

Public Document Pack

Executive Board

Thursday, 11 October 2018

Time: 6.00 pm

Venue: Meeting Room A

Address: Blackburn Town Hall

AGENDA

Information may be provided by each Executive Member relating to their area of responsibility

1. **Welcome and Apologies**
2. **Minutes of the Previous Meeting**
9th August 2018 - Minutes **4 - 10**
3. **Declarations of Interest**
Declarations of Interest **11**
4. **Equality Implications**
The Chair will ask Members to confirm that they have considered and understood any Equality Impact Assessments associated with reports on this agenda ahead of making any decisions.
5. **Public Forum**
To receive written questions or statements submitted by members of the public no later than 4pm on the day prior to the meeting.
6. **Questions by Non-Executive Members**
To receive written questions submitted by Non-Executive Members no later than 4pm on the day prior to the meeting.
7. **Youth MPs Update**
To receive an update from the Youth MPs along with any issues they would like to raise.
8. **Executive Member Reports**
Verbal updates may be given by each Executive Member.

Leader

Health and Adult Social Care

Children, Young People and Education

- 8.1 **Fostering Quarterly Report - Quarter 1**
 - Fostering Service Quarter 1 Report** 12 - 28
 - Fostering Service Quarter 1- 2018 Executive Report**
- 8.2 **Adoption Six Monthly Report**
 - Adoption Six Monthly Report** 29 - 42
 - Adoption Annual Report 2017-18**

Environment

Leisure and Culture

Neighbourhood and Prevention Services

Regeneration

Resources

- 8.3 **Corporate Enforcement and Prosecution Policy**
 - Enforcement and Prosecution Policy** 43 - 63
 - ENFORCEMENT AND PROSECUTION POLICY 2018**
- 9. **Corporate Issues**
 - 9.1 **Air Quality Update 2018**
 - Air Quality update 2018** 64 - 93
 - Air Quality and Public Health Report FINAL(2) Appendix 1**
 - Appendix 2**
 - 9.2 **Capita Partnership Update**
 - EBD-Executive-Board-Decision-Capita Oct18** 94 - 97
- 10. **Matters referred to the Executive Board**
 - 10.1 **Petition - The ARC Project**
 - Response to ARC Petition** 98 - 109
 - Appendix 1 - Arc Petition**

PART 2 – THE PRESS AND PUBLIC MAY BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS

- 11. **Capita Partnership Update**

Date Published: Wednesday, 03 October 2018
Harry Catherall, Chief Executive

EXECUTIVE BOARD

9th August 2018

PRESENT

COUNCILLOR:

Mohammed Khan
 Brian Taylor
 Maureen Bateson
 Damian Talbot
 Shaukat Hussain
 Andy Kay
 Phil Riley
 Jim Smith

PORTFOLIO:

Leader
 Health and Adult Social Care
 Children, Young People & Education
 Leisure & Culture
 Neighbourhood & Prevention Services
 Resources
 Regeneration
 Environment

EXECUTIVE MEMBER

John Slater

NON-PORTFOLIO

Leader of the Conservative Group

ALSO IN ATTENDANCE

Sameer Ali, Deputy Youth MP

	Item	Action
1	<p><u>Welcome & Apologies</u></p> <p>The Leader of the Council, Councillor Mohammed Khan, welcomed all present to the meeting. Apologies were received from the Youth MP Elle Walsh and Deputy Youth MP Aliyah Shah.</p>	Noted
2	<p><u>Minutes of the Meeting held on 5th July 2018</u></p> <p>The minutes of the meeting of the Executive Board held on 5th July 2018 were agreed as a correct record.</p>	Approved
3	<p><u>Declarations of Interest</u></p> <p>There were no Declarations of Interest submitted.</p>	
4	<p><u>Equality Implications</u></p> <p>The Chair asked Members to confirm that they had considered and understood any Equality Impact Assessments associated with reports on the agenda ahead of making any decisions.</p>	Confirmed
5	<p><u>Public Forum</u></p> <p>No questions were received from members of the public.</p>	
6	<p><u>Questions by Non-Executive Members</u></p> <p>No questions were received from Non-Executive Members.</p>	

	Item	Action
7	<p data-bbox="331 107 624 143"><u>Youth MPs Update</u></p> <p data-bbox="331 181 1307 257">The Deputy Youth MP verbally updated the Executive Board on recent activities and events including:</p> <ul data-bbox="379 293 1307 1048" style="list-style-type: none"> <li data-bbox="379 293 1307 454">• Involvement is scrutiny work around Mental Health, with the input from the Youth Forum being key in the work being done by the Task and Finish Group set up to look at Mental Health issues. <li data-bbox="379 495 1307 611">• Social Integration – involvement in work to bring the communities together, including supporting Council work on this important initiative. <li data-bbox="379 651 1307 813">• Attendance at the annual UK Youth Parliament conference, with 52 motions heard, with the top ten issues forming the Make Your Mark campaign ballot, the campaign for which would take place between August and October. <li data-bbox="379 853 1307 1048">• YPS Summer Holiday Schemes – Elle would be attending several of these along with Councillor Bateson. The Youth Forum would also be scheduling visits to youth clubs to understand issues and challenges facing young people and feedback would be presented to the Executive Board. 	Noted
8.1.1	<p data-bbox="331 1122 1182 1158"><u>Health and Care Integration across Pennine Lancashire</u></p> <p data-bbox="331 1193 1286 1518">A report was submitted which provided an overview of how the proposals for improving health, care and wellbeing services across Pennine Lancashire had been developed. It recommended the Pennine Plan for consideration and approval (attached in full at Appendix A). The report also provided an overview of the engagement approach undertaken to test the Draft Pennine Plan and a summary of responses received during the engagement. These had been used to shape the final version of the Pennine Plan.</p> <p data-bbox="331 1559 1262 1776">The development of a Pennine Lancashire Integrated Care Partnership, within the Lancashire and South Cumbria Integrated Care System, was central to delivering the Pennine Plan. The recently launched Blackburn with Darwen Local Integrated Care Partnership would drive delivery within the 4 Neighbourhoods across the Borough.</p> <p data-bbox="331 1816 1289 2136">The Pennine Plan had been developed in collaboration with Blackburn with Darwen Borough Council and impacted upon a number of departments including Adult Social Care, Neighbourhoods, Public Health, Children’s Services, Wellbeing Services and Resources. It described and built upon the developments within the Council with respect to both developing a place based integrated neighbourhood offer and further developing effective specialist and enhanced services able to meet the future needs of residents.</p>	

	Item	Action
	<p>Following approval of the Pennine Plan, it was intended that it would be launched at the Pennine Lancashire Health and Wellbeing Festival scheduled to take place on 19 September 2018 at Blackburn Cathedral.</p> <p>RESOLVED – That the Executive Board:</p> <ul style="list-style-type: none"> • Note the content of the Pennine Plan; • Note the engagement approach undertaken to test the Draft Pennine Plan and a summary of responses received during the engagement; • Provide any feedback and comments on the Pennine Plan; • Approve the Pennine Plan as the overarching blueprint for health and care transformation in Pennine Lancashire; and • Notes that whilst this plan identifies direction of travel and is for noting, that any key decisions required in the implementation of the plan, relevant and impacting on this council, will be subject to a future Executive Board. 	<p>Noted</p> <p>Noted</p> <p>Noted</p> <p>Approved</p> <p>Noted</p>
<p>8.3</p>	<p><u>Children, Young People and Education Update</u></p> <p>The Executive Member, Councillor Maureen Bateson verbally reported that she would be visiting Young People’s Summer Schemes as referred to by Sameer earlier in the meeting and would report back to the next meeting.</p> <p>Additionally, Councillor Bateson referred to the Lunch Box scheme in operation at Kingdom Outreach, where 1000’s of lunch boxes had been provided and the thanks of the Executive Board were expressed.</p>	<p>Noted</p> <p>Noted</p>
<p>8.7.1</p>	<p><u>Joint Lancashire Cycling and Walking Strategy 2017-2027</u></p> <p>It was reported that Blackburn with Darwen Borough Council, Lancashire County Council and Blackpool Council, working alongside local and national transport and public health partners, had prepared the 10 year Lancashire Cycling and Walking Strategy “Actively Moving Forward”. The strategy was in accordance with the Government’s Cycling and Walking Investment Strategy that aimed to deliver a transformation in cycling and walking infrastructure and participation rates. The preparation of the strategy, and in due course the delivery of the Cycling and Walking Infrastructure plans, would position the three Lancashire Local Transport Authorities and the twelve district authorities, favourably for future Central Government and local investment opportunities.</p> <p>RESOLVED – That the Executive Board:</p> <p>1. Approves the Joint Lancashire Cycling and Walking Strategy</p>	<p>Approved</p>

	Item	Action
	<p>(LCWS) presented for publication, subject to Lancashire County Council and Blackpool Council's also granting approval for the document's publication; and</p> <p>2. Approves the development of draft Local Cycling and Walking Infrastructure Plans within emerging Highway and Transport Masterplan areas for the purposes of wider consultation, following their preparation.</p>	<p>Approved</p>
<p>8.7.2</p>	<p><u>Adoption of the Blackburn Town Centre Supplementary Planning Document (SPD)</u></p> <p>Members were advised that the overall aim of the Blackburn Town Centre SPD was to set out how the Council aimed to build on the momentum created by recent investment, to broaden the appeal, and to manage the future evolution of the town centre and public facilities in the face of strong competition and changing pressures. It articulated the Council's aspirations for the town centre, identified investment opportunities and provided further guidance regarding the implementation of adopted Local Plan policies which were of relevance to Blackburn Town Centre.</p> <p>The town centre planning objectives set out in the Local Plan, and expanded upon in the SPD were:</p> <ul style="list-style-type: none"> • Strengthening and focusing the shopping offer; • Expanding the role of the town centre; • Protecting and enhancing the leisure offer and developing an evening economy; and • Establishing a vibrant town centre residential population. <p>The guidance contained within the SPD would be used by the Council's Development Management team as one of a number of material considerations in the determination of applications for development, particularly supplementing the application of Local Plan Part 2 Policy 26.</p> <p>In line with Government guidance, the draft SPD was subject to a six week statutory public consultation in March 2018. In total, 13 responses were received and could be reviewed within the appendices of the SPD, alongside the Council's response to each comment submitted and whether any amendments were made to the SPD as a result.</p> <p>The SPD was now ready to be adopted by the Council and become a material consideration in planning application decisions.</p> <p>RESOLVED -</p> <p>That the Executive Board:</p> <p>Adopts the Blackburn Town Centre Supplementary Planning Document (SPD).</p>	<p>Approved</p>

	Item	Action
8.7.3	<p><u>Griffin Development Site Tender</u></p> <p>A report was submitted which reminded Members of Executive Board approval to offer the Griffin Housing site for development as two separate phases was secured in December 2017. The site had now been assembled to a level that it was ready to be offered for development for new housing.</p> <p>The Growth & Development Team carried out a suite of intrusive surveys for the site to help prepare and de-risk the site for development. Detailed soft market testing with key developers and housing providers had been carried out to determine the optimum way of offering the site for development. Interested developers had expressed a desire to purchase both phases as one site to develop a mixed tenure scheme of family housing.</p> <p>The site had been formally offered for sale and development through the Council's Contractor and Developer Framework on the 3rd of July 2018.</p> <p>RESOLVED –</p> <p>That the Executive Board:</p> <ul style="list-style-type: none"> • Notes that the Griffin Housing Development site has now been offered for development via a Mini Tender through the Council's 'Contractor and Developer Framework'; • Delegates authority to the Deputy Chief Executive in consultation with the Executive Members for Resources and Regeneration to select an acceptable Preferred Bidder following the conclusion of the Mini Tender; • Delegates authority to conclude negotiations, including terms of any land sale and contracts to the Deputy Chief Executive in consultation with the Executive Members for Resources and Regeneration to approve the final commercial terms; and • Authorises the Director of HR, Legal and Corporate Services to complete the necessary legal formalities. 	<p>Noted</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>
8.8.1	<p><u>Closure of Council Charities: Garstang Lecture Fund and Poors Land Charity</u></p> <p>Further to recent reports on the closure of Council Charities, a report was submitted which dealt with two charities: Garstang Lecture Fund and the Poors Land Charity. These two charities had funds of approximately £35,737.08. The other three charities have previously been dealt with in a separate report to the July Executive Board.</p>	

	Item	Action
	<p>RESOLVED –</p> <p>That the Executive Board:</p> <p>a) note the background and options available to the Council relating to the dormant charities;</p> <p>b) authorises the removal of the restriction relating to permanent endowments of the charity in accordance with s.281 of the Charities Act 2011 that the fund ought to be freed from the restrictions with respect to expenditure of capital that apply to it.;</p> <p>c) authorises the change of ‘purpose’ of each charity as identified in this report; and where the current purpose is sufficient, authorise the transfer of funds and close the account</p> <p>d) In relation to a charity registered with the Charities Commission; to inform the Charities Commission of the change of purpose (Garstang Lecture Fund)</p> <p>e) agree that the Executive Member Resources consider submissions from other charities/organisations that may be eligible to receive funds (on the proviso they use the funds for the required purpose as designated by the council);</p> <p>f) approves the transfer of funds to other charities/organisations identified as having the same aims and purpose, (on the proviso they use the funds for the required purpose), by the Director of Finance & Customer Services, in consultation with the Executive Member for Resources; and</p> <p>g) subject to a-f above approve the closure of the financial accounts.</p>	<p>Noted</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p> <p>Approved</p>
9.1	<p><u>Corporate Revenue Budget Monitoring Report Quarter 1- 2018/19</u></p> <p>A report was submitted on the overall revenue financial position of the Council, highlighting any significant issues and explaining variations in the first quarter of the financial year.</p> <p>RESOLVED -</p> <p>The Executive Board is asked to approve:</p> <ul style="list-style-type: none"> • The portfolio cash limit adjustments outlined in Appendix 1; • The Earmarked reserves position shown in Appendix 2; and • The variations to revenue expenditure, as listed in Section 6, giving rise to a balance of £5.935 million in the unallocated General Fund revenue reserve 	<p>Approved</p> <p>Approved</p> <p>Approved</p>
9.2	<p><u>Corporate Capital Budget and Balance Sheet Monitoring Report 2018/19 – Quarter 1 (3 months to 30th June 2018)</u></p> <p>A report was submitted on the overall financial position of the Council in respect of the capital programme as at 30th June 2018, highlighting key issues and explaining variations in the first 3 months of the financial year.</p>	

	Item	Action
	<p>RESOLVED –</p> <p>That the Executive Board is asked;</p> <ul style="list-style-type: none"> • To approve the revised capital programme as per Appendix 1; and • To approve the variations to the programme shown in Appendix 2. <p style="text-align: center;">Signed at a meeting of the Board</p> <p style="text-align: center;">on the day of</p> <p style="text-align: center;">(being the ensuing meeting of the Board)</p> <p style="text-align: center;">Chair of the meeting at which the Minutes were confirmed</p>	<p>Approved</p> <p>Approved</p>

DECLARATIONS OF INTEREST IN ITEMS ON THIS AGENDA

Members attending a Council, Committee, Board or other meeting with a personal interest in a matter on the Agenda must disclose the existence and nature of the interest and, if it is a Disclosable Pecuniary Interest or an Other Interest under paragraph 16.1 of the Code of Conduct, should leave the meeting during discussion and voting on the item.

Members declaring an interest(s) should complete this form and hand it to the Democratic Services Officer at the commencement of the meeting and declare such an interest at the appropriate point on the agenda.

MEETING: **EXECUTIVE BOARD**

DATE: **11th October 2018**

AGENDA ITEM NO.:

DESCRIPTION (BRIEF):

NATURE OF INTEREST:

DISCLOSABLE PECUNIARY/OTHER (delete as appropriate)

SIGNED :

PRINT NAME:

(Paragraphs 8 to 17 of the Code of Conduct for Members of the Council refer)

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Children's Services

LEAD OFFICERS: Director of Children's Services

DATE: 13 September 2018

PORTFOLIO/S AFFECTED: Children's Services

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT:
Fostering Service Quarter 1 Report 1st April to 30th June 2018

1. EXECUTIVE SUMMARY

This report provides information on the management and performance of the Local Authority's Fostering Service.

2. RECOMMENDATIONS

That the Executive Board:

Notes the Quarterly Report which is available on the Council's website

3. BACKGROUND

The Fostering Service Regulations 2011 and the National Minimum Standards for Fostering Services requires that the Council Executive:

- a) Receives written reports on the management, outcomes and financial state of the Fostering Service every 3 months;
- b) Monitor the management and outcomes of the services in order to satisfy themselves that the service is effective and is achieving good outcomes for children;
- c) Satisfy themselves that the provider is complying with the conditions of registration.

The report has been written to address the issues identified above. It will be taken into account by OFSTED in inspecting the service.

The report is for the first quarter of 2018 - 19 covering the period from 1st April to 30th June 2018 and provides an overview of the service.

4. KEY ISSUES & RISKS

1. Whilst the number of children in care reduced significantly in Quarter 1 the availability of foster placements both in-house and via the independent sector remains challenging. The service is working hard to recruit new foster carers and have approved 5 sets of new carers in Quarter 1 with the percentage of children who are in care and in foster placements increasing by 4%. 28 children entered care for the first time in Quarter 1 and 21 of them were placed with in-house foster carers.

2. The fostering team has been restructured to accommodate an increase in the volume of family and friends work. From Quarter 2 the service will pick up all viability assessments and combined family and friends / Special Guardianship Orders (SGO) assessments which have been historically shared with other teams. This work will be undertaken more efficiently by the fostering service as it reflects the expertise that exists in the service. Whilst the new arrangement will not start until Quarter 2 a great deal of preparatory work including the recruitment of two additional social workers has been undertaken in Quarter 1. Whilst the number of approved family and friends carers has remained fairly static, the number of assessments has been high.

3. Foster carer training was reviewed at the end of the last financial year and whilst the conference approach will continue a Service Manager is focussing on the development of online training which will be useful for those carers who work full time and struggle to attend daytime conferences.

4. Placement stability rates have improved. A number of placements are supported by the Revive Team and a small number of young people are additionally supported by short breaks either in foster care or through the adolescent support unit. The Saturday Club for 8 to 11 year olds is very popular.

5. POLICY IMPLICATIONS

No policy implications identified

6. FINANCIAL IMPLICATIONS

No financial implications have been identified

7. LEGAL IMPLICATIONS

This report is required to meet statutory requirements as set out in the 'National Minimum Standards for Fostering.'

8. RESOURCE IMPLICATIONS

No resource implications have been identified.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the EIA member needs to consider the EIA associated

with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

None.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1.0
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CONTACT OFFICER:	Alyson Hanson - Service Leader, Placement Services
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DATE:	8 th August 2018
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BACKGROUND PAPER:	Fostering Service Quarterly Report 1 st April to 30 th June 2018 – Quarter 1
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Fostering Service Quarter 1 Report

1st April to 30th June 2018

Executive Report



Quarterly reports to the Executive Board are a requirement of the Fostering Service to meet Standard 25.7 of the National Minimum Standards for Fostering Services. They are a key part of the documentation considered by OFSTED when conducting a Service inspection.

Introduction

Blackburn with Darwen Borough Council's Fostering Service aims to ensure that:

- The best foster carers are recruited for our children;
- All placements receive high quality support, effectively targeted according to need;
- Children are found permanent families without delay; and
- Children and young people in foster care achieve the best possible outcomes.

Children in our Care in Foster Care

The number of children in our care decreased significantly in Quarter 1. This is likely to be the effect of an increase in the number of Family Group Meetings, the introduction of Caring Dads, the very close management of PLO (Public Law Outline) and the use of the Adolescent Support Unit to provide outreach support and short breaks to adolescents at risk of entering the care system.

	31st March 2018	30th June 2018
Number of Children in our Car	377	343
Number of CioC in Foster Care	215 (57%)	209 (61%)
Number of children in in-house foster care placements	118 (31%)	120 (35%)
Number of children in family and friends foster care	48 (13%)	45 (13%)
Number of children in independent fostering agency placements	49 (13%)	44 (13%)
Children in other placement types	65(17%)	45(13%)

The availability of foster placements both in-house and through independent agencies remains challenging, particularly for older children and sibling groups. However, the percentage of children in foster care, particularly in in-house placements has increased though there has been a small decrease in the actual number. There was a small decrease in the number of children in independent agency fostering placements in Quarter 1 compared to Quarter 4 of 2017-18.

In-House and Agency Placements

	In-house	Family and Friends	Independent Fostering Agency
Male	79	18	30
Female	41	27	14

Age break down of children in foster placements

Age	Mainstream	Family and Friends	Independent Fostering Agency
0 to 2	14	10	4
3 to 6 years	10	17	3
7 to 10 years	27	4	10
11 to 15 years	50	11	23
16 and 17 years	19	3	4
Total	120	45	44

New Referrals in Quarter 4

There were 47 new referrals in Quarter 1, the largest number falling in the 12 plus age group. 28 children actually came into care in Quarter 1 with the majority (21) being placed with in-house foster carers.

