-Social Behaviour Group, specifically an examination of the Council's website and how the issue of ASB can be found by one 'click'. Improvements are ongoing to the ASB web page to provide all information and links on one page to assist with		Sylvia Pinkney	Discussions have commenced. Development of online platform is dependent on capacity of multiple agencies/ departments

<p>people to report anti-social behaviour; and</p> <p>- A potential single point of contact.</p>	<p>information, advice and reporting.</p>			
<p>iii) That issues relating to the need for multiple reports / contacts before action is taken by partners be explored to ascertain if there is a demonstrable issue and identify ways of addressing potential problems.</p>	<p>This will be investigated as part of the work of the new Safer Hartlepool Anti-Social Behaviour Group.</p>		<p>Sylvia Pinkney</p>	<p>Work commenced January 2021</p>
<p>iv) That a review be undertaken to identify ways to improve:</p> <p>- Satisfaction levels with anti-social behaviour interventions; and</p> <p>- Keep victims (including individual residents, groups of residents and shop owners) informed of progress throughout the process for dealing with any reported incidents.</p>	<p>This will be investigated as part of the work of the new Safer Hartlepool Anti-Social Behaviour Group.</p> <p>Work is ongoing to review procedures to ensure that individuals are regularly informed with the progress of their enquiry/complaint.</p>		<p>Sylvia Pinkney</p>	<p>Work commenced January 2021</p>
d) Support and Promotion				
<p>i) That a town wide campaign be undertaken advertising prevention / enforcement activities, successes and outcomes, with the aim of promoting and encouraging reporting and improved communication with victims of ASB.</p>	<p>This will be investigated as part of the work of the new Safer Hartlepool Partnership Anti-Social Behaviour Group.</p> <p>A fly-tipping media strategy has been developed and has begun its implementation. This will include social media articles, printed media, social media and</p>		<p>Sylvia Pinkney</p>	<p>December 2021</p>

	radio.			
ii) That the Council number for reporting ASB be promoted more widely within local communities to help reinvigorate Neighbourhood Policing, leading to enhanced problem solving activity within localities to tackle ASB and other community issues.	<p>This will be investigated as part of the work of the new Safer Hartlepool Partnership Anti-Social Behaviour Group.</p> <p>This will be part of work on the publicity campaign and improvements to the web page.</p>		Sylvia Pinkney	December 2021
iii) That in 6 months' time the Audit and Governance Committee receive, as part of its 2020/21 Work Programme, a further report on the continuation/replacement of the Think Family Programme (Troubled Families) and its activities in relation to ASB.	An update on the progress of the Troubled Families Programme was reported to Committee in February 2021.		Jane Young	COMPLETE.
iv) That in light of issues with awareness and take up of support services for victims of ASB, the package of services be evaluated to ascertain if it is fit for purpose and whether alternative support mechanisms need to be identified which better fits the needs of victims.	Ongoing		Sylvia Pinkney	April 2021
v) In relation to the Community Trigger: - Whilst it is referenced on Hartlepool Borough Council's web site, further promotion be undertaken, including the need for it	Work will be undertaken to improve ASB reporting on the Council's website, including reference to external partners		Sylvia Pinkney	January 2021

<p>to be referenced on the new Police single point of contact reporting system;</p> <ul style="list-style-type: none"> - The potential implications of increased promotion of the Community Trigger on the workload of the Integrated Community Safety Team be evaluated and responded to accordingly; and - The outcome of discussions between the Police and Crime Commissioner's Office and the Victims and Witness Group on the implementation of the Community Trigger be reported to a future meeting of the Committee. 	<p>and how complaints can be made (such as the Community Trigger).</p> <p>Ongoing.</p> <p>Discussions have taken place in relation to Community Trigger at the PCC Working Together Meeting – there has been concerns from Local Authority colleagues in relation to capacity to deliver Community Trigger. In addition to the above in August 2020 the Victims Commissioner wrote an open letter to the Home Secretary in relation to Community Trigger. Following the publishing of the ASB help report – the PCC now publishes information in relation to community trigger on their https://www.cleveland.pcc.police.uk/how-can-we-help/problems/anti-social-behaviour-and-neighbour-disputes/</p>		OPCC	<p>April 2021</p> <p>COMPLETE.</p>
vi) That Elected Members are not being utilised to their full capacity in terms of the value that could add to the work of the Integrated Team	Member training provided July 2021 re ASB and complaints including the Community Trigger.		Sylvia Pinkney	COMPLETE.

