

POLICY AND RESOURCES COMMITTEE

Thursday 26 November 2015 at 6.30 pm

Council Chamber, Ryedale House, Malton

Agenda

1 **Emergency Evacuation Procedure**

The Chairman to inform Members of the Public of the emergency evacuation procedure.

2 **Apologies for absence**

3 **Minutes of the meeting held on 24 September 2015**

(Pages 3 - 8)

4 **Recommendations from the Resources Working Party held on 12 November 2015**

(Pages 9 - 10)

5 **Urgent Business**

To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.

6 **Declarations of Interest**

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

PART 'A' ITEMS - MATTERS TO BE DEALT WITH UNDER DELEGATED POWERS OR MATTERS DETERMINED BY COMMITTEE

7 **Revenue Budget Monitoring** (Pages 11 - 14)

8 **Treasury Management Monitoring Report** (Pages 15 - 18)

Deferred from the meeting held on 24 September 2015.

9 **Delivering the Council Plan** (Pages 19 - 26)

10 **Appointments to the Senior Management Contracts Working Party**

Deferred from the meeting held on 24 September 2015.

The Senior Management Contracts Working Party currently comprises the Leader of Council, Vice Chair of Policy and Resources and the Staff Champion and these Members are drawn from the Conservative Group.

The political proportionality rules do not apply to working parties. Notwithstanding this, the Policy and Resources Committee may appoint members from other political groups to the working party including Members not drawn from the committee .

One option may be to make the following appointments :

3 Conservatives and 2 Opposition, the latter to be decided by the opposition groups. Named substitutes will be required to cover for absence for all appointments made to the Working Party.

11 **Change of membership to Resources Working Party**

Deferred from the meeting held on 24 September 2015.

Resources Working Party (including Community Grants Working Party)

New Independents – Councillor Burr, substitute Councillor Andrews

PART 'B' ITEMS - MATTERS REFERRED TO COUNCIL

12 **Ryedale District Council's Safeguarding Policy** (Pages 27 - 76)

13 **Local Council Tax Support 2016/17 Scheme** (Pages 77 - 86)

14 **New Homes Bonus request from North York Moors National Park** (Pages 87 - 94)

15 **Living Wage Motion** (Pages 95 - 100)

Deferred from the meeting held on 24 September 2015.

16 **Timetable of Meetings 2016/17** (Pages 101 - 104)

17 **Any other business that the Chairman decides is urgent.**

Policy and Resources Committee

Held at Council Chamber, Ryedale House, Malton
on Thursday 24 September 2015

Present

Councillors Steve Arnold (Vice-Chairman), Val Arnold, Bailey, Burr MBE (Substitute), Clark, Cowling (Chairman), Hope (Substitute), Ives, Keal and Oxley

Substitutes: Councillor L M Burr MBE and Councillor E Hope

Overview & Scrutiny Committee Observers: Councillors Evans, Duncan and Wainwright

In Attendance

Jos Holmes, Peter Johnson, Nicki Lishman, Phil Long, Kim Robertshaw and Yvette Turnbull

Minutes

18 Apologies for absence

Apologies for absence were received from Councillors Andrews, substitute Councillor Burr and Councillor Raper, substitute Councillor Hope.

19 Minutes of the meeting held on 18 June 2015

Decision

That the minutes of the Policy and Resources Committee held on 18 June 2015 be approved and signed by the Chairman as a correct record.

Voting record

For 7

Abstentions 2

Not voted 1

20 Recommendations from the Resources Working Party held on 10 September 2015

Decision

That the recommendations from the meeting of the Resources Working Party held on 10 September 2015 be approved, except the proposed grant to Acorn Community Care, which was to be brought back to a future meeting of the Resources Working Party.

Voting record

For 9

Against 1

21 Urgent Business

There were no items of urgent business.

22 **Declarations of Interest**

Councillors V Arnold and Clark declared a personal but non prejudicial interest in Item 11 as they were Members of North Yorkshire County Council. Councillors Bailey and Hope declared a personal but non prejudicial interest in Item 11 as they were users of Malton Livestock Market. Councillor Keal declared a personal but non prejudicial interest in Item 16 as she was involved with one of the organisations mentioned in the report.

PART 'B' ITEMS - MATTERS REFERRED TO COUNCIL

23 **Exempt information**

Decision
<p>i. That under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the discussion of the report on the following item as there would be a likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information) and that under Paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), exempt information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p> <p>ii. That officers be instructed to review the report with a view to redacting any exempt information to enable the report to be published in the public domain; and</p> <p>iii. To amend the recommendation in the report to add "if it is not within six months then to take steps to terminate the contract."</p>

Voting record

For 9

Abstention 1

24 **Land at Wentworth Street, Malton including the Motion on Notice proposed by Councillor Andrews and seconded by Councillor Mrs Burr**

Considered - Report of the Chief Executive after which the following motion was debated;

Motion on Notice proposed by Councillor Andrews and seconded by Councillor Mrs Burr

The Council is asked to resolve that as:

- Clarification is needed for the business community in Malton and Ryedale
- The Contract for the sale of WSCP to GMI is due to expire (unless renewed) on 4 May 2015; and
- The Contract cannot be completed until GMI can provide a superstore developer to build a superstore on WSCP, and to date GMI have failed to comply with this condition; and
- WSCP is, by reason inter alia of its location and absence of direct access to the A64, not a prime site for a superstore; and

- The recent collapse of the market for new superstores is a permanent change in the business environment

The Council therefore resolves not to renew the contract to sell WSCP to GMI.

Recommendation to Council

That the following motion not be approved;

The Council is asked to resolve that as:

- Clarification is needed for the business community in Malton and Ryedale
- The Contract for the sale of WSCP to GMI is due to expire (unless renewed) on 4 May 2015; and
- The Contract cannot be completed until GMI can provide a superstore developer to build a superstore on WSCP, and to date GMI have failed to comply with this condition; and
- WSCP is, by reason inter alia of its location and absence of direct access to the A64, not a prime site for a superstore; and
- The recent collapse of the market for new superstores is a permanent change in the business environment

The Council therefore resolves not to renew the contract to sell WSCP to GMI.

Voting record

For 2

Against 7

Abstention 1

25 Budget Strategy 2016/17

Considered – Report of the Finance Officer (s151)

Recommendation to Council

That Council be recommended to approve the following strategy for the preparation of the 2016/2017 budget:

- (i) Proposals to be brought forward for a freeze in Council Tax for the next financial year
- (ii) Increases in fees and charges to be to a maximum of 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommend above this figure to be considered by the relevant policy committee
- (iii) Efficiencies to be maximised
- (iv) The use of New Homes Bonus in line with the medium term financial plan and
- (v) Options for service cuts to be provided. These proposals to be considered by the Resources Working Party and brought to the Policy and Resources Committee and Council.

Recorded vote

For – Councillors V Arnold, S Arnold, Bailey, Burr, Cowling, Hope, Ives and Oxley

Against – Councillors Clark and Keal

26 Living Wage Motion

This item was deferred to the next meeting of the Committee.

PART 'A' ITEMS - MATTERS TO BE DEALT WITH UNDER DELEGATED POWERS OR MATTERS DETERMINED BY COMMITTEE

27 Safeguarding Adults Multi Agency Policy & Procedure for West Yorkshire and North Yorkshire

Considered – Report of the Head of Planning and Housing

Decision

That the NYCC Multi Agency Policy and Procedure for West Yorkshire and North Yorkshire be adopted.

Voting record

For 7

Against 1

Councillor Clark requested that his vote against the decision be recorded.

28 Change to membership of Resources Working Party

This item was deferred to the next meeting of the Committee.

29 Appointments to the Senior Management Contracts Working Party

This item was deferred to the next meeting of the Committee.

30 Statement of Accounts 2014/15

Considered – Report of the Finance Officer (s151)

Decision

That under Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), the public be excluded from the meeting for part of the discussion on the following item as there would be a likely disclosure of exempt information which was likely to reveal the identity of an individual and that under Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), exempt information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime.

