

AUDIT AND GOVERNANCE COMMITTEE

AGENDA



Thursday 14th October 2021

at 2.00 pm

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 Wednesday 13th October 2021 and name and address details will be taken for NHS Test and Trace purposes.

“You should not attend the meeting if you are required to self-isolate or are displaying any COVID-19 symptoms such as (a high temperature, new and persistent cough, or a loss of/change in sense of taste or smell), even if these symptoms are mild. If you, or anyone you live with, have one or more of these symptoms you should follow the NHS guidance on testing”

MEMBERS: AUDIT AND GOVERNANCE COMMITTEE

Councillors Boddy, Cook, Cowie, Feeney, B Loynes, D Loynes, Picton, Richardson, Riddle and vacancy.

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 23rd September 2021 *(to follow)*

3.2 To confirm the minutes of the meeting held on 29th September 2021 *(to follow)*

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.

4. AUDIT ITEMS

No items

5. STANDARDS ITEMS

No items

6. STATUTORY SCRUTINY ITEMS

Crime and Disorder Scrutiny

No items

Health Scrutiny

6.1 Child Poverty Investigation:

- i) Covering Report - *Statutory Scrutiny Manager*;
- ii) Insight into Poverty and How Best to Effect Change - *Head of Housing, Hardship and Welfare Services*;
- iii) Presentation - *Tracey Herrington (Thrive / APLE Collective)*; and
- iv) Presentation - *Richard Sorton (Joseph Rowntree Foundation)*.

7. OTHER ITEMS FOR DECISION

7.1 Regulation of Investigatory Powers Act 2000 (RIPA) – Annual Report – Chief Solicitor

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

8.1 Minutes of the 26th July 2021 (to follow)

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

10.1 Minutes of the 22nd June 2021

11. MINUTES FROM RECENT MEETING OF SAFER HARTLEPOOL PARTNERSHIP

11.1 Minutes of the 19th July 2021

12. REGIONAL HEALTH SCRUTINY UPDATE

No items.

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

No items.

14. ANY OTHER BUSINESS WHICH THE CHAIR CONSIDERS URGENT

For information: -

Date and time of forthcoming meetings

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

MINUTES AND DECISION RECORD

23 SEPTEMBER 2021

The meeting commenced at 1.00 pm in the Civic Centre

Present:

Councillor: Rob Cook (In the Chair).

Councillors: Tom Feeney, Brenda Loynes, Dennis Loynes, Carl Richardson and John Riddle

Co-opted Members:

Gillian Holbrook – Independent Member
Martin Slimings – Independent Member

Also Present: In accordance with Council Procedure Rule 4.2 Councillor Angela Falconer was in attendance as substitute for Councillor Henry Ashton

Councillors Cassidy, Prince and Stokell
Carl Parker and Ann Heppenstall, McKenzie Group Practice
Charlotte Hope, Joseph Rowntree Foundation
Steve Thomas, Healthwatch
Sue Greaves, Tees Valley CCG

Officers: Craig Blundred, Director of Public Health
Joan Stevens, Statutory Scrutiny Manager
Denise Wimpenny, Principal Democratic Services Officer

51. Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Henry Ashton, Parish Councillor Alan O'Brien, and Tracey Squires, Independent Member.

52. Declarations of Interest

Councillor Falconer declared a personal interest in minute 41 as a former patient of Hartfields.

53. Minutes of the meeting held on 27 August 2021

Confirmed.

54. Hartfields Medical Practice (part of McKenzie Group) – Closure Application/Covering Report/Engagement Results - Evidence from Joseph Rowntree Foundation/Input from Tees Valley CCG/Verbal Input

(Statutory Scrutiny Manager/Director of Operations for Teesside, Tees Esk and Wear Valley NHS Foundation Trust)

The Statutory Scrutiny Manager reported that the purpose of the report was to present the Audit and Governance Committee with the engagement response, submitted to McKenzie Group with the approval of the Chair, in relation to the closure of Hartfields Medical Practice. The response formulated following the Committee's consideration of the closure proposals at its meeting on the 27th August 2021. Attention was also drawn to two petitions that had been received and fed into the engagement process.

Following completion of the engagement exercise, the McKenzie Group presented to Members the results of their evaluation of the engagement results and provided an update on their intentions for the progression of the application. Input was also received from the Joseph Rowntree Group and clarification provided by the Tees Valley CCG in relation to governance and process for consideration of any potential closure application.

The following updates were provided during the course of discussions:

- Representatives from the McKenzie Group, provided a detailed and comprehensive presentation which included the background to the proposals and reasons for the proposed closure, staffing structure information, numbers of registered patients, the background to the temporary closure, quality and outcomes framework, patient and stakeholder engagement arrangements, key points from patient engagement survey including data, questions that were asked including responses. The presentation included a summary of comments from the questions as well as feedback in response to the issues raised by the Committee on 27 August in terms of:
 - Difficulties with accessing appointments/other services,
 - Difficulties in physically accessing services,
 - Population increases as a result of new housing developments,
 - Failure to explore alternative accommodation options on the Hartfield's site,
 - Third party interest in the Hartfields site, and
 - Concerns around flawed engagement.

The practice proposed a series of next steps in response to the recent engagement process having taking note of the feedback, details of which were provided. Most significantly it was highlighted that in response to concerns regarding the quality of engagement undertaken, an extended (three month) engagement was to be undertaken. As a result of this an

application will no longer be submitted to the CCG in October as originally planned. With the extended engagement not likely to commence until the end of October, consideration of results would not be until February at the earliest. On this basis, any application would not be submitted to the CCG until February 2022 or even March 2022.

Clarification was sought as to whether the practice would be remaining closed during the period of extended engagement, the McKenzie Group was adamant that it would not be reopening the site in the intervening period. It was, however, confirmed by the CCG that should Covid restrictions (i.e. social distancing) be further relaxed, the McKenzie Group would be required to reopen the practice. The basis for this being that the practice could not comply with Covid restrictions from existing accommodation.

The Committee expressed a number of views/suggestions/queries which included the following:-

- (i) In relation to suggestions around redeveloping the Hartfields premises and securing extra rooms, concerns were raised that this had not been explored with Joseph Rowntree, the option to reopen the site had not been pursued and the closure appeared to be around costs as opposed to patient needs and care.
- (ii) Feedback from patients were shared with the Committee which included issues around travelling costs incurred by Hartfields patients, difficulties physically accessing services due to health/mobility problems and issues around accessing appointments due to waiting lists at other practices. The CCG Representative advised that there were no surgeries in Hartlepool with closed lists and therefore agreed to discuss this further following the meeting.
- (iii) Concerns were reiterated regarding the impact of the closure on individuals with specific medical needs choosing to live in Hartfields for convenience around access to on-site surgery and the lengthy telephone delays in terms of contacting GP practices, examples of which were shared with the Committee. A representative from the CCG, who was in attendance at the meeting, indicated that whilst the delays in response times at GP Practices was a challenge that needed to be addressed this was a national issue and not unique to the McKenzie Group.
- (iv) A resident from Hartfields reported on the difficulties around access to the survey and that a number of Hartfields' residents had therefore not taken part in the engagement process as well as the limited access to face to face appointments. The representative from the McKenzie Group indicated that whilst since the pandemic, telephone appointments had significantly increased, assurances were provided that face to face appointments were available where necessary.

- (v) Councillor Cassidy, who was in attendance on behalf of the town's MP, sought clarification around what Covid restrictions were preventing Hartfields Practice from reopening. The Committee was advised that there were risks around ventilation and limited space and the need to ensure patients were not unnecessarily exposed to Covid. Prevention control measures were also clarified.
- (vi) In response to a resident's disappointment that due to the current closure of Hartfields Practice this could not be used for booster and flu jabs, the McKenzie Group representative confirmed that there were arrangements in place to attend Hartfields next Thursday at 3.00 pm to undertake flu and booster Covid vaccinations for registered patients.

