

Public Document Pack

Executive Board

Thursday, 14 November 2019

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**
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3. **Declarations of Interest**
DECLARATIONS OF INTEREST FORM **10**
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

- 8.1 **Responsible Event Booking and Venue Hire: Policy and Procedure**

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Date Published: Wednesday, 06 November 2019
Denise Park, Chief Executive

EXECUTIVE BOARD

12th September 2019

PRESENT

COUNCILLOR:

Mohammed Khan OBE
Mustafa Desai
Maureen Bateson MBE
Damian Talbot
Quesir Mahmood
Andy Kay

PORTFOLIO:

Leader
Adult Services & Prevention
Children, Young People & Education
Public Health & Wellbeing
Digital & Customer Services
Finance & Governance

EXECUTIVE MEMBER

John Slater

NON-PORTFOLIO

Leader of the Conservative Group

ALSO IN ATTENDANCE

Uday Akram, Youth MP
Corey McPartland, 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 had been received from Councillors Phil Riley and Jim Smith, and the Deputy Youth MP, A'Aishah Patel.</p>	Noted						
2	<p><u>Minutes of the Meeting held on 8th August 2019</u></p> <p>The minutes of the meeting of the Executive Board held on 8th August 2019 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> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 25%;">Name of Member</th> <th style="width: 30%;">Subject Area</th> <th style="width: 45%;">Executive Member and Portfolio</th> </tr> </thead> <tbody> <tr> <td>Councillor Denise</td> <td>Yellow lines – Jack Walker Way</td> <td>Councillor Phil Riley, Growth & Development</td> </tr> </tbody> </table>	Name of Member	Subject Area	Executive Member and Portfolio	Councillor Denise	Yellow lines – Jack Walker Way	Councillor Phil Riley, Growth & Development	
Name of Member	Subject Area	Executive Member and Portfolio						
Councillor Denise	Yellow lines – Jack Walker Way	Councillor Phil Riley, Growth & Development						

	Item		Action
	Gee Councillor Neil Slater	Town Fund – potential grant to support repair to Darwen Tower	Councillor Phil Riley, Growth & Development
	<p>The Leader of the Council responded to both questions and supplementary questions arising, in the absence of Cllr Riley, advising of parking enforcement activity on match days in response to Cllr Gee, and in response to Cllr Slater, advising that once there was a clearer understanding of the Government's guidance, the nature and scale of funding and relevant timescales that this would be reported, but that it was hoped that the Jubilee Tower would be in the scope of the fund.</p>		
7	<p><u>Youth MPs Update</u></p>		<p>Noted</p>
<p>The Youth MP, Uday Akram, and Deputy Youth MP, Corey McPartland updated the Executive Board on recent events and activities including:</p> <ul style="list-style-type: none"> • Participation in a roundtable meeting with the Department of Education regarding views and solutions to Integration in BwD along with Jayne Ivory and Imran Akuji. This was a great opportunity to provide them with ideas and suggestions on how education can better support integration. • Attendance at the annual Youth MP conference in August at Leeds University. The Youth MP's voted on 44 motions. The top 9 would form this year's Make Your Mark Ballot. There would be a 10th option for young people this year which would be a community/local issue, so they were looking forward to hearing what young people in the Borough would like to see action on. • The annual sitting in the House of Commons was due to take place on the 8th November, potential General Election permitting. • Planning for the annual national Takeover Challenge event was underway, which would focus on knife and gang crime. This would take place on November 28th at Blackburn Rovers from 6pm – 9pm. Guest speaker Hezron Brown would be opening the event who had real lived experience of being involved in gang/knife crime in Birmingham. • Hosting of the regional Youthforia event at the Town Hall, 120 young people participated from 21 local authority youth councils. BwD Youth Forum had been asked to see whether BwD Council would support them in trying to reduce the amount of plastic that the Council used. • The Youth Forum had 3 POSH ambassadors, which stood for Pioneers of Sustainable Hope, and they planned to introduce 			

	Item	Action
	<p>initiatives regarding environment and climate change and would welcome support and pledges that could be taken forward to the next Youthforia meeting.</p>	
<p>8.0</p>	<p><u>Children, Young People & Education Update</u></p> <p>Councillor Maureen Bateson verbally updated Members on the successful Off for Fun activities run by the BRFC Community Trust and the free Lunch Box scheme, which again had been very successful, with around 15,000 lunch boxes distributed.</p>	<p>Noted</p>
<p>8.1</p>	<p><u>Blackburn with Darwen's Joint Local Area SEND Inspection Outcomes</u></p> <p>Members were reminded that between 17 June and 21 June 2019, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the local area of Blackburn with Darwen to judge the effectiveness of the area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014.</p> <p>Inspectors spoke with children and young people with special educational needs and/or disabilities (SEND), parents and carers, local authority and National Health Service (NHS) officers. They visited a range of providers and spoke to leaders, staff and governors about how they are implementing the SEND reforms. Inspectors looked at a range of information about the performance of the local area, including the local area's self-evaluation. Inspectors met with leaders from the local area for health, social care and education. They reviewed performance data and evidence about the local offer and joint commissioning.</p> <p>The published inspection letter (Appendix A) outlined the inspectors' findings which included areas of strength and areas for further improvement. The areas identified for further improvement did not result in a Written Statement of Action.</p> <p>RESOLVED – That the Executive Board note the information contained within this report and comment on recommendations made.</p>	<p>Noted</p>
<p>8.2</p>	<p><u>Replacement Refuse Collection Vehicles</u></p> <p>It was reported that the Council's vehicle replacement programme had identified that two of the refuse collection vehicles were now almost eight years old and were ready for replacing with new vehicles.</p> <p>In April 2020 the Council's recycling contract would move back in house and would see the addition of 6 refuse collection vehicles added to the fleet.</p> <p>The two new vehicles would be utilised as front line vehicles with the pool provision being two at 7 years old and one at 6 years old, to service the 13 round fleet. Should the service need to reduce the</p>	

	Item	Action
	<p>amount of refuse collection vehicles in the fleet at a later date, any of the pool vehicles could be returned to the relevant leasing company, as the primary lease period has elapsed and the vehicles were being used on secondary leases, and could be terminated at a much reduced rate.</p>	
	<p>RESOLVED – That the Executive Board authorise the replacement of the two oldest refuse collection vehicles as part of the Council’s vehicle replacement programme.</p>	<p>Approved</p>
<p>8.3</p>	<p><u>Replacement of the Council’s Customer Contact Portal</u></p> <p>Members were advised of the pre tender due diligence work currently being undertaken by the Digital and Business Change department in relation to the Council’s Digital Customer Contact Portal (CCP). The portal enabled residents of the Borough to access certain Council services via the website.</p> <p>The current CCP solution acted as a customer portal to enable customers to access Council services through a series of online forms. These forms allowed customers to request services in the Council via electronic means including in some instances the ability to pay for these for waste management, street cleansing and registrars.</p> <p>The current CCP solution used by the Council will be ‘end of life’ in October 2020 leaving the department with no option but to look to replace this due to security and support vulnerabilities. Rather than simply replacing the current solution like for like, a digital review was undertaken to investigate options and opportunities. The review highlighted opportunities to improve both customer experience and internal service effectiveness.</p> <p>In order to investigate what solutions were available, the Department has initiated soft market testing with suppliers. Following the market testing exercise the Department would begin a procurement exercise based on the findings discovered.</p> <p>Following this, a further report will be submitted to the Executive Board to approve the addition of the project to the capital programme, award any resulting contract and also provide a full financial and benefits appraisal.</p> <p>RESOLVED - That the Executive Board:</p> <p>Notes the initial progress being made for the replacement of the current Customer Contact Portal (CCP) in identifying the potential to make a strategic investment that ultimately will allow for a new Digital Customer Portal to be more than a replacement for the incumbent product and allow customers to interact with a variety of Council services with ease.</p>	<p>Noted</p>
<p>8.4</p>	<p><u>Progress Update on the Coronial Service</u></p> <p>A report was submitted which provided an update on the Coronial Service for the period 1.4.2018 – 31.3.2019.</p>	

	Item	Action
8.5	<p>Update reports had been prepared on a quarterly basis for internal review and monitoring but the report submitted provided a summary across the entire year.</p> <p>RESOLVED – That the Executive Board:</p> <p>Notes the contents of the report, the service developments, improvements and budgetary savings achieved in the last financial year.</p> <p><u>Council Accommodation Strategy</u></p> <p>Further to previous reports to Executive Board on 8th February 2018 and 10th January 2019, the Executive Board received an update on the implementation plans for the next stage of the Council's office accommodation strategy.</p> <p>The earlier Executive Board report in February 2018 requested subsequent approval at Finance Council of capital programme costs estimated at £6.5M for the significant refurbishment of Blackburn and Darwen Town Halls. The Executive Board report in January 2019 proposed to scale back the levels of refurbishment, in line with the Council's ongoing budget constraints.</p> <p>Further detailed investigations had since taken place in respect of Blackburn Town Hall, which had resulted in more detailed estimated costs for the proposed scaled back refurbishment works. These costs were more than the current capital programme scheme costs for the overall building refurbishment.</p> <p>The building condition survey that had been undertaken on Darwen Town Hall had identified that the roof required renewal including rainwater goods and leadwork.</p> <p>The work to date reviewing the overall available office space within the Town Hall had identified that it would be possible to undertake a scaled back internal refurbishment that would still deliver the desired accommodation strategy outcome, of the Council being able to reduce the number of staff accommodation buildings by vacating the Tower Block.</p> <p>The proposed works included the removal of a number of non-load bearing stud partition walls, electrical rewiring works, fire risk upgrade works, the creation of staff welfare facilities on each floor, essential IT infrastructure works, upgraded audio visual systems for the Council Chamber requiring associated electrical works, plastering, decoration, floor coverings and flexible office furniture.</p> <p>Once the refurbishment works to Blackburn Town Hall were complete, staff would be relocated from the Tower Block into Blackburn Town Hall or other core accommodation buildings.</p> <p>Once the Tower Block had been vacated it would be surplus to the Council's requirements with two options for consideration. The first option would be to mothball the facility which would still require heating and ventilation plant to be kept operational and empty</p>	Noted

	Item	Action
	<p>business rate charges would apply. The second option would be for the Council to no longer have any responsibility for the building. As reported previously this second option required detailed discussions and negotiations with the Mall, who were the Council's landlord, although the Council was the ultimate freeholder of the Tower Block building.</p> <p>A separate Executive Board report would be presented at a future date to fully consider the options available to the Council in relation to the Tower Block.</p> <p>RESOLVED - That the Executive Board:</p> <ol style="list-style-type: none"> 1. Approves the overall refurbishment plan & estimated costs of the Town Hall refurbishment works, which will be undertaken on a phased basis. 2. Approves the necessary additional capital programme funding. 3. Note that a further report will be brought on future options for the Tower Block. <p>AT THIS STAGE OF THE PROCEEDINGS THE PRESS AND THE PUBLIC WERE EXCLUDED FROM THE MEETING</p>	
11.1	<p><u>Replacement Refuse Collection Vehicles</u></p> <p>Further to the report submitted at Agenda Item 8.2, an additional report was submitted containing commercially sensitive information.</p> <p>RESOLVED - That the Executive Board authorise the replacement of the two oldest refuse collection vehicles as part of the Council's vehicle replacement programme.</p> <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 Noted</p> <p>Approved</p>

EXECUTIVE BOARD DECISION



REPORT OF:	The Leader
LEAD OFFICERS:	Director of Adults and Prevention
DATE:	Thursday, 14 November 2019

PORTFOLIO(S) AFFECTED:	Adult Services and Prevention
WARD/S AFFECTED:	(All Wards);
KEY DECISION:	N

SUBJECT:

Responsible Event Booking & Venue Hire : Policy and Procedure

1. EXECUTIVE SUMMARY

The Responsible Event Booking & Venue Hire Policy has been compiled to assist Local Authority & Community Premises in Blackburn and Darwen with their hire procedures. Visitors to these venues have the right to enjoy services and facilities without fear of intimidation, harassment, extremist or threatening behaviour. This protocol provides guidance on mitigating the risk and the processes involved in ensuring that defensible and informed decisions are made when hiring out venues.

2. RECOMMENDATIONS

That the Executive Board:

1. Adopt the policy and procedure to help regulate the use of BwDBC or community venues.
2. Approve the creation of a register of events / venue hire requests to help monitor the application of the policy/procedure

3. BACKGROUND

Statutory guidance outlines expectations that 'local authorities should ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views' through the establishment of a responsible booking policy for public venues.

Guidance produced by the Electoral Commission for candidates and agents in relation to campaigning during elections and usage of publicly funded rooms and schools for public meetings is referenced in this policy.

Implementation of this policy provides practical assistance and support to venues in ensuring that local service users are not subjected to messages of hate or intolerance of any kind.

4. KEY ISSUES & RISKS

When hiring venues for events, consideration should be given to Health and Safety, responsibilities under various legislation, potential for reputational risk and impact on the community and visitors to the premises etc. Where a request for a booking is made, which causes concern, it is expected that details be passed on to the relevant agencies for further consideration.

As a responsible authority under the Crime and Disorder Act 1998, BwDBC also has a statutory duty to work in partnership with other agencies to reduce and prevent crime. Maintaining public order is a priority for the Local Authority and the Police, therefore when an event poses a risk to the general public, there are grounds to review and reconsider venue hire. Where the property is not under Local Authority control, they can provide advice to the property owners/occupiers.

This Policy also needs to apply to public realm or public open space e.g. The Town Hall Square. This is to ensure that any events are risk assessed and do not create disruption or interfere with the rights of the general public wanting to use facilities or access services. Interference in these circumstances would relate to impacting on day to day or scheduled activity such as meetings. The prohibiting factors could be blocked access due to large crowds, excessive or elevated noise, stopping a pre-booked event using that space. In these circumstances, the Local Authority has the right to refuse an event being staged in such space. In the main, this would impact during working hours or at the weekend where formal, pre-planned events have been booked.

Following the process detailed in the policy will ensure consistent application by venue managers both internally and externally. The policy is attached as Appendix 1 alongside this report.

5. POLICY IMPLICATIONS

Council is required to comply with statutory guidance.

6. FINANCIAL IMPLICATIONS

There is no financial impact per se however it may impact on income generated by venue hire if events cannot be booked.

7. LEGAL IMPLICATIONS

The Council is required to have regard to statutory guidance when exercising its powers and duties under legislation

8. RESOURCE IMPLICATIONS

There is no resource implication.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

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.

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.

10. CONSULTATIONS

Neighbourhoods. Legal, Growth & Development, Governance Services and Venue Managers.

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 undue 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.

CONTACT OFFICER:	Mark Aspin, Medina Patel, Ailsa Smith, , mark.aspin@blackburn.gov.uk, medina.patel@blackburn.gov.uk, ailsa.smith@blackburn.gov.uk
DATE:	11 th October 2019
BACKGROUND PAPER:	

Blackburn with Darwen Borough Council

Responsible Event Booking & Venue Hire: Policy and Procedure

Local Authority and Community Premises Protocol

Foreword

Blackburn with Darwen is made up of communities that have shared values and principles embedded in their fabric. Modern day challenges associated with extremism threaten the positive influence of our diverse communities, which is why Blackburn with Darwen Borough Council (BwDBC) is refreshing our approach to community cohesion and engagement with a renewed focus on strengthening the bond our communities share, celebrating diversity, and isolating those that wish to deny, distort or divide us.

As a vibrant multi-cultural borough we have a responsibility to protect our communities from speakers who seek to spread hate using speech to incite violence or hatred and threaten community cohesion, health and public safety. It is vital that people are given the space to think and speak freely even when we disagree or are offended by what they have to say. People do have a right to offend us, so long as we also maintain our right not to be subject to that which we find offensive.

However, the line between free speech and hate speech is not easily defined. The challenge for public authorities like Blackburn with Darwen Borough Council is two-fold: Where is the line between a person's right to offend and what they say requiring action be taken; and then what does the public body do about it?

Whether it is racist groups or individuals who promote extremist ideas and sow seeds of division and hate in the borough, as a public body we need to ensure our buildings are safe and welcoming spaces for all, as well as seeking to use our influence to ensure other facilities in the borough are too.

Building stronger and resilient communities is at the heart of everything we do here in Blackburn with Darwen. The approach to challenging hate speech and intolerance will require a multi-agency approach from other public and third sector organisations.

We hope that local, private and community venues will also refer to our framework for guidance, should they be presented with events featuring individuals or groups promoting hatred and intolerance. Thus creating uniformity in approach and strengthening the status of this framework.

Denise Park

A handwritten signature in black ink that reads "Denise Park". The signature is written in a cursive, flowing style.

Chief Executive
Blackburn with Darwen Borough Council

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Executive Summary

The Responsible Event Booking & Venue Hire Policy has been compiled to assist Local Authority & Community Premises in Blackburn and Darwen with their hire procedures. Visitors to these venues have the right to enjoy services and facilities without fear of intimidation, harassment, extremist or threatening behaviour. This protocol provides guidance on mitigating the risk and the processes involved in ensuring that defensible and informed decisions are made when hiring out venues.

When hiring venues for events, consideration should be given to Health and Safety, responsibilities under various legislation, potential for reputational risk and impact on the community and visitors to the premises etc. Where a booking has been made which causes concern, it is expected that the booking be passed on to the relevant agencies for further checks.

The main legislation/guidance governing this issue is:

Statutory guidance issued under s29 of the *Counter-Terrorism and Security Act 2015* makes explicit reference to the '*Use of local authority resources*' and outlines expectations of partnership working and that '*local authorities should ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views*' through the establishment of a responsible booking policy for public venues.

As a responsible authority under the *Crime and Disorder Act 1998*, BwDBC also has a statutory duty to work in partnership with other agencies to reduce and prevent crime. Maintaining public order is a priority for the Local Authority and the Police, therefore when an event poses a risk to the general public, there are grounds to review and reconsider venue hire. Where the property is not under Local Authority control, they can provide advice to the property owners/occupiers.

The *Human Rights Act 1998* sets out the fundamental rights and freedoms that everyone in the UK is entitled to. In some limited situations, certain freedoms are qualified meaning that public authorities may interfere with them. This is only possible where the authority can show that its action has a proper basis in law, and is necessary and 'proportionate' in order to protect Public safety, Public order, Health or morals, the rights and freedoms of other people.

The *Equality Act 2010* requires public bodies to have due regard to the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act as well as advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not. The latter relates to the need to tackle prejudice and promote understanding.

This policy provides practical assistance and support to venues in ensuring that local service users are not subjected to messages of hate or intolerance of any kind. The recommended steps for *Managing booking of venues* are outlined in this document:

- Receive and identify booking requests
- Gather and assess the information and the level of risk posed by the event
- Communicating the process to the applicant and make a joint decision with partners on whether event should or should not run forward
- Review event and consider future booking requests

Detailed guidance on how to conduct information gathering, analyse the data, seek advice, raise a concern and respond is provided. The appendix also includes a one page *Venues Booking Checklist*, *Event/Speaker of Concern reporting form* and an *Investigation Recording Form*.

Introduction

What is the purpose of this document?

This Responsible Event Booking & Venue Hire Policy has been compiled to assist Local Authority & Community Premises with their hall hire procedures.

Visitors to these venues have the right to enjoy services and facilities without fear of intimidation, harassment, extremist or threatening behaviour. A robust policy would assist to reduce the risk of local venues being vulnerable to hosting events which are not conducive to promoting cohesion, equality, diversity or tolerance.

Local authorities have a responsibility to ensure their venues are not used by those with views that may draw people into terrorism, by ensuring that rigorous booking systems are in place and staff responsible for them are trained to know what to do if they have suspicions.

Whilst Blackburn with Darwen Borough Council (BwDBC) recognises the need to support *Freedom of Expression* amongst the community, it cannot support events which are contrary to the Borough's values.

This protocol provides guidance on mitigating the risk and the processes involved in ensuring that defensible and informed decisions are made when hiring out community venues. Where a booking has been made which causes concern, it is expected that the booking be passed on to the relevant agencies for further checks.

Who is the guidance for?

This guidance provides practical assistance and support to venues in ensuring that local service users are not subjected to messages of hate or intolerance of any kind. The recommended steps for the booking process are outlined and it is anticipated that the following users will be expected to refer to this document:

1. Venue booking staff / volunteers
2. Centre Managers
3. Governing Bodies/Trustees
4. Caretakers

The types of venues covered by this policy include:

- Council owned and operated
- Business centres
- Libraries
- Community centres/ community assets
- Leisure centres
- Children's centres

Please note that this list is not exhaustive and any person concerned with the booking or hiring of Council owned and operated property should consult this guidance.

Why is this policy important?

There are several important issues that must be considered when using community venues, some examples of these are listed below:

- **Regulatory enforcement framework**

A range of regulations are relevant to events (e.g. licensing, environmental health, noise pollution) and early discussion should be had to look at whether an event conforms to the relevant regulations.

- **Reputational Risk**

Local Authorities and venue owners will need to be made aware if there are concerns about speakers who have a history of expressing extremist views and/or views that aren't consistent with British values using a private venue for an event in view of the potential reputational impact of an unsuitable booking. Consideration should be given to exposure from media coverage (this encompasses both journalistic reporting and online posts).

- **Charities**

Those organisations registered as a Charity should be aware that trustees have specific duties under charity law which are relevant to the protection of their institutions. The Charity Commission has a variety of guidance available for trustees, including Chapter 5 of the Compliance Toolkit 'Protecting Charities from abuse for extremist purposes'.¹ Amongst other information, this provides guidance on managing risks associated with speakers, events and publications.

- **Illegal activities**

It is important that venues pay due regard to preventing illegal activities i.e. fundraising for unlawful purposes, criminal activities or discriminatory actions etc. This should also include actively limiting the effect of leafleting by extremist groups in or around their premises.

¹ <https://www.gov.uk/government/publications/protecting-charities-from-abuse-for-extremist-purposes>

Legislation and Due Diligence informing policy framework

The Counter Terrorism and Security Act 2015²

The Counter-Terrorism and Security Act came into force on 1st July 2015. The Act imposes a duty upon specified authorities to have “*due regard to the need to prevent people from being drawn into terrorism*” and guidance anticipates that all Local Authorities will be partners in prevention efforts.

The legislation makes explicit reference to the ‘*Use of local authority resources*’ and that ‘*local authorities should ensure that publicly-owned venues and resources do not provide a platform for extremists and are not used to disseminate extremist views*’ through the establishment of a responsible booking policy for public venues.

“In order to maintain our existing high levels of community cohesion, promote equality and maintain public order, Blackburn with Darwen Borough Council will not tolerate messages of hate and intolerance in the borough”

Crime and Disorder Act 1998³

As a responsible authority under the Crime and Disorder Act 1998, BwDBC has a statutory duty to work in partnership with other agencies to reduce and prevent crime.

Maintaining public order is a priority for the Local Authority and the Police, therefore when an event poses a risk to the general public, there are grounds to review and reconsider venue hire. Where the property is not under Local Authority control, they can provide vigorous advice to the property owners/occupiers.

Health & Safety Considerations

Some events can attract significant attendance with the potential for disorder outside a premise and health and safety implications for staff, visitors and residents. Local authorities may need to assess the risk, ensure appropriate measures are put in place or advise private venues accordingly.

Human Rights Act 1998

The Human Rights Act 1998 sets out the fundamental rights and freedoms that everyone in the UK is entitled to.

In practice, the Act incorporates the rights set out in the European Convention on Human Rights (ECHR) into domestic British law; ensuring that law will be interpreted to uphold The Human Rights Act, no national law should directly conflict with The Human Rights Act 1998⁴. In some limited situations, certain freedoms are qualified meaning that public authorities may interfere with them.

² The Counter Terrorism and Security Act 2015 (Specific guidance under Part 5 of the statute)

³ The Crime and Disorder Act 1998 (Specific guidance under Part 1 of the Statute)

⁴ Section 2(1) The Human Rights Act 1998

This is only possible where the authority can show that its action has a proper basis in law, and is necessary and 'proportionate' in order to protect:

1. Public safety
2. Public order
3. Health or morals
4. The rights and freedoms of other people.

Below are examples of Human Rights that a Public Authority may seek to withdraw from a group or individual.

Article 10: The Freedom of Expression⁵

People have the right to hold their own opinions and to express themselves freely without government interference. This includes the right to express views aloud or through:

1. Published articles, books or leaflets
2. Television or radio broadcasting
3. Works of art
4. Communication on the internet

Public authorities may restrict the right to freedom of expression if they can show that their action has a proper basis in law, and is necessary and 'proportionate' in order to:

- Protect national security, territorial integrity or public safety
- Prevent disorder or crime
- Protect health or morals
- Protect the rights and reputations of other people
- Prevent the disclosure of information received in confidence
- Maintain the authority and impartiality of the judiciary.

It may be permissible to restrict a person's freedom of expression if, for example, a person expresses views that encourages racial or religious hatred.