	No of children	Sibling Groups	Age 0 - 5	Age 6 - 11	Age 12+	Children placed in-house	Fostering Agency	Residential placements	Children didn't come in
April	15	1	5	2	8	3	0	1	11
May	13	2	4	2	7	7	0	2	4
June	19	3	5	8	6	11	2	2	4
Quarter 1 total	47	6	14	12	21	21	2	5	19

Feedback from children in Foster Care

The feedback received from children in foster care is generally positive. Their views are obtained from:

- Participation in the VOICE and Junior VOICE groups;
- The work of the Participation Champions in the service;
- The Investing in Children assessment process;
- Participation in staff recruitment (interviews) and foster carer training;
- Contributing to the Annual Review report of the foster carers looking after them;
- A support group for birth children and grandchildren; and
- Social worker feedback for foster carer reviews.

Children, young people and their social workers made the following comments about placements when contributing to foster carer reviews in Quarter 1:

Some comments from children and young people include:

'I really, really, really want to stay. Please don't let me go'.

'It was bad being grounded. I was telling lies'

'It has been difficult moving but now I am in the perfect place'

'I love this family because they are kind, helpful and caring'.

Some children and young people prefer not to comment but are happy to tick the boxes indicating that they are happy with their foster carers.

Social Workers said:

'Both boys are able to articulate their wishes and feelings. They speak fondly of the carers and are able to discuss any areas that they are unsure of. Both boys state that they are happy and are both looking forward to going abroad for the first time. Both boys were excited to receive their passports.'

'C had 20% school attendance in the academic year 2016-2017 at home with her mother. C has had 100% attendance since living with her foster carer and appears pro-active and encouraged. C has been observed completing homework. Very positive and massive improvements made!'

'C has demonstrated excellent insight and understanding of K's needs. K can display very demanding and draining behaviours. C and A have shown commitment to K's long term needs and managing her outbursts while remaining emotionally available to her.'

Birth Children said:

'L has been displaying challenging behaviour but we have worked through it as a family using the PACE model.'

'Everything fine, no issues'.

Promoting Children's Health, Emotional Development, Education & Leisure

Foster families are provided with pre and post-approval preparation and training on the importance and availability of health, education and leisure services to enable them to help children achieve their potential and enhance their emotional wellbeing.

Looked After Children and young people are encouraged to participate in a variety of activities in which they can succeed and are supported in achieving better outcomes. All local Looked After Children and care leavers are provided with a Be Active card, which enables them to access free sport and leisure activities within the Borough. Foster carers are also provided with a MAX Card, which offers heavily discounted access to a range of leisure parks and facilities around the North West. This is funded by the Fostering Service in partnership with the Foster Carer Association.

Children in foster care have regular medicals at the statutory frequency appropriate for their age. There is a Designated Nurse for Looked After Children, who takes an active role in following up health issues and assisting with health promotion work. Foster carers have a Health Passport for each child they care for in which they or the child records all of the child's health details. Public Health funding for 18 months has enabled the appointment of a specialist nurse to work with 'hard to reach' Looked After Children and care leavers.

There are currently 12 Looked After Children registered as having a disability in foster care. Foster carers are provided with the relevant training and support to meet the specific needs of the child they have in placement.

In relation to emotional wellbeing, Looked After Children have access to Clinical Psychology and related services through the East Lancashire Child and Adolescent Service (ELCAS) also known as Children and Adolescent Mental Health Service (CAMHS). The REVIVE Service is a partnership between Blackburn with Darwen Borough Council's Children's Services and East Lancashire Hospital Trust to provide emotional health support for children known to the Local Authority and is based at Duke Street. REVIVE delivers consultation to foster carers, training and direct intervention on emotional health and well-being. Feedback from foster carers following consultation is very positive. The Revive Service has delivered training to foster carers on self-harm and on attachments.

12 new referrals were accepted by REVIVE regarding children in foster care in Quarter 1 and 8 of these were subject to full Care Orders, 1 to Section 20 Accommodation and 3 to Interim Care Orders. All but one referral was made by the child's social worker. There are 58 children in our care open to the Revive Team who also support a small number of children and young people going through adoption and special guardianship, children in need and children subject to child protection plans. The team also provide consultation to the residential homes, Engage and the Limes.

The Fostering Support Officer worked with 5 young people and 8 sets of foster carers in Quarter 1 and ran two groups including the Saturday Morning Club for children in the 7 to 11 age group.

As well as mandatory First Aid training, foster carers also receive training on a variety of health-related issues including 'Infectious Diseases in Childhood' and 'Managing Medicine.' Phase 1 of a 'Healthy Homes' training package for carers has been developed.

In line with Standard 8 of the National Minimum Standards for Fostering Services, the Department implements a written education policy prepared in partnership with the Education Manager for Children in Our Care. The Virtual Head's role is to ensure that the educational needs of all Children in our Care are being met and that levels of achievement and aspiration among our children and young people are raised. Termly briefings are held with a group of social workers, managers and Designated Teachers and Head Teachers to consider ways to improve achievement and attainment.

The Pupil Premium allowance, previously paid to schools to support Children in our Care to achieve in school, is now managed by the Virtual Head who has a system in place to administer and ensure the money is spent appropriately to further their educational achievements. The Virtual Head quality assures all Personal Education Plans (PEPs).

The Education Manager sits within the Children in our Care Social Work Service and, where necessary, actively intervenes with schools to promote the needs of children in foster care. As part of the preparation and assessment process and through the Foster Carer Agreement, foster carers are set a clear expectation that they will promote and support children's educational attainment. The ways in which foster carers meet children's educational needs are monitored through the foster carer review process and supervisory visits. Foster carers

regularly receive training 'Promoting Educational Achievement for Children in Our Care' and this course was delivered in January 2018.

During Quarter 1 the Letterbox Club started again for all CIOC from Reception to Y6 to encourage reading at home. Books, games etc. which are age appropriate are sent out on a monthly basis. Feedback has been very encouraging from the children who have stated that they enjoy receiving their parcels and carers have stated they are definitely encouraging their children to read.

Extra tuition was offered on a Tuesday after school to all Y6 CIOC to prepare for SATs. This took place at the Kip McGrath Centre in Blackburn, however there was not a good take up of the offer with only one regular attendee. However, extra tuition for Year 11's in English and Maths had a better turnout and their GCSE results are awaited. In previous years there was clear evidence that the extra tuition improved results.

Key Stage 2 SAT's results are in the process being validated, but early indications are that we have 6 children (37.5%) who passed their SPaG (Spelling, Punctuation and Grammar), Reading and Maths.

Overall attendance for the Virtual School is 93%; this is higher for our children/young people in foster care.

Engagement with Children & Young People and the VOICE Group

The VOICE group meets every month at Knott Street Community Centre and the majority of children who attend are in foster care. This venue was chosen as the facilities allow part of each session to be activity-based. The members of the group have been involved in a number of consultation activities to inform and shape services. They have recently consulted with the Virtual School regarding the format of the 'Celebration of Achievement' event and spoke with a web designer who is designing the new looked after children website. Voice members also asked for access to residential summer activities and in response 7 places have been reserved specifically for Voice members.

As part of Fostering Fortnight young people and carers were supported on May (Bank Holiday) to attend 2BR radio. Feedback from carers and young people was they enjoyed it but 'didn't get any freebies'.

The Voice Group took part in PEPS feedback which the Education Manager and Virtual Head had organised. The young people used the KETSO board and liked giving their opinion on PEPS and how they would like their reviews to be conducted. This included feedback on what PEP money can be used for in school.

A young person in foster care had disengaged with education and was permanently excluded and sent to an alternative school. He was unhappy with this decision and promised to try harder if given another chance back at mainstream school so he was reinstated at his mainstream school and has since made significant changes in his behaviour and attitude to his education, resulting in him recently being awarded prefect status.

VOICE members and care leavers continue to attend Children & Young People Scrutiny Committee and Corporate Parenting Specialist Advisory Group, when appropriate. Two care leavers recently presented feedback from the NW Game Changer conference, attended by around 200 looked after children from across the North West of England. They informed the Corporate Parenting group of the top four issues identified by the conference and requested a response to how these could be addressed in Blackburn with Darwen. The top four issues are:

1. Contact with your birth brothers or sisters;
2. Having a key trusted adult to talk to;
3. Feeling safe and free from bullying;
4. Being trusted and valued by the adults that are caring for you.

There is a Care Leavers Forum that is well attended. A number of young people have undertaken Peer Mentoring training and will be offered opportunities to mentor younger children in foster care over the summer. Care Leavers and a young person in foster care took part in a young people's interview panel, to recruit the new Director of Children's Services.

Transitions

Young people are allocated a Leaving Care Worker at the age of 15½ years.

Children and young people in foster care are supported to make a positive transition to adult life so foster carers attend training on 'Transitions' which focuses on their role in developing young people's skills to live

independently as they progress towards adulthood. The Children in Our Care Team and the Fostering Team encourage carers and young people to consider 'staying put' and the Leaving Care Service also delivers courses for foster carers to develop their understanding of this. The training has been positively evaluated by carers and most indicate a willingness to work with 'staying put'. Although finance causes carers the most concern, some are willing to receive housing benefit as part of their financial package and will consider changing their status to landlord. The Leaving Care Service attend Reviews to discuss Staying Put with foster carers for young people aged 17 years, who will turn 18 in 2018. The Service has also started some work to develop a 'staying close' option, which may be more suitable for a number of care leavers.

The Leaving Care Service is currently in the process of being reassessed for the Investing in Children award. The service is also working hard to encourage and support care leavers into apprenticeships. A recent session at the library about apprenticeships was attended by 15 young people who all expressed an interest. The service is also working in partnership with the Blackburn Rovers Community Trust to develop a 'Get Ready for Work' course aimed specifically at care leavers.

The Leaving Care Service has achieved an increase in the number of supported lodgings providers this year, which increases choice for young people leaving foster care and residential placements in favour of semi-independence. Participation levels continue to be good with young people delivering the Total Respect training and training for foster carers.

The Leaving Care Service has 8 advisors who have now moved to Duke Street. 3 advisors are working with the 16 to 18 age group resolving issues with accommodation, education, training and employment and staying put. 5 advisors are providing advice and guidance to the 21 to 25 age group and in addition all advisers have a caseload of at least 20 18 to 21 year olds for whom they provide general support.

Care Planning

The Care Planning and Fostering (Miscellaneous Amendments) (England) Regulations 2015 provide a revised definition of 'permanence' for Children Looked After, including for the first time the definition of a long term foster placement. The responsibilities of the Local Authority in assessing the ability of the foster carer to meet the needs of the child now and in the future, and identifying any support services needed to achieve this are also set out. Local Authorities are required to achieve long term matching within reasonable timescales. The Regulations introduce new duties for ceasing to look after a child.

The Fostering Service

The Fostering Service has restructured into two mainstream teams and a permanence team which is currently being developed and due to be launched. Two new social workers will be taking up their positions and the team has been prepared in order to complete viability assessment work, something previously completed by the Assessment and Safeguarding teams. The team will also undertake all SGO assessments, the rationale behind this being that assessing carers fits much better with the skills and expertise of the Fostering Service so the work can be completed more efficiently and effectively.

Three supervising social workers are currently on maternity leave and one on long term sickness which is being managed in line with HR procedures.

Foster Carer Resource

	Total number of foster carers	Mainstream	Short breaks carers	Family and Friends carers
Quarter 4	123	82	12	29
Quarter 1	123	82	14	27

There has been very little change in the number of foster carers from Quarter 4.

Matching and Ethnicity

There have been no transracial placements made this quarter. There is a planned transracial long term placement which has been agreed and all involved have agreed this is a good match.

Foster Carer Recruitment

During Quarter 1 there were 35 enquires, 10 registrations of interest (ROI's) and 5 approvals.

2018/19				
Month	Enquiries	ROI	Approvals	Conversion
Apr-18	15	4	3	27%
May-18	8	2	1	25%
Jun-18	12	4	1	33%
	35		5	28% average

In Quarter 1, the website was rebuilt and has now gone live. There has been a significant uplift in the enquiries now coming through this channel.

The service placed a number adverts aimed at attracting existing foster carers over from other agencies which led to 3 additional enquiries for the quarter. Of the 12 enquiries for June, 5 came from You Can Foster. Activity on Facebook was well received and the service had good responses from radio advertising. The service has commissioned 12 months of radio advertising which is starting to resonate with the public, who are voicing this as a reason for enquiring.

Facebook saw over 2000 interactions for the month and the number of followers is continuing to grow. Social media has been rebranded so that it matches the website and will allow the service to maintain the same message. Some bespoke, targeted advertising was placed in June for individual children who have proved hard to place. This has led to 4 placements so far.

Post Details

Fostering in Blackburn with Darwen Council
Published by Mike Dixon [?] · 14 June · 🌐

Meet Thomas, one of our children who needs a loving home right now. Thomas is an 9 year old boy with blond hair and blue eyes. Thomas has a diagnosis of cerebral palsy, epilepsy, learning disabilities and visual impairment. He does not communicate verbally, however he can communicate through facial gestures and he can vocalise some sound. Thomas is reliant on his carers to meet all of his personal care needs....
[See more](#)

Performance for your post

4,173 People Reached

93 Reactions, comments & shares

40	21	19
Like	On post	On shares
14	8	6
Love	On post	On shares
1	0	1
Sad	On post	On shares
3	1	2
Comments	On Post	On Shares
35	35	0
Shares	On Post	On Shares

741 Post Clicks

94	0	647
Photo views	Link clicks	Other Clicks

NEGATIVE FEEDBACK

0	0
Hide Post	Hide All Posts
0	0
Report as Spam	Unlike Page

Reported stats may be delayed from what appears on posts

Get more likes, comments and shares
Boost this post for £36 to reach up to 14,000 people.

4,173 people reached [Boost Post](#)

Rose Roberts, Carrie Carrie and 26 others 1 Comment 35 Shares

Like Comment Share Hootlet

In June, a Fostering Information Event had a good turnout and led to 2 expressions of interest. One attendee had attended another agency's information event the evening before and was planning to apply to an independent agency IFA but said that the facilitators had spoken so passionately and explained all his questions so well that he would be looking to apply to Blackburn with Darwen instead.

Foster Care Fortnight was in May and advertised fostering widely on social media. Recruitment activity during the two weeks included radio and social media advertising and a publicity stunt for the service that involved Councillor Bateson and the Youth MP Ellie Walsh being duck taped to cupboard doors in aid of the 'Give a Child a Christmas Charity'. This provided good social media opportunities.



In June, the Marketing and Recruitment Officer and a social worker went live on a community radio station pushing the need for more BME foster carers.

Assessments and Approvals

At the end of Quarter 1, there were 13 sets of prospective carers in assessment:

- 8 at Initial Visit
- 2 at Stage 1
- 3 at Stage 2

5 new mainstream foster carer households and 2 family and friends carer households were approved in Quarter 1.

Regional Campaign

The regional 'You Can Foster' recruitment campaign has been live since September 2016 and has helped generate enquiries via the You Can Foster website.

Fostering Service Managers and the new Recruitment and Marketing Officer have been involved in the development of this campaign to ensure that Blackburn with Darwen Borough Council derives full benefit from it. The campaign is prioritising recruitment at a local level through the targeting of P.R, digital marketing and additional local activity.

Foster Carer Retention

There were 5 mainstream approvals in Quarter 1, two offering short breaks and 3 short term placements. There were however 3 mainstream resignations.

Assessment

Statutory guidance for fostering assessments is that they should be completed within 8 months, a timescale that is generally achieved. The quality of assessments remains good and is monitored by the Fostering Panel.

Foster Carer Training

During Quarter 1 April – June 2018, the Fostering Service delivered Conference 6 which included sessions on child sexual exploitation, working with young people who self-harm and working together to safeguard children. 52 foster carers attended this conference and feedback was very positive.

Conference 1 was repeated in Quarter 1 to ensure that all carers have had the opportunity to attend. Sessions included one on staying put and moving to independence and one on equality and diversity. 39 foster carers attended and fed back that the staying put information gave them a lot to think about.

There was also a support group which focussed on early years including feeding attachment and early bonding. 12 foster carers attended and fed back that they found this support group to be very informative and well run.

Fostering Panel

Fostering Panel annual training was held in Quarter 1. Panel members and the Fostering Team came together to reflect on their roles and the functioning of the Panel, and to look at any issues arising as well as considering new developments. The training consisted of presentations and discussions about new legislation relating to family and friends foster care and common themes in the court arena.

Panel members and the Panel Chair have had their annual appraisal and review of their membership for the central list. This was undertaken as a group, which has been a good tool for team building and an effective way in discussing issues arising from Panel that helped to form the content of the Fostering Panel training day.

Quality assurance reports are completed for each agenda item on the Panel. These are completed jointly with the Chair and Panel members. The quality of reports has on the whole has been to a high standard and where there were concerns these have been raised with the assessor and their manager. We have seen some new members of the fostering team really develop their skills in assessments as well as their skills in presenting to the Panel. There are however a number of new supervising social workers on the Fostering Team, and to ensure there continues to be a consistently high standard of assessment presented to the Fostering Panel, a two-day assessment training has been arranged to take place over the next quarter.

Over this quarter, Fostering Panels have been held monthly with one further emergency Fostering Panel being held in April; this was for a family and friends assessment to be heard in order to meet court timescales. There have been six mainstream assessments presented to the Panels which have all been approved except for one being approved in principle until the ADM received a report about the safety of wiring in the property. Three allegations have been presented with two further updates on complex allegations previously presented. There have also been two 1st reviews in this quarter and two family and friends assessments. SGO assessments have also been presented to the Fostering Panel, however, these will all be presented to the Permanence Panel in future.

Review Panel

During Quarter 1, there were 23 foster carer reviews presented to the Annual Review Panel and 12 sets of foster carers attended. 3 evaluation forms were returned which indicated that the experience of attending Panel was positive.

One foster carer commented:

“She goes above and beyond to support the children in my care. She is definitely a 5* social worker, she listens to the children, and meets their needs.”

Other carers commended the support in place from their supervising social worker as being;

“Excellent support; always available when needed.”

Complaints

There were no complaints in Quarter 1.

Compliments

There were 3 compliments received during this Quarter period.

The first was received from a Team Manager complimenting the Fostering Duty Officer on the timeliness of identifying a short breaks foster placement for a young person. A further compliment was received from approved Friends and Family foster carers on the support received from the Fostering Support Officer during their application for a Special Guardianship Order in respect of their grandchildren.

A Child Support Officer provided a compliment about a foster carer and how they supported a young person's identity and sexuality in the placement, providing the young person the opportunity to express themselves without prejudice within the fostering environment.

Allegations

During Quarter 1, there were two allegations. The two allegations were fully investigated and the correct procedures followed involving full strategy meetings led by the Local Authority Designated Officer (LADO).

Specific Incidents and Restraints (including Bullying, Serious Illnesses and Accidents)

There were 2 serious illnesses and accident reported during Quarter 1.

There was a minor incident whereby the young person had fallen at school; following A&E attendance it was confirmed the young person had broken their wrist which resulted in surgery.

A further reported incident related to a disabled young person experiencing salmonella poisoning. It was suspected that it was transmitted from contaminated food and poor hygiene following the handling of reptiles. This resulted in the young person being admitted into hospital for a short period of time. Further training was provided to the foster carers and a professionals meeting was held which led to a requirement that the carers rehome the reptiles and other pets.

During Quarter 1, there were 7 reported specific incidents. One of these involved the young person's parent attending the carers' address when contact was not deemed to be appropriate for the young people in placement. The carers sought appropriate advice and maintained the safety of the young people placed in their care.

One incident involved a young person smashing a window to a neighbouring residential property which resulted in police being contacted and the young person being interviewed in connection with the damage. A further incident was reported involving the same young person where it was reported that the young person had been verbally threatening another pupil within school which resulted in the young person being excluded.

Two separate incidents of verbal aggression were reported. Carers sought appropriate advice and guidance from the Emergency Duty Team.

There was one further specific incident report where the carers reported an incident of self-harm, as the young person had attempted to cut them-self. Medical advice and treatment was sought for the young person with the support of their foster carers.

Missing From Home

4 young people involved with 6 incidences of missing from home were reported during Quarter 1. Two young people experienced 2 missing from home incidents each whilst the remaining 2 incidences involved 2 different young people.

In all cases the correct missing from home procedures were followed and all young people returned to their placements safe and well. Procedures for young people who go missing include 'return home' interviews which

are conducted by the Engage Service. This allows young people to talk to someone independent about why they have been missing and for the service to identify issues of concern.

Exemptions

No exemptions were made in Quarter 1.

Engagement with Foster Carers

Blackburn with Darwen has a Foster Carer Association (FCA), which meets regularly and has an Elected Committee. Members of the Committee meet senior managers and the Executive Member on a quarterly basis. The Chair of the FCA sits on the Corporate Parenting Specialist Advisory Group. The FCA has its own website, which has been increasingly used to communicate messages and news.

At the request of foster carers, membership of the Fostering Network moved to Foster Talk that provides similar services to support foster carers. Foster carers also have access to independent support commissioned from the Fostering Network to provide support and advocacy services in the event of complaints or allegations.

A small group of foster carers are recruitment champions, who help to drive recruitment forward and are involved with planning events, Skills to Foster preparation training, and manning recruitment stands and events.

The Fostering Service holds a foster carer forum every six months, the most recent in March 2018 when more than 30 carers attended. The event offers carers the opportunity to present their views about a range of issues related to fostering and to be involved in the future development of the Service. The next event will be held in October.