The Chair announced a 10 minute comfort break. Following a brief adjournment the Chair welcomed Charlotte Hope from the Joseph Rowntree Foundation (JRFT), who managed the Hartfields Extra Care Scheme to which the surgery was attached.

The Committee was referred to a letter from the Trust, a copy of which was tabled at the meeting. Members were advised that JRFT supported over 250 residents at the scheme with around a third of them being registered as patients at the Hartfields Medical Centre. A number of the residents were living with a chronic health condition and also received care and support from the JRHT. The closure of Hartfields Medical Centre at the start of the pandemic had placed significant difficulties on residents in terms of accessing support, details of which were provided. Prior to the pandemic residents were able to attend their GP appointments independently as the surgery was connected to the development via an internal corridor. If the surgery were to close permanently then these residents would struggle to attend appointments independently as support was not currently in place to provide escorts to external appointments. This would result in an increase in requests for home visits from a doctor which would prove costly to the NHS. There would also be a significant impact on residents' health and wellbeing, an increase in the number of hospital admissions and longer waiting times for appointments. There were also concerns in terms of access to the Throston Medical Centre as there was currently no direct bus route from Hartfields.

A representative from Healthwatch was also in attendance and reiterated concerns expressed at the August meeting in relation to feedback from the Hartfields Patient Engagement where 30 residents who had taken part had indicated a strong propensity against the closure. A meeting was scheduled the following week with the practice to ensure the patient voice was central to any decisions that were taken. Emphasis was placed on the need to consider the vulnerability of patients, age group as well as the significant health needs and the evidence provided earlier in the meeting by Charlotte Hope was fully supported.

Further discussion ensued in relation to the evidence presented during which representatives from the McKenzie Practice responded to further issues raised. Clarification was provided in relation to the engagement process and whilst it was confirmed that in the event that all restrictions were lifted there would be no proposals from the McKenzie Group to reopen the surgery, the CCG representative clarified that the CCG could enforce reopening should this be the case.

In concluding the debate, the engagement process and timescales were discussed as outlined. The Statutory Scrutiny Manager summarised the discussions and indicated that the Committee would update Full Council on the current position and engagement process which would include indicative timescales. The update to Council on the 30th September was to confirm that:

- i) In terms of additional action required in accordance with the provisions of the Health and Social Care Act 2012, no further action was required, pending completion of the extended engagement exercise. Following completion of the exercise, a further meeting of the Audit and Governance Committee was to be convened to progress consideration of results and McKenzie groups proposed actions going forward in terms of the submission of a closure application to the CCG>
- ii) The Committee had provided the CCG and McKenzie Group with clarification that the proposed closure does constitute a substantial variation of service and, on the basis of issues raised during discussions, delegate the compilation of a definitive list of reasons for this view to the Statutory Scrutiny Manager, in conjunction with the Chair.

Recommended

- (i) That the contents of the presentations and comments of Members be noted and actioned as appropriate.
- (ii) That the closure represented a significant variation of service and responsibility in terms of justification of that decision be delegated to the Statutory Scrutiny Manager and Chair of this Committee.
- (iii) That an additional meeting be scheduled to conclude consideration of this issue.

The meeting concluded at 3.15 pm.

CHAIR

AUDIT AND GOVERNANCE COMMITTEE MINUTES AND DECISION RECORD 29 SEPTEMBER 2021

The meeting commenced at 10.00 am in the Civic Centre

Present:

Councillor: Rob Cook (In the Chair).

Councillors: Brenda Loynes, Dennis Loynes and Carl Richardson

Also Present:

Co-opted Members:

Gillian Holbrook – Independent Member
Tracey Squires – Independent Members

Also Present:

Steph El Malak, Head of Midwifery, North Tees and Hartlepool NHS
Foundation Trust,
Matt Wynne, Care Group Manager, Healthy Lives Care Group

Officers:

Craig Blundred, Director of Public Health
Sylvia Pinkney, Assistant Director, Regulatory Services
Jane Young, Assistant Director, Children and Families
Joan Stevens, Statutory Scrutiny Manager
Denise Wimpenny, Principal Democratic Services Officer

55. Apologies for Absence

Apologies for absence were submitted on behalf of Councillor Riddle and Independent Member, Martin Slimings.

56. Declarations of Interest

None

57. Minutes of the meetings held on 9 September and 23 September 2021

Minutes of 9 September 2021 - confirmed.

Minutes of 23 September 2021 – deferred to next meeting.

58. Covid 19 Update (Presentation) *(Director of Public Health)*

The Director of Public Health provided an update presentation to the Committee on the ongoing coronavirus position in Hartlepool which included the following issues:-

- Hartlepool and England Covid 19 cases rate per 100,000 population from 1st June
- Teesside Covid case rates per 100,00 population from 1st June
- Hartlepool Covid 19 related death rates per 100,000 from 1st June
- Percentage of 1st Dose Covid Vaccinated Population by Age
- Percentage of 2nd Dose Covid Vaccinated Population by Age

The Director commented that given case rates remained high in Hartlepool, and were predominantly in the unvaccinated and 11 to 16 age groups. Concern was expressed that case rates were much higher than for the same period last year and although mitigations in the form of vaccinations were ensuring that rates were not translating to increased deaths, a cautious approach to day to day activities was still needed.

Rates in Hartlepool were now close to the England average with similar rates across the other Tees Valley Local Authorities. Whilst death rates remained stable there had been an increase in hospitalisations. There had also been an increase in testing following children returning to school and there continued to be challenges around vaccine hesitancy in the younger age groups. The measures in place to address vaccine hesitancy and increase take up were shared with Members which included 'pop-up' vaccination clinics with over 400 vaccinations given at a clinic at the Middleton Grange Shopping Centre on Saturday.

The Director of Public Health responded to issues raised arising from the presentation. In relation to concerns around the problems associated with long Covid and a previous request for up to date data in terms of numbers in Hartlepool, the Director of Public Health advised that the local Primary Care Group and the Trust currently had no records available, the reasons for which were reported, and work was ongoing to make such data available as soon as possible.

Recommended

That the contents of the presentation and comments of Members be noted.

59. Rowan Suite, University Hospital of Hartlepool (Maternity Hub) – Update on Service Provision Outcome – Presentation *(North Tees and Hartlepool NHS Foundation Trust)*

Representatives from the Rowan Team of North Tees and Hartlepool NHS Foundation Trust, who were in attendance at the meeting, provided an detailed presentation which updated Members in relation to the development of the Midwife led birthing unit at Hartlepool Hospital, now named the Rowan Suite, which had been operational since November 2020. It was reported that all low risk women were offered a place at the suite for their birth and 135 women were booked in. The updated included the benefits of a midwife led approach, measures in place to improve and tackle health inequalities, feedback from a recent satisfaction survey together with details of births to date.

In the lengthy discussion that followed representatives responded to issues raised arising from the presentation. Clarification was provided in relation to the statistics provided, the process and transfer arrangements in the event of any birth complications, the potential reasons for an increase in home births, and why 123 low risk patients were opting not to deliver in Hartlepool. The Trust agreed to further explore the reasons for low risk mothers not opting to deliver in Hartlepool and provide feedback following the meeting.

Whilst Members welcomed the update and thanked the Trust for their commitment and hard work in bringing this unit together and its aim of delivering 3 babies a month in the unit itself. The unit was also commended on its success in increasing breast feeding rates through a designated infant feeding service. Views were, however, reiterated that a consultant led approach in Hartlepool would still be welcomed.

Recommended

- (i) That the contents of the presentation and comments of Members be noted.
- (ii) That the reasons for low risk mothers opting not to deliver in Hartlepool be provided following the meeting under separate cover.
- (iii) That a further update be provided to a meeting of the Committee in 6 months time.

60. Community Safety Plan 2021/24 – Consultation

(Assistant Director, Regulatory Services)

The Assistant Director, Regulatory Services reported on the process to develop a new three-year Community Safety Plan, a copy of which was attached at Appendix 1. The Plan provided an overview of some of the recent activities undertaken to improve community safety in Hartlepool and key findings from the Partnership's 2020 Strategic Assessment and public consultation.