However, the public authority must show that the restriction is 'proportionate'; the restriction must be no more than is necessary and appropriate and should not be excessive, in the circumstances.

Article 11: Freedom of Assembly and Association⁶

People have the right to protest by holding meetings and demonstrations with other people.

Nobody has the right to force anyone else to join a protest, trade union, political party or another association. On occasions, it can be acceptable for a public authority to restrict a person's rights to freedom of assembly and association. This is the case only where the authority can show that its action has a proper basis in law, and is necessary and 'proportionate' in order to:

⁵ Article 10 The Human Rights Act 1998

⁶ Article 11 The Human Rights Act 1998

- Protect national security or public safety
- Prevent disorder or crime
- Protect health or morals
- Protect the rights and freedoms of other people.

A 'proportionate' response to a problem is one that is necessary; appropriate and not excessive in the circumstances.

*Article 14: Prohibition of Discrimination*⁷

The Human Rights Act prohibits discrimination on a wide range of grounds including 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

Equality Act 2010: Public Sector Equality Duty⁸

The Equality Act 2010 requires public bodies to have due regard to the need to:

1. Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act
2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
3. Foster good relations between people who share a protected characteristic and people who do not share it

The latter relates to the need to tackle prejudice and promote understanding. A 'protected characteristic' as defined in the Act includes age, disability, gender reassignment, pregnancy and maternity, race (including ethnic or national origins, colour or nationality), religion or belief, sex and sexual orientation⁹.

Gender Segregation

Local authorities are required to ensure they are fully familiar with their legal obligations under equality law and how this relates to their policy on gender segregation at events and meetings held on their estate or in connection with their activities.

Forced gender segregation is not consistent with British values. Where it occurs on the public estate or in connection with the functions of local authorities as public bodies there is a risk this will be viewed as tolerance or even support for such practices.

It is important that the relevant staff are aware of:

- the legal obligations under equality law
- what is permissible and not permissible on a segregated basis
- Exceptions from equality law for religious practice and observance:

⁷ Article 14 The Human Rights Act 1998

⁸ Section 149 of The Equality Act 2010

⁹ Protected characteristics are discussed fully by Section 4 of The Equality Act 2010

Segregation by gender will constitute unlawful discrimination except for in a few specifically defined purposes falling within one of the exceptions under the Equality Act 2010. The general rule is that exceptions in the Act must be interpreted narrowly as they are a departure from the fundamental principle of equal treatment.

Local authorities must not knowingly facilitate discrimination by others at the request of a speaker or an individual attending or wishing to attend an event. In order to comply with their duties under the Act, Local Authorities and their contractors should request information about the purpose of the meeting and firm detail of seating arrangements on any form used to book premises for events.

If there is reason to suspect a risk of unlawful segregation, Local Authorities should conduct further investigation and, if proportionate, decline any bookings for the individual or organisation concerned where this would be justified under either their Equality or Prevent duties.

Elections in England & Wales

Guidance has been produced by the Electoral Commission for candidates and agents¹⁰ in relation to campaigning during elections. This maybe in the form of engaging with the public at meetings, promoting their views and responding to questions from the audience. Any individual candidate or party list candidate is entitled to use publicly funded rooms and schools for public meetings.

The Electoral Registration Officer¹¹ keeps a list of the location and availability of meeting rooms in their area. They will make this list available for inspection by candidates and election agents (and persons authorised by them) from the day the notice of election is published. Candidates will be able to use public rooms up until the day before polling day.

Candidates must contact the owner of the premises to make a booking, giving reasonable notice to reduce the risk of the request being refused although any prior letting would take precedence.

The Equality & Human Rights Commission have published guidance¹² for local authorities, candidates and political parties about how the legal framework for equality and human rights law operates in England, Scotland and Wales during local and national elections

Due Diligence

This refers to the reasonable steps taken by the Council to avoid committing an offence under either Civil or Criminal law. In relation to this policy, BwDBC will conduct checks on individuals and groups seeking to host an event in BwDBC owned and operated premises to ensure they are not espousing extremist views and are not associated with other extremism related activity.

Rigorous scrutiny will assist in ensuring compliance with section 149 of the Public Sector Equality Duty which includes having due regard to the need to advance equality of opportunity and foster good relations between people sharing different “protected characteristics”.

Those responsible for undertaking checks to ensure events are compliant and adhering to BwDBC values are reminded that conducting such checks should be managed sensitively and proportionately, in strict accordance with the legal requirements for information sharing amongst statutory partners and data protection principles.

¹⁰ https://www.electoralcommission.org.uk/_data/assets/pdf_file/0011/141788/Part-4-The-campaign-LGEW.pdf
https://www.electoralcommission.org.uk/_data/assets/pdf_file/0006/163527/EPE-Part-4-The-Campaign.pdf

¹¹ www.yourvotematters.co.uk

¹² <https://www.conwy.gov.uk/en/Council/Voting-and-Elections/Assets/documents/GeneralElections/Equality-and-Human-Rights-Law-during-an-Election-Period.pdf>

Managing booking of venues

The SARA process

BwDBC recommend undertaking the *SARA* process (Scan, Analyse, Respond and Assess) to safely administer and manage booking of venues.

S can	Receive and identify booking requests
A nalyse	Gather and assess the information and the level of risk posed by the event
R espond	Communicating the process to the applicant and make a joint decision with partners on whether event should or should not run forward
A ssess	Review event and consider future booking requests

Information gathering process

When information is collected for the purposes of sensitive decision making, there must be a clear and thorough process that collates relevant information from a variety of sources.

It is anticipated that during this exercise, it will often be necessary to consult appropriate partner organisations for advice and guidance (i.e. when trying to interpret information or to better understand the context).

Once the type of venue has been confirmed, information about the event should be gathered considering the following points:

1. The hiring party should be requested to provide details of the event. This may involve an advance look at the materials which the speaker intends to present, an agenda for the meeting, names of speakers, seating arrangements etc. as well as copies of any promotion material or social media marketing.
2. An *'open source search'*¹³ should be conducted for any information regarding the event/ key speakers / organisation.
3. Any material found as a result of the search should be critically assessed in terms of:
 - a. Its validity and reliability (this can be informed via the source of this information and the author or publisher details)
 - b. Is there any evidence or information to suggest that the speaker has promoted messages of hate or intolerance towards any groups that are protected under the Equalities Act 2010
 - c. Is there any evidence or information which suggests that the speaker has been banned or prohibited from speaking elsewhere nationally or internationally?
 - d. Any indication to suggest potential public order issues as a result of this event?
4. Engage in dialogue with the hiring party and / or the speaker.

¹³ An Open Source search is a search conducted on the Internet for any information that is freely available to the general public. Any information that is restricted access and is not freely available to the public is not considered to be 'open source'.

Open Source Information Gathering

When conducting open source internet searches, *primary* source material must be considered as the preferred data type. This is because data emitting from a secondary source may have been misinterpreted or misrepresented, thus hindering the overall validity and reliability of the information. For this reason, it is important to be wary of over relying on information contained within blog sites, or opinions/hearsay shared on social media (*'fake news'*).

What is primary and secondary information?

Below is a table which outlines the differences between sources with some examples.

Primary Source Data	Secondary Source Data
<p>Any data written by the original author, Primary data is original data straight from the person or group that you are interested in.</p> <p>Examples: A book/ journal written by the original person, the person's own Facebook account, a clip of the person talking or the band playing</p>	<p>Any information which may make use of the original author's work,</p> <p>Examples: Any newspaper article which discusses an author's work but is written by someone else, any information which may talk about the group that you are interested in, but is not written directly by them.</p>

Reflections for data gathering online

The following reflections have been outlined to assist the information gathering process. It is important that these are taken into account as they will affect the quality of the data gathered and in turn have a bearing on the decision making process to allow an event to take place or not. It is important that a thorough assessment is completed in order to arrive at a well informed decision.

When using the internet and conducting open source searches, aim to use a variety of different website and search engines. This will negate any bias and if the same information is available on a variety of sources, this does suggest it is more credible. Finding the same information across a number of different sites will also expose a number of varieties in opinion and interpretations.

Primary source data is more reliable and valid than secondary accounts or interpretations on the internet. For example, can you find a group manifesto? Are there any YouTube videos containing the group or person in question? Originality in sources will eliminate secondary opinions and alternative interpretations of material.

What kind of information is available on the website? Is there empirical data which is from an authoritative source? Is the website prone to unsubstantiated opinions or conspiracy theories? Or is there a well-reasoned and informed data set available? Are there any references available for you to assess on the website? Look at the dates of the website, are they current? If the website is out of date, consider its credibility and reliability.

Are there any organizations affiliated with the website in questions? Remember, just because a website has a logo or link, this is not conclusive evidence that the organization in question does endorse the website views or policies. Can you verify these links?

How to analyse the information that you have collated

As per the Council's obligations under The Equalities Act 2010, using the following questions should help you analyze the information that you have gathered in order to arrive at a decision to allow the event or otherwise:

Use the information that you have found to answer the following – if you are struggling to provide a response, this may suggest a gap in the information that you have gathered.

- Does the event have the potential to advance equality and promote good relations?
- Has the information identified a predominantly negative or positive impact to the wider community?
- Does the event have a greater impact on one protected group from the community over others? Moreover, is this consistent with the overall aims of the event?
- If the event was to go ahead, would it deliver potential benefits for protected groups in the community?
- Have you found that some groups are less satisfied than others with the activity as it is currently described?
- Is there any part of the proposed activity that has the potential to discriminate unlawfully?
- Where negative impacts have been identified, have you discussed those? If so, who with? Are these discussions documented and what is the view of the other party?
- Are there any further changes that could be made in order to improve the responsiveness of the activity?

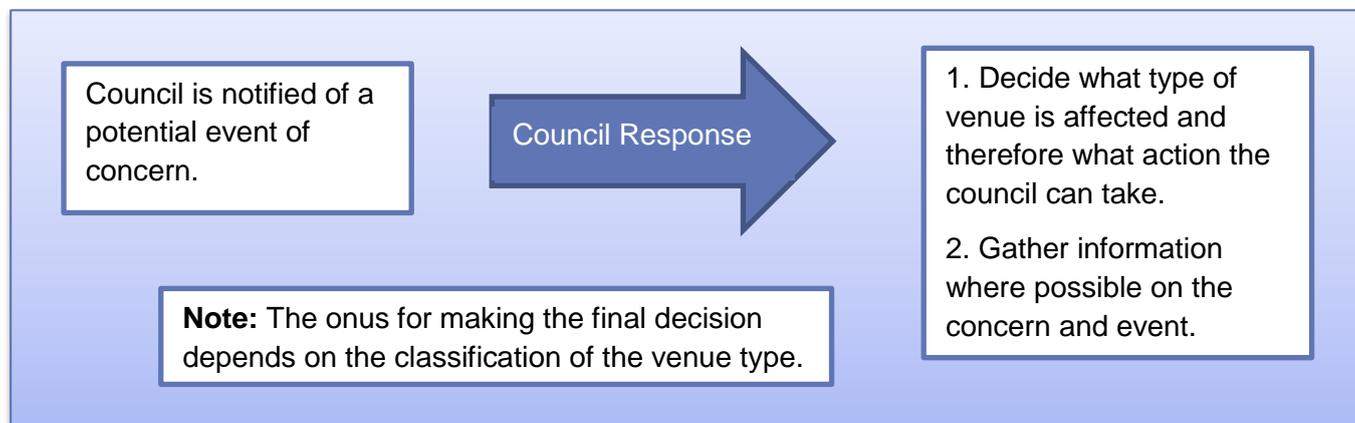
Seeking advice or guidance

If further clarification is required in relation to the information gathered or if there are any concerns identified, internal or external partners should be consulted for advice and guidance. These can include but should not be limited to:

- The Senior Management Team / Prevent lead internally.
- BwDBC Prevent Team
- BwDBC Community Safety (Communities Coordinator / Cohesion Advisor)
- Community Assets Manager
- Lancashire Constabulary (Prevent Team or Hate Crime & Diversity Unit)
- Where applicable, relevant community contacts from protected groups which may be affected by the event taking place (this could be the LGBT community for example or an ethnic minority group).

Who can raise a concern?

Concerns or queries can come from: Local residents, organisations, concerned groups or statutory partner agencies.



Responding to Events of Concern

There are a number of relevant issues that must be considered when responding to speakers or groups promoting potential messages of hate and intolerance in venues within the borough.

BwDBC operated and owned premises

- BwDBC owns and manages venues such as King George's Hall and events run in parks and open spaces in the borough.
- When responding to the threat of hate or intolerant speakers at events taking place in BwDBC operated and owned venues, the Local Authority are the final decision maker on whether an event will take place within a particular venue space.
- Where an event is deemed unsuitable, the host will be notified and the rationale given.
- Where a host can agree to remove problem groups or speakers from an event and BwDBC is satisfied that the event will subsequently pose no threat to cohesion, equality or public order, the event may be allowed to proceed.
- BwDBC reserve the right to make the final decision on all events planned in BwDBC owned and operated space.

BwDBC owned premises managed or leased by Community Organisations

- BwDBC owns a number of properties within the borough that are leased to local community organisations to run and manage for the purposes and enjoyment of the community. Some of these spaces are available for hire by local residents and groups.
- When responding to the threat of hate or intolerant speakers at events taking place in Community Assets, BwDBC will support the managing organisation to assess the risk and provide advice to inform decision making.

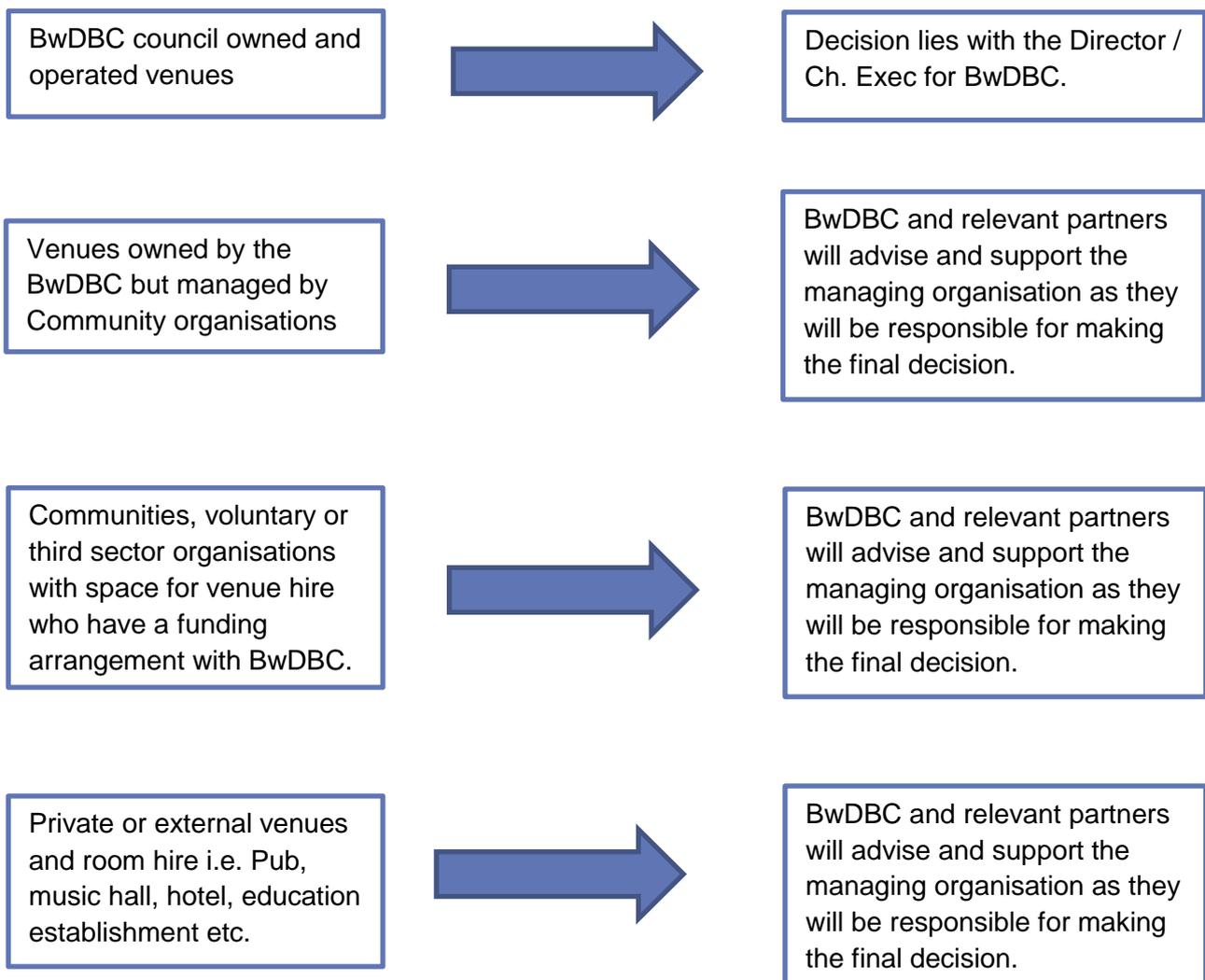
Premises managed by community organisations with a funding relationship with BwDBC

- A number of local voluntary, community and social enterprises who are funded by BwDBC manage spaces that are available for hire, i.e. rooms within a local community center. It is recognized that venue hire is a source of revenue for these organisations.
- BwDBC and partner organisations will advise and support the managing organisation when they are responding to events of concern in their venue.

Private or external venue hire

- There are a number of private hire venues in BwDBC including music halls, pubs, hotels etc. that hire their space for a number of diverse events.
- If a concern of potential messages of hate and intolerance is brought to the attention of the Council, and the event is to take place in a venue managed by an external organisation, the latter must take responsibility for decisions on the event.
- The Council cannot direct the decision of an external organisation. However, BwDBC does have a duty to notify them of concerns if it views the event to be in some way detrimental to equalities, community cohesion and public order.

See the below chart for guidance:



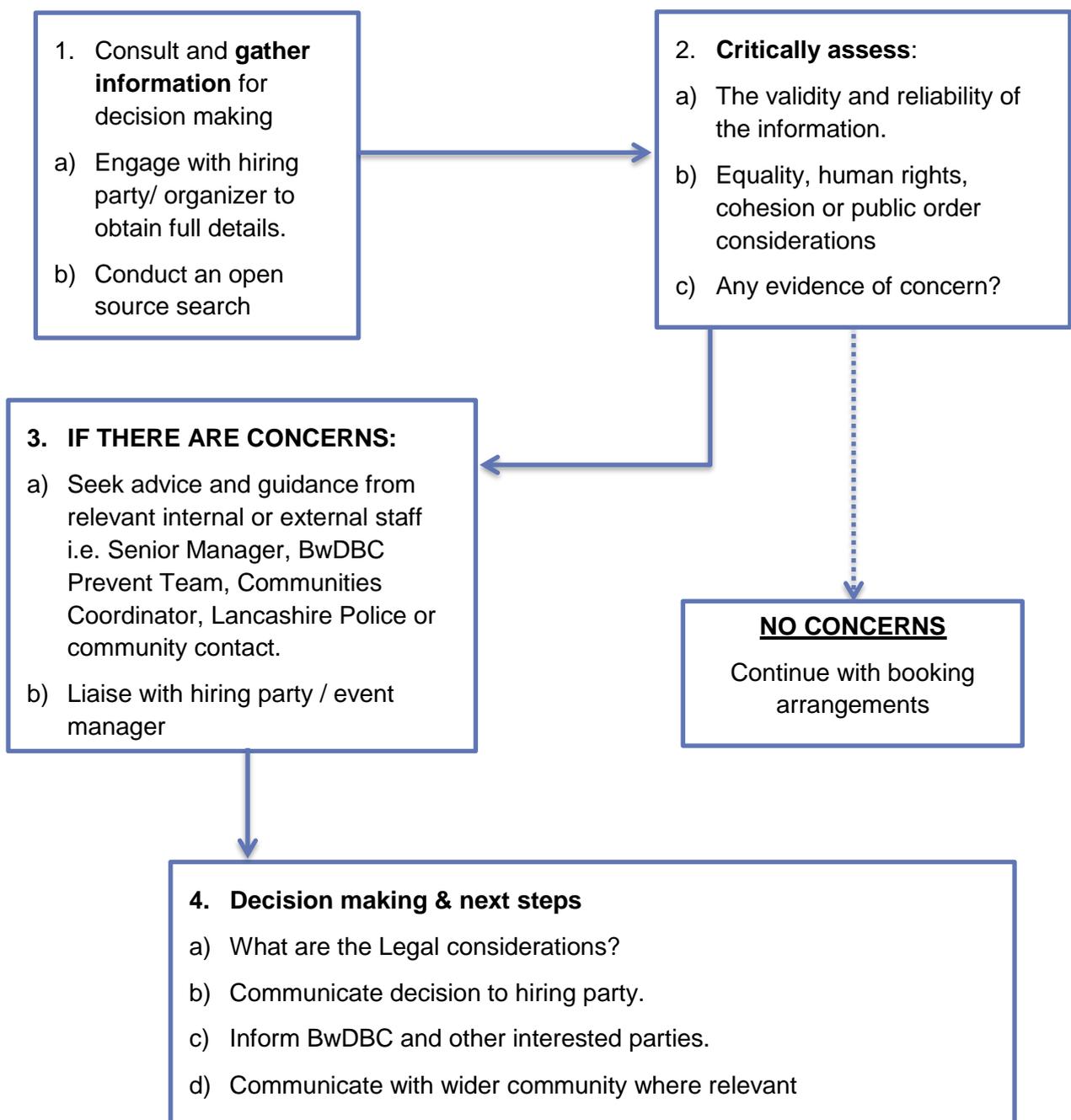
The Decision Making Process

In view of the responsibilities the Local Authority operates under; an equalities and public safety approach is considered to be an appropriate framework for BwDBC to assess speakers promoting messages of hate and intolerance in venues in the borough.

All decision making relating to potential messages of hate and intolerance must ensure that information gathered is assessed appropriately and the final decision balances equalities, cohesion, public order and human rights considerations.

The decision making process will be instigated following a thorough information gathering exercise.

The Decision Making Flowchart



Potential outcomes for venues that are owned and operated by BwDBC

Equalities, cohesion, CTSA 15, human rights and public order are not impacted:

- Event is acceptable to go ahead.
- Necessary steps should be taken with partners to ensure plans are in place to manage events effectively and safely.

A speaker / group within the event has been identified as not conducive to promoting cohesion and equality or is a risk to Public Order:

- Speak with the organizer / hiring party and request that the speaker or group is removed from the event.
- Upon agreement, the event can go forward.
- If there is no agreement, consultation should take place with a Director / Ch. Exec to approve/ disapprove the decision to hire which should then be communicated to the hirer.

The event has been identified as not conducive to promoting cohesion and equality or is a risk to Public Order:

- Discuss the assessment with Director / Ch. Exec and come to an agreement.
- Notify the hirer/ inform the host and explain the reasons for the decision.
- Inform relevant internal and external stakeholders – consider impact or likelihood of the event being held elsewhere in the borough.

Potential outcomes for external venues and community managed premises

An event at an external venue or community managed premises is identified as posing Equalities, Cohesion, Extremism or Public Order concerns:

- The Council cannot direct the organisation on the action to take. The Local Authority's role is to be supportive and provide advice and guidance.
- Discuss the assessment with Director / Ch. Exec and come to an agreement re next steps.
- Notify the host of the concerns and if appropriate signpost suitable support
- Consider the impact of the event going ahead and ensure necessary steps are taken with partners to manage the risk and threat.

Frequently Asked Questions

Does this apply to a venue hired for a private function i.e. wedding, party etc.?

Any venue, which is booked for the purposes of functions such as a wedding or a party, must comply with existing Private Hire policy and procedures for the venue concerned.

Who can I contact to discuss any concerns?

The Council's Community Assets Manager will support volunteers running BwDBC community venues to assess the risk of bookings and give advice to reach an informed decision.

If you have any concerns about the speaker or the organisation enquiring about the booking, you should raise them as soon as possible with the Community Assets Manager by calling 01254 585590 or emailing rizwana.zaahid@blackburn.gov.uk.

Staff within Community Safety can provide advice and guidance if you have any concerns or queries in relation to a speaker / group, event or venue booking. The Prevent Team, Communities Coordinator or Cohesion Advisor can be contacted via 01254 585263 / 01254 585268 or Prevent.Team@blackburn.gov.uk

How long should the Decision Making Process take?

The process aims to be as efficient as possible, although liaison with other organisations and information analysis can take some time. Ideally, the decision making process from the point it is referred to BwDBC should not take longer than 10 working days; however, this could be extended in extenuating circumstances.

Community or external venue decision making will be subject to their own timescales as set out in their processes.

Is there an appeal option available on the decision?

All decisions relating to BwDBC venues will be made after a robust and in depth enquiry including collation of information, critical evaluation of the data and consultation with key local partners. The hirer or event organizer will have an opportunity to respond to concerns prior to the Director of Adult Services & Prevention making a final decision. In the absence of the Director, it will be the Ch. Exec who will make a decision. There will be no scope for appeal.