Family and Friends Foster Care

In Quarter 1, there were 2 approvals of family and friends carers and 4 resignations. At the end of the quarter there were 27 family and friends fostering households. Assessment work has increased slightly with 21 assessments being completed during the quarter.

In Quarter 2 the new Permanence Team will begin completing all combined assessments (family and friends fostering and SGO assessments) and will also complete all viability assessments. Development work has been undertaken to develop processes, structure and templates to ensure that the referral process for these assessments as well as court timescales are implemented. The new arrangement will ensure that family and friends/connected person work is undertaken in a more skilled and timely way.

Short Break Foster Care

15 short break carers provided 19 placements during Quarter 1. Short break carers provide support to parents, other placements and emergency placements. Carers are matched to children, who have a wide range of additional and complex needs. A support group is in place for short breaks carers and they met during Quarter 1.

Training / Staff

All staff members have individual training and a development plan, which is linked to their annual appraisal and monitored during monthly supervision.

Placement Stability Table

The Department uses a definition of placement stability based on 3 or more placements in a 12 month period that is calculated on a cumulative basis over the year. The average for England is measured against the figures for 2013/14 when it was 10.7%; the comparable authority percentage for the same year was 10.1%. In Quarter 1 performance was better than during Quarter 1 of the previous year by 1.6%.

	April	May	June
LAC with 3 or more placements	0	0	8
Total number of LAC	361	357	343
% Stability of LAC placements 2018/19	0%	0.3%	0.6%
% Stability of LAC placements 2017/18	0%	0%	2.2%

Disruption meetings are held in order to identify learning and inform future planning for any child whose placement has been disrupted. A number of managers across Children's Services have been trained to chair these meetings.

Fostering Support

There were 5 open cases to Fostering Support at the beginning of the quarter, three males and two females. A further 4 recent referrals for Fostering Support have come through REVIVE and their support packages are in the process of being agreed. 4 foster carers are receiving weekly regular emotional support. The Saturday Club has 8 young people who attend regularly.

Commissioned Placements

The number of fostering and residential commissioned placements decreased overall by 6 placements from the end of the last financial year to the end of Quarter 1. The 42 children and young people in independent agency foster placements include 8 sets of siblings and 2 concurrent placements.

End of Quarter 4 2017/18	End of Quarter 1 2018/19
Independent Agency Residential Placements 24	Independent Agency Residential Placements 28
Independent Agency Fostering Placements 49	Independent Agency Fostering Placements 42

Budget

Current placement pressures in-house and across the independent fostering agency landscape continue to place the commissioning budget under great pressure. The Case Tracking and Commissioning Panel monitors placements and ensure that there are robust plans for those that can be brought back to in-house provision without delay.

Service Priorities for 2018/19

1. The Service has set a target of recruiting 15 new sets of foster carers in 2018/19. The Service will also undertake some targeted recruitment for individual children in need of long term placements. The Service will also undertake some innovative recruitment including some specialist carers to work alongside residential units and some short breaks carers to work alongside ASU in offering emergency placements.
Quarter 1 Update – 5 new sets of carers were approved in Quarter 1 and at the end of the quarter there were 13 sets of prospective carers in assessment, albeit 8 of these were still at the initial visit stage. Recent events and social media are generating interest so it is anticipated that the target will be met.
2. A team development day will be held in July 2018 once the 2 new social workers for viability assessments are in post.

Quarter 1 Update – the two new social workers take up posts on 30th July. The Development Day has been delayed to September though a new team development plan has been completed and the team has been consulted.

3. The Fostering Service will restructure to take account of increased demand from family and friends, SGO and viability assessments.

Quarter 1 Update - The service has now restructured into 3 teams; two mainstream and one family and friends. The latter will bring in new work immediately. One of the two mainstream teams will focus on recruitment, assessment and approval of foster carers and the other will focus on the training, supervision and support of carers.

4. The Fostering Support Worker will work more closely with the REVIVE Service in the coming year in order to develop a more cohesive approach to supporting children, young people and foster carers, and to achieve improvements in placement stability rates. Fostering Support will continue to work closely with the Adolescent Support Unit so that young people can access short breaks and a wide range of activities. Fostering Support will continue to develop the Saturday Club for younger children in foster care.

Quarter 1 Update – The Fostering Support Worker now sits in the REVIVE Team but is maintaining close links with both the Fostering Service and Adolescent Support Unit. The Saturday Club is well attended. Placement stability is closely monitored and there has been a positive start to the year in Quarter 1.

5. The Service will develop a communication and engagement strategy using the FCA website as a focal point for communication. A focus group will be developed including foster carers to consider the potential for innovation as outlined above.

Quarter 1 Update - Work is ongoing and needs to develop further in Quarter 2. The service is now communicating with the majority of carers via e mail and the FCA website but further work is needed. The Fostering Forum is held twice a year and will be held in October.

6. Foster carer training will continue to develop but with less input from the Workforce Development Team. The Service will focus on the development of online training.

Quarter 1 Update – The new training booklet for the coming year is ready for distribution. Discussions about digitalising some training have been held. This work is ongoing.

7. The management team will continue to monitor compliance with Fostering Regulations and National Minimum Standards and will increase the number of case file audits completed each month to support this.

Quarter 1 Update – A meeting has been held to plot a number of thematic audits against the new team development plan. The plan includes better use of Protocol to record and monitor compliance which will commence with refresher training to be held in Quarter 2.

8. The Fostering Service will review the foster carer payment package which will be considered by the Senior Leadership Team. The review will consider whether the current level of payment is competitive with that offered by neighbouring authorities and independent agencies based in the locality. The foster carer lease car scheme will form part of this review.

Quarter 1 Update – Foster carer payments are still under review.

9. Panel development – The independent Panel Chair contract will go out to tender. This will take account of the need for Panel to sit more frequently (every 3 weeks instead of monthly). The membership list will be developed to address difficulties in sustaining the pool of independent and social work members. A Panel Member training day will be held with a focus on family and friends fostering.

Quarter 1 Update – A Panel Member training day was held at the end of Quarter 1. The contract has gone out to tender and bids will be evaluated in Quarter 2.

Alyson Hanson
Service Leader, Placement Services
30th July, 2018

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Children's Services (Please Select) (Please Select...)
LEAD OFFICERS:	Director of Children's Services (Please Select)
DATE:	13 September 2018

PORTFOLIO/S AFFECTED:	Children's Services
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WARD/S AFFECTED:	All
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KEY DECISION:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
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SUBJECT: Adoption Service 6 Monthly Report

1. EXECUTIVE SUMMARY

To provide information on the management and performance of the Local Authority's Adoption Service.

2. RECOMMENDATIONS

That the Executive Board:

Notes this six monthly report.

3. BACKGROUND

This is the first six monthly report to be produced since the Blackburn with Darwen Adoption Service became part of the Regional Adoption Agency (RAA), Adoption NoW. This is a consortium arrangement entered into by 6 local authorities in order to deliver more efficient and effective adoption services in line with the central government agenda for adoption.

Adoption NoW went live in November 2017, whilst the first weeks of this review period were covered by Blackburn with Darwen's in-house adoption service the data covers the whole six month period.

In order to ensure a close working partnership with the RAA some changes have been made to internal processes. This includes care planning meetings being scheduled for a time that enables RAA attendance. These systems are now embedded and working well. Staffing difficulties that were encountered during the first three months of transition have now been resolved.

4. KEY ISSUES & RISKS

1. The main issue of concern during the last 12 months has been the increasing number of children nationally requiring adoptive placements which is now outstripping the national supply of adopters. This is a complete reversal of the position from just over 12 months ago when there were more adopters than children and adopters experienced a long wait for a child /children. The children most affected by this are those who are harder to place, namely, older children, sibling groups and children with additional needs. On 31st March there were 14 children with Placement Orders waiting to be

matched.

2. Since Adoption NoW went live, 45 % of children matched across the RAA six local authorities have been matched with in-house adopters and will not incur the considerable inter –agency fee. The RAA has launched a number of recruitment campaigns across the region to increase the availability of in-house adopters. 21 adopters have been approved since the RAA went live on 20th November 2017 and at the end of March there were 31 adopters available to a variety of children. The RAA has held an Exchange Day and is planning an Activity Day to promote further in-house matches.

3. There has been an increase in the availability of panels which are now run weekly by the RAA, with at least one per month is held in Blackburn. This is working well. Preparation groups run monthly.

4. The adoption support service now covers the 6 local authorities with 311 cases open at the end of the year. Adoption support staff with different therapeutic skills and qualifications have been brought together which has enabled the service to provide a wider variety of therapies to meet the needs of adoptive families.

5. The total income from placements made with Blackburn with Darwen adopters fell in the second half of the year bringing the total for the year to £196,250, against an income target for the year of £360,000. The total spent on placing children with outside agencies also fell in the second half of the year bringing the total to £502,094 for the whole year compared to the annual budget of £602,400.

5. POLICY IMPLICATIONS

No policy implications identified

6. FINANCIAL IMPLICATIONS

As per the agreed financial model, there will be a gradual transition of resources from LAs to the RAA over a two and a half year period. Based on the estimated current levels of operational expenditure to be combined initially, with Blackburn with Darwen contributing £103,958.41 towards non-staffing related operational expenditure, Blackburn with Darwen's share of any surplus/deficit generated within the RAA would be in the region of 19% of the RAA total from 18/19 onwards.

Under the current model of Adoption a system of interagency fees exists, which are payable between Local Authorities when placing a child with an adopter from another Local Authority. In the medium term, it is expected that increased efficiency in the recruitment of adopters within Adoption NoW will generate cost savings on interagency fees for participant Local Authorities.

7. LEGAL IMPLICATIONS

This report is required to meet statutory requirements as set out in the 'National Minimum Standards for Adoption.'

8. RESOURCE IMPLICATIONS

No resource implications identified.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the EIA member needs to consider the EIA associated

with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1.0
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CONTACT OFFICER:	Alyson Hanson
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DATE:	8 th August 2018
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BACKGROUND PAPER:	Adoption 6 Month report
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Annual Adoption Report
Including data from
1st October to 31st March 2018



Executive Report

Intentionally blank

Introduction

Achieving adoption for children contributes to improving outcomes for the most vulnerable children and young people in line with priorities outlined in other Council plans.

In the last half of the year there has been a significant change in the way that adoption services are delivered as Adoption Now went live on 20th November 2018. Adoption Now is a Regional Adoption Agency providing adoption services on behalf of six Local Authorities – Bolton, Blackburn with Darwen, Bury, Rochdale, Oldham and Tameside.

This report will reflect those changes. Data relating to children remains local data relating to Blackburn with Darwen children however, adoption support and recruitment data now covers the Region.

Adoption Agency Business - Children

Children with an Adoption Plan

During the second half of the year 13 children were presented to the Agency Decision Maker (ADM) for a Should Be Placed for Adoption decision (SHOBPA) compared to 21 children presented in the same period 12 months ago. This includes a sibling group of 2. In May a SHOBPA decision was reversed for siblings following a disruption of their adoptive placement and successful return to long term foster care which is now their plan for permanence.

Age of Children presented for SHOBPA Decision	
Under 12 months old	9 children
2 to 5 years	3 children
5 to 7	1 child

The age profile of the children presented is broadly similar to that of 12 months ago with the largest number being in the under 12 months age group though 12 months ago there were 6 children presented in the age 5 years plus age group.

Ethnicity of children presented for SHOBPA decision	
White British	11 children
Dual heritage African Bengali / Pakistan	1 child
Dual heritage White British / Asian	1 child

The ethnicity profile of the children presented has not changed in the last 12 months with the vast majority being white British.

Children Awaiting a Match

On 31st March 2018, there were 14 children with a plan for adoption (subject to a placement order) awaiting placement compared to 23 children waiting on 31st March 2017. In the last 4 years the number of children waiting has been as high as 38 (2013 /14) and as low as 13 (2015/16).

Nationally there has been a decrease in the number of children with placement orders awaiting placement by 4%.

There is a requirement to refer children waiting for placements to the Adoption Register (Adoption Match) within 3 months following the adoption decision should they not have a placement identified in this time. In the second half of the year Blackburn with Darwen referred 5 children to the register. Between the 6 Adoption Now local authorities 62 children were referred.

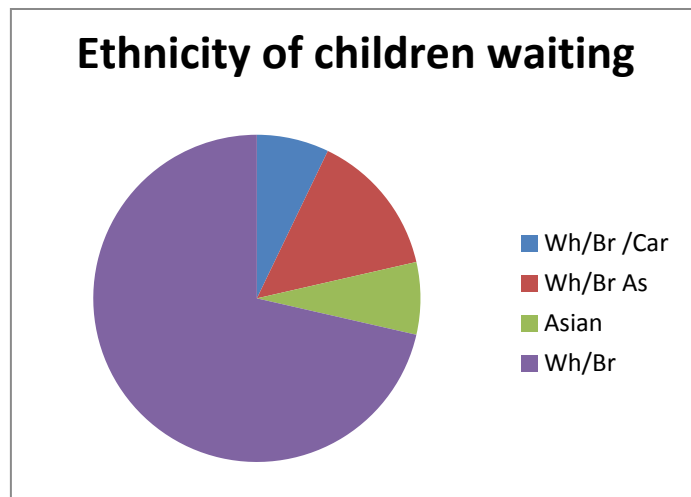
Blackburn with Darwen	5 children referred
Bolton	15 children referred
Bury	3 children referred
Oldham	8 children referred
Tameside	8 children referred
Rochdale	23 children referred

The low number referred by Blackburn with Darwen reflects that most children have an identified match within the 3 month period.

The number of approved adoptive families awaiting placements varied across the North West in the second half of the year. The six Adoption Now local authorities referred 12 adopters between them and 5 of these were referred by Blackburn with Darwen. These numbers are low because children are as far as possible matched with in house Adoption Now adopters and there is therefore little need to refer adopters to the register as they generally have children placed soon after approval.

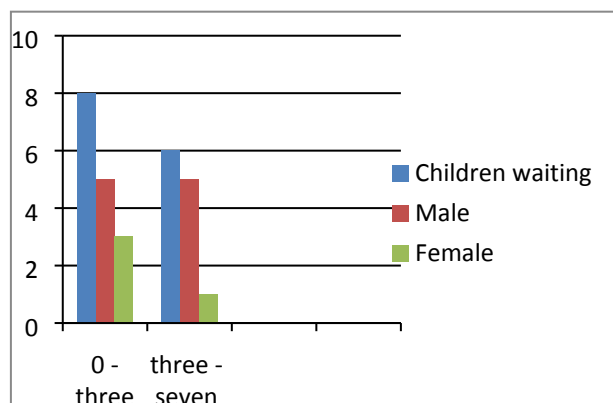
Two of the children waiting are part of a sibling group, the plan for all these children is to place them in single placements. Three of the children (including the sibling group of two) have experienced a disrupted adoption placement but are now being profiled again. Three of the children have additional needs and one of them is likely to be adopted by her foster carer.

Ten children are of white British heritage and one of Asian heritage. There are three children from mixed ethnicity backgrounds.



The ethnicity of children waiting is broadly similar compared to the same period in 2017 when the majority of children waiting were white British.

Age and Gender of children waiting



The age and gender profile of children waiting has changed slightly from that of 12 months ago when the largest group of children waiting were boys aged 5 plus. On 31st March 2018 there were as many boys in the under 3 age group waiting as there were in the 3 to 7 age group. However, there are matches being considered for all of the younger children but at this stage not for the older children. Continued efforts to match them will include them being profiled at Exchange days where adopters can come and discuss children available for adoption and all will be invited to attend an Activity day if this is appropriate for them. These run nationally and will also be run locally by Adoption Now in the coming months.

Of the children waiting 2 children came back into care following the disruption of their adoptive placement and one child was matched but didn't proceed because of issues that arose just before the start of introductions. One child has very complex health needs but an assessment of her foster carers who wish to adopt her has commenced. Another child had been matched and delay occurred as a result of adopters wanting further medical information.

Family Finding Activity

Professional links and relationships have continued to result in some positive matches, especially within those local authorities and voluntary agencies which are now part of Adoption Now. The regional placement group meeting has been redesigned and continues to operate on a monthly basis to encourage matches with local voluntary adoption agencies. Link Maker continues to be a useful tool, and children are also placed immediately on Adoption Match once a placement order is made if there are no families able to be explored from within Adoption Now.

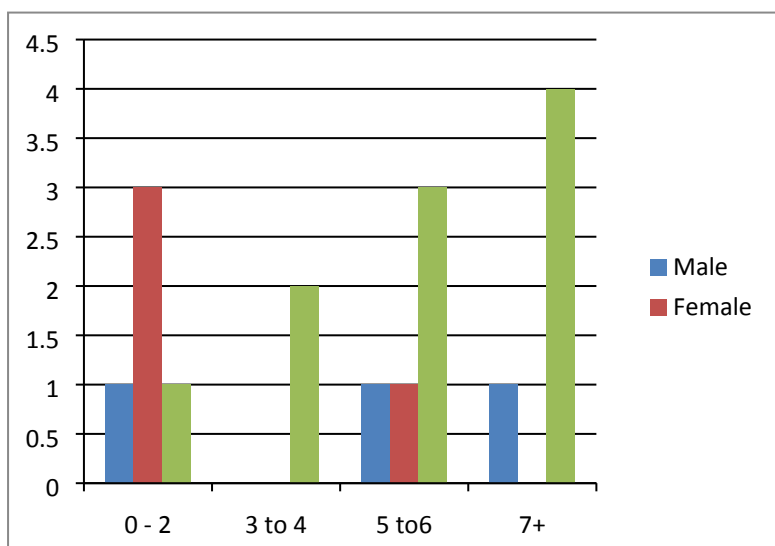
The development of Adoption Now means that families that would have been approved by the six local authorities are all part of the same organisation and are immediately available to Blackburn with Darwen's children. Since November when Adoption Now went live 45% of children matched have been with Adoption Now adopters. These placements do not incur an interagency fee.

Children Placed for Adoption

There have been an additional 7 children placed with adopters during the second half of the year bringing the total for the year to 22. In the same period last year 12 children were placed for adoption and the total for the year 2016/17 was 24.

There was a sibling group of 4 placed together which was a real achievement as finding families for large sibling groups is very difficult. There was also a sibling group of 2 placed and a single male child all of whom were 2 or under. All the children placed were of white British heritage.

Age and gender of children placed: -



One child was placed with RAA adopters and the others with other local authority adopters.

Of matches presented to panels in this half of the year there have been six involving 10 children (sibling group of 4, sibling group of 2, and four single children). Two of these were with concurrent carers which is a commissioned service that attracts an interagency fee. The sibling groups were both placed outside of the RAA due to lack of availability within the RAA, the other two will be placed with RAA adopters therefore not attracting an interagency fee.

The scorecard data for children placed and adopted within the year is as follows: -

Measure		BwD average
Placement Order to Matching (A2)	Scorecard Indicator - 121 days	111
Child entering care starting adoption placement (A1)	Scorecard indicator – 426 days	457

These figures show that during the year timescales were met between placement order to matching and the indicator is slightly over the national average for the scale measuring entering care to placement with adopters. The Scorecard measures are not 'counted' until the year after an Adoption Order has been made, therefore these positive figures will not influence the published Scorecard results for some time yet.

Children Adopted

In the second half of the year only 4 children were adopted taking the years total to 19. This is a decrease on the number of children adopted in 2016/17 when the total for the year was 34, 14 of these were in the second half of the year.

All four children met the scorecard timescales for A2 and one child was over timescale for A1. Three of these children were of white British heritage and one of dual heritage.

Two were aged 2, one aged 4 and one aged 5. They are three girls and a boy.

It is uncertain why the number of adoptions was low in the second half of the year however, there have been some court delays and a number of adoption orders made in the first part of the new financial year.

Most adoption orders have been made in a timely fashion despite birth parents requesting leave to contest on the majority of cases.

The indicators this year are extremely positive with improvements to A2 in particular. The three year average moves more slowly but both measures show improvements.

Adoption Disruption

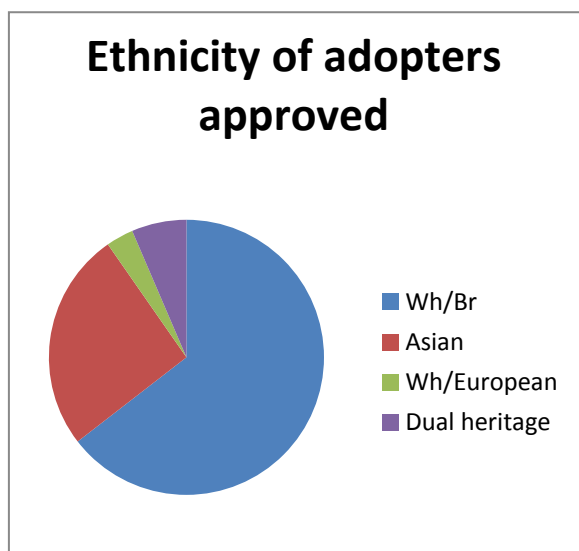
There have not been any disruptions in the second half of the year. In the first half there were two placements that broke down. In the first case the children were in placement for a very short time when the adopter decided that he no longer wished to parent and that he was finding it particularly difficult to bond with one of the children. In the other, the Department took the decision to remove the children after just a few weeks due to a series of significant concerns regarding the adopters honesty, openness, integrity and ability to offer safe and appropriate care to the children.