It was proposed that the strategic objective for 2021-24 "To make Hartlepool a safe, prosperous and enjoyable place to live, work and visit" would be retained. The key priorities for the Partnership for 2021/22 were Drugs and Alcohol, Anti-social Behaviour and Domestic Violence. The draft Plan had been approved by the Safer Hartlepool Partnership at its meeting on 19 July and was submitted to this Committee as part of an eight week consultation period which would utilise a wide range of mechanisms including local press and social media.

Members raised a number of queries arising from the report and requested that the following additional information be provided as part of an update presentation to the Committee:-

- What support measures were in place for individuals upon leaving prison to prevent re-offending.
- That outcomes in relation to key priorities be included in future reports to Committee.
- Re-offending figures as a comparator with the national average.
- Breakdown of offences committed by young people.
- Breakdown of figures in relation to violence and exploitation.

Recommended

- (i) That the contents of the report and comments of Members be noted.
- (ii) That an update presentation be provided to the Committee in relation to re-offending in Hartlepool and activities in place to respond/reduce its prevalence.
- (iii) That additional information, as set out above, be provided as part of the update presentation recommendation (ii) above refers.

61. Youth Justice Strategic Plan 2021-2023 *(Director of Children's and Joint Commissioning Services)*

A copy of the draft Hartlepool Youth Justice Strategic Plan 2021/2023 was appended to the report. The report set out the process which would be followed in relation to adoption of the plan. The final plan would be sent to the National Youth Justice Board.

The Committee was advised that the Youth Justice Plan provided an overview of how the Youth Justice Service, the Youth Justice Service Strategic Management Board and wider partnership would ensure that the service had sufficient resources and infrastructure to deliver youth justice services in its area in line with the requirements of the National Standards for Youth Justice Services.

It was proposed that the Youth Offending Service and broader Youth Justice Partnership focus on key strategic objectives during 2021/23, as set out in the report.

Following presentation of the report, officers responded to issues raised arising from the report. Clarification was provided in relation to the budget process and the option to amend the Community Safety Plan to reflect discussions around youth re-offending were considered. In response to a query raised as to whether the statistics on page 5 of the report represented the latest census report, the Assistant Director, Children and Families agreed to confirm following the meeting.

Recommended

- (i) The Committee noted the progress made against the local Youth Justice Plan (2019/21) and ratified the 2021/23 Plan prior to submission to Full Council for final adoption.
- (ii) That the comments of Members be noted and actioned as appropriate.
- (iii) That confirmation be provided following the meeting as to whether the statistics outlined on Page 5 of the report represented the latest census report.

62. Safer Hartlepool Partnership Performance *(Director of Neighbourhoods and Regulatory Services)*

The report provided an overview of the Partnership's performance during Quarter 1 – April to June 2021, as set out in an appendix to the report. Information as a comparator with performance in the previous year was

also provided. In presenting the report, the Assistant Director, Regulatory Services highlighted salient positive and negative data and responded to queries in relation to crime figures by type.

Queries were raised in relation to the number of repeat incidents of domestic abuse and it was requested that Hartlepool/national comparative data be provided. In relation to fly tipping figures and enforcement activity it was noted at the time of the meeting, 19 warnings, 11 intentions to issue a fixed penalty notice and 2173 fixed penalty notices had been issued.

A Member requested that a breakdown of enforcement activity for the Victoria Ward be provided under separate cover and it was also requested that as part of the next presentation of the performance update a breakdown of fly tipping and enforcement by ward be provided.

In relation to domestic violence figures, Members questioned how many of the reports were repeat incidents. Whilst this information was not currently available, clarification of this position was to be provided as part of a presentation of the next performance report.

Recommended

- (i) That the contents of the report and comments of Members be noted.
- (ii) That information be provided in relation to the number of repeat incidents of domestic abuse and a breakdown of fly tipping figures by ward be included as part of the next presentation of the performance report update to this Committee.

63. Business Continuity (*Assistant Director, Regulatory Services*)

The Assistant Director, Regulatory Services provided Members with an update on the Council's Business Continuity arrangements, following a report presented to the Committee in January 2021. The report included the background to a review that had been undertaken by Internal Audit which identified a number of weaknesses, details of which were provided. The Covid-19 Pandemic had caused a review of the business continuity arrangements and these were being worked through by officers. It was highlighted that the Council would continue to review and refine its business continuity arrangements.

Recommended

The Committee noted the work done to ensure that robust Business Continuity arrangements were in place.

**64. Regulation of Investigatory Powers Act 2000 (RIPA)
– Quarterly Update** *(Chief Solicitor)*

It was reported that Hartlepool Borough Council had powers under the Regulation of Investigatory Powers Act 2000 (RIPA) to conduct authorised covert surveillance and was required to provide Members with a quarterly update as to the use of those powers. Members were informed that in the quarter to the date of this meeting there had been no RIPA Authorisations sought.

Recommended

That the contents of the report be noted.

65. Date and Time of Next Meeting

The Chair reported that the next meeting would be held on Thursday 14 October 2021 at 2.00 pm.

The meeting concluded at 11.40 am.

CHAIR

Audit and Governance Committee

14th October 2021



Report of: Statutory Scrutiny Manager

Subject: CHILD POVERTY INVESTIGATION - COVERING REPORT

1. PURPOSE OF REPORT

- 1.1 To introduce evidence to inform the next stage of the Committee's Child Poverty investigation.

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 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 purposed 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 out of 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 out of, 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 The Committee held its first evidence gathering session on the 9th September 2021 at which time it:

- i) Agreed a definition of child poverty for the purpose of the investigation as

Relative Poverty – is where a household's income is less than 60 per cent of the median UK household income average, HBAI* considers them to be living in poverty.

* Survey of income poverty in the UK called 'Households below average income' (HBAI).

- ii) Increased its 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); and
- What is currently being done in relation to Child Poverty (prevention and mitigation) with further in depth scrutiny of activities at future meetings.

- iii) Gained and understanding of the officer concerns / challenges in relation to child poverty.

2.3 A copy of the minute extract from this meeting is attached at **Appendix A** for the Committee's information.

2.4 As part of the next stage of the investigation the Committee will at today's meeting be exploring:-

- i) Additional information as requested at the previous meeting;
- ii) Information in relation to other local authority activity in relation to child poverty and areas of best practice;
- iii) What can be done to reduce poverty and the consequences of social economic disadvantage; and
- iv) What is already in place and what has been started?

2.5 The Committee will also be welcoming expert evidence covering their approach to poverty and examples of lived experiences:

- The Joseph Rowntree Foundation / Housing Trust (Richard Sorton); and
- Thrive Teesside / APLE Collective (Tracey Herrington) –

3. RECOMMENDATION

- 3.1 It is recommended that the Members of the Audit and Governance Committee consider the evidence presented and seek clarification on any relevant issues where required.

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

AUDIT AND GOVERNANCE COMMITTEE

MINUTES AND DECISION RECORD

9 SEPTEMBER 2021

EXTRACT

Present:

Councillor: Rob Cook (In the Chair).

Councillors: Tom Feeney, Brenda Loynes, Dennis Loynes and Carl Richardson

Co-opted Members:

Gillian Holbrook – Independent Member
Martin Slimings – Independent Member
Tracey Squires – Independent Member

Also Present:

Brent Kilmurray, Chief Executive, Tees Esk and Wear Valley NHS Foundation Trust
Dominic Gardner, Director of Operations, Tees Esk and Wear Valley NHS Foundation Trust
Philip Kerr, Independent Complaints Advocacy
Angela Corner and Matthew Trueman, Thirteen Group
Christopher Akers-Belcher, Chief Executive, Healthwatch

Officers:

Danielle Swainston, Assistant Director, Joint Commissioning
Penny Thompson, Head of Housing, Hardship and Welfare Services
Sylvia Pinkney, Assistant Director, Regulatory Services
Neil Wilson, Assistant Chief Solicitor
Noel Adamson, Head of Audit and Governance
James Magog, Assistant Director, Finance
Joan Stevens, Statutory Scrutiny Manager
Angela Armstrong, Scrutiny and Legal Support Officer
Denise Wimpenny, Principal Democratic Services Officer

46. Child Poverty Investigation – Setting the Scene - Covering Report/Presentation *(Statutory Scrutiny Manager/Director of Children's and Joint Commissioning Services)*

The Statutory Scrutiny Manager reported that this report would form the initial scene setting for the investigation into child poverty. The Assistant Director, Joint Commissioning and Head of Housing, Hardship and Welfare Services had been invited to attend the meeting to assist in the definition of child poverty and increase the Committee's awareness and understanding of child poverty.