Community venues will have undertaken a similar approach and therefore there will be no recourse to appeal.

How should findings be reported/ logged?

The *Event / Speaker of Concern Reporting Form* in Appendix 2 should be used to report concerns about an event or speaker. BwDBC will utilise the *Investigation Recording Form* (Appendix 3) to document the information gathering and decision making process. These documents should be stored in accordance with GDPR and the Data Protection Act 2018.

Appendix 1:

Venues Booking Checklist

STEP 1: EVENT DETAILS

Obtain information on the event from the hiring party.

- Details of the hiring party including name of organiser / group, address, company or charity registration.
- Event information i.e. agenda, format, name of speakers, who will be invited, seating arrangements etc.
- Copies of promotional literature / social media marketing (confirm booking only once received).

STEP 2: RESEARCH

Conduct checks on individuals / groups hosting an event in BwDBC owned and operated premises.

- Check Online- using a variety of sources to find information on event/speaker or organisation.
- Consider Primary & Secondary source data – is it valid, reliable?
- Local knowledge from council staff / Councillors/ Local police etc.

STEP 3: ASSESSMENT

Public buildings must ensure all activity is inclusive and equal for all members of the community. Any information found should be critically analysed with this in mind.

- Speak to the hiring party and obtain further details, if you do not have sufficient information to assess.
- Is there evidence of the speaker / organiser previously promoting messages of hate or intolerance?
- Ensure the speakers / organiser have not been banned or prohibited from speaking elsewhere.
- If you have any concerns or queries in relation to a speaker / group, event or venue booking, contact:
 - The Prevent Team or Communities Coordinator on 01254 585263 / 01254 585268 or Prevent.Team@Blackburn.gov.uk
 - Community Assets Manager on 01254 585590 or rizwana.zaahid@blackburn.gov.uk

Appendix 2:

Event / Speaker of Concern – Reporting Form

The purpose of this form is to record details of any planned events happening in Blackburn with Darwen where concerns are raised about the content, speakers, group etc.

Please note: Where the venue in question is not BwDBC owned, the role of BwDBC is to assist and advise the managing organisation. BwDBC will not make the final decision in this situation.

PERSON REPORTING	
Name / Organisation	
Job Title	
Address	
Contact Details: Telephone / Email	

EVENT / SPEAKER / GROUP OF CONCERN	
Venue to be hired / Location of event including address	
Event Details	Brief synopsis of event including date and time
Speaker Details	Name
	Address
	Contact details
Group Details	Include name, address, contact details etc.

CONCERN SUMMARY

Appendix 3:

Investigation Recording Form

If concerns relating to an event or speaker are highlighted to Blackburn with Darwen Borough Council, this form should be utilised to record actions undertaken in the information gathering and decision making process.

- If the venue is owned and operated by BwDBC, the final decision will be made by the Director / Ch. Exec.
- In all other circumstances, BwDBC will provide advice and guidance. The final decision as to if the event can continue or not will remain with the venue management.

Please ensure all questions are completed fully.

EVENT / SPEAKER / GROUP OF CONCERN	
Venue to be hired / Location of event including address	
Event Details	Brief synopsis of event including date and time
Speaker Details	Name
	Address
	Contact details
Group Details	Include name, address, contact details etc.

TYPE OF VENUE	
BwDBC owned and operated	<input type="checkbox"/>
Community Asset (Venue owned by BwDBC but managed by Community Organisations)	<input type="checkbox"/>
Business Centre	<input type="checkbox"/>
Library	<input type="checkbox"/>
Leisure Centre	<input type="checkbox"/>
Children's Centre	<input type="checkbox"/>
Community, voluntary or third sector venue	<input type="checkbox"/>
Private or external venue	<input type="checkbox"/>

Activity	Response
1. Have details of the event being requested from the hiring party? This should include any material, agenda, promotion or social media marketing, seating plans etc.	
2. Has the Information Gathering Process i.e. open source search, being completed as outlined in the Responsible Event Booking & Venue Hire Policy?	
3. Have partner organisations or relevant community contacts from protected groups been consulted for advice? If so please document who was spoken to, dates and times and summary of main points.	
4. Has the information gathered been critically assessed in terms of: a. Validity and reliability b. Evidence of previously promoting hate or intolerant speech c. Evidence of being banned from speaking elsewhere	
5. Are there any concerns in relation to potential public order issues?	
6. What are the legal considerations?	
7. What decisions have been made from the data? a. Is further research necessary? b. Is further liaison with partner organisations required? c. Do we need to further engage in dialogue with the hiring party / speaker	

Please state the final decision and rationale:

If BwDBC owned and operated venue, confirm how the decision will be communicated to the event organiser.

Please record any comments / feedback from the event organiser.

If other type of venue, specify details of the advice given and to whom it was communicated and when.

Please record any comments / feedback from the venue management.

Responsible Event Booking & Venue Hire Policy and procedures: Local Authority and Community Premises Protocol

Guide for volunteers managing BwDBC community facilities

This guidance is intended to support volunteers who manage BwDBC community facilities to understand their responsibility under the Council's Responsible Event Booking & Venue Hire Policy.

This relates to the hiring of facilities to groups/speakers that do not support fundamental British values and for events that do not promote community cohesion and tolerance, values that are very important in Blackburn with Darwen.

Councils like Blackburn with Darwen must be sure that their venues aren't used by anyone who may try to draw people into terrorism or to encourage hatred and intolerance.

The policy is there to help volunteers who run community venues to know what to do to gather necessary information about groups/individuals who want to hire venues, to be able to make an informed decision about accepting or refusing bookings.

It's been written in line with government legislation, such as the Counter Terrorism & Security Act 2015, the Human Rights Act 1998, and the Equality Act 2010. (More information on this is available on pages 12-15 of the Responsible Event Booking & Venue Hire Policy.)

How to manage booking enquiries?

There are a number of steps to take when dealing with an enquiry about a booking for a community venue:

1. Gather information

Ask the individual / organisation that has enquired about the booking to provide details of the event: an agenda, names of speakers, materials the speakers will use, seating arrangements, promotional material etc.

Carry out an internet search for additional information about the event, the speaker, and/or the individual / organisation enquiring about the booking – take care to use a variety of sources to avoid bias.

2. Analyse information

Consider all the information you have discovered to reach a decision about allowing the booking to go ahead or not – on pages 16 and 18 of the Public Buildings Policy you will find some useful questions to ask yourself to help with this.

3. Ask for advice / guidance

The Council's Community Assets Manager will support volunteers running BwDBC community venues to assess the risk of bookings and give advice to reach an informed decision.

If you have any concerns about the speaker or the organisation enquiring about the booking, you should raise them as soon as possible with the Community Assets Manager by calling 01254 585590 or emailing rizwana.zaahid@blackburn.gov.uk.

You can also contact the Council's Community Safety Team by calling 01254 585263 / 585268 or emailing Prevent.Team@blackburn.gov.uk.

4. Making a decision

To help you make a decision on a booking, use the flowchart on page 18 of the Public Buildings Policy. This guides you through the decision making process and makes sure full consideration is given to all the information and advice you have gathered.

5. Respond to applicant

If a decision is made to refuse a booking on the grounds that it poses a threat to community cohesion, equality or public order, the individual / organisation enquiring must be informed as soon as possible.

- There's a useful checklist on page 20 of the Responsible Event Booking & Venue Hire Policy (Appendix 1) which guides you through each step of the process to assess whether a booking is appropriate or not.
 - You will find a form to report your concerns about a booking enquiry on page 21 (Appendix 2).
 - BwDBC will record their investigation and decision on the form on page 22 (Appendix 3).
-

Glossary

Extremism: The UK Government defines extremism as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs. Extremism also includes calls for death of members of the armed forces. (Revised Prevent Duty Guidance for England and Wales (originally issued on 12th March 2015 and revised on 16th July 2015, paragraph 7)

Radicalisation: Radicalisation refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups. (Revised Prevent Duty Guidance for England and Wales, issued on 12th March 2015 and revised on 16th July 2015, definition)

Terrorism: Terrorism is defined as an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes with or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing political, religious or ideological cause (Section 1 of the Terrorism Act 2000)

Fundamental / British Values: Democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs (Revised Prevent Duty Guidance for England and Wales, issued on 12th March 2015 and revised on 16th July 2015, definition)

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Children, Young People and Education

LEAD OFFICERS: Director of Children's Services & Education

DATE: 14th November 2019

PORTFOLIO(S) AFFECTED: Children's Services, Young People & Education

WARD/S AFFECTED: (All Wards);

KEY DECISION: N

SUBJECT:

Quarter 1 Fostering Service Report from 1st April 2019 to 30th June 2019

1. EXECUTIVE SUMMARY

This report provides information on the management and performance of the Local Authority's Fostering Service and is revised each quarter. Quarter 1 provides analysis of data from 1st April to 30th June 2019, and notes any patterns within the Service to determine areas for development and progress.

2. RECOMMENDATIONS

That the Executive Board:

Notes the Quarter 1 Fostering Service Report 2019 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) Receive 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 areas identified above. It will be taken into account by OFSTED when inspecting the service.

The report is for the first quarter of 2019, covering the period from 1st April to 30th June 2019, and provides a comprehensive overview of the service overall.

4. KEY ISSUES & RISKS

1. The number of children and young people becoming Looked After continues to be high, with the total for the end of quarter 1 being 408. This has a significant impact upon the demand for in-house and Agency placements and also the Commissioning budget overall.
2. The number of babies and sibling groups continues to be a challenge for the Local Authority to meet demand for placements.
3. The age group 11-15 years continues to be the highest cohort of young people, specifically males, who are a challenge for the Local Authority to place.
4. There is a consistently high number of Independent Fostering Agency and Commissioned residential placements being used due to the high demand of children in our care and specifically an increased demand for parent and child placements.
5. Fostering Fortnight was held in this quarter which is a recruitment drive held annually; the Service is focusing upon the offer made to the Borough's Foster Carers to assist with a boost in recruitment.
6. The impact of a high proportion of Agency commissioned placements to meet demand is significant upon the Commissioning budget.

5. POLICY IMPLICATIONS

No policy implications identified

6. FINANCIAL IMPLICATIONS

The fostering budgets are closely monitored as part of the regular portfolio budget review. The financial implications of the increased pressures outlined above lie within the commissioned placements budget, which at the end of quarter 1 is facing a significant overspend to meet demand.

7. LEGAL IMPLICATIONS

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

8. RESOURCE IMPLICATIONS

The Service is clear that a review of the offer for Foster Carers, existing and potential carers, is required to enhance recruitment in the Borough and to remain competitive.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

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.

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.

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.

CONTACT OFFICER:	Pamela Price, Service Lead – Placement Services
DATE:	12/09/2019
BACKGROUND PAPER:	Quarter 1 Fostering Service Report 1 st April – 30 th June 2019

Fostering Service Quarter 1 Report

1st April 2019 to 30th June 2019

Executive Report



Image of 'Charlie' for Fostering Recruitment Campaign

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;
- Children and young people in foster care achieve the best possible outcomes.

Children in Our Care in Foster Placements

There are 128 foster carers in Quarter 1, with 91 of those being mainstream and 37 are Family and Friends carers.

At the end of Quarter 4 for 2018/19 the total number of Children in our Care overall was 407, with a similar figure of 408 for Quarter 1 of this year. The number of children entering the care system has been counterbalanced by the number of young people becoming care leavers, or having Care Orders discharged which results in a similar figure for this Quarter. There is an increase however in the number of children and young people in foster placements at 264, in comparison to Quarter 4 which saw 262 placements. The table below shows last Quarter 4 with Quarter 1, which is largely comparable.

	Q4 31st March 2019	Q1 June 2019
Number of Children in our Care	407	408
Number of CioC in Foster Care	262 (64%)	264 (64.7%)
Number of children in in-house foster care placements	151 (37%)	148 (36%)
Number of children in family and friends foster care	43 (10%)	50 (12%)
Number of children in independent fostering agency placements	68 (16.7%)	66 (16.2%)

Gender of Children in Foster Care

The female to male ratio of children in foster care placements remains higher for males at 148 in comparison to females at 116. This is a consistent trend noted in Quarterly Report data historically. There has been a particular challenge this Quarter when identifying placements for males within a much younger age group 8-10 years in both foster placements and residential provision.

Children with Disabilities:

The number of children with disabilities placed in foster placements remains low with only 8 children in Quarter 1, again a consistent trend when placing children with additional and complex needs in foster care. Specialist residential placements are the more typical option for children with disabilities largely due to their care needs, physical living environment and equipment needs. The Fostering

Service have worked closely with the Children with Disabilities Team to identify potential foster placements, with an agreement to complete adaptation works to foster carer properties where required. This has been agreed to be funded via the Disabled Facilities Grant, to assist with the child's moving and handling and environmental needs and allowing the option of placing children with physical disabilities in foster care as a practical possibility.

Age of Children entering Care and in Foster Placements:

The younger age group of babies up to 6 years of age is the highest in terms of looked after children entering the care system. Quarter 1 saw 240 children on Care Orders and a further 107 on Interim Care Orders. It is a particular trend within the court arena for parent and child placements to be recommended and commissioned to evidence parenting skills and abilities. The Fostering Service have been successful in identifying 3 such placements in-house, with one IFA placement. Bespoke training has been delivered for parent and child foster carers to enhance their skills and knowledge given the complexity of referrals coming through.

The table below demonstrates the age group and numbers of children in specific foster placements in Quarter 1; with the 11-15 year-old age group being consistently the highest cohort, primarily males who are more challenging for the Local Authority to place.

Age	All children in foster care	In-house	Family and Friends	Independent Fostering Agency
0 to 2	57	32	12	13
3 to 6 years	40	17	14	9
7 to 10 years	51	25	10	16
11 to 15 years	89	58	10	21
16 years plus	27	16	4	7
Total	264	148	50	66

Ethnicity of Children in our Care in Foster Placements:

Of the 408 children and young people in our care, 328 were from a white, British ethnic origin. There were 51 from the Asian ethnic group, 1 from black ethnic origin, 17 identified as mixed ethnic origin and 11 recorded as 'other'.

New Referrals to the Fostering Service in Quarter 1:

Quarter	No of children	Sibling Groups	Age 0-5	Age 6-11	Age 12+	Children placed in-house	Children placed in IFA's	Residential Placements	Children not yet placed	Children didn't come in
Q1 2019/20	50	11	20	10	20	17	16	4	4	9

The above data shows that the number of referrals that have been received into the Fostering Service at the end of this quarter for sibling groups, the birth to five age group, and teenagers remain consistently high, and the most challenging to place both in-house and in Agency placements.

This Quarter has seen increasing challenges with placing younger children, on average aged 8-10 years and male. The general consensus appears to be that there is such a high volume of placement

requests being sent on a daily basis to Independent Fostering Agencies, that those children with more complex behavioural needs are more challenging to place overall.

Placement Stability

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%. Since August 2017, placement stability has seen a decline. This is not an issue specific to the Fostering Service but reflects instability for all types of placements. In June of Quarter 1 2019 there were 5 placements disrupted, and 3 in May 2019.

Disruption meetings are held in order to identify learning and inform future planning for any child whose placement has been disrupted. These meetings are chaired by an Officer from Quality and Assurance. In Quarter 1 a review of the process of disruption meetings took place to ensure that the Local Authority is fully capturing and learning from foster placement disruptions.

Matching and Ethnicity

In Quarter 1 there was one non-cultural foster placement match with an in-house white, male foster carer and a 15 year old boy of Asian heritage who is a non-practising Muslim. This commenced as a short break but the match was so successful that this progressed to a full time, short term placement until the young person can return home to family.

Engagement with Children & Young People and the VOICE Group

Quarter 1 saw the new part-time Participation Officer take up his role. One aspect of his role it is to re-launch the Voice Group, to commence in September 2019. VOICE members and care leavers continue to attend the Children & Young People Scrutiny Committee and Corporate Parenting Specialist Advisory Group, when appropriate.

Feedback from Children in Foster Care:

The views of children and young people are gathered via:

- Participation in the recruitment of staff/interview process
- Support Groups for Children/Events
- Foster Carer Annual Review Feedback
- Feedback from Social Workers/Supervising Social Workers
- The Investors in Children process

The following comments have been made by children and young people in Foster Care over Quarter 1;

Children have commented about their Foster Carers;

‘I enjoy going on holiday with my foster family and going for coffee and cake’

When asked ‘is there anything else you would like to tell us?’ a young child commented ‘This family is the greatest. You can never make them stop looking after me’

‘I would like to watch more television and go to the cinema more often’

Social Workers and Foster Carers said;

'He (Foster Carer) has provided excellent care for A and been very observant in recognising a change in behaviour which resulted in an emergency call to the ambulance service and A was admitted to hospital.'

A social worker commented as part of a carer's review: 'The young person would often destroy clothing and personal items, the foster carers ensured the child had everything they needed. The child was also excluded from school for a month and the carers made significant efforts to support this young person during this period'

'I know that my Social Worker has been off sick which is unfortunate, but the manager came out to see me and I could call the team'

A foster carer commented 'R's social worker has been first class over the last eight years and C's social worker has a very good relationship with her. We find her easy to talk to and she listens and acts if needed'.

Promoting Children's Health, Emotional Development, Education and 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 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 in their care, which is a record of all of the child's health details. Public Health funding has enabled the appointment of a Specialist Nurse to work with 'hard to reach' Looked After Children and care leavers.

There are currently 8 Looked After Children in foster care, who are registered as having a disability. Foster carers are provided with the relevant training and support to meet the specific needs of the child they have in placement and are able to access support from the Children with Disabilities Team with aids and adaptations, Disability Links registration and information and advice where needed.

In relation to emotional wellbeing, Looked After Children have access to Clinical Psychology and related services through REVIVE and 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 remains positive. The REVIVE Service has delivered training to foster carers on self-harm and is also delivering the very popular Nurturing Attachments course over 12 sessions. Foster Carers have reported that this has been hugely beneficial to their understanding and has changed their mind set. There have been 38 referrals to Revive in Quarter 1.

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 Virtual Head Teacher and 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 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, 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'.

Letterbox Club has continued this quarter for all Looked After Children from Reception to Year 6, with the aim of encouraging reading at home. Books and games are sent out on a monthly basis which are age appropriate for the child or young person to enjoy. Again feedback has been very encouraging from the children, who have stated that they enjoy receiving their parcels and carers have stated that they are definitely encouraging their children to read at home.

Extra tuition has been made available after school hours for all Year 6 pupils who are Looked After Children in preparation for SATs. This took place at the Kip McGrath Centre in Blackburn, however only one pupil regularly attended. Extra tuition for Year 11 pupils in English and Maths had much better attendance. In previous years there has been clear evidence that the extra tuition improved results. This Quarter saw 28 young people who were eligible to take GCSEs and other public examinations, with 17 eligible to take SATs.

Following the Foster Carer Association (FCA) meeting held in May, the Virtual School offered to fund a summer event for children in our care, and asked the FCA for suggestions about how the funding could be used. The FCA contacted Blackburn Rovers Community Trust and the Virtual School agreed to fund the following:

- The Anderton Centre for activities on 17th and 18th August which will be solely for 20 young people aged 11-16 from FCA.

- A barge residential on 26th and 27th or the 27th and 28th August with a maximum of 10 young people aged 8-11 years.

Transitions

Children and young people in foster care are supported to make a positive transition to adult life and 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'. The Leaving Care Service attends Reviews to discuss Staying Put with foster carers for young people aged 17 years.

The Leaving Care Service has the Investing in Children Award, and the service is rated as 'Good' by Ofsted from the last inspection. The Service is also working hard to encourage and support care leavers into apprenticeships. The Leaving Care Service has achieved Staying Put placements this Quarter, and also continues to offer supported lodgings and supported accommodation 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 being involved in interviewing and various training programmes.

The Service continues to run the Leaving Care Football Team and has an older young person supporting this along with a PA. The Leaving Care Service has eight advisors. Three advisors are working with the 16 to 18 year old age group resolving issues with accommodation, education, training and employment and Staying Put. Five advisors are providing advice and guidance to the 18 to 25 year old age group, and in addition all advisors have a caseload of at least twenty 18 to 21 year olds for whom they provide general support.

Children and young people with disabilities who are in our care are also referred at 17 years of age to Adult Social Care for an assessment of need prior to turning 18 years, and there is a period of twelve months for planning to be undertaken around post 18 years provision.

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 is structured into three teams including a Permanence Team, which was launched on 1st July 2018. The team complete all assessments of family members/connected persons from Child Protection to PLO pre-proceedings and Care Proceedings, as highlighted in the

Ofsted Action Plan. There are four full time Social Workers and one working four days per week. The Special Guardianship Social Worker is part time and continues to experience capacity issues.

There are currently 37 family and friends foster carers approved, with 11 approvals during this Quarter. There have been 4 resignations, 3 of these are due to achieving permanence through Special Guardianship Orders and due to one young person moving on to a supported lodgings placement.

There remains a vast amount of viability and combined assessments being completed, with 33 combined assessments referred this Quarter with an additional 47 viability assessments being requested and completed.

There are two mainstream Fostering Teams in the Service who focus upon family finding, assessment and supervisions of Foster Carers, and also recruitment.

One member of the mainstream team remains on long term sickness absence; this is being managed through the Council's Formal improving Attendance and Management procedure. There is an Agency Social Worker in post for three months taking them into Quarter 2. A member of the team remains on maternity leave and will be returning in October.

Three members of the team have reduced their hours permanently which has resulted in a full time position being recruited to and this is currently going through the recruitment process. It is hoped that this post will be filled in Quarter 2.

Fostering Support Officer Roles:

There are two Fostering Support Officers undertaking very different roles.

One Fostering Support Worker remains located within the REVIVE Service to enable 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. The venue of this Club moved to Earcroft Children's Centre in this Quarter.

Another Fostering Support Officer provides direct practical and emotional support to our Family and Friends Foster Carers, while also supporting our Fostering Panel process. The Fostering Support role is invaluable to the service and is hugely beneficial for those foster carers who have complex placements and require an enhanced level of fostering support.

Foster Carer Recruitment

The target for 2019/20 is to achieve an additional 30 fostering households in the Borough.

'Fostering Fortnight' in May delivered a promotional recruitment campaign with 'Charlie' as the face of our Fostering Service (the image on the front of this report). Canvas bags with the image of 'Charlie' were distributed to the public and a photoshoot took place with media coverage in the town centre of Blackburn. The campaign was visible on town centre and Larkhill digital advertising boards and on Facebook. The Service saw 12 enquiries for the month of May. At the end of Quarter 1, there were 7 assessments at Stage 1 with a recommendation to approve at fostering panels in the next Quarter.

During the fortnight we held recruitment stands, and completed 'door drops' across Fernhurst Estate and Beardwood Estate due to the generally larger properties in these areas.



Enquiries for Quarter 1 mostly came from Google Ads through our own Let's Foster website, followed by Social Media. Radio advertising was also positive in bringing forward registrations of interest.

Monthly Recruitment meetings are continuing to be held to focus upon new and creative ideas. Comparisons were made with other Local Authorities and the financial and support offer to our foster carers was not thought to be competitive.

Foster Carer Retention

There have been seven resignations over the Quarter; two being mainstream and 5 Family and friends foster carers. We have had two fostering households over this Quarter, where the foster carers have separated and in both situations the male carer has resigned, with the female carer continuing to be a foster carer.

One mainstream short break carer resigned due to personal circumstances changing and another mainstream foster carer made a decision to transfer to an Independent Fostering Agency.

Three family and friends households have been successful in their application for a Special Guardianship Order, and one family and friends carer resigned to provide supported accommodation for the young person in their care. Another family and friends carer could no longer manage the care of the child and resigned, resulting in the child being moved.

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. We have committed to this campaign for a further twelve months along with other Local Authorities.

Fostering Managers and the Recruitment and Marketing Officer have been involved in the development of this campaign to ensure that Blackburn with Darwen Borough Council attracts 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.



Short Breaks Fostering

There are currently 15 approved short break carers. Following the last Quarter, one short break carer made the decision to resign. Short break carers are providing placements alongside short break support. Short break carers continue to buddy up and provide day care and emergency support to other short break carers and they are invaluable.

'Meet and Greet' meetings take place prior to short breaks commencing except when this is an emergency placement.

Short break carers attended a support group which was held on 17 July 2019. Carers enjoy attending and are able to explore and share experiences about their role as short break foster carers and this is a positive form of support.

Short break carers continue to access training and it is envisaged that in Quarter 2 they will be invited to attend cultural diversity training which is also going to be rolled out to mainstream foster carers.

Recruitment of short breaks carers continues and during initial visits it is evident that potential applicants are expressing an interest in offering short breaks to give them an insight about the fostering role before they progress to take on short term placements. Within this Quarter, 6 short break arrangements were supported for a total of 9 young people; these were support arrangements for other carers, emergency short breaks and new short break requests.