Disruption meetings have been held in respect of each of these and there was no criticism of the local authorities matching process.

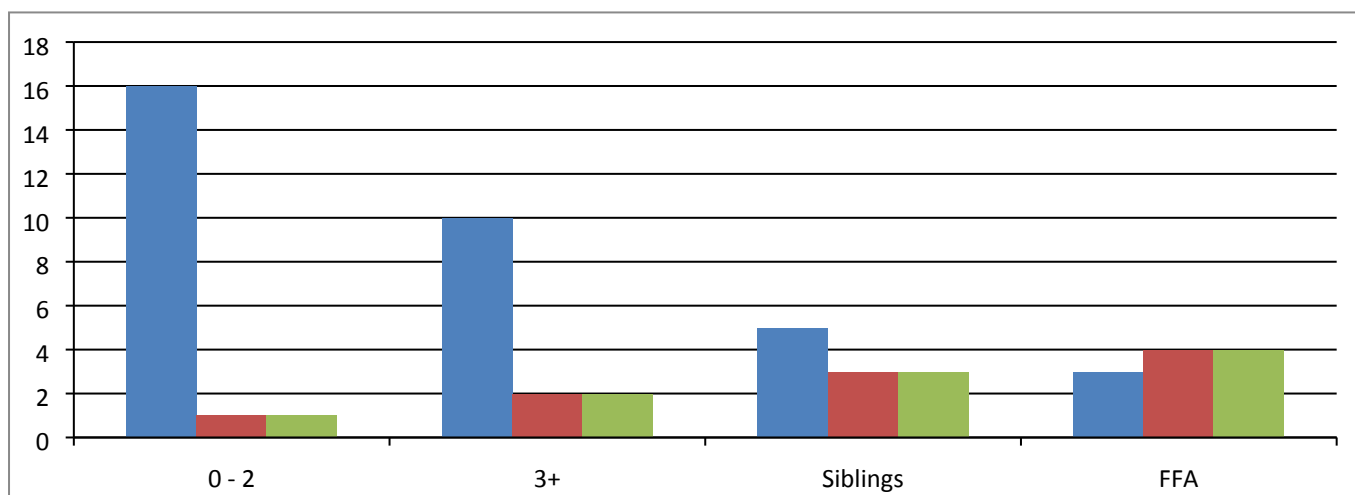
Adoption Agency Business - Adopters

Adopter Recruitment

Adopter recruitment transferred to Adoption Now from 20th November 2017. Recruitment of adopters now covers a much wider geographical area. Since the 20th November, 21 adoptive families have been approved by Adoption Now. As of 31st March 2018 there were 31 adoptive families approved and available for a variety of children. The ethnicity of adopters does broadly reflect the ethnicity of children available for adoption however there are insufficient numbers being approved to meet the needs of all children across the Regional Adoption Agency.



Sorts of children adopters wish to take



Most of the adopters waiting were approved within the previous six months however, some have waited for a placement and this has been for various reasons. Some Asian families have waited because they specifically want to adopt young babies and there have been a limited number available. Some of the dual heritage families have wanted to wait for a child who reflects their existing family rather than take a child from a different ethnicity. Other adopters had waited a while when they transferred to Adoption now and we do know that adopters who have already waited a good while tend to be viewed more suspiciously by family finders. We are working hard to find children to place with them.

Most adopters are still wishing to take young babies with few long term concerns in relation to their wellbeing. The need is to recruit more adopters who can offer homes to older children up to the age of eight

years old, those who can adopt brothers and sisters in groups of 2, 3 or 4 and those who can consider children with additional needs.

Recruitment Activity

Nationally there is a shortage of adopters and numbers of children available are rising again as the looked after population nationally and locally rises. This happened shortly after many adopters had had to wait for long periods as a consequence of case law that changed the practise of the courts in terms of agreeing adoption plans for children. The message to the public was and still is to some extent that there are few young children available for adoption and that numbers have fallen significantly.

The recruitment strategy of Adoption Now has been to dispel this myth going live with a campaign that visibly showed with balloons how many children there were available in this area alone.

The new recruitment team will be fully staffed by early June 2018 and recruitment campaigns are scheduled three times per year with considerable presence at local events across the six local authority areas and beyond over the summer months.

The target is to increase numbers of adopters being approved by at least 20 families per year by the end of year 2.

A recruitment strategy and annual recruitment plan exists to support the need to recruit more adopters.

Adoption Panels

The adoption panels are now run by Adoption Now and there is a panel at least weekly and when demand is high five times per month. One of the panels sits in Blackburn and the others in Rochdale and Bolton. The panels consider adopter approvals, matches and de registrations from all six local authorities. In all cases in the last six months, the panel recommendations were agreed by the Agency Decision Maker (ADM).

For every panel, panel members received the papers in sufficient time to enable them to read the papers thoroughly and in all Blackburn with Darwen cases they had received sufficient information to consider the case and reach a conclusion. The majority of reports in relation to matches and approvals were considered to be good or excellent. Support plans were found to be appropriate to the child's needs. Timescales for approvals and matches were considered and the panel were satisfied with the explanations provided regarding any delay.

The need to improve timeliness of adopter assessments is part of the annual development plan for that service area. There is also a need to be more consistent with the matching paperwork across the six local authorities and this is also a focus of improvement activity over the coming year.

There are three panel chairs who operate across the panels. Panel members from each of the six local authority areas were pooled and many have continued to service the newly arranged panels.

Adoption Agency Business – Adoption Support

Training and Support to Adoptive Parents

Preparation training for prospective adopters being assessed continues to run at least once a month across the region. Adoption Now facilitate these groups. In addition Adoption Now has run preparation groups for second time adopters twice as this enables them to consider the specific issues around bringing a second child into the family. This has received positive feedback from adopters attending.

The Adoption Service recognises the value of ongoing training and support for adopters at different stages in the adoption process and their child's/children's development, to prevent family breakdown in later years

and add quality of life to adoptive families. Post approval and post adoption training is now delivered by Adoption Now and is spread across the region.

During the last six months there has been a launch of adoption now which over 200 people attended from the region. There has also been training delivered for adoptive parents on e-safety, promoting positive attachments – theraplay and PACE, the developing brain and starting your adoptive family. In addition there have been coffee mornings, the continuation of a young people’s group called Club Awesome and the establishment of a new therapeutic toddler group to add to the ones already running (as these are very popular).

There is a plan to deliver more social type events and training in accordance with the wishes that adopters expressed at the launch event when they and young people were consulted about what they wished to see running in order to support them.

Post Adoption Support

The adoption support team combines workers from across the six local authorities. Some staff had therapeutic training and there were also staff new to adoption support work. The team are based together in Bolton however, they continue to deliver services locally to where families live.

The benefits of becoming a much larger service are that it is easier to match a family’s needs with staff with the relevant skills, duty can be delivered on a daily basis so families can always get in touch if they need support and it is possible to run a wider variety of support groups and training events for adopters.

The Post Adoption Support Team provide a variety of services, including supporting birth parents, adoptive parents and children with contact arrangements; facilitate direct contact for a number of children with their birth families; provide an access to records service for adult adoptees; provide assessment of need and more individualised support to those adopted children and their families who are in greater need and respond to lower level queries with advice and one off support.

Adoption support work

Open cases	311
Assessments completed	40
Pre order support	11
Access to Records	56

All the assessments led to a service being provided and most resulted in applications to the Adoption Support Fund for therapeutic services.

On 31st March, a total of 311 cases were open to Post Adoption Support.

In addition, birth parent support is offered through surgeries that occur weekly in each of the six local authorities. If birth parents require additional support then they can be referred to After Adoption who are commissioned to provide that independent support.

Fast Track Adoption and Permanence Team

The fast track psychologist sits within the Revive team which offers therapeutic and psychology services to Blackburn with Darwen children who are open to Children’s Services whether at a Child In Need, Child Protection or Child Looked After level. This includes children progressing with plans for adoption and other permanence plans. The Child Support Officer who was previously part of the Fast Track Team has been seconded to Adoption Now and she continues to be busy offering therapeutic support and advice to Blackburn with Darwen children and their carers.

Adoption Agency Business - Other

Non-agency adoptions

There have been no adoption orders made in the last six months in relation to a step parent adoption.

Inter-country adoption

Inter-country adoption services are rarely requested in Blackburn with Darwen but the Local Authority has a statutory obligation to provide or commission a service. The Borough remains part of a regional commission for inter-country adoption services provided by the Inter Country Adoption Centre.

Participation of Young People

During the last six months, Adoption Now has consulted with a large group of young people at its launch event. Services being designed will be in line with their expressed wishes. Creative ways continue to be used to encourage participation from children who access post adoption support as well as those children who are awaiting adoption, especially, but not exclusively, those who are verbal.

Complaints

Adoption Now has not received any complaint in relation to Blackburn children or families.

In the last six months there have been three complaints all of which were resolved at Stage 1 of the complaints process. The complaints related to a contact issue, a process taking too long for adopters and an issue about a child's ISA. Over the full year there were 5 complaints in total.

Allegations

There have been no allegations in the last six months.

Staffing

Over the last 6 months the service has operated with a core team of eight full time equivalent social workers, one child support officer who works 32 hours per week, a deputy team manager and a team manager. These staff have now been seconded to Adoption Now and support a much larger service. There has been sickness affecting the staff group in the past six months and two staff have left. Some staff then made choices to move to different work areas and this created vacancies in the family finding and care planning work stream which was problematical when Adoption Now went live.

The service is now fully staffed again.

Budget

A total of £212,760 was spent on placing children with outside agencies in the second half of the year, a slight reduction on the first half of the year. The total spent for the year over all is £502,094. Income from placements made with Blackburn with Darwen adopters has fallen in the second half of this year to £29,250 bringing the total income for the year to £196,250.

In the second half of the year £63,207 was spent on therapeutic support to adopted children. For the whole year this amounted to £74,036. In the second half of the year £14,959 was claimed back from the Post Adoption Support Fund to cover these costs bringing the total claimed for the year to £72,962. The £1,073 difference are costs incurred by match funding as the PASF now has a cap of £5,000 per child and any additional costs incurred have to be match funded by the local authority.

The operational budgets supporting adoption were transferred to Adoption Now and combined with the budgets from the other five local authorities in line with the agreed financial model. The model adopts a three stage approach over the short, medium and long term which allows for a gradual transition of resources from the Local Authorities to Adoption Now over a two and a half year period. Full establishment of the finance model is expected by April 2020.

Team Development

Adoption Now hold fortnightly team meetings where staff learn together and develop practise. In addition there has been team building training in each of the work streams and training on access to records delivered by Coram BAAF. Training planned includes training in DDP, Non-violent resistance training, GDPR training and how it affects us in adoption and therapeutic life story work training. This is a benefit of the new regionalised approach in that pooled budgets allow for staff to be better equipped to manage children and families coping with transition and trauma.

A decision was made to reserve some 'set up' budget in order to skill staff up to meet the needs of families requiring support. This should prevent escalation of difficulties and enable staff to have a better understanding of the issues facing families to ensure the correct support is offered at the correct time.

Update on actions for the last 6 months

Action – Gather and implement learning from the two placement disruptions following the disruption meetings.

Progress – disruption meetings took place and there were no major learning points for the Local Authority.

Action – Fully engage with the launch of Adoption NoW and adjust working accordingly.

Progress - Staff have been seconded to Adoption Now and the service has launched successfully.

Action – Create and implement electronic files for all areas of the adoption service, and fully implement all strands within Protocol consistently across Adoption NoW

The RAA IT system is in place and operational. There is still work to do with regards to ensuring it is used consistently by all staff.

Action – Work with Safeguarding colleagues and others to ensure that all appropriate systems and procedures are in place and are understood by all to ensure that good practice is not lost as the adoption service moves over to Adoption NoW.

A document exists to assist local authority staff to know who to contact in Adoption Now and when they should do so. Some staff remain in the Blackburn office and liaise continuously with safeguarding teams.

Action – Ensure the smooth handover of staff to new managers by completing joint supervisions in order to achieve continuity for staff well-being and for the cases that they hold.

Joint supervision did take place and staff are in their new teams,

Action – Transfer good practice with regards to Child/Young People Participation into Adoption NoW and ensuring that work with regards to incorporating their voice on panels is not lost – incorporate into the new panel member training and development programme.

Blackburn with Darwen's Participation Manager has attended a managers meeting at Adoption Now and progress will be made to ensure that Investors in children is awarded to the RAA. Young people were consulted prior to the RAA going live and have been consulted since at the launch event. Services are being designed on the basis of what they have told us they want.

A development plan exists within adoption now to ensure continuous improvements are made to the service.

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Resources

LEAD OFFICERS: Council Solicitor

DATE: 11 October 2018

PORTFOLIO/S AFFECTED: ALL

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: ENFORCEMENT AND PROSECUTION POLICY

1. EXECUTIVE SUMMARY

To present to Members of the Council a corporate prosecution policy applicable to all regulatory functions of the Council.

2. RECOMMENDATIONS

That the Executive Board consider the policy and resolve whether to adopt it.

3. BACKGROUND

The Council has a variety of enforcement functions, the purpose of which are to promote public safety and to protect public amenities, the environment and consumers. The Council's intention is to promote a balanced, thriving and safe local community by carrying out enforcement in a practical and proportionate manner, whilst having regard to the impact the enforcement is likely to have upon local businesses and people.

The public nature of enforcement especially when it comes to bringing prosecutions to court means that it is necessary to act in a way that complies with the principles of proportionality, consistency, transparency, targeted/prioritised enforcement action and accountability.

Therefore it was considered best practice to develop a public-facing policy which as well as providing information to members of the public, can also be used as guidance for officers undertaking the enforcement. A copy of the draft Enforcement and Prosecution Policy is attached at Appendix 1.

4. KEY ISSUES & RISKS

Council officers have a duty to have regard to two Codes of Practice, for enforcement officers it is the Regulators Code and for Prosecution lawyers it is the Code for Crown Prosecutors. The principles in both Codes are routinely applied by enforcement officers but the Council needs to demonstrate that the principles have been formally adopted.

The existence of such a policy will assist in the consistency of decision-making throughout the enforcement process. It will reassure everyone

- that Council officers, in particular those involved in enforcement , routinely apply the principles of proportionality, consistency, transparency, targeted/prioritised enforcement action and accountability, all of which are set out in the statutory Regulators' Code.
- that the Council is applying the public interest test and the evidential test at the stage before a prosecution is commenced which are set out in the Code for Crown prosecutors

There are a number of different functions of a regulatory nature, within the Council including :

- Environmental protection
- Envirocrime
- Housing Standards
- Planning, Building Control and Highways (including parking)
- Licensing
- Trading standards and consumer protection
- Community Safety- Anti-Social Behaviour
- Food law
- Health and safety at work
- Education – Unauthorised Absence from School / Breach of School Attendance Order

Each function has its own legislation and statutory instruments which apply. Some of these already have their own enforcement policies which are specific to each area, whether statutory or otherwise. This corporate policy serves to promote consistency across the Council whilst preserving the specific duties and requirements for each individual function.

5. POLICY IMPLICATIONS

This policy contributes to the corporate priorities (numbers 3 4 and 5 :

Improving health and well-being;
Improving outcomes for our young people – education and skills
Safeguarding the most vulnerable people

6. FINANCIAL IMPLICATIONS

The policy will be accommodated within existing resources

7. LEGAL IMPLICATIONS

This policy is to be welcomed as a way of demonstrating the Council's commitment to the Regulators Code and the Code of Crown Prosecutors.

8. RESOURCE IMPLICATIONS

The policy will be accommodated within existing resources.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

10. CONSULTATIONS

This policy has been drafted in consultation with the following departments – licensing, community safety, planning, education, parking enforcement, audit, housing standards, corporate complaints, public protection and Council Tax Recovery.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
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CONTACT OFFICER:	Shelagh Lyth, Solicitor
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DATE:	6 th September 2018
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BACKGROUND PAPER:	Code of Crown Prosecutors, Regulators Code.
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ENFORCEMENT AND PROSECUTION POLICY

1. Introduction

- a. Council has a variety of enforcement functions, the purpose of which are to promote public safety and to protect public amenities, the environment and consumers.
- b. The Council's intention is to promote a balanced, thriving and safe local community by carrying out enforcement in a practical and proportionate manner, whilst having regard to the impact the enforcement is likely to have upon local businesses and people.
- c. The Council also has a statutory duty to have regard to the need to safeguard the welfare of children¹ and vulnerable adults² and to prevent and detect crime³ in exercising any of its other statutory functions.
- d. This policy sets out the general standards that will be applied in relation to enforcement of legislation by the Council in its role as regulator and enforcer. It must be noted that this policy cannot describe every piece of legislation or every national or local code or standard. The Council will use its best endeavours to apply all the general principles in this policy wherever possible whilst recognising that each case must be dealt with lawfully on its own merits.

2. The Council's Statutory Functions

The following list contains the categories of statutory enforcement functions the Council's enforcement services are empowered to carry out:

- Environmental protection
- Envirocrime
- Housing Standards

¹ Section 11 Children Act 2004

² Care Act 2014

³ Section 17 Crime and Disorder Act 1998

- Planning, Building Control and Highways (including parking)
- Licensing
- Trading standards and consumer protection
- Community Safety- Anti-Social Behaviour
- Food law
- Feed law
- Health and safety at work
- Education – Unauthorised Absence from School / Breach of School Attendance Order

2. Principles of Enforcement

The Council hereby commits to the principles of proportionality, consistency, transparency, targeted/prioritised enforcement action and accountability, all of which are set out in the statutory Regulators' Code (the Code)⁴. It is a statutory duty for all regulators to have regard to the Code when considering exercising a regulatory function.⁵ All these principles have been taken into account in this policy but in the event of any perceived inconsistencies the Regulators Code will prevail (save that it shall not override the status of the Code for Crown Prosecutors in relation to prosecutions.)

3. Proportionality

- a) Any enforcement action taken by the Council will be proportionate to the seriousness of the harm or likely harm which the enforcement is designed to prevent. An assessment of any harm being suffered by the victims or complainants and the effects of that harm upon them should be done where relevant in order to decide what action would be most appropriate.

⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/300126/14-705-regulators-code.pdf

⁵ Section 22 of the Legislative and Regulatory Reform Act 2006
<http://www.legislation.gov.uk/ukpga/2006/51/contents>

- b) In accordance with the Regulators' Code, the Council's enforcement services should also assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means, taking into account, for example, business size and capacity. They should also ensure that their officers have the necessary knowledge and skills to understand those they regulate so that they are better able to choose proportionate and effective approaches⁶.
- c) The role of the Council's enforcement services is to obtain and maintain compliance, the preferred method being by means of engagement, inspection, advice and education. Formal enforcement actions are viewed as a means of helping to secure appropriate standards and changes in behaviour, not an end in themselves.
- d) The Council will take into account all the circumstances of the particular case but will also take into account the attitude of the business or person who is being investigated. Full co-operation with any investigation is likely to be a mitigating feature which will be taken into account when the Council is making a decision as to the type of enforcement action to take. Deliberately ignoring warnings will be an aggravating feature.
- e) A prosecution will normally only be taken in cases where the harm or risk of harm is most serious or in cases where the more informal types of enforcement, including repeated written and/or oral warnings, have been unsuccessful in changing the illegal behaviour of the offender, or where there are unpaid fixed penalty notices⁷ (e.g. littering or non-school attendance or persistent anti-social behaviour).

4. Consistency

- a) Arrangements are in place to promote consistency in the interpretation and enforcement of legislation through national or local standards. Such

⁶ See para 1.1 and 1.3 of the Regulators' Code

⁷ or other unpaid civil penalties where the statute prescribes prosecution as the enforcement method

standards are set by liaising with other local authorities and taking advice provided by professional organisations such as National Trading Standards, the Association of Chief Trading Standards Officers, the Chartered Institute of Environmental Health, the Institute of Licensing, Chartered Association of Building Engineers (CABE), Royal Institute of Chartered Surveyors (RICS), Royal Town Planning Institute (RTPI), National Association of Planning Enforcement (NAPE), Ofsted and other central government departments e.g. Regulatory Delivery, DfE, MHCLG, DoE, Health and Safety Executive.

- b) Council procedures require that senior managers maintain oversight of formal enforcement activity and that enforcement officers receive appropriate training and supervision.
- c) Consistency is not a simple matter of uniformity. As well as comparing similar cases, and looking at national or local standards, officers will also need to exercise their professional judgement and discretion according to the circumstances of each individual case and be able to justify their actions accordingly.
- d) Any decision regarding enforcement action must be impartial, reasonable, take into account all relevant considerations and discount irrelevant considerations.

5. Transparency and clarity

- a) Transparency is important in maintaining public confidence in the Council's ability to regulate. Transparency and clarity means helping those the Council regulates to understand what is expected of them and what they should expect from the Council (including the use of plain English standards). It also means making clear why the Council intends to, or has taken enforcement action.
- b) The Council's enforcement services must, in their dealings with individuals and businesses who may be in breach of regulations, ensure that they

make it clear which requirements are legal requirements which must be complied with and which are best practice or policy guidance.