<p>and the ASB prevention / intervention process. To facilitate this:</p> <ul style="list-style-type: none"> - A full training programme to be provided covering the sources of advice and support available, formal routes of reporting through the Contact Centre and criteria / potential use of the Community Trigger; - A publicity campaign need to be undertaken to promote the role of Members as part of the mechanism for reporting of ASB and supporting residents; and - Regular briefings/communications be provided for Ward Councillors on ASB issues in their own Ward. 	<p>Members Training was provided in July 2021.</p> <p>Consideration is being given to how this can be achieved.</p> <p>The Neighbourhood Policing Team have produced Information for Members and HBC Team will contribute to this moving forward.</p>		<p>Sylvia Pinkney Lorraine Bennison</p> <p>Comms/ Lorraine Bennison</p> <p>Sylvia Pinkney/ Lorraine Bennison</p>	<p>COMPLETE.</p> <p>COMPLETE.</p>
<p>e) Solutions</p>				
<p>i) Mirroring arrangement with schools, the potential to have a named PCSO contact for all residential/care homes be explored.</p>	<p>Police update – each ward now has a PCSO and any issues surrounding a care home would be resolved in partnership with the Community Safety Team.</p> <p>There is a dedicated Officer, PC Jo Lester, who deals with most care homes and issues,</p>		<p>Cleveland Police</p>	<p>COMPLETE.</p>

	however, the ward PCSO will be the named contact and this will be reflected in the ward newsletters that are circulated bi-monthly.			
ii) That ways of addressing ASB be found by working 'with' communities across all age groups, rather than doing it 'to' them, including the development of a campaign to 'Take Back Neighbourhoods' and promote pride in local community through social responsibility and collaborative working.	<p>This will be investigated as part of the work of the new Safer Hartlepool Partnership Anti-Social Behaviour Group.</p> <ul style="list-style-type: none"> - A Fly Tipping Working Group has been established that includes Hartlepool Big Town Tidy Up and Plastic Free Hartlepool. 		Sylvia Pinkney/ Comms	Commenced Jan 2021
iii) In recognition of the value of organised play activities/facilities in communities across Hartlepool, as an alternative to ASB, a review of activities/facilities be undertaken and their location publicised.			Gemma Ptak	
f) Education and Engagement				
<p>(i) That in terms of the excellent work being undertaken as part of the ASBAD and Crucial Crew programmes:</p> <ul style="list-style-type: none"> - All schools across the town be encouraged (via Head Teachers, Chairs of Governors and PHSE Lead Officers to participate in the ASBAD / Crucial Crew Education Programme; and 	<p>There is a high uptake of Crucial Crew from schools and this is promoted and encouraged, the Programme is Public Health funded.</p>		<p>Craig Blundred/ Joanne Andrews/ Sylvia Pinkney</p>	<p>Due to the involvement of schools and the impact of covid, it is unlikely to progress before 2022.</p>
- The future funding of	The funding arrangements are to		Craig	Subject to ongoing

ASBAD/Crucial Crew Education Programmes be reviewed to assist in their sustainability going forward.	be reviewed to ascertain if this can be secured within base budget.		Blundred/ Joanne Andrews/ Sylvia Pinkney	corporate budget position
ii) That anti-social behaviour prevention / intervention be promoted as part of existing local authority, and partner provided, engagement and activity programmes (e.g. free swims and holiday hunger).			Gemma Ptak	
iii) That the identification of role models (such as local celebrities) to take part in ASB education and prevention activities be explored.	Hartlepool Big Town Tidy Up has agreed to take part in the Fly Tipping media strategy to help educate and prevent fly tipping in the town.		Sylvia Pinkney/ Comms	December 2021
iv) That as part of a wider ASB programme of engagement, all primary and secondary schools across Hartlepool be encouraged to commit to an agreed schedule of activities involving the Police, Fire, NEAS and local authority.	PSCHE curriculum – recently been reviewed as new responsibilities came in in September 2020. LA can only agree to encourage a schedule of activities and will require the provision of information to schools from organisations on their offer.		Amanda Whitehead	COMPLETE.
v) That a campaign be undertaken to dispel the myth that young people are the primary instigators of ASB.	Covered in a(iii) above. This will also be investigated as part of the work of the new Safer Hartlepool Partnership Anti-Social Behaviour Group.		Sylvia Pinkney/Zoe McKenna/ Young People	July 2021