Voting record

Unanimous

Decision

That the Statement of Accounts 2015/2015 (appendix A of the report) be approved and that the Finance Manager (s151) be authorised to sign the letter of representation (appendix B of the report).

Voting record

For 6

Against 1

Councillor Clark requested that his vote against the decision be recorded but that this was not due to any criticism of the officers' report.

31 Treasury Management Monitoring Report

This item was deferred to the next meeting of the Committee.

32 Creative Economy Commissioning 2015/16

Considered – Report of the Head of Economy and Infrastructure

Decision

That the Creative Economy Commissions for 2015/2016 as detailed in Annex B of the report be approved.

Voting record

For 7

Against 1

Councillor Ives requested that his vote against the decision be recorded.

33 Delivering the Council Plan

This item was deferred to the next meeting of the Committee.

34 Housing Strategy

Considered – Report of the Head of Planning and Housing

Decision

i. That the Ryedale District Council Housing Strategy Action Plan 2015 – 2021 be endorsed and consultation undertaken with stakeholders; and
ii. That the final version of the Action Plan, to include Members comments' and appropriate revisions as a result of the consultation be referred to a future meeting of the Policy and Resources Committee for decision.

Voting record

Unanimous

35 Any other business that the Chairman decides is urgent.

After deferring the remaining business to the next meeting of the Committee, the meeting closed at 10.35 pm.

Resources Working Party

Held at Meeting Room 1, Ryedale House, Malton
on Thursday 12 November 2015

Present

Councillors Cowling (Chairman), Clark, Steve Arnold, Frank (Substitute), Shields (Substitute), Val Arnold and Raper

In Attendance

Janet Waggott, Phil Long, Clare Slater, Peter Johnson, Will Baines

Minutes

14 Apologies for absence

Apologies were received from Cllr Keal (substitute Cllr Shields), Cllr Jainu Deen (substitute Cllr Frank) and Cllr P Andrews

15 Minutes of the meeting of the Resources Working Party held on 10 September 2015

Decision
That the minutes of the meeting of the Resources Working Party held on 10 September 2015 be approved and signed by the Chairman as a correct record.

16 Urgent Business

17 Declarations of Interest

Councillor Raper declared a personal but non prejudicial interest in Item 5 as he was a member of the Fuel Poverty and Affordable Warmth Scrutiny Review.

18 Scrutiny Review - Fuel Poverty and Affordable Warmth

Considered – Report of the Director of Corporate Services.

Recommendation
That the report of the Scrutiny Review of Fuel Poverty and Affordable Warmth be submitted to the next meeting of the Policy and Resources Committee to be held on 21 January 2016, with further detail of the options and business case for commissioning a Stock Conditions Survey.

19 Localisation of Council Tax support 2016/17 scheme - Draft

Considered – Report of the Finance Manager (s151).

Decision

That the draft report be noted.

20 Financial Management Information

Considered – Report of the Finance Manager (s151).

Decision

That the report be noted.

21 Capital Programme Progress Report

Considered – Report of the Finance Manager (s151).

Decision

That the report be noted.

22 Capital Programme Monitoring Report

Considered – Report of the Finance Manager (s151).

Decision

That the report be noted.

23 New Homes Bonus Reserve

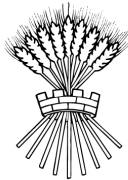
Considered – Report of the Finance Manager (s151).

Decision

That the report be noted.

24 Any other business that the Chairman decides is urgent.

There being no further business, the meeting closed at 8:10pm



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	26 NOVEMBER 2015
REPORT OF THE:	FINANCE MANAGER (s151) PETER JOHNSON
TITLE OF REPORT:	REVENUE BUDGET MONITORING
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To present to members a revenue budget monitoring report for 2015/16.

2.0 RECOMMENDATION

2.1 It is recommended that members note the content of the report.

3.0 REASON FOR RECOMMENDATION

3.1 To ensure members are kept informed of the Council's financial position (in year).

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks in receiving this report.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 This report is in line with existing policies. No further consultation has taken place on the content of this report.

REPORT

6.0 REPORT DETAILS

6.1 Members regularly receive in year monitoring of the Council's financial position. This is important as part of the budget monitoring process and also allows members to be aware of potential issues in setting subsequent budgets. This report provides an in year position as at the 30 September 2015.

6.2 Attached at Annex A is a summary of the significant variances within the Council's

revenue accounts in the current year, 2015/16. This report is predominately derived from the information contained within the Financial Management Information (FMI) reports plus additional significant budgets within the Authority. FMI reports are considered at each Resources Working Party meeting and are also available to view through Covalent.

- 6.3 Members will see that there is a projected deficit for the Revenue Budget of £68k for the full year. The adverse variance is due to a number of key factors which are shown in detail in Annex A and referred to in para.6.4. The overall impact on the closing balances of the Council's Reserves is shown in Annex A lines 22 to 26.
- 6.4 The following are additional comments on the Annex:
- (i) Expenditure on salaries is forecast to outturn below budgeted levels, largely as a result of vacant posts and the voluntary redundancy process;
 - (ii) The cost of the current round of Voluntary redundancies is estimated to be £190k, this will be funded from the Restructure Reserve.
 - (iii) Planning consultancy and associated legal costs is forecast to significantly exceed budget largely as a result of an increase in appeals and a Judicial Review;
 - (iv) Overall, actual income levels are performing well against target, however income from Dry Recyclates has reduced significantly as a result of a fall in market prices.
- 6.5 Retained Business Rates income is likely to be below target as a result of successful in year appeals. In line with regulations, the estimated deficit in business rates in 2015/16 will be a charge against the 2016/17 budget. The impact of these regulations will be dealt with through reserves.
- 6.6 The Council is in the process of negotiating a final award of costs in respect of a recent Judicial Review decision. A payment on account of £50k has been made, the award of costs will be met from the Improvement, Contingency and Emergency Fund.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:
- a) Financial
There are no financial implications arising out of this report.
 - b) Legal
There are no new legal issues arising out of this report.
 - c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
There are no significant issues arising out of this report.

Peter Johnson

Finance Manager (s151)

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Background Papers:None.

Agenda Item 7

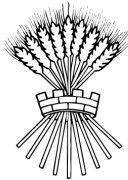
ANNEX A

SUMMARY OF REVENUE BUDGET MOVEMENTS 2015-16 Period 1 April - 30 September 2015

Key Subjective Headings (1)	Profiled Budget £'000 (2)	Actual to Date £'000 (3)	Variance Analysis		Line Ref (6)
			Actual £'000 (4)	Forecast for full year £'000 (5)	
Expenditure					
Employee Expenses:					
Salaries	3,315.6	3,125.8	(189.8)	(250.0)	1
Other Employee Related Expenses	36.8	29.5	(7.3)	0.0	2
Cost of Voluntary Redundancy	0.0	0.0	0.0	190.0	3
Other Service Expenses:					
Premises Repairs and Maintenance	102.5	29.3	(73.2)	0.0	4
Cost of Long Term and Short Term Borrowing	66.0	47.0	(19.0)	(38.0)	5
Planning Consultancy	8.1	21.9	13.8	40.0	6
Legal Fees	6.2	49.0	42.8	80.0	7
Total Expenditure Variance			(289.3)	22.0	8
Income					
Fees, Charges & Other Service Income:					
Development Management Fees	(212.7)	(248.2)	(35.5)	0.0	9
Car Park Charges	(463.1)	(474.4)	(11.3)	0.0	10
Ryecare	(91.2)	(90.7)	0.5	0.0	11
Dry Recycling Income	(96.2)	(59.0)	37.2	65.0	12
Trade Waste	(434.5)	(417.5)	17.0	20.0	13
Land Charges	(47.5)	(61.0)	(13.5)	(15.0)	14
Other Income	(50.0)	(61.2)	(11.2)	(10.0)	15
Interest and Investment Income:					
Return on Investments	(30.5)	(45.8)	(15.3)	(20.0)	16
Investment Property	(36.2)	(32.6)	3.6	5.0	17
Total Income Variance			(28.5)	45.0	18
Total Movement on Cost of Services (surplus)/deficit			(317.8)	67.0	19
General Government Grants:			0.0	0.0	20
Total Movement on Revenue Budget (surplus)/deficit			(317.8)	67.0	21
Movement on Funds and Reserves:					
Contribution to/(from) General Reserve	0.0	292.1	302.5	103.0	22
Contribution to/(from) Restructure Reserve	0.0	0.0	0.0	(190.0)	23
Contribution from Operational Reserve	0.0	0.0	0.0	0.0	24
Contribution to Capital Fund	30.5	45.8	15.3	20.0	25
Total Increase on Funds and Reserves			317.8	(67.0)	26