Foster Carer Training

There have been six training courses delivered this Quarter as follows, showing improved attendance to the last Quarter:

- Life Story Workshop delivered on 4th April attended by 10 foster carers
- 0-11s Conference held on 25th April attended by 21 foster carers
- 11 plus Conference held on 16th May attended by 23 foster carers
- Fostering Support Group – Self Harm on the 18th June attended by 11 foster carers
- Play Therapy Session held on 26th June attended by 15 foster carers
- Training commissioned with Fostering Network for Parent and Child Placements funded four places

The Journey to Foster training will also be delivered in the next Quarter by Foster Talk as opposed to The Fostering Network.

Fostering Panel

During this Quarter period the Fostering Panel has experienced a change in relation to the panel advisor which is now being fulfilled by another Fostering Team Manager within the Service. The Panel Advisor has also carried out a recruitment drive to appoint new panel members, to ensure that there is a strong cohort and quorate panel attendance.

A Fostering Panel training day is planned at Witton Learning Centre in July; panel members and fostering service staff will be in attendance. The training day will incorporate two members of the Engage team presenting information and further learning surrounding Child Sexual Exploitation, and discussions will take place around current legislation implications for Friends and Family and Connected Carers assessments. The Revive Clinical Psychologist will present the Secure Base model to panel members to underpin why the Fostering Service has developed supervision forms and assessment documents to compliment this model.

Review Panel

There have been 19 Annual Reviews completed this Quarter, two of these were deferred to the main Fostering panel, this was due to either concerns or allegations being made. A total of 17 foster carers attended their annual review.

The quality assurance of the reports presented to the Fostering Panel was good and there has also been an improvement in the social worker comments being provided for the carers reviews overall.

The panel advisor for the Annual Review Panel will be working on increasing end of placement reports being presented to the Panel in the next Quarter. Foster carer payments are also reviewed following the annual review and presented to Payment Panel, primarily in respect of band 3 carers.

Complaints

During Quarter 1 there have been no complaints received.

Compliments

During this Quarter period, one compliment has been received made by two young people who reside in the same placement, providing positive comments about their foster carers to their IRO stating;

'I am loved and cared for' whilst the other young person commented, 'I live in an amazing house with amazing people.'

Allegations

During Quarter 1 there were 2 allegations received. The first allegation was a historical allegation received from a young person who alleged that the foster carer had hit them. All relevant logs and information were documented and reflected in supervisions, with no evidence indicating that any incident had occurred. The allegation was deemed to be unfounded with no further action being taken.

The second allegation was received from another young person who alleged that the foster carers' Granddaughter was being verbally abusive and had thrown a mobile phone at the young person causing bruising to the face. Whilst the allegation was substantiated this was not in respect of the carer and further support was provided to the young person and the carer with issues addressed surrounding behaviour management strategies, and ongoing weekly support to the placement.

Specific Incidents and Restraints

There were 14 specific incident reports received during this Quarter period within the Service.

- 7 of the specific incident reports involved several individual pre-school children whereby minor bumps were reported while they were attending nursery or during play activities.
- 2 incidents involved 2 separate young people who had been reported to abscond within placement, both then returned safely to placement.

A further incident report followed a young person witnessing inappropriate anti-social behaviour in the community. There were 3 incidents reported during this Quarter involving the same young person disclosing historical sexual allegations which have been reported, and ongoing investigations are continuing.

There was a further incident of self-harm which did not require A&E attendance but treatment was prescribed.

Serious Illness and Accidents:

There were three minor incidents reported during Quarter 1.

Missing from Home

Within this Quarter period, there have been a total of 6 missing from home reports involving 5 young people. All were safely returned back into placement with Interviews undertaken by Engage.

Bullying:

During Quarter 1, there was one report of bullying which involved a young person in a foster placement who had been staying over at a friend's house. The matter was appropriately addressed and support was provided.

Exemptions

During Quarter 1 there have been a total of 4 exemptions made, with only 2 now remaining to date. This involves an agreement to place more than 3 children in one fostering household and requires management agreement and oversight from Panel.

Engagement with Foster Carers

Blackburn with Darwen has a Foster Carer Association (FCA), and a representative who sits on the Corporate Parenting Specialist Advisory Group. The FCA has its own website, which has been increasingly used to communicate messages and news. Our Elected Member for Children and Young People also attends the FCA Support Group.

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

A small group of foster carers are recruitment champions, who help drive recruitment forward and are involved with planning events, fostering preparation training, and assisting with recruitment stands and events.

The Fostering Service holds a Foster Carer Forum every six months, the next Forum will take place in October.

Budget

Current placement pressures in-house and also for independent fostering agencies, continue to place the commissioning budget under significant pressure as increasingly adolescents and children with disabilities are placed in costly residential placements due to the lack of foster placements across the region. The number of young children and sibling groups continue to put additional pressure on the commissioning budget, and the number of children and young people coming into Local Authority care remains high.

Commissioned Placements

The request for commissioned placements in Quarter 1 remains high in respect of both independent fostering agency placements and increasingly costly residential placements required for adolescents but more noticeably this Quarter, boys aged under 12 years who are requiring such placements. The pressure upon independent fostering agencies has shown in that we are sending out placement requests on numerous occasions to identify foster placements which often result in a residential placement being the only available option.

One particular trend this Quarter has been the request for parent and child assessment placements through care proceedings. Such placements are independent, and the weekly costing is significant.

Sibling group placements are also on the increase and places additional pressure on the availability of any in-house placement being available.

There are five young people in commissioned post 16 placements this Quarter.

New Service Priorities for 2019/20:

1. The Service has a target of recruiting 30 new sets of foster carers in 2019/20

Quarter 1 update The Service will in addition undertake some innovative recruitment drives and review foster carer payments to ensure that the service remains competitive with neighbouring Authorities and independent fostering agencies. There are 7 new fostering households to be presented at Fostering Panels in Quarter 2. Quarter 1 saw 11 family and friends carers approved. Monthly recruitment meetings are taking place to prioritise this.

2. A team development day will be an annual event to value and support the staff team and ensure specific training and development areas are actioned. A team day specifically around recruitment will take place in Quarter 2.
3. The Fostering Service will further consider the staffing ratio in the Permanence Team, to ensure the increase in referrals and demand for connected persons and SGO assessments can be met to avoid drift and delay. This will also include a review of the workload and capacity of the SGO Social Worker role in offering post-SGO support to families and carers. **Quarter 1 update: A Business Case is being prepared for executive decision making around workforce issues within the Fostering Service and Children's Services as a whole. The proposal is to request an additional full time, SGO Social Worker.**
4. The Revive Team will be reviewed in terms of staffing, workload capacity and developing a review process for evidencing that outcomes are being met and the impact of their therapeutic involvement. This will enable the Service to manage the referrals and to identify when their involvement can cease as outcomes have been achieved. **Quarter 1 update: A Revive Team Development Day took place in June and staffing, capacity and development was key to discussions on the day. There will be decision making between CSC and CAHMS management to ensure that any currently unfilled posts are addressed and that the Team is fully staffed to be able to respond to demand.**
5. Foster Carer training will continue to develop, led by a Fostering Team Manager. The Service will focus on the development of online training, and the overall training offer in line with Foster Carer feedback such as the addition of Parent and Child Training, and more specialist courses that will enhance carer skills. The objective is to increase engagement and attendance.

Quarter 1 update: Bespoke training was commissioned around Parent and Child Placements due to the increasing demand. This was provided by The Fostering Network. The attendance this Quarter at training sessions saw an improvement. The Fostering Manager will continue to respond to foster carer interest in specific training going forward to keep this interesting and creative. The Play Therapy workshop was particularly popular and well received.

6. 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 – The monitoring of compliance is ongoing and is central to the Team Manager role. Protocol has been updated to reflect the needs of the Service and all aspects of fostering can now be recorded on the database which will help the completion of the dataset. There is now a Task and Finish Group to review data and Protocol recording within the Service, and discussions about a Fostering Portal with IT which is in the early stages of discussion.

7. Fostering Panel development –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 training and development day is planned for July. Recruitment has already taken place for new panel membership and we now have a larger cohort of members to ensure approvals can be considered without delay.

8. A new Participation Officer will be recruited and interviews take place in May 2019. It is proposed that this part time position will be in place no later than July 2019. Recommencing The Voice Group will also be part of this specific role and will be re-launched.

Quarter 1 update: The new Participation Officer is now in post and is looking at relaunching the Voice Groups in Quarter 2.

**Pamela Price
Interim Service Lead - Placements**

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Children, Young People and Education

LEAD OFFICERS: Director of Children's Services & Education

DATE: 14th November 2019

PORTFOLIO(S) AFFECTED: Children's Services, Young People & Education

WARD/S AFFECTED: (All Wards);

KEY DECISION: N

SUBJECT:

Adoption Now Annual Report 1st April 2018- 31st March 2019 for Blackburn with Darwen.

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 Annual Report for 2018-19.

3. BACKGROUND

This is the Annual Report of the Blackburn with Darwen Adoption Service, which is part of the Regional Adoption Agency (RAA) called Adoption NoW. This is a consortium arrangement of six Local Authorities to deliver a more effective and efficient Adoption Service in line with central Government Agenda for Adoption.

Following the making of a Placement Order, all aspects of Adoption in Blackburn with Darwen are now the responsibility of Adoption NoW. This includes the recruitment, assessment and approval of adopters, family finding and matching children with adopters and adoption support. Children remain looked after until the Adoption Order is made. Case holding for looked after children subject to a Placement Order is held by Adoption NoW; however, the social workers are based in Blackburn in order to maintain a close working relationship with other Children's Services professionals.

4. KEY ISSUES & RISKS

1. There have been 24 children made subject to Adoption Orders, and 21 children matched. The current 'in year' figures are positive and would place Blackburn's timeliness in placing children for Adoption one of the best in the Country.
2. There have been two disruptions since April 2018 through to March 2019.
3. Nationally there is a shortage of Adopters, and with the number of children looked after continuing to increase, Adoption NoW have focused significantly upon their recruitment strategy and campaigns. The focus has been on building up a profile of adopters from all ethnic and cultural backgrounds.
4. A trend that is particularly prominent is the number of sibling groups of children awaiting placements; this is apparent for both fostering and adoption in the Borough and across the 6 Authorities that make up Adoption Now. Currently 90 out of the 237 children tracked for

Adoption by the Service are under 1 year of age. Again this is consistent with data gathered by Blackburn with Darwen for those children entering the care system and the increase in babies and sibling groups being seen.

5. A total of £502,094 was spent on placing children with outside Agencies for the full year. Over the year, 83% of children matched have been with Adoption NoW adopters. These placements do not incur an interagency fee. It is procedure to search for a family within Adoption NoW in the first instance, then to look further afield to other Local Authorities, RAA's or Voluntary Agencies.
6. The target for the coming year is to approve 100 sets of Adopters within the RAA as a whole, to enhance sufficiency and respond to the demand for Adoptive families.

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 local authorities 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 have been identified.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below.

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.

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.

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.

CONTACT OFFICER:	Pamela Price, Service Lead – Placement Services
DATE:	01/09/2019
BACKGROUND PAPER:	Adoption Service Annual Report for 2018/19

Adoption Annual Report

2018/19



Executive Report

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.

18 months ago there was a significant change in the way that adoption services were delivered as Adoption Now went live on 20th November 2017. 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.

Data relating to children remains local data relating to Blackburn with Darwen children however, adoption support and recruitment data now covers the Region. This report will outline local data but will also include statistics and information that is for Adoption Now as an Agency which is reflective of all 6 Local Authorities.

Adoption Agency Business – Children in Blackburn with Darwen

Children with an Adoption Plan in the Borough

During the year, 26 children were subject to a decision that they should be placed for adoption (SHOBPA). The vast majority of these children are of white British origin however two children were of Pakistani origin.

In terms of the age of those 26 children, 18 were aged birth – 2 years, 3 children aged 3 – 4 years, 5 children aged 5 –7 years.

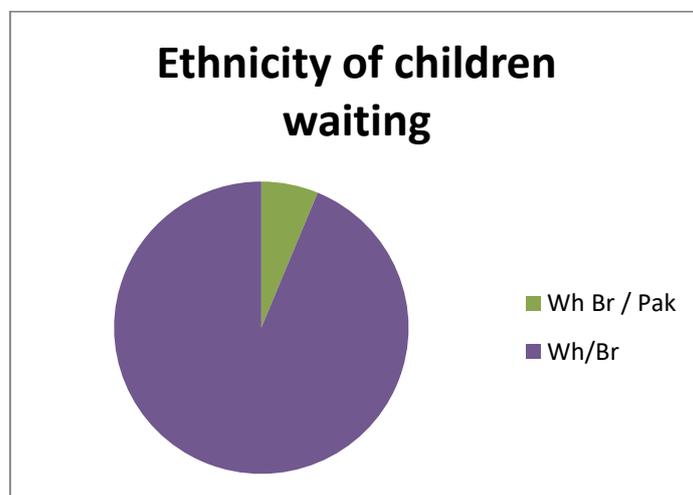
There were 5 sibling groups of 2, 1 sibling group of 3 and the rest were single children. Two of those children had Huntington's disease in the family which carries a 50% chance of this being inherited by the child.

Therefore 15 out of the 26 children were in the harder to place cohort due to sibling groups, or having high level uncertainty in terms of their health and development for example.

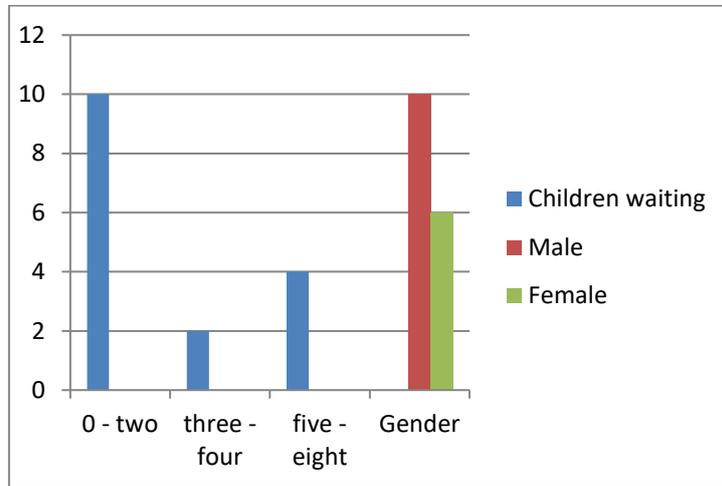
Children Awaiting a Match with Adopters

On 31st March 2019, there were 16 children with a plan for adoption (subject to a placement order made) awaiting a placement. Two of those children have a 50% chance of developing Huntington's disease, two had very recently been made subject of placement orders and 1 child has significant developmental delay. There were 3 sibling groups of two waiting.

15 children are of white British heritage with 1 child from dual heritage background. (see chart below).



Age and Gender of children waiting



Continued efforts to match all of the children waiting will include them being profiled at exchange days where adopters can come and discuss children available for adoption with Social Workers and Foster Carers, and all will be invited to attend a Family Adoption Day run by Adoption Now if this is appropriate for them. Similar National events also run such as Activity days. These are events whereby adopters and children meet at a large party and spend time together informally as part of an organised event. It has been proven to be very effective in finding families for some older children and those who are part of sibling groups.

Family Finding Activity

Professional links and relationships have continued to result in some positive matches, especially with the voluntary agencies who are now partners 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, which is an online service where adopter profiles can be viewed, and children waiting can be enquired about making potential links. Children have been placed immediately on Adoption Match which is a child-led matching service which replaced the Adoption Register, 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 as potential adopters. These placements do not incur an interagency feel. It is practice to search for a family within Adoption Now in the first instance and then to look further afield to other local authorities, RAAs or voluntary adoption agencies nationwide.

On 31st March 2019 the National Adoption Register ceased to operate. Prior to this it has been a requirement for all children waiting for families for three months or more to be added to that register along with adopters who are waiting. There are some likely alternative proposals however none are imminent. A small number of links for children would have been made via the Register but Link Maker has been a much more useful family finding tool for Blackburn with Darwen children so we are not expecting there to be much of an impact.

Children Placed for Adoption

There have been 18 children placed with adopters this year and 21 children matched (the numbers of matched and placed children may be different due to early permanence placements and children matched just before the end of the year but not yet placed).

Of matches presented to panels between April and September, there have been 6 Blackburn with Darwen children matched with adopters. There was a sibling group of 2, a relinquished baby and a foster carer adoption.

The scorecard data for children adopted since 1st April 2018 is as follows :-

Measure		BwD average
Placement Order to Matching (A2)	Scorecard Indicator - 121 days	125
Child entering care - adoption placement (A1)	Scorecard indicator – 426 days	355

These figures show that during the year timescales were met on A1 and just marginally over on A2. This still represents excellent performance when measured against National standards. 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. The current 'in year' figures are extremely positive and would place Blackburn with Darwen's timeliness in placing children for adoption amongst the best in the country.

Children Adopted

24 adoption orders were made during the year. It is these children to whom the score card data refers.

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

Adoption Disruption

There have been two disruptions since 1st April 2018 and both in the first half of the year. A disruption is identified as a placement where the child has moved in with adopters and then the placement has failed. In one case the child's adopter was diagnosed with a very serious illness within a few weeks of her being placed. She was able to move back to her foster carers and has subsequently been placed with other adopters. The other was a child who was part of a larger sibling group and a decision was made to separate him from his siblings. This child is now matched with other adopters. In neither of these cases were the local authority felt to have failed in their duties.

Adoption Now Agency Business – Adopters

The following information is specific to Adoption Now as an Agency and provider, and not specific only to Blackburn with Darwen.

Adopter Recruitment for Adoption Now

Background

Nationally, there is a shortage of adopters and the number of children available is rising again as the 'looked after' population rises both nationally and locally. This happened shortly after many adopters had to wait for long periods, as a consequence of case law that changed the practice of the courts in terms of agreeing adoption plans for children.

The recruitment strategy of Adoption Now has been to dispel this myth, with a go live campaign visibly showing with balloons how many children were available in this area alone.

The marketing and recruitment team became fully staffed in June 2018 and recruitment campaigns have significantly increased with attendance at 15 local events across the six local authority areas and beyond over the summer months, billboard campaigns, bus, tram and train campaigns, radio campaigns and significant social media advertising. Early signs are that this activity has increased enquiries from prospective adopters.

Adopter Recruitment across Adoption Now

The total number of adoptive families approved in the year was 73 by Adoption Now Agency. This is an increase on the 67 of the previous year but due to two families withdrawing due to last minute serious health concerns and others where issues arose late on in the assessment process it did fall a little short of the expected number of 77.

The last year has been used to develop learning around what works in adopter recruitment so that recruitment can be better targeted as we move forward.

Adopter recruitment has been targeted at a wide geographical area from our 6 Local Authorities over the past 12 months with a view to building up a profile of adopters from a variety of ethnic and cultural backgrounds. Targeted marketing has taken place specifically focussed on recruiting from Asian communities and the LGBTQ community (see recruitment activity).

The chart below shows the ethnicity of adopters recruited. It shows that adopters are still predominantly white British which matches the pattern of children we are placing.

CHART 1: Adopter Recruitment by Ethnicity 01/04/18 TO 30/03/19

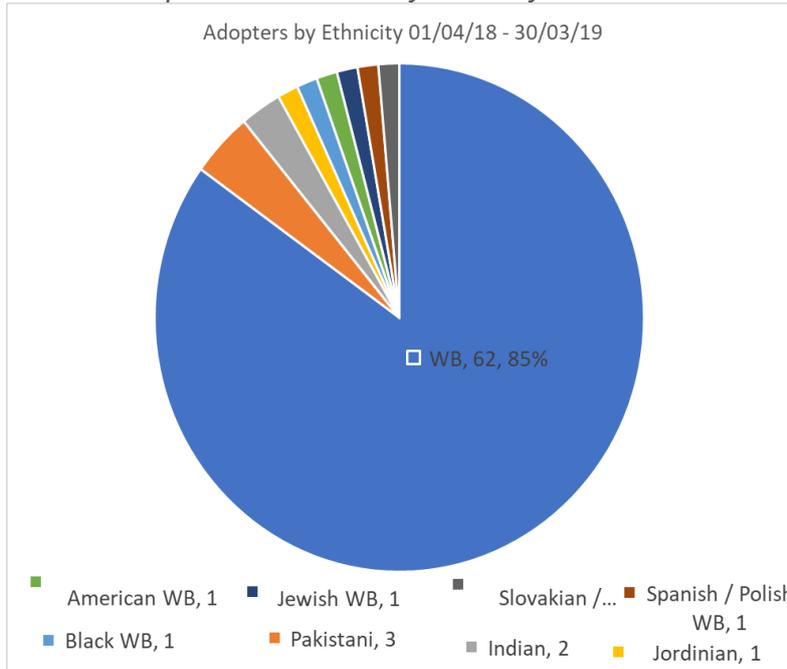
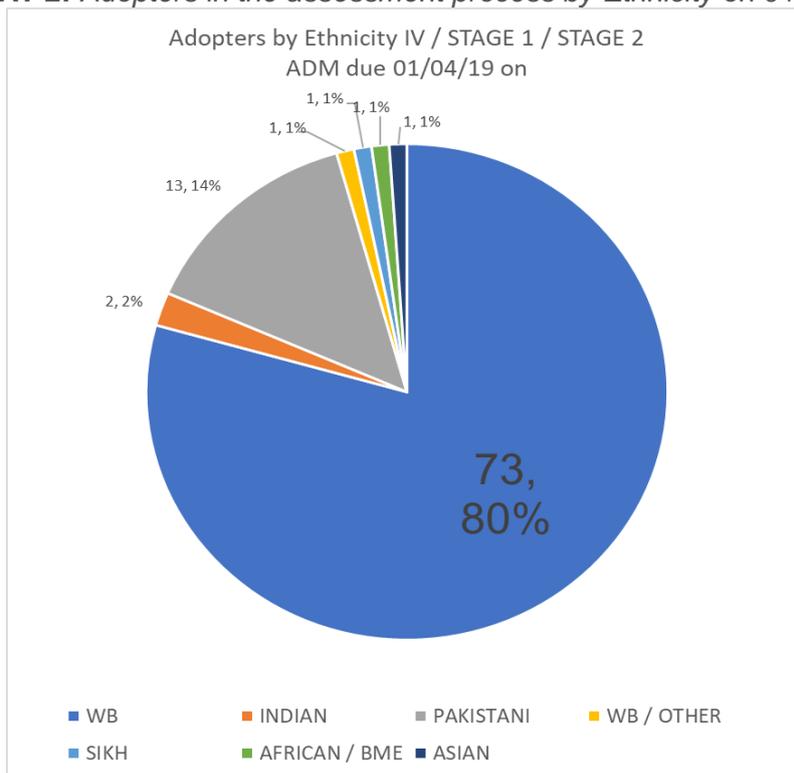


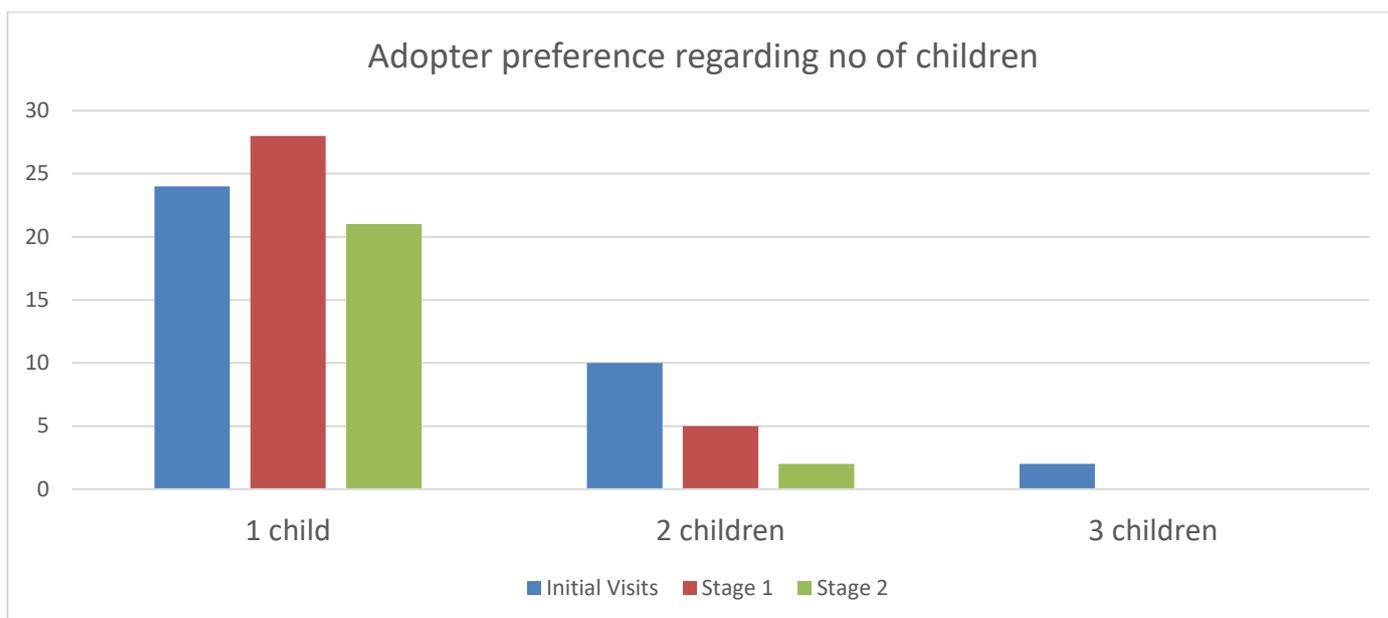
CHART 2: Adopters in the assessment process by Ethnicity on 01-04-19



Adopter Preferences

There is still a preference for single children predominantly aged from birth to 2 years amongst adopters being recruited. However, the 36 pending initial visits currently on record have seen an uplift in willingness to consider sibling groups. This figure could rise as we proactively discuss sibling groups during early visits.