Audit and Governance Committee

9th September 2021



Report of: Statutory Scrutiny Manager

Subject: CHILD POVERTY INVESTIGATION: SETTING THE SCENE - COVERING REPORT

1. PURPOSE OF REPORT

- 1.1 To inform Members that a 'setting the scene' presentation will be given at today's meeting in relation to the Committee's investigation into 'Child Poverty in Hartlepool.'

2. BACKGROUND INFORMATION

- 2.1 Members will recall that on the 8th July 2021, the Committee agreed the following in relation to the conduct of its forthcoming child poverty investigation:

- Aim for the Investigation

'To evaluate the true impact of child poverty and identify what the Council, and its partners, can do to make the positive changes required to reduce / eradicate it in Hartlepool.'

- Terms of Reference for the Investigation

- i) Agree a definition of child poverty for the purposes of the investigation.
- ii) To gain an understanding from a local, national, regional and peer perspective of the:
 - Scale and extent of child poverty;
 - Causes of child poverty; and
 - Impact of Covid-19.
- iii) To examine barriers to child poverty and explore their prevalence and impact in Hartlepool.
- iv) To explore the effectiveness of activities and services currently in place to prevent, eradicate and remove barriers to child poverty:
 - In Hartlepool; and
 - Across other geographical areas and sectors (areas of potential best practice).

- v) To identify service improvements or changes through which tangible reductions in child poverty levels across Hartlepool can be delivered.

2.2 As part of the agreed timetable, the first stage in the investigation is for the Committee to receive a 'setting the scene' report and presentation to:

- i) Assist in the identification of a clear definition of child poverty for the purpose of the investigation;
- ii) Increase the Committee's awareness and understanding of:
 - Child poverty from a local, national, regional and peer perspective.
 - The drivers of poverty and who is most at risk.
 - Barriers out of child poverty (their prevalence and impact in Hartlepool).
 - What is currently being done in relation to Child Poverty (prevention and mitigation) with further in depth scrutiny of activities at future meetings.
- iii) Share with members officer concerns / challenges in relation to child poverty.

2.3 Penny Thompson, Head of Housing, Hardship and Welfare Services, will be in attendance at today's meeting to present the scoping report, a copy of which is attached at item 6.2(ii).

3. RECOMMENDATION

3.1 It is recommended that the Members of the Audit and Governance Committee:

- i) Consider the evidence presented as a starting point for their investigation and seek clarification on any relevant issues where required; and
- ii) Agree a definition of child poverty for the purposes of the investigation.

Contact Officer: - Joan Stevens – Statutory Scrutiny Manager
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AUDIT AND GOVERNANCE COMMITTEE

9th September 2021



Report of: Director of Children's and Joint Commissioning Services

Subject: CHILD AND FAMILY POVERTY

1. PURPOSE OF REPORT

- 1.1 To provide members with information on the definitions of poverty.
- 1.2 To provide members with context regarding Hartlepool's child poverty levels.
- 1.3 To provide members with an understanding of Hartlepool's position in terms of levels of poverty in the region and nationally.
- 1.4 To provide members with an understanding of the drivers of poverty and who is most at risk.
- 1.5 To share with members officer concerns/ challenges.

2. BACKGROUND

- 2.1 Poverty is about more than money however it is the defining feature of being poor. For this reason, poverty is *relative* however nationally it is broadly agreed that poverty is measured using the 'households below average income' indicator.
- 2.2 Each year, the Government publishes a survey of income poverty in the UK called 'Households Below Average income' (HBAI). This survey sets the poverty line in the UK at 60 per cent of the median UK household income. In other words, if a household's income is less than 60 per cent of this average, HBAI considers them to be living in poverty. This is the definition of *relative* poverty.
- 2.3 There is also the *absolute* poverty indicator where a household's income is less than 60 per cent of the median as it stood in 2011. This is less widely used.
- 2.4 Poverty data is often presented in two different ways. One way of presenting data shows income 'before' housing costs and the other shows income 'after' housing costs. Arguably, calculating poverty *after* housing costs give a more accurate measure of how much families actually have to live on.