Note: A negative variance (shown in brackets) represents an increase in income or a decrease in expenditure

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PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	24 SEPTEMBER 2015
REPORT OF THE:	FINANCE MANAGER (s151) PETER JOHNSON
TITLE OF REPORT:	TREASURY MANAGEMENT MONITORING REPORT
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To report on treasury management activities to date for 2015/16 and to update Members on current investments in accordance with the Chartered Institute of Public Finance (CIPFA) Code of Practice on Treasury Management (the Code).

2.0 RECOMMENDATIONS

- 2.1 It is recommended that:

- (i) Members receive this report; and
- (ii) the current investments and performance in 2015/16 be noted.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 The Council has adopted the Code. A provision of the Code is that the Policy and Resources Committee will receive and review regular monitoring reports relating to the treasury management activities of the current year.

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant risks in considering this report. There are significant risks when investing public funds especially with unknown institutions. However, by the adoption of the CIPFA Code and a prudent investment policy these are minimised. The employment of Treasury Advisors also helps reduce the risk.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The Council has adopted the CIPFA Code of Practice on Treasury Management in Local Authorities and this report complies with the requirements under this code.

- 5.2 The Council use the services of Sector Treasury Services Limited (Sector) to provide treasury management information and advice.

REPORT

6.0 REPORT DETAILS

- 6.1 The CIPFA Code states that Members will receive reports on the Council's Treasury Management policies, practices, and activities at regular intervals including an annual strategy, a mid-year review of the strategy and performance, an annual outturn report and monitoring reports.
- 6.2 In compliance with the Treasury Management scheme of delegation a mid-year review report will be submitted to the November meeting of the Overview and Scrutiny Committee, prior to the submission to Full Council.
- 6.3 The Council aims to achieve the optimum return on investments commensurate with the proper levels of security and liquidity. In the current economic climate it is considered appropriate to keep investments short-term (under 12 months) and only invest with highly credit rated financial institutions.
- 6.4 As at 31 August 2015 internally managed investments totalled £13,390,000 which were lent out as follows:

Period of Maturity	£
Cash Equivalents:	
Call Monies (SIBA)	1,290,000
Fixed Term Deposits:	
Repayable 1 month to 3 months	0
Repayable 3 months to 6 months	9,600,000
Repayable 6 months to 12 months	2,500,000
Repayable 12 months to 24 months	0
Total	13,390,000

- 6.5 The above investments were held with the following types of institutions:

Type of Institution	£
UK Clearing Banks	8,890,000
Foreign Banks	2,000,000
Building Societies	2,500,000
Local Authorities	0
Total	13,390,000

- 6.6 This Council uses the creditworthiness service provided by Sector Treasury Services as specified in the Council's Investment Strategy approved by Full Council on the 24 February 2015. The service uses a sophisticated modelling approach with credit ratings from all three agencies – Fitch, Moodys and Standard & Poors, forming the

core element. The modelling approach combines credit ratings, credit watches, credit outlooks and credit default swap spreads in a weighted scoring system, which indicates the relative creditworthiness of counterparties.

- 6.7 All the above borrowers met the required credit rating at the time of investment.
- 6.8 The following table shows the relative performance of cash equivalents (deposits restricted to a duration of under 30 days) and fixed term deposits, with the 7-day benchmark for the period ended 31 August 2015:

	Average Investment £	Gross Rate of Return	Net Rate of Return	Benchmark Return
Cash Equivalents	6,020,065	0.35%		
Fixed Term Deposits	1,051,031	0.75%		0.36%

- 6.9 As illustrated above the Authority has to date overall outperformed the benchmark. The Council's budgeted investment return for 2015/16 is £59k and the actual interest received from investments and loans for the five-month period to 31 August 2015 totals £37k. Based on the current level of return it is anticipated that the interest received will meet the budget.
- 6.10 In August the policymakers at the Bank of England held interest rates at 0.5% for the 77th month in a row. Sector's latest economic forecast predicts that the first Bank Rate increase will be in the 2nd quarter of 2016 to 0.75%.
- 6.11 Officers can confirm that the approved limits within the Annual Investment Strategy were not breached during the period 1 April 2014 to 31 August 2015.
- 6.12 The level of gross borrowing remained at £1.75m as at 31st August 2015. Repayments have been made in line with the loan repayment schedule.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:
- a) Financial
The results of the investment strategy affect the funding of the Capital Programme.
 - b) Legal
There are no legal implications regarding this report.
 - c) Other
None to report.

Peter Johnson
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Background Papers:
None.

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Council Plan 2013-17




Generated on: 27 October 2015




1. Employment Opportunity & Economic Success													
	EC 10	EC 12a	EC 12b	EC 12c	EC 12d	EC 13a	EC 13b	EC 40					
2. Housing Need													
	HS 10a	HS 10b	HS 11	HS 14	BS RB 3	FP 7	FP 8	HS 1	HS 2	HS 5	HS 8	BS RB 2	HS 17
3. High Quality Environment													
	DM 157a	DM 2	HE 13	SS 15	SS 17	SS 35	SS 36	DM 157b	DM 157c	SS 192	SS 16		
4. Active Safe Communities													
	EC 77	HE 10											
Transforming the Council													
	BS AS 3	BS BI 2	BS RB 11	BS RB 12	BS AS 1 RDC	HR A 01 R	BS MD 1						




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Key
 Data Only Indicator for monitoring trend
 Performance is improving
 Performance has stayed the same
 Performance has got worse




1. Employment Opportunity & Economic Success




		EC 10	Total Job Seeker Allowance Claimants Aged 16 - 64			
Current Value	0.6%	September 2015	Previous value	0.8% April 2015	Data is published annually	
Yorkshire & Humber 2.2% GB 1.6%						




		EC 12a	% Ryedale population aged 16-64 qualified - NVQ1 or equivalent			
Current Value	83.1%	Jan-Dec 2014	Previous value	91.9% Jan-Dec 2013	Data is published annually	
Ryedale had 24,300 residents between January-December 2014 aged 16-64 studying at NVQ1 level and above. Young people achieve level 1 and 2 NVQ's in order to improve their career prospects. The council has targeted resources through various apprenticeships. This level is a stepping stone to future learning opportunities.						

		EC 12b	% Ryedale population aged 16-64 qualified - NVQ2 or equivalent			
Current Value	67.5%	Jan-Dec 2014	Previous value	80% Jan-Dec 2013	Data is published annually	
Ryedale had 19,700 residents between January-December 2014 aged 16-64 studying at NVQ2 level and above. Young people achieve level 1 and 2 NVQ's in order to improve their career prospects. The council has targeted resources through various apprenticeships. This level is a stepping stone to future learning opportunities.						

		EC 12c	% Ryedale population aged 16-64 qualified - NVQ3 or equivalent			
Current Value	54.4%	Jan-Dec 2014	Previous value	53.2% Jan-Dec 2013	Data is published annually	
The percentage of Ryedale residents aged 16-64 reaching NVQ3 and above continues to grow, with 15,900 attaining the qualification from January-December 2014. This puts Ryedale above the North Yorkshire and Yorkshire and The Humber average for this level of qualification.						