- c) The Council will from time to time publish specific enforcement policies for specific legislative functions. See clause 12.4 below as to their status.
- d) Some pieces of legislation also advocate transparency. For example, the Council's enforcement services are also required under section 51 Protection of Freedoms Act 2012 to have regard to the Code of Practice on Powers of Entry⁸ which requires the reasonable exercise of those powers as well as ensuring that the enforcing officers keep the occupier properly informed in undertaking their rights of entry into premises under the various pieces of legislation.
- e) The Council will ensure that where they request an individual or a business to take remedial action, they will explain why the action is necessary and by when it must be carried out. The Council will ensure that a written explanation is given of the relevant legislation and give details of any rights of appeal against formal enforcement action and the appeal limitation period.
- f) The Council will accommodate all requests for information unless it is exempt under the Freedom of Information Act 2000, the Environmental Information Regulations 2004 or other statutory restriction e.g. as exists in the Enterprise Act 2002⁹.

6. Targeting/Prioritising/Assessing risks/threats

- a) Targeting means making sure that the Council's enforcement services are directed primarily towards those whose activities actually or potentially give rise to the most serious breaches of legislation or tackling issues which cause the most concern to

⁸

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/383079/Code_of_Practice_-_Powers_of_Entry_web_.pdf

⁹ Section 237 onwards

stakeholders and/or 'hot spots' in relation to the matters set out in paragraph 1.1 above.

- b) Systems of prioritising enforcement include responding to complaints from individuals in the community about regulated activities, the inspection of premises/areas according to the threats assessed and the gathering and acting on intelligence about potential illegal activities. Intelligence-led threat assessments may be made from time to time by each of the Council's enforcement services. Resources for enforcement should be allocated in such a way as will be most effective in addressing these priorities.

7. Accountability

The Council's enforcement services are accountable to the public for their actions while remaining independent in the decisions taken. Any complaints about the Council's services should be addressed to:--

feedback@blackburn.gov.uk or in writing to:

Corporate Complaints Manager,
Blackburn with Darwen Borough Council,
Town Hall,
King William Street,
BB1 7DY.

8. Human Rights and Equality

- a) In carrying out its enforcement activities the Council's enforcement services will have regard to the rights and freedoms guaranteed to individuals under the Human Rights Act 1998 (HRA). Particular attention will be given to the human rights aspect in cases where either the perpetrator or the victim of the breach is considered to be vulnerable.

- b) The Council considers the right of an individual to the right to respect for their private and family life¹⁰ to be significant when exercising enforcement. The Council will ensure that where it is proposed to interfere with that right it is done lawfully, only when needed and proportionately. The right to a fair trial¹¹ and the interests of justice should be taken into account particularly where the Council is considering taking away a licence to operate a business. The right to the peaceful enjoyment of one's possessions¹² should also be taken into consideration particularly when considering the rights of entry to property and seizure.
- c) The Council will ensure that it complies with the Equality Act 2010 and whilst undertaking enforcement will not adopt practices which discriminate directly or indirectly as defined by that Act.

9. Authorisation

Any officer carrying out enforcement work should be authorised to do so by the Council (through the relevant schemes and delegation/ delegated powers). All enforcement officers should carry their identity cards and a list of legislation they are authorised to enforce.

10. Purpose and Methods of Enforcement

- a) The purpose of enforcement is to ensure that preventative or remedial action is taken to secure compliance with the legal requirements. Enforcement action may be taken as a result of an incident, a service request, intelligence or an inspection.
- b) The Council's enforcement services will deal with service requests in a manner which reflects the principles stated above, by

¹⁰ Article 8 of the ECHR

¹¹ Article 6 “ “ “

¹² Article 1 of the first Protocol of the ECHR

prioritising resources accordingly and will investigate offences with a view to prosecution where appropriate.

- c) As a general rule and where there may be options, the level of enforcement contemplated will be the minimum at which a satisfactory solution is thought to be achievable. The possible deterrent effect a prosecution may have on compliance in the Council's area will also be considered.
- d) It is anticipated that most of the Council's enforcement service's dealings with those they regulate will be through informal avenues providing education, advice and assistance. However, where informal methods have been unsuccessful, or a serious or repeated breach of legislation has, or is likely to, occur, formal enforcement action will be taken to ensure compliance with the law.
- e) In some circumstances, specially developed schemes may be available by way of restorative justice¹³ to deal with offenders as an alternative to formal action but only where the enforcement service is satisfied that there is sufficient evidence of a breach and only with the consent and full co-operation of the person in breach.¹⁴
- f) Decisions on the appropriate enforcement actions and when and how to carry out investigations, will be made by authorised officers of the relevant enforcement service. The Council Solicitor has delegated powers to issue summonses when prosecution is contemplated or to issue civil claims when civil action is contemplated. The decision to proceed to legal action in the courts is delegated to the Director of HR, Legal & Governance in accordance with the constitution and further delegated to the

¹³ Now recognised as a sentencing power of a court under Section 1ZA Powers of Criminal Courts (Sentencing) Act 2000 provided the offender agrees to that course of action as an alternative to a formal court fine or other sentence.

¹⁴ For example, a training course aimed at educating offenders in under age sales cases may be offered as an alternative to formal action; a scheme which provides for offenders' attendance at a litter clearing event might be offered as an alternative to formal action in cases of envirocrime.

Council Solicitor, save that Health & Safety Officers alone can commence prosecutions under the health & Safety at Work (etc) Act 1974

- g) Other enforcement officers have delegated powers to issue civil penalty notices or fixed penalty notices, as well as other enforcement powers e.g. to apply for warrants and serve statutory notices. However, in relation to civil penalty notices for housing standards offences, statutory guidance makes it clear that it must first be determined that there is a realistic prospect of conviction in accordance with the Code for Crown Prosecutors¹⁵ prior to the civil penalty being issued.
- h) Council members set priorities and guide decision making in relation to determining the types of enforcement action that might be taken in relation to offences, and will approve general policies. Decision-making in respect of individual breaches is however delegated under the Council constitution to the requisite officers thereby assuring that no conflicts of interest can arise.
- i) Council enforcement services will be proactive in adopting a partnership approach to tackling issues within the Council's area and to that extent will seek to establish these as formal written agreements with both internal and external partners particularly where data sharing is concerned.

11. Enforcement Action Available

¹⁵https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/697644/Civil_penalty_guidance.pdf

- a) There are a variety of enforcement actions available to the Council. It is not feasible to list every type of action that the Council is empowered to take under the many pieces of legislation applicable to each area of enforcement. Generally, the following can be considered examples:
- i. general powers of investigation, making enquiries, use of powers of entry, powers to search premises and seize items used in the commission of offences;
 - ii. provision of advice to particular individuals or businesses or other means of education such as leafleting or other wider publicity,
 - iii. warnings to individuals or businesses, written or oral;
 - iv. informal or formal mediation between complainants and those individuals or businesses that are complained about resulting in behaviour agreements or undertakings (statutory under the EA 2002 or non-statutory);
 - v. service of statutory notices such as abatement notices, community protection notices, stop notices, breach of condition notices, enforcement notices, request for information notices;
 - vi. Issue of fixed and civil penalty notices requiring payment of a fine; some whose non-payment results in prosecution, some whose non-payment results in a civil debt recovery process;
 - vii. issuing of simple and informal cautions, (which may include restorative justice),
 - viii. applications to the civil court for:

- confiscation of assets/financial benefit obtained as a result of commission of a crime,
 - forfeiture of items used in the commission of offences,
 - closure of business premises or
 - Enforcement orders under the Enterprise Act 2002,
 - injunction under Town and Country Planning Act 1990
 - anti-social behaviour injunctions;
- ix. Prosecutions which result in a punishment by the criminal court such as a statutory fine or imprisonment – and which may also include ancillary applications as set out in g) above;
- x. The recovery of civil debt arising from works done by the Council in default e.g. in planning breaches where the owner fails to rectify the breach or housing cases where the owner fails to undertake required safety works.
- xi. Refusal of an application for a licence or permit for which the Council is the issuing body or the review, suspension or revocation of such a licence or permit e.g. taxi licenses, premises licenses (which cover licensable activities such as sale of alcohol and food) and HMO (Houses in Multiple Occupation) or other selective housing licences
- b) Note that this list is not exhaustive and the Council will rely on the powers set out in each particular statute and consider all the facts of a particular case before making a reasoned decision as to how to proceed. This decision will take into account available threat assessments made from time to time by each enforcement team.
- c) The Council officers will also adhere where appropriate to guidance which is either statutory or advisory. Statutory guidance is issued in accordance with the various specific statutes e.g. the Home office Guidance on the Anti-

Social Behaviour Crime and Policing Act 2014¹⁶. However, there will also be advisory policies and guidance issued by the various statutory, central government or professional bodies for each function. One example is the detailed guidance produced by the Health and Safety Executive in relation to enforcement decision making (the Enforcement Management Model, or EMM)¹⁷ and officers must have regard to this document when determining what action to take in relation to health and safety breaches¹⁸.

- d) In addition to the matters referred to in 12.3 above there may also be other enforcement policies adopted by the Council for each specific enforcement function which are published from time to time on the Council's website. This policy shall be general. In the event of an inconsistency the specific enforcement policy will prevail.

12. Conduct of Investigations.

Investigations carried out by the Council's enforcement officers will be carried out in accordance with relevant legislation and associated statutory codes of practice where they are applicable. Some specific pieces of legislation such as food safety legislation also provide procedures for specific evidence gathering by means of multiple sample collection and recording. The most notable pieces of legislation which apply to all investigations of criminal offences across the different Council functions are:

- The Police and Criminal Evidence Act 1984 and PACE Codes of Practice A to H, which cover procedures for such matters as search warrants and interviews under caution;

¹⁶ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/679712/2017-12-13_ASB_Revised_Statutory_Guidance_V2.1_Final.pdf

¹⁷ <http://www.hse.gov.uk/enforce/enforcement-management-model.htm>

¹⁸ Other examples include policies developed by such organisations as the Association of Greater Manchester Authorities (AGMA) which develop policies for licensing and other matters, and more particularly it has recently developed a policy on civil penalties as an alternative to prosecution for relevant housing offences which authorities can adopt.

- Criminal Procedure and Investigations Act 1996 and the associated Code of Practice, which covers procedures for identifying, recording, retaining and disclosing unused material;
- Regulation of Investigatory Powers Act 2000 and Human Rights Act 2000 which govern the use of investigation techniques which have an impact upon the privacy of the individual.

13. Code For Crown Prosecutors

Factors Determining Prosecution

- a) Where statutory powers to prosecute exist, the decision to refer for prosecution is not taken lightly and is always considered in line with the Code for Crown Prosecutors¹⁹.
- b) Before a decision to refer for prosecution is taken the case must firstly satisfy the evidential test and then secondly the public interest test. A case which does not pass the evidential stage must not proceed no matter how serious or sensitive it may seem.
- c) Once prosecution has been determined as the appropriate course of action, consideration will automatically be given to supplementary sanctions available through the Courts (such as applications for forfeiture, compensation, Criminal Behaviour Order on a case by case basis.
- d) If a person who is accused or convicted of an offence can be shown to have a criminal lifestyle and to have benefitted financially from his crimes then the Council enforcement officers will consider appointing an Accredited Financial Investigator to undertake an investigation under the Proceeds of Crime Act 2002 and its accompanying Code of Practice²⁰. This investigation may run parallel with the criminal investigation and

¹⁹ http://www.cps.gov.uk/publications/docs/code_2013_accessible_english.pdf

²⁰ <https://www.gov.uk/government/publications/proceeds-of-crime-act-codes-of-practice>

which could result in a formal application to the Crown Court for an order to confiscate an amount of money commensurate with the amount by which the offender has found to have benefitted.

15 Evidential Test

- a) Before commencing a prosecution the Council must be satisfied that there is sufficient evidence to provide a 'realistic prospect of conviction' against each defendant on each charge. This is an objective test based on the assessment of the evidence and any information about the defence that may be put forward.
- b) Of particular importance is the following extract from the Code: "The finding that there is a realistic prospect of conviction is based on the prosecutor's objective assessment of the evidence, including the impact of any defence, and any other information that the suspect has put forward or on which he or she might rely. It means that an objective, impartial and reasonable jury or bench of magistrates or judge hearing a case alone, properly directed and acting in accordance with the law, is more likely than not to convict the defendant of the charge alleged. This is a different test from the one that the criminal courts themselves must apply. A court may only convict if it is sure that the defendant is guilty." The Council Solicitor has the requisite delegated authority to make this decision.
- c) 15.3 When deciding if there is sufficient evidence to prosecute the matters below will need to be considered:
 - i. Can the evidence be used in Court or is it likely that the evidence may be found by the court to be inadmissible? (E.g. poor identification evidence, breaches of PACE or reliance on hearsay)
 - ii. Is the evidence reliable? Is it accurate? Officer should check all the facts and follow all reasonable lines of inquiry including those that lead away from the guilt of the suspect. Officers should also check

other known associates of the suspect and/or other suspects and consider whether they should be interviewed if the evidence shows they could be involved.

- iii. Is the evidence credible? Investigating officers should test the facts stated by their witnesses so that they are sure that there is no reason to doubt their evidence.
- iv. Is the defendant likely to be able to establish a reasonably credible defence? For example “due diligence” under Section 21 of the Food Safety Act 1990 or “best practical means” under Environmental Protection Act 1990.

16. Public Interest Test

- a) It has never been the rule that a prosecution will automatically take place once the evidential stage is met. A prosecution will usually take place unless the prosecutor is satisfied that there are public interest factors tending against prosecution which outweigh those tending in favour. In some cases the prosecutor may be satisfied that the public interest can be properly served by offering the offender the opportunity to have the matter dealt with by an out-of-court disposal rather than bringing a prosecution. Previously the Code for Crown Prosecutors contained lists of ‘for’ and ‘against’ prosecution, now there are lists of 7 factors to which the Council can apply its own environmental and public protection considerations.
- b) When deciding the public interest, prosecutors should consider each of the factors set out below in paragraphs a) to g) so as to identify and determine the relevant public interest factors tending for and against prosecution. These factors, together with any public interest factors should enable prosecutors to form an overall assessment of the public interest. They are not exhaustive, not all may be relevant in any given case, and their weight will vary depending on the facts. Whatever the decision, it should be capable of justification at court upon challenge.

Those factors are:

- i. **Seriousness** – consider the levels of culpability of the suspect and harm to the victims/complainants as a whole.
- ii. **Culpability level of the suspect** – consider level of involvement, premeditation, planning, previous convictions, offending whilst on bail, breach of undertakings or court orders and continuing, persistent, escalating offending. Also consider the age and maturity of the suspect and whether they are vulnerable e.g. mental health sufferer.
- iii. **Circumstances of the harm caused to the victim** – this is stated to be highly relevant as the greater the victim's vulnerability the more likely a prosecution is needed. Victim impact statements should be obtained. Was there any discrimination²¹ against the victim?
- iv. **Under 18 at the time of the offence** – will the process have a disproportionate impact on him taking into account the seriousness of the offence? The child's welfare will need to be considered and the UN 1989 Convention on the Rights of the Child. The starting point is that the younger the child the less likely a prosecution is required.
- v. **Impact on the community** – the greater the impact of the offending on the community, the more likely a prosecution is required.
- vi. **Proportionality** – is a prosecution proportionate to the likely outcome/penalty? Consider the cost of bringing the prosecution to both the prosecuting authority and the criminal justice system. This is a relevant factor when making an overall assessment of the public interest but it should not be a sole reason for not proceeding. Effective case management can also be a factor so that for instance where there are multiple suspects a decision can be made to proceed against the main suspects to avoid excessively long, complex proceedings. Another example is where the offence is likely to attract a low fine (e.g. Band A²² in the sentencing guidelines where the individual is on benefits.)

²¹ As respects the victim's ethnic or national origin, gender, disability, age, religion or belief, sexual orientation or gender identity

²² Fine Band A – Starting point is 50% of relevant weekly income with a range of between 25 – 75%

Consideration should be given to the alternative monetary penalties e.g. fixed penalty notices to assist in reducing the burden on the wider criminal justice system.

- vii. **Do sources of information require protecting?** In cases where public interest immunity does not apply, special care should be taken when proceeding with a prosecution where details may need to be made public that could harm sources of information, international relations or national security. It is essential that such cases are kept under continuing review.

17. Review

This policy will be reviewed every two years.

Version Number: 8 (FINAL)

Date: 2206/2018

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Health and Adult Social Care
LEAD OFFICERS:	Executive Member for Environment Director of Public Health Director of Environment and Leisure
DATE:	11 October 2018

PORTFOLIO/S AFFECTED:	ALL
WARD/S AFFECTED:	All
KEY DECISION:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

SUBJECT: An update on action to reduce deaths and ill health caused by poor air quality in Blackburn with Darwen and across Lancashire and Cumbria

1. EXECUTIVE SUMMARY

The purpose of this report is:

- To provide an update on health related air quality both nationally and locally
- To provide information on recent work in Blackburn with Darwen and sub-regionally to improve air quality
- To outline next steps for action on air quality in both Blackburn with Darwen and sub-regionally

2. RECOMMENDATIONS

That the Executive Board:

Note the content of the report.

3. BACKGROUND

3.1 As recently as the nineties it was felt that air pollution was no longer a major health issue in the United Kingdom. Priority had been given to tackling the biggest individual sources of air pollution and legislation had made the smogs of the fifties a thing of the past. As these major sources of emissions decreased, the relative contribution of smaller and more dispersed sources of air pollution has increased, which requires new types of action.

3.2 In more recent years evidence has emerged that small particles emitted to the air from various sources, such as road transport, industry, agriculture and domestic fires, are still having a considerable effect on health. Indeed, diesel engine exhaust, outdoor air pollution and particulate air pollution have been classified by the World Health Organization as carcinogenic. This type of air pollution is so small that it can't be seen by the eye, but can get into our respiratory system.

3.3 Air pollution reduces life expectancy by increasing deaths from heart disease, lung disease and circulatory problems and can have a short term impact over a single highly polluted day as well as long term impacts from low level exposure over a longer period of time. The majority of health problems result from long-term exposure to air pollution. In addition, air pollution can reduce lung development in children, which may increase symptoms in those young people who develop conditions like asthma.

3.4 The impact of air pollution on health is not distributed equally within a population, often falling on the most deprived communities and the most vulnerable individuals. There is a larger risk to health for young children and older adults, for whom air pollution causes more harm than passive smoking.

3.5 Public Health England (PHE) estimates that poor air quality contributes to around 4% of all deaths across Lancashire and Cumbria. The figure for Blackburn with Darwen is 4.7% compared with Lancashire 4.4%; Blackpool 4.3%; and Cumbria 3.4% (PHOF, 2016). For Blackburn with Darwen this is equivalent to 62 deaths per annum however, air pollution is likely to contribute a small amount to the deaths of a larger number of exposed individuals rather than being solely responsible for the calculated figure of attributable deaths.

4. KEY ISSUES & RISKS

4.1 Much of the action required to improve air quality will need to be taken by people without any specific statutory role to improve health and wellbeing. The impact of the individual household or business may be small, but the combined impact of actions taken by national and local government, large and small businesses and individuals can make a significant difference.

Local Action on Air Quality:

4.2 Local authorities have a central role in achieving improvements. District and unitary councils have responsibility for monitoring air quality and reporting on the action being taken to improve areas of poor quality. Action to address the health impacts of air pollution on local populations can play a critical role in supporting other local priorities such as active travel and physical activity, health inequalities, sustainability, growth and regeneration and community engagement.

4.3 All district and unitary councils are required to submit an Air Quality Annual Status Report (ASR) to Department for Environment, Food and Rural Affairs (Defra) each year giving an overview of air quality in their area and actions planned, in progress or completed to improve air quality. Examples of these measures may include:

- Initiatives to increase uptake in cycling and walking
- Travel planning information – identifying alternatives to car use
- New roads – bypasses and link roads
- Intelligent traffic light systems
- HGV bans on specific roads
- Camera systems providing information for transport/air quality action plans
- Electric vehicle charging points – on-street, at homes and at new commercial developments
- Cheaper parking for less polluting vehicles
- Bus and rail improvements
- Living green walls
- Planning guidance – improving the assessment of air quality impact and identifying mitigation
- Targeting of vehicle fleets – e.g. increasing the number of low emission vehicles

4.4 Monitoring and modelling of air quality is undertaken in Blackburn with Darwen by Environmental Health staff to fulfil the requirements of the Local Air Quality Management regime, and to report on compliance with EU air quality targets. Air quality is monitored at 47 sites across the Borough and an

automatic monitor at Accrington Road Community Centre. The outcome of this work is reported in an Annual Status Report. Blackburn with Darwen's ASR for 2017 can be found on the Council website: <http://www.blackburn.gov.uk/Pages/Air-quality.aspx>

4.5 If a local authority finds any places where the national air quality objectives are not likely to be achieved, it must declare an Air Quality Management Area (AQMA). Where an AQMA is declared the local authority will put together a plan to improve the air quality - a Local Air Quality Action Plan. There are currently 7 AQMAs in the Borough. These were declared because of unacceptably high levels of nitrogen dioxides, mainly from road traffic.