CHART 3: Adopter preference regarding no of children



Data as of 09/04/19

We currently have the following number of adopters at various stages in the process:

Initial Visits: 36
 Stage 1: 33
 Stage 2: 23

TOTAL ADOPTERS in the system is 92

Available Adopters: 11 (3 on hold) = 8 of which 3 White British / 3 Pakistani / 1 Asian / 1 Indian

Most adopters are being identified for children very quickly and where they have waited any length of time that is due to them having a very specific matching criteria or being on hold for personal reasons.

b. Children waiting for Adoption across Adoption Now

Tracked children	Children Post-SHOBPA	Children awaiting placement
237	40	119

Data current in March 2019

In the past year we have seen an increasing number of sibling groups of two to three children awaiting adoption. Currently there are 20 groups of 2 siblings, and 5 groups of 3 siblings awaiting placement. Tracking information shows it is likely these groups will continue to grow.

The agency is increasingly seeing children of dual heritage and with a variety of emotional or physical support needs. Most of our children are still White-British, but we are seeing increasing numbers of children from Central and Eastern Europe.

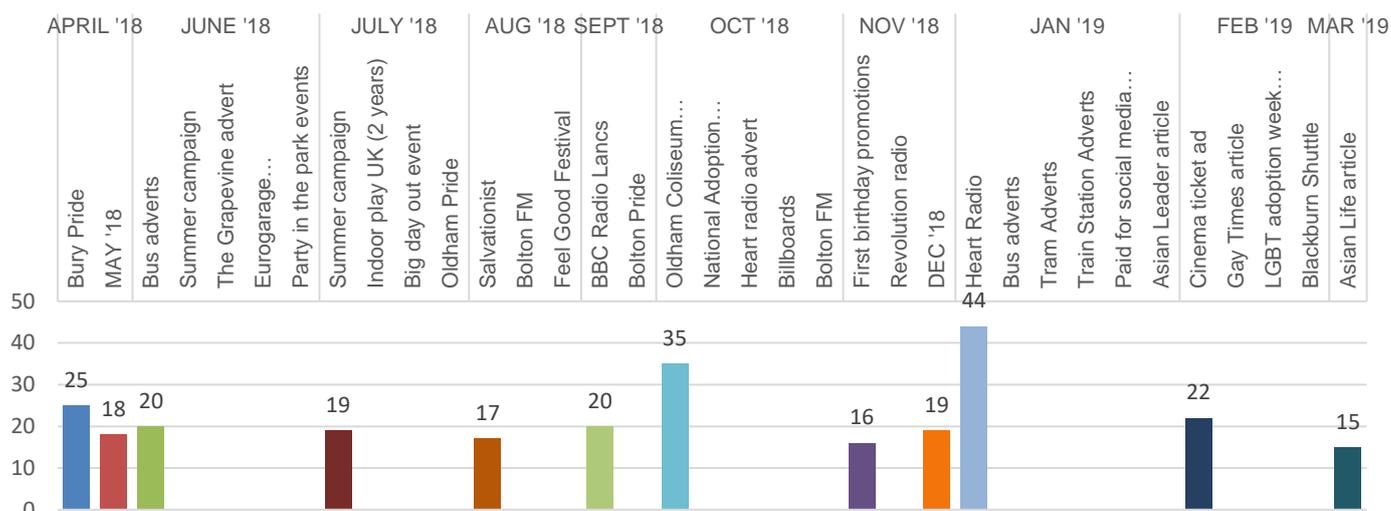
Whilst nationally the data says there are few young children, we have seen an increase in babies with adoption orders. Tracking data shows this too is unlikely to change at least in the short term. Currently 90 of the 237 children tracked are 1 or under.

The marketing team are using this information to inform all aspects of marketing and the recruitment process. For example, we inform callers during initial enquiries and highlight waiting children during information evenings. Recruitment and Assessment Social Workers see the monthly reports of children waiting and are encouraged to discuss this during initial visits. The line, “you don’t have to be perfect to adopt” is used as Adoption Now Marketing to show that adoption is an option for everyone trying to build a family. Activity in the coming year will focus on attracting adopters for priority groups and return to debunking long established myths around the time it takes to adopt that feedback shows to persist.

c. Recruitment Activity

The data below shows the number of enquiries received by month in line with marketing activity:

Marketing Activity v Enquiries by month



The chart above shows spikes in enquires during periods of heavy marketing activity including radio campaigns and outdoor advertising (*accurate at time of reporting*).

An updated recruitment strategy was agreed by the Board made up of 6 Local Authority Directors/Senior Leaders in December 2018 and an annual recruitment plan exists alongside this strategy to support the need to recruit more adopters.

Using the above data and anecdotal information the recruitment plan for the year 2019/20 has been devised and includes more of the successful marketing methods namely radio, outdoor and transport-based campaigns. There will be consistent and regular activity throughout the year with larger bursts around key campaign times i.e. National Adoption Week, Summer and New Year. This year will also see a focus on the Adoption Now website and online advertising to drive enquiries, supported by ongoing social media messaging.

The recruitment team will be attending local and regional outreach events to increase awareness of the agency with local residents to raise the profile of the agency. In addition, this year the team will be attending larger events such as the Royal Lancashire and Cheshire Shows to compare the enquiries generated.

If these prove more fruitful the plan will be to move to fewer, bigger, better events that increase profile and ensure best use of staff time in 2020/21.

Target groups

Targeted recruitment activity will focus on two specific groups identified as being under-represented in our pool of adopters.

Asian communities and other ethnic minority groups will be targeted by continuing to advertise in publications such as the Asian Leader and hosting information events in line with local mosques and faith groups. The agency is also targeting the Muslim Lifestyle Expo taking place in Manchester in October as a new way of raising the profile of adoption to a younger demographic. The agency is utilising the knowledge of its Social Workers to make connections and find new ways to target these groups. For example, one Social Worker has links with African-Caribbean churches and several of our Social Workers can provide links and insight into our Asian communities. Messaging will encourage the community to consider the older children and sibling groups that our data shows to be coming through the system.

Research shows that 76% of LGBT adopters would consider adopting siblings and harder to place children, therefore recruitment activity is also being aimed at this group. The agency is a member of New Family Social and is promoting this with prospective adopters, encouraging use of their resources from peer groups, volunteering opportunities and family finding forums. Currently 55 Adoption Now adopters make use of New Family Social support. Specific marketing activity is undertaken during LGBT Adoption Week and the team are attending pride events in the region and are aiming for their first presence at Manchester Pride the biggest LGBTQ event in the North West, as well as advertising in targeted publications and broadcast stations namely Gay Times and Gaydio.

Storytelling as a recruitment aid

Hearing from adopters who have been through the process is key to engaging new prospective adopters within the process. The agency is keen on adopters helping with recruitment and is aiming to increase this over the 2019/20 period. Video case studies and interviews are being created and played to prospective adopters at information evenings and are available on our website and social media channels. Adopters currently help with preparation groups; sharing their experiences with those in Stage 1 of the process and we know that prospective adopters find this part of preparation training especially insightful and encouraging. Adopters also take part in radio interviews, articles and website case studies. A buddy system is also in operation within the agency. The team plans to host a recruitment event in partnership with the Lancashire Council of Mosques and with advice from the Muslim Welfare Institute which will include a 'talk to us' segment with Muslim adopters, this can be replicated with other target groups.

Several of the agency's staff members also have personal experience of adoption which can aid in recruitment, helping prospective adopters warm to them easily because they can relate to their situations.

Recruitment and marketing activity is being increased and more creative methods are being explored to meet the need for more families for children awaiting adoption and the agency's 2019/20 recruitment target of 100 approved adopters by the end of March 2020.

Focus Family finding

A recent innovation has been the development of our focus family finding programme for children who are waiting too long for placements. These children have tailored campaigns built around them, including videos and articles that are created and published on specific channels that mirror the interests of the child. Led by our marketing and recruitment officers, the focus is on developing an in-depth *feel* for the child to bring out their personality and hobbies with the aim of bringing them to life for potential adopters.

The target for this coming year is to approve 100 sets of adopters to move us closer to adopter sufficiency. This figure in conjunction with our commissioned placements with our Voluntary Adoption Agency partners brings us to 133 families for the 180 or so children we will place (some will be siblings so placed together). The recruitment campaigns are targeted so as to consider the needs of children we need to place as we realise that it isn't simply numbers of adopters being approved but that they are the right adopters for the children who need families.

Adoption Support for Adoption Now between the six Authorities

Team Structure:

1 Team Manager, 1 Deputy Team Manager, 0.5 Advanced Practitioner, 12 Social Workers (8 full-time and 4 part-time) and 2 family support workers (1.5 equivalent).

Staffing, Team building and transitions:

The adoption support service has been running for the latter part of the year with a full-time vacant post, a full-time worker requesting part-time hours and the retirement of a long-standing Family Support Worker. Additionally, there have been periods of significant sick leave within the team.

Whilst it has been possible to meet the needs of our families during this time, it's not been without its challenges and the hard work of the whole team – the majority being significantly above capacity. During this time family have also been supported through the duty service where allocation has not been possible for a time.

That said, we are now approaching an exciting time for the team and the development of the adoption support service. All vacant posts have been recruited to with the new Family Support Worker having just started. The full-time vacancy has been accepted by an experienced therapeutic practitioner and trainer with both Theraplay and DDP (Dyadic Developmental Psychotherapy) up to level 2 – it is hoped that she will be part of the team by the summer of 2019.

The part-time vacancy resulting from an existing worker becoming part-time has also been successfully recruited to. This post is going to be shared by two experienced therapeutic practitioners.

In January 2019 the adoption support service was part of two reviews/audits carried out across Regional Adoption Agencies – one focused on the Adoption Support Fund, the purpose being to collate information for a wider review of the Adoption Support Fund. Whilst the outcome of this review will not be known until November 2019, it did confirm that we are a significant user of the fund (figures can be seen later in the report).

The second review/audit focused on the progress and development of adoption support within our RAA, together with our vision for the future. Whilst a report is due later in the year, the initial feedback was very positive.

Adoption Now contract with After Adoption to support birth families :

Sadly, After Adoption closed quite suddenly at the end of March 2019, and this has impacted on our service in several ways;

- Birth Ties – this was the service Adoption Now had commissioned to support our birth families which has now ceased.
- There are approximately 10 families where Adoption Now had commissioned After Adoption to provide therapeutic packages.
- We were in negotiation to commission After Adoption to deliver the Safebase parenting programme in June/July 2019 specifically for up to 12 Adoption Now families.

In terms of Birth Ties, there are ongoing discussions and exploration of how we might meet the needs of our birth families moving forward.

In terms of the families receiving therapeutic packages, we have been very fortunate that much of the work was coming to an end or a review point and we have managed to commission some of the therapy providers independently via the Adoption Support Fund to avoid any disruption to the families.

We have also been very fortunate in that the two therapeutic practitioners who will share the part-time vacancy were previously employed by After Adoption. The rationale for the post being shared is that they will continue to deliver any therapeutic packages started with After Adoption. The remaining hours will be used creatively to support the continued development of the adoption support service. The starting point being to develop and deliver a parenting programme in place of the Safebase programme we were looking to commission – a proposal/structure for this programme is currently underway and it is hoped that we will be able to provide this for our families not too far away from the original timescales – which is really good news as there are around 8-10 families identified as needing this intervention. Furthermore, as this will now be developed and delivered ‘in-house’ there is potential to deliver this more frequently as part of our model of support services.

Adoption Support Fund (ASF) :

The adoption support fund is DfE money that local authorities and RAAs can access to support adoptive families to receive a variety of therapeutic services.

We anticipate significant changes to the fund by March 2020 and are therefore currently in the last financial year of the fund in its current form. It is a very uncertain time ahead with us having no idea how the fund is to change or worst-case scenario being that the fund ceases and what the impact will be for our service and families. There is not likely to be any certainty with regards to the future of that fund until November 2019.

Total monies received 2018/2019

£560,323.66
For 207 children
66

Number of providers currently being commissioned by Adoption Now

Numbers of children receiving therapeutic services funded by ASF by local authority :-

Local Authority	No of children receiving funding for therapeutic services
Blackburn with Darwen	28
Bolton	26
Bury	29
Oldham	25
Rochdale	49
Tameside	42

Cases/workload:

Adoption Support

Regular audits of adoption support cases are undertaken to provide accurate data which is starting to illustrate more defined annual figures now that we have had our first full financial year in Adoption Now. The current open case total is 338 – this total reflects the number of children receiving adoption support. An overall breakdown of the current open cases in terms of when they came into Adoption Now is as follows:

Pre RAA cases – Year end 31.03.2018	158
2018/2019	170
2019/2020	10
Total 338	

1.4.2018 – 31.03.2019	
Receiving on-going Adoption Support Packages	176
Completed Assessments	67
Ongoing Assessments	42
Pre-order support	36
Financial Assessments	7
Cases closed	85
Total 413	

There are almost 100 additional families receiving support than there were a year ago.

Access to Records

A further audit is currently ongoing, focused on access to records requests. However, overall figures are displayed below;

2018/2019	48 completed and closed
2019/2020	57 on going at this time

In addition to referrals for adoption support and access to records requests, the service has taken 666 enquiries between 1st April 2018 – 31st March 2019. These enquires include step parent adoption; letterbox enquiries; requests from professionals to access files, intermediary requests/sign posting requests, access to records advice and enquires from birth families.

IT: Issues with IT have significantly reduced – the team can experience issues logging on remotely but with the Wyse terminals installed here at the hub, such issues are much less frequent.

The Liquid Logic 'super user group' continues to work closely with Liquid Logic to help navigate the system and is a means of communicating any ongoing issues and working towards any possible resolutions. Adoption support process development and continued work with Liquid Logic has been slow since the last review report – we have not yet defined the adoption support pathway or commenced the training sessions. This has been due to vacancies in the Liquid Logic team – whilst they have continued to be on hand to address any issues in the moment, we have not been able to progress with the pathway development. Whilst we are still unable to accurately measure enquiries and referrals from Liquid Logic alone, the audits continue to enable us to maintain spreadsheets to run alongside Liquid Logic to ensure we have clear, accurate data in the meantime.

All the migrated/existing cases are now on the system and all new enquiries/referrals are entered onto the system as they come in.

Appointments have now been made in the Liquid Logic team and new training dates will be arranged as soon as possible. We have created some user guides for the training sessions to be held in the IT suites and as reported previously, the first session will focus on recording adoption support cases from first contact through to case closure and the second will focus on access to records cases from first contact to case closure.

Developing the service:

As stated, the team is just coming through a period of staff vacancies and sickness. It has also been a busy time for development since the last review with the whole team taking part in a variety of training;

- Therapeutic Life Story (Richard Rose)
- Dyadic Developmental Psychotherapy (DDP) at level 1
- Non Violent Resistance (NVR) – at foundation level

The therapeutic life story training is already being put in to practice throughout the team, from individual case work to enhancing our life story workshops. We are also working on a life story week – whereby we will hold a series of events over a week for adopters, our Adoption Now colleagues and our colleagues within our 6 LAs.

The DDP and NVR training have both been quite recent and have been significant opportunities and such valuable training for the whole team. The focus now will be to bring what we have learnt to our reflective practice/peer supervision groups to explore ways in which the approaches can be used in case work and to further develop the service. This is an area that that will benefit from the 3 additional therapeutic practitioners joining the team.

We have one of our existing therapeutic practitioners attending Kim Goulding's 'Training the Trainer' course next month which will further enhance our potential for developing and delivering a tiered model of services, enabling us to become more self-sufficient and in preparation for the changes in the ASF.

Peer mentoring for adopters is being explored too as adopters have consistently requested this sort of a service with adopters supporting other adopters.

Local Authority Surgeries: The surgeries remain an effective aspect of our regional adoption support service with the busier surgeries still being Tameside, Bolton and Rochdale. These three surgeries also appear to be the most attended by adoptive families, with Bury and Oldham being most attended by birth families.

We have developed working relationships with letterbox co-ordinators in post with letterbox being a significant aspect of adoption support.

Both Rochdale and Blackburn with Darwen remain without an appointed Letterbox Co-ordinator, which significantly impacts on these two surgeries, which are both heavily supporting the day-to-day management of the letterbox service at present. Oldham and Bury both have full time, established letterbox co-ordinators in post, who hold positive working relationships with many of our regular birth parents needing support. Bolton previously had a part-time experienced letterbox co-ordinator; however, this has since changed and has seen an increase in the support needed from the surgery with occasions whereby two workers have been needed.

Support groups/Events:

We have a full calendar of events for 2019, including support groups, training workshops and events and our steering groups remain in place to further develop this core offer of services.

- **Training Events** - (monthly throughout the year with occasional guest trainers/speakers)
- **Annual Events and Parent Support Groups** - (summer picnic, coffee/drop in events etc.)
- **0-11 Years Support Groups/Events** – (3 x Nurture/Toddler group, Club awesome and activity-based events).
- **Teen Events** – (targeted support groups and activity-based events).

The toddler groups remain very popular and well attended by families and in February 2019 we held a teen group – this was our first event and was low key to start and based at children’s centre to support teenagers coming together for the first time. Whilst this was a small number of teens it proved very positive and enabled parents to come together too. The teens involved in this group are continually involved with this steering group and participate in the planning of future events.

Adoption Panels for Adoption Now across the six Local Authorities

Adoption panels continue to operate four times per month with an option to run a fifth panel if required. An annual panel chairs’ report exists which summarises the work of the panels.

They continue to be busy and two new panel chairs have been recruited which means there are now 4 panel chairs available.

The panels quality assure all paperwork being presented and it is evident that there is continued improvement in the quality and standard of both matching paperwork and adopter assessment paperwork. The annual panel report contains further details.

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 until the end April 2019 at which time this service will be recommissioned.

Participation of Young People

During the last six months, Adoption Now has consulted with a large group of children and young people at its launch event in May. Services being designed are 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.

A survey is planned as we approach the 1 year anniversary of Adoption Now and smaller groups have run to continue to ascertain the views of adopters and young people.

Complaints

Adoption Now has received one complaint in relation to Blackburn with Darwen children or families, this was following an adoption disruption and was followed up accordingly.

Allegations

There have been no allegations in the last six months.

Staffing

Over the last year the service has operated with a core team of 8 (full time equivalent) social workers, a deputy team manager and a team manager from Blackburn. These staff are now seconded to Adoption Now and support a much larger service.

The service has one part time maternity leave vacancy at present in the adoption support team.

Budget

The total spent by the local authority on inter-agency adoption fees for the year 2018/19 was £120,552 against a budget of £254,400. Income from placements made using Blackburn with Darwen adopters no longer comes directly into the authority and is retained directly within Adoption Now.

The operational budgets supporting the BwD adoption service were transferred to Adoption Now and combined with the budgets from the other five local authorities for an overall joint budget. The adoption service as a whole showed an overspend for Blackburn with Darwen in 2018/19 of £43,509 compared to an overspend of £231,947 in 2017/18.

New Adoption Support fund applications have transferred to Adoption Now.

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. In the last six months there has been a two day course on therapeutic life story work run by Richard Rose, panel annual training and training in GDPR. Further training is planned for the coming six months for example, Attachment Based Assessments and Foetal Alcohol Syndrome. 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.

An annual development plan exists within Adoption Now to ensure continuous improvements are made to the service, and this is reviewed by the six Local Authorities at Operational Group Meetings and by the Board.

Report by
Karen Barrick, Head of Adoption Now RAA

Pamela Price – Blackburn with Darwen Service Lead, Placements

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Environmental Services

LEAD OFFICERS: Director of Environment and Operations

DATE: 14 November 2019

PORTFOLIO/S AFFECTED: Environmental Services

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: Waste disposal contract

1. EXECUTIVE SUMMARY

- 1.1 To update the Executive Board on the procurement of the waste disposal tender
- 1.2 to seek the Executive Board appointment of the successful bidder as the contractor for the service

2. RECOMMENDATIONS

That the Executive Board:

- 2.1. Approves the appointment of Bidder 1 as the successful bidder.

3. BACKGROUND

3.1 The existing waste disposal and treatment interim contract with SUEZ is due to end on 1st April 2020. As a Waste Disposal Authority (WDA), the Council has a legal duty to arrange for disposal of municipal waste from the Borough, and hence a new contract is required

3.2 Executive Board members will be aware that The Council entered into a 10-year Section 101 agreement with Greater Manchester Waste Disposal Authority (GMWDA) in 2015, for GMWDA to provide the Council's waste disposal function for residual burgundy bin waste. However, in January 2018 GMWDA served notice to terminate the agreement with BwDBC from 31st March 2018, under the Force Majeure terms in the Agreement.

3.3 BwDBC met with SUEZ and an agreement was reached to dispose of all the Council municipal waste tonnage via the Council's existing disposal contract with Suez.

3.4 Discussions with Lancashire County Council on joint working opportunities for waste and recycling took place (their contract for disposal expires in 2025) and a decision was reached for BwDBC to issue a short term interim waste disposal contract beyond 2020, to allow for the possibility of a joint procurement with Lancashire County Council for waste disposal beyond 2025.

3.5 Soft market testing took place in October and November 2018 with interested parties to discuss both the waste disposal and recycling contracts. Feedback was obtained on the preferred procurement methods and details of the contracts from major waste management companies including Biffa, FCC, Suez and Viridor.

3.6 As a result of the above, a separate tender exercise for waste disposal was entered in to for a period of 3 years (commencing 1st April 2020) with an option to extend year by year, for up to a further 3 years.

3.7 The waste disposal contract specification identified that a high level of diversion from landfill was required (85%) and a preference for thermal treatment with energy recovery. The scope of the contract included receipt, handling, storage, haulage and disposal of the Council's municipal waste, requiring the contract to provide all the resources required.

3.8 The Council received 2 bids in response to the contract notice by the closing date of 25th July 2019, from Bidder 1 and also Bidder 2. Following evaluation, it was deemed that Bidder 2 provided a non-compliant bid. The winning bid, from Bidder 1, was evaluated and obtained a high quality score of 26.6% (out of a possible 35%, a further 1.5 marks were allocated to Social Value out of a possible 5).

3.9 The winning bid from Bidder 1 was also evaluated on price but being the only compliant bid, was scored a maximum mark of 60, giving them a total score of 87.9%.

3.10 Subsequent negotiations have resulted in a lower price based upon a lower diversion from landfill figure of 70%, which is more economically more favourable for the authority.

3.11 The Executive Board recommendation is to award the contract to Bidder 1.

4. KEY ISSUES & RISKS

4.1 The Council was aware that the tender may only attract a small number of bids since the waste management companies who can provide the service needed are small in number as they would be required to have a site within or local to the Borough, a landfill site and existing contracts into various waste disposal facilities across the UK. The Council was not and is not in a position to provide a transfer station for the use of all interested parties, in order to attract more bids.

4.2 The negotiated agreement of a slightly lower threshold of landfill diversion will not see any conflict with waste legislation.

5. POLICY IMPLICATIONS

The Council is undertaking its procurement in line with council policies and also looking to divert waste from landfill.

6. FINANCIAL IMPLICATIONS

6.1 The current disposal price per tonnes varies between waste to energy and landfill. The Council

currently disposes of approximately 41,160 tonnes of waste per annum

6.2 If this same tonnage is disposed of in 2020/21 at the new negotiated rate within the contract, the costs are comparable to the costs in 2019/20. However, this comparison doesn't take account of a likely 3% price indexation increase that would have been incurred had the existing contract been able to be extended.

7. LEGAL IMPLICATIONS

7.1 The Council is acting in its capacity as a Waste Disposal Authority.

7.2 The procurement process was in accordance with the Public Contracts Regulations 2015 and the Council's Contract Procurement Procedure Rules. The amendments agreed are considered to be within the parameters permitted by Section 72 of the Public Contracts Regulations 2015.

7.3 All contracts and contract variations will be in a form approved by legal officers in the Commissioning and Procurement team.

8. RESOURCE IMPLICATIONS

The existing resources within the council will administer this contract.