		EC 12d	% Ryedale population aged 16-64 qualified - NVQ4 or equivalent			
Current Value	41%	Jan-Dec 2014	Previous value	40.1% Jan-Dec 2013	Data is published annually	
Ryedale performance is well above the North Yorkshire and Yorkshire and The Humber average for this level of qualification.						

		EC 13a	Gross weekly earnings by workplace			
Current Value	£414.00	2014/15	Previous value	412.60 2013/14	Data is published annually	
Ryedale has the lowest level of earnings by workplace in Yorkshire and the Humber.						

		EC 13b	Gross weekly earnings by residency			
Current Value	£424.80	2014/15	Previous value	412.60 2013/14	Data is published annually	
Although an increase in weekly pay compared to last year - Ryedale still has the lowest Gross weekly earnings in Yorkshire and Humber.						

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		EC 40	Employment Rate - aged 16-64	
Current Value	84.5%	2014/15	Previous value 81% 2013/14	Data is published annually
2014-15: GB 72.7% Y&H 71.0%				

2. Housing Need

		BS RB 3	Speed of processing - changes of circumstances for HB/CTB claims	
Current Value	6 days	October 2015	Current Target 12.0 days	
The addition of two extra staff has improved the speed of processing any changes of circumstances to well within the target range.				

		FP 7	Net additional homes provided	
Current Value	261	2014/15	Current Target 200	
During 2014-15, 261 additional homes were provided, which exceeded the target figure of providing 200 additional homes. see the Strategic Housing Land Availability assessment for predictions for future delivery http://www.ryedaleplan.org.uk/attachments/article/132/SHLAA_Part1_2015_v2.pdf				

		FP 8	Supply of deliverable housing sites	
Current Value	118.0%	2014/15	Current Target 100.0%	See Annual Monitoring Statement and Strategic Housing Land Availability Assessments. Target five year housing supply= 100%
Supply = 5.92 years taking into account undeveloped allocations.				

		HS 1	Homeless applications on which RDC makes decision and issues notification to the applicant within 33 working days (was LPI 70)	
Current Value	100.0%	Q2 2015/16	Current Target 100.0%	Target is to decide on all applications within 33 days
Between the 1/7/2015 and 30/9/15, 12 homeless applications were made. All 12 of these had a decision made within 33 days of application receipt.				

		HS 2	Length of stay in temporary accommodation (B&B, weeks) Snapshot	
Current Value	3.00 weeks	Q2 2015/16	Current Target 4.00 weeks	Target: National maximum allowable is 6 weeks. Local target of 4 weeks
During quarter 2 of 2015-16, 5 households were accommodated in B & B, the average stay was 21 nights				

		HS 5	Number of Homeless Applications	
Current Value	12	Q2 2015/16	Current Target 13	Total number of applications for 2014/15 = 30
Twelve homeless applications were received between 01/07/2015 and 30/09/2015				

		HS 8	Prevention of Homelessness through Advice and Proactive Intervention (values and targets are per quarter, not accumulative)		
Current Value	42	Q2 2015/16	Current Target	39	Target is to achieve 10% improvement in numbers of preventions year on year
Between 01/07/2015 and 30/09/2015 there were 42 homelessness preventions through the Local Authority					
		HS 10a	% Households in Ryedale in Fuel Poverty (10% income measure)		
Current Value	26%	2013/14	Current Target	27.9%	Target is to improve on previous years performance
Results published June 2014. Est. no. of households 23,090 of which 6,446 in fuel poverty.					
		HS 10b	% Households in Ryedale in Fuel Poverty (Low Income High Cost)		
Current Value	10.6%	2013/14	Current Target	11.9%	Target is to improve on previous years performance
Updated May 2015: 2013-14 - Est No. of households 23,046 and 2,440 households in fuel poverty					
		HS 11	Empty Domestic Properties		
Current Value	243	2014/15	Current Target	249	Target is to improve on previous years performance
This is the figure used to claim New Homes Bonus calculated in October 2015.					
		HS 14	Affordability Ratio		
Current Value	7.36	2013/14	Current Target	8.65	Target is to improve on previous years performance
North Yorkshire 7.20, England 6.45					
		BS RB 2	Speed of processing - new HB/CTB claims		
Current Value	23 days	October 2015	Current Target	25.0 days	
		HS 17	Number of affordable homes delivered (gross)		
Current Value	17	Q2 2015/16	Current Target	38	35% of market housing target would result in 70 affordable homes arising from 200 net additional homes.
Only 17 affordable homes completed to date, however with predicted housing delivery for 2015/16 of 263, the target should be achieved by the end of the year.					

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3. High Quality Environment

		DM 157a	Processing of planning applications: Major applications (13 weeks)			
Current Value	79.00%	October 2015	Current Target	70.00%	Targets originally set under Planning Delivery Grant regime	

		DM 2	Planning appeals allowed			
Current Value	0.0%	Q2 2015/16	Current Target	33.0%	Target based on national averages and benchmarking	
The national performance level is consistently in line with the target figure of 33%, performance for Ryedale has varied because of the relatively low number of appeals received. However the current level of appeals allowed at 20%, well below the target.						

		HE 13	% of Food establishments in the area broadly compliant with food hygiene law			
Current Value	74%	2014/15	Current Target	72%	Target is to improve on previous year. Assessments of premises undertaken using risk based scoring and national guidance. 17% of premises are low risk and not accessed and by default not compliant under the national definition for this indicator.	
A total of 624 Food Establishments were broadly compliant in 2014-15						

		SS 15	% of Household Waste Recycled			
Current Value	21.31%	2014/15	Current Target	20.00%	Target set following analysis of previous performance levels	
Performance continues to improve slightly but priority is now to maintain this level of performance						

		SS 17	Household Waste Collection - % change in kilograms per head			
Current Value	-1.38%	2014/15	Current Target	0.25%	Target is to improve on previous years change	
2014-15 463.03 kg/per household and 423.31 kg/per head for Household Waste.						

		SS 35	% CO2 reduction from LA operations.			
Current Value	-12.5%	2014/15	Current Target	-7.5%	Target set for three years, based on national guidance. To be reviewed following analysis of performance to date	
Reduction is mainly due to the local swimming pools contract being taken over by Everyone Active. The data is collated using the bills of the properties being paid for by RDC.						

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		SS 36	Tonnes of CO2 from LA operations			
Current Value	1,418	2014/15	Current Target	1,622	Target set for three years, based on national guidance. To be reviewed following analysis of performance to date	
Reduction is mainly due to the local swimming pools contract being taken over by Everyone Active. The data is collated using the bills of the properties being paid for by RDC.						

		DM 157b	Processing of planning applications: Minor applications (8 weeks)			
Current Value	75.70%	October 2015	Current Target	78.00%	Targets originally set under Planning Delivery Grant regime	
Performance has been improving for some months and this Trend is continuing. Customer satisfaction has increased on previous years						

		DM 157c	Processing of planning applications: Other applications (8 weeks)			
Current Value	86.70%	October 2015	Current Target	90.00%	Targets originally set under Planning Delivery Grant regime	
Performance has been improving for some months and this trend is continuing. Customer satisfaction has increased on previous years						

		SS 192	% of household waste sent for reuse, recycling and composting			
Current Value	48.07%	2014/15	Current Target	49.70%	National target to achieve 50% by 2020	
Reduction largely due to the introduction of charges for garden waste collection						

		SS 16	% of Household Waste Composted			
Current Value	26.76%	2014/15	Current Target	30.00%	Target set following analysis of previous performance levels	
Reduction largely due to the introduction of charges for garden waste collection .						






















4. Active Safe Communities

		EC 77	Total Crime in Ryedale			
Current Value	139	October	Current Target			

		HE 10	Adult participation in sport and active recreation. Sport England Active People Survey-Annual			
Current Value	28.2%	2014/15	Current Target	23.6%	Target is to improve on previous years performance	
Ryedale has shown a 5.2% increase in adult participation in sport and active recreation since October 2005.						