- AQMA 1 - Intack, Blackburn (Junction of Whitebirk Rd and Accrington Rd)
- AQMA 2 - Bastwell, Blackburn (Junction of Whalley New Road and Whalley Range)
- AQMA 3 – Darwen Town Centre (A666 between Robert Street and Wraith Street, Darwen)
- AQMA 4 – Witton, Blackburn (Junction of Preston Old Road and Buncer Lane, Blackburn)
- AQMA 5 – Earcroft, Darwen (Junction of the A666 with M65 Link Road)
- AQMA 6 – Blackamoor, Blackburn (Junction of Stopes Brow, Blackamoor Road and Roman Road, Blackburn)
- AQMA 7 – Four Lane Ends, Blackburn (Junction of Pleckgate Road, Revidge Road, Lammack Rd and Shear Brow)


An AQMA at the junction of Accrington Road / Burnley Road (AQMA 8) was revoked in 2017 due to improvements in the air quality as a result of Pennine Reach diverting traffic away from the affected area.

4.6 The table below shows how nitrogen dioxide levels have changed in the AQMAs over time. It can be seen that nitrogen dioxide in 2017 was below the level of concern in all AQMAs. Compared with previous years, there has been an improvement at almost all of the 46 monitoring locations. These improvements occurred across the Borough, so they can't be attributed to changes at individual junctions. The 2017 results are welcomed but should be treated with caution because some factors, like the weather, can cause short term changes in the build-up of pollution. The results of monitoring in the next few years will determine if 2017 was an anomaly or part of a lasting improvement. It is good practice to base decisions on trends evident in the previous 5 years of monitoring.

Table 1: AQMA Trends Over Time

Year	AQMA 1 Intack	AQMA 2 Bastwell	AQMA 3 A666 Darwen	AQMA 4 Witton	AQMA 5 Earcroft	AQMA 6 Blackamoor	AQMA 7 Four Lane Ends	AQMA 8 Acc. Rd/ Burnley Rd
2005	Red	Red	Red	Red	Red	n/a	n/a	n/a
2006	Green	Green	Red	Red	Red	n/a	n/a	n/a
2007	Red	Green	Red	Green	Green	n/a	n/a	Green
2008	Red	Red	Red	Red	Red	n/a	n/a	Green
2009	Red	Green	Green	Red	Green	Red	Green	Red
2010	Red	Red	Red	Red	Green	Red	Red	Red
2011	Green	Red	Red	Red	Green	Green	Red	Red
2012	Green	Green	Red	Red	Green	Red	Red	Green
2013	Green	Green	Red	Red	Green	Red	Red	Red
2014	Red	Red	Red	Red	Green	Red	Red	Red
2015	Green	Green	Red	Red	Green	Red	Red	Green
2016	Red	Red	Green	Green	Green	Red	Red	Green
2017	Green	Green	Green	Green	Green	Green	Green	Green

 - Exceedance of annual mean NO₂ objective  - Complies with annual mean NO₂ objective

 - Further monitoring ongoing to determine the existence or extent of any remaining pollution hotspot and whether it affects any residents in town centre flats.

4.7 The Long term trends at AQMAs 3, 4, and 5 indicate that future exceedances of the national objective are unlikely. These AQMAs may be revoked once Defra have peer reviewed the monitoring data and agreed to the conclusions in the 2018 Annual Status Report.

4.8 AQMAs No.6 and No.7 present the most significant challenge. The action plan will be updated to include new measures to tackle problems at Four Lane Ends, as this junction remains a significant challenge. Funding has been secured for a new link road at Blackamoor and it has been identified in the relevant planning master plan. The impact of the new road will be modelled when more is known about the new road layout and anticipated traffic flows.

4.9 In order to achieve these improvements within Blackburn with Darwen a range of actions have been taken which can be split into 3 broad categories:

1. Physical changes – Physical changes at junctions that will address congestion and reduce emissions. The Pennine Reach £40m rapid bus transport scheme was completed in April 2017 and has already brought about a dramatic improvement in air quality at the Accrington Rd / Burnley Rd AQMA. Growth Deal 3 funding has been secured for local road projects including the Blackamoor Link Road (estimate c£3m). New intelligent traffic signals have been installed at Blackamoor.
2. Choices - People will be given more choices about how they travel, and less polluting options will be made more appealing. The Authority is backing cycling and walking, improving public transport and providing travel planning advice, raising an awareness of the positive benefits that more sustainable and healthy options can provide. Major improvements in the quality of bus services have been delivered by Pennine Reach. In terms of cycling, there has been a 670% increase in leisure rides, the introduction of a new cycle pump track and the £600K 26km Witton Wheel Cycling route. Walking and other active transport choices are being promoted by Public Health initiatives, such as the Eat Well, Move More, Shape Up Physical Activity and Obesity Strategy 2017-2020, and the commitment to support physical activity, active travel, cycling and walking through the Pennine Lancashire Health and Social Care LDP Prevention Strategy. It is recognised that there is a significant overlap between the need to address poor air quality and ill-health resulting from inactivity.
3. Managing Development - Consideration will be given to the impact of development upon existing and potential air pollution hotspots – a new air quality Planning Advisory Note has been adopted, which sets out how we intend to deal with site specific issues that need to be addressed and provides guidance which identifies how developers can take action that will reduce the health impact associated with development and transport emissions. It has been published on the Council's website: <http://www.blackburn.gov.uk/planningdocs/policies/Air-Quality-PANv7-July-2018.pdf>. For example, most new residential developments are required to include low emission gas boilers and electric vehicle charging points, and charging points are also being required at some commercial developments.

4.10 Air pollution doesn't just affect people living in AQMAs. It is evident that the Local Air Quality Management Regime and UK ambient air quality standards haven't adequately protected public health. For example no AQMAs have been declared in Lancashire and Cumbria because of particulate levels. Particulates are the tiny particles of soot produced when fuels are burnt. They are invisible to the naked eye but are able to pass deep into a person's lungs. Yet the fraction of mortality attributable to man-made particulates is significant. Action taken to reduce the impact of air pollution should not, therefore, be limited to measures designed to address problem in AQMAs only.

Action on air quality across Lancashire and Cumbria:

4.11 The Lancashire and Cumbria Directors of Public Health identified action on air quality as a sub-regional priority and hosted a Lancashire and Cumbria Air Quality Summit on 28th February 2018 to explore ways to accelerate action. The purpose of the summit was to;

- Improve participants' understanding of air pollution, the health risks of air pollution and the scale of the problem
- Improve participants' understanding of what actions could be taken to reduce population exposure to air pollution with additional co-benefits to health, economy, sustainability
- Share good practice including national and local examples of air quality improvement work
- Strengthen participants' understanding of their own and each other's' roles in tackling air pollution
- Consider ways of improving public awareness and engagement for action on air quality
- Define the agenda for collective action to prevent air quality attributable deaths across Lancashire and Cumbria

4.12 The event was attended by Elected Members, Local Government Public Health, Planning and Transport and Environmental Health, Public Health England, special interest groups, citizen representatives and academics. The Programme included an opening from Cllr Brian Taylor (Blackburn with Darwen Council) followed by presentations from Public Health England, Prof Barbara Maher (Lancaster University Environment Centre) talking about emerging evidence of particulate matter in the brains of people with Alzheimer's disease and local authority representatives talking about local approaches and the importance of coordinated action. The final presentation was from Prof John Whitelegg (Liverpool John Moores University) who challenged participants regarding further action to improve air quality in the region.

4.13 Attendees put forward ideas and suggested ways in which we can encourage and mobilise action on air quality, which were incorporated into a collective report of the Lancashire and Cumbria Directors of Public Health entitled [Reducing deaths and ill-health caused by poor air quality in Lancashire and Cumbria](#). Attached as Appendix 1 The purpose of the report is to:

- Improve awareness and engagement for action on air quality and understanding of everyone's role in tackling air pollution, building on existing plans and strategies
- Start a conversation about the ways in which we can all work together and hold each other to account for action to improve air quality
- Outline areas for further action to reduce population exposure to air pollution, as identified at the Summit.

4.14 The report was launched on 21st June 2018 to coincide with Clean Air Day which is a national drive to help people find out more about the issues surrounding air pollution and how they can make a difference. On this day people up and down the country take part in events and make personal pledges for action for example to walk to work or school instead of driving, switch off their engines when they can and encourage others to do the same.

4.15 The suggestions put forward at the Summit are captured in Appendix 2. This list is not intended to be exhaustive but will act as a guide for further discussion and local action.

Next Steps:

4.16 Bringing about change on a significant scale is not easy. Investment and growth are considered essential for the delivery of challenging targets relating to key objectives, such as employment and housing. As a consequence, there are conflicting priorities and air quality concerns can be marginalised in some circumstances. This represents a challenge to us all.

4.17 We will further explore the list of suggestions generated at the Lancashire and Cumbria Summit

and work with all stakeholders to turn them into appropriate actions. We will do as much of this work in collaboration with the public as possible and be as transparent as we can about what we are doing and what difference it is making.

4.18 To work through how we might better mobilise the support of wider society in this challenge we will work with the NHS leadership Centre to explore how to better create public health leadership outside of the health sector. This will be a critical success factor if we are to make a difference.

Blackburn with Darwen AQMA action priorities:

- Blackamoor and Four Lane Ends are a priority. Four Lane Ends junction remains a significant challenge and an Action Plan needs to be developed for this AQMA. The outlook for Blackamoor has improved now that funding has been secured for a new link road. The impact of the new road can be assessed once more information is known about the layout and anticipated traffic flows.
- Monitoring to determine if some AQMAs can be revoked – as detailed earlier in the report.
- Close monitoring of the Moorgate Street / Livesey Branch Road and the Accrington Road Toll Bar Junctions because they hover below the target nitrogen dioxide level at which new AQMAs may need to be declared.
- Delivering the DfT’s Access Fund project “CONNECTING East Lancashire” where we will work with businesses, educational establishments, residents and commuters in relation to raising the awareness of travel options and the choices available, in addition to delivering interventions that address specific barriers to active travel.
- Emissions from factories, domestic and commercial bonfires, and also from stoves and fireplaces in smoke control areas are regulated to minimise emissions.

5. POLICY IMPLICATIONS

None

6. FINANCIAL IMPLICATIONS

None

7. LEGAL IMPLICATIONS

None

8. RESOURCE IMPLICATIONS

None

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

None

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
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CONTACT OFFICER:	Denise Andrews Laura Wharton
DATE:	11 September 2018
BACKGROUND PAPER:	None

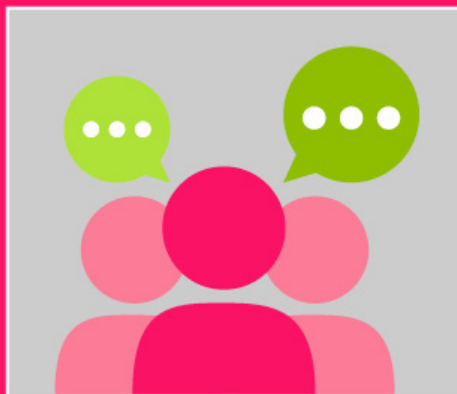
Air Quality and Public Health

Reducing deaths and ill-health caused by poor air quality in Lancashire and Cumbria



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Talk the talk

Most people don't know how to protect themselves from air pollution.
You can help them by sharing our REDUCE and AVOID tips.

Foreword from the Lancashire and Cumbria Directors of Public Health

Dear Colleagues,

Despite massive improvements over the past 50 years, poor air quality is still harming the health of residents of Lancashire and Cumbria. It is estimated that long term exposure to particulate matter alone has an effect equivalent to 29,000 deaths a year in the UK increasing the risk of illnesses such as heart disease, stroke, respiratory disease and cancers. Public Health England (PHE) estimates that the poor air quality contributes to around 4% of all deaths across Lancashire and Cumbria.

Action to address the causes and mitigate the consequences of avoidable air pollution needs to be taken at all levels of society from Government through to the individual. Reducing air pollution to the point that its effects on human health are zero is probably impossible. The creation of air pollution is a consequence of our mobile lifestyles, our chosen patterns of production and consumption of goods and of our need to provide some of the basics of life such as food and shelter. The challenge then is for us to decide how much pollution and consequent health harms are socially and morally acceptable and how much of it we want to stop.

Many of the ways in which we could reduce air pollution involve costs – to the economy, to the personal freedoms we enjoy, to consumer choice, to planning regulations and to the industries whose profits are maintained by not having to contain their pollution effects on surrounding populations. Air pollution is thus a ‘wicked problem’ – everyone wants it reduced but considerably fewer of us are prepared to take the actions necessary.

For such complex problems there are distinct advantages to taking a ‘social movement for health’ approach, which involves mobilising action across the whole of society including the public and private sectors, individuals and communities. This is the approach that the Lancashire and Cumbria Directors of Public Health are recommending. We began to explore this further with our partners at the Lancashire and Cumbria Air Quality Summit on 28th February 2018. The Summit brought together a cross section of those with some responsibility for air quality to better understand the ways in which we can accelerate improvement and make a collective difference.

This approach involves multiple agencies and individuals all working to a common goal across diverse communities, in different public, private and voluntary sector bodies, frequently without extra funding or centralised command and control project planning. We will explore the list of suggestions generated at the Summit (see page 16) and work together with all stakeholders to turn them into appropriate action. We will do as much of this work together with the public as possible and be as transparent as we can about what we are doing and what difference it is making.

To work through how we might better mobilise the support of wider society in this challenge we are working with the NHS Leadership Centre to explore how to better create public health leadership outside of the health sector. This will be a critical success factor if we are to make a difference.

Foreword from the Lancashire and Cumbria Directors of Public Health

We look forward to continuing the conversation about improving air quality in Lancashire and Cumbria. You can join us at [#AirQualityLandSC](#)

This report is being launched to coincide with [Clean Air Day 2018](#). For more information on Clean Air Day and the Action that people can take to reduce pollution and their exposure to pollution visit the Clean Air Day website at www.cleanairday.org.uk or follow [#CleanAirDay](#)

Lancashire and Cumbria Directors of Public Health :

Professor Dominic Harrison, Blackburn with Darwen Borough Council

Dr Sakthi Karunanithi, Lancashire County Council

Colin Cox, Cumbria County Council

Dr Arif Rajpura, Blackpool Council



Air pollution increases the risk of getting lung cancer,
and contributes to about 1 in 13 cases*

*See www.cleanairday.org.uk/references

1 Purpose of the report

This is a collective report of the Lancashire and Cumbria Directors of Public Health highlighting air quality issues across the region and following on from the Lancashire and Cumbria Air Quality Summit held in February 2018. The purpose of the report is to;

- » **Improve awareness and engagement for action on air quality and understanding of everyone's role in tackling air pollution, building on existing plans and strategies**
- » **Start a conversation about the ways in which we can work together and hold each other to account for action to improve air quality**
- » **Outline potential areas for further action to reduce population exposure to air pollution, as identified at the Summit.**



High air pollution is linked to low birth weight
and premature births*

*See www.cleanairday.org.uk/references

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Understanding the problem

As recently as the nineties it was felt that air pollution was no longer a major health issue in the United Kingdom. Priority had been given to tackling the biggest individual sources of air pollution and legislation had made the great smogs of the fifties a thing of the past. As these major sources of emissions decreased, the relative contribution of smaller and more dispersed sources of air pollution has increased, which requires new types of action.

In more recent years evidence has emerged that small particles emitted to the air from various sources, such as road transport, industry, agriculture and domestic fires, are still having a considerable effect on health. This type of air pollution is so small that it can't be seen by the naked eye, but can get into our respiratory system.

The Department of Health's Committee on the Medical Effects of Air Pollutants (COMEAP) estimated the burden of particulate air pollution in the UK in 2008 to be equivalent to nearly 29,000 deaths and an associated loss of population life of 340,000 years by increasing the risk of diseases such as heart disease, stroke, respiratory disease and cancers. Indeed diesel engine exhaust, outdoor air pollution and particulate air pollution have been classified by the World Health Organization as carcinogenic.

The Department for Environment, Food and Rural Affairs (Defra) has estimated the effects of nitrogen dioxide (NO₂) on mortality to be equivalent to 23,500 deaths in the UK annually, although this figure will include some overlap with the impact from exposure to other pollutants. It is difficult to reliably estimate the combined health burden of multiple pollutants from the same source, but a report by the Royal College of Physicians (RCP) in February 2017 estimates that all forms of air pollution account for around 40,000 deaths annually with an associated annual social cost of £22.6 billion.

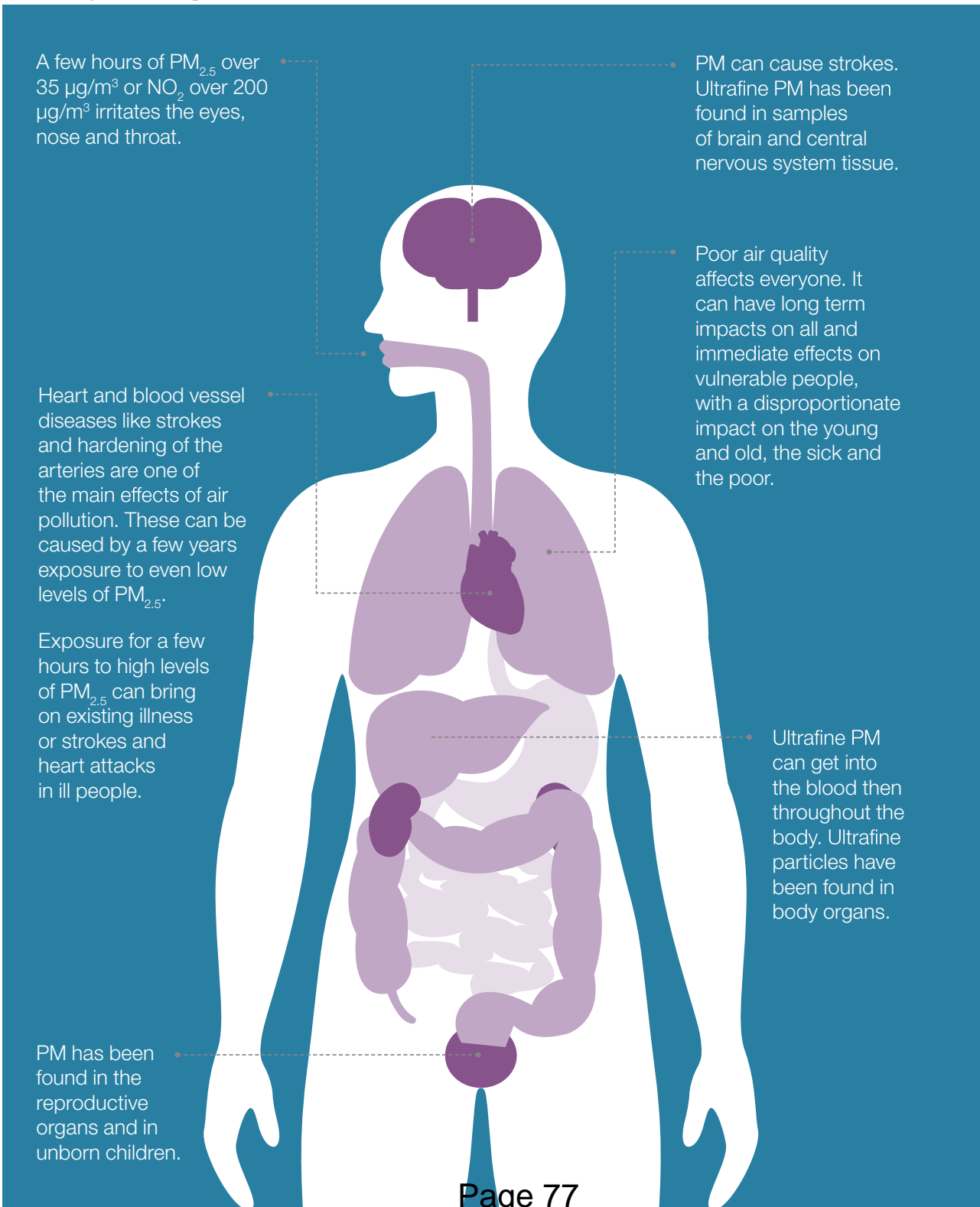
Air pollution can have a short term impact over a single highly polluted day as well as long term impacts from low level exposure over a longer period of time. Evidence suggests that short-term exposure to air pollution increases the risk of death, but the numbers affected are thought to be lower than for long-term exposure. That's because most people will not be affected by short-term peaks in ambient air pollution but some, such as those with existing heart or lung conditions, may experience increased symptoms such as wheezing, coughing, and exacerbations of asthma and chronic bronchitis.

The majority of health problems result from long-term exposure to air pollution, which can cause breathing problems and other conditions mainly affecting the heart and lungs. In addition, air pollution can reduce lung development in children, which may increase symptoms in those young people who develop conditions like asthma.

2

Fig 1: Where air pollutants go in our bodies and what they do

Air Quality: A Briefing for Directors of Public Health



2

What is air pollution and where does it come from?