3. WHAT DOES THE CURRENT DATA TELL US?

3.1 Loughborough University's Centre for Research and Social Policy has been an independent source of poverty data for over 10 years. Their May 2021 paper '*Local indicators of child poverty after housing costs*' tells us the following:

- Across the UK 31% of children live in a household 60% below median income after housing costs (relative poverty).
- The top 20 local authorities with the highest child poverty rates range from 55.8% (Tower Hamlets) to 39.0% (Lewisham). Middlesbrough features in the top 20 list at 39.4%.
- Across the UK there has been an average 2% increase in relative poverty however the top 20 authorities with the highest increase in poverty range from Newcastle upon Tyne (12.8% increase in five years) to North Lincolnshire (5.9% increase in five years).
- Hartlepool features 8th in the top 20 authorities across the country with the highest increase in relative poverty in a year – up 10.4% since 2014/15.

3.2 Across the Tees Valley, relative poverty is as follows:

Local authority	2014/15 indicator	2019/20 indicator	% point increase
Middlesbrough	29.2%	39.4%	10.3%
Hartlepool	27.4%	37.8%	10.4%
Darlington	25.7%	36.1%	10.4%
Redcar and Cleveland	26.2%	36.8%	10.6%
Stockton on Tees	25.5%	35.3%	9.8%

4. WHAT ARE THE DRIVERS OF POVERTY?

4.1 Nationally, research tells us that the drivers of poverty include:

- Unemployment - linked to this is skills and abilities of the workforce, ill-health (too sick to work), caring responsibilities and the cost of childcare.
- Low skilled, low paid, part time work, insecure jobs and zero hours contracts.
- Housing costs – linked to this is the use of the Private Rented Sector due to lack of availability of social housing and/ or renters unable to meet social housing criteria.

- The benefit system – administratively burdensome, difficult to navigate and currently not able to meet the needs of those that have to use it when times are hard.
- 4.2 Locally, we know from our day to day work with residents that all of the above apply however a further important contributing factor is money management and debt. Most people receive their financial support from the government monthly and struggle to reach the end of the month with enough to pay for food and energy. Debt and the interest and repayment schedules that go with debt mean that they never have the 'full' amount of benefit to make ends meet.

5. WHO IS MOST AT RISK OF POVERTY?

5.1 Specific groups of people are most at risk including:

- Lone parents
- Families with young children under the age of five
- Families with three or more children
- Families with an adult and/ or child with a disability
- Black and minority ethnic families
- Women (more likely to have lower paid work or not work at all due to caring responsibilities).

6. WHAT ARE WE ALSO CONCERNED ABOUT?

- 6.1 75% of children that live in relative poverty are in a household where at least one adult works. Low-wages, the cost of childcare and part-time work all conspire to reduce incomes. Many low-paid jobs offer no opportunities to progress to better work and better wages. Others are insecure, with unpredictable hours and incomes.
- 6.2 There is increasing evidence to show that there is a direct causal link between poverty and the significant levels of rising child protection intervention and numbers of children becoming looked after.
- 6.3 The long term societal impacts of COVID-19 are not fully known however it is highly probable that this will further exacerbate poverty levels in Hartlepool.
- 6.4 There is a difference between poverty and destitution. Poverty is struggling to pay for the essentials and therefore having an impact of an individual's ability to participate in society. Destitution is lacking food, fuel, clothing and shelter. Destitution is becoming increasingly prevalent in Hartlepool and consideration needs to be given to this category of need. Those that are destitute are most likely to be the most complex and in need of the most intense support.
- 6.5 Persistent poverty (living in relative poverty for at least three out of the last four years) leads to a greater likelihood of physical and mental ill-health and has a lasting impact on a child's life chances, education and aspirations.

6.6 Mitigation of the impact of poverty (and destitution) helps in the 'here and now' however does not lead to impactful change.