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5. Transforming the Council

		BS AS 3	Payments made using electronic channels	
Current Value	95%	October 2015	Current Target 85%	Target is set to maintain performance
Electronic channels include web, telephone and Direct Debit.				
		BS BI 02	% FOI Requests responded to within 20 working days	
Current Value	100%	September 2015	Current Target 90%	
54 out of 54 FOIs responded within 20 working days				
		BS RB 11	% of Council Tax collected	
Current Value	58.43%	September 2015	Current Target 57.57%	Target is set to maintain performance
Q2 2015-16 Collection rates are in line with the previous years performance				
		BS RB 12	% of Non-domestic Rates Collected	
Current Value	61.01%	September 2015	Current Target 60.28%	Target is set to maintain performance
Q2 2015-16 Collection rates are in line with the previous years performance				
		BS AS 1 RDC	Service enquiries resolved at first point of contact (telephone)	
Current Value	48%	2015/16	Current Target 50%	Target is for year on year improvement
Total figure is not representative, as current lengthy call logging procedure means staff are unable to log the high volume of calls received during periods of peak call times.				
		BS MD 1	Standard searches done in 5 working days	
Current Value	13.0%	September 2015	Current Target 90.0%	Target is set to maintain performance
Late responses from NYCC and high number of searches				
		HR A 01 R	Average number of Working Days Lost Due to Sickness Absence per FTE, RYEDALE	
Current Value	0.70 days	October 2015	Current Target 0.63 days	Target is North Yorkshire average for 2009

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	26 NOVEMBER 2015
REPORT OF THE:	HEAD OF PLANNING AND HOUSING GARY HOUSDEN
TITLE OF REPORT:	SAFEGUARDING CHILDREN AND ADULTS AT RISK POLICY AND PROCEDURES
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to recommend for approval the revised Council policy and procedures for safeguarding children and adults at risk.

2.0 RECOMMENDATION

- 2.1 That Council is recommended to approve the adoption of the Safeguarding Children and Adults at Risk Policy and Procedures.

3.0 REASON FOR RECOMMENDATION

- 3.1 The Council has a legal obligation to ensure that its functions are discharged with regard to the need to safeguard and promote the welfare of children and vulnerable adults. These duties and obligations are contained in various separate pieces of legislation and guidance and the policy has been developed in accordance with these, including the following:

- (i) Section 11 of the Children Act 2004 and Working Together to Safeguard Children, 2006 and 2010.
- (ii) Ryedale District Council is a statutory partner of the North Yorkshire Local Safeguarding Children's Board and the policy has been developed in line with the agreed multi-agency procedures.
- (iv) Safeguarding Adults Multi-agency Policy and Procedures for West and North Yorkshire.

This policy sets out guidance for staff and Elected Members about these duties and procedures for their implementation.

4.0 SIGNIFICANT RISKS

- 4.1 Failure to put in place appropriate arrangements for safeguarding children, young people and adults would be a breach of the statutory requirements of the Children's Act 2004 and would potentially put vulnerable children and adults at risk.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The policy has regard to national policy guidelines and recommendations of good practice. The policy will assist the Council in meeting its statutory requirements under the Children's Act 2004.

REPORT

6.0 BACKGROUND AND INTRODUCTION

- 6.1 The new Safeguarding Policy and Procedures is attached as Annex One. The policy sets out the requirements of District Council's in meeting its statutory safeguarding responsibilities and provides guidance for staff and elected members about their duties and procedures for implementation.
- 6.2 The existing Safeguarding Policy and Procedures has been reviewed and updated and this revised document reflects the latest guidance and good practice.
- 6.3 The Policy sets out the duties and requirements of the Council in respect of safeguarding. It identifies the key indicators of abuse and sets out clearly what staff and elected members should do in the event they suspect abuse may be occurring or the welfare of a child is at risk.
- 6.4 The Policy also deals with safeguarding of adults at risk and again sets out clearly action to be taken by staff if they have concerns about a vulnerable adult.
- 6.5 The Policy has been updated to provide information and guidance in relation to sexual exploitation and trafficking and to reflect the Council's responsibilities in relation to "Prevent" which is one of the strands of the government's Counter Terrorism Strategy.
- 6.6 The Policy has also been amended in line with the changes that came in 2015 with the Care Act.

7.0 CONSULTATION

- 7.1 The Council participates in partnership arrangements in relation to children and young people and adults at risk.
- 7.2 This policy reflects procedures and referral processes that have been agreed with partners, specifically North Yorkshire County Council. The Policy takes account of relevant legislation, guidance and good practice.
- 7.3 The policy and procedures have been developed in consultation with the sub-regional lead officers group and the Ryedale Safeguarding Panel which includes elected members.

8.0 REPORT DETAILS

- 8.1 The Council has a legal duty to have in place policies and procedures that ensure that its functions are discharged with regard to the need to safeguard and promote the welfare of children and adults at risk.
- 8.2 The Council has had in place a Safeguarding Children and Child Protection Policy since 2007. In 2010, following the publication of additional statutory guidance in relation to inter-agency working, officers reviewed the policy and procedures and in addition incorporated a policy and procedure for the safeguarding of vulnerable adults. A further review has now taken place to reflect further changes to legislation.
- 8.3 The policy is combined for both Children and Adults, however there are separate reporting procedures. Although very similar, the procedures have been kept separate in order to comply with the separate county wide multi-agency procedures.
- 8.4 The policy is supported by a range of Appendices including code of Conduct, referral forms and definitions.
- 8.5 The revised policy proposes that the Named Senior Officer for Safeguarding is amended to the Corporate Director. The Designated Safeguarding Officer remains the Council's Housing Services Manager.

9.0 IMPLICATIONS

- 9.1 The following implications have been identified:
- a) Financial
There are no direct financial issues arising from consideration of this report. Individual actions, for example costs associated with undertaking Data Barring Checks do have financial implications for the District Council, however, it is anticipated that these can be accommodated within existing budget provision.
 - b) Legal
The Policy takes account of the legal duties placed on District Council's as set out in the Children's Act 2004.
 - c) Equalities
The Policy is in place to protect vulnerable children and adults. The Policy recognises that children and adults who are perceived as "different" for example due to disability, ethnic background or sexual orientation can be more vulnerable to abuse.
 - d) Staffing
This Policy has been prepared in partnership with Scarborough Borough Council, who have also provided training, advice and assistance in relation to safeguarding issues for council staff and elected members. However, it is essential that staff and elected members across the organisation are aware of their responsibilities and action to take if they have a concern. Service Unit Managers have a key role to play in ensuring staff are aware of the Policy, identifying any additional training that may be required and in supporting staff who identify safeguarding concerns.

Gary Housden

Head of Planning and Housing

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Background Papers: Safeguarding Children and Adults at Risk, Policy and Procedures

RYEDALE
DISTRICT
COUNCIL



Safeguarding Children and Adults At Risk Policy and Procedures

Sept 2015

VERSION 2.7

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APPENDICES

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| A. Definitions/Glossary | B. Legislative Framework |
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| E. Roles and responsibilities | F. Code of Conduct For Safeguarding |
| G. Reporting arrangements | H. Child Protection Incident Reporting Form |
| I. Inter-agency Safeguarding Adults Form | |
| J. Useful Contacts | |

Version History			
Version	Revision	Reviewer	Date
1.0	New Policy and Procedure	Marie-Ann Jackson	23 Oct 2010
1.1	Nominated Named Senior Officer changed Codes of Conduct added	Marie-Ann Jackson	3 Dec 2010
1.2	Photography Consent Form	Marie-Ann Jackson	6 Dec 2010
1.3	Taxi Drivers Code of Conduct	Beckie Bennett	25 Jan 2011
2.0	Final Version for Publication following adoption by Council – 10 March 2011	Marie-Ann Jackson	11 Mar 2011
2.1	Nominated Senior Officer name change	Rachael FoxEvans	January 2013
2.2			Feb 2013
2.3	LADO name change Addition of Prevent Agenda (App 1)		April 2013
2.4	Policy Revision	Rachael Fox Evans	July 2014
2.5	New Policy and procedure	Sandra Rees	March 2015
2.6	Inclusion of Care Act	Sandra Rees	July 2015
2.7	Further updates relating to changes in policy.	Kim Robertshaw	Sept 2015