The Head of Housing, Hardship and Welfare Services presented the report which provided information around the definitions of poverty, the context regarding Hartlepool's child poverty levels, Hartlepool's position in terms of levels of poverty in the region and nationally, drivers of poverty and who was most at risk, the challenges/concerns of officers together with recommendations to learn from the Brent approach, to adopt a whole system approach, to harness the knowledge skills and experience of a number of organisations as detailed in the report and talk to residents about their 'lived experience'.

In support of the report, a detailed and comprehensive presentation was also provided which included information in relation to the impact of persistent poverty, measures the Council had in place, what would happen if nothing was done, possible solutions and recommendations.

In the lengthy discussion that followed officers responded to issues raised arising from the presentation. Concerns were raised regarding the impact of the withdrawal of the £20 universal credit support, that 75% of children that lived in relative poverty were in a household where at least one adult worked, the number of children that hovered 'above' the relative poverty line and were ineligible for a free school meal. Clarification was provided regarding the universal credit process including timescales as well as the potential impact of the pending withdrawal of the additional £20 universal credit support.

In response to clarification sought, the Head of Housing, Hardship and Welfare Services agreed to explore the level of unclaimed benefits and potential reasons as well as the numbers of individuals in destitution. The contributing factors to poverty including behavioural change were discussed at length and emphasis was placed upon the importance of taking pro-active measures in terms of budgeting and finance advice and including money management advice in schools. The need to seek views from the Town's MP was also suggested. A Member referred to the range of support available to residents referred to in paragraph 7.2 of the report and requested that further information/access to these links be provided to Members following the meeting.

Recommended

- (i) That the contents of the report and presentation be noted.

- (ii) That the comments of Members be noted and actioned as appropriate.
- (iii) That the support available to residents be provided to Members following the meeting.

AUDIT AND GOVERNANCE COMMITTEE

14th October 2021



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

Subject: CHILD AND FAMILY POVERTY – AN INSIGHT INTO POVERTY AND HOW BEST TO EFFECT CHANGE

1. PURPOSE OF REPORT

- 1.1 To provide members with information on what other local authorities are doing to alleviate poverty.
- 1.2 To introduce to members two agencies who have experience of working collaboratively on poverty.
- 1.3 To share with members potential opportunities to effect change.

2. BACKGROUND

- 2.1 At the 9th September 2021 committee meeting an overview was provided of Hartlepool's position in terms of levels of 'relative' poverty. In this meeting it was agreed that poverty is about more than money however it is the defining feature of being poor.
- 2.2 Supplementary data was requested and this is provided in Appendix A.

3. WHAT ARE OTHER AUTHORITIES DOING?

- 3.1 The North East Child Poverty Commission (NECPC) is a stakeholder network that believes all children should have an equal chance in life. Hosted by Newcastle University it meets regularly and provides a valuable forum for understanding what all councils across the North East are doing to tackle poverty as well as providing comprehensive information on what action is being taken and how to be involved. Hartlepool Council is a member of the NECPC and takes an active role.

- 3.2 Through NECPC discussions have taken place with Brent Council and with the Combined North of Tyne authorities to look at their anti poverty approach. In addition, Stockton on Tees Council has also begun a Scrutiny Investigation into poverty.
- 3.3 Brent Council's levels of poverty led them to establish an Independent Poverty Commission and their findings can be found at <https://www.brent.gov.uk/media/16416717/poverty-commission-report-launched-17-august-2020.pdf>. Bringing together experts, practitioners and people with lived experience of the issues, they published 'A Fairer Future: Ending Poverty in Brent' in August 2020. The commission acknowledged that the problem was far reaching and that the best way to tackle it was to take a lead on three key areas that they felt could have a real impact on poverty. These included:
- housing
 - economy and jobs
 - financial exclusion and local welfare provision (food and fuel).

They have yet to publish an evaluation of their progress.

- 3.4 The North of the Tyne Combined Authority has just embarked on a child poverty prevention programme. Having secured £1million across their authority areas they have agreed a plan to:
- Introduce poverty interventions at a school level
 - Provide welfare and benefit advice in schools
 - Work with employers to reduce in-work poverty.

They have also engaged with Children North East to gain an insight into the voice of those with lived experiences. This work has only just been agreed so it will be some time before any evaluation of success will be available.

- 3.5 Stockton on Tees Council has begun a 10 month probe into poverty intending to speak to experts, practitioners and other councils in an effort to understand how things might be done differently. In particular they want to address the digital divide. A Food Poverty Strategy in collaboration with the voluntary and community sector has just been approved.

4. THE SOCIO ECONOMIC DUTY IN ENGLAND

- 4.1 Hartlepool Council wants to understand what can be done to reduce poverty and the consequences of social economic disadvantage. One way to do this is to consider implementing the Socio Economic Duty set out in The Equality Act 2010.
- 4.2 The Equality Act sets out a legal framework to protect the rights of individuals and advance equality of opportunity for all. There are statutory obligations in the Act however Section 1, the socio economic duty, is voluntary.

- 4.3 By adopting Section 1 of the Act, Hartlepool Council would have to consider how their decisions and policies could increase or decrease inequality that results from socio economic disadvantage. In essence this would mean:
- Formally incorporating poverty and socio economic disadvantage in decision making processes and strategies – to some degree we do this through our Poverty Impact Assessment process;
 - Recognising the value of engaging with people with lived experience of socio economic disadvantage at all levels of decision making and commit to valuing this engagement in finding new ways of making policy;
 - Working with residents and the voluntary and community sector to develop strategies to tackle socio economic disadvantage;
 - Identifying what works through evaluation, skills sharing and innovative ways of working.

- 4.4 This would be a progressive step in tackling poverty and place Hartlepool ahead of other authorities that have not yet adopted this position.

5. WHAT IS IN PLACE AND WHAT HAVE WE STARTED TO DO?

- 5.1 The council is a key partner in a number of partnerships that aim to tackle poverty. These include but are not limited to:
- ‘Hartlepool Food Council’ – a group of organisations that aims to reduce food waste and ensure there is adequate food for all.
 - ‘Hartlepool Financial Inclusion Partnership’ – a group of organisations that aims to support residents at risk of exclusion and to secure support from agencies that in turn can help reduce financial burdens.
- 5.2 A plan is in place to look at the current Welfare Support Service to determine how it can support a plan to reduce poverty. This includes talking to service users and residents about what would help them most and finding out how other areas manage Welfare Support.
- 5.3 A number of pieces of work are underway with support from Joseph Rowntree Foundation, Hartlepower and other VCS groups to work collaboratively for the benefit of residents. This includes current and future ‘Hartlepool Action Lab’ work.

6. EXPERT INPUT

- 6.1 There are many individuals and organisations in Hartlepool working to reduce poverty and to mitigate its affects. Richard Sorton from Joseph Rowntree Foundation/ Housing Trust and Tracey Herrington from Thrive Teesside are two expert representatives that we can learn from.

7. RECOMMENDATIONS

- 7.1 Develop a clear understanding of the council's response to crisis, poverty and destitution in order to ensure that appropriate support is developed by the right organisation in the right way.
- 7.2 Develop a child and family strategy that is grounded in real life experiences, creative and innovative with support from experts, practitioners and residents.
- 7.3 Adopt The Socio Economic Duty. This will embed collaboration, partnership working and resident led service design and delivery.
- 7.4 Re-shape the council's current welfare provision (and other relevant services) to support an effective child and family strategy, moving away from responding to crisis and focusing on impactful intervention that makes long term change.