The graphic below highlights the most common sources of air pollution and where people are exposed:



Air pollution is a mixture of particles and gases than can have adverse effects on human health as described in the table below:

Oxides of nitrogen (NO_x)	<ul style="list-style-type: none"> • A cover term for nitric oxide (NO) and nitrogen dioxide (NO₂) • A mixture of naturally occurring and man-made gasses, often at a peak in rush hour traffic and strongly associated with diesel vehicles
Particulate matter (PM)	<ul style="list-style-type: none"> • A complex mix of substances which are mainly man-made • Can be coarse or very fine material and therefore possible to breathe into the lungs and pass into the bloodstream
Carbon dioxide (CO₂)	<ul style="list-style-type: none"> • A natural gas but considered a pollutant when man-made • Widely associated with climate change and global warming
Carbon monoxide (CO)	<ul style="list-style-type: none"> • Naturally present in the atmosphere but very harmful in enclosed environments • Man-made sources linked largely to combustion engines
Sulphur dioxide (SO₂)	<ul style="list-style-type: none"> • A gas which is present in the air mainly due to burning fossil fuels and oil. Power stations are a key source in the UK. • SO₂ emissions have successfully been reduced over previous decades

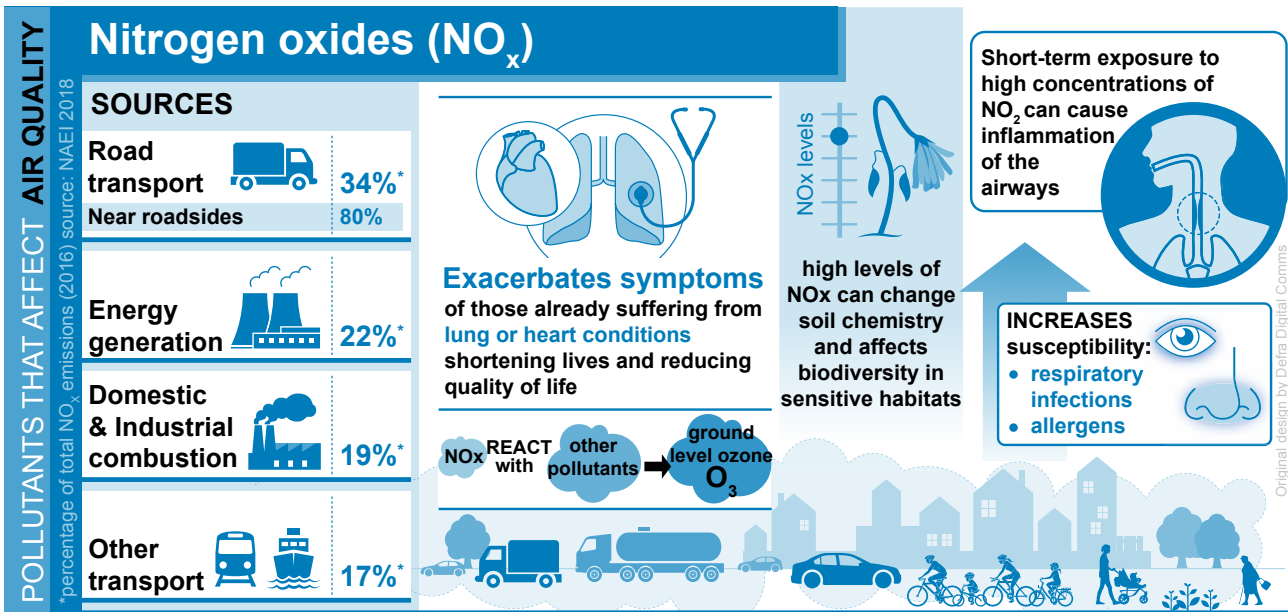
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What is air pollution and where does it come from?

The most important types of pollution in terms of population health impacts are nitrogen dioxide (NO₂) and particulate matter (PM), described below.

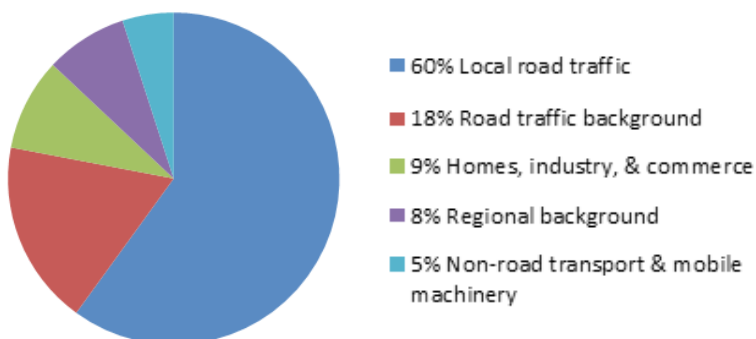
Nitrogen Dioxide (NO₂)

Nitrogen oxides (NO_x) are a group of gases that are mainly formed during the combustion of fossil fuels. NO (nitrogen oxide) converts to NO₂ (nitrogen dioxide) very quickly and vice versa. It is therefore usual practice to refer to the two gases together as NO_x. For reporting and measurement purposes, we report NO_x as NO₂. The figure below details its adverse effect on health.



The chart below shows the breakdown of roadside NO₂ sources across the UK but is representative of the sources in our Lancashire and Cumbria pollution hotspots.

Sources of Nitrogen Dioxide at Roadside Locations



These hotspots are locations where people are exposed to nitrogen dioxide levels in excess of the UK air quality standard of 40µg/m³ and where road vehicle emissions make a much more significant contribution to pollutions levels. Exposure is highest closest to the roadside.

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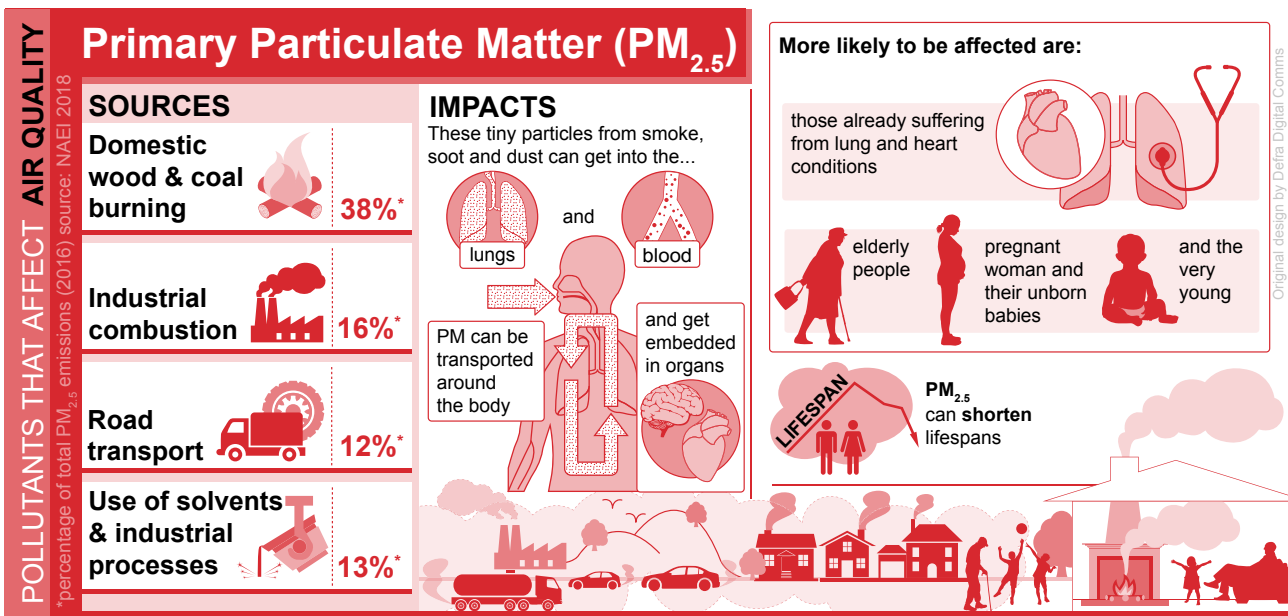
What is air pollution and where does it come from?

Particulate Matter (PM)

Particulate matter is everything in the air that isn't a gas. It is the suspended solids and liquids that come from natural sources such as pollen, sea spray and desert dust, and human made sources such as smoke from fires, emissions from vehicle exhausts, dust from tyres and brakes, as well as emissions from industry. Particulates are emitted directly from these sources, and can also be formed by chemical reactions in the atmosphere.

Additionally, the recent rise in the popularity of wood burning stoves and open fires is making a significant contribution to particulate matter. It is estimated by Defra that around 40% of particulate pollution comes from burning of domestic solid fuel.

Fine particulate matter (PM_{2.5}), with a diameter of 2.5 µm or less (a µm is 1/1000th of a millimetre) has the strongest link to health outcomes. At this size the particles can be inhaled deep into the lungs. The figure below highlights the main sources and impacts of PM_{2.5}.



2 Who is most at risk?

We are all affected by air pollution. However, the impact of air pollution on health is not distributed equally within a population, often falling on the most deprived communities and the most vulnerable individuals.

There is a larger risk to health for young children and older adults, for whom air pollution causes more harm than passive smoking. Air pollution reduces life expectancy by increasing deaths from heart disease, lung disease and circulatory problems. For example, the effect from long-term particulate matter exposure is greatest in those with heart disease, strokes or with lung cancer (COMEAP, 2010).

There is a disproportionate impact from poor air quality to those who live close to heavily, congested roads and other major sources of air pollution; factors which are more likely to affect people living in poorer communities.



Use your feet, take to the street

Walk, cycle, bus, tube, tram, boat, unicycle... However you like to travel, leave your car at home and take to the streets. As well as cutting down the amount of pollution you make, you can get some exercise, check out that new deli you've been meaning to pop into, or even meet a friend for a catch-up on the way home.

3 Air Quality in Lancashire and Cumbria

Local air quality can be quantified in terms of compliance with specific air quality objectives for key pollutants. Since December 1997 each local authority in the UK has been required to carry out a review and assessment of air quality in their area. This involves measuring air pollution and trying to predict how it will change in the next few years. The aim is to make sure that the national air quality objectives will be achieved throughout the UK. These objectives have been put in place to protect people’s health and the environment.

Monitoring and modelling of air quality is undertaken across Lancashire and Cumbria to fulfil the requirements of the Local Air Quality Management regime, and to report on compliance with EU air quality targets. Local authorities report the outcome of this work in an Annual Status Report, which is usually published on each Local Authority website.

Air Pollutions Hotspots:

If a local authority finds any places where the national air quality objectives are not likely to be achieved, it must declare an Air Quality Management Area (AQMA). Where an AQMA is declared the local authority will put together a plan to improve the air quality - a Local Air Quality Action Plan.

Air Quality Management areas have been declared at 33 locations across Lancashire and Cumbria. They have all been declared as a consequence of raised levels of nitrogen dioxide.

Air Quality Management areas in Lancashire and Cumbria		
Authority	No. AQMAs	Air Quality Standard exceeded in AQMAs
Allerdale	0	
Barrow	0	
Blackburn	7	Nitrogen dioxide
Blackpool	1	Nitrogen dioxide
Burnley	0	
Carlisle	6	Nitrogen dioxide
Chorley	0	
Copeland	0	
Eden	0	
Fylde	0	
Hyndburn	0	
Lancaster	3	Nitrogen dioxide
Pendle	1	Nitrogen dioxide
Preston	5	Nitrogen dioxide
Ribble Valley	1	Nitrogen dioxide
Rossendale	2	Nitrogen dioxide
South Lakeland	1	Nitrogen dioxide
South Ribble	4	Nitrogen dioxide
West Lancs	1	Nitrogen dioxide
Wyre	1	Nitrogen dioxide

3

Air Quality in Lancashire and Cumbria

An interactive map of Air Quality Management Areas can be found here:

[AQMAs interactive map - Defra, UK](#)

The majority of the Lancashire and Cumbria AQMAs cover relatively small areas and are centred on one or two busy urban junctions where the dispersion of exhaust emissions from slow moving vehicles at congested junctions and/or adjoining roads is hindered by the proximity of nearby buildings. A few AQMAs cover larger areas in urban areas such as parts of Kendal, Lancaster, and Blackpool. It is important to bear in mind that AQMAs are 'hotspots' for air pollution but health impacts are not confined to these areas.

Nitrogen dioxide levels in the City of Lancaster AQMA are in the region of 60 to 66 $\mu\text{g}/\text{m}^3$, whereas concentrations in the other AQMAs tend to be at or slightly above the objective threshold of 40 $\mu\text{g}/\text{m}^3$.

Air Quality Elsewhere

Air pollution doesn't just affect people living in AQMAs. It is evident that the Local Air Quality Management Regime and UK ambient air quality standards haven't adequately protected public health. For example, no AQMAs have been declared in Lancashire and Cumbria because of particulate levels, yet the fraction of mortality attributable to man-made particulates is significant. Action taken to reduce the impact of air pollution should not be limited to measures designed to address problem in AQMAs.

The impact on health

The Public Health Outcomes Framework (PHOF), estimates the fraction of all-cause adult mortality attributable to man-made fine particulate (PM_{2.5}) air pollution for the four local authorities as: Lancashire 4.4%; Blackburn with Darwen 4.7%; Blackpool 4.3%; and Cumbria 3.4% (PHOF, 2016: [3.01 - Fraction of mortality attributable to particulate air pollution](#)).

There are no local or national measures of NHS usage that can be directly attributed to air pollution. Whilst local information exists for conditions that poor air quality contributes to or exacerbates, such as asthma and COPD, it is difficult to make any direct links with air pollution. Indeed, the recently published draft Clean Air Strategy identifies the need to gather better information on where, when and how patients report and are treated for air quality related health conditions. We will continue to work to build a picture of the health impact on our communities in Lancashire and Cumbria.

4 Action on air pollution

Everyone has some responsibility for reducing air pollution and will need to do their bit if we are to significantly improve air quality. The impact of the individual household or business may be small, but the combined impact of actions taken by national and local government, large and small businesses and individuals will improve the air we breathe.

Much of the action required to make a difference in Lancashire and Cumbria will need to be taken by people without any specific statutory role to improve health and wellbeing. Creating a social movement for health is, therefore, an act of deliberative democracy – going as far as people are willing to support – either by personal behaviour change, changes to environments or changes to the legal frameworks.

Below is a summary of some of the key organisations and opportunities for action on air quality.

4.1 National Government

In the UK we have already adopted ambitious, legally-binding [international targets](#) to reduce emissions of the most damaging air pollutants by 2020 and 2030 and reduce the harm to human health by half.

The UK Government published its detailed [UK plan for tackling roadside nitrogen dioxide concentrations](#) in July 2017. The plan aims are to:

- » Achieve statutory limit values for the whole of the UK within the shortest possible time
- » Transform the UK's most polluted towns and cities into clean and healthy urban spaces, supporting those most directly affected
- » Ensure that vehicle manufacturers play their part to improve the nation's air quality

Actions to reduce road transport emissions include those intended to:

- » Reduce emissions from the current road vehicles in problem locations now, including through promoting public transport, cycling and walking; and
- » Accelerate the turnover to cleaner vehicles to ensure that the problem remains addressed and does not move to other locations

The UK Government are now also proposing new goals to cut public exposure to particulate matter pollution and have very recently produced a [Draft Clean Air Strategy 2018](#) for consultation setting out the comprehensive action that is required from across all parts of government and society in order to achieve these including new powers to take action in areas where air pollution is a problem. The strategy sits alongside three other important UK government strategies: [the Industrial Strategy](#), [Clean Growth Strategy](#) and [25 Year Environment Plan](#) and includes chapters covering:

4 Action on air pollution

- » our understanding of the problem
- » protecting the nation's health
- » protecting the environment
- » securing clean growth and innovation
- » reducing emissions from transport
- » reducing emissions at home
- » reducing emissions from farming
- » reducing emissions from industry
- » international, national and local leadership

4.2 Public Health England

Public Health England (PHE) is an executive agency of the Department of Health and Social Care; a distinct organisation with operational autonomy. PHE provides local and national government, the NHS, industry and the public with evidence-based, professional, scientific expertise and support.

For air pollution the specific role of PHE is to act as expert advisors providing:

- » The evidence base for interventions to reduce air pollution
- » The evidence base for the impacts of air pollution
- » The sources of air pollution in the environment

More specifically, PHE provides:

- » Local support to stakeholders concerned with reducing air pollution
- » Educational materials to highlight the effects of air pollution or raise awareness of its impacts
- » Experts from the Centre for Radiation Chemicals and Environmental Hazards (CRCE) to facilitate developments in support of these aims
- » National advocacy to identify the impacts of air pollution and the importance of effective remediation
- » Support to central government in attaining European standards required for air quality
- » Identification and sharing of best practice

4 Action on air pollution

4.3 Local Authorities

Local authorities have a central role in achieving improvements in air quality; their local knowledge and interaction with the communities that they serve mean that they know the issues on the ground in detail. They are well placed to decide local priorities and work with partners to implement the appropriate solutions in regards to local transport, smoke control, planning and public health. District and unitary councils have responsibilities around monitoring air quality and reporting on the action being taken to improve areas of poor quality.

All district and unitary councils are required to submit an Air Quality Annual Status Report (ASR) to Defra each year giving an overview of air quality in their area and actions planned, in progress or completed to improve air quality. Examples of these measures may include:

- » Initiatives to increase uptake in cycling and walking
- » Travel planning information – identifying alternatives to car use
- » New roads – bypasses and link roads
- » Intelligent traffic light systems
- » HGV bans on specific roads
- » Camera systems providing information for transport/air quality action plans
- » Electric vehicle charging points – on-street, at homes and at new commercial developments
- » Cheaper parking for less polluting vehicles
- » Bus and rail improvements
- » Living green walls
- » Planning guidance – improving the assessment of air quality impact and identifying mitigation
- » Targeting of vehicle fleets – e.g. increasing the number of low emission vehicles

There is a role for **Public Health in local government** in assessing the health impacts of poor air quality on the population, providing advice and guidance on appropriate policies and action, raising awareness and working with local authority air quality officers and other partners.

Action to address the health impacts of air pollution on local populations can play a critical role in supporting other public health priorities such as active travel and physical activity, health inequalities, sustainability, growth and regeneration and community engagement.

4 Action on air pollution

4.4 Businesses and industry

Clean growth means growing our income whilst tackling air pollution. Cleaner air leads to increased productivity through improvements in public health, leading to reduced sickness absence and through creation of an environment that is appealing to businesses and the public alike. Much of the action to generate clean growth is driven at a national level and is set out in the Governments [Clean Growth Strategy](#) but locally we can encourage business and industry to take steps to improve air quality for example by encouraging walking and cycling, minimising emissions from fleet vehicles and introducing flexible working polices that reduce the number of car journeys made by staff.

4.5 Individuals and communities

As citizens we can all help improve air quality, for example by learning more about and acting as advocates for air quality, trying alternatives to car travel or taking the active option (walking and cycling), asking local authorities and MPs to take action and aiming for greater energy efficiency in our homes.



Air pollution in the home – the invisible killer
There are more than 13 sources of air pollution inside our homes

5 About the Lancashire and Cumbria Air Quality Summit:

The Lancashire and Cumbria Directors of Public Health identified action on air quality as a sub-regional priority and hosted a Lancashire and Cumbria Air Quality Summit on 28 February 2018 to explore ways in which we can accelerate action and make a collective difference. The aims of the summit were to;

- » Improve participants' understanding of air pollution, the health risks of air pollution and the scale of the problem
- » Improve participants' understanding of what actions could be taken to reduce population exposure to air pollution with additional co-benefits to health, economy, sustainability
- » Share good practice including national and local examples of air quality improvement work
- » Strengthen participants' understanding of their own and each other's' roles in tackling air pollution
- » Consider ways of improving public awareness and engagement for action on air quality
- » Define the agenda for collective action to prevent air quality attributable deaths across Lancashire and Cumbria

The event was attended by over 60 people including Elected Members, Local Government Public Health, Planning and Transport and Environmental Health, Public Health England, special interest groups, citizen representatives and academics.

The Programme included an opening from Cllr Brian Taylor (Executive Member for Health and Adults, Blackburn with Darwen Council) and County Councillor Charlie Edwards (Lead Member for Health and Adult Services, Lancashire County Council). Further presentations included a UK overview from Public Health England and Prof Barbara Maher (Lancaster University Environment Centre) talking about emerging evidence of particulate matter in the brains of patients with Alzheimer's disease. Paul Cartmell from Lancaster City Council and Andrew Hewitson from Lancashire County Council went on to outline local approaches and Matthew Clark from Shropshire County Council talked about the importance of coordinated action. The final presentation was from Prof John Whitelegg (Liverpool John Moores University) who challenged participants regarding how much more we need to do to improve air quality in the region.

Attendees put forward ideas and suggestions of ways in which we can encourage and mobilise action on air quality as outlined in the following section.



6

Areas identified for potential action following the Summit

The suggestions put forward at the Summit are captured below under a number of key themes. This list is not intended to be exhaustive but will act as a guide for further discussion.

Theme	Suggested areas for future work on reducing air pollution across Lancashire and Cumbria,
Leadership at all levels:	Strengthen and improve local leadership for action on air quality including. Suggestions included; <ul style="list-style-type: none"> • Elected Member and officer Air Quality Champion roles • Inclusion and consolidation of air quality in strategic plans, such as Health and Wellbeing Strategies, Joint Strategic Needs Assessment, Walking and Cycling, Public Health, Transport and Economic plans. • Extension of professional networks to include wider partners and help facilitate sharing of best practice and knowledge.
Public Awareness and Engagement:	Encourage greater public transparency about local air quality and empower local people to understand how air pollution can affect their health, how they can reduce air pollution, protect themselves and understand the opportunities, tools and powers available in support of this including. Suggestions included; <ul style="list-style-type: none"> • Making information about local air quality more accessible to members of the public in a range of formats • Community Air Quality Champions • A simple but coordinated set of messages for different audiences and coordinated communications plan linked to Clear Air Day and beyond
Planning Policy:	Adopt a common set of principles/guidance for planning policy and ensure these are considered as part of (any) new application. A Supplementary Planning Document (SPD) is the strongest form of guidance needed to compete with other planning issues and priorities.
Green Infrastructure	Collaborate across Lancashire and Cumbria to understand and develop best practice in relation to green infrastructure / barriers, for example type of species and locations, and their potential to mitigate against air pollution National air quality grant funding could be accessed collectively to develop green barrier projects in suitable pollution hotspots.