1.0 POLICY STATEMENT

1.1 At a policy level District Councils are expected to be able to demonstrate:

- senior management commitment to the importance of safeguarding and promoting the welfare of children, young people and adults at risk
- a clear statement of the Council's responsibilities towards children, young people and adults at risk, available for staff, members, volunteers, elected members, contracted services and the public
- a clear line of accountability within the organisation for reporting safeguarding concerns
- service development that takes account of the need to safeguard and promote welfare – and is informed by the views of children, young people, families and adults at risk
- safer recruitment procedures
- training on safeguarding and promoting the welfare of children, young people and adults at risk available for all members, staff and volunteers commensurate with the level of their contact with children, young people and vulnerable adults. For example, housing professionals were the first to make contact with Victoria Climbié.
- clear protocols on safe working practice known to members, staff and volunteers
- all contracted services and grant funded organisations have appropriate safeguarding policies and procedures in place, commensurate with their level of contact with children, young people and adults at risk.
- safeguarding policies and procedures of contracted services and grant funded organisations are regularly monitored.
- effective inter-agency working to safeguard and promote the welfare of children, young people and adults at risk.
- effective information sharing
- the voice of children, young people and adults at risk is heard in service planning, decision-making and service delivery.
- The Council will work in partnership with Scarborough Borough Council and Scarborough Borough Council Community Safety and Safeguarding Manager will assist in reviewing policy and ensuring good practice across the partnership.

1.2 Through this policy the Council:

- a. recognises that all children and adults, irrespective of their age, class, religion, culture, disability, gender, ethnicity, sexual orientation, nationality, family, dependency, marital or economic status have a right to protection from abuse, and acknowledges its shared responsibility for safeguarding and promoting the welfare of children and adults at risk. The Council will therefore adopt a zero tolerance approach to abuse and will work to ensure that its policies and practices are consistent with agreed local multi-agency procedures and meet the organisations' legal obligations.
- b. makes a commitment to promoting good practice and enhancing safeguarding of children and adults at risk, and will contribute positively to improving outcomes for these groups through the development and delivery of its services.

- c. recognises its duty, under Section 11 of the Children Act 2004, to ensure that its functions, and services provided on its behalf, are discharged with regard to the need to safeguard and promote the welfare of children.
 - d. Accepts its responsibility to work with partners to seek to ensure that adults at risk of abuse receive protection and support.
 - e. Recognises the principle of wellbeing under the Care Act 2014.
- 1.3 The Council places reliance upon a range of policies and procedures which contribute to safeguard and promote the welfare of children and adults at risk. These reflect legislative requirements, professional and governing body standards and requirements, and good practice. A list of relevant policies is shown in Appendix C.
- 1.4 To meet its commitments to safeguarding the Council will:
- a. Contribute to partnership arrangements including representation on the following;
 - North Yorkshire Safeguarding Children Board
 - Scarborough, Whitby and Ryedale Children's Safeguarding & Strategy Groups
 - North Yorkshire and City of York Safeguarding Adults Board
 - Scarborough, Whitby and Ryedale Local Safeguarding Adults Group
 - Multi-Agency Public Protection Arrangements
 - Multi Agency Risk Assessment Conferences
 - b. Implement processes that meet the requirements of the North Yorkshire Multi-agency Safeguarding Adults and Safeguarding Children Policies & Procedures.
 - c. Ensure that all allegations, disclosures or suspicions of abuse are dealt with appropriately, and that where possible the person being abused is supported.
 - d. Apply safer recruitment and selection practices that comply with the Protection of Children and Vulnerable Adults (NI) Order 2003, Safeguarding Vulnerable Groups Act 2006, and guidelines issued by the Department of Health, Social Services and Public Safety.
 - e. Ensure that individuals working for the Council with access to children or adults at risk undertake safeguarding and health and safety training, and are subject to supervision standards appropriate to their role and specific to the needs of children and adults at risk.
 - f. Ensure that all people acting, or providing services on behalf of the Council understand and accept their responsibility with regard to safeguarding and promoting the welfare of children and adults at risk.
 - g. Ensure that all employees, Elected Members and others associated with the delivery of Council services are aware of the Safeguarding Policy and Procedure and receive appropriate training.

- h. Staff adhere to the Mental Capacity Act 2005 and Code of Practice where an adult at risk lacks mental capacity in relation to decisions within this procedure.
- i. Co-operate with Child Death, Serious Case Reviews and Homicide Reviews where these are linked to any area of the Council's responsibility, in accordance with locally agreed arrangements.
- j. Monitor and review the Safeguarding Policy and Procedure every three years to ensure they are effective and remain consistent with locally agreed inter-agency procedures.

2.0 GUIDANCE FOR STAFF & PROCEDURES

2.1 Background, Roles and Responsibilities

Many District Council services contribute to improving outcomes for children and adults at risk, and the Council provides services for, and works with children, adults at risk, their families and carers in a variety of settings, including:

Community facilities, services and events	Early years and childcare provision	Sport, culture and leisure services	Environmental health	Play facilities	Commissioning/contracting services
Community Safety and Crime Reduction	Licensing	Planning	Housing, homelessness and related support services	Customer First	Community Development and Regeneration Services

2.2 Section 11 Duty

North Yorkshire County Council (NYCC) is the lead authority with responsibility to safeguard children and adults at risk but District Councils have a statutory duty, (under Section 11 of the Children's Act 2004), to make arrangements to ensure its functions safeguard and promote the welfare of children. District Councils also have a responsibility to work with partners to ensure that adults at risk of abuse receive protection and support.

2.3 To safeguard and promote the welfare of children and adults at risk at the Council:

- a. The Chief Executive will take responsibility to ensure the Council fulfils its statutory duties, in accordance with NYCC policy and procedures.
- b. The Corporate Director will take corporate responsibility to ensure the Council's Safeguarding Arrangements are implemented.
- c. The Human Resources Manager will ensure that recruitment procedures are in line with this policy and that appropriate training is provided.
- d. The Council will nominate a Designated Officer responsible for safeguarding and promoting the welfare of children and adults at risk throughout the council.

- e. Senior Managers will monitor action to safeguard and promote the welfare of children and adults at risk within their service.
- f. All members of staff will carry out their duties in a way that safeguards and promotes the welfare of children and adults at risk in line with this policy.
- g. They must also act in a way that protects them from wrongful allegations of abuse and bring matters of concern to the attention of the Designated Safeguarding Officer.
- h. Under the Criminal Justice Act 2003 the Council has a duty to co-operate with Multi-Agency Public Protection Arrangements for managing those identified as presenting a risk, or potential risk, of harm to others.
- i. The Council is committed to these arrangements, with the designated safeguarding officer acting as lead officer.

2.4 A Flow Chart illustrating the line of accountability for safeguarding is at Appendix D. A table setting out roles and responsibilities is at Appendix E.

3.0 CHILDREN AND YOUNG PEOPLE

3.1 Categories of Abuse

3.2 Abuse and neglect are forms of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger for example via the internet. They may be abused by an adult or adults, or another child or children.

3.3 Research and anecdotal evidence indicates that children who may be perceived as 'different', e.g. disabled children, children from minority ethnic groups or cultures and children with differing sexual orientations, are more vulnerable to abuse. It is therefore vital that all agencies promote equality of opportunity and anti-discriminatory practice. Failure to do so may expose particular children to significant harm.

3.4 The following definitions are based on those set out in *“Working Together to Safeguard Children”* (HM Government 2015)

3.5 Physical Abuse

Physical abuse is a form of abuse which may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

3.6 Emotional Abuse

This is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to a child that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person.

It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate.

It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond a child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction

It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

3.7 Sexual Abuse

Involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening.

The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet).