8. REASONS FOR RECOMMENDATIONS

- 8.1 Despite tireless work to mitigate the impact of poverty on children and families in Hartlepool, numbers continue to rise at an alarming rate.
- 8.2 An effective child and family poverty strategy needs to be undertaken in collaboration with partners that can support creative, new and innovative approaches not yet considered.
- 8.3 Only those with experience of poverty can truly provide the insight necessary to design and deliver services that meet need.

9. BACKGROUND INFORMATION

Joseph Rowntree Foundation - <https://www.jrf.org.uk/>

Thrive Teesside - <https://thrive-teesside.org.uk/>

North East Child Poverty Commission - <https://www.nechildpoverty.org.uk/>

Brent Council - <https://www.brent.gov.uk/media/16416717/poverty-commission-report-launched-17-august-2020.pdf>

10. CONTACT OFFICER

- 10.1 Penny Thompson
Head of Housing, Hardship and Welfare Services
01429 284878
07967671046

Appendix A

1. Levels of poverty: (Bailey, 2021)

The most recent [Household Below Average Income \(HBAI\) figures](#) indicate that some 4.3million children across the UK were living in poverty in 2019/20 - an increase of 200,000 on the year before and 700,000 since 2012. This equates to around 31% of children, or just over 9 in a classroom of 30.

In our region, the HBAI figures indicate that 37% of all children and young people in the North East were living in poverty over the three years prior to the Covid-19 pandemic (2017/18 to 2019/20) – equivalent to more than 11 children in a classroom of 30 across the region, and up from an average of 34% in the three years before (2016/17 to 2018/19). The most recent detailed estimates for after housing costs child poverty levels in the North East were [published in May 2021 by the End Child Poverty coalition](#), following analysis by Prof. Donald Hirsch and Dr Juliet Stone of Loughborough University of DWP/HMRC data covering the period 2014/15 to 2019/20. The key headlines for our region were:

- The North East has the second highest rate of child poverty in the UK at 37% (behind London at 38%)
- The North East saw the UK's biggest increase in child poverty from 2014/15 to 2019/20 (rising from 26% to 37% - meaning child poverty in the North East has increased from just below the UK average to the second highest of any region in that time)
- All 12 North East councils are included in the 20 UK local authority areas which saw the highest increases in child poverty from 2014/15 to 2019/20 - indeed all 12 top this list (see table 1 below)

The 20 UK Local Authority areas which saw the highest increases in child poverty from 2014/15 to 2019/20 (Source: [End Child Poverty](#))

LOCAL AUTHORITY	2014/15	2019/20	INCREASE
UK	29%	31%	+2ppts
Newcastle upon Tyne	28.4%	41.2%	+12.8ppts
Gateshead	24.7%	36.0%	+11.2ppts
Redcar & Cleveland	26.2%	36.8%	+10.6ppts
County Durham	25.3%	35.8%	+10.5ppts
North Tyneside	23.6%	34.0%	+10.5ppts
Darlington	25.7%	36.1%	+10.4ppts
South Tyneside	27.4%	37.8%	+10.4ppts
Hartlepool	27.4%	37.8%	+10.4ppts
Middlesbrough	29.2%	39.4%	+10.3ppts

LOCAL AUTHORITY	2014/15	2019/20	INCREASE
Sunderland	27.4%	37.6%	+10.3ppts
Stockton-on-Tees	25.5%	35.3%	+9.8ppts
Northumberland	26.5%	36.2%	+9.8ppts
Leicester	30.0%	37.9%	+7.9ppts
Bradford	30.1%	37.7%	+7.7ppts
Birmingham	35.5%	42.5%	+6.9ppts
Leeds	28.6%	35.3%	+6.7ppts
Manchester	35.4%	41.8%	+6.4ppts
Kirklees	30.0%	36.1%	+6.2ppts
Kingston upon Hull	30.2%	36.3%	+6.1ppts
North Lincolnshire	27.2%	33.1%	+5.9ppts

2. Trends over past 25 years

Relative low income -
percentage below 60%
of contemporary
median income

1994/95	24.3
1995/96	24.2
1996/97	25.1
1997/98	24.3
1998/99	24.3
1999/00	23.9
2000/01	23.0
2001/02	22.6
2002/03	22.1
2003/04	21.3
2004/05	20.4
2005/06	21.4

2006/07	22.4
2007/08	22.5
2008/09	22.2
2009/10	22.2
2010/11	21.1
2011/12	20.9
2012/13	21.0
2013/14	21.0
2014/15	21.1
2015/16	21.8
2016/17	22.1
2017/18	21.6
2018/19	21.9
2019/20	22.0

3. **Universal Credit data** ([Universal Credit: Official Statistics \(arcgis.com\)](https://www.arcgis.com))

Local claimant data for Hartlepool Job Centre, August 2021:

- 6345 males claiming Universal Credit
- 7403 females claiming Universal Credit

Of which:

- 1084 preparing for work
- 278 planning for work
- 1930 working (with no additional requirements placed on them)
- 4567 no work requirements (eg too sick, unable to work etc)
- 2073 working (but with additional requirements placed on them)
- 3811 searching for work

4. **Levels of destitution**

([file:///C:/Users/ecpppt/Downloads/destitution in the uk 2020 0.pdf](file:///C:/Users/ecpppt/Downloads/destitution%20in%20the%20uk%202020.pdf))

Taken from the JRF report Destitution in the UK 2020, Hartlepool was ranked as 18 in the top 20 towns and cities experiencing destitution. Middlesbrough was 1st, Newcastle was 5th. According to JRF 1.21% of the total number of residents was destitute. Their definition of destitute was:

“They have lacked two or more of the following six essential items over the past month, because they cannot afford them:

- shelter (they have slept rough for one or more nights)
- food (they have had fewer than two meals a day for two or more days)
- heating their home (they have been unable to heat their home for five or more days)
- lighting their home (they have been unable to light their home for five or more days)
- clothing and footwear (appropriate for the weather)
- basic toiletries (such as soap, shampoo, toothpaste and a toothbrush).”

5. Levels of unclaimed benefits (DWP, October, 2021)

(<https://www.gov.uk/government/statistics/income-related-benefits-estimates-of-take-up-financial-year-2018-to-2019/income-related-benefits-estimates-of-take-up-financial-year-2018-to-2019>)

1 million families entitled to Pension Credit did not claim it

1.1 million families entitled to Housing Benefit did not claim it

0.3 million families did not claim Income Support or Employment Support Allowance

6. How to access support:

Housing advice: Tel: 01429 266522 / Email HousingAdviceTeam@hartlepool.gov.uk

Welfare support: Tel: 01429 806895 / Email welfareandbenefit@hartlepool.gov.uk
Email:

AUDIT AND GOVERNANCE COMMITTEE

14 October 2021



Report of: Chief Solicitor

Subject: REGULATION OF INVESTIGATORY POWERS ACT
2000 (RIPA)

1. PURPOSE OF REPORT

- 1.1 To give an annual report to Elected Members on activities relating to surveillance by the Council and policies under the Regulation of Investigatory Powers Act 2011.

2. BACKGROUND RIPA

- 2.1 Hartlepool Borough Council has powers under the Regulation of Investigatory Powers Act 2000 (RIPA) to conduct authorised covert surveillance.
- 2.2 This report is submitted to members as a result of the requirement to report to members under paragraph 4.47 of the Covert Surveillance and Property Interference Revised Code of Practice (August 2018) which states that:

Elected members of a local authority should review the authority's use of the 1997 Act and the 2000 Act and set the policy at least once a year. They should also consider internal reports on use of the 1997 Act and the 2000 Act on a regular basis to ensure that it is being used consistently with the local authority's policy and that the policy remains fit for purpose.

3. BACKGROUND

- 3.1 All directed surveillances (covert, but not intrusive), use of covert human intelligence sources (CHIS) and acquisition of Communication's data require authorisation by a senior Council officer and the exercise of the powers is subject to review. The controls are in place in accordance with the Human Rights Act, particularly the right to respect for family and private life.