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

10.1 This report has been produced following discussions with existing service and potential future providers and discussions with Lancashire County Council (our partner in the Lancashire waste Strategy) and Greater Manchester Waste Disposal Authority.

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

CONTACT OFFICER: Tony Watson

DATE: 13/09/2019

BACKGROUND PAPER: Lancashire Municipal Waste Management Strategy, Our Waste, Our Resource: A Strategy for England, Contract tender documents.

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Finance and Governance
LEAD OFFICERS:	Director of Finance and Customer Services
DATE:	14th November 2019

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

SUBJECT: CORPORATE REVENUE BUDGET MONITORING REPORT QUARTER 2 - 2019/20

1. EXECUTIVE SUMMARY

To report the overall revenue financial position of the Council, highlighting any significant issues and explaining variations in the second quarter of the financial year.

2. RECOMMENDATIONS

The Executive Board is asked to approve:

- the portfolio budget adjustments outlined in Appendix 1
- the Earmarked reserves position shown in Appendix 2
- the variations to revenue expenditure, as listed in Section 6, giving rise to a balance of £6.937 million in the unallocated General Fund revenue reserve.

3. BACKGROUND

All portfolios are required to examine their revenue budget position on a monthly basis. Regular reports are submitted to Executive Board for review along with a final report, detailing the financial outturn position.

4. KEY ISSUES & RISKS

- a) Actual revenue expenditure at 30th September 2019 in relation to controllable budgets across all portfolios was £46.241 million, which is 39.52% of the current budget. Further details relating to the financial position of each portfolio are outlined in Section 6.
- b) Subject to Executive Board approval of the proposed adjustments, General Fund unallocated reserves are £6.937 million at 30th September 2019 compared to the minimum level of unallocated reserves agreed at Finance Council in February 2019 of £4.0 million.
- c) Based on the information currently available, Earmarked Reserves available for discretionary use within the Council are £9.858 million at 30th September 2019 compared with a balance of £14.464 million at 31st March 2019, with a further £12.560 million of 'Other Reserves' held mainly in relation to schools.

5. POLICY IMPLICATIONS

The information contained within the report accords with the three year budget forecast within the Medium Term Financial Strategy 2019-22, as approved at Finance Council on 25th February 2019.

6. FINANCIAL IMPLICATIONS

6.1 CASH LIMITS AND REVENUE EXPENDITURE

6.1.1 Revenue Budget Overview

In light of the Local Government Finance Settlement for 2019/20 and the financial constraints on the authority, the Leader and the Executive Members continue to work with Officers to review the allocation and use of resources including continued review of all expenditure and income budgets, of contractual commitments and property holdings and the implementation of savings plans, set within the context of the Council's statutory responsibilities and corporate priorities.

A balanced budget for 2019/20 was approved at Finance Council on 25th February 2019. This was predicated on estimates and assumptions that are not without risk;

- Risk that the forecast and provisions for demand are outstripped
- Risk that the expected income streams are not realised
- Risk that the use of strategic reserves may not be possible

These pressures, savings and risks will be continuously monitored throughout the financial year and reported to Executive Board.

6.1.2 Performance Against Controllable Budgets

Appendix 1 details the portfolio controllable budgets approved by the Executive Board in August 2019 together with the details of the adjustments recommended to the Board for approval in this report. These include:

- budget virements (transfers) between portfolios
- transfers from Earmarked reserves to support spending on specific schemes for which these reserves were established
- transfers from Unallocated reserves to support budget pressures
- transfers from contingencies
- transfers to Earmarked and Unallocated reserves

The principle issues for each portfolio at the end of the second quarter of the year are as follows:

Adults & Prevention Services

Based on information currently available and present levels of demand, the financial forecast for the portfolio for 2019/20 is predicted at break-even. Demand pressures in respect of external commissioning budgets are currently reported to be in the region of £632,000, however it is expected that these can be mitigated by savings across other budget heads within the portfolio.

A balanced budget for the portfolio is predicated on delivering savings agreed as part of the budget setting process and managing any financial risks arising during the year, e.g. the transition of individuals into Adult Social Care from Children's Services.

Current monitoring in the area of Neighbourhood and Prevention Services, after allowing for the requested budget transfers, has identified some minor budget pressures but these are expected to be mitigated as the year progresses.

Currently, the estimated net overall pressure for the Adults & Prevention Services portfolio is in the

region of £197,000, however this is expected to be managed as we progress through the year to achieve a break-even final outturn.

Public Health & Wellbeing

Public Health is projected to break even in 2019/20 based on the position at the end of the second quarter of the year.

Subject to the approval of the budget adjustments requested in Appendix 1, the area of Leisure & Culture shows potential pressures arising of around £262,000 due to shortfalls in income targets for leisure facilities including venues. The department monitors income levels closely throughout the year due to seasonal changes. Options to address the pressures are under review and it is currently anticipated that these pressures will be contained.

Children, Young People & Education

The current projected position is an overspend of £2.8 million based on current levels of demand. This has increased significantly from the previous quarter predominantly due to a number of newly commissioned external placements (£500,000), a number of existing commissioned placements having been extended (£2.1 million), and an expected increase in inter-agency adoption fees (£200,000). The reported overspend figure does not factor in any future increases in demand during the remainder of the year, nor does it include any further potential extensions to costly externally commissioned placements. In reality, the portfolio is facing demand pressures in line with those experienced in 2018/2019, which are likely to result in a net overspend of at least £3 million.

The Portfolio continues to mitigate demand pressures as far as possible and is utilising underspends on other areas of activity to offset placement pressures to bring the portfolio to the forecast overspend of £3 million. The portfolio has implemented a new Duty and Advice service to manage the “front door” and assessment activity more effectively, and they continue to explore options to re-focus, and build capacity, in our more cost-effective ‘in-house’ services. However, these strategies will take time to implement in order to affect real change and before we see fewer numbers of ‘looked after’ children and a resultant reduction in the cost pressures. Therefore, it is unlikely that the portfolio will be able to contain the commissioned placements pressures in year.

Dedicated Schools Grant / Schools Block

Services in Schools & Education (DSG) are currently forecast to spend the funding provided in 2019/20 through the DSG and Pupil Premium.

Schools and Education funding from DSG is monitored by the Schools Forum and reports are considered on a regular basis. DSG remains as a ring fenced grant and any surplus or deficits will be managed through DSG specific reserves.

Environmental Services

The portfolio has highlighted cost pressures relating to waste budgets, selective licensing income, public protection services and savings targets that are proving no longer to be achievable, however the scale of these pressures is not as significant as in previous years and plans are being implemented to address these shortfalls; as such, a breakeven position is predicted by the financial year end.

Growth & Development

The portfolio has identified pressures arising from the Mall Market, the Bus Station and shortfalls against in-year savings targets, however it is forecasting to contain these within the overall portfolio budget, mainly from one off savings including income from major planning applications.

Digital & Customer Services

Due to restructure and a number of vacancies, the portfolio is predicting to underspend by approximately £250,000 over the course of the financial year, based on the position at the end of the second quarter.

Finance & Governance

The portfolio has identified cost pressures for the year which it is working hard to contain including pressures on the Legal Services budget from the increase in the number of childcare legal cases, and other prosecutions. A number of actions are underway to offset this and as such it is forecasting a breakeven position at 31st March 2020.

6.2 GENERAL FUND UNALLOCATED RESERVES

Summary of movement	£'million
Unallocated reserves at 30th June 2019 (as reported to Executive Board in August 2019)	7.022
Transfers (from) Unallocated reserves	
To fund the impact of the National Living Wage on the Early Years' Service budgets	(0.067)
Contribution towards the Festival of Making	(0.046)
Transfers to Unallocated reserves	
Net adjustment to ringfenced accounts	0.028
Balance on Unallocated General Fund reserves at 30 September 2019	6.937

6.3 EARMARKED RESERVES

Taking account of the adjustments highlighted at Appendix 2, the level of Earmarked reserves held for discretionary use by the Council at 30th September 2019 will increase to £9.858 million compared with a balance of £9.490 as at 30 June 2019.

Summary of movement	£'million
Earmarked reserves at 30 th June 2019 (as reported to Executive Board in August 2019)	9.490
Release of Schools Improvement (SSIF) Round 1 grant carried forward from 2018/19 into 2019/20	(0.063)
Requests to carry over service specific grants from 2019/20 into 2020/21	0.130
Use of Developers contributions (Section 106) Reserve to finance capital expenditure	(0.101)
Reduction in transfer to Future Maintenance of Witton 3G Pitches reserve to reflect part year contribution	(0.025)
Transfer of capital financing in respect of Griffin Lodge back to the Office Accommodation and Property Improvements reserve	0.300

Increase in Brexit Preparation Funding reserve – 2019/20 allocation	0.210
Release of funding for the cost of Early Retirement/Voluntary Redundancies	(0.083)
Balance on Earmarked reserves at 30 th September 2019	9.858

Other Earmarked reserves, held largely in respect of schools, are £12.560 million.

Details of the requested application of reserves are shown in Appendices 1 and 2.

7. LEGAL IMPLICATIONS

The Council has a duty to ensure it can deliver a balanced budget. The Local Government Act 2003 imposes a duty on an authority to monitor its budgets during the year and consider what action to take if a potential deterioration is identified.

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

Not applicable.

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: V1

CONTACT OFFICER:	Julie Jewson extn 5893
DATE:	31st October 2019
BACKGROUND PAPER:	N/A

	Adults and Prevention Services	Public Health & Wellbeing	Children, Young People & Education	Environmental Services	Growth & Development	Digital & Customer Services	Finance & Governance	Schools & Education (DSG)	TOTAL
	£	£	£	£	£	£	£	£	£
Controllable Budget approved at Executive Board August 2019	50,996,120	2,821,129	31,342,809	8,586,840	7,748,281	5,655,606	10,622,702	(941,000)	116,832,487
Transfers (to)/from earmarked reserves									
Request to carry forward part of the 2019/20 Flexible Housing Support Grant (FHSG) allocation to fund an element of the annual contract cost for the Compliance Officer (£17,500) and the extension of the fixed term Housing Needs Officer post (£30,000)	(47,500)								(47,500)
Request to carry forward part of the FHSG Top Up grant to fund part year cost of a Housing Need Officer post which has slipped into 2020/21	(14,900)								(14,900)
Request to carry forward the Homelessness Reduction Act New Burdens funding from previous years (£56,300) together with part of the current year's allocation (£10,700) in order to retain the designated Housing Needs Officer post for the next 2 years	(67,000)								(67,000)
Sinking Fund for Witton 3G Pitches - reduction to reflect part year contribution for 2019/20		25,000							25,000
Transfer from Schools Improvement (SSIF) Round 1 Grant reserve			62,680						62,680
Budget increase to fund the cost of Early Retirement/Voluntary Redundancies			83,200						83,200
									0
Transfers (to)/from unallocated reserves									
Adjustment to ringfenced accounts - Flood Defence Levy							1,100		1,100
Adjustment to ringfenced accounts - Non-distributed costs							(29,100)		(29,100)
Budget increase to fund the impact of the National Living Wage on Early Years budgets			67,000						67,000
Request for corporate funding towards the Festival of Making		45,800							45,800
									0
Transfers (to)/from contingency									
									0
Release of Grants and Contributions brought forward from 2018/19									
									0
Virements between portfolios									
Legal Services Out of Hours Emergency Advice (Transfer to Finance & Governance)	(9,000)		(9,000)				18,000		0
Transfer to Finance & Governance for Workforce Development support	(40,000)						40,000		0
Transfer Director's salary following portfolio re-alignment		(121,575)		121,575.00					0
Further realignment of budgets following the end of the Capita partnership					(26,690)		26,690		0
Contribution to furniture budget to accelerate modern / agile working						(6,800)	6,800		0
Other budget adjustments									
Extended Rights to Free Travel grant allocation not included in original budget			34,600						34,600
									0
Revised Controllable Budget as at 31st March 2019	50,817,720	2,770,354	31,581,289	8,708,415	7,721,591	5,648,806	10,686,192	(941,000)	116,993,367

DETAILS OF GENERAL FUND EARMARKED RESERVES FOR USE BY THE COUNCIL

	Balance at 30 June 2019	Requested Transfers to/(from) earmarked reserves in Qtr 2		Balance at 30 September 2019
	As reported to Exec Board August 2019	Release of grants and contributions b/wd from 2018/19	Other transfer to / (from) reserves	Q4
	£000	£000	£000	£000
Welfare, council tax and business rates reforms				
Welfare and council tax reforms	178			178
Brexit Preparation				
Brexit Preparation Funding	105		210	315
Investment in assets and infrastructure				
Office Accommodation and property improvements	512		300	812
Highways winter maintenance	24			24
Support for the Local Plan	200			200
Flood Defence	77			77
Support for Other Resources and Transformation projects				
Legal Advice Reserve	105			105
Partnerships & Transformation	78			78
Insurance risk investment fund	43			43
Support for People Services				
Schools Improvement (SSIF)	247		(63)	184
YOT partnership	150			150
Music Services	117			117
Disabled Facilities Grants	289			289
Future Demand Pressures	1,035			1,035
Better Care Fund	372			372
Support for Place Services				
Investment to support business rates growth	370			370
Place Shaping Investment Reserve	250			250
Contingent sums to support future downsizing and transformation programmes				
Support for future redundancy costs	674		(83)	591
Support for part year effect of future savings plans	1,242			1,242
Digital Programme	964			964
Amounts b/wd from previous year(s) in respect of unspent grants and contributions				
Transformation Challenge Award	64			64
SEN / SEND Reform Grant /SEND Prep for Empl	183			183
Transforming Lives	37			37
One Public Estate grant	163			163
Electoral Grant	57			57
DCLG Transparency Code New Burdens	13			13
Adult PSS - Local Reform and Community Voices	108			108
Adult PSS - War Pensions Disregard	30			30
Flexible Housing Support Grant (FHSG)			48	48
FHSG Top-up			15	15
Homelessness Reduction Act New Burdens Funding			67	67
Amounts committed in future year budgets/MTFS				
Budget carry over for implementation of Concerto (Property system)	20			20
Budget carry over for Intack Depot driveway	10			10
CCTV Hub carry forward	73			73
Development Investment Fund (Capital)	1			1
Underspend on PFI codes	13			13
Strengthening Communities Volunteering in Lancashire (SCVL)	74			74
Reserves held for specified purposes				
Developers Contributions (S106 Income) *	(41)		(101)	(142)
Future Maintenance of Wainwright Bridge	306			306
Future Maintenance of Witton Park 3G Pitches	50		(25)	25
Future remediation costs in respect of former landfill sites	400			400
Highways claims anticipated for years up to current year but not yet received	611			611
Art Acquisitions Fund	16			16
W. Ferrier Bequest (for museum re Kathleen Ferrier)	20			20
Allowance for contingent liabilities (e.g. MMI)	250			250
TOTAL EARMARKED RESERVES FOR DISCRETIONARY USE	9,490	0	368	9,858
Other Earmarked' Reserves				
Reserves held in respect of joint arrangements and charitable bodies				

DETAILS OF GENERAL FUND EARMARKED RESERVES FOR USE BY THE COUNCIL

	Balance at 30 June 2019	Requested Transfers to/(from) earmarked reserves in Qtr 2		Balance at 30 September 2019
	As reported to Exec Board August 2019	Release of grants and contributions b fwd from 2018/19	Other transfer to /(from) reserves	Q4
	£000	£000	£000	£000
Darwen Market Traders Association	2			2
Joint Building Control Account	201			201
Turton Tower Charity	59			59
LSCB Safeguarding Partners Fund	155			155
Reserves held in relation to schools				
Dedicated Schools Grant - Surplus	6,993			6,993
LMS Schools Balances	5,150			5,150
TOTAL 'OTHER EARMARKED' RESERVES	12,560	0	0	12,560
TOTAL EARMARKED RESERVES	22,050	0	368	22,418
UNALLOCATED RESERVES	7,022	0	(85)	6,937

EXECUTIVE BOARD DECISION



REPORT OF: Executive Member for Resources

LEAD OFFICERS: Director of Finance and Governance

DATE: 14th November 2019

PORTFOLIO/S AFFECTED: Resources

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: CORPORATE CAPITAL BUDGET AND BALANCE SHEET MONITORING REPORT 2019/20 – Quarter 2 (6 months to 30th September 2019)

1. EXECUTIVE SUMMARY

To report the overall financial position of the Council in respect of the capital programme as at 30th September 2019, highlighting key issues and explaining variations in the first 6 months of the financial year.

2. RECOMMENDATIONS

The Executive Board is asked;

- to approve the revised capital programme as per Appendix 1,
- to approve the variations to the programme shown in Appendix 2

3. BACKGROUND

All portfolios are required to examine their capital budget position on a monthly basis.

4. KEY ISSUES & RISKS

a) The projected aggregate cost of the Council's capital investment programme for 2019/20 has now decreased from £37.941 million, as approved by Executive Board on 8th August 2019, to £33.372 million. The net variation of £4.569 million (detailed in Appendix 2) reflects;

- variations made to reflect the approval of programmes during the second quarter of the year £1.276 million
- slippage and reprofiling of budgets during the second quarter of the year (£5.845 million).
- an increase of £1.549 million to the earmarked schemes for the purchase of vehicles that may be financed through a sale and lease back agreement.

b) As at 30th September 2019, the capital expenditure across the portfolios was £10.705 million (representing 32% of the current, revised projected capital spend).

c) The estimate of capital receipts expected in 2019/20 is £4 million; £1.186 million has been received in the first six months of the year.

5. POLICY IMPLICATIONS

The information contained within the report accords with the capital strategy and the three year

budget forecast within the Medium Term Financial Strategy 2019-22, as approved at Finance Council on 25th February 2019.

6. FINANCIAL IMPLICATIONS

6.1 CAPITAL PROGRAMME

The variations in projected spend and resource availability for 2019/20 are summarised by portfolio in Appendix 1. Variations in spending are set out in Appendix 2.

The capital programme for 2019/20 has decreased by £4.569 million in the second quarter, the major capital variations to note are as follows:

6.1.1 New Approved Capital Schemes

Several capital schemes were approved in the second quarter of 2019/20 and have now been added to the capital programme as follows:

Scheme	Amount	Approved By	Date Approved
Children, Young People & Education Portfolio			
Roe Lee Park - Boiler	£41,000	Executive Member Decision	2.8.19
Growth and Development			
Acquisition of Blackamoor Inn	£155,000	Executive Member Decision	18.10.19
Digital and Customer Services			
Town Hall IT Infrastructure	£220,000	Executive Board Decision	12.9.19
Finance and Governance			
Corporate Accommodation Strategy Phase 2	£1,000,000	Executive Board Decision	12.9.19
Approved Schemes that may potentially financed by a sale and leaseback agreement			
Kerbside Recycling Vehicles	£1,050,000	Executive Board Decision	8.8.19
Replacement Refuse Collection Vehicles	£350,000	Executive Board Decision	8.8.19
Acquisition of Grave Digger	£35,000	Chief Officer Decision	8.7.19
Corporate Building Team Vehicles	£114,000	Executive Member Decision	13.8.19

6.1.2 Adults and Prevention Services

The Disabled Facilities Grant funding has been increased by £40,000 to reflect the new allocation received for 2019-20.

6.1.3 Children's Young People & Education

Roe Lee Park – Classroom Works

This scheme has now completed with only £3,000 remaining to be paid in respect of retention costs, and an underspend of £55,000 is reported.

As above it was approved to vire £41,000 of this underspend to the new Roe Lee Park Boiler scheme and to transfer the balance of £14,000 to the Education capital allocations to fund future Education

capital works.

6.1.4 Environmental Services

Land Remediation Scheme

A request is made to slip £101,000 to fund future years costs on this scheme. Works have commenced on the gas extraction units at the Feniscowles site and it is estimated that costs to be incurred in 2019/20 will be about £90,000.

The landfill site at Bull Hill is currently being monitored and it is envisaged that remediation works will be required at this site in 2020/21.

6.1.5 Public Health

Witton 3G Pitches

A reduction of £10,000 on this scheme is reported. The Executive Board Report dated 14th March 2019 stated that the scheme was funded by £778,045 grant from the Football Foundation. However £10,000 had been received in previous years and went through the revenue budget to fund the planning and pre-works on the scheme.

Woolridge

An increase to the scheme is reported of £27,000 to complete the works on the Old Blackburnians site as reported in the Executive Member Report dated 18th March 2016. This is funded in advance from a S106 agreement that is expected to be received this financial year.

6.1.4 Growth and Development

Neighbourhood Intervention Fund

Capital receipts of £7,000 have been recycled back into the scheme and a request is made to increase the scheme.

Growth Team Housing Schemes

Approval to slip the following Growth Team Housing Scheme allocations is requested as follows, as these schemes are all on going:

Scheme	£
Neighbourhood Intervention Fund	507,000
Refurbishment Loans	80,000
Empty Homes Cluster	350,000
Other Acquisition Costs	10,000
TOTAL	947,000

Acquisition Of Blackamoor Inn

This scheme was approved by an Executive Member Report dated 18th October 2019. It is funded by a virement of £80,000 from the Local Transport Plan capital scheme and £75,000 from S106 contributions.

Reel Cinema

The tenant has requested some variations that they will be funding which has increased the build time on the project. Approval is therefore requested to re-profile £985,000 in to 2020/21.

6.1.5 Digital and Customer Services

The following capital schemes have completed and the unspent budget has been transferred back to the Corporate ICT Earmarked Scheme:

Scheme	Amount Transferred to Corporate ICT Earmarked Scheme
Monitor & Management, Service Systems & op	£23,000
Public Access	£26,000
Wan Connectivity	£90,000

Desktop Refresh

Approval to slip £112,000 in to 2020/21 is requested to cover the costs that will be incurred in this year to complete this scheme.

Ticketing System King Georges Hall

As per the Delegated Powers Decision dated 13th September 2019 the scheme has been increased by £56,000 and will be fully funded from the Corporate ICT Earmarked Scheme.

6.1.6 Earmarked Schemes – Vehicles

Approval has been received to purchase the following vehicles through the capital programme with a view to these being financed through a sale and lease back deal:

- 6 new vehicles CBT Team £114,000
- 1 grave digger £35,000
- 2 refuse collection vehicles £350,000
- 6 kerbside recycling vehicles £1,050,000

6.2 CAPITAL RECEIPTS

Actual capital receipts at the end of September 2019 were £1.186 million; all of these receipts will be utilised in support of the Minimum Revenue Provision.

6.3 BALANCE SHEET POSITION

6.3.1 Overview

Good balance sheet management assists in the effective use and control over the Council's assets and liabilities. Key assets comprise the Council's tangible fixed assets, debtors, investments and bank balances. Key liabilities include long and short-term borrowing, creditors and reserves.

6.3.2 Non-current Assets

Tangible non-current assets include property, plant and equipment held by the Council for use in the production or supply of goods and services, for rental to others or for administrative purposes. Property assets are the responsibility of the Resources portfolio. One fifth of all assets are re-valued every year, and annual reviews are undertaken to establish whether any impairment or other adjustments need to be applied. New assets and enhancements to existing assets, are managed by

way of the capital programme, as reported in Appendix 1.

6.3.3 Borrowing and Investments

Long term borrowing requirements flow from the capital programme. Regular dialogue and meetings take place between the Director of Finance and Customer Services, her staff and the Council's independent Treasury consultants Arlingclose, and options for optimising borrowing requirements are actively reviewed.

Interest rates, having slightly increased in the run up to the end of the financial year 2018/19, have stabilised and are now expected to fall, which should reduce overall borrowing costs for 2019/20. To date, it is now projected that

- (a) MRP will be £205,000 lower than anticipated in the Original 2019/20 Estimates (as a result of lower 2018/19 outturn capital spend),
- (b) net interest costs will be £125,000 lower (reflecting lower rates),
- (c) there will be at least £70,000 in additional Lancashire Enterprise Partnership interest and dividends.

	Original Budget	Current Budget Quarter 2
Interest and investment income	(100,000)	(170,000)
Debt interest payable	12,927,900	12,773,300
MRP	6,731,000	6,526,000
Total	19,558,900	19,129,300

The current borrowing and investment position is as follows:

	Amounts at 31/03/2019 £'000	Amounts at 30/06/2019 £'000	Amounts at 30/09/2019 £'000
Short term borrowing	41,000	27,000	37,000
Long term borrowing	156,264	154,148	152,031
Transferred debt re Local Government Re-Organisation	14,738	14,738	14,443
Recognition of debt re PFI arrangements	65,130	64,701	64,272
Investments made by the Council	24,475	14,155	16,505

The totals include the debt recognised on the balance sheet as a result of accounting adjustments in respect of bringing the Building Schools for the Future (BSF) school buildings in to use which are

financed through Private Finance Initiatives (PFI) arrangements. These adjustments are made to ensure that the Council's effective control over, and use of, these assets is recognised with corresponding adjustments to the debt. These changes do not add to the costs faced by the Council Tax payer as the actual capital costs for these schools form part of the ongoing stream of payments made to the PFI contractor (which are in turn largely offset by PFI grant funding from the Government).