6.7 Concerning numbers of children hover 'above' the relative poverty line however live in a low income family (and are ineligible for a free school meal).

7. SERVICE PROVISION

7.1 There are numerous services attempting to mitigate the effects of poverty operating across the town across statutory, voluntary and community sectors. These include food and fuel poverty relief, furniture, clothing, benefit and debt advice and much much more.

7.2 The council provides a wide range of support to residents some examples of which are below. This is by no means an exhaustive list:

- Local Council Tax Support Scheme
- Welfare Support Service (crisis and non crisis)
- Access to the Trussell Trust Foodbank
- Recycled school uniform
- Holiday Hunger action

8. THE NATIONAL POSITION

8.1 The 2010 Child Poverty Act was dissolved in 2016 and replaced with the Welfare Reform and Work Act. There is no longer a duty for local authorities to have a Child Poverty Strategy, Needs Assessment and Plan nor is there a government commitment to eradicating child poverty. Instead, the government focuses on social mobility and this work is overseen by the Social Mobility Commission.

8.2 Between 1998/9 and 2004/5 child poverty rates declined at a steady rate and research studies conclude that this reduction stemmed from a number of policy interventions such including efforts to increase employment for lone parents, additional benefits targeted specifically at children such as child tax credit and significant investments in early years education and care.

8.3 Between 2004/5 and 2009/10 the child poverty began to drift upwards again at the beginning of this period, but it started to decline again from 2008/09. Analysis suggests that there is a close relationship between these trends and changes to the tax and benefits regime. So when the Government increased investments in families' social security, there was a notable reduction in child poverty.

8.4 Projections from the Institute for Fiscal Studies suggest that child poverty rates will continue to rise and that by 2020, relative child poverty will have risen by 50% unless significant intervention is put in place.

9. SOCIETAL IMPACT OF COVID

- 9.1 The COVID-19 pandemic has placed unprecedented pressure upon everyone however we know that those already deemed ‘vulnerable’ have become even more so.
- 9.2 Some of this vulnerability stemmed from already struggling to make ends meet, not having access to quality food and adequate energy and not having digital access.
- 9.3 Responses that have been put in place (eg furlough, business grant support, extra £20 Universal Credit, stay on evictions) are coming to an end and we are yet to know how many people will need support when this happens.
- 9.4 Research continues to help us understand impact however a recent report by The British Academy (the UK’s national academy for the humanities and social scientist) reported a number of actions that need to be in place to re-shape life after COVID. These include:
- Empowering participation, engagement and cooperation to strengthen local capacity and help people to respond and meet local needs.
 - Improving the way data and information is shared to enable a shared understanding of facts so that help and support can be directed to the right people at the right time.
 - Digital infrastructure as critical to public service not only for communication but for education and employment.
 - Empowering ‘local actors’ to work together with a sense of social purpose to help drive a solid strategy for recovery across the board.

10. CHALLENGES

- 10.1 The current child and family poverty strategy needs to be reviewed however it is clear due to the ongoing increase of children in poverty that the current approach to mitigate only is not working.
- 10.2 Services that we currently deliver to support people in crisis and / or to mitigate poverty need to be reviewed in order to ensure they are reaching the people that need them and have genuine impact.
- 10.3 The full Impact of COVID – 19 is yet to be seen and the response that will be required is therefore very much ‘unknown’ at this stage though the points raised by the British Academy deserve attention and action.
- 10.4 What the response to destitution, poverty and crisis looks like needs to be reviewed as there is a risk it is not working or making a difference.

- 10.5 Many of the most influential charitable agencies are looking to change their approach to poverty with less ‘hand outs’ and more ‘hands up’. This includes the national Trussell Trust Foodbank and The Joseph Rowntree Foundation.