- 3.2 The Investigatory Powers Commissioner's Office (IPCO) now oversees the Council's exercise of surveillance powers under RIPA. This was formerly undertaken by the Office of Surveillance Commissioners (OSC).
- 3.3 A confidential database of authorised surveillances is maintained, charting relevant details, reviews and cancellations.
- 3.4 Substantial changes were made to the powers of Local Authorities to conduct directed surveillance and the use of human intelligence sources under the Protection of Freedoms Act 2012.
- 3.5 As from 1 November 2012 Local Authorities may only use their powers under the Regulation of Investigatory Powers Act 2000 to prevent or detect criminal offences punishable by a minimum term of 6 months in prison (or if related to underage sale of alcohol and tobacco – not relevant to this Council). The amendment to the 2000 Act came into force on 1 November 2012.
- 3.6 Examples of where authorisations could be sought are serious criminal damage, dangerous waste dumping and serious or serial benefit fraud. The surveillance must also be necessary and proportionate. The 2012 changes mean that authorisations cannot be granted for directed surveillance for e.g. littering, dog control, fly posting.
- 3.7 As from 1 November 2012 any RIPA surveillance which the Council wishes to authorise must be approved by an authorising officer at the council and also be approved by a Magistrate; where a Local Authority wishes to seek to carry out a directed surveillance or make use of a human intelligence source the Council must apply to a single Justice of the Peace.
- 3.8 The Home Office have issued guidance to Local Authorities and to Magistrates on the approval process.

4. RIPA AUTHORISATIONS

- 4.1 In the period 2020/2021:

Communications Data	0
CHIS	0
Directed Surveillance	0

5. INSPECTIONS

- 5.1 The Authority received a request from IPCO regarding a 'desktop' examination in July 2021 (previous inspection had been October 2018). Attached at Appendix A is a copy of a letter received from the Investigatory Powers Commissioner which details the findings from the inspection, conducted remotely by an IPCO Inspector,

- 5.2 Members will note that the outcome of the inspection is very positive and 'The information provided has demonstrated a level of compliance which removes, for the present, the requirement for a physical inspection. In fact, the comprehensive way in which the previous observations have been addressed is extremely encouraging.'

6. SURVEILLANCE POLICY

- 6.1 The Council's RIPA Policy is available on the Council's intranet and is appended to this report. A number of amendments were made to the Policy when last reviewed. Therefore, the only update proposed is as follows:-
- Inclusion of a Non-RIPA form at Appendix 3 and section 5.7 of Policy updated accordingly.

7. ACTIVITY IN THE CURRENT YEAR

- 7.1 The Authority's procedures continue to be reviewed in the light of changes in the law and guidance received including recent correspondence from the Investigatory Powers Commissioner's Office.
- 7.2 The confidential database of authorised surveillances charting relevant details, reviews and cancellations has been updated to include a record of Non-RIPA surveillance authorisations.
- 7.3 Training is continuing to be planned to take place annually, with the first sessions having taken place in 2019. In 2020, due to the restrictions of the Covid- 19 pandemic, training had to be suspended. However, so far this year, three members of the Trading Standards department have received RIPA training, with the annual training regime for other staff members hoped to resume before the end of 2021/when training is available.
- 7.4 Awareness of RIPA to continue to be raised across the Council.
- 7.5 Information continues to be made available on the RIPA pages of the Council's intranet and internet.

8. RECOMMENDATIONS

- 8.1 To approve the amended RIPA Policy.

9. REASONS FOR RECOMMENDATIONS

- 9.1 To enable the Council to operate the RIPA system effectively and as required by law and guidance.

- 9.2 Members of the Audit and Governance Committee are responsible for approving the RIPA Policy on an annual basis as referred to in Section 3 of the Policy.

10. CONTACT OFFICER

- 10.1 Hayley Martin
Chief Solicitor and Senior Responsible Officer for RIPA
Hayley.martin@hartlepool.gov.uk
01429 523003

IPCO

Investigatory Powers
Commissioner's Office

PO Box 29105, London
SW1V 1ZU

Ms. Denise McGuckin
Managing Director
Hartlepool Borough Council
Civic Centre
Victoria Road
Hartlepool
TS24 8AY
Denise.McGuckin@Hartlepool.gov.uk

21 September 2021

Dear Ms. McGuckin,

Inspection of Hartlepool Borough Council

Please be aware that IPCO is not a “public authority” for the purpose of the Freedom of Information Act (FOIA) and therefore falls outside the reach of the FOIA. It is appreciated that local authorities are subject to the FOIA and that they may receive requests for disclosure of our reports. In the first instance the SRO should bring the matter to the attention of the IPCO Data Protection Officer (at: info@ipco.org.uk), before making any disclosure. This is also the case if you wish to make the content of this letter publicly available.

Your Council was recently the subject of a video and desktop-based inspection by one of my Inspectors, Mr. Graham McCrory MBE. This has been facilitated through your Senior Responsible Officer (SRO) and Chief Solicitor, Ms. Hayley Martin. My Inspector is most grateful to Ms. Martin for her prompt response to his requests and for providing the supporting information required, as well as her enthusiastic approach to the inspection.

The information provided has demonstrated a level of compliance which removes, for the present, the requirement for a physical inspection. In fact, the comprehensive way in which the previous observations have been addressed is extremely encouraging.

The last inspection was also undertaken by Mr. McCrory, in October 2018. On this occasion three observations were made, and which are summarised below:

- 1. Whilst RIPA awareness training has been undertaken since the last inspection, there is a need for regular training and awareness to be developed and introduced throughout the Council and in order that those who may engage RIPA powers, remain “match fit”.*
- 2. Whilst the Senior Responsible Officer (SRO) has received Authorising Officer training, their use to authorise RIPA applications should only be as a last resort. Their primary role as SRO is to oversee the use of RIPA powers by other Council employees.*

3. *The Councils' Policy documents, whilst recently updated, should be amended/or added to in the following areas:*

- *In order to avoid ambiguity, any reference to the use of the urgency procedures for the authorisation of Directed Surveillance or CHIS should be removed. Authorisation from a Judicial authority is required (Paragraph 6.1)*
- *Details on the use of Social Networking Sites (SNS), beginning at paragraph 5.7 of the policy document, should be developed further to include advice and guidance contained within the revised Code of Practice for Covert Surveillance and Property Interference 2018 (Paragraphs 3.10 to 3.17)*
- *The authorisation period for a juvenile CHIS has been amended and is now for a maximum duration of four months and not one month as documented at Section 8 of the Council policy document (revised Code of Practice for Covert Human Intelligence Sources 2018, paragraph 4.2 refers)*
- *Any references to the Office of Surveillance Commissioners (OSC) as the oversight body for RIPA powers should be updated to reflect the oversight now undertaken by the Investigatory Powers Commissioner's Office (IPCO).*

I am pleased to note that all observations have been addressed. Training is now scheduled to take place annually, with the first sessions having taken place in 2019. In 2020, due to the restrictions in place during the early stages of the Covid- 19 pandemic, training had to be suspended. I note that, so far this year, two members of your Trading Standards department have received RIPA training, with the annual training regime for other staff members due to resume before the end of 2021.

Your RIPA policy has been updated to include the suggested amendments as highlighted by my Inspector and the policy now clearly identifies that only in the most exceptional circumstances, will your SRO be used to consider surveillance and CHIS authorisations.

There has been limited use of the available covert powers, with only one directed surveillance authorisation (DSA) undertaken in 2019. The authorisation, for the investigation of illegal tipping of waste (Operation Nemus), was viewed by my Inspector and was found to have been well formed. A clear intelligence case, including checks on its provenance, was documented, with further well detailed considerations of necessity, proportionality, and collateral intrusion noted. A cancellation of the authorisation, which had authorised the deployment of covert cameras, was undertaken within hours of the equipment being removed. Overall, this was an excellent example of how the legislation can be used effectively to identify offenders and to gather evidential material.