6.3.4 Debtors

The Council has a corporate debt policy as well as other specific policies for the management of debt in the key areas of council tax, business rates and housing benefit overpayments. The table below summarises the collection performance of the various categories of debt and the total outstanding debt in the respective areas at a single point in time, i.e. 30th September 2019. The table also shows the corresponding level of debt at the same point in the last financial year.

	Position at 30/09/19	Position at 30/09/18
Council tax		
Current year arrears (£000)	30,523	29,118
Previous year arrears (£000)	12,444	9,789
Total Council tax arrears	42,968	38,907
Collection rates	52.81%	51.48%
Business rates		
Current year arrears (£000)	20,261	20,625
Previous year arrears (£000)	2,705	2,716
Total Business rates arrears	22,966	23,341
Collection rates	55.9%	55.63%
Housing Benefit		
Overpayments balances (£000)	2,938	2,709

7. LEGAL IMPLICATIONS

The Council has a duty to ensure it can deliver a balanced budget. The Local Government Act 2003 imposes a duty on an authority to monitor its budgets during the year and consider what action to take if a potential deterioration is identified.

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:	V1.1
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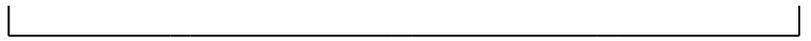
CONTACT OFFICER:	Gaynor Simons (Ext 5635) Julie Jewson (Ext 5893)
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DATE:	25 th October 2019
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BACKGROUND PAPER:	N/A
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Overall Capital Monitoring 2019/20

	2019/20			
	Approved Programme 2019/20 (Finance Council) £'000	Programme Approved At Executive Board August 2019 £'000	Requested Variations 2019/2020 (See Appendix 2) £'000	Revised 2019/20 Capital Programme As at September 19 £'000
Costs				
Adults and Prevention Services	1,504	2,196	40	2,236
Children, Young People & Education	1,765	6,376	0	6,376
Environmental Services	0	322	(101)	221
Public Health & Wellbeing	0	1,178	17	1,195
Growth & Development	22,767	22,654	(2,350)	20,304
Digital & Customer Services	1,668	2,181	(95)	2,086
Finance & Governance	2,914	3,034	(2,080)	954
Total Predicted Expenditure	30,618	37,941	(4,569)	33,372
Resources				
- Department for Education	1,252	5,823	0	5,823
- Department for Transport	4,799	4,822	0	4,822
- Disabled Facilities Grants	1,861	2,485	40	2,525
- Other Grants	1,981	3,075	(879)	2,196
Government Grants	9,893	16,205	(839)	15,366
Unsupported Borrowing	12,847	16,353	(3,532)	12,821
External Contributions	7,578	3,911	0	3,911
Revenue Contributions	300	1,472	(198)	1,274
Total Resources	30,618	37,941	(4,569)	33,372
Difference	0	0	0	0
Earmarked Schemes				
Corporate ICT	3,393	3,216	(164)	3,052
Corporate Property Investment	1,000	1,000	0	1,000
Vehicles (funded from capital or leased)	0	0	1,549	1,549
	4,393	4,216	1,385	5,601



Scheme variations to 2019/20 Capital Programme

	Capital Programme Approved by Executive Board on 8th August 2019 £'000	Portfolio Changes £'000	Slippage (to)/from future years/Reproffing of Budget £'000	Requested Variations Qtr 2 2019/20 £'000	Total Capital Programme at 30 September 2019 £'000	Approved Programme 20/21 and Future Years Finance Council 25th February 2019 £'000	Portfolio Changes £'000	Slippage (to)/from future years/Reproffing of Budget £'000	Requested Variations £'000	Total Programme 19/20 and Future Years £'000
Adults and Prevention Services										
Disabled Facilities Grant	1,895	0	0	40	1,935	2,476	0	0	0	2,476
Telecare Project	227	0	0	0	227	320	0	0	0	320
Riverside Heights Extra Care Scheme Site (formerly Shorey Bank)	22	0	0	0	22	0	0	0	0	0
Blackburn Town Centre Security	52	0	0	0	52	0	0	0	0	0
	2,196	0	0	40	2,236	2,796	0	0	0	2,796
Children, Young People & Education										
Disable Facilities Grant	503	0	0	0	503	526	0	0	0	526
Two Year Old Grant	231	0	0	0	231	0	0	0	0	0
Schools capital programme										
Capital allocations	2,364	0	0	14	2,378	0	0	0	0	0
Audley Juniors	7	0	0	0	7	0	0	0	0	0
St Barnabas and St St Pauls	706	0	0	0	706	0	0	0	0	0
St Thomas CE Primary School	1	0	0	0	1	0	0	0	0	0
Newfield ASD Demolition	0	0	0	0	0	0	0	0	0	0
Turton/Edgworth Primary School	2	0	0	0	2	0	0	0	0	0
Audley Infant and Junior - New Heating System	447	0	0	0	447	0	0	0	0	0
Audley Junior - Roofing Works	281	0	0	0	281	0	0	0	0	0
Belmont	1	0	0	0	1	0	0	0	0	0
Longshaw Junior	2	0	0	0	2	0	0	0	0	0
Lower Darwen	5	0	0	0	5	0	0	0	0	0
Roe Lee Park - Classroom Works	58	0	0	(55)	3	0	0	0	0	0
Shadsworth Juniors	40	0	0	0	40	0	0	0	0	0
Avondale Kitchen	150	0	0	0	150	0	0	0	0	0
Feniscowles	97	0	0	0	97	0	0	0	0	0
Griffin Park - Kitchen	100	0	0	0	100	0	0	0	0	0
Inlack - Kitchen	3	0	0	0	3	0	0	0	0	0
Shadsworth infants - Heating	100	0	0	0	100	0	0	0	0	0
Brookhouse Primary - Remodel Toilets	1	0	0	0	1	0	0	0	0	0
Brookhouse Primary - Upgrade Fire Alarm	20	0	0	0	20	0	0	0	0	0
Daisyfield - Junior Toilets	1	0	0	0	1	0	0	0	0	0
Longshaw Infants - Fire Alarm	20	0	0	0	20	0	0	0	0	0
Belmont Ramp	10	0	0	0	10	0	0	0	0	0
Belmont Drainage and External Painting	20	0	0	0	20	0	0	0	0	0
Audley Infants Remodel Reception Class	220	0	0	0	220	0	0	0	0	0
St Michaels and St Johns Kitchen Canopy	20	0	0	0	20	0	0	0	0	0
Meadowhead Infants external works and lighting	100	0	0	0	100	0	0	0	0	0
Griffin Park - Windows	25	0	0	0	25	0	0	0	0	0
Feniscowles Drainage	15	0	0	0	15	0	0	0	0	0
Turton/Edgworth Windows	40	0	0	0	40	0	0	0	0	0
Meadowhead Junior Boiler	10	0	0	0	10	0	0	0	0	0
St Cutberts SEND	180	0	0	0	180	0	0	0	0	0
BSH/Crosshill SEN	436	0	0	0	436	0	0	0	0	0
Longshaw Nursery Asbestos Removal	15	0	0	0	15	0	0	0	0	0
Feniscowles Asbestos Removal	15	0	0	0	15	0	0	0	0	0
Roe Lee Park - Boiler	0	0	0	41	41	0	0	0	0	0
Contingency	80	0	0	0	80	0	0	0	0	0
Project Management Fee	50	0	0	0	50	0	0	0	0	0
	6,376	0	0	0	6,376	526	0	0	0	526
Environmental Services										
Old Bank Lane Car Park	131	0	0	0	131	0	0	0	0	0
Land Remediation	191	0	(101)	0	90	0	101	0	101	101
	322	0	(101)	0	221	0	0	101	0	101
Public Health & Wellbeing										
Witton 3G Pitches	1,178	0	0	(10)	1,168	0	0	0	0	0
Woolridge	0	0	0	27	27	0	0	0	0	0
	1,178	0	0	17	1,195	0	0	0	0	0
Growth & Development										
Assistance to Industry	229	0	0	0	229	300	0	0	0	300
Cathedral Quarter Office Block Fit Out	51	0	0	0	51	0	0	0	0	0
Darwen 3 Day Market	152	0	0	0	152	0	0	0	0	0
Blakely Moor	3,000	0	0	0	3,000	519	0	3,000	519	3,519
Local Transport Plan	2,724	0	0	(80)	2,644	4,032	0	0	4,032	6,676
National Productivity Investment Fund - Fabric Borders	1,950	0	0	0	1,950	450	0	0	450	2,400
Growth Deal 3 (Perinine Gateways)	3,867	0	0	0	3,867	6,300	0	0	6,300	10,167
Darwen East Corridor	176	0	0	0	176	0	0	0	0	0
Bury Fold Brook	14	0	0	0	14	0	0	0	0	0
Birch Hill Ave diversion appraisal	57	0	0	0	57	0	0	0	0	0
Pottery Farm Alleviation	10	0	0	0	10	0	0	0	0	0
Pallet Farm Environment Grant	9	0	0	0	9	0	0	0	0	0
Waterfall Study	75	0	0	0	75	0	0	0	0	0
Bank Top and Griffin Clearance	214	0	0	0	214	0	0	0	0	0
Group Repair (Inner NW/Inners/Darwen)	3	0	0	0	3	0	0	0	0	0
Neighbourhood Intervention Fund	596	0	(507)	7	96	0	507	0	507	603
Refurbishment Loans	90	0	(80)	0	10	0	0	0	80	90
Health Loans	150	0	0	0	150	0	0	0	0	150
Empty Homes Cluster	360	0	(350)	0	10	0	350	0	350	360
Other Acquisition costs	10	0	(10)	0	0	0	10	0	10	10
Development Investment Fund	303	0	0	0	303	0	0	0	0	303
Capacity Funding	37	0	0	0	37	0	0	0	0	37
Affordable Warmth Grants	35	0	0	0	35	0	0	0	0	35
Reel Cinema	7,818	0	(985)	0	6,833	513	0	985	0	1,498
Land Release Fund	724	0	(500)	0	224	0	500	0	500	724
Acquisition of Blackamoor Inn	0	0	0	155	155	0	0	0	155	155
	22,654	0	(2,432)	82	20,304	12,114	0	2,432	0	14,546
Digital & Customer Services										
Corporate ICT - Monr & Mgmt. service systems & op	43	0	0	(23)	20	0	0	0	0	0
Corporate ICT - Public Access	26	0	0	(26)	0	0	0	0	0	0
Corporate ICT - WAN Connectivity	90	0	0	(90)	0	0	0	0	0	0
Corporate ICT - Digitisation of Planning Service	3	0	0	0	3	0	0	0	0	3
Corporate ICT - Finance System	23	0	0	0	23	0	0	0	0	23
Corporate ICT - Microsoft EA	102	0	0	0	102	0	0	0	0	102
Corporate ICT - Desktop Refresh	669	0	(112)	0	557	112	0	0	112	669
Corporate ICT - Core Infrastructure Programme	834	0	0	0	834	0	0	0	0	834
Corporate ICT - Ticketing System KGH/DLT	27	0	0	56	83	0	0	0	0	83
Corporate ICT - Legal Services Case Management System	117	0	0	0	117	0	0	0	0	117
Corporate ICT - Corporate Website	130	0	0	0	130	0	0	0	0	130
Corporate ICT - Protocol Mobile App Project	64	0	0	0	64	0	0	0	0	64
Corporate ICT - Replacement Unix Servers	10	0	0	0	10	0	0	0	0	10
Corporate ICT - Microsoft Office 365	43	0	0	0	43	0	0	0	0	43
Corporate ICT - Town Hall IT Infrastructure Upgrade	0	0	(120)	220	100	0	120	0	120	220
	2,181	0	(232)	137	2,086	0	0	232	0	2,322
Finance & Governance										
Carbon Management Plan	114	0	0	0	114	0	0	0	0	114
Land Remediation Schemes	0	0	0	0	0	0	0	0	0	0
Corporate DDA Work	169	0	0	0	169	0	0	0	0	169
Griffin Lodge	300	0	(300)	0	0	0	300	0	300	300
Corporate Accommodation Strategy Phase 2	2,451	0	(2,780)	1,000	671	0	2,780	0	2,780	3,451
Blackburn Town Centre Security	0	0	0	0	0	0	0	0	0	0

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Finance and Governance
LEAD OFFICERS:	Director of Finance and Customer Services
DATE:	14 th November 2019

PORTFOLIO/S AFFECTED: Finance and Governance

WARD/S AFFECTED: All

KEY DECISION: YES NO

SUBJECT: TREASURY MANAGEMENT MID-YEAR STRATEGY REVIEW FOR 2019/20

1. EXECUTIVE SUMMARY

To update Members with regard to the Treasury Management position to date and proposed Strategy for the remainder of 2019/20.

2. RECOMMENDATIONS

It is recommended that the Executive Board:

1. notes the Treasury Management position for the year to date, and approves the proposed Strategy for the remainder of the year, detailed in Appendix 1, and
2. approves that there be no changes to the existing Treasury and Prudential Indicators for 2019/20, as set at Executive Board (14th March 2019).

3. BACKGROUND

Treasury Management is the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council borrows and invests substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk is therefore central to the Council's prudent financial management.

In March 2019 Executive Board agreed a Treasury Management Strategy for 2019/20. It is necessary to review and consider updating the Strategy, if required.

This mid-year review was considered and noted by the Audit and Governance Committee at their meeting on 15th October 2019.

4. KEY ISSUES & RISKS
Treasury Priorities

The Council has operated within CIPFA and statutory guidance and requirements in respect of Treasury Management practice. The approved Treasury Management Policy Statement, together with the more detailed Treasury Management Practices and each year's Annual Strategy have all emphasised the importance of security and liquidity over yield.

5. POLICY IMPLICATIONS

The information contained within the report accords with the Treasury Management Strategy, as approved at Executive Board on 14th March 2019.

6. FINANCIAL IMPLICATIONS

The financial implications arising from the 2018/19 Treasury Outturn and latest position for 2019/20 have been incorporated into Corporate Budget Monitoring Reports.

7. LEGAL IMPLICATIONS

Under the Local Government Act 2003, local authorities determine locally their levels of capital investment and associated borrowing. The Prudential Code has been developed to support local authorities in taking these decisions, and the Council is required by Regulation to have regard to the Code when carrying out its duties under Part 1 of the Local Government Act 2003.

The Department for Communities and Local Government issued Guidance on Local Government Investments, under the Local Government Act 2003, effective from 1st April 2010. Authorities must manage their investments within an approved strategy, setting out what categories of investment they will use and how they will assess and manage the risk of loss of investments.

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

The issues raised in this report have been discussed previously with Audit and Governance Committee and Treasury Management Group.

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:	v1
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CONTACT OFFICER:	Jody Spencer-Anforth (Ext 507748)
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DATE:	4 th October 2019
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BACKGROUND PAPER:	Treasury Management Strategy for 2019/20 approved at Executive Board 14 th March 2019.
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MID-YEAR TREASURY MANAGEMENT STRATEGY REVIEW 2019/20

1 Original Strategy for 2019/20

1.1 The Treasury Management Strategy for 2019/20 was approved by Executive Board on 14th March 2019.

The broad strategy continued the approach of looking to minimise borrowing costs, in the context of the Council's long-term debt being considerably lower than its accumulated Capital Financing Requirement, with the difference covered by the use of short-term borrowing and any available balances. This approach had generated savings on interest costs over the last few years.

At the time, it was expected that interest rates could increase slowly, so it was noted that it might be possible that it could become appropriate to take out more long-term borrowing.

1.2 The Original 2019/20 Investment Limits were set by reference to amount, duration and credit rating – and distinguished between Unsecured Deposits, which would be subject to greater risk of credit loss, and Secured Deposits, where there was less risk. The limits set were largely comparable to those applying in previous years.

2 Economic Review 2019/20

2.1 The UK economy's performance and interest rate expectations have continued to be heavily shaped by the uncertainty over the British exit from the European Union. There has been a falling off in economic growth, and the first estimate of Q2 GDP growth showed the UK economy contracted by 0.2%, following the 0.5% gain in Q1 (which reflected stockpiling ahead of Brexit). However, employment levels remain at a record high.

2.2 The Bank of England maintained Bank Rate at 0.75% and in its August Inflation Report noted the deterioration in global activity and sentiment, and confirmed that monetary policy decisions related to Brexit could be in either direction.

2.3 Our treasury advisor Arlingclose now expects Bank Rate to remain at 0.75% for the foreseeable future but notes that there are significant risks of a fall in rates, dependant on Brexit outcomes and the evolution of the global economy.

3 Treasury Performance to date

3.1 Thus far, cash balances have typically averaged between £15M and £25M. These levels have been supported by short-term borrowing (at rates averaging around 0.9%). No further long-term borrowing has been taken, while short-term borrowing levels have fluctuated, currently standing at around the same level as the start of the year.

3.2 Investments have continued to be made with a limited range of banks, building societies and Money Market Funds, along with other local authorities, and the Government's Debt Management Office (DMO), earning interest at low levels. Average interest earned on balances was around 0.67% in the first half of the year. It is likely that investment returns will remain low in the second half of the year.

4 Investment and Borrowing Strategy for the rest of the year

- 4.1 Both the CIPFA Code and government guidance require that funds be invested prudently, and with regard to security and liquidity, before seeking the optimum rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.
- 4.2 The Council's Investment Criteria allow investment in a range of other organisations and structures, but there are limited opportunities for straightforward trading in Secured Deposits, and as priority is given to maintaining liquidity, short-dated and simpler options are mainly used. Investments are made in: fixed term deposits and instant access accounts with banks and building societies; instant access Money Market Funds; and fixed term deposits with local authorities and the UK Government's Debt Management Office. It is expected that these will continue to be the main investment options taken up across the remainder of the year.
- 4.3 In order to maintain the professional client status with its providers of financial services, the Council is required to hold a minimum investment balance of £10M. Consequently, the Council has long-term funds available that are not required to meet any liquidity need. These funds should therefore be considered for investment with a greater emphasis on achieving higher returns.

For such monies the Council could explore investment in a property fund. These are Pooled Fund investments investing in a diversified portfolio of UK commercial property, receiving income by way of dividends. These funds also give the opportunity for capital growth.

Such funds can result in increased yields, but due to their exposure to fluctuations in the property market should be considered as a long-term investment (advised minimum of 5 years), to give the best opportunity for capital appreciation.

- 4.4 It is proposed that the Investment Criteria only be amended to allow for the long-term investment in property funds. The existing criteria should remain for all other investments.
- 4.5 The Council's key objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required. The flexibility to renegotiate loans, should long-term plans, change is a further, secondary objective.
- 4.6 It is proposed that the Borrowing Strategy also remain unchanged, with the Council looking to take new borrowing as determined by cash flow requirements and by reference to movements in actual and projected long-term interest rates.

5 Risk Management

- 5.1 The Council's main objective for the management of its investments is to give priority to the security and liquidity of its funds before seeking the best rate of return. Therefore, most surplus cash is held in short-term investments with government bodies, and with highly rated banks and pooled funds. In addition, the Council can hold investments that entail a slightly higher

level of risk, such as unrated building society deposits, but such risks are mitigated by limiting the amount and duration of exposure.

- 5.2 The Council's main objective for the management of its debt is to ensure its long-term affordability. The largest part of its loans is from the PWLB at long-term fixed rates of interest.
- 5.3 Another significant element of the Council's long-term debt is £18M of loans from banks and other institutions. £13M worth are "lender's option, borrower's option" (LOBO) loans, under which the Lender can, at pre-determined times, exercise an Option to increase the rate payable on the debt, and the Borrower has the Option to either accept the proposed increase or repay the whole loan.

These loans have interest rates fixed at levels that were relatively low when they began, but if the Lender Option is exercised, the Borrower has to deal with whatever interest rates turn out to be at that later date. This exposes the Council to some risk of rising long-term interest rates, but that is mitigated by the fact that £5M of this debt (forming a large part of the lowest interest rate elements) can only be "called" once in every five years. Current projected future interest rates suggest LOBOs are unlikely to be called in the next 5 years.

- 5.4 A combination of short duration investments and long duration debt exposes the Council to the risk of falling investment income during periods of low interest rates. However, the risk of low investment returns is viewed as of lower priority compared to the benefits of optimising the security and liquidity of investments, and the savings made on borrowing costs. Also, though the Council has no long term investments, at this stage, it is hedged against the investment return risk by its short term debt holdings.

6 Indicators and Limits

- 6.1 The originally approved Indicators were set at cautious levels and can remain unchanged.

EXECUTIVE BOARD DECISION



REPORT OF:	Executive Member for Finance and Governance Executive Member for Digital and Customer Services
LEAD OFFICERS:	Director of HR, Legal and Governance Director of Digital and Business Change
DATE:	14 November 2019

PORTFOLIO/S AFFECTED:	Finance and Governance	Digital and Customer Services
WARD/S AFFECTED:	All	
KEY DECISION:	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	

SUBJECT: CORPORATE COMPLAINTS MONITORING REPORT 1st APRIL 2018 – 31st MARCH 2019

1. EXECUTIVE SUMMARY
The monitoring information in this report sets out the complaints and compliments received by the Council for the period 1st April 2018 to 31st March 2019. This information has been compared to data collected from previous years to allow reasonable comparison.

2. RECOMMENDATIONS
That the Executive Board notes the report.

3. BACKGROUND

This is our Corporate annual report for feedback received by the Council for the period 1st April 2018 to 31st March 2019. It includes a brief summary of all feedback received. Detailed analysis of service feedback will also be produced for individual Departments for discussion at departmental management teams.

It can be easy to view complaints in a negative light. However, at the Council, we take the view that effective monitoring of the messages provided through a complaints handling process is an essential way for an organisation to learn and improve the way it works.

It is extremely important for a public service provider like the Council to be mindful, at all times, of the feedback our service users provide. The challenge for us as a Council going forward is to encourage our staff to embrace the positives from effective complaints handling. We must ensure that our monitoring processes examine the reasons behind complaints and, wherever possible, avoid these arising again. We must also seek to understand and share good practice so it can be repeated elsewhere in the Council.

A target to reduce the number of complaints is not necessarily a good thing. A low level of complaints

could indicate an invisible, inaccessible or unusable complaints procedure. A drop in complaint numbers could be indicative of a general lack of confidence in the process. The important information is the outcome, and not necessarily the numbers received.

An important part of handling complaints effectively is to take time to develop a better understanding of the information our customers/residents tell us. As a Council we **are** committed to:

- Identify service failures and take appropriate action;
- Identify where services need to improve;
- Identify poor complaints handling practice and put it right;
- Examine good practice and understand how we might repeat it in other areas;
- Identify trends in complaints and proactively address any issues.

The Council has a 2 stage formal complaints process (Corporate);

Stage 1 – departmental investigation, and

Stage 2 – corporate review.

Before a complaint can be investigated by the Ombudsman's office, the investigating officer has to be satisfied that the Council has had the opportunity to resolve the complaint. This is not always possible with all cases and a school appeal complaint is one example. Due to the urgent nature of these complaints, they are not required to follow the Council's formal process and can request an automatic escalation to the Ombudsman, hence the Council is not able to resolve these sooner.

For Adults and Children's Services complaints we follow a statutory complaints procedure which is a separate jurisdiction to the formal corporate complaints policy. There is a 3 Stage process to follow, for those complaints that are eligible under the Children's statutory complaints procedure (section 27 of the Children Act 1989) before the complainant can escalate their complaint to the Ombudsman.

The monitoring information is collected by the Corporate Complaints Team using SharePoint and Respond database for all Adults and Children's complaints. We have ceased our licensing arrangements with Respond wef 1st April 2019, and now using the one system to log and manage all feedback and MP enquiries.

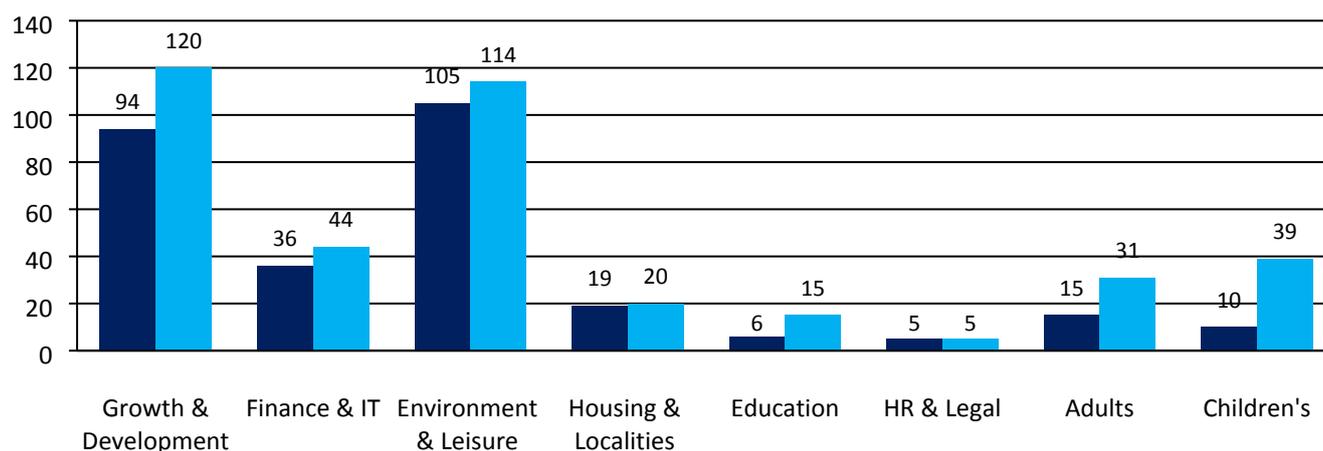
MP Enquiries

The complaints team now deal with all MP enquiries centrally since October 2017, which enables the team to monitor the levels and types of enquiries received. This data is then used to inform departments on how we can support MP's offices in finding quicker resolutions/answers to their queries for constituents.