6

Areas identified for potential action following the Summit

Theme	Suggested areas for future work on reducing air pollution across Lancashire and Cumbria,
Travel and Transport:	<p>A number of suggestions were put forward at the summit for action on travel and transport including:</p> <ul style="list-style-type: none"> • Helping people to be less reliant on their cars and change travel habits by giving them other options, such as reliable public transport and introducing more walking and cycling routes. School and business Travel Plans – working with large employers • Making it easier for people to drive in the most efficient, least polluting way by providing them with information and training. • No idling zones, around schools, hospitals for example • Facilitating the uptake of elective vehicles and other clean alternatives to petrol and diesel vehicles • Improving vehicle emission standards for taxis and private hire vehicles consistent with neighbouring authorities • Reducing emissions from public transport and improving the public transport experience. • Action on these areas is underway at a local level through air quality actions plans, however, some interventions could be more effective when considered on a Lancashire and Cumbria footprint, such as facilitating EV infrastructure, for example.
Non transport pollution sources	<p>The focus is often on emissions from vehicles, however there are a number of other pollution sources often overlooked, in particular from activities around the home such as wood burning stoves, open fires and cleaning with certain solvents.</p> <p>It is important to clarify and communicate the health messages and advice available to inform choice and behaviour to reduce personal exposure.</p> <p>Other non-transport pollution sources include farming and industry, such as from commercial biomass boilers, the impact and health messages need to be communicated.</p>
Growing the evidence base and evaluation of actions	<p>Interventions should be based on the evidence of what works and be evaluated before and after to ensure fully considered action plans are in place, including the cumulative impacts of pollution sources, and anticipated reductions are realised. Currently many actions are not fully evaluated or monitored so we have little information on their impact and whether actual improvements are achieved.</p> <p>There are opportunities to work across Lancashire and Cumbria to assess and evaluate actions that are best delivered large-scale such as on the highway network, for example the use of intelligent traffic systems and real time monitoring could be explored.</p>

7

Next Steps

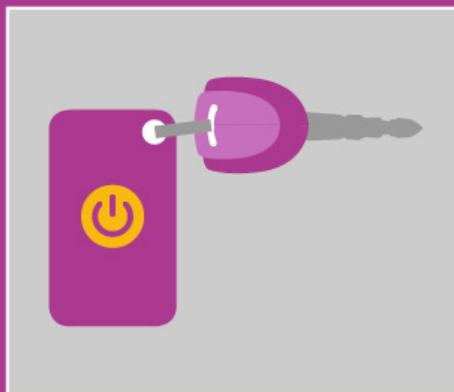
This report is intended help start a wider conversation about the action we need to take collectively to improve air quality.

We will further explore the list of suggestions generated at the Summit and work with all stakeholders to turn them into appropriate actions. We will do as much of this work in collaboration with the public as possible and be as transparent as we can about what we are doing and what difference it is making.

To work through how we might better mobilise the support of wider society in this challenge will work with the NHS leadership Centre to explore how to better create public health leadership outside of the health sector. This will be a critical success factor if we are to make a difference.

This report is being launched to coincide with [Clean Air Day 2018](#). For more information on Clean Air Day and the Action that people can take to reduce pollution and their exposure to pollution visit the Clean Air Day website at www.cleanairday.org.uk or follow [#CleanAirDay](#)

We look forward to continuing the conversation about improving air quality in Lancashire and Cumbria. You can join us at [#AirQualityLandSC](#)



Switch your engine off when stationary

Not going anywhere fast? By turning off your car engine whenever you're not moving – and it's safe to do so – you'll help to make the air cleaner for you, other drivers and pedestrians. Sign up to the [#noidling](#) campaign for more info!

Cleaning up our air
on the longest day
of the year



CleanAirDay

Reduce air pollution today by
walking or cycling instead of taking your car.

Find out how to protect yourself and your family.

Join Clean Air Day

Appendix 2 : Key Recommendations of the Lancashire and Cumbria Air Quality Summit

Theme	Suggested areas for further work across Lancashire and Cumbria
Leadership at all levels:	<p>Strengthen and improve local leadership for action on air quality including;</p> <ul style="list-style-type: none"> • Elected Member and officer Air Quality Champion roles • Inclusion and consolidation of air quality in strategic plans, such as Health and Wellbeing Strategies, Joint Strategic Needs Assessment, Walking and Cycling, Public Health, Transport and Economic plans. • Extension of professional networks to include wider partners and help facilitate sharing of best practice and knowledge.
Public Awareness and Engagement	<p>Encourage greater transparency about local air quality and empower local people to understand how air pollution can affect their health, how they can reduce air pollution, protect themselves and understand the opportunities, tools and powers available in support of this. For example:</p> <ul style="list-style-type: none"> • Making information about local air quality more accessible to members of the public in a range of formats • Community Air Quality Champions • A simple but coordinated set of messages for different audiences and coordinated communications plan
Planning Policy:	<ul style="list-style-type: none"> • Adopt a common set of principles/guidance for planning policy and ensure these are considered as part of (any) new application. A Supplementary Planning Document (SPD) is the strongest form of guidance needed to compete with other planning issues and priorities.
Green Infrastructure	<ul style="list-style-type: none"> • Collaborate across Lancashire and Cumbria to understand and develop best practice in relation to green infrastructure, for example type of species and locations, and their potential to mitigate against air pollution. National grant funding could be accessed collectively.
Travel and Transport	<p>Action on these areas is underway at a local level, however, some interventions could be more effective when considered on a wider footprint.</p> <ul style="list-style-type: none"> • Help people to be less reliant on their cars and change travel habits by providing alternatives e.g. public transport, walking and cycling routes. • School and business travel plans – working with large employers • Making it easier for people to drive in the most efficient, least polluting way by providing them with information and training. • No idling zones, around schools, hospitals for example • Facilitating the uptake of elective vehicles and other clean alternatives to petrol and diesel vehicles • Improving vehicle emission standards for taxis and private hire vehicles consistent with neighbouring authorities • Reducing emissions from public transport and improving the public transport experience.
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EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Regeneration
Executive Member for Resources

LEAD OFFICERS: Deputy Chief Executive

DATE: 11 October 2018

PORTFOLIO/S AFFECTED: Regeneration Resources

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: Capita Partnership Reset

1. EXECUTIVE SUMMARY

This report updates on discussions between the Council and Capita to reset and simplify the current place-based partnership which commenced in 2016, with core highways and property services returning in-house to be delivered by the Council. This would leave a residual contract for call-off services in place with Capita for the remainder of the initial five year term.

2. RECOMMENDATIONS

That the Executive Board:

2.1 Notes that:

- i) the Council had a 15 year strategic partnership with Capita from 2001 to 2016, the scope of which changed by agreement a number of times over the years to ensure it remained relevant and was delivering against the Council's objectives
- ii) the Council re-procured a smaller more flexible place-based partnership which commenced in July 2016 focussed on supporting growth and delivering some core highways and property services
- iii) some aspects of the current Partnership are not operating as originally envisaged, particularly in respect of additional services, and that there is a significant contract management overhead for both parties in respect of the relatively small contract for core service delivery of property and highways.
- iv) Capita have worked with the Council in recent months to review the current arrangements and agree in principle a further reset and simplification of the Partnership

2.2 Approves the reset of the partnership outlined in this report and the associated Part 2 report to reflect the Council's current requirements for flexible support to the growth programme and other infrastructure investment where necessary, whilst bringing core service delivery for property and highways back in-house to be directly delivered by the Council

2.3 Delegates authority to the Deputy Chief Executive in consultation with the Executive Members for Regeneration and Resources to:

- i) finalise the contractual and/or legal agreements required to enable the changes to the contract
- ii) ensure alternative arrangements are made for ongoing service delivery should the agreed reset

of the Capita Partnership not proceed as planned or where key conditions and deliverables are not met by Capita.

3. BACKGROUND

The Council first entered into a ground-breaking 15-year multi-disciplinary private sector partnership with Capita in 2001 to provide a wide range of services including technical services (highways, transport, property, architecture, design, project management etc), Revenues & Benefits, HR, IT, customer services and transactional financial services. 500 staff transferred from the Council to Capita, a FTSE 100 company, and a new business centre was built on Barbara Castle Way together with a commitment from Capita to invest and create additional jobs in the borough. Capita are now one of the largest private sector employers in the borough with additional premises at India Mill in Darwen and a lease of the first floor of the offices at One Cathedral Square.

Some aspects of that original Partnership were delivered more successfully than others and, over time, by agreement between the Council and Capita, and to reflect changing circumstances and requirements, a number of services transferred between the parties, with some additional services transferring to Capita and a number of services transferring back into the Council.

In 2015, as we approached the final year of the original Partnership, the Council decided to bring a number of the remaining services back in-house and to re-procure a new flexible partner to deliver a relatively small core property and highways service, with arrangements to call-off specialist technical services to support infrastructure, growth and development and with options to consider business cases for additional services over time. This new place-based Partnership commenced in July 2016 for an initial five year period with the option to extend for a further three and then a further two years.

Two years in to this new partnership, it became clear to both the Council and Capita that the additional services in particular were not progressing as envisaged and, whilst the flexible call-off in respect of infrastructure, growth and development is working well, there is a significant contract and management overhead in respect of the small core service which is not effective or value for money for either party.

Therefore the Council and Capita agreed to explore a reset and simplification of the Partnership which would consider retention of the call-off provisions with a reversion of core services for highways and property back to the Council.

4. KEY ISSUES & RISKS

The Council has been faced with ongoing budget challenges and funding cuts since 2010 and these are forecast to continue through to 2020 and beyond. Through the competitive procurement process for the current partnership, it was envisaged that there would be growth in business cases for additional services which would support both Capita and the Council in managing and delivering the now small core contract as well as further call-off work in support of the growth programme and infrastructure developments.

Whilst Capita have been working on growth and infrastructure schemes to support the Council's priorities, the business case approach for additional services has not generated the opportunities envisaged and no business cases have been developed by Capita and approved by the Council to take forward to implementation. The only additional service was the agreed shared management arrangements which were in place from February 2017 and which ended completely in July 2018.

As a result the Council have had a contract and management overhead that is not proportionate to the small core service provision and there has been considerable officer time spent in contract management activities. Likewise it is understood that the Council's performance and reporting requirements under the contract have resulted in a significant management overhead for Capita and

they have had some difficulties in fulfilling all their obligations under the core contract.

In addition, earlier this year, following the appointment of a new Capita Chief Executive and the publication of the company's 2017 end of year results, Capita set out a new strategic direction for the organisation. Capita's focus in future will be delivering technology-enabled services, at scale, where the company believes it can add the most value to service delivery. The environment in which local government is operating has also changed since this contract was let. Whilst both parties envisaged the need to adapt to changing circumstances, the rapidly changing external environment has accentuated the need for the council to increase the level of direct control it exercises.

Therefore it was agreed that a simplification and reset of the contract would be explored and the commercial implications are outlined in the Part 2 report.

In summary, the remaining core service delivery in respect of highways and property services will transfer back to the Council along with those staff entitled to transfer under TUPE legislation, with the management of Highways services being transferred to the Director of Environment & Operations as part of his new responsibilities and Property services consolidated under the management of the new Director of Growth & Development.

The Council understands that Capita will retain their presence in the borough (in both Blackburn and Darwen) and the Council will retain the ability to directly commission call-off work to support growth and infrastructure developments under the amended contract.

5. POLICY IMPLICATIONS

There are no policy implications arising from this report which supports the Council's priority in respect of managing its scarce resources and budget, 'Making your money go further'.

6. FINANCIAL IMPLICATIONS

The cost of running the in-house services for highways and property will be covered by the current contract costs and it is expected that the Council will achieve budget savings as a result of the transfer back and will have reduced contract management overheads as outlined in the Part 2 report and to be confirmed through the budget setting process for 2019/20.

7. LEGAL IMPLICATIONS

The Council and Capita can amend the partnership by agreement and in accordance with the provisions of the contract.

8. RESOURCE IMPLICATIONS

The Council has engaged a small amount of consultancy support in respect of the reset negotiations and support is also required from highways, transport and property client managers, HR, Legal, Finance and Procurement teams.

It is expected that a number of staff will transfer back to the Council during the current financial year as a result of this contract change.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

Capita and client managers and the Council's Political Leadership have been consulted.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION:	1
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CONTACT OFFICER:	Denise Park, Deputy Chief Executive
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DATE:	5 October 2018
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BACKGROUND PAPER:	
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Appendix 2 : Key Recommendations of the Lancashire and Cumbria Air Quality Summit

Theme	Suggested areas for further work across Lancashire and Cumbria
Leadership at all levels:	<p>Strengthen and improve local leadership for action on air quality including;</p> <ul style="list-style-type: none"> • Elected Member and officer Air Quality Champion roles • Inclusion and consolidation of air quality in strategic plans, such as Health and Wellbeing Strategies, Joint Strategic Needs Assessment, Walking and Cycling, Public Health, Transport and Economic plans. • Extension of professional networks to include wider partners and help facilitate sharing of best practice and knowledge.
Public Awareness and Engagement	<p>Encourage greater transparency about local air quality and empower local people to understand how air pollution can affect their health, how they can reduce air pollution, protect themselves and understand the opportunities, tools and powers available in support of this. For example:</p> <ul style="list-style-type: none"> • Making information about local air quality more accessible to members of the public in a range of formats • Community Air Quality Champions • A simple but coordinated set of messages for different audiences and coordinated communications plan
Planning Policy:	<ul style="list-style-type: none"> • Adopt a common set of principles/guidance for planning policy and ensure these are considered as part of (any) new application. A Supplementary Planning Document (SPD) is the strongest form of guidance needed to compete with other planning issues and priorities.
Green Infrastructure Travel and Non-transport	<ul style="list-style-type: none"> • Collaborate across Lancashire and Cumbria to understand and develop best practice in relation to green infrastructure, for example type of species and locations, and their potential to mitigate against air pollution. National grant funding could be accessed collectively. <p>Action on these areas is underway at a local level, however, some interventions could be more effective when considered on a wider footprint.</p> <ul style="list-style-type: none"> • Help people to be less reliant on their cars and change travel habits by providing alternatives e.g. public transport, walking and cycling routes. • School and business travel plans – working with large employers • Making it easier for people to drive in the most efficient, least polluting way by providing them with information and training. • No idling zones, around schools, hospitals for example • Facilitating the uptake of electric vehicles and other clean alternatives to petrol and diesel vehicles • Improving vehicle emission standards for taxis and private hire vehicles consistent with neighbouring authorities • Reducing emissions from public transport and improving the public transport experience.
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Growing the evidence base and evaluation of actions	<ul style="list-style-type: none"> • Interventions should be based on the evidence of what works and be evaluated before and after. There are opportunities to work across Lancashire and Cumbria to assess and evaluate actions that are best delivered large-scale such as on the highway network, for example the use of intelligent traffic systems and real time monitoring could be explored.

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Children's Services

LEAD OFFICERS: Director of Children's Services

DATE: 11 October 2018

PORTFOLIO/S AFFECTED: Schools and Education

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: Response to Petition from ARC Project

1. EXECUTIVE SUMMARY

A petition has been received from the ARC Project which works with asylum seekers and refugees in the borough. The council had a team which provided support to New Arrivals, Gypsy, Roma and Traveller families, which has been restructured. The Petition asks the Council to ensure that it continues to provide this vital service to the families in the ARC Project.

2. RECOMMENDATIONS

That the Executive Board: notes receipt of the petition and the resolution of the issue identified.

3. BACKGROUND

For a number of years, Primary Schools have paid into a pooled budget to provide a central service (via the LA) to support children from International New Arrival and Gypsy, Roma, Traveller families to access school and the curriculum. However, schools have opted to cease funding the service on 31st August 2018.

The LA has duties in relation to admissions, safeguarding and Elective Home Education that apply to all children and are undertaken by the LA Inclusion Service. Given their specialist knowledge, staff from the New Arrivals and Gypsy, Roma, Traveller Team directly undertook some LA duties around admissions and safeguarding, including those relating to asylum seeker and refugee children. In recognition of the gap left when that service ends and in order to retain specialist knowledge, management built two new posts into a re-structure of the LA's Inclusion Service which enables the LA to continue providing specialist support for international new arrivals and for children and young people in gypsy, Roma and traveller communities in the borough. The restructure was approved in July 2018 and appropriate members of staff have been appointed to the International New Arrivals post and the Gypsy, Roma Traveller post, enabling continued support for families to navigate the process of accessing school places (as requested in the ARC petition).

4. KEY ISSUES & RISKS

None as the issue has been resolved.

5. POLICY IMPLICATIONS

None

6. FINANCIAL IMPLICATIONS

None as funding for appropriate posts have been achieved through a restructure within an existing budget.

7. LEGAL IMPLICATIONS

None

8. RESOURCE IMPLICATIONS

None

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

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10. CONSULTATIONS**11. STATEMENT OF COMPLIANCE**

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

VERSION: 1.6

CONTACT OFFICER:	Jessica Byrne
DATE:	10/08/2018
BACKGROUND PAPER:	



The **Methodist Church**
West Pennine Moors Circuit



The ARC Project
West Pennine Moors Circuit
Feilden Street, Blackburn, BB2 1LQ
Tel: 01254 690282
arcprojectblackburn@gmail.com
www.arcprojectblackburn.com

My name is Lisa Norcross and I work for the ARC project. Before I was aware of the role of Asma Patel I attempted to support a family to find a nursery place for their three-year-old son. I was disappointed to learn that they had missed out on one year of free provision which would have been so beneficial in providing support for the family with childcare and immeasurable benefits to the young child involved.

I took the mother and child to Children's Services Admissions on Duke Street where we were told by reception to make a phone call to another office from the phones at the other side of the room. I was to ask the other person on the phone to meet me at the reception of Duke Street with the appropriate form. I did this for the mother as although she is making great progress in learning English (regularly attending twice weekly lessons) by this point she could not follow the process. It only got more complicated. We were given a form and told to go and fill it in. Completing the form involved creating an online account which required access to a mobile phone which the mother did not have. Fortunately, at this point Asma stepped in and we were able to get the child a place in a local nursery school within a few days. The child is now thriving, and the mother has been able to progress onto a higher-level course she could not previously access with her young child.

This is just one example of one occasion I have seen the positive impact of the role of Asma. This was a simple case where a family with just one child had slipped through the system and was missing crucial early years education provision they were entitled to. In the cases of lots of the families we deal with they have more than one child who needs supporting into school provision. These families will struggle to access the free education provision they are entitled to. Without this support in place, families and children will be neglected and will lose the opportunity to thrive and integrate.

I hope you will be able to continue this excellent service for vulnerable children and families.

Lisa Norcross
English Club Co-Ordinator, The ARC Project, Blackburn



The **Methodist Church**
West Pennine Moors Circuit



The ARC Project
West Pennine Moors Circuit
Feilden Street, Blackburn, BB2 1LQ
Tel: 01254 690282
arcprojectblackburn@gmail.com
www.arcprojectblackburn.com

The ARC Project is a West Pennine Moors Circuit mission project based at Wesley Hall Methodist Church in Blackburn Town Centre. Founded in 2004, ARC is well established with experience and a history of working with asylum seekers and refugees in the Blackburn with Darwen Borough.

ARC seeks to create a safe, welcoming space for those fleeing war, persecution and violence in their homelands. We provide the practical support asylum seekers and refugees need to start rebuilding their lives in the UK.

We pride ourselves on working in partnership with other local and national organisations in order to provide our service users with as many opportunities as possible. Asma attends our weekly Drop-in where our families meet regularly with her and access the support they need.

The families of the ARC Project have benefited immeasurably from the work of [REDACTED] (and her predecessor [REDACTED]). Without their help and support our families would have been totally bewildered and confused and unable to navigate the process of getting their children nursery and school places.

Getting families and children into the routine of school and nursery attendance provides a great support and much needed stability. We have seen first hand how the children in our families thrive in the British school system.

Without this support in place, families and children would be neglected and would lose the opportunity to thrive and integrate.

The families of ARC appeal to you to continue this vital service.

Please see the attached list of signatures below.

Name	Signature

Dear Sir / Madam

I have been an Asylum Seeker for the last 7 years as a result of issues in my country, it led for me to come to the UK, a place that was very unfamiliar with and I spoke no English at all and I did not have any friends and knew no one here.

I was with my husband and 3 children and felt I did not know their educational future and whether they would have one. Until someone approached me and ensured me and gave me a hope that somebody is going to help me and my kids to have an education and place them in a school. They also filled the student application form for me and provided the children with uniform. All this process I couldn't have completed by my self as I didn't know the school system procedure.

Every family that comes to the UK and do not speak the language, need the support of those who help in the education process as they ease them and stand by their side and children's side, because without them it is difficult to deal with schools.

I hope that you look at these circumstances of Asylum Seekers because it is very important.

For them.

Thanks with respect
Lebanese Mum.



The Methodist Church
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Thanks with respect
Lebanese Mum.

No.

Date

By virtue of paragraph(s) 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted