

Cabinet

29 October 2018



Time and venue:

2.30 pm in the Ditchling Room at Southover House, Southover Road, Lewes, BN7 1AB

Membership:

Councillor Andy Smith (Chair); Councillors Elayne Merry (Deputy-Chair) Paul Franklin, Bill Giles, Tom Jones, Isabelle Linington, Ron Maskell and Tony Nicholson

Quorum: 4

Published: Friday, 19 October 2018

Agenda

1 Minutes (Pages 1 - 8)

To confirm and sign the minutes of the meeting of the Cabinet dated 17 September 2018.

2 Apologies for absence

3 Declarations of interest

Disclosure by councillors of personal interests in matters on the agenda, the nature of any interest and whether the councillor regards the interest as prejudicial under the terms of the Code of Conduct.

4 Urgent items

Items not on the agenda which the Chair of the meeting is of the opinion should be considered as a matter of urgency by reason of special circumstances as defined in Section 100B(4)(b) of the Local Government Act 1972. A supplementary report will be circulated at the meeting to update the main reports with any late information.

5 Public question time

To deal with any questions received from members of the public in accordance with Council Procedure Rule 11 (if any).

6 Written question from councillors

To deal with written questions which councillors may wish to put to the Chair of the Cabinet in accordance with Council Procedure Rule 12 (if any).

7 Matters referred to the Cabinet

Matters referred to the Cabinet (whether by the Scrutiny Committee or by the Council) for reconsideration by the Cabinet in accordance with the provisions contained in the Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules set out in part 4 of the Council's Constitution.

None.

8 Scrutiny annual work programme 2018/19 (Pages 9 - 12)

Cabinet to receive the Scrutiny Annual Work Programme before it is considered by Full Council on the 26 November 2018 for approval.

9 Statement of accounts 2017/18 (Pages 13 - 14)

Cabinet to consider recommendations made by the Audit and Standards Committee at its meeting on the 24 September 2018.

10 Review of safeguarding children and vulnerable adults policy (Pages 15 - 62)

Report of Director of Service Delivery
Lead Cabinet member: Councillor Elayne Merry

11 Joint transformation programme update (Pages 63 - 84)

Report of Assistant Director for Human Resources and Transformation
Lead Cabinet member: Councillor Elayne Merry

12 New housing for short term letting (Pages 85 - 88)

Report of Director of Regeneration and Planning
Lead Cabinet member: Councillor Ron Maskell

(This report contains an exempt appendix. Any discussion of this must take place at item 14 following exclusion of the public.)

13 Exclusion of the public

The Chief Executive considers that discussion of the following items is likely to disclose exempt information as defined in Schedule 12A of the Local Government Act 1972 and may therefore need to take place in private session. The exempt information reasons are shown beneath the items listed below. Furthermore, in relation to paragraph 10 of Schedule 12A, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information. (The requisite notices having been given under regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.)

(Note: Exempt papers are printed on pink paper).

14 New housing for short term letting - Appendix A (Pages 89 - 90)

Report of Director of Regeneration and Planning
Lead Cabinet member: Councillor Ron Maskell

Exempt information reason 3 - information relating to the financial or business affairs of any particular person (including the authority holding that information).

Information for the public

Accessibility: Please note that the venue for this meeting is wheelchair accessible and has an induction loop to help people who are hearing impaired. This agenda and accompanying reports are published on the Council's website in PDF format which means you can use the "read out loud" facility of Adobe Acrobat Reader.

Filming/Recording: This meeting may be filmed, recorded or broadcast by any person or organisation. Anyone wishing to film or record must notify the Chair prior to the start of the meeting. Members of the public attending the meeting are deemed to have consented to be filmed or recorded, as liability for this is not within the Council's control.

Public participation: Please contact Democratic Services (see end of agenda) for the relevant deadlines for registering to speak on a matter which is listed on the agenda if applicable.

Information for councillors

Disclosure of interests: Members should declare their interest in a matter at the beginning of the meeting.

In the case of a disclosable pecuniary interest (DPI), if the interest is not registered (nor the subject of a pending notification) details of the nature of the interest must be reported to the meeting by the member and subsequently notified in writing to the Monitoring Officer within 28 days.

If a member has a DPI or other prejudicial interest he/she must leave the room when the matter is being considered (unless he/she has obtained a dispensation).

Councillor right of address: A member of the Council may ask the Leader, a Cabinet Member or the Chair of a committee or sub-committee any question without notice upon an item of the report of the Cabinet or a committee or subcommittee when that item is being received or under consideration by the Council.

A member of the Council may ask the Chair of a committee or sub-committee a question on any matter in relation to which the Council has powers or duties or which affect the District and which falls within the terms of reference of that committee or subcommittee.

A member must give notice of the question to the Head of Democratic Services in writing or by electronic mail no later than close of business on the fourth working day before the meeting at which the question is to be asked.

Democratic Services

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Cabinet

Minutes of meeting held in Ditchling Room at Southover House, Southover Road, Lewes, BN7 1AB on 17 September 2018 at 2.30 pm

Present:

Councillor Elayne Merry (Chair)

Councillors Paul Franklin, Bill Giles, Tom Jones, Isabelle Linington and Tony Nicholson

Officers in attendance:

Robert Cottrill (Chief Executive), Alan Osborne (Deputy Chief Executive), Philip Evans (Director of Tourism & Enterprise), Ian Fitzpatrick (Director of Regeneration and Planning), Tim Whelan (Director of Service Delivery), Catherine Knight (Assistant Director of Legal and Democratic Services) and Simon Russell (Committee Services Lead)

Also in attendance:

Councillors Stephen Catlin (Leader of Independent Group), Mike Chartier (Chair of Audit and Standards), Johnny Denis (Vice-Chair of the Council) and Peter Gardiner (Chair of Scrutiny Committee).

Ms Debbie Twitchen (Tenants' Representative)

22 Minutes

The minutes of the meeting held on 2 July 2018 were submitted and approved and the chair was authorised to sign them as a correct record.

23 Apologies for absence

Apologies for absence were reported from Councillors Smith and Maskell.

24 Declarations of interest

None were declared.

25 Finance update - performance quarter 1 - 2018-2019

The Cabinet considered the report of the Deputy Chief Executive, updating members on the financial performance for quarter one in 2018/19.

As this would be their last Cabinet meeting, a vote of thanks from the Cabinet and visiting members was extended to Alan Osborne, Deputy Chief Executive. The Deputy Chief Executive expressed his thanks to members, staff and stakeholders during his time at the Council.

Resolved (Non-key decision):

(1) To agree the general fund and housing revenue account financial performance for the quarter ended June 2018.

(2) To agree the amended capital programme as set out at appendix 3 to the report.

(3) To agree the treasury management performance.

Reasons for decisions:

To enable Cabinet members to consider specific aspects of the Council's financial performance.

26 Portfolio progress and performance report 2018-19 - quarter 1

The Cabinet considered the report of the Director of Regeneration and Planning, regarding the Council's progress and performance in respect of key projects and targets for the first quarter of the year, detailed at appendix 1 to the report.

68% of the Council's performance targets were either met, exceeded or within acceptable levels during the first quarter. Good news for quarter one were detailed at section 5 of the report and included an improvement in sickness figures, successful launch of the single use plastics project and roll out of co-mingled recycling. 19 of the Council's 24 key projects were on track at year end and there were no significant project delays.

Performance targets not met were detailed at section 7 of the report and included call answering times, benefits processing, re-let and planning. All of these were closely monitored and managers were shifting staff resources to alleviate any issues.

In response to a question from visiting member, Councillor Catlin, it was clarified that the additional 7,000 calls received this quarter were Lewes only and that the target indicator for calls answered within 60 seconds was by a Customer Advisor and not an answering machine.

Councillor Gardiner, Chair of Scrutiny Committee detailed the discussion of the report at the Scrutiny Committee on the 13 September 2018 and the recommendations to Cabinet.

The Cabinet, visiting members and Ms Debbie Twitchen, Tenants Representative, discussed the call response and abandoned calls performance. The Director of Service Delivery detailed the steps taken to improve the performance target for future quarters. This included significant training to the team for new calls, due to the implementation of revenues and benefits as a new service for Customer Advisors, implementation of queue busting and launch of a recruitment drive in May, with eight candidates being offered roles. There were still vacancies within the team and it was proposed to over recruit by an additional four and that would provide another eight new starters. It was also intended to appoint eight temporary staff for the next six months to undertake customer contact work related to social media, emails and post.

Resolved (Non-key decision):

(1) That the council's progress and performance for quarter 1 be received and noted.

(2) That the recommendations made by Scrutiny Committee at its meeting on the 13 September 2018 be considered.

Reasons for decisions:

To enable Cabinet to consider specific aspects of the Council's progress and performance.

27 Wave Leisure Trust annual review 2017/2018

The Cabinet considered the report of the Director of Tourism and Enterprise, seeking their approval of the objectives stated within the 2019-20 Annual Service Statement between Lewes District Council and Wave Leisure Trust.

Duncan Kerr, Chief Executive for Wave Leisure Trust commented on the ongoing challenge of accessing the rural communities for strength and balance sessions, in response to a question from visiting member, Councillor Gardiner.

Resolved (Non-key decision):

(1) To approve the objectives identified in the 2019/2020 annual service statement.

(2) To note Wave Leisure Trust's performance against the annual service delivery plan for 2017/2018.

Reasons for decisions:

The agreement between the Council and Wave Leisure Trust requires Cabinet to approve a Service Statement on an annual basis and to receive a report on the performance of the Trust. Additionally, Cabinet is required to approve the joint objectives proposed for the forthcoming financial year.

28 Lewes District Local Plan Part 2: Pre-submission document

The Cabinet considered the report of the Director of Regeneration and Planning, seeking their approval to progress the Local Plan Part 2 through to its formal submission to the Secretary of State and to seek approval for the arrangements for the Examination in Public.

A presentation and briefing was held for members on the 12 September 2018 on the changes to the Local Plan Part 2 and was taken to the Scrutiny Committee on the 13 September 2018.

Visiting member, Councillor Gardiner, Chair of Scrutiny Committee praised that input from members had been taken into account.

The Cabinet expressed their thanks to Leigh Palmer, Interim Head of Planning, Tondra Thom, Planning Policy Lead and their teams for their work on the plan and informative presentation to members.

Resolved (Key decision):

(1) To approve the draft Local Plan Part 2 for public consultation under Regulation 19 of the Town & Country Planning (Local Planning) (England) Regulations.

Recommend to Council (Budget and policy framework):

(2) To authorise the Director of Regeneration & Planning, in consultation with the Cabinet Member for Planning, to make any minor changes arising from the consultation and to seek the approval of full Council to submit the Local Plan Part 2 to the Secretary of State under Regulation 22 of the Town & Country Planning (Local Planning) (England) Regulations for examination.

Reasons for decisions:

To ensure that the Local Plan Part 2 is progressed towards adoption in a timely manner, thereby supporting the implementation and delivery of the Local Plan Part 1: Joint Core Strategy through the allocation of additional development sites and up-to-date development management policies to assist in the determination of planning applications.

29 Electric vehicle charging points technical guidance note

The Cabinet considered the report of the Director of Regeneration and Planning, seeking their approval for the 'Electric Vehicle Charging Points Technical Guidance Note' to be published on the council's website and made a public document.

Although not yet part of planning policy, developers were urged to consider electric vehicle charging provisions into their applications. In future, when the Local Plan was reviewed, a modified version of the guidance document would form part of a policy.

It was requested and unanimously agreed by the Cabinet that the "Electric Vehicle Charging Points Technical Guidance Note" be brought back to Cabinet where appropriate, as and when the document evolves and technology progresses.

Resolved (Non-key decision):

(1) To agree the immediate publication of the 'Electric Vehicle Charging Points Technical Guidance Note' contained at appendix 1 to the report.

(2) That the "Electric Vehicle Charging Points Technical Guidance Note" be brought back to Cabinet where appropriate, as and when technology progresses.

Reasons for decision:

(1) To respond to a motion passed by Council for all new development to include electric vehicle charging points.

(2) To publicise the Council's expectations for the provision of electric vehicle charging points infrastructure.

30 Telscombe Tye Public Spaces Protection Order

The Cabinet considered the report of the Director of Service Delivery regarding a proposal to introduce a 'Public Spaces Protection Order' to support Telscombe Town Council in reducing the number of dog on sheep attacks on Telscombe Tye by requiring dog walkers to keep their dogs under proper control.

The report sought approval for the draft order to be sent out for public consultation and authorise the Director of Service Delivery to undertake, amend as necessary and subsequently make the order on behalf of the Council.

Section 3 of the report outlined the three options that would be going out for public consultation and further information was appended to the report. The results of the consultation would be circulated to members.

Following a question from visiting member, Councillor Catlin, it was clarified that the ownership of Telscombe Tye was not a determinant factor and that only the local authority could implement a 'Public Spaces Protection Order' if it was satisfied that an area of land was a public place, as defined in the legislation.

The Interim Director of Service Delivery outlined the enforcement of the proposed 'Order', which would initially focus on educating offenders on responsible dog ownership. Enforcement could result in fixed penalty notices being issued by Neighbourhood First, subject to agreements with Telscombe Town Council. It was also advised that prosecution of an offence and verdict of guilty could result in a fine of up to £1,000.

Resolved (Key decision):

- (1) To approve the Public Spaces Protection Order in draft form, set out at appendix 1 to the report for consultation.
- (2) To grant authority to Director of Service Delivery:
 - (i) To carry out statutory consultation on the draft Public Spaces Protection Order in conjunction with Telscombe Town Council.
 - (ii) If necessary, and in consultation with the Lead Member, to amend the content of the Order in light of consultation responses.
 - (iii) To make and publicise the Order in accordance with relevant legislation.
 - (iv) To put in place arrangements to enforce the Order with Telscombe Town Council.
 - (v) To keep the Order under review; and, in consultation with the Lead Member, cease, renew or amend it at the end of its term, as appropriate.

Reason for decisions:

To provide an effective response to sheep attacks on Telscombe Tye, which meets the needs of local residents and partners.

31 Regeneration and development: Sutton Road, Seaford

The Cabinet considered the report of the Director of Regeneration and Planning, setting out development proposals at the combined site on Sutton Road, Seaford known as Downs Leisure Centre. The report summarised the

programme and concluded with a breakdown of the project costs and a financial summary, together with an outline of the status of potential new lettings and negotiations with the existing tenants.

Resolved (Key decision):

(1) To approve the business case outlining the investment potential and development opportunities at Downs Leisure Centre, Sutton Road, Seaford.

(2) To approve the capital investment of £17,200,000 (including professional fees) to fund the project up to and including construction, subject to sign off of the proposed leases on terms no less favourable than set out at exempt appendix D to the report.

(3) To delegate authority to the Director of Regeneration and Planning in consultation with the Lead Member for Finance, the Chief Finance Officer, and the Assistant Director – Legal and Democratic Services, to progress the project through the Energy & Sustainability Joint Venture if they consider it appropriate and at an appropriate future stage to decide if the project should be put forward to the JV Steering Board for inclusion as a Part 1 and/or Part 2 project.

(4) To delegate authority to enter into a lease (or leases) of the properties to the Director of Regeneration and Planning, in consultation with the Strategic Property Board; such delegation to include authorisation not to dispose by auction or invitation of tenders following public advertisement (sought under Contract Procedure Rule 18.1) for those leases.

(5) To delegate authority to the Director of Regeneration and Planning to exercise the break clause, or enter into a surrender of the lease in respect of Age Concern.

Reasons for decisions:

A strategic opportunity has arisen to provide a ground-breaking mixed-use development of the Council's landholdings within the Sutton Road site in Seaford known as Downs Leisure Centre. The proposed scheme will create new health space, employment opportunities, and a holistic approach to health and wellbeing for residents.

The meeting ended at 3.39 pm

Councillor Elayne Merry (Chair)

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Scrutiny Annual Work Programme 2018/2019

Meeting date	Item
<p>13 September 2018</p>	<p>Benefits <i>Contact: Bill McCafferty, Lead for Revenues, Benefits and Service Support, bill.mccafferty@lewes-eastbourne.gov.uk</i></p> <p>Affordable Housing <i>Contact: Leighton Rowe, Housing Policy and Development Project Manager, leighton.rowe@lewes-eastbourne.gov.uk</i></p> <p>Performance Monitoring 2018/2019 – Quarter 1 <i>Contact: Millie McDevitt, Performance and Programme Lead, millie.mcdevitt@lewes-eastbourne.gov.uk</i></p> <p>Safeguarding Policy <i>Contact: Pat Taylor, Strategy and Commissioning Lead for Community Partnerships, pat.taylor@lewes-eastbourne.gov.uk</i></p> <p>Chair of the Council’s Annual Business Report <i>Contact: Caroline Hanlon, Civic & Member Services Officer, caroline.hanlon@lewes-eastbourne.gov.uk</i></p> <p>Forward Plan of Decisions <i>Contact: Jazmin Victory, Scrutiny Officer, jazmin.victory@lewes-eastbourne.gov.uk</i></p> <p>Scrutiny Annual Programme 2018/2019 <i>Contact: Jazmin Victory, Scrutiny Officer, jazmin.victory@lewes-eastbourne.gov.uk</i></p>
<p>29 November 2018</p>	<p>Homelessness <i>Contact: Katie Dawkins, Housing Needs and Allocations Lead, katie.dawkins@lewes-eastbourne.gov.uk</i></p> <p>Performance Monitoring 2018/2019 – Quarter 2 <i>Contact: Millie McDevitt, Performance and Programme Lead, millie.mcdevitt@lewes-eastbourne.gov.uk</i></p> <p>Community Safety Partnership Annual Report <i>Contact: Harry Williams, Policy and Engagement Coordinator, harry.williams@lewes-eastbourne.gov.uk</i></p>

Scrutiny Annual Work Programme 2018/2019

	<p>Forward Plan of Decisions <i>Contact: Jazmin Victory, Scrutiny Officer, jazmin.victory@lewes-eastbourne.gov.uk</i></p>
<p>7 February 2019</p>	<p>Performance Monitoring 2018/2019 – Quarter 3 <i>Contact: Millie McDevitt, Performance and Programme Lead, millie.mcdevitt@lewes-eastbourne.gov.uk</i></p> <p>Council Budget proposals 2019/2020 <i>Homira Javadi, Chief Finance Officer, homira.javadi@lewes-eastbourne.gov.uk</i></p> <p>Voluntary Sector Report <i>Contact: Pat Taylor, Strategy and Commissioning Lead for Community Partnerships, pat.taylor@lewes-eastbourne.gov.uk</i></p> <p>Equality and Fairness Annual Report <i>Contact: Pat Taylor, Strategy and Commissioning Lead for Community Partnerships, pat.taylor@lewes-eastbourne.gov.uk</i></p> <p>Transport Panel – Final Report <i>Contact: Jazmin Victory, Scrutiny Officer, jazmin.victory@lewes-eastbourne.gov.uk</i></p> <p>Forward Plan of Decisions <i>Contact: Jazmin Victory, Scrutiny Officer, jazmin.victory@lewes-eastbourne.gov.uk</i></p>
<p>21 March 2019</p>	<p>Affordable Workspaces in the Lewes District Panel – Final Report <i>Contact: Jazmin Victory, Scrutiny Officer, jazmin.victory@lewes-eastbourne.gov.uk</i></p> <p>Forward Plan of Decisions <i>Contact: Jazmin Victory, Scrutiny Officer, jazmin.victory@lewes-eastbourne.gov.uk</i></p> <p>Consult relevant bodies for suggestions for 2019/2020 Work Programme <i>Contact: Jazmin Victory, Scrutiny Officer, jazmin.victory@lewes-eastbourne.gov.uk</i></p>

Scrutiny Annual Work Programme 2018/2019

Meetings take place at 2:00pm in Southover House, Southover Road, Lewes, BN7 1AB

To be scheduled:

- Monitoring of Recommendations/Updates on Reviews
- Call in

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Lewes District Council

Recommendations from the Audit and Standards Committee at its meeting on 24 September 2018

Cabinet – 29 October 2018

23 Statement of Accounts 2017/18

The Committee considered the report which presented the Statement of Accounts 2017/2018 for approval, following audit by the Council's external auditors, BDO.

The Head of Finance reminded the Committee that there had been problems due to the late valuation data being received and that the accounts were not submitted to BDO until 25 June 2018. Following discussions with the Audit Manager, it was agreed to delay the start of the audit until August. The audit commenced on 13 August 2018 and was still underway at the time the report was published.

The Chair proposed and the Committee agreed that it was dismayed at the late valuation of the report, and suggested that Cabinet look at the key issues arising from the audit, as detailed in section 4 on page 86 to 87 of the agenda pack.

Resolved:

- (1) That the final accounts for 2017/18 be approved;
- (2) That the unadjusted audit differences identified by External Audit be noted;
- (3) That the "significant deficiency" in the Council's control environment and the actions which were being taken to mitigate this for the future, be noted; and
- (4) That it be agreed to delegate authority to the Chief Finance Officer to make non material amendments to the Statement of Accounts 2017/18 prior to final publication.

Recommended to Cabinet:

That Cabinet note the Committee's concerns regarding the Council's late receipt of valuation data from the external valuation office in relation to the Statement of Accounts 2017/18.

Reason for decision:

The Accounts and Audit Regulations 2015 require the Chief Finance Officer and councillors to certify and approve an audited set of accounts for publication.

† The original report can be downloaded from <http://democracy.lewes-eastbourne.gov.uk/ieListDocuments.aspx?CId=423&Mid=1959&Ver=4>

Report to:	Cabinet
Date:	29 October 2018
Title:	Review of Safeguarding Children and Vulnerable Adults Policy
Report of:	Director of Service Delivery
Cabinet member:	Councillor Elayne Merry
Ward(s):	All
Purpose of report:	To seek Members' agreement to the proposed joint Safeguarding Children and Vulnerable Adults Policy
Decision type:	Key decision
Officer recommendation(s):	(1) To note the review of Lewes District Council's and Eastbourne Borough Council's Safeguarding Children and Vulnerable Adult policies and procedures carried out in 2018 (2) To approve the new Safeguarding Policy appended to this report (3) To delegate authority to the Director of Service Delivery in consultation with the Lead Member for People and Performance to make any minor amendments required following consultation.
Reasons for recommendations:	To update the previous policy bringing into line with recommended practice and with current pan-Sussex policies and procedures.
Contact Officer(s):	Name: Laura Lea Post title: Policy and Engagement Coordinator E-mail: laura.lea@lewes-eastbourne.gov.uk Telephone number: 01323 415447

1 Introduction

- 1.1 Under the Children Act 2004 the council has a duty to cooperate to improve well-being and safeguard children and promote their welfare. The Working Together to Safeguard Children (DfES, 2018) guidance sets out how organisations and individuals should work together to safeguard and promote the welfare of children.
- 1.2 The role and responsibilities of local authority staff with responsibilities for

children living or present in East and West Sussex and Brighton and Hove are set out in the Pan Sussex Child Protection and Safeguarding Procedures Manual. This includes staff in district and borough councils providing services to children and young people, such as housing and activities for young people. The manual covers key issues for the council, notably on information sharing and confidentiality, referrals and reporting.

1.3 The Pan Sussex Child Protection and Safeguarding Procedures Manual states:

“Responsibility for the protection of children must be shared because children are safeguarded only when all relevant agencies and individuals accept responsibility and co-operate with one another.”

1.4 The Pan Sussex Child Protection and Safeguarding Procedures Manual is updated every 6 months to take account of new legislation and guidance and learning from Serious Case Reviews. Recent updates take account of the Care Act 2014 and “Working Together to Safeguard Children” 2015.

1.5 The Care Act 2014 places Safeguarding Adults on a statutory footing. Part 1 of the Act covers responsibilities for Safeguarding and came into force on 1 April 2015.

1.6 The Sussex Multi-Agency Policy and Procedures set out local arrangements for raising and responding to concerns relating to the suspected abuse or neglect of adults.

1.7 Section 6 of the Care Act includes a requirement for cooperation between the Local Authority and each of its relevant partners to protect adults experiencing or at risk of abuse or neglect and to establish a Safeguarding Adults Board.

1.8 An internal review of Lewes District Council and Eastbourne Borough Council’s policies and procedures has been carried out in order to produce a single joint policy that complies fully with the latest legislation and guidance.

1.9 The re-modelling of service roles and responsibilities under the Joint Transformation Project (JTP) has also necessitated a review of lines of responsibility, training procedures and arrangements for information recording, storage and sharing to ensure the council meets the required standards and cooperates effectively with other agencies and in line with locally adopted procedures.

2 Proposal

2.1 Section 11 of the Children Act 2014 places a duty on local authorities to ensure their functions are discharged having regard to the need to safeguard children and promote their welfare. At the request of the Local Safeguarding Children Board (LSCB) a self-assessment was completed in April 2018 to assess the Council’s compliance with current legislation and guidance. In addition, an internal audit has been carried out to identify any gaps in the existing policies and in implementation of these.

2.2 An aligned and revised Safeguarding Policy has been developed based on the findings of these internal reviews and is presented at Appendix 1. Amendments incorporated in the policy cover:

- Aligned procedures to operate across both areas
- Updated details to represent the changes brought about by the JTP
- Inclusion of an e-safety policy
- Addition of Prevent responsibilities and contact details
- Inclusion of responsibilities around private fostering
- Details on Domestic Violence procedures
- Updated information on reporting concerns based on current guidance agreed Pan Sussex procedures; including the role of the Single Point of Advice (SPOA) within Children's Services.

3 Outcome expected and performance management

3.1 Adopting the aligned and updated policy will help ensure that the council is compliant with Pan Sussex Procedures and complies with its legal duties in safeguarding children, young people and vulnerable adults.

4 Consultation

4.1 The East Sussex Local Safeguarding Children Board and the East Sussex Safeguarding Adults Board will be consulted to ensure the proposed policy meets their expectations.

5 Corporate plan and council policies

5.1 The policy and its appendices will provide staff with clear guidelines to ensure that the council's policies and practices comply with current legislation and agreed Pan Sussex procedures. The principles set out in the policy will allow officers to make a judgement about when they should report safeguarding concerns, the procedure for reporting and the roles and responsibilities that different officers have.

6 Business case and alternative option(s) considered

6.1 The alignment of the Lewes District Council and Eastbourne Borough Council's safeguarding policies and procedures is designed to ensure that the policy is robust and is implemented effectively. The amendments from the previous policies are designed to cover all areas in which the council is involved and to minimise the risks to those council services, resources and premises and to council staff, volunteers, contractors and other partners.

6.2 The duty to co-operate quoted in paragraph 1.1 above is a reference to section 10 of the Children Act 2004, which requires local authorities to make arrangements to promote co-operation between the authority, each of their relevant partners, and any other partners, and any other persons the authority considers appropriate with a view to improving the wellbeing of children in the authority's area, in relation to:

- a) Physical and mental health and emotional wellbeing;
- b) Protection from harm and neglect;
- c) Education training and recreation;
- d) The contribution made by those children to society
- e) Social and economic wellbeing.

In making arrangements under this section, a local authority must have regard to the importance of parents and other persons caring for children in the wellbeing of children.

7 Financial appraisal

- 7.1 There are no significant financial or staff resource implications arising from the recommendations of this report.

8 Legal implications

- 8.1 The draft Joint Safeguarding Children and Vulnerable Adults Policy at Appendix 1 is consistent with:

- Sections 10 and 11 of the Children Act 2004 (the council's duty to make arrangements to promote co-operation between the council and relevant partners, with a view to improving the well-being of children in the council's area; and the council's duty to make arrangements for ensuring that the council discharges its functions, having regard to the need to safeguard and promote the welfare of children).
- Section 6 of the Care Act 2014 (the council's duty to co-operate with each of its relevant partners in exercising its functions relating to adults with needs for care and support).
- Section 26 of the Counter-Terrorism and Security Act 2015 (the council's duty to have due regard to the need to prevent people from being drawn into terrorism)

Lawyer consulted 22.08.18

Legal ref: 007629-LDC-OD

9 Risk management implications

- 9.1 Reviewing the Council's policies and performance on a regular basis provides an assurance that the Council is fulfilling its functions in a way that protects children and vulnerable adults and reduces the risk of harm. It also reduces the risk of reputational damage to the Council by minimising the risk of its own actions or inaction leading to serious harm caused to a child or vulnerable adult

10 Equality Analysis

- 10.1 The policy is designed to protect children, young people and those adults most at risk of abuse or neglect. This includes anyone who is, or may be in need of community services due to age, illness or a mental or physical disability and may include, for example, people who are frail due to age, those who have specific disabilities and those at risk of exploitation. No negative impact on groups

protected under the Equality Act 2010 have been identified.

10.2 An Equality and Fairness Analysis has been carried out and is available from the report author.

11 **Appendices**

- Appendix 1 - Draft Joint Safeguarding Children and Vulnerable Adults Policy

12 **Background papers**

The background papers used in compiling this report were as follows:

- LDC Safeguarding Policy – November 2015 - [Safeguarding - Lewes and Eastbourne Councils](#)

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Appendix 1



Lewes District Council



Working in partnership with Eastbourne Homes

Draft Safeguarding Children and Vulnerable Adults Policy

DRAFT

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1. Scope

1.1. This policy is the responsibility of all:

- Councillors
- Staff and volunteers
- Contractors and partners working for or on behalf of the council.

References to staff in this policy include all workers (e.g. permanent and temporary staff, agency staff, casual staff, volunteers, apprentices and those undertaking internships or work experience). The Staff Code of Conduct requires compliance with the policy.

1.2. Children and young people are defined as those aged under 18.

1.3. A vulnerable adult is someone aged 18 or over who:

- Has needs for care and support (where or not the local authority is meeting any of these needs) and
- Is experiencing, or at risk of, abuse or neglect; and
- as a result of these care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

For example a person who:

- Is frail due to age
- Has drug or alcohol problems
- Has a learning disability
- Has mental or physical ill health or disability
- Has been trafficked for purposes such as forced labour or sexual exploitation.

Vulnerability is related to how able an adult is to make and exercise their own informed choice, free from duress or undue influence, and to protect

themselves from abuse, neglect and exploitation. There is no hard and fast rule: an adult should be assumed to be covered by this policy unless there is information to indicate that they are not.

2. Reasons for the policy

- 2.1. Everyone, including children, young people and vulnerable adults, has the right not to be abused. We recognise the need to ensure their welfare when they come into contact with the services we provide. The council has wide ranging contacts with potentially vulnerable children and adults. It is essential that a clear and consistent approach to safeguarding is followed across the all council services.
- 2.2. It is known that some individuals will actively seek employment or voluntary work with vulnerable people, particularly with children and young people in order to control harm and 'control' them. People who work with children, young people and adults who may be at risk, contractors and other partners of the council have a role to play in protecting them from harm and safeguarding their welfare.
- 2.3. It is also important to recognise additional vulnerability in terms of race, disability, religion, ethnicity or language. Specific reference is made to these issues in the Pan Sussex Children Protection and Safeguarding Procedures and in the Sussex Multi Agency Policy and Procedures for Safeguarding Vulnerable Adults.
- 2.4. The Children Act 2004 and the Care Act 2014 place specific duties on District and Borough councils to have regard to the need to safeguard and promote the welfare of children and vulnerable adults, and to co-operate with other agencies to improve the wellbeing of children and vulnerable adults. The council is a partner of the East Sussex Local Safeguarding Children Board (LSCB) and the East Sussex Local Safeguarding Adults Board (LSAB) and is required, where appropriate, to contribute information to Serious Case Reviews (SCRs) and Safeguarding Adults Reviews (SARs), and to ensure learning from these is disseminated and acted on within the council.

3. Safeguarding statement

- 3.1. Lewes District and Eastbourne councils work to ensure that all children, young people and vulnerable adults coming into contact with the council and its employees are protected and treated with respect. The council will endeavour to create an organisational culture where staff, councillors and contractors are sensitive to abuse and exploitation and take responsibility for and feel confident in reporting concerns. The council will cooperate with relevant partners in order to protect children and adults experiencing or at risk of abuse in accordance

with arrangements and procedures agreed by the Local Safeguarding Children Board and the Safeguarding Adults Board.

- 3.2. It is not the policy of the council to encourage staff to investigate suspicions or allegations, but to make all staff aware of the issues surrounding child and vulnerable adult protection and to have clear procedures in place to ensure that staff are aware of how and to whom any concerns should be reported. All staff involved in the provision of services should know what to do if there are any concerns about abuse and what procedures and guidelines they should follow.

4. Safeguarding roles and responsibilities

- 1.1. Safeguarding children from abuse and promoting their welfare means:

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring children are growing up in circumstances consistent with the provision of safe and effective care;
- taking action to enable all children to have the best outcomes.

- 1.2. Safeguarding vulnerable adults means protecting them from maltreatment, and preventing injury or significant harm. Abuse violates an adult's human and civil rights. It can vary from treating someone with disrespect in a way which significantly affects the person's quality of life, to causing actual physical suffering.

- 1.3. A safeguarding concern arises if abuse is suspected or disclosed. Abuse can happen anywhere – at home, in a residential or nursing home, a hospital, in the workplace, at a day centre or educational establishment or in the street.

- 1.4. It is the responsibility of all those working within or on behalf of the council to be vigilant and report alleged or suspected incidents of child, young person and/or vulnerable adult abuse.

- 1.5. A minimum of five team leaders or other officers in key roles within the council will act as **Safeguarding Contacts** supporting staff and ensuring that concerns are reported appropriately and in accordance with current guidance. The role and responsibilities of the Safeguarding Contacts are set out in more detail in Section 8.

- 1.6. The **Named Senior Officer**, the Director of Service Delivery, has overall responsibility for safeguarding, including e-safety. This responsibility includes:

- keeping this policy up to date and ensuring its conformity with the Pan Sussex LSCB and LSAB guidance;
- making sure this policy is implemented, and that staff, councillors, contractors, organisations receiving financial support from the Councils and partners understand their responsibilities;
- checking that appropriate steps are taken in the event of any allegations against a councillor or member of staff, and that the council liaises

appropriately and effectively with authorities responsible for investigating these safeguarding concerns: the Police and/or East Sussex County Council Children's and Adults' Services. The Named Senior Officer oversees liaison between the responsible authorities and the councils to determine how any internal and external investigations can be conducted properly, preserving evidence and avoiding unnecessary duplication and delay. Investigation by the responsible authorities normally takes precedence over council investigations under the complaints, grievance or disciplinary procedures

- supporting the Safeguarding Contacts and other staff, providing direction, advice and guidance where appropriate;
- ensuring that the council actively supports all Serious Case Reviews (SCRs) and Safeguarding Adults Reviews (SARs) where the council may have had involvement / contact with the victim; and
- ensuring that the council acts on lessons learnt from SCRs and SARs and other safeguarding issues, grievances or disciplinary proceedings.

1.4. The **Prevent Lead**, the Strategy and Partnerships Lead – Thriving Communities, has overall responsibility for the Council's Prevent duties. These include:

- attending meetings of the East Sussex Prevent Board and maintaining up to date knowledge of the Council's duties and locally agreed procedures for reporting concerns
- ensuring that staff, councillors, contractors, organisations receiving financial support from the Council and partners understand their responsibilities under the Counter Terrorism and Security Act 2015;
- supporting the Safeguarding Contacts and other staff, providing direction, advice and guidance where appropriate.

1.5. Specific safeguarding responsibilities are tabulated at Appendix A.

5. Types of abuse

1.7. The Care Act 2014 includes a list of some types and patterns of abuse and neglect and the different situations in which this may take place. This is intended as an illustration rather than an exhaustive list and the Councils should not limit its view of what constitutes abuse or neglect to examples illustrated. The list below is included as an illustration of the types of abuse and neglect that may arise.

1.8. **Physical: causing physical harm**, including hitting, shaking, biting, grabbing, withholding food or drink, force-feeding, wrongly administering medicine, unnecessary restraint, failing to provide physical care and aids to living;

1.9. **Sexual**: including sexual assault, rape, inappropriate touching/molesting, forcing or enticing, someone into sexual acts they don't understand or feel powerless to refuse; grooming a child or young person in preparation for abuse, including on-line activity;

- 1.10. **Emotional or psychological:** persistent emotional ill treatment or rejection (domestic or otherwise), including verbal abuse, shouting, swearing, threatening abandonment or harm, isolating, taking away privacy or other rights, bullying/intimidation, blaming, belittling, silencing, controlling or humiliating;
- 1.11. **Exploitation:** either opportunistically or premeditated, unfairly manipulating someone for profit or personal gain;
- 1.12. **Financial or material: illegal or improper use of an adult's property, money or other assets without their informed consent or where the consent is obtained by fraud.** It can include withholding money or possessions, theft of money or property, fraud, intentionally mismanaging finances, borrowing money and not repaying. In relation to an adult's financial affairs or arrangements this could include wills, property, inheritance or financial transactions of the misuse or misappropriation of property, possessions or benefits;
- 1.13. **Neglect and acts of omission:** persistent or severe failure to meet a person's basic physical and psychological needs. It will result in serious impairment of their health or development, and can include withholding shelter, food, drink, heating and clothing, failing to provide access to health, social and educational services, ignoring physical care needs, exposing a person to unacceptable risk, failing to ensure adequate supervision or unresponsiveness to the basic emotional needs of a child;
- 1.14. **Discriminatory abuse:** including slurs, harassment and maltreatment due to a protected characteristic (Equality Act 2010);
- 1.15. **Institutional abuse:** including neglect and poor care practice within an institution or specific care setting such as a hospital, care home or children's home;
- 1.16. **Unintentional abuse:** this may be the result of negligence or ignorance;
- 1.17. **Child Sexual Exploitation (CSE):** includes forcing or enticing a child aged under 18 to take part in sexual activities whether or not the child is aware of what is happening. The may include situations or relationships where children receive something (e.g. food, drugs, alcohol, cigarettes, affection, gifts, accommodation and money) linked to sexual activity. CSE also occurs remotely, not necessarily with the child's awareness through the use of technology, e.g. posing sexual images on the internet;
- 1.18. **Modern slavery:** recruiting people by deception or coercion and moving them to a new place where they can be exploited. This includes human trafficking;
- 1.19. **Domestic abuse:** an incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse by someone who is or has been an

intimate partner or family member regardless of gender or sexuality. Children who have witnessed domestic abuse may also need safeguarding.

- 1.20. **Honour Based Abuse (HBA):** A collection of practices which are used to control behaviour within families or other social groups to protect perceived cultural and religious beliefs and/or honour and which can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code;
- 1.21. **Forced Marriage (FM):** A marriage conducted without the valid consent of one or both parties and where duress is a factor. FM is now a specific offence under section 121 of the Anti-Social Behaviour, Crime and Policing Act 2014;
- 1.22. **Female Genital Mutilation (FGM):** FGM is a collective term for a range of procedures which involve partial or total removal of the external female genitalia for non-medical reasons, sometimes referred to as female circumcision or female genital cutting. FGM of girls is regarded as child abuse;
- 1.23. **Human Trafficking:** The recruitment, transportation, transfer, harbouring or receipt of people by means of threat or use of force or other forms of coercion, abduction, fraud, of deception, abuse of power or inducements for the purpose of exploitation through prostitution or others forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or removal or organs. Victims may be physically or psychologically 'imprisoned';
- 1.24. **Self-neglect:** Self-neglect is the 'inability (intentional or non-intentional) to maintain a socially and culturally accepted standard of self-care with the potential for serious consequences to the health and well-being of people who self-neglect and perhaps even to their community' (Gibbons, 2006);
- 1.25. **Prevent:** This is the Government counter-terrorism strategy. From July 2015 local authorities have a responsibility to work with and support individuals and communities who may be vulnerable to the threat of violent extremism and terrorism. Children and vulnerable adults may be at risk of being drawn into extremism. Early intervention can help protect them before illegality occurs, and concerns relating to extremism can be reported as a Safeguarding concern.

6. Signs of abuse

- 1.26. There are many possible signs of abuse, none being conclusive on their own. Examples include:
 - Unexplained injury / weight loss / cuts and bruises / dirtiness
 - Changes in behaviour
 - Depression / low self-esteem / anxiety
 - Lack of self-care / dehydration / abnormal eating pattern
 - Harm to self
 - Obsessive behaviour
 - Bills not being paid

- An overly critical or disrespectful carer (or boss, for trafficking) who may control, bully or undermine
- Isolation from usual network of friends, family or community
- No access to GP / local services and legal documents e.g. passport (trafficking).

7 Reporting safeguarding concerns

- 1.27. We all have a responsibility to report any safeguarding concerns over the welfare of children, young people or vulnerable adults. This extends to the identification of signs of abuse, poor practice by staff, councillors and others acting for or on behalf of the council, allegations brought to our attention by a member of the public. This includes the need to report concerns relating to children who have witnessed domestic abuse. Reporting safeguarding concerns can prevent serious abuse or harm from happening, or from escalating.
- 1.28. All staff, volunteers, members contractors and partners of the council are expected to act promptly and effectively in communicating concerns relating to child and adult protection either through one of the council's Safeguarding contacts or directly to East Sussex Children's Services or Adult Social Care Service.
- 1.29. A list of the council's **Safeguarding Contacts** is maintained by the Strategy and Partnerships Lead for Thriving Communities. Staff must not attempt to investigate abuse themselves; neither must they confront anyone who is allegedly responsible for abuse nor tell them that allegations have been made against them.
- 1.30. **Inside normal office hours** safeguarding concerns must be reported to a Safeguarding Contact at the earliest possible opportunity and within **one working day** of recognising the risk. Verbal reports must be confirmed on the CRM within one working day.
- 1.31. **Outside normal office hours** safeguarding concerns must be reported immediately to the East Sussex County Council Emergency Duty Service. A record must be made of everything that is said and a Safeguarding Contact must be informed on the next working day and the details of the report recorded on the CRM.
- 1.32. **Dial 999** if a child, young person or vulnerable adult may be in imminent danger or a criminal offence may have been committed before taking the above steps.
- 1.33. The Safeguarding Contact should be given as much factual information as possible. For example:

- The child, young person or vulnerable adult's name and address (and parents'/carers' address if different);
- The reason for concern – a note of significant events or conversation should be made as promptly as possible to assist with any referral and subsequent investigation. Evidence such as texts or social media entries should be preserved;
- Any other known factors which may be contributing to the problem;
- Additional information such as age (or date of birth), ethnicity, religion, language and disabilities/specific needs.

However, it is not the role of council staff to investigate suspicions or allegations and any safeguarding concern should be reported whether or not the information is complete.

- 7,8 If there are doubts about whether a safeguarding concern has been handled in accordance with the Safeguarding Policy, these should be raised with the Named Senior Officer. If this is not appropriate, the concern should be raised with another member of the council's Corporate Management Team.
- 7.9 Variations to these arrangements may be agreed with specific terms (e.g. sheltered housing) to ensure that safeguarding concerns are dealt with promptly.

8 Role of Safeguarding Contacts

- 8.1 A Safeguarding Contact is responsible for receiving reports of safeguarding concerns inside normal office hours from any councillor or staff member **regardless** of which team they work in and for maintaining appropriate records on behalf of the council, seeking advice from East Sussex County Council (ESCC) Children's and Adult Services and informing the Named Senior Officer of the concern and advice received.
- 8.2 To discharge this responsibility the Safeguarding Contact must inform the ESCC Children's or Adult Services of the Safeguarding concern, where possible on the same working day as it is received and **within 24 hours** and obtain their advice about the appropriate action to be taken. For Children's Services the point of contact will be the Single Point of Advice (SPOA). Advice may also be received from the police if appropriate.
- 8.3 It is not the job of the Safeguarding Contact or the Named Senior Officer to establish whether or not abuse is taking place, or whether a crime has been committed. That is the job of the "responsible authorities" (Police, ESCC Children's or Adult Services).

- 8.4 Safeguarding Contacts are also responsible for supporting staff who report concerns directly to ESCC whether this is out of normal hours or in situations where they have not been able to locate a Safeguarding Contact.

9 Confidentiality, record keeping and sharing information

- 9.1 Information about safeguarding concerns should be regarded as **confidential** and should be channelled through a Safeguarding Contact. The information is not secret, however, and the Safeguarding Contact will seek advice from ESCC Children's and Adults' Services and be guided by the information set out at Appendix H. Information sharing must be necessary, proportionate, relevant, accurate, timely and secure.
- 9.2 If someone discloses abuse, but asks that it should be kept a secret, they should be told that if what they have said indicates that they, or someone else, may be harmed, there is a duty to report it to a Safeguarding Contact. This is called acting in the public interest.
- 9.3 If a witness who is not a councillor or member of staff requests anonymity, they should be told that it is much better if they are willing to give their name, but if not, their concern will still be reported to a Safeguarding Contact.
- 9.4 Records should be written in plain English, and should always differentiate clearly between fact and opinion or judgement. All must be dated, and stored securely. Any paper records must be signed, and appropriately destroyed after scanning.
- 9.5 Information about a safeguarding concern may be shared by a Safeguarding Contact or the Named Senior Officer at the earliest opportunity with appropriate others in accordance with information sharing principles (Appendix H). For example:
- The council's HR Manager in the case of an allegation against staff
 - The council's Monitoring Officer in the case of an allegation against a councillor
 - Where safeguarding concerns and allegation relate to contractors or partners the appropriate company/organisation manager and council senior manager overseeing the contract or partnership;
 - The alleged victim or their parent/carer where appropriate (regarding the safeguarding concern and steps being taken to deal with it).
- 1.1. A secure GCSX compliant email system must be used where there is a need to share safeguarding or other confidential information with external organisations (in accordance with the information sharing requirements of this policy).

- 1.2. Records will be stored in accordance with the council's policies and procedures governing information management and record/document retention and disposal.

10 Allegations against staff, councillors, contractors or partners

- 1.3. If someone witnesses behaviour by a councillor, member of staff, contractor or partner, or an allegation is made about them that indicates that they have, or may have:

- harmed a child, young person or vulnerable adult, or put them at risk of harm;
- possibly committed a criminal offence against or related to a child, young person or vulnerable adult, or;
- behaved in a way that indicated they may pose a risk of harm to children young people or vulnerable adults.

they must report it as a safeguarding concern to a Safeguarding Contact (see section 8).

- 1.4. It is acknowledged that an allegation against any member of staff will generate concern amongst other staff. The way in which any such allegations are dealt with should be professional and fair and, above all, protect the welfare of the child, young person or vulnerable adult. Staff will be supported if they disclose information about a colleague.
- 1.5. A councillor or member of staff, whether paid or unpaid, must report any allegation made against them to a Safeguarding Contact following the procedure in Section 7 of this policy.
- 1.6. Safeguarding concerns and allegations relating to staff will be dealt with in accordance with the council's disciplinary procedures (including instances where the member of staff resigns or leaves). However, investigations by the responsible authorities will take precedence over internal council procedures relating to conduct. The HR Manager will liaise with the responsible authorities to agree the appropriate course of action.
- 1.7. The HR Manager will seek advice from ESCC Children's or Adult Services or the police prior to informing a member of staff of an allegation against them. The HR Manager will offer appropriate welfare support to the member of staff and ensure they are kept appropriately informed during any investigation process.
- 1.8. In accordance with the law the council will refer to the Disclosure and Barring Service (DBS) any member of staff who:

- was dismissed because they harmed a child or adult;
- was dismissed or removed from working in a regulated activity because they might otherwise have harmed a child or adult;
- would have been dismissed for either of the above reasons but they resigned first; or,
- who works with children or vulnerable adults in regulated activity and has been cautioned or convicted for a relevant offence.

1.9. Safeguarding concerns and allegations relating to councillors will be referred to the Monitoring Officer and dealt with in accordance with the council's Code of Conduct of Members and liaison with the lead officer responsible for safeguarding.

1.10. The council will implement procedures to deal with the outcome of any investigation including:

- advice and reassurance to the public;
- media attention;
- dealing with staff if the event of allegations being unfounded;
- dealing with staff should an allegation about a staff member be proven.

11 Recruitment and selection

1.11. The council will take all reasonable steps to prevent unsuitable people working with children, young people and vulnerable adults on behalf of the council. Procedures will be deployed consistently for all staff whether in full time, part time, permanent or temporary employment and whether paid or voluntary.

1.12. The need to recruit quickly will not be allowed to take precedence over safe recruitment principles. They are incorporated into the council's recruitment policies and practices, and the HR Manager is responsible for their implementation and review. Key aspects are:

- a commitment to safeguarding must be included in all future employment contracts
- criminal record checks will be made where appropriate. Roles that involve regulated activities, such as caring for, supervising or being in sole charge of children or vulnerable adults, require an enhanced Disclosure and Barring Service (DBS) Check. This may include checking whether someone is included in the two DBS 'barred lists' of individuals who are unsuitable for working with children and adults. DBS checks must be obtained for staff and volunteers undertaking these roles, and they will not be permitted to

commence unaccompanied work until they have been received. It is against the law for employers to employ someone, or allow them to volunteer for this kind of work if they are on one of the barred lists.

- a commitment to safeguarding must be included in all employment contracts.
- any post-specific requirements relating to safeguarding must be included in the relevant job description and person specification.
- offers of employment or placements are subject to receipt of satisfactory references and identity checks. Where the post involves significant contact with children, young people or vulnerable adults, former employers will be asked about the suitability of the candidate and whether there have been any concerns, allegations or disciplinary investigations related to safeguarding.
- managers and HR staff must comply with corporate policies on the security of DBS records and on the Rehabilitation of Offenders to ensure the confidentiality of information received in relation to applicants.

1.13. Managers are responsible for ensuring that employment agencies used by the council offer safe recruitment and selection processes. Employment agencies must be made aware of this policy, must provide the council with a copy of their safeguarding procedure and must agree to share with the council any safeguarding concern within the agency relating to individual staff.

12 Information and training

1.14. Information will be made available in council premises to raise awareness and to let people know how to voice any safeguarding concerns they may have.