During the reported year the Council recorded 388 MP enquiries, which shows a 25% increase from the previous year. Please note that last year's information has only been recorded accurately since October 2017 so we may well have received more enquiries that have not been previously recorded.

MP Enquires

■ 2017/18
■ 2018/19



Compliments

The Feedback Team has recorded 176 compliments in the year from April 2018 to March 2019, this is a decrease of 20% from the previous year. Departments have been encouraged to record compliments about Council services to help share good practice and recognise excellent services provided by our staff.

It is worth noting that compliments have seen an average of 25% reduction year on year. This could be indicative of lack of customer satisfaction given the pressures within most departments.

Complaints

Definition of a complaint

An expression of dissatisfaction with the standard of service provided by the Authority, or with something the Authority or a member of its workforce may or may not have done.

For example:

- *We do not deliver a service on time;*
- *We give incorrect information;*
- *We wrongly or inconsistently apply Council policies;*
- *We failed to consult properly with, or listen to people on issues that affect them;*
- *The customer has received a poor quality or inappropriate service; or*
- *The customer is unhappy with the actions or conduct of a member of staff.*

Our aim is to resolve all enquiries at the first point of contact. This means that the Council officer who first receives the complaint should make all attempts to resolve the problem to the customer's satisfaction. If this is not possible, the officer should ask the customer if they wish for their complaint to be taken through the formal stages outlined below. The complaint will be dealt with promptly, with courtesy and efficiency, and taken very seriously. The customer can expect to receive a high quality service when they contact any member of staff.

Informal complaints and Stage 1 (formal) complaints are investigated and responded by individual departments (Service Managers or Head of Service) and supported by the Complaints Team in line with the current policy.

We have recorded 2324 informal complaints Page 107 reported 1st April 2018 to 31st March 2019; which is

a 25% increase from the previous year.

We see an increase in Council Tax complaints however, it is worth noting that due to the introduction of 'alternative dispute resolution' there has been a significant decrease in formal complaints within the same area. We are continuously encouraging Manager's to be proactive when dealing with concerns/complaints and aim to discuss and resolve at the earliest opportunity. The Complaints will support and assist with mediation and arrange meetings with complainants as appropriate.

Within the Environment department, there has been a recent marked increase in resident complaints about the doorstep waste recycling service provided by the Council via its contractor Biffa. The majority of these complaints relate to recycle bins not being emptied.

Residents putting non-recyclable material into the recycle bin causes problems for the Contractor as this contamination has to be removed from the recyclates at their sorting plant before the recyclates can then be separated and transferred to the relevant waste recycling plants for treatment. The Council then has to pay for the contaminated materials to be disposed of via landfill or energy from waste plants.

The level of contamination in the recycle bins is high with the contractor having to regularly dispose of up to 40 tonnes of contamination each week. However, in 2019, the level of contamination has increased further to 60 tonnes per week.

Under the terms of the contract, if a recycle bin is contaminated, the contractor can 'sticker' the bin and refuse to empty it until the contamination is removed. In the past month Biffa has taken a stricter approach to contamination in the recycle bin and has 'stickered' significantly more bins than it has previously done.

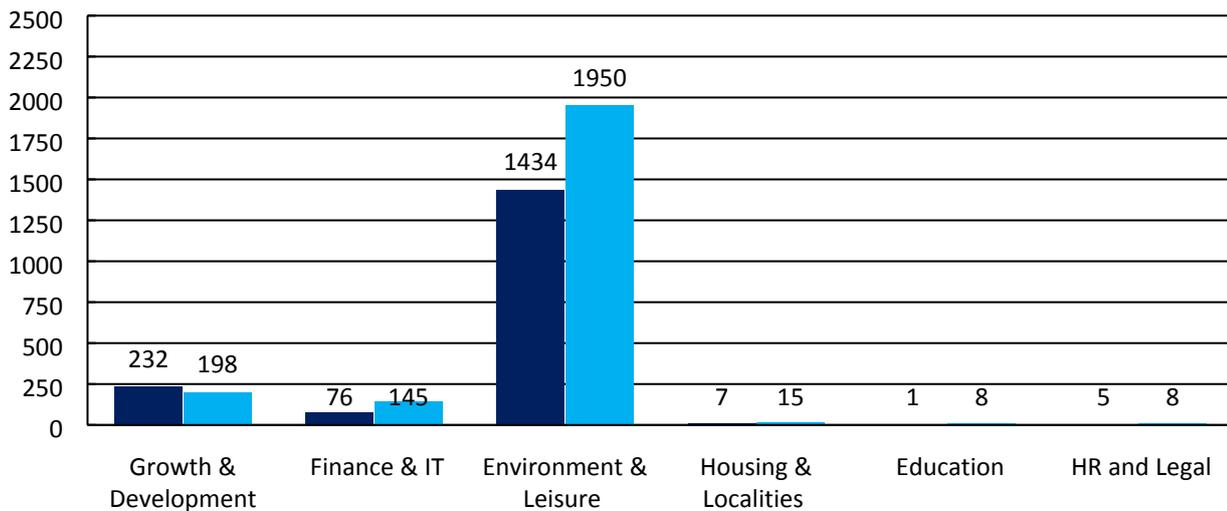
This has led to a significant increase in complaints from residents because their recycling bin has been 'stickered' and not emptied until the contamination is removed. Council officers have inspected many of the bins which were the cause of complaints and in every case the bins did contain non-recyclable material.

Residents have been advised annually with their recycling calendars, on what to put in their recycling bin and what not to put in it. Additionally, the council has provided an online A to Z of items that can be found in the household, which identifies what residents should do with the items.

To enable residents to remove the contamination, fresh plastic sacks have been left at those properties where the bins have been stickered as being contaminated. However, the council has also introduced a service to enable residents who do not wish to separate the non-recyclable items from their recycling bin, to have a Fresh Start, for their recycling bin to be emptied as part of a special collection, for which a charge is made.

Informal Complaints

■ 2017/18
■ 2018/19



Formal Stage 1 complaints have seen a remarkable 60% decrease in the reported financial year. The Complaints Team have recorded 183 non-statutory Stage 1 complaints compared to the 451 received in the previous year. This reduction is attributed to the dedicated complaints team now working closer with Service Managers and the successful implementation of 'alternative dispute resolution' (ADR).

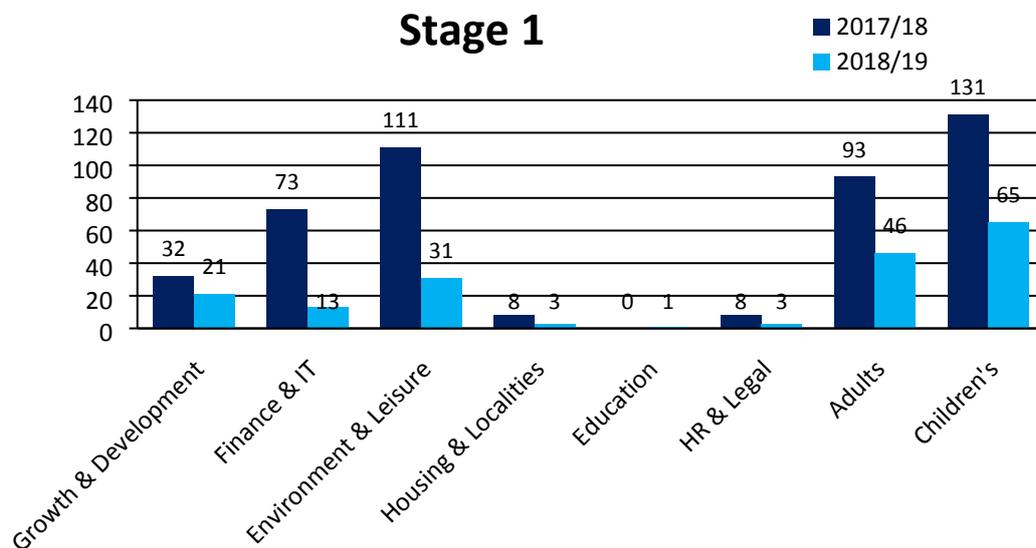
The advantages of ADR means that its cost effective to the Council, and its less protracted for the complainant when issues are resolved at the earliest stage through the means of mediation, informal discussions, and neutral evaluation.

We are also triaging complaints to ensure that we are managing complaints and issues under the right policy/procedure to ensure that the complainant receives a fair hearing and outcome. This helps speed up the process thus reducing time and trouble.

It is worth noting that from the informal complaints recorded; only 1% of these escalated their complaint to the formal process. From the 72 (non-statutory) Stage 1 complaints received, only 17 complaints were upheld. For the upheld complaints, further service provisions have been made to correct our errors, apologies provided and service improvements put in place to avoid repetition of similar complaints.

The graph below shows all Stage 1 complaints received by Department during the reported period compared to the previous year.

Stage 1



The quality of the investigations carried out at stage 1 (departmental level) and the action plans developed following an investigation is monitored and improved by random sample checking of 10% of investigations and responses by the Corporate Complaints Team.

The Corporate Complaints Team is working hard to improve access for customers when they wish to complain by:

- Making it easier for customers to complain when they wish to do so;
- Resolving the complaint as well as we possibly can at first contact;
- Using root cause analysis to minimise reasons for complaints; and
- Learning from every complaint.

Statutory Complaints

The Children Act 1989 defines the representations procedure as being for 'representations (including complaints)'.

Our complaints procedure ensures that children and young people who make representations have their concerns resolved swiftly and, wherever possible, by the people who provide the service locally.

The complaints procedure is a useful tool for indicating where services may need improving. It is a positive aid to inform and influence service improvements, not a negative process to apportion blame.

The overall number of complaints recorded for Children's Services (Social Care) has reduced significantly from 131 (recorded in 2017/18) to 65 recorded for the reported year. This is because we have changed our approach and processes for dealing with Children's complaints by introducing 'alternative dispute resolution' whereby we make every effort to resolve complaints informally and de-escalate wherever necessary. The Complaints team has been very successful with this approach thus avoiding the need to address complaints at formal stages. In the previous year, 90% of complaints have been dealt with at the formal Stage 1 level, which allowed automatic escalation for a Stage 2 review at a cost to the Council for commissioning Independent Investigators.

For the reported period only 2 complaints escalated to Stage 2 of the Statutory Complaints Procedure (independent investigation) in this monitoring period. This is the same as the previous monitoring period. Both complainants did not escalate their complaint for a Stage 3 review.

The overall number of complaints recorded for Adult Services has also seen a significant reduction

during this monitoring period, from 93 in the previous year to 46 in this reported period. Only one complaint escalated to Stage 2, and an Independent Investigator was commissioned to carry out the review.

Further details can be found in our Annual Complaints Representation Report for Adults.

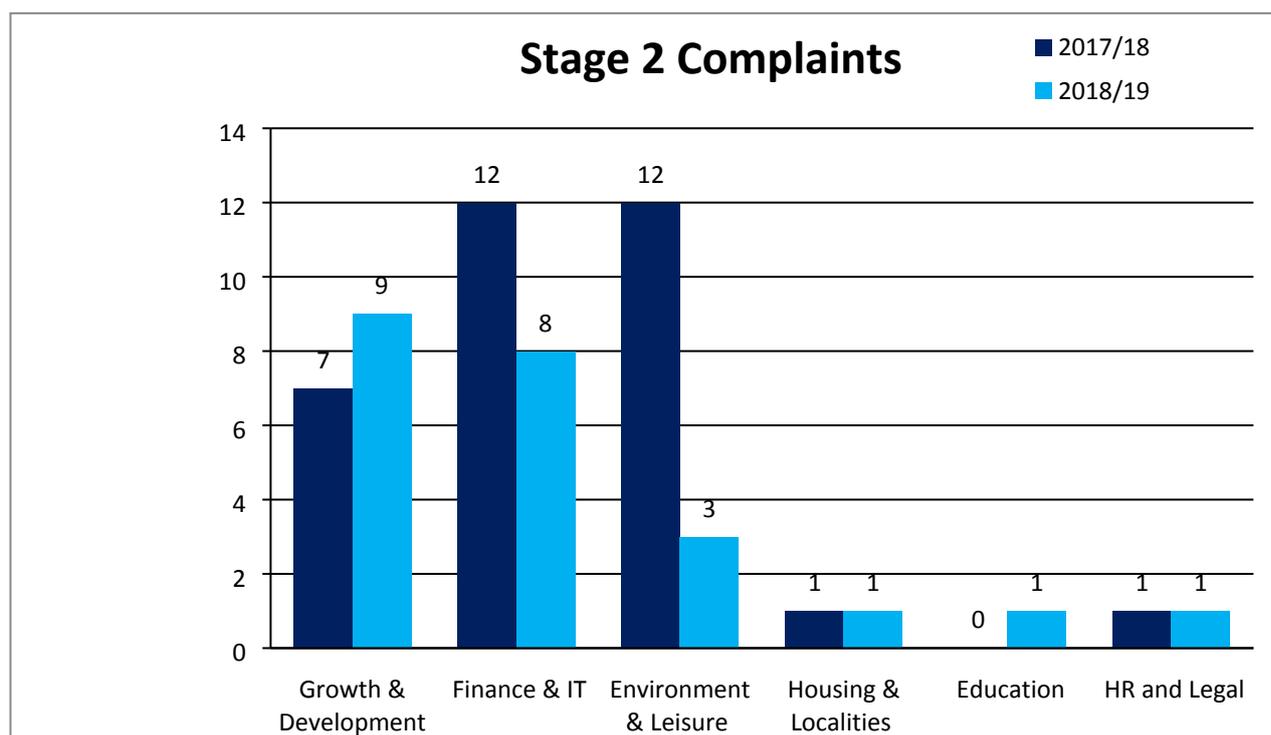
Efforts continue to be made to ensure service users and carers are fully aware of the ways that complaints and representations can be made.

Stage 2 and The Local Government and Social Care Ombudsman

All Stage 2 and Local Government and Social Care Ombudsman (LGSCO) complaints are investigated and concluded by the Corporate Complaints Manager.

The Corporate Complaints Manager received 23 requests for a Stage 2 review for the reporting period, this is a 32% decrease from previous years.

The Corporate Complaints Manager has been working quite closely with Service Managers and Heads of Service to resolve complaints at earlier stages. Managers have also been supported to liaise with complainants at the earliest stage of their complaint to find a local resolution, by meeting them face to face or discussing options on how we can resolve.



For the 23 complaints investigated at Stage 2, only 8 complaints were upheld. For the 8 upheld complaints, outcomes included the following:

- Apologies;
- recommendation report to EBD;
- explanations;
- review of policies/practices;
- free planning application;
- reimbursement of bailiff costs.

Service improvement mechanisms have also been put in place to ensure that we learn from these complaints and avoid repetition any similar issues.

Local Government and Social Care Ombudsman

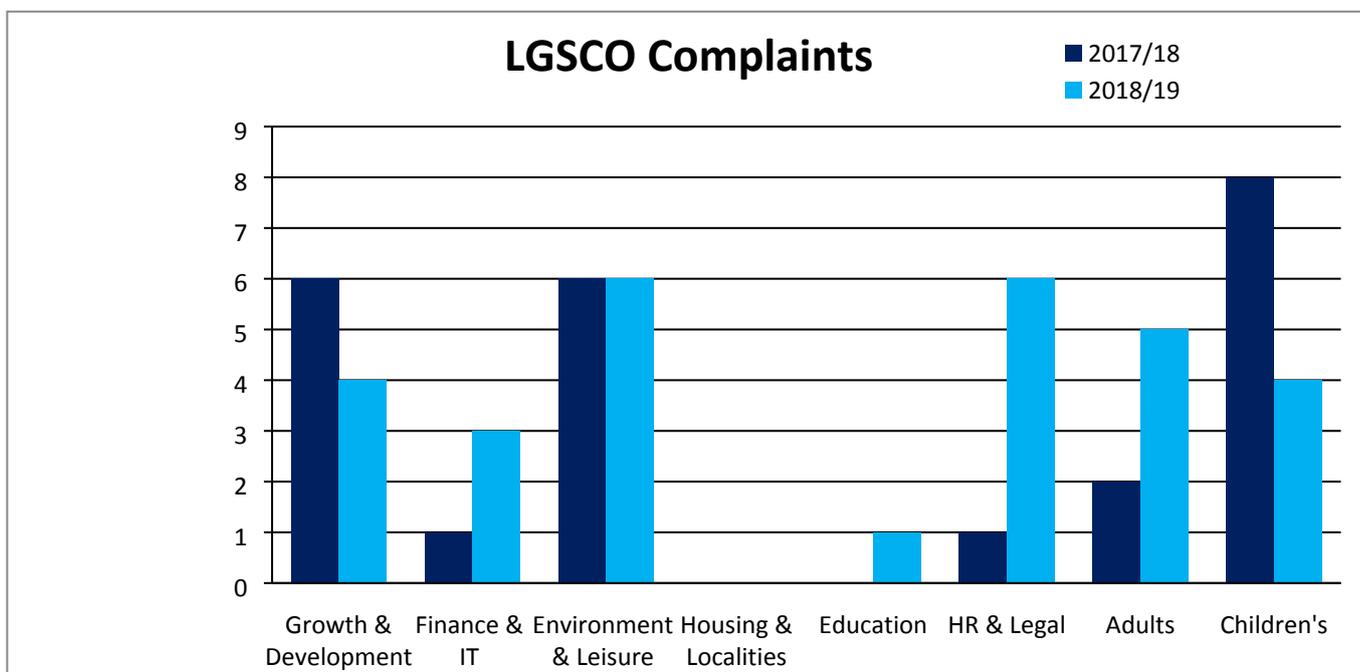
In recent years the Ombudsman’s office is now providing information on the number of complaints upheld and not upheld for the first time. In response to Council feedback, this year they have provided additional information to focus the statistics more on the outcome from complaints rather than just the amounts received.

They now provide a breakdown of the upheld investigations to show how they were remedied. This includes the number of cases where their recommendations remedied the fault and the number of cases where they decided whether or not the authority had offered a satisfactory remedy during the local complaints process. In these latter cases the LGSCO provide reassurance that the Council had satisfactorily attempted to resolve the complaint before the complainant approached them. In addition, they provide a compliance rate for implementing their recommendations to remedy a fault.

The tables included in the Ombudsman’s review letter presents the number of complaints and enquiries received and the decisions they have made about the authority during the reported period.

The Local Government and Social Care Ombudsman (LGSCO) in his report states that they have received 47 complaints for Blackburn with Darwen Council in the reported year. This is a 27% increase from the previous year 2017-18. The Ombudsman found fault with only two of the cases that they investigated in the last financial year.

It is worth noting that given the number of complaints received by the Council, only 2% of these complaints have escalated their complaint to the Ombudsman.



From the 47 complaints received by the LGSCO, only 29 complaints were formally investigated and forwarded to the Council for further information, as detailed in the above table.

The Ombudsman in his report has highlighted 5 cases where they have found fault. I have disputed this with the Ombudsman’s office as our records confirm only 2 cases this year. The Complaints

Manager investigated the other three cases that have been reported, at stage 2 and she had already acknowledged fault and offered remedies which the complainants were not happy with.

The Investigating Officer's at the LGSCO confirmed in their reports that they found the Council's remedies acceptable and appropriate, and recommended to the complainants to accept these. These cases should have been recorded as either, 'local resolution' or 'closed after initial enquiries' as the Ombudsman did not investigate these.

The two complaints that the LGSCO found fault with are as follows:

16019231 – Complaint against Planning

The complainant, Mrs X, complains about the Council's decision to grant planning permission for decking in her neighbours' garden. She says the Council did not properly consider her amenity and there were mistakes in the process. She is now left overlooking an overbearing development that impacts on the enjoyment of her home and the value of her property.

LGSCO decision:

The Council has accepted it should have done things differently in this case.

Because the breach of planning conditions has been addressed by the most recent planning application, enforcement action is no longer possible to reduce the size of the structure. The proposed screen will create some degree of privacy between the two properties. Mrs X remains unhappy because a large screen creates its own visual impact which she says is far from ideal. Her garden remains affected because of the scale of the development. The Council has already explored possible planting options but these have not been viable. Unfortunately, a solution now relies on the agreement of all neighbours.

It is not now possible to put Mrs X back in the position had the fault not occurred. The injustice in this case is the uncertainty caused by the fault in the planning process. The Investigating Officer cannot say with any certainty that the Council would not have granted planning permission for some kind of decking structure. However, I have found on the balance of probabilities that it would have imposed additional or different conditions to minimise the adverse effect on Mrs X's amenity. It is likely that its scale and impact would have been reduced in terms of height, size or fencing.

Remedy:

To acknowledge the lost opportunity to protect Mrs X's amenity, the Council agreed with my recommendation to do the following:

- a) Apologise in writing to Mrs X.
- b) Commission the District Valuer to make comparative valuations of the property as it would be:
 - with the decking, reduced in size and height, and screened, to that which would have been approved had the Council properly taken into consideration Mrs X's amenity; and
 - as it was approved in 2016.
- c) The Council will pay Mrs X the difference between these two valuations. This was in the sum of £10,200.

49. In addition, the Council will pay Mrs X £250 to recognise the avoidable uncertainty and time and trouble caused by the Council's fault.

Service Improvement measures:

Due to previous reviews of planning enforcement processes, the LGSCO did not find fault in the way

the Council conducted enforcement. As a result of this complaint, we have reviewed our processes for recording site visits and taking into consideration impact on neighbour amenity where appropriate to do so. The Planning Officers are also taking greater consideration when assessing drawings to ensure that these are clear with regards to size and scale, and challenge where there is ambiguity.

180011043 – Complaint against Adults

The complainant, whom I shall refer to as Miss X, complained about problems with a carer provided by the Council's care agency, Home Care for You Limited Blackburn, and the fact that it continued to send the carer to her after she complained about her. The Care Agency said it did not have another carer available. It said the only other option was for Miss X to accept care from the Council's Crisis Team, if she would not accept visits from their Carer.

LGSCO decision:

The Care Agency should not have continued to send Carer B to visit Miss X when she said she did not want this. That is fault for which the Council is accountable for. It is clear Miss X preferred to receive visits from the Crisis Team, rather than receive further calls from Carer B which distressed her. Besides, given the comments Carer B made about Miss X, it was not appropriate for her to continue with the visits. The Council needs to apologise to Miss X for the distress caused by the continued calls from Carer B.

Remedy:

When a Council commissions another organisation to provide services on its behalf, it remains responsible for those services and for the actions of the organisation providing them. So, although the LGSCO found fault with the actions of the care provider, they made recommendations to the Council.

The LGSCO recommended that the Council apologise to Miss X for the fact the Care Agency continued to send Carer B to visit after she complained about her. The Council accepted this and apologised to Miss X.

The Local Government Ombudsman's office share the issues they find in their investigations to help Council's learn from the issues others have experienced and avoid making the same mistakes. They do this through the reports and other resources they publish. Over the last year, they have seen examples of Council's adopting a positive attitude towards complaints and working constructively with them to remedy injustices and take on board the learning from our cases.

4. KEY ISSUES & RISKS

Public Services are under great strain due to continuing budget reductions although we have achieved significant improvements in efficiency. There is a widening gap between public expectations of public services and the money available to provide them.

For the coming year, complaints to the Council will need to be seen in the context of the impact of these changes to the structures of public services, and the Council will continuously review support for our residents.

5. POLICY IMPLICATIONS

There are none arising from the attached report

6. FINANCIAL IMPLICATIONS

The LGO findings on the Planning complaint has cost the Council £10,450 in compensation for the reported financial year.

The cost of commissioning Independent Investigators and IP's for the two Children's Services Complaints and the one Adult Services Complaint was £7,643.10.

7. LEGAL IMPLICATIONS

A complaints process properly administered such as this is vital and serves reduce the risk of unnecessary and costly litigation.

8. RESOURCE IMPLICATIONS

There are none arising from the attached report

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

Ombudsman's Office
Service Manager's
Directors

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

CONTACT OFFICER: Nafisha Master

DATE: 9th October 2019

**BACKGROUND
PAPER:** None.

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

Document is Restricted