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Sexual abuse includes abuse of children through sexual exploitation. Penetrative sex where one of the partners is under the age of 16 is illegal, although prosecution of similar age, consenting partners is not usual. A child under the age of 13 is not legally able to consent to any sexual activity and therefore this would constitute rape under Section 5 of the Sexual Offences Act 2003.

3.8 Neglect

Neglect is the persistent failure to meet a child's basic physical and / or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse.

Once a child is born, neglect may involve a parent or carer failing to:

- Provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- Protect a child from physical and emotional harm or danger;
- Ensure adequate supervision (including the use of inadequate care-givers);
- Ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

3.9 What to Do If You Are Worried About a Child

3.10 Professionals in all agencies have a responsibility to refer a child to Children's Social Care when it is believed or suspected that a child:

- Has suffered significant harm and /or;
- Is likely to suffer significant harm and/or;
- Has developmental and welfare needs which are likely only to be met through provision of family support services (with agreement of the child's parent).

3.11 Referrers should have the opportunity to discuss their concerns with a qualified social worker.

There is now an Assistant Team Manager from Children's Social Care based within the Contact Centre. Referrers will be asked about their concerns and they should raise any family concerns they hold as well as those directly involving the child. Such concerns may be due to domestic abuse, mental illness, substance misuse and/or learning disability.

If as a result of the consultation Children's Social Care conclude that a referral is required, then the referrer should comply by making the referral without delay.

3.12 Talking to Parents/Carers

3.13 In most cases it is good practice to be open and honest at the outset with parents/carers about concerns and any action that the Council intends to take. Where a referral is to be made the line manager or designated safeguarding officer should make all reasonable efforts to ensure parents/carers are informed. However, an inability to inform parents/carers should not prevent a referral being made. Consideration should be given to not informing them when a child expresses a wish that their parents are not informed at this stage.

3.14 There are cases where it would not be good practice for the line manager or designated safeguarding officer to discuss concerns with parents/carers before referral.

3.15 In these cases arrangements for discussing the concerns with the parents/carers should be agreed in advance with Social Care and/or the Police. Concerns must not usually be discussed with parents/carers before referral where:

- a. discussion would put a child at risk of significant harm
- b. discussion would impede a Police investigation or social work enquiry
- c. sexual abuse is suspected
- d. organised or multiple abuse is suspected
- e. the fabrication of an illness is suspected

- f. to contact parents/carers would place you or others at risk
- g. it is not possible to contact parents/carers without causing undue delay in making the referral.

3.16 In each case the line manager must make a reasoned judgement. In the absence of the line manager, or where further guidance is needed, contact should be made with the designated safeguarding officer or Children's Social Care.

3.17 Disclosures

3.18 If a child/young person tells you they have been abused you must:

- Listen and do not promise confidentiality
- Keep calm, reassure and do not ask leading questions
- Allow the child to finish and tell them what you will do next
- Make an immediate record of what the child has said, using their own words, record dates and times and sign
- Reassure them that they have done nothing wrong in telling you.
- Inform your line manager without delay, who will obtain guidance from the Assistant Team Manager from Children's Social Care.
- If your line manager is unavailable contact the designated safeguarding officer. If that person is not available contact Children's Social Care direct (numbers below)
- If the referral is out of hours then you will need to inform the Emergency Duty Team (number below)
- If you are making the referral direct in the absence of the line manager or designated safeguarding officer then follow the procedure at 3.25.
- You need to follow the referral up in writing within 48 hours to CSC and pass a copy of the referral to the line manager and designated safeguarding officer

3.19 Do Not:

- Dismiss the concern
- Panic
- Allow your shock or distaste to show
- Probe for more information than is offered
- Make promises you cannot keep, such as agreeing not to tell anyone else
- Speculate or make assumptions
- Approach the alleged abuser
- Make negative comments about the accused person
- Attempt to investigate the concern
- Discuss with anyone other than the line manager, designated safeguarding officer or appropriate officers from NYCC Social Care or the Police

3.20 Abuse Requiring an Immediate Response

- If medical attention is required then contact the emergency services on 999
- Inform your line manager or designated safeguarding officer without delay

- If your line manager and designated safeguarding officer is unavailable contact children's social care direct and /or Police (numbers below)
- If the referral is out of hours then you will need to inform the Emergency Duty Team (number below)
- If you are making the referral direct in the absence of the line manager or designated safeguarding officer then follow the procedure at 3.25.
- You need to follow the referral up in writing within 48 hours to CSC and pass a copy of the referral to the Designated Safeguarding Officer (Housing Manager).

3.21 The line manager must consider if it is safe for the alleged victim to return home to a potentially abusive situation, (seeking advice from NYCC Social Care or Police where required).

3.22 Where there is any doubt about the safety of the child if they were to return home to a potentially abusive situation, the line manager must inform NYCC Social Care and/or the Police of their concerns. Managers in the Police or CSC agencies will then advise about how to proceed to ensure the immediate well- being of the child.

3.23 What you should do if you have concerns about a child:

- Determine whether you suspect the child to be in immediate danger of harm and if so respond as outlined above in section 3.17.
- If you feel the child appears not to be in immediate danger of harm you must still inform your service unit manager without delay.

3.24 Unclear situations

If it is unclear as to whether abuse or neglect is taking place you should discuss your concerns with your line manager who may seek advice from the designated safeguarding officer or Assistant Team Manager from Children's Social Care.

3.25 Reporting Concerns to Children's Social Care

3.26 In making a referral you should:

- a. clearly identify yourself (acting on behalf of Ryedale District Council) and provide contact details
- b. provide as much basic family information as possible, clearly stating the name of the child, the parents/carers and any other children known to be in the household, the dates of birth and addresses and any previous addresses known
- c. give details of any special needs or communication needs of either the child, or any family member
- d. state why they feel the child is suffering, or is likely to suffer, significant harm
- e. share their knowledge and involvement of the child(ren), and family
- f. share their knowledge of any other agency involved
- g. indicate the child's knowledge of the referral and their expectations

- h. ensure a written record is made of their concerns and actions by ensuring the completion of a Child Protection Report (Appendix H) and providing a copy to the Designated Safeguarding Officer
- i. follow up your referral in writing to Children's Social Care within 48 hours.

3.27 The line manager and/or designated safeguarding officer is entitled to:

- a. receive an understanding from North Yorkshire County Council Social Care representative of what will happen next
- b. be given the name of a contact person within North Yorkshire County Council Social Care who will be dealing with the referral
- c. receive information on the outcome of the referral within 7 days.

3.28 Sometimes, following a referral, Council managers could be involved in the assessment and management process led by North Yorkshire County Council Social Care. They could be invited to take part in any Strategy Meeting or to attend an Initial Child Protection Conference. Where there are criminal investigation staff and managers could be required to co-operate with the Police. In all these circumstances sufficient time will be given to prepare and attend these meetings and individuals will be provided with the necessary support and guidance from line management and/or the designated safeguarding officer during the process.

Contact Details to Make a Referral

- Referrals to Customer Service Centre contact in office hours (0845 034 9410)
- Referrals to Children's Social Care out of hours must be made to Emergency Duty Team on 0845 034 9417
- Referrals to Police if emergency contact 999
- Referrals to the Police for advice only - contact the Protecting Vulnerable Persons Unit on 01723 509888
- Written documentation to support the telephone referrals (within 48 hours)

A diagram setting out reporting arrangements is at Appendix G.

4.0 ADULTS AT RISK

4.1 This section outlines what should happen if somebody has concerns about the safety and welfare of an adult at risk.

4.2 Everyone who works with adults at risk has a duty to share their concerns, even if the adult at risk asks them not to. It is always good practice to inform adults at risk of this duty.

4.3 Categories of Abuse

4.4 Care Act 2014 Sect 42

The safeguarding duties apply to an adult who:

Has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect; and as a result of those needs, is unable to himself or herself against the abuse or neglect or the risk of it.