1.15. Appropriate information will be made available to staff councillors, contractors and partners in the form of this policy and appendices.

1.16. All training carried out will be consistent with the recommendations of the Local Safeguarding Children Board and Safeguarding Adults Board.

1.17. Induction for new staff and councillors on safeguarding must be completed within 3 months of the start of their employment/placement/term of office. It will include:

- signposting this policy, procedures for reporting safeguarding concerns and contact details of safeguarding contacts.
- awareness training on safeguarding and role boundaries.

1.18. Existing staff and councillors will be required to undertake refresher awareness training on safeguarding and role boundaries every 3 years.

- 1.19. Requirements for more advanced training for staff who have significant contact with children young people or vulnerable adults will be identified as part of the induction and/or appraisal process, dependant on the nature of the post.
- 1.20. Requirements for additional training for HR Officers, Safeguarding Contacts, the Monitoring Officer, the Named Senior Officer and the Prevent Lead will be identified as part of the induction and/or appraisal process and refreshed at appropriate intervals.

13 External organisation licensed by, or working with for or on behalf of the council

- 1.21. The council works with and through a number of external organisations such as charities, contractors, licensees, other public sector bodies, etc. Checks that relevant external organisations operate safe recruitment practices must be made at the tender/quotation stage.
- 1.22. Where these external organisations are likely to have significant contact with children, young people or vulnerable adults as a direct result of their work for, on behalf of or in partnership with the council, they are required to have safeguarding procedures, such as safe recruitment and selection process in place. They must be aware of this policy, must provide the council with a copy of their safeguarding procedure and must agree to share with the council any safeguarding concern within their organisation relating to relevant individuals who undertake work for or on behalf of the council.
- 1.23. Support for programmes which involve children, young people or vulnerable adults (funding, premises, etc.) will be subject to those organisations providing evidence of effective policy and procedures on child and vulnerable adult protection. This includes all those managing any of the council's building or with a licence to run services from any of the council's buildings.
- 1.24. Heads of Service and managers are responsible for ensuring that their teams are made aware of and comply with the provisions set out in 13.2. and 13.3.
- 1.25. Heads of Service and managers are responsible for obtaining assurances that external organisations have implemented their own safeguarding procedures once they have been alerted to a safeguarding concern under section 7. Senior Heads of Service and managers will also take appropriate steps to address any risk that may be posed by an individual in the course of their organisation's work for or on behalf of the council.

1.26. The council will undertake DBS checks in accordance with national guidelines as part of the licence application process (e.g. taxi licence applications).

14 Policy review and version control

This policy will be reviewed annually or in line with new advice from the LSCB or SAB or changes to the Pan Susses procedures.

Date reviewed	Reviewed by	Approved by
August 2018	Laura Lea/Pat Taylor	Tim Whelan (Head of Service Delivery)

DRAFT

Appendix A – table of specific responsibilities in relation to safeguarding

Role			
Named Senior Officer	Safeguarding Contacts	HR Manager	Others
Maintain policy – update and ensure conformity with East Sussex LSCB and LSAB guidance.	Receive reports of safeguarding concerns and seek advice from ESCC Children’s and Adults’ Services	Manage allegations against staff <ul style="list-style-type: none"> • Implement disciplinary procedure where appropriate; • Liaise with responsible authorities • Share information with appropriate others; • Offer appropriate welfare support to person against whom allegations have been made; • Make referrals to the DBS when appropriate. 	Cabinet Member for Direct Assistance Services Customer Communications and Lead Ensure Communications including social media comply with Safeguarding policies and standards and the Pan Sussex E-Safety Strategy
Oversee policy implementation and ensure awareness and understanding. Ensure Corporate Risk	Raise concerns and submit reports to SPOA and HSCC as appropriate and ensure information is recorded and stored securely on appropriate	Implement safe recruitment practices including <ul style="list-style-type: none"> • DBS checks where applicable; • Information in application pack; 	Heads of Service / Managers <ul style="list-style-type: none"> • Ensure departmental compliance with the policy including completion, updating and recording of risk assessments on

<p>Assessment is carried out, updated and recorded on Pentana</p>	<p>system</p>	<ul style="list-style-type: none"> • Pre-employment checks. 	<p>Pentana;</p> <ul style="list-style-type: none"> • Implement section 13 (external organisations). • Implement section 11.3 (employment agency checks) • Managers and Safeguarding Contacts ensure information is properly protected and shared, and use monitored.
<p>Oversee management of allegations against councillors including</p> <ul style="list-style-type: none"> • Implementation of appropriate procedures; • Liaison with responsible authorities. 		<p>Arrange appropriate induction and training</p>	<p>Assistant Director for Corporate Governance</p> <ul style="list-style-type: none"> • Ensure appropriate induction and training is provided for councillors. • Ensure that safeguarding concerns and allegations relating to councillors are dealt with in accordance with the Code of Conduct of Members of the Council.
<p>Ensure policy and procedures are implemented by staff</p> <p>Maintain and publicise a list of Safeguarding Contacts.</p>	<p>Maintain appropriate records of concerns, advice, decisions and actions taken.</p>	<p>Ensure staff agreements relating to IT Acceptable Use are in place covering e-safety</p> <p>Arrange appropriate induction and training for staff.</p>	<p>Heads or Service / Managers</p> <p>Ensure safeguarding issues are covered appropriately in induction, 1:1 and team meetings and staff appraisals</p>

		Liaise with managers to ensure mandatory training is completed by all staff.	and liaise with HR to ensure that mandatory training is completed by all staff.
Deliver policy with respect to contracts and grants			<p>Heads of Service / Managers</p> <p>Ensure procurement and grant processes comply with policy and procedures</p> <p>Specialist Advisor - Licensing Implement national guidance on DBS checks as part of the licence application process.</p>
<p>Ensure appropriate information is shared with Safeguarding Contacts and Senior Managers of Service</p> <p>Support Serious Case Reviews and Safeguarding Adult Reviews</p> <ul style="list-style-type: none"> • Active co-operation; • Lessons learnt. <p>Support and direct the Safeguarding Contacts, in the light of advice from ESCC Children's and Adults' Services</p>	Share information with appropriate others.		

Appendix B – General Guidance for Staff and Managers

We can reduce likely situations for abuse of children and help protect our staff and volunteers from false accusations by making sure that everyone is aware that **it is not acceptable to:**

- Spend time alone with children away from others;
- Take children alone in a car on journeys, however short;
- Take children to their home.

In exceptional circumstances where it is **absolutely unavoidable** that these things do happen, they should **only** occur with the full knowledge and consent of the senior head or their deputy.

You should make it clear to all staff and volunteers in your organisation that they should **never:**

- Engage in rough physical games, including horseplay (apart from structured sports activities);
- Allow or engage in inappropriate touching of any form;
- Allow children to use inappropriate language unchallenged;
- Make sexually suggestive comments about, or to, a child;
- Let allegations a child makes go unchallenged or unrecorded;
- Do things of a personal nature for children or vulnerable adults.

Appendix C – Guidance For Managers: Supervision of Children

Making arrangements for the proper supervision of children is one of the most effective ways of minimising opportunities for children to suffer harm of any kind whilst taking part in organised programmes or whilst at Council facilities.

Planning

- Organisers **must** plan and prepare a detailed programme of activities for the children who are involved in the project, **including preparing a risk assessment prior to the event.**
- Managers must ensure that all staff and volunteers have got required appropriate DBS clearance in place.
- Organisers are responsible for the welfare and safety of the children for the whole time they are in their care.
- Young people should not be left to their own devices when undertaking a supervised programme.
- All children should be adequately supervised and engaged in suitable activities at all times.
- In circumstances when planned activities are disrupted, e.g. due to weather conditions, then organisers should have a number of alternative activities planned.

Supervision

- Leaders in charge must be satisfied that those workers and adults who accompany group parties are fully competent to do so.
- Children must be supervised at all times.
- Children must not be left unsupervised at any venue whether it is indoors or out of doors.
- Workers should know at all times where children are and what they are doing.
- Any activity using potentially dangerous equipment should have constant adult supervision.
- Children will be safer if supervised by two or more adults.
- Dangerous behaviour by children should not be allowed.

Adult/Child Ratios

Level of supervision must be adequate whether at the organisation's venue or on a journey/visit. Therefore, when deciding how many adults are required to supervise, manager must take into consideration a range of practical matters:

- The number of participants in the group
- The nature of the site/venue and of the activity involved
- It is important that each individual supervisor knows the responsibilities he/she is expected to bear.

It is for the Manager in charge to exercise his/her professional judgement in deciding the level of supervision taking into account the appropriate national guidance. Risk assessments should be carried out in advance of programming the activity.

Guidelines for listening to a child, young person or vulnerable adult who claims he or she has been abused:

- React calmly so as not to frighten the child, young person or vulnerable adult
- Tell them they are not to blame and that they were right to tell
- Take what they say seriously, recognising how difficult it was for them to confide in you
- Always reassure them but do not make promises of confidentiality. Immediately afterwards, make a full, detailed record of what has been said, heard and/or seen.

Appendix D – What to do if you have concerns – reporting incidents or allegations

All staff must report any incidents or allegations to one of the council's **Safeguarding Contacts**, or, in their absence, to a direct line manager.

If a disclosure is made it **must be reported**. If in doubt contact one of the Safeguarding Contacts, your line manager, Human Resources or the Director of Service Delivery.

The Safeguarding Contacts will be identified to the member of staff at the start of their employment.

These include:

- Customer Contact Manager
- Customer Contact Team Leaders
- Neighbourhood First Team
- Specialist Advisor – Housing
- Manager - Sports Team
- Events Coordinator

A full list may be found on the council's intranet.

The Safeguarding Contact or manager will contact the relevant team at East Sussex County Council during working hours or the Emergency Duty Team if outside office hours.

The Safeguarding Lead and Senior Named Officer should be informed.

In an emergency, if it is out of office hours or you are unable to contact a Safeguarding Contact, report your concerns directly.

If a child, young person or vulnerable adult is in **immediate danger ring 999**.

If the person you are concerned about is **injured, call an ambulance** or contact a doctor.

When requested by East Sussex Children's Services use the Safeguarding Referral Form at Appendix F as a checklist and to record information relating to a concern about a child or young person but **do not send this other than by secure (GCSX) email**.

This form can be also be used as guidelines:

- If you observe something that gives you concern, or witness and incident that involves a child or young person

- If you are concerned about the behaviour of a member of Eastbourne Borough Council staff towards a child or young person adult
- If a child, young person or vulnerable adult discloses abuse or neglect.

Pass this report to a Safeguarding Contact, or, if they are not available, to the Named Senior Officer or another member of the Corporate Management Team.

If you are unable to answer all the questions, do not delay making a report. Do not try to gather any further information. Staff, volunteers, members and partners are **not** expected to investigate suspected incidents but **must** act promptly and effectively in communicating the issues to child and adult protection professionals.

Reporting Concerns about child protection

- Concerns relating to child protection should be reported to the Single Point of Advice on 01323 46422 or by secure (GCSX) email to 0-19SPOA@eastsussex.gcsx.gov.uk during office hours – by the Safeguarding Contact or manager who has been notified of the incident, or, if none of these is available, by the member of staff raising the concern.
- Out of hours, in the case of urgent childcare issues which cannot wait until the following day, staff should raise their concerns directly through the Out of Hours service on 01273 335906 or 01273 335905. This service is available out of office hours, including weekends and Public Holidays.
- All allegations should be reported regardless of their nature or who receives them. If you are unsure whether the concern should be referred, you should contact the Single Point of Advice on 01323 464222.

Reporting suspected abuse of an adult at risk

- Concerns relating to suspected abuse of an adult at risk should be reported to East Sussex Adult Social Care Direct on 0345 6080 191.

Reporting concerns under the duty to Prevent extremist behavior

- Concerns relating to a child or young person under 18 being drawn into extremist activity, should be reported through Safeguarding Contacts to SPOA in the usual way.
- Concerns relating to a vulnerable adult being drawn into extremist activity, should be reported to East Sussex Adult Social Care Direct in the usual way.
- You may be asked to complete and submit a Channel Referral Form. This can be found at Appendix F and should be sent by secure (GCSX) email.

Other useful contacts

- Action on Elder Abuse
Phone: 080 8808 8141
Website: www.elderabuse.org.uk;

- Healthwatch
Phone: 0300 0683 000
email: enquiries@healthwatch.co.uk
website: www.healthwatch.co.uk
- Public Concern at Work (for staff concerned about bad practice in the workplace)
Phone: 020 7404 6609;
Website: www.pcaw.org.uk
- NHS Direct
Phone: 111
- Samaritans (centre office)
Phone: 0208 394 8300
- Carers Direct National Helpline
Freephone: 0300 123 1053
- Care Quality Commission
Phone: 03000 616161
- National Domestic Violence Helpline (24-hour helpline)
Freephone: 0808 2000 247

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Appendix E - Allegations against a member of staff or councillor

Allegations against a member of staff or councillor

If you are concerned about the behaviour of a member of council staff or councillor towards a child, young person or vulnerable adult you must report this.

Where an allegation is made against an employee:

- the matter will be investigated in accordance with the council's disciplinary procedure.
- an appropriate person will be appointed to investigate;
- an immediate evaluation will be carried out to determine if there needs to be a full investigation;
- the employee may be suspended in cases of a more serious nature;
- if during the investigation there are suspicions of criminal activity or intent, the case will be referred to the police and/or social services.

Where an allegation is made against a councillor:

- The matter will be referred to the council's Monitoring Officer and will be investigated in accordance with the Code of Conduct of Members of the Council;
- If during the investigation there are suspicions of criminal activity or intent, the case will be referred to the police and/or social services.

If you report your concerns, you will be treated with sensitivity and fully supported by the council.

Appendix F – Reporting Forms



East Sussex Statement of referral

**To make a referral to children’s services you need to contact the countywide SPOA service:
Tel: 01323 464222 / Email: 0-19.SPOA@eastsussex.gov.uk**
The SPOA Worker will ask if you have discussed with your agency Safeguarding lead with reference to the East Sussex Continuum of Need prior to calling and which level of need the case sits on, the concerns should be discussed in this way first, unless a significant immediate risk of harm is identified. Referrals should be followed up in writing using this form within 24 hours

For more information on the Continuum of Need please go to <https://czone.eastsussex.gov.uk/Continuum>

- If handwritten, please complete in BLOCK CAPITALS
- If you run out of space please attach a separate sheet

To: (name of contact at East Sussex County Council)	Today’s date:
--	----------------------

Please attach any relevant additional information e.g. Chronology, Early Help Plan, CAF (information from attached documents **does not have to be repeated on this form)**
Please tell us what documents you have attached:

1. Child / young person you are concerned about			
Full name		Gender	
Date of Birth		Educational setting	
Address		Phone number	
NHS number			

2. All other children & young people you are aware of in the household					
Full name	Date of birth	Gender	Relationship to above	Educational setting	NHS number

2a. Ethnicity of children & young people in the household			
White	Mixed	Asian or Asian British	Black or Black British
<input type="checkbox"/> British	<input type="checkbox"/> White & Black	<input type="checkbox"/> Indian	<input type="checkbox"/> Caribbean
<input type="checkbox"/> Irish	<input type="checkbox"/> White & Black African	<input type="checkbox"/> Pakistani	<input type="checkbox"/> African
<input type="checkbox"/> Gypsy/Roma	<input type="checkbox"/> White & Asian	<input type="checkbox"/> Bangladeshi	<input type="checkbox"/> Other*
<input type="checkbox"/> Irish Traveller	<input type="checkbox"/> Other*	<input type="checkbox"/> Other*	
<input type="checkbox"/> Other*	<input type="checkbox"/> Arab	<input type="checkbox"/> Chinese	<input type="checkbox"/> Prefer not to say

***Other Ethnic Group:**

--

3. Adults you are aware of in the household

Full name	Gender	Relationship	Parental responsibility? Y/N

3a. Any other significant adults, children or young people who live elsewhere

Full name	Gender	Relationship	Parental responsibility? Y/N

4. Why are you worried about this child / family? What is your risk assessment for them?

Please include a chronology if not already attached/hi-light risks ie CSE/PREVENT/PHYSICAL ABUSE

--

5. Do you know what has already been tried to support this family and the outcome of that support? (include attachments as appropriate)

--

6. What help do you think Children's Services – Early Help or Social Care can give in this case?

--

7. Who in the family is aware of this referral? What do they think about this referral being made?

--

Please note: it is possible that this SOR and its contents will be discussed within the SPOA team and also within MASH if the SOR is passed through to that service. MASH is a multi-agency team and consists of staff from Children's Social Care, Police and other key early help services, information will be shared in order to work out the best way to respond to the concerns. We use the principles of information sharing as set out within Working Together 2015.

8. Please list any organisations or services you think are working with any members of the family

9. Referrer information: Please tell us about you

Name		Role	
Service		Contact details	
Signature			

Pan-Sussex Channel referral and assessment form

Restricted when complete (this document is only disclosed to those partners who have an information sharing agreement in place).

Pan-Sussex Channel referral and assessment form			
Referral Details			
Name:			
Alternative name:			
Date of Birth:		Gender:	
Address:			
Nationality:		Ethnicity:	
Language (first):		Faith:	
School/college or Occupation/workplace:			
Family or Carer details:			
Referring Agency Details			
Referral Author and Contact Details:			
Agency:			
Date of Referral:			

Vulnerability Factors		
Factor	Notes	Y/N
Faith/Ideology	e.g. concerning comments relating to faith or ideology, or association with extremists	
Social Mobility	e.g. poverty, lack of education or employment, immigration issues	
Physical or mental health	e.g. disability, learning difficulties, mental health support needs	
Risk or harm factor	e.g. threat posed by family member (Domestic Violence issues), victim of hate crime or personal attack: Perpetrator of Hate Crime.	
Criminal Activity or	e.g. involved in criminal activity or	

association	associating with known criminals	
Isolation or exclusion	e.g. lack of social activity, isolation, absent peer groups	
Other factor	Any other factors Please specify: e.g Jordan is a violent young man who seems to enjoy fighting. He's also quite charismatic and intelligent and also appears to be quite manipulative.	
Is the individual aware of the referral?	It is not always necessary to notify the individual, but it can be beneficial if they are aware.	

Restricted when Completed

Summary reason for referral
Outline main reasons for referral:
Existing agency involvement
<i>Outline and existing agency involvement (that you are aware of) e.g. CAF (Common Assessment framework), MAPPA (Multi Agency Public Protection Arrangements), Safeguarding:</i>
Any other relevant information
<p>Notes: A Channel referral places an individual into a multi-agency assessment and support process which aims to reduce their vulnerability to extremist-related activity. Each referral is screened for suitability. Further information will be sought from partner agencies before any support mechanisms are put in place. Your referral is important and does not mean an individual is a terrorist or will become a terrorist, only that vulnerabilities have been identified which require further investigation or help. Please provide as much detail as possible.</p> <p>If you have any questions or concerns please do not hesitate to discuss with your head of safeguarding, your nominated Single Point of Contact or local <i>Prevent</i> Engagement Officer:</p> <p>Naomi Watkinson - Prevent Officer Force Counter Terrorism Intelligence Unit Sussex Police Telephone 07788 566585</p> <p>Email: naomi.watkinson@sussex.pnn.police.uk</p>

When completed please email to channel@sussex.pnn.police.uk

Appendix G – Risk Assessment

The Named Senior Officer is responsible for ensuring that a corporate risk assessment covering safeguarding is carried out and recorded on Pentana.

Heads of Service are responsible for ensuring risk assessments are carried out in their service areas and recorded on Pentana.

For the purposes of this policy the type of work shown is indicative of the type of areas where protection of children and vulnerable adults should be considered. It is not intended to be comprehensive or exclusive.

Managers of work areas have responsibility for identifying “at risk” staff and other groups.

High Risk: Staff who enter people’s homes where Children or Vulnerable Adults may be, e.g.

- Leisure Centre & Sports Centre Staff
- Events staff
- Neighbourhood Advisors
- Contractors
- Volunteers

Low Risk: Staff who work out of the office but have no direct contact with Children, e.g.

- Contract inspectors
- Planning Officers / Building Control Officers

No Risk: Staff who are office based and have no contact with Children or Vulnerable Adults, e.g. Financial or Legal staff

When considering risk the same methodology should be applied to Council members, staff, contractors and volunteers.

Appendix H – Information Sharing

Working Together to Safeguard Children 2015 states that:

“Effective sharing of information between professionals and local agencies is essential for effective identification, assessment and service provision.

Early sharing of information is the key to providing effective early help where there are emerging problems. At the other end of the continuum, sharing information can be essential to put in place effective child protection services. Serious Case Reviews (SCRs) have shown how poor information - sharing has contributed to the deaths or serious injuries of children.

Fears about sharing information cannot be allowed to stand in the way of the need to promote the welfare and protect the safety of children.” (Working Together 2015)

Professionals often feel confused or concerned when they are asked to provide information to Children’s or Adult Social Care. Usually, this concern centres on the Data Protection Act and whether or not the professional has to obtain the consent of a parent before personal information can be shared.

There have been occasions when attempts to protect children from significant harm have been obstructed or delayed by a professional’s reluctance to share relevant information.

No professional should assume that someone else will pass on information which they think may be critical to keeping a child safe. If a professional has concerns about a child’s welfare and believes they are suffering or likely to suffer harm, then they should share the information with local authority children’s social care.

What is the legal basis for sharing information?

Sharing information with Children’s or Adult Social Care when they are discharging their legal duty to safeguard children or vulnerable adults is enshrined in legislation, statutory guidance, and in inter-agency safeguarding procedures.

- The Children Act 1989 requires local authorities to make child protection enquiries if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm, and requires other organisations to assist them with those enquiries if asked to do so.
- The Children Act 1989 places a general duty on local authorities to provide services for children in need in their area; section 27 of the act enables local authorities to request the help of other organisations to exercise this duty.
- Section 10 of the Children Act 2004 requires organisations to cooperate with the local authority to make arrangements to improve the wellbeing of children in their area.

- Section 11 of the Children Act 2004 places a duty on organisations to make arrangements to ensure their functions are discharged with regard to the need to safeguard and promote the welfare of children; this includes ensuring arrangements are in place for appropriate information sharing.
- Section 175 of the Education Act 2002 requires governing bodies of maintained schools and further education colleges to make arrangements to ensure that their functions are carried out with a view to safeguarding and promoting the welfare of children. Section 157 of the Education Act 2002 requires proprietors of independent schools (including academies, Free Schools and city technology colleges) and The Non-Maintained Special Schools Regulations 1999 require governing bodies of non-maintained special schools to make similar arrangements to safeguard and promote the welfare of children. Collaborative work and information sharing is necessary to fulfil these duties.
- Clause 45 of the Care Act focuses on 'supply of information'. This relates to the responsibilities of others to comply with requests for information from the Safeguarding Adults board

Staff should be aware of:

- 'Working Together to Safeguard Children' 2018, which replaces the guidance issued in 2015 (<http://www.workingtogetheronline.co.uk/>)
- The 'Care and Support Statutory Guidance' 2018 (<http://www.safecic.co.uk/>)
- Local requirements as set out in the *Sussex Safeguarding and Child Protection Procedures* (<https://sussexchildprotection.procedures.org.uk/>)
- Local requirements as set out in the *Sussex Safeguarding Adult – Policy and Procedures* (<http://sussexsafeguardingadults.procedures.org.uk/>)

The general principle is that information will only be shared with the consent of the subject of the information.

However, consent should not be sought:

- If it would place a child or adult at increased risk of harm
- If it would prejudice the prevention of detection of a serious crime
- If it would lead to unjustified delay in making enquiries about allegations of significant harm to a child
- If required by a statutory duty or a court order to share information

Consent is not necessary in cases where Children's Social Care are making child protection enquiries under section 47 of the Children Act 1989 – information needs to be shared with them; staff should ensure they record that the information has been shared.

Seven Golden Rules

- i. Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is shared appropriately.
- ii. Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- iii. Seek advice if you are in any doubt, without disclosing the identity of the person where possible.
- iv. Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your judgment on the facts of the case. See also [Further Information to Inform Decision Making Procedure](#) regarding the need for consent.
- v. Consider safety and well-being: Base your information sharing decisions on considerations of the safety and wellbeing of the person and others who may be affected by their actions.
- vi. Necessary, proportionate, relevant, accurate, timely and secure: Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion, and is shared securely.
- vii. Keep a record of your decision and the reasons for it - whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

(Extract from “Information sharing: Guidance for Practitioners and Managers”)

Further information can be found at:

www.eastsussexlscb.org.uk or <http://sussexsafeguardingadults.procedures.org.uk/>

Appendix I

Multi-agency Public Protection Arrangements (MAPPA)

The purpose of the MAPPA framework is to reduce the risks posed by sexual and violent offenders in order to protect the public, including previous victims, from serious harm.

The responsible authorities in respect of MAPPA are the police, prison and probation services. They have a duty to ensure that MAPPA is established in each of their geographic areas in order to ensure the risk assessment and management of all identified MAPPA offenders (primarily violent offenders on licence or mental health orders and all registered sex offenders).

Police, prison and probation services have a clear statutory duty to share information for MAPPA purposes. Other organisations have a duty to cooperate with the responsible authority, including housing providers. This information includes sensitive personal data where a need-to-know approach applies.

The council sends a representative to MAPPA meetings and contributes to minimising risk in the community through its participation. The council's Senior Specialist Advisor – Housing is the council's lead representative for MAPPA.

Multi-agency Risk Assessment Committee (MARAC)

As a housing services provider the council makes referrals to and participates in casework at MARAC meetings when an incident of domestic violence, stalking or 'honour'-based violence triggers a risk concern. The MARAC data sharing protocol adopts a need-to-know approach. This requires the council to provide a Single Point of Contact (SPOC) to manage the security and appropriate dissemination of information and to co-ordinate council officer case involvement.

The council's Senior Specialist Advisor – Housing is the council's Single Point of Contact for MARAC and is responsible for ensuring attendance at MARAC meetings.

Where domestic violence is being experienced by an adult at risk, safeguarding procedures provide the overarching process for ensuring the coordination of multi-agency involvement. The MARAC process is used in addition to ensure that issues relating to domestic abuse are covered effectively.

The council's safeguarding contacts, managers and team leaders are responsible for ensuring legislative compliance, best practice, up-to-date contact details and effective liaison with partners at an operational level.

Appendix J – e-Safety policy

This policy has been developed to support the council’s commitment to safeguarding and promoting the welfare of children and young people in a digital age.

The council recognises that being safe on line is not just a matter of technology and a comprehensive approach to e-safety is necessary.

Background

“All agencies providing services to children have a duty to understand e-safety issues, recognising their role in helping children to remain safe online while also supporting adults who care for children.”

Becta 2008, Safeguarding Children in a Digital World

E-safety is the process of limiting risks to children and young people when using Information and Communications Technology (ICT). E-safety is primarily a safeguarding issue not a technological issue, which relates to the use of all ICT-fixed or mobile; current, emerging and future ICT.

ICT is used daily as a tool to improve teaching, learning, communication and working practices to the benefit of our children and young people and those that work to support them. The use of ICT is recognised as being of significant benefit to all members of our community, in personal, social, professional and educational contexts. However alongside these benefits, there are potential risks that we have a statutory duty of care to manage, to ensure they do not become actual dangers to children and young people in our care or for employees.

E-Safety Risks & Issues

Some E-safety risks and issues are illustrated below

	Commercial	Aggressive	Sexual	Values
Content (child as recipient)	Adverts Spam Sponsorship Personal info	Violent/hateful content	Pornographic or unwelcome sexual content	Bias Racist Misleading info or advice
Contact (child as participant)	Tracking Harvesting personal info	Being bullied, harassed or stalked	Meeting strangers; being groomed	Self-harm Unwelcome persuasions
Conduct (child as actor)	Illegal downloading Hacking Gambling Financial scams Terrorism	Bullying or harassing another	Creating and uploading inappropriate material	Providing misleading info or advice.

DSCF, 2008 - Safer Children in a Digital World: The report of the Byron Review

e-Safety lead officer

The Head of ICT is the council's e-Safety lead officer, responsible for ensuring that this policy is disseminated, implemented and reviewed.

The e-Safety lead officer is responsible for:

- Ensuring that appropriate Acceptable Use of ICT policies are in place and included in the suite of policies that all staff, volunteers and council Members sign to confirm their compliance
- Ensuring that procedures are in place for reporting an e-safety incident, e.g. clear lines of reporting incidents of misuse of ICT by users and safeguarding incidents when a user is at risk or has come to actual harm through the use of ICT.

Procedures

All staff and volunteers are responsible for reporting any incidents of misuse of ICT by users that they become aware of to their line manager or Head of Service.

All council Members are responsible for reporting any incidents of misuse of ICT that they become aware of to the council's Monitoring Officer.

All staff and volunteers are responsible for reporting any safeguarding incidents when a user is at risk or has come to actual harm through the use of ICT through the council's agreed Safeguarding Procedures.

Infrastructure & Technology

The council will:

- Identify all routes to access the Internet in council run buildings and carry out risk assessments with regards to e-Safety;
- consider the use of additional software and/or settings for technologies to limit the e-safety risk;
- use up to date security software / solutions for technologies;
- where Internet access is available, ensure that all web content filtering products or services used, as a minimum:
 - subscribe to the Internet Watch Foundation Child Abuse Images and Content (CAIC) URL List;
 - block 100% of illegal material identified by the Internet Watch Foundation (IWF);
 - are capable of blocking 90% of inappropriate content in each of the following categories:
 - Pornographic, adult, tasteless or offensive material;

- Violence (including weapons and bombs, radicalisation);
- Racist, extremist and hate material;
- Illegal drug taking and promotion;
- Criminal skills and software piracy.

Training

Where Council staff, volunteers and members have contact with children and young people the Council aims to raise awareness of e-safety through induction and training programmes.

All staff, volunteers and Council Members are made aware of the Council's policies and procedures governing Safeguarding, including this Policy on e-safety.

The Council also aims to promote awareness of e-safety and to encourage staff and partner organisations to attend training covering issues of e-safety.

Policy review

This policy will be reviewed annually or in response to new technologies or e-safety incidents if sooner.

Appendix K: Private Fostering

There is a duty on parents and private foster carers who enter into a private fostering arrangement to notify Children's Services of this.

Private Fostering is when a child under the age of 16 (or under 18 if the child is disabled) is cared for by someone who is not their parent or a 'close relative' through a private arrangement made between a parent and a carer for 28 days or more.

A 'close relative' can include step-parents, grandparents, brothers, sisters, uncles or aunts (whether of full blood, half-bloods or by marriage).

If any private fostering arrangements come to our attention the Council will check with SPOA to ensure they have been made aware of the situation.

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Appendix L – Domestic Abuse

Definition

Domestic abuse can encompass, but is not limited to, the following types of abuse:

- Psychological;
- Physical;
- Sexual;
- Financial;
- Emotional.

Whilst women are more likely to experience the most serious forms of domestic violence and abuse, it is important to acknowledge that there are female perpetrators and male victims and that domestic violence and abuse also occurs within same sex relationships.

The definition of 'harm' in Section 31A of the Children Act 1989 (introduced by the Adoption and Children Act 2002) recognises that a child may suffer harm through witnessing domestic violence and abuse. Research evidence also indicates a strong link between domestic violence and abuse and all types of abuse and neglect.

Officers dealing with cases where domestic abuse has been reported, should ensure their response safeguards both the child and the non-abusing parent. Local arrangements set out how this assessment is undertaken including use of the [DASH Risk Assessment Tool](#) and referral to the Multi-Agency Risk Assessment Conference (MARAC) process. The MARAC is a process involving the participation of all the key statutory and voluntary agencies who might be involved in supporting victims of domestic violence and abuse. The objective is to share information and establish a simple multi-agency action plan to support the victim and make links with other public protection procedures, particularly safeguarding children, vulnerable adults and the management of offenders.

Any staff member who becomes aware of domestic violence and abuse should safeguard the safety of the victim and:

- ascertain whether there are any children living in the household or if the victim is pregnant and, if so, refer the case to Children's Services
- make a preliminary determination of the degree of exposure of the children to the incidents of violence and its consequent impact;
- where possible provide the victim with information on local support services and refuge details, taking into account any ethnic or cultural issues (available from local domestic violence forums).

Staff need also to be aware of **The Domestic Violence Disclosure Scheme** (DVDS) (also known as '**Clare's Law**'). This gives members of the public a formal mechanism to make enquires about an individual who they are in a relationship with, or who is in a relationship with someone they know, where there is a concern that

the individual may be violent towards their partner. This scheme adds a further dimension to the information sharing about children where there are concerns that domestic violence and abuse is impacting on the care and welfare of the children in the family.

Members of the public can make an application for a disclosure, known as the 'right to ask'. Anybody can make an enquiry, but information will only be given to someone at risk or a person in a position to safeguard the victim. The scheme is for anyone in an intimate relationship regardless of gender. Partner agencies, such as local authorities, can also request disclosure is made of an offender's past history where it is believed someone is at risk of harm. This is known as 'right to know'.

If a potentially violent individual is identified as having convictions for violent offences, or information is held about their behaviour which reasonably leads the police and other agencies to believe they pose a risk of harm to their partner, the police will consider disclosing the information. A disclosure can be made if it is legal, proportionate and necessary to do so.

Report to:	Cabinet
Date:	29 October 2018
Title:	Joint Transformation Programme Update
Report of:	Assistant Director for Human Resources and Transformation
Cabinet Member:	Councillor Elayne Merry, Deputy Leader and Cabinet member for People and Performance
Ward(s)	All
Purpose of report:	To update Cabinet on the progress of the Joint Transformation Programme and to seek approval for the Phase 3 business case
Decision Type:	Key Decision
Officer recommendations:	Cabinet is recommended to: (1) Note the progress of the Joint Transformation Programme; and (2) Approve the business case for the Joint Transformation Programme Phase 3 which includes recommendations to approve: a. the total savings/income target of £400,000 for Phase 3; b. the approach for delivering the Phase 3 transformation and savings/income; c. the Phase 3 governance arrangements; d. the Phase 3 costs and allocate an additional £1.4m to the Programme (£700,000 from Lewes District Council); and e. the revised costs and benefits realisation ratio of 50:50 between Lewes District and Eastbourne Borough Councils.
Reason for recommendation(s):	To enable Cabinet members to consider the progress of the Joint Transformation Programme and to determine the next steps in the transformational journey.
Officer contact:	Lee Banner, Joint Transformation Programme Manager Tel: 07894 237929 email lee.banner@lewes-eastbourne.gov.uk

1. Background

- 1.1 In May 2016, the Cabinets of Lewes District and Eastbourne Borough Councils approved the Joint Transformation Programme ('the Programme') to deliver the majority of council services via shared teams adopting new ways of working.

- 1.2 This is a major change programme and it represents a significant contributor to the Medium Term Financial Strategy savings targets. The Programme will deliver £3.2m of savings along with the cultural shift as set out in the business case.
- 1.3 This report outlines the progress made from March to October 2018 and sets out the proposals for the next period of activity, most significantly, the transformation to be delivered through the final part of the Programme, Phase 3.
- 1.4 The Programme has a clear governance structure led by the Programme Board. The Programme Board meets bi-monthly and consists of the leaders and deputy leaders, the leaders of the main opposition groups, the Chief Executive, three additional Corporate Management Team (CMT) members and the Joint Transformation Programme Manager. The last update to the Programme Board took place in October 2018.

2. Programme Activity March 2018 – October 2018

2.1 Phase 2 Transitions

Since the last report to Cabinet, the following service areas have successfully transitioned to new ways of working enabled by technology:

- Benefits;
- Revenues;
- Licensing; and
- Planning.

Throughout the transition process for each team, robust support measures are put in place to ensure any issues impacting performance are identified and resolved as quickly as possible and to ensure all opportunities for learning are exploited fully. The final transition – Homes First – will take place towards the end of the year and is currently the main focus of Phase 2 activity. This transition will benefit from the lessons learned from all preceding transitions.

2.2 Technology

The efficiencies and service improvements set out in the business case are enabled by considerable changes in technology. In this reporting period, the following have been delivered:

- Civica Financials (fully integrated financial information management system across both councils) was launched on time to support new ways of working for the financial year 2018/19;
- Enhanced phonebook – the planned improvement to the joint phonebook was implemented in September delivering greater usability and functionality for councillors and staff;
- The process of migrating all councillors to the new networks completed over the summer and tablet devices and Outlook Web Access (OWA – enables access to council emails from any device connected to the internet) were rolled out to provide flexible access to council emails;
- Channel shift (the process by which the council encourages customers to interact via digital channels) – progress has been made to increase customers' use of online channels (eg. for the year to April 2018, the

number of customers completing online transactions via the new website increased from 7% to 20%) and this is expected to grow further (eg. a number of processes for businesses/landlords are now “online only”). As a new joint website for the councils, an intensive programme has been underway and will continue to identify and deliver opportunities for improvement (eg. an enhanced search function has been implemented which will make it easier and quicker for customers to find what they are looking for). A recent user testing exercise highlighted how customers find many tasks on the new website to be quick and easy to complete – this demonstrated a marked improvement on user testing results carried out before the site launched in November 2017; and

- Continued work to implement the key technologies and systems to support the joint teams in their new ways of working.

2.3 As reported to Cabinet in the last update, discussions continue with Civica (the council’s strategic technology provider) to ensure the readiness of the technical elements of the Programme in alignment with the council’s plan. The challenges, which are to be expected in a Programme of the scale and ambition of the Joint Transformation Programme, are being managed and monitored to ensure any impacts on service delivery and staff are minimised.

2.4 Phase 3

Significant planning for Phase 3 of the Programme has been a key focus over recent months. Phase 3 will consider the future shape and ways of working for the following services:

- Audit;
- Corporate Property;
- Finance;
- HR;
- ICT; and
- Legal

2.5 The Joint Transformation Programme (JTP) Phases 1 and 2 delivered £2.8m of savings and efficiencies and the savings/income target for Phase 3 is £400,000.

2.6 The JTP Phase 3 business case is attached as Appendix 1 and sets out the following proposals:

- The context for this phase of the Programme;
- The approach for delivering the transformation and savings/income targets;
- The governance arrangements for effectively overseeing the activity;
- The implementation costs, including a request for an additional investment of £1.4m to facilitate the final stage of integration and development of modern and resilient services; and
- A revised costs and benefits realisation ratio between Lewes District and Eastbourne Borough Councils.

3. Next Steps

- 3.1 Over the coming months, there will be a continued focus on making a success of the remaining Phase 2 activity transitions and embedding the technologies integral to the new ways of working in the joint teams.
- 3.2 Subject to Cabinet's approval of the Phase 3 business case, an engagement session with staff will take place to officially launch JTP Phase 3 and colleagues will work at pace to deliver the transformation required.

4. Consultation

- 4.1 As set out in Appendix 1, discussions/formal consultation exercises with staff in the Phase 3 services and staff representation groups will take place.

The Joint Transformation Programme Staff Consultative Forum continues to meet regularly, engaging a range of staff representatives, including UNISON. The membership of the Forum has been revised to ensure appropriate staff representation from the services in scope for Phase 3.

5. Financial Implications

The Programme is operating within the budget approved by Cabinet in May 2016 and in line with the Medium Term Financial Strategy assumptions. There are no significant variances to report.

If the business case is approved, an additional £1.4m of investment would be allocated to the final stage of JTP integration and transformation.

6. Legal Implications

There are no legal implications arising directly out of this report.

7. Risk Management Implications

Risk management is a standard part of managing a programme of this scale. Risks are assessed regularly and significant issues reported to the Programme Board and the Programme Assurance Panel.

8. Equality and Diversity

The JTP Equality and Fairness Forum will continue to meet to review any new equality and fairness analyses for projects that are yet to commence. All previous analyses have been approved.

9. Conclusion

The Programme remains on budget with overall Phase 2 milestones on track. Essential elements of the technology to underpin the transformation are being deployed successfully and there continues to be a need to prioritise and closely manage the remaining technologies to deliver full benefits realisation.

Phase 3 will conclude this programme of transformational activity and will enable the council to face current and future challenges and opportunities from a position of strength and with increased resilience.

Background Papers

None



Lewes District Council



Working in partnership with **Eastbourne Homes**

Lewes District and Eastbourne Borough Councils

Joint Transformation Programme Phase 3
Business Case

STRONGER *together*

Author: Lee Banner, Joint Transformation Programme Manager
lee.banner@lewes-eastbourne.gov.uk or 07894 237929

1. Background and Position Statement

1.1 In May 2016, the Cabinets of Lewes District and Eastbourne Borough Councils (LDC and EBC) approved the business case for the Joint Transformation Programme (JTP) to deliver the majority of the councils' services through joint teams adopting new ways of working enabled by technology.

1.2 The JTP is a major change programme for both councils and a significant contributor to the Medium Term Financial Strategy (MTFS) savings targets. Through the JTP, the councils are working to deliver £3.2m of savings and the cultural shift set out in the original business case.

1.3 The strategic objectives of the JTP are as follows:

- Protect services – protect services delivered to local residents and reduce costs for both councils;
- Deliver greater strategic presence – create two stronger organisations which can operate more strategically within the region while still retaining the sovereignty of each council;
- High-quality, modern services – meet communities and individual customers' expectations to receive high-quality, modern services focused on local needs and making best use of modern technology; and
- Resilient services – building resilience by combining skills and infrastructure across both councils.

1.4 The Cabinets approved the three phase delivery of the JTP with Phase 1 (which designed the leadership and joint strategy, planning, regeneration and democracy teams) commencing in September 2016 and Phase 2 (which designed the joint teams to deliver the majority of public-facing services, such as planning, environmental health, housing, licensing, council tax, business rates, benefits and parks and open spaces) commencing in April 2017. Delivery of the Phase 2 transformation is scheduled to be complete in December 2018.

1.5 JTP Phases 1 and 2 have delivered £2.8m of savings and efficiencies, leaving £400,000 of savings/income to be delivered in Phase 3.

Recommendation: Cabinet is asked to approve the total savings/income target of £400,000 for JTP Phase 3.

1.6 This business case sets out the proposed approach for JTP Phase 3 which will consider and determine the future shape and ways of working for the following services:

- Audit;
- Corporate Property;
- Finance;
- HR;
- ICT; and
- Legal.

The current (“as is”) structure charts for the above services are set out in Annex 1.

1.7 There are a small number of teams/activities undertaken by parts of teams (eg. tourism, waste administration, building control) that will not have been transformed in any of the JTP phases due to specific reasons (eg. technological incompatibilities, business readiness, etc). These teams/activities are known and a plan will be developed to ensure they are afforded the same transformational opportunities as the service areas in JTP Phases 1, 2 and 3.

2. The JTP Phase 3 Approach

Process

2.1 In considering the best approach to delivering the Phase 3 transformation, a number of factors were considered:

- The services in scope are starting from an advanced position in relation to integration – the majority of the Phase 3 services adopted a shared service model across the two councils prior to or early on in the JTP process and are at mature stages in their transformation. In a number of the Phase 3 services, transformation activity remains ongoing (eg. ICT has recently launched “Live Chat” as a way for councillors and staff to conveniently and quickly raise requests online and HR is currently exploring a step change in how it receives notifications of changes which will make best use of technology);
- The customer base for the Phase 3 services is, in the main, internal and requires appropriate ways to interact with the services;
- The level of savings/income generation required through Phase 3 (£400,000) is far smaller than in the previous phases; and
- Change on the scale experienced through JTP Phases 1 and 2 brings a degree of risk and disruption. The approach to managing the Phase 3 transformation needs to be proportionate to the challenge.

As such, it is recommended that the Phase 3 approach be different to that used in Phases 1 and 2. The proposed approach would deliver the required change and savings/income with minimal disruption to services and would ensure greater certainty of overall programme costs and a quicker payback period.

2.2 The Phase 3 transformation will be managed as a programme of separate but co-ordinated service review/restructuring exercises. Each service area will undertake a separate change journey moving towards a transformed service by April 2019. This joined up approach will facilitate a strong management of potential impacts to the organisations while ensuring that each service methodically and thoroughly examines and changes the way it provides services to:

- Enable further use of technology in the future;
- Embed the agreed design principles set out in paragraph 2.3 below into the new structures and ways of working;
- Deliver greater efficiencies; and
- Make the required level of savings/income.

2.3 While use of the Phases 1 and 2 approach is not the right solution for Phase 3, there are, however, elements within it that can be used to maximise the opportunities available and enable a consistent approach across all service areas. The following design principles (which build on the key objectives from the earlier JTP phases) will be used to guide the further transformation of the Phase 3 services:

- Focus on the customer experience;

- Redesign processes around the ideal customer journey;
- Tell customers what to expect and keep them up to date along the way;
- Digital by default, with, where appropriate, alternative access channels;
- Address issues at the first point of contact;
- Collect information once, and only if we actually need it;
- Move as much work as possible forward, to self-service or customer facing roles;
- Move work quickly and easily around the organisations by using workflows and automated process prompts;
- Automate controls within processes to ensure compliance;
- Measure performance as part of the process/workflow to drive improvements;
- Manage customer capability to enable customers to do more for themselves;
- Manage customer demand, where appropriate, to prevent and shape demand;
- Fair for all; and
- One team by default.

2.4 Subject to approval of this business case, discussions/consultations on the individual change processes for each of the services will progress. Discussions with Heads of Service for the Phase 3 services have already commenced and each service is currently determining the areas of search for the review/restructuring and how savings and/or additional income can be delivered.

2.5 It is proposed that the planning, consultation and delivery of Phase 3 transformation will be complete in 2018/19 – in line with the approaches adopted for Phases 1 and 2, where possible, part-year financial benefits will be delivered in-year (2018/19) and full-year financial benefits (£400,000) will be modelled for realisation in 2019/20.

2.6 Applying a key lesson from the earlier JTP phases, it is proposed that the Phase 3 services uncouple the activity to redesign and deliver a new structure and way of working from the development and deployment of any new systems/ technologies. This approach enables risks to be managed appropriately while supporting as successful a transformation as possible. It is not anticipated that any of the Phase 3 services will require any new IT systems in the short to medium-term, but further deployment of existing systems may be involved. This will be determined on a service by service basis and, if necessary, approvals of systems and funding will be taken through the usual decision making processes. Any decision to jointly migrate LDC and EBC to a system that was previously used by only one council would have resource and, potentially, commercial implications that would need to be managed accordingly.

Recommendation: Cabinet is asked to approve the approach for delivering the Phase 3 transformation and savings/income.

2.7 Running parallel to the activity to plan for Phase 3, work is taking place to determine how LDC and EBC will manage change in the future – how the councils

can build on their transformational achievements to date to continue to respond to current and future challenges/opportunities. The JTP, as a standalone change management programme, has achieved a great deal to move the councils towards the strategic objectives agreed at the beginning of the programme (and set out in paragraph 1.3 above) but this approach was not intended to continue indefinitely. Details of the new way of supporting change across the councils are being developed and will be confirmed shortly.

Governance

2.8 The regular JTP updates to Cabinets, CMT, the JTP Assurance Panel, trade unions, the Joint Staff Consultative Forum and staff will continue in the same way as the arrangements established for earlier phases. As the main transformational activity of Phases 1 and 2 is coming to an end, it is proposed that the JTP Programme Board discusses how it can best add value in providing oversight and governance to the Phase 3 arrangements.

2.9 In order for the changes delivered through Phase 3 to be successful in meeting the current and future needs of the organisations, it is important that there is appropriate operational oversight. As such, a JTP Phase 3 Management Board will be established to oversee activity, take key decisions on the direction of travel and provide the essential programme and business input into the transformation. The Board membership will consist of:

- Assistant Director HR and Transformation;
- Joint Transformation Programme Manager;
- The Heads of Service or equivalent for the Phase 3 services;
- 3 x Business representatives – Heads of Service or equivalent (from services outside of JTP Phase 3); and
- Any other managers/lead officers, as required.

2.10 The well-established and successful JTP Delivery Board governance arrangements will be revised to focus on Programme activity that is taking place outside of Phase 3 (eg. the projects to deliver the digital mailroom and the One Desktop).

Recommendation: Cabinet is asked to approve the Phase 3 governance arrangements.

Implementation Costs

2.11 To support the implementation of Phase 3 and the delivery of the final tranche of savings and efficiencies, an additional £1.4m of investment is required. The Phase 3 implementation costs would facilitate:

- The next stage of investment in core IT systems to enable operations across the councils;
- Improved IT integration, back-up facilities and resilience between the councils;
- Enhanced IT disaster recovery;
- The next phase of build and integration of joint business processes based on harmonised policies;

- Equipment to support the new and agile customer focused ways of working;
- Programme, project management and governance resource within the Programme Office;
- Employee support/outplacement (assumed to be an external cost); and
- Contingency.

2.12 As with the other JTP phases, the funding for redundancies is excluded from the Phase 3 costs as these would not be additional costs of integration; savings targets for the MTFS of both councils require staff savings irrespective of integration.

Recommendation: Cabinet is asked to approve the Phase 3 costs and to allocate an additional £1.4m to the Programme (£700,000 from LDC).

Programme Resources

2.13 In order to maintain momentum, it is important that the right resources are engaged to mobilise the next phase of the JTP. Appropriate transition management resource will be identified/recruited in line with the organisations' transformational requirements and the available budget.

Benefits

2.14 The final stage of integration for LDC and EBC and LDC through JTP Phase 3 represents a key step in the council's transformational journey. While different to Phases 1 and 2, Phase 3 will deliver considerable benefits that will position the councils to face the future from a place of strength and with increased resilience and capacity, including, amongst others:

- Reduced costs – delivering better value for money;
- More customer focused delivery – better aligning the Phase 3 services with the needs of the service delivery teams;
- Increased automation and self-service/reliance;
- Integrated and redefined roles;
- A step change in standardised and streamlined processes to make service delivery more efficient; and
- Reduction in administrative work undertaken by professionals enabling a focus on where the greatest value can be added.