A specific focus for the inspection was the retention, review, and destruction (RRD) of data gathered utilising the covert powers available. Whilst limited RIPA activity has been undertaken, my Inspector noted that at sections 13.9 to 13.16 of your RIPA policy, there are clear instructions of the need to undertake RRD of covertly gathered material. This section was added following receipt of my letter on data assurance safeguards, and after appropriate officers, including your Data Protection Officer, met to identify data pathways and to formulate instructions for your staff. The inclusion of these details, including a link to your retention schedule for the ease of use by your staff if required, is commendable and demonstrates the commitment from your legal team to adhere to the safeguards and to reduce the need for the duplication of covert material gathered.

Whilst my Inspector is completely satisfied with the regimes in place, this is an area of compliance which IPCO will continue to focus upon in future inspections. It is important that this area of compliance is highlighted to new staff and woven into your refresher training inputs to ensure those persons likely to engage the covert powers, are fully *au fait* with the safeguarding requirements contained within the Codes of Practice.

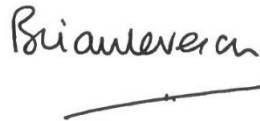
Your authority has been found to be in a very good place, with the previous observations comprehensively addressed and with your SRO, clearly, alive to and fully embracing the oversight requirements of the role.

I hope your authority has found this inspection of benefit.

My Office is available to you should you have any further queries following this inspection, or at any point in the future. Contact details are provided at the foot of this letter.

I shall be grateful if you would acknowledge receipt of this letter within two months.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Brian Leveson', with a horizontal line drawn underneath it.

The Rt. Hon. Sir Brian Leveson
The Investigatory Powers Commissioner

TEES VALLEY JOINT HEALTH SCRUTINY COMMITTEE

A meeting of the Tees Valley Joint Health Scrutiny Committee was held on Tuesday 22 June 2021.

PRESENT: Councillors Hellaoui (Chair – Pro-Tem), Councillor Layton (Vice-Chair Pro-Tem), D Rees, E Cunningham and D Davison

PRESENT BY INVITATION: Councillor D Coupe

ALSO IN ATTENDANCE: D Gardner (Director of Operations) (TEWV), A Lowery (Director of Quality Governance) (TEWV), C Lanigan (TEWV) and S Salvin (Head of Nursing Teesside) (TEWV)

OFFICERS: Scott Bonner, Caroline Breheny, Joanne McNally, Hannah Fay, Joan Stevens and Gary Woods

APOLOGIES FOR ABSENCE: I Bell, Cook, B Clarke and S Smith

1 **APPOINTMENT OF THE CHAIR**

AGREED that Councillor Alma Hellaoui be elected as Chair Pro-Tem.

2 **APPOINTMENT OF VICE CHAIR**

AGREED that Councillor Layton be elected as Vice Chair Pro-Tem.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

4 **MINUTES OF THE MEETING HELD ON 19 MARCH 2021**

The minutes of the Tees Valley Joint Health Scrutiny Committee meeting held on 19 March 2021 were submitted and approved as a correct record.

5 **PROTOCOL FOR THE TEES VALLEY JOINT HEALTH SCRUTINY COMMITTEE**

The Democratic Services Officer presented a report confirming the Tees Valley Joint Health Scrutiny Committee protocol and advised that a further amendment was required following the amalgamation of the three individual CCG's within the Tees Valley into a single Tees Valley Clinical Commissioning Group (CCG). The protocol would be amended and updated as advised.

NOTED

6 **TEES, ESK AND WEAR VALLEYS NHS FOUNDATION TRUST - QUALITY ACCOUNT 2020/2021**

Representatives from Tees, Esk and Wear Valley NHS Foundation Trust (TEWV) presented the Quality Account 2020-21 which provided an update on performance against their quarterly priorities for 2020-21, and sought to engage with the Committee in respect of their emerging priorities for 2021- 22.

The Committee welcomed the opportunity to consider and comment on the quality of services at the Trust and the key features of the 2020-21 Quality Account. The Committee had met previously with the Trust representatives to consider the Trust's quality priorities and overall performance.

- The committee was concerned at the high number of incidents of physical

intervention / restraints, as Tees had the highest number of incidents per 1000 occupied bed days (OBD's) with 43.64 against the Trust target of 19.25. Previously the committee was advised that the high rates of restraints in Teesside were as a result of the eating disorder service being provided in the area and the use of nasogastric feeding. However, the service is no longer delivered on Teesside and the rates remain high.

- The committee was advised that Learning Disability services still have high levels of physical intervention / restraints although a number of initiatives were in place to address this issue. These include the introduction of Positive Behaviour Support (PBS) Leads and investment in staff training and qualifications.
- The committee was very keen to see significant change in this area and looks forward to seeing the RAG rating for this metric change from red to amber and then green.
- The committee was also concerned that staff were not always giving dignity and respect to patients. The end of 2020/21 position was 84.59% against the Trust target of 94.00%. All localities underperformed in 2020/21, although Teesside were closest to the target with 88.62%. The committee acknowledged that progress had been made but was keen to see further improvement in this area.
- It was acknowledged that the launch of the 'Big Conversation' and the Trust's 'Journey to Change' highlighted TEWV's commitment to improving the patient experience and was a very welcome and positive development. Through this work TEWV had purposefully engaged with patients, carers, staff and partners and sharpened its attention and focus on areas for improvement. The committee was also pleased to see the inclusion of 'Compassionate Care' as a quality account priority for 2020/21 and looked forward to seeing improvements in respect of this metric.

The Quality Account Priorities for 2020-21 were identified as below. Two of the three were continuing priorities from the previous year.

- Making Care Plans more Personal
- Safe Care
- Compassionate Care (new for 2020-21)

The priorities were supported by the Committee. Members welcomed the updates on progress made to date and made the following observations and comments:

Progress:-

- The Trust's open and honest response to concerns raised by the CQC was appreciated. The Trust had listened and taken on board people's views in response to the CQC's findings.
- The notion of the 'Big Conversation', its extensiveness and involvement of a wide variety of stakeholders was very much welcomed and viewed as a key initiative.
- The need to embed and extend the provision of 'Compassionate Care' at every level and across the system was acknowledged.
- The Oxehealth Digital Care Assistant initiative undertaken to help prevent people in in-patient settings trying to commit suicide had been a very

positive step.

- The introduction of the IT system Dialog offered reassurance around the future delivery of personalised care planning.
- The 'Journey to Change' would take time and it would not happen overnight but the notion of the journey and the areas identified for improvement were fully supported.
- The simplicity of the priorities for 2021/22 were acknowledged. The priorities were easy to remember and understand.

Concerns:-

- The huge geographical footprint covered by TEWV and the differences in the socio-economic make-up of the areas served.
- Recruitment and retention of staff at TEWV remained an issue and was impacted upon by both the national and regional shortages of mental health professionals. There were also concerns in respect of the availability of local training provision.
- The CQC had raised concerns about care planning and risk management practices and it remained an area for improvement for TEWV.
- The huge challenges presented by the COVID-19 pandemic and how these would be met in addition to those already faced by the Trust remained a concern.
- The potential for there to be a huge increase in demand for children's mental health service provision would also pose a real challenge in 2021/22.
- The trauma and bereavement which people had experienced as a result of COVID-19 had generated a need for additional proactive work and increased investment in this area.

On a more general point the Committee felt there would be benefit in producing an easy read version of the Quality Account document, as this would allow it to be shared more widely and easily. The Committee thanked the Trust for its continued and pro-active engagement with the Committee and looked forward to continuing to receive updates on progress against the priorities during the year ahead.

AGREED that the Tees, Esk and Wear Valley NHS Foundation Trust Quality Account 2020-21 be noted and the Committee's comments submitted as part of TEWV's consultation on the Quality Account.

7

ANY URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR CAN BE CONSIDERED

None

SAFER HARTLEPOOL PARTNERSHIP

MINUTES AND DECISION RECORD

19 July 2021

The meeting commenced at 10.00 am in the Civic Centre, Hartlepool.