11. RECOMMENDATIONS

- 11.1 At this point it would seem sensible to look at other areas to see what they are doing to buck the trend however there seems to be no clear solutions to reducing and eradicating poverty as numbers nationally continue to rise. Councils such as Brent have undertaken some interesting work on tackling poverty in their area and there is something to be learned from their approach.
- 11.2 The need for a ‘whole system approach’ to focus on enabling families/ individuals to effect change instead of just mitigating impact needs attention. There is power in a collective response rather than a piecemeal approach.
- 11.3 Harnessing the knowledge, skills and experience of organisations such as The North East Child Poverty Commission, The Joseph Rowntree Foundation and Children North East will make us all more effective
- 11.4 Talking to residents about their ‘lived experience’ is helpful to shape our understanding however to have true impact direct experience is critical to developing and delivering services. The ‘APLE Collective’ provides a grassroots network across the UK raising awareness of poverty, reducing stigma and working to effect change. Enabling Hartlepool residents join the APLE Collective or something similar should be considered.

12. REASONS FOR RECOMMENDATIONS

- 12.1 Despite tireless work to mitigate the impact of poverty on children and families in Hartlepool, numbers continue to rise at an alarming rate.
- 12.2 The societal costs of people living in poverty outweigh the costs of eradicating it. Health, social security, education and aspiration are compromised by poverty.

13. BACKGROUND INFORMATION AND PAPERS

Local indicators of child poverty after housing costs 2019/20, Hirsch & Stone, Loughborough University, May 2021.

Shaping the Covid Decade: addressing the long term societal impacts of Covid-19, The British Academy, March 2021.

Child Poverty Action Group, www.cpag.org.uk.

UK Poverty 2021/21, Joseph Rowntree Foundation, January 2021.

North East Child Poverty Commission briefing, Amanda Bailey, Newcastle University, May 2021.

12. CONTACT OFFICER

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DRAFT

AUDIT AND GOVERNANCE COMMITTEE

9th September 2021



Report of: Statutory Scrutiny Manager

Subject: INDEPENDENT COMPLAINTS ADVOCACY SERVICE -
UPDATE

1. PURPOSE OF REPORT

- 1.1 To inform Members that the Contracts Manager from the North East NHS Independent Complaints Advocacy Service (ICA) will be in attendance at today's meeting to provide the Committee with an update in relation to the level and type of complaints from Hartlepool residents being dealt with by the service.

2. BACKGROUND INFORMATION

- 2.1 The Audit and Governance Committee, at its meeting on the 14 March 2018, was introduced to the work of the ICA, as a provider of free, confidential and independent advocacy support to people wishing to raise a complaint about their NHS funded treatment or care.
- 2.2 The Committee noted with interest the level and types of complaints dealt with by the ICA and welcomed the benefits of a support service of this type and requested that an update be provided on a quarterly basis.
- 2.3 The Committee received updates from the ICA in October 2018, February 2019, January 2020 and January 2021. Attached at **Appendix A** is the update report which will be presented by the ICS Contracts Manager.

3. RECOMMENDATIONS

- 3.1 The Audit and Governance Committee note the update and seek clarification on any issues, where required.

BACKGROUND PAPERS

No background papers were used in the preparation of this report.

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Report for Hartlepool Council Audit and Governance Committee 9 September 2021

Prepared by Philip Kerr Contracts Manager

- **The effect of Covid 19 on NHS Complaints Advocacy Service**

In January 21 the Committee was given an update to cover the major part of the pandemic. Since that report, as has been experienced, the restrictions were reimposed and then the Government developed a road map to recovery. This service aligned with the theoretical dates- having to still deliver services remotely and from 2 August has reopened the central Office to Team members.

During the period January to April 2021 NHS England issued further instructions allowing the delay in responses to NHS complaints this had minimal effect on Hartlepool residents at that time. In March 21 THE Parliamentary and Health Services Ombudsman (PHSO) published the NHS Complaints standards and in June 21 shared some details of the proposed timelines to discuss this within the NHS. The Committees attention is drawn to further comments under the partnership working section of this paper.

The lack of community face to face work remained the challenge though virtual digital opportunities continue to be used: the community outreach is due to commence in September.

The following table demonstrates a clear picture of demand over the last financial year plus the recovery in the first 4 months of the year 21/22. The active caseload at the end of July in Hartlepool being 29. As the Committee may note the demand in the first 4 months is ahead of pre covid levels

Mar - April	2020	2021	7/21
Enquiries	55	32	23
New advocacy cases	43	25	17

- **Who is complaining in Hartlepool?**

Most people complaining about health services are 46 and above with the highest density by postcode remains in TS 25.