2.15 In May 2016, the Cabinets agreed that costs and benefits of JTP should be shared across LDC and EBC on a 60:40 basis, respectively. This split was a fair and transparent way of acknowledging that both councils were entering into JTP at different stages in their transformational journey. EBC had already delivered £1.5m of savings through the Future Model Programme and LDC's savings targets through the New Service Delivery Model Programme (£1.2m) had been incorporated into the JTP savings targets. Essentially, as LDC would benefit from a higher share of the overall programme benefits, it would therefore, bear a higher share of the costs.

2.16 As the majority of the savings have now been delivered through the JTP (£2.8m) and in order to maintain fairness and balance between the councils, it is now appropriate to review the costs and benefits realisation ratio. As both councils have now had similar opportunities to transform, it is proposed that costs and benefits are

shared equally (50:50) for all future Programme activity, including the additional £1.4m of funding as set out in paragraph 2.11 (£700,000 from each council).

Recommendation: Cabinet is asked to approve the revised cost and benefits realisation ratio of 50:50 between LDC and EBC.

Support for Staff

2.17 The approximately 140 members of staff working in the Phase 3 services will have access to the same support as that offered to those in Phases 1 and 2, including:

- The Change Management Policy sets out a framework which provides access to support, training (eg. application and interview preparation) and advice and ensures that all vacant job roles are considered as redeployment opportunities for those at risk of redundancy;
- In accordance with the JTP voluntary redundancy principles agreed at the beginning of the Programme, staff will be given the opportunity to ask for their potential redundancy figures and consider if they wish to apply for voluntary redundancy. It is worth noting, as with Phases 1 and 2, that not all applications for voluntary redundancy can be approved. In determining which employees are to be granted voluntary redundancy, the council will have regard for the following:
 - the need to maintain efficient and effective services;
 - the need to retain a balance of key experience and skills across the workforce to meet future needs; and
 - the financial implications of approving the voluntary redundancy.
- Management support – staff can speak to their line manager or invite their Head of Service and/or CMT representative to a team meeting;
- UNISON support – staff can meet with their UNISON representatives, where applicable, who can raise questions/issues on their behalf;
- HR support – staff can contact their HR Business Partner for further information; and
- Employee Assistance Programme (EAP) support – staff can access (through self-referral) confidential information, support and guidance on a range of work-life issues.

2.18 The same support will be offered to those staff in the teams for whom a transformational plan is yet to be determined (as referenced in paragraph 1.7 above).

Risks and Mitigation

2.19 In addition to the benefits the JTP is delivering to LDC and EBC, it is important to recognise the potential risks. Setting out the risks associated with a transformation programme on this scale facilitates understanding of the risks, the potential impacts and the opportunities for mitigation. The following table sets out the key risks in relation to JTP Phase 3 and the action that needs to take place:

Risk	Description/ Implications	Responsible Officer	Mitigation
Staff and stakeholders	Staff and stakeholders may not	Joint Transformation	<ul style="list-style-type: none"> • Identify and address concerns

resisting change	understand/have an appetite to change and attempt to undermine the change. This would delay implementation of the change and realisation of the benefits.	Programme Manager	through the JTP Phase 3 Management Board. <ul style="list-style-type: none"> • Provide clear leadership and communication of the benefits of the JTP. • Engage staff and stakeholders to maintain positive relationship.
Reduction in performance of Phase 3 services	Performance levels of the services in scope could deteriorate across the implementation period.	Supporting Change Steering Group	<ul style="list-style-type: none"> • Identify key performance indicators for monitoring through the JTP Phase 3 Management Board. • Ensure appropriate communications of the changes and points of contact. • Ensure appropriate training for staff taking on new ways of working.
Failure to meet the business case	Increased costs or reduced savings in delivering the transformation could negatively impact on the overall business case objectives.	Joint Transformation Programme Manager	<ul style="list-style-type: none"> • Build a realistic budget with appropriate contingency. • Clear accountability within the Programme team.

2.20 Risks will be reviewed regularly and, if necessary, appropriate action taken to manage them effectively.

Equality and Fairness

2.21 The JTP will continue to have due regard to equality and fairness issues through Phase 3 to ensure equality implications are fully considered in a timely way. The Equality and Fairness Forum for the JTP will operate in the same way it has operated for Phases 1 and 2 to ensure that all Phase 3 activity takes into consideration equality and fairness issues in line with the Public Sector Equality Duty.

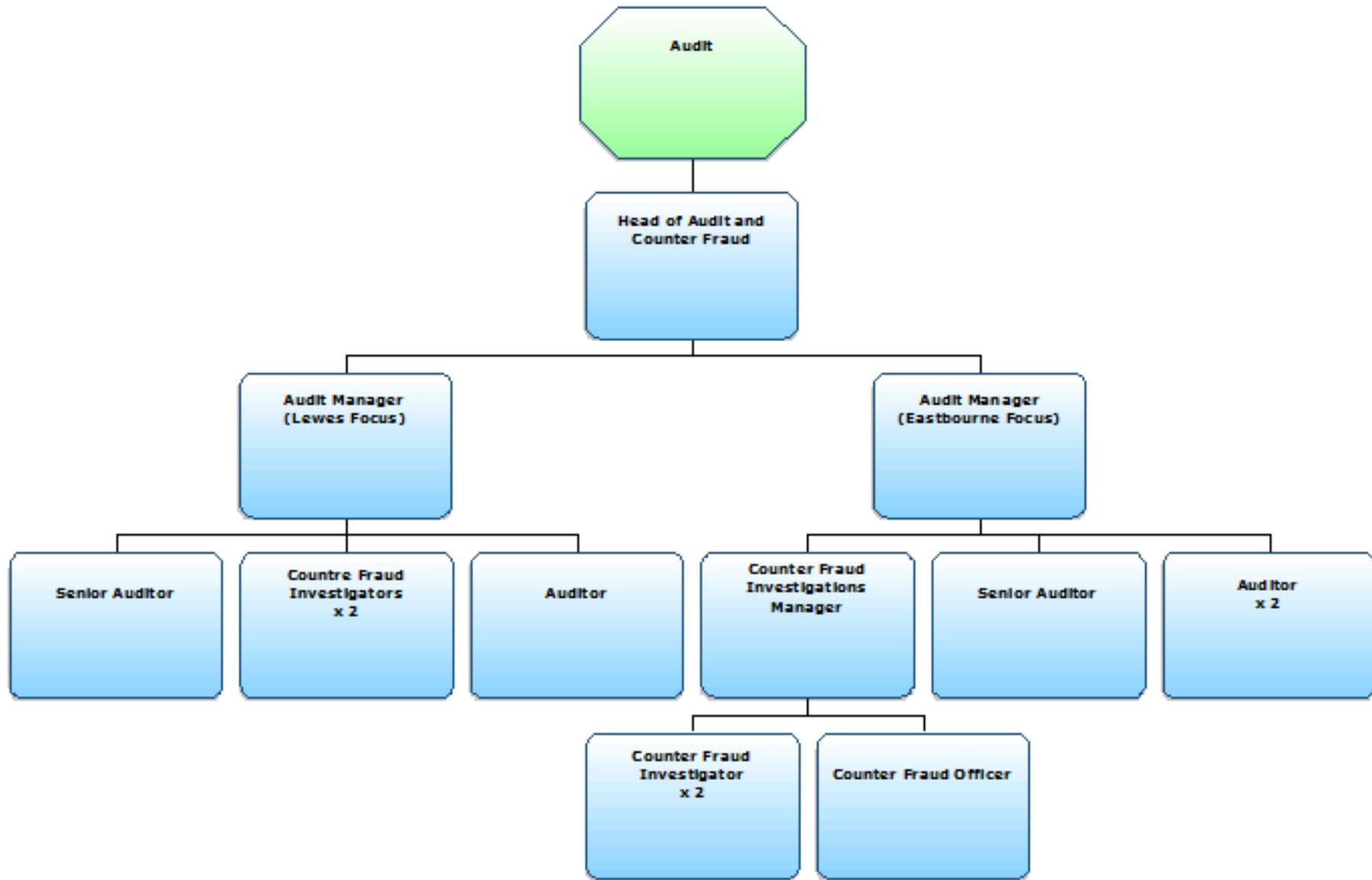
Consultation

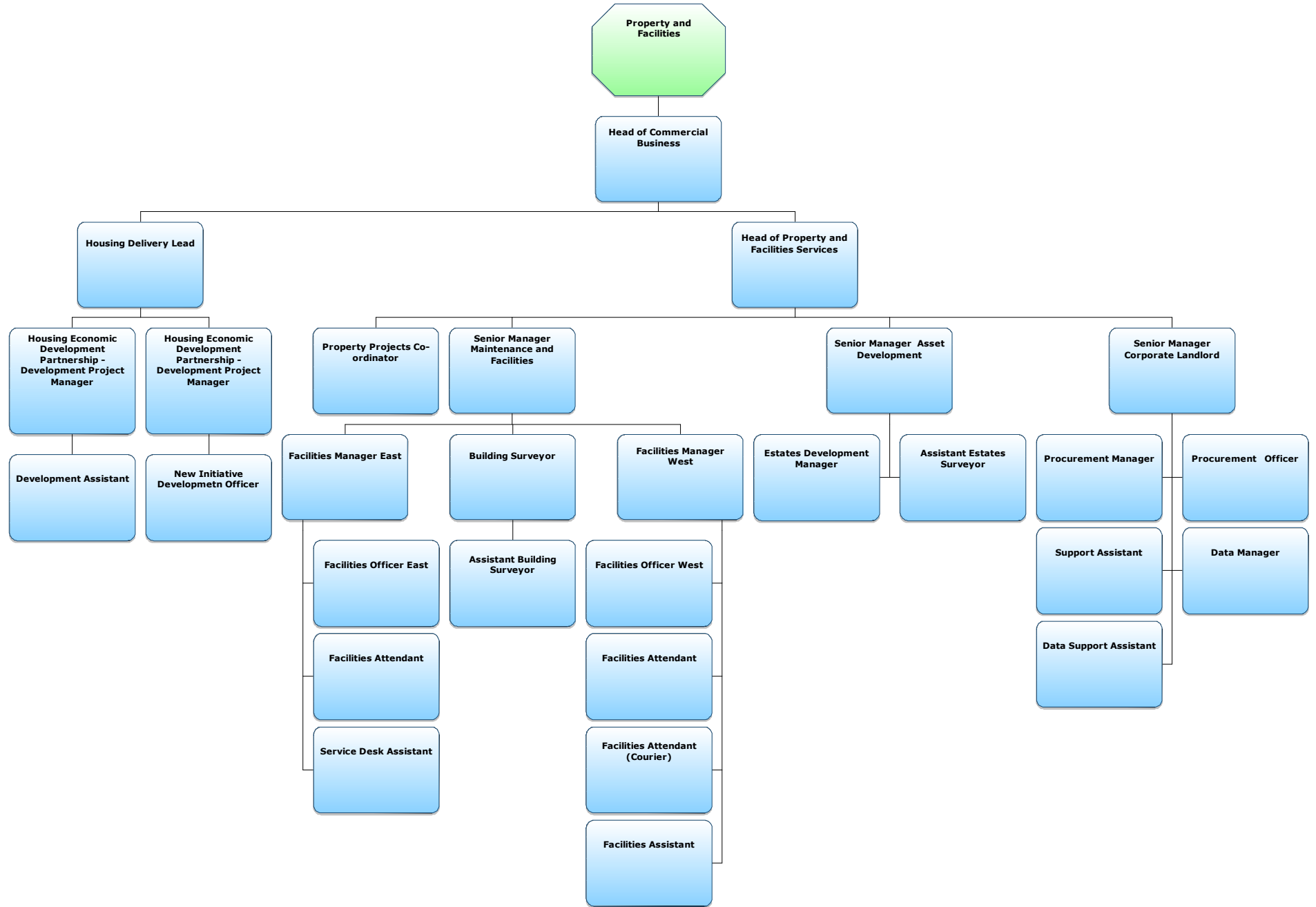
2.22 The staff and trade union engagement/consultation arrangements established in the earlier phases of JTP will continue. The JTP Consultative Staff Forum, which includes both staff and UNISON representatives, will continue to meet and

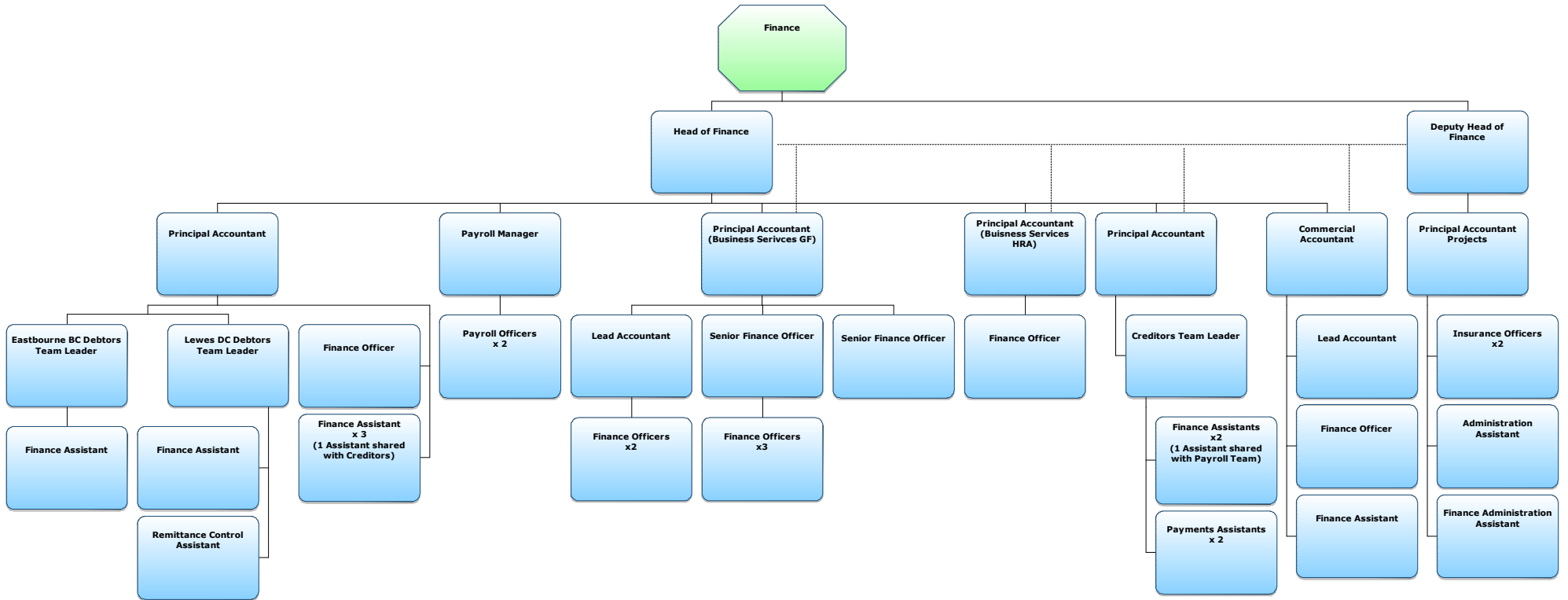
communicate virtually. The membership of the Forum will be expanded to include staff from the Phase 3 services.

2.23 All staff in scope of Phase 3 will be invited to a JTP Phase 3 launch event at which the overarching principles for the phase will be set out. Following this, discussions/consultation exercises will take place with each of the Phase 3 services once a draft review/restructuring proposal has been produced.