Present:

Responsible Authority Members:

Councillor: Councillor Shane Moore (In the Chair)
Councillor Cameron Stokell
Tony Hanson, Director of Neighbourhoods and Regulatory Services
Sylvia Pinkney, Assistant Director, Regulatory Services
Nick Jones, Cleveland Fire Authority

Other Members:

Craig Blundred, Director of Public Health
Sally Robinson, Director of Children's and Joint Commissioning Services

Also Present: Mark Haworth was in attendance as substitute for Sharon Cooney, Cleveland Police

Officers: Phil Hepburn, Community Safety Operations Manager
Rachel Parker, Community Safety Team Leader
Denise Wimpenny, Principal Democratic Services Officer

1. Apologies for Absence

Apologies for absence were submitted on behalf of Jill Harrison, Director of Adult and Community Based Services, Hartlepool Borough Council, Angela Corner, Thirteen Group and Superintendent Sharon Cooney, Cleveland Police. Retrospective apologies were also submitted on behalf of Christopher Guttridge, Office of Police and Crime Commissioner for Cleveland.

2. Declarations of Interest

None.

3. Minutes of the meeting held on 24 February 2021

Confirmed.

4. Appointment of Vice-Chair

In relation to the appointment of Vice-Chair, clarification was sought in terms of expressions of interest in relation to the Vice-Chair position for this ensuing year and whether the current Vice-Chair, Superintendent Sharon Cooney, wished to continue in this role. The Police Representative agreed to confirm following the meeting.

5. Cleveland Youth Commission – Verbal Update from Leaders Unlocked

Issue(s) for consideration

The Chair advised that given the representative from Leader's Unlocked was not yet in attendance at the meeting this item would be considered later in the meeting.

Decision

That this item be considered later in the meeting.

6. Domestic Abuse *(Director of Children's and Joint Commissioning Services)*

Purpose of report

To provide an update on the developments both nationally and locally in relation to domestic abuse.

Issue(s) for consideration

The Director of Children's and Joint Commissioning Services presented the report which provided background information in relation to the new legislation and provisions within the Domestic Abuse Act which included a duty upon local authorities to review their strategies and undertake an assessment of need. The Partnership was referred to timelines for review of the Strategy, key headlines from the needs assessment in terms of local data and context as well as details of the funding and commissioning arrangements as set out in the report.

The Partnership was advised that the current contract with Harbour ended on 31 March 2022. A commissioning process needed to be undertaken to develop a service specification taking into account the findings from the needs assessment and priorities within the new Strategy.

In the discussion that followed, the Director of Children's and Joint Commissioning Services and the representative from Cleveland Police responded to issues raised arising from the report. Clarification was provided in relation to the challenges around future funding arrangements and the measures in place to reduce domestic abuse. In response to a query raised it was reported that levels of domestic violence in Hartlepool were comparable with neighbouring authorities.

Decision

- (i) That the contents of the report and implications of the Domestic Abuse Act for the local area be noted.
- (ii) That the timetable for the development of the Hartlepool Domestic Abuse Strategy be noted.

7. Draft Community Safety Plan 2021-2024 *(Director of Neighbourhoods and Regulatory Services)*

Purpose of report

To consider and agree a draft Community Safety Plan 2021-24.

Issue(s) for consideration

The draft Community Safety Plan 2021-24, attached at Appendix 1 provided an overview of some of the recent activities undertaken to improve community safety in Hartlepool and key findings from the Partnership's 2020 Strategic Assessment and public consultation. It was proposed that the strategic objective "To make Hartlepool a safe, prosperous and enjoyable place to live, work and visit" and key priorities from the 2020-21 plan, as set out in the report be retained in the 2021-24 plan.

The draft plan would be subject to an eight week consultation, details of which were provided. It was anticipated that the final plan would be presented to the Partnership in December 2021 and, subject to approval by the Partnership, the plan would be considered by the Council's Finance and Policy Committee prior to being adopted by Council in December 2021.

With regard to methods of consultation, the Chair requested that consultation on the draft Community Safety Plan should be included in the next edition of Hartbeat.

In relation to concerns raised by a member of the public around speeding traffic on Park Road and Grange Road, it was suggested that the detail of these concerns be reported direct to the police representative in attendance following the meeting.

Decision

- (i) That the draft Community Safety Plan be agreed prior to the commencement of an eight week consultation period.
- (ii) That consultation on the draft Community Safety Plan be included in the next edition of Hartbeat.

8. Prevent Update *(Director of Neighbourhoods and Regulatory Services)*

Purpose of report

To update the Partnership on the local delivery of Prevent and key changes to the Channel Duty Guidance.

Issue(s) for consideration

The report provided the background to the statutory responsibilities under the Counter-Terrorism and Security Act (2015) to prevent people from being drawn into terrorism by ensuring the Prevent Duty was embedded within partner organisations. A self assessment of Prevent delivery in Hartlepool against the Home Office Peer Review guidance had been undertaken which included an amendment to the Prevent Operational Group Terms of Reference, details of which were appended to the report.

In addition, local authorities were now required to complete an annual assurance statement to enable local Channel implementation to be documented assured and for progress to be recorded. The Council's annual assurance statement had been completed by the Channel Chair and Deputy Chair in April 2021 and was attached at Appendix 3.

Decision

That the contents of the report be noted.

9. Safer Hartlepool Partnership Performance *(Director of Neighbourhoods and Regulatory Services)*

Purpose of report

To provide an overview of the Safer Hartlepool Partnership performance for Quarters 3 and 4 – October 2020 to March 2021 (inclusive) against key indicators linked to the priorities outlined in the Community Safety Plan 2020/21.

Issue(s) for consideration

The report provided an overview of the Partnership's performance during Quarters 3 and 4, as set out in an appendix to the report. Information as a comparator with performance in the previous year was also provided. In presenting the report, the Assistant Director, Regulatory Services highlighted salient positive and negative data and responded to queries in relation to crime figures by type.

In response to the Chair's comments in relation to an increase in fly tipping and a request that future reports should separate fly tipping and side waste, the Assistant Director advised that work had already commenced in terms of the reporting criteria on Firm Step, the Council's new reporting platform. An update in relation to Operation Endeavour was also provided in response to a query raised.

The Chair took the opportunity to place on record his thanks to the Public Health Team in terms of successfully supporting individuals involved in drug and alcohol through the treatment process.

Decision

That the contents of the report and comments of Members be noted.

Prior to consideration of the following item of business, the Chair advised that given there was no representation from Leader's Unlocked (Cleveland Youth Commission Update), this item would be deferred to a future meeting of the Partnership (Minute 5 refers).

10. Any Other Items which the Chairman Considers are Urgent

The Chairman ruled that the following item of business should be considered by the Committee as a matter of urgency in accordance with the provisions of Section 100(B) (4)(b) of the Local Government Act 1972 in order that the matter could be dealt with without delay.

11. Any Other Business – Verbal Update – Neighbourhood Policing

The Partnership was provided with an update in relation to the positive contributions of the Neighbourhood Policing Team in terms of the work of the Community Safety Team. Inspector Mark Haworth, who was in attendance at the meeting, was pleased to report an increase in Neighbourhood Police Officers which had assisted in delivery of current priorities as well as more targeted work in the community. Progress to date included problem solving being rolled out in every district, establishment of working groups, introduction of digital work, additional training for officers, utilising dedicated drones to assist with tackling anti-social behaviour and deliberate fires. Up to 15 dedicated officers had also been deployed to assist with the night time economy issues, theft from motor vehicles, drug dealing and organised criminality. The benefits and success of Operation Endeavour was also highlighted.

It was noted that a more detailed presentation in this regard would be provided to the next meeting of the Partnership.

Decision

That the information given be noted and a more detailed presentation be provided to the next meeting of the Partnership.

12. Date and Time of Next Meeting

It was reported that the next meeting would be held on Monday 20 September at 10.00 am.

The meeting concluded at 10.45 am.

CHAIR