Age	No
18-24	1
26-35	5
36-45	7
46-55	10
56-59	6
60-65	7
66-75+	6

Postcode	No
TS24	9
TS25	18
TS26	12
TS27	3

The gender split of complaints is 62%/38% in favour of females.

In addition, 28 complainants indicated they had a pre-existing health-based condition within this total were 5 Clients with mental health issues: 5 with Learning disabilities and 6 with long term conditions. The remaining covered sensory impairment, 9 multiple disability and 3 other(non-disclosed). These protected characteristics apply to the complainant not the party they may be complaining on behalf of.

- **Who are they complaining about and why; and who is referring clients to service?**

Hartlepool residents made 55 enquiries about how to register a complaint with 42 accessing full support. There were also 2 additional full support cases from Durham residents who had accessed the North Tees Hospitals Trust for care and treatment.

The complaints breakdown actual cases irrespective of location: -

NHS body	No	Themes
North Tees/ Hartlepool	16	*See below
Tees Esk and Wear	5	Mental Health
GP practices (7)	10	**see below
Newcastle Dental Hosp	1	Dental issues
North Durham Hosp	1	Failure to Diagnose
CNTW Trust	1	Mental Health
Chemist	1	Medication
Dentist	2	Appointment delays/access services
Podiatry service	1	Delay in Service
Ambulance Trust	1	Delay in attendance
South Tees	2	Attitude of staff
NHS Care Home	1	Failure to follow guidelines

North Tees and Hartlepool NHS Trust
Urgent Care Centre – failure to follow guidelines x2 Hartlepool Hospital
Interpreting Service – Hartlepool Hospital
Failure to diagnose – North Tees Hospital
Cancer issues- North Tees Hospital
Aids and Appliances – North Tees Hospital
Level of nursing care x 2 – North Tees Hospital
Failure to follow agreed guidelines – North Tees Hospital
Multiple aspects of treatment- North Tees Hospital x 4
Communication/ Info to patients – North Tees Hospital x2
Discharge process – North Tees Hospital

GP Practices
Medication related issues
Personal Records
Failure to follow agreed guidelines
Unable to treat
Patients privacy and dignity
Multiple aspects of clinical treatment
Access and waiting times
Attitude of staff

Referral Breakdown	
Previous Client	9
Healthwatch	14
Website	5
NHS INC GP	8
PALS	8
Voluntary Org	7
Word of mouth	4

Please note this only represents people who request information or support directly from NE NHS ICA.

- **Outcomes for Clients**

During the report period there were 41 cases in total which closed. Due to the pause in the complaints process and the inability to get complaints resolved quickly there were a higher number of cases where Clients withdrew without reaching a satisfactory outcome.

Ombudsman case – measures in place against Hospital Trust - complaint upheld
Ombudsman case – viewed out of time against Mental Health Trust complaint
Ombudsman case – viewed out of time despite long term illness Hospital case
Ombudsman case – viewed out of time against Ambulance Service
Satisfactory outcome after Local Resolution meeting – Hospital x3
Satisfactory written response and apology x 17
Client did not progress complaint withdrew x 17(13 covid related)

- **Partnership work**

All partnership work has been carried out virtually even allowing for the relaxation in restrictions very few Stakeholders have moved back to face to face meetings.

Outreach could not be offered at Healthwatch Hartlepool and this remains the case: though have engaged separately with Healthwatch Hartlepool since return to work and will be attending community meetings with them from September.

Continued involvement with North East Deaf Network which includes Hartlepool Deaf Centre monthly.

Service also attends the VCS Connector meetings as appropriate.

The PHSO Complaints standards work is now programmed in locally and an updated short slide presentation is attached with this paper and informs the Committee of the timetable – it should be noted that the Early Adopters are not listed as this cohort is expanding though it should be noted that North Tees and Hartlepool Trust have been included and will be operating a light touch process and fully adopting the standards subject to successful pilots from April 2023

- **Summary**

The Service has come through the pandemic and is in a good position to provide support to Hartlepool residents going forward. The use of virtual solutions does not work for everyone and as shown by the protected characteristics of Hartlepool residents many fall into the vulnerable category.

It is hoped that the Committee find this paper of interest

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