2.24 UNISON will be invited to the launch event and to take part in the discussions/consultation exercises.

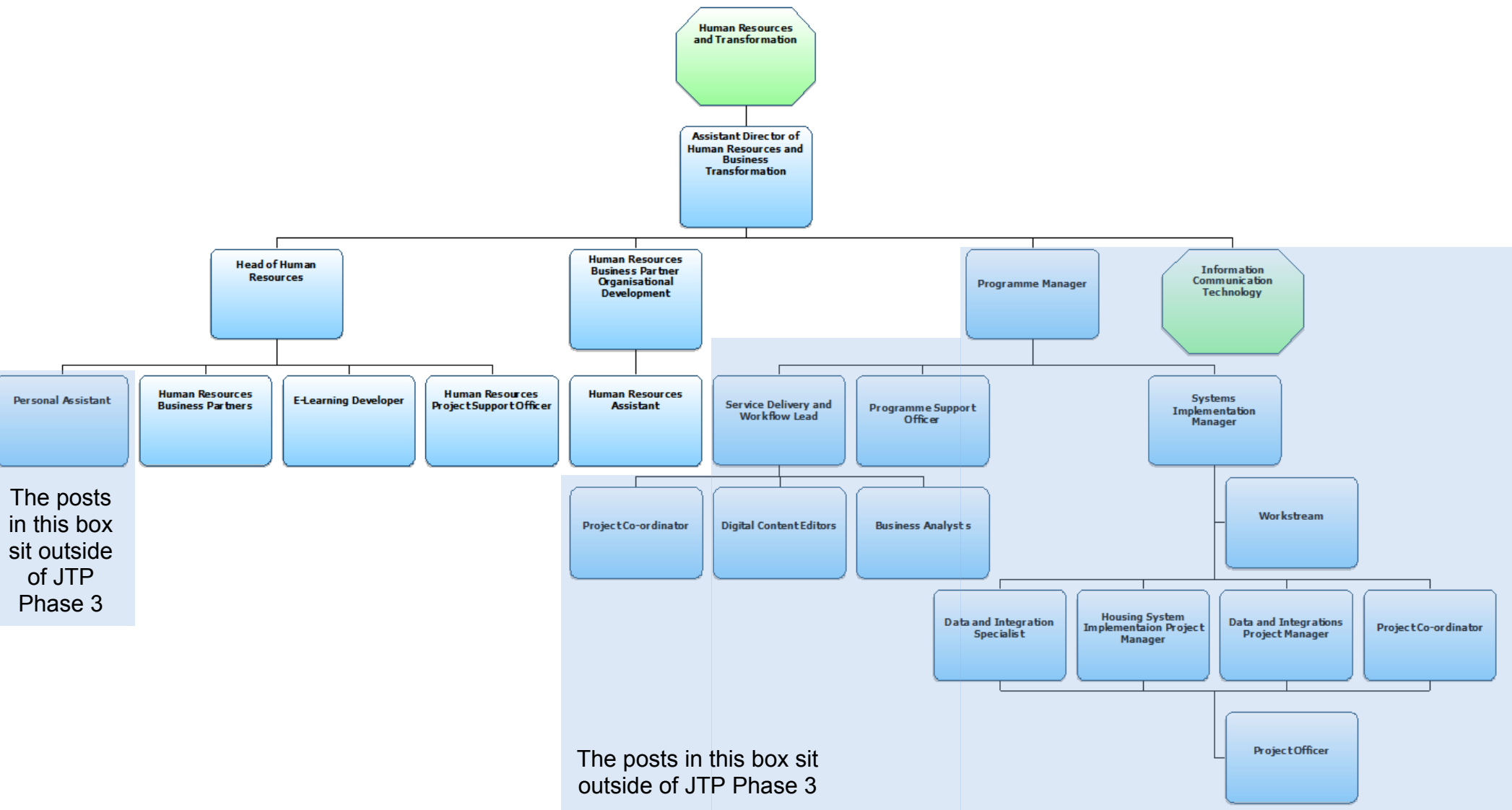


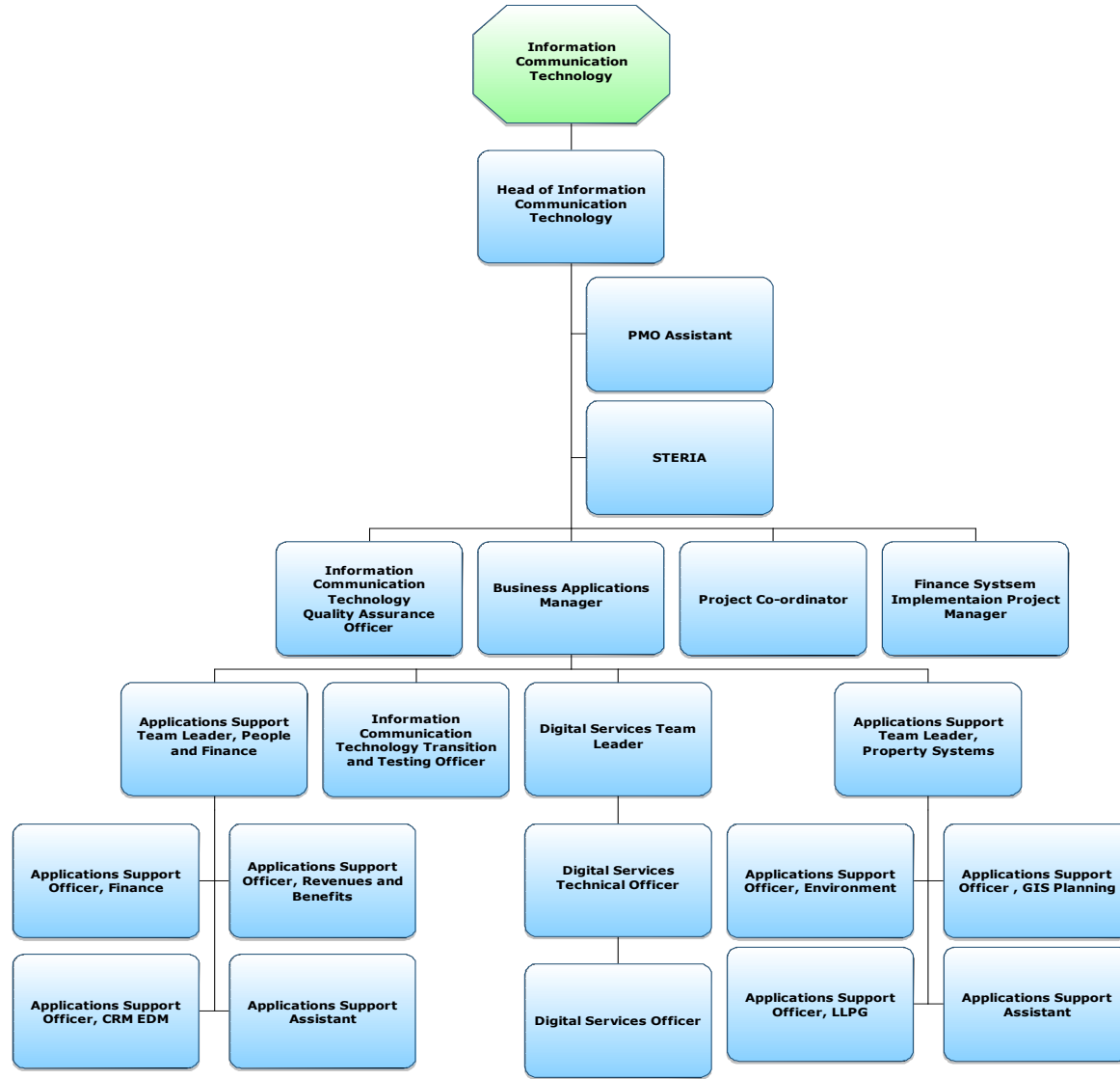


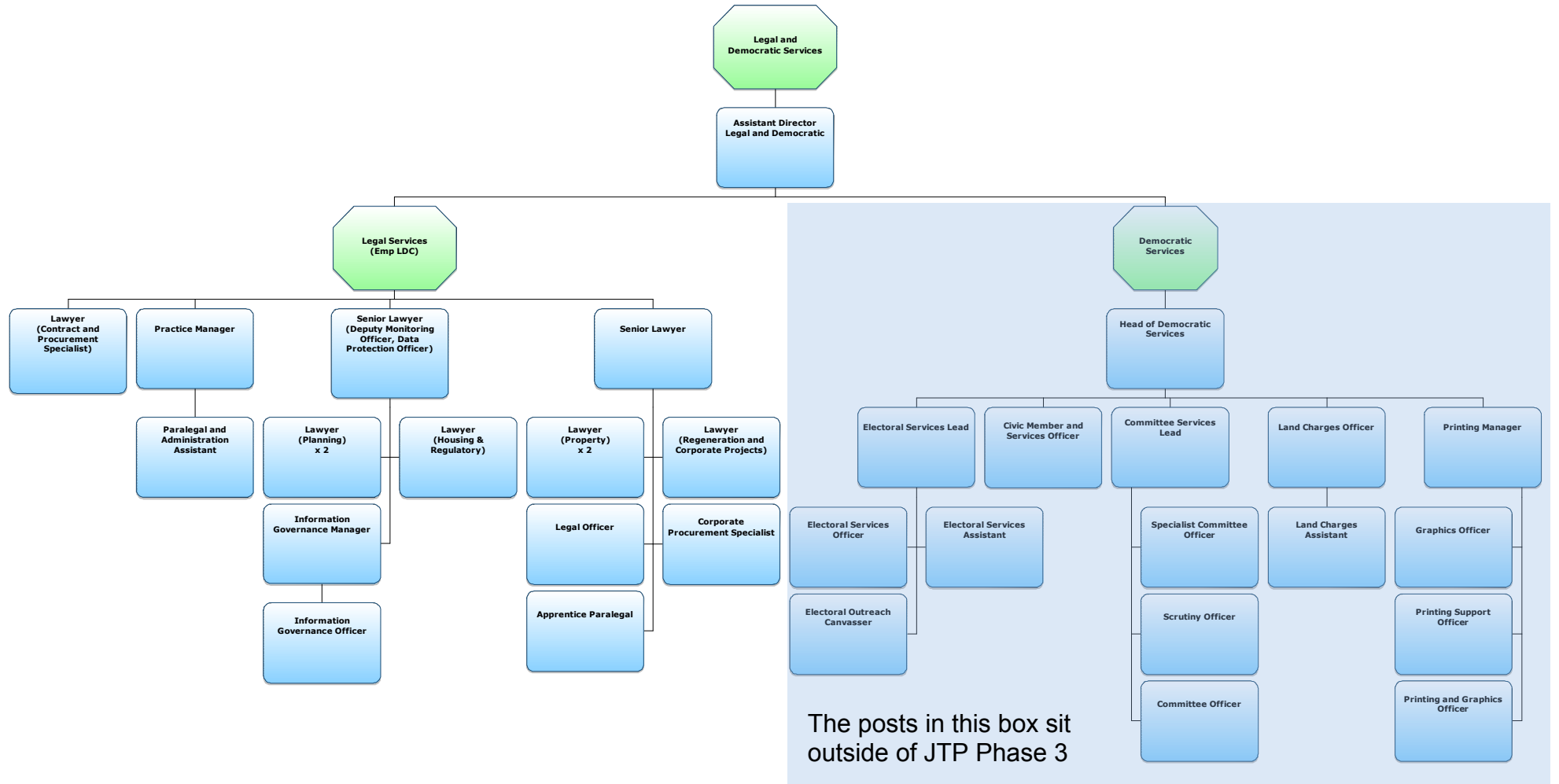


The posts in this box sit outside of JTP Phase 3

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Report to:	Cabinet
Date:	29th October 2018
Title:	New Housing for Short Term Letting
Report of:	Ian Fitzpatrick, Director of Planning & Regeneration
Cabinet member:	Councillor Ron Maskell (Cabinet Member for Housing)
Ward(s):	Newhaven Denton & Meeching
Purpose of report:	The report is to seek approval for the development of a Council owned site to provide housing to meet our need for access to short term lettings for Temporary Accommodation
Decision type:	Non-key Decision
Officer recommendation(s):	(1) To approve the construction of new affordable housing for short term letting to provide temporary accommodation (TA), upon Lewes District Council (LDC) land in Newhaven. (2) To give delegated authority to The Director of Regeneration and Planning in consultation with the Lead Member of Housing to approve the use of up to £2.2m from the General Fund Capital Fund Capital Programme by LDC to deliver a TA scheme, using an appropriate LDC entity or building and lease-back agreement. (3) To approve a waiver to the Contract Procurement Rules (CPR), as set out in Para. 2.4.1(a) of CPR to allow the direct selection of a main contractor, due to the bespoke nature of the product required and time restrictions. Full grounds laid out in paragraph 3 of this report.
Reasons for recommendations:	At the February 2018 Full Council meeting, approval was given for a budget amendment to the 2018/19 General Fund Capital Programme to allocate £2.2m for the development of new TA scheme. Although the purpose of the new housing proposed in this report will be to meet access to short term letting the homes themselves are expected to have long term use much like traditional construction. A model of developing TA schemes in other areas has been successfully delivered so that the design and construction is for only a limited number of years, allowing for the future relocation of the residential units to another site(s). The Motion at Full Council in February 2018 was for a similar relocatable scheme that cannot be easily procured in a

traditional way.

Due to the potential need to relocate units in the future, it may be that LDC can reduce its risk long-term risk by agreeing a building and lease-back agreement to fund the construction of the scheme. The decision on the contract will need to be made once a contractor is appointed.

**Contact Officer(s): Name: Leighton Rowe
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 E-mail: leighton.rowe@lewes-eastbourne.gov.uk
 Telephone number: 01323 415367**

1 Introduction

- 1.1 As the Housing Authority, LDC has the responsibility to provide TA for households who have been accepted as being (statutory) homeless. The Council does not currently have the use of a dedicated TA scheme within the District, and relies on private sector leased housing, the Council's own stock and Bed and Breakfast (B&B) rooms, which are usually only available in other Local Authority areas.
- 1.2 In the first three months of 2018-19 LDC had 87 households in TA. LDC can reclaim the majority of the costs of TA from Local Housing Allowance, but in this 3-month period alone LDC had to pay an additional £72,500 in unrecoverable expenses.

2 Council Resolutions

- 2.1 At Full Council in February 2017, in response to a Councillor Motion, £20,000 was allocated in the General Fund Budget 2017/18 to research the Council's options for increasing the TA located within the District, with a particular focus upon off-site manufactured housing because of the speed of delivery and flexibility.
- 2.2 Following the completion of a feasibility report on the delivery of a new build modular housing scheme of TA, approval was given for a budget amendment to the 2018/19 General Fund Capital Programme to allocated £2.2m for the development of new TA of up to 20 units.

3 Procurement – reasons for waiver

- 3.1 The development of a scheme that could be relocated in the future, to make way for another more permanent development is often referred to as "meanwhile use". There are a very limited number of construction companies offering this kind of product, and Council officers researched this issue extensively recently prior to procuring a company to build 6 modular bungalows at Ashington Gardens in Peacehaven. There are a number of providers that deliver refurbished shipping containers or others offering very small homes designed for

single people, rather than families, which is what is the predominant need in the Lewes District area.

- 3.2 The estimated cost of the 'meanwhile use' scheme is such that it would be above the £1m threshold for Works and so the Council's CPRs would usually require a UK wide advert.
- 3.3 The shortage of good quality, local temporary accommodation is a growing issue that is costing LDC money every week and there is a clear benefit to ensuring the development does not get delayed by lengthy procurement that is unlikely to result in LDC receiving a selection of competitive tenders.
- 3.4 The LDC's Constitution lays out the CPR and includes a provision under 2.4.1 a) for the Cabinet to waive certain requirements, where satisfactory grounds for doing so are explained.

4 Consultation

- 4.1 Consultation has begun on the proposal to develop the site a site in Newhaven, with Ward Councillors and the Newhaven Town Council. Consultation with any neighbouring residents and businesses will commence in Autumn/Winter 2018.

5 Corporate plan and council policies

- 5.1 The overall outcomes of this project support the Council's Corporate Plan to improve:
- "Place" through the use of modular housing, delivering affordable housing, market and affordable housing,
 - "Value for Money". By providing a service for customers within the District and ensuring that money LDC spends on temporary accommodation is spent in the District rather than expensive B&B accommodation elsewhere. Also by using modern technology to improve thermal warmth and decrease utility heating bills.

7 Financial appraisal

The scheme being proposed is within the Council's existing capital programme and it will be ensured that the final contract structure agreed will be contained within this funding level. All revenue implications will managed within existing revenue budgets.

8 Legal implications

Officers will need to work with colleagues in Legal Services to ensure related property, procurement and contract matters are explored and that the resulting development agreement protects the council's interest as far as possible.

9 Risk management implications

Risk 1: The scheme fails to get planning permission

Mitigation: A number of alternative sites remain under consideration for the a potatial alternative development, although can not be brought forward as immidiatly.

Risk 3: The selected contractor is unable to deliver the planned scheme

Mitigation: Alternative contractors are being investigated who could delievered a varied scheme that to meet some of the Council's requirements

Risk 3: A suitable site for re-locating the units cannot be identified within the District

Mitigation: The design and quality of the units will be good enough that there will be the option to reain them on the site and use them as permanent housing, or a suitable site could be found outside of the District.

10 Equality analysis

10.1 There are no equality impacts as a result of the recommendations of this report.

11 Appendices

- Appendix A – Exempt - Site Details and Plan

12 Background papers

The background papers used in compiling this report were as follows:

- Full Council Minutes Feb 2018 – See Agenda Item 9.1
<http://democracy.eastbourne.gov.uk/Data/Lewes%20District%20Council%20Full%20Council/201802191800/Agenda/07nn9g5o3geawga7W32fsZ8BV4yD4.pdf>

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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