Within this policy, an adult at risk is someone who falls within this description. An adult at risk may therefore be a person who, for example:

- is an older person who is frail due to ill health, physical disability or cognitive impairment
- has a learning disability
- has a physical disability and/or sensory impairment
- has mental health needs including dementia or a personality disorder
- has a long-term illness/condition
- misuses substances or alcohol
- is an unpaid carer such as a family member/friend who provides personal assistance and care to adults and is subject to abuse
- lacks mental capacity to make particular decisions and is in need of care and support

This list is not exhaustive.

- 4.5 For the purposes of Safeguarding Adults work, data recording and monitoring, abuse is categorised under the following headings, although it must be noted that more than one can happen at the same time and that this list is not exhaustive:

Physical: Physical abuse – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.

Sexual abuse – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.

Psychological abuse – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.

Financial or material abuse – including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.

Organisational abuse – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, for example, or in relation to care provided in one's own home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.

Domestic violence – including psychological, physical, sexual, financial, emotional abuse; so called 'honour' based violence.

Self-neglect – this covers a wide range of behaviour neglecting to care for one's personal hygiene, health or surroundings and includes behaviour such as hoarding.

Modern slavery - encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Hate Crime – HATE crime is any criminal offence committed against a person or property that is motivated by an offenders hatred of someone because of their:

- Difference
- Disability
- Race
- Religion or belief
- Sexual orientation
- Transgender identity

Hate Crime is linked to discriminatory abuse.

Mate Crime – MATE crime is when someone appears to befriend a person, but in fact begins to exploit, hurt or harm them. This can include sexual abuse, forced prostitution, financial exploitation, forced labour, physical abuse or even murder.

This type of abuse particularly affects people with learning disabilities and mental health problems. But this does not mean that it cannot happen to other adults at risk. Living in isolation can make people more vulnerable to these "fake friends".

Mate crime comes under Hate crime and **must** be reported to the Police.

Safeguarding will include some cases of the above. It is important to note that it will only be if the criteria set out at Care Act 2014 section 42.1 are met (i.e. must have needs for care and support) before the issue is considered as a safeguarding concern.

4.6 Principals of Safeguarding

The policy and procedure is founded on the following safeguarding principles and values that govern how the safeguarding adults procedure should be implemented.

Principle 1 Empowerment

Adults should be in control of their lives and consent is needed for decisions and actions designed to protect them. If someone has mental capacity and can make own decisions they must be supported to maintain control and professional support their decision making. Where they lack capacity, the principles of the MCA must be followed.

Principle 2 Protection

The safeguarding adults procedures provide a framework by which adults can be supported to protect themselves from abuse or be protected where they lack mental capacity to protect themselves.

Principle 3 - Prevention

The primary goal is to prevent abuse and we all have a role to play in this. Prevention is associated with a broad range of responsibilities and initiatives; each associated with making safeguarding adults a core responsibility within the context of providing high quality services and support.

Principle 4 - Proportionality

There is a responsibility to ensure that responses to safeguarding concerns are proportional to assessed risk and the nature of the allegation/concern. Decisions need to take into account the principles of empowerment and protection.

Principle 5 - Partnerships

Partnership means working together to prevent and respond effectively to concerns of abuse and incidents. Partnerships involves working with relatives, friends, informal carers and other representatives including advocates as partners to achieve positive outcomes for the adult at risk. Working effectively together and supporting the adult at risk to make informed decisions about identified risks of harm and helping them access sources of support that keeps them safe.

Principle 6 - Accountability

This principle involves transparency and decision making that can be accounted for. Each individual and organisation must fulfil their duty of care, making informed defensible decisions with clear lines of accountability. Organisation and staff (including volunteers) must understand what is expected of them, recognise and act on their responsibilities and accept collective responsibility for safeguarding arrangements.

4.7 Raising a Concern

- The action of reporting concerns and allegations of abuse or neglect to the multi-agency safeguarding adults contact point.

4.8 What to do if you are Worried about an Adult at Risk

- When you become aware of abuse or neglect, you should make sure that emergency assistance, where required, is summoned and that your concerns are reported to your line manager or designated safeguarding officer who are known as the responders.
- Any information given directly by the adult concerned should be listened to and recorded carefully, using the person's own words.
- Clarify the bare facts of the reported abuse or grounds for suspicion; do not ask leading questions e.g. suggesting names of who may have perpetrated abuse if the person does not disclose it.
- If an adult at risk makes an allegation to you asking that you keep it confidential, you should inform the person that you will respect their right to confidentiality as far as you are able to, but, that you are not able to keep the matter secret.
- Do not take any actions which might alert the alleged perpetrator.
- Record all factual evidence accurately and complete an alert form at (Appendix I).
- Never prevent or persuade another person from raising concerns, suspicions or presenting evidence.

- Be aware of the possible need for forensic evidence. Ensure that evidence is not contaminated.
- Don't share information about the incident without agreeing this with your line manager or designated safeguarding officer or in their absence NYCC Social Care or Police.
- If you are making the referral direct in the absence of the line manager or designated safeguarding officer then follow the procedure at 4.11.
- You need to follow the referral up in writing within 48 hours to NYCC Social Care and pass a copy of the referral to the Designated Safeguarding Officer.

4.9 Abuse Requiring an Immediate Response

- If medical attention is required then contact the emergency services on 999
- Inform your line manager and designated safeguarding officer without delay

4.10 The line manager must consider if it is safe for the alleged victim to return home to a potentially abusive situation, seeking advice from the designated safeguarding officer and/or NYCC Social Care and/or Police where required. On a rare occasion it might be necessary for NYCC Social Care and/or the Police to discuss putting into effect safety measures for the victim so that they do not return home

4.11 The Referral Process

The officer will complete the adult alert/referral form if not already completed (Appendix I). These can be obtained from www.northyorks.gov.uk/safeguarding and should be send to:

North Yorkshire County Council
 Customer Services Centre
 County hall
 Racecourse Lane
 Northallerton
 North Yorkshire
 DL7 8AD

A copy of the referral should be sent to the Designated Safeguarding Officer.

Contact details to make a referral

- North Yorkshire County Council Customer Services Centre on 0845 034 9410
- Out of hours to Emergency Duty Team on 0845 034 9417
- Referrals to Police if emergency contact 999
- A copy of the referral to the Designated Safeguarding Officer

4.12 The line manager or designated safeguarding officer is entitled to:

- a. receive an understanding from North Yorkshire County Council Social Care representative of what will happen next
- b. be given the name of a contact person within North Yorkshire County Council Social Care who will be dealing with the referral

c. receive information on the outcome of the referral within 7 days.

4.13 Staff must actively contribute and participate within safeguarding Formal Enquiries carried out under the Multi-Agency Safeguarding Adults Policy and Procedure Staff should work in partnership with other agencies to ensure the safeguarding planning needs of the adult at risk are met.

5.0 SUPPORT AND WELFARE FOR STAFF

5.1 Sometimes, following a referral, Council staff, volunteers and elected members may be involved in the assessment and management process led by North Yorkshire County Council Social Care. They may be invited to take part in any Strategy Meeting or to attend an Initial Case Conference or Safeguarding Adults Review. Where there is a criminal investigation staff may be required to co-operate with the Police.

5.2 In all these circumstances staff, volunteers and elected members will be offered sufficient time to prepare and attend these meetings with the support of their line manager.

5.3 They will also receive appropriate senior management support and the designated safeguarding officer will continue to provide support and guidance as required/appropriate.

5.4 It is recognised by Ryedale District Council that dealing with safeguarding issues is not easy and staff, volunteers and elected members may need support to deal with any issues, concerns and feelings this may raise for them personally. Occupational Health and Counselling Services are available to staff. Requests for this support should be made to your line manager or the designated safeguarding officer.

6.0 OTHER SAFEGUARDING CONFERENCES

6.1 **Multi Agency Risk Assessment Conferences (MARAC)** – are for high risk victims of domestic abuse. MARAC meetings combine up to date risk assessment information with assessment of the victims needs and links this to the most appropriate services for all those directly involved in domestic abuse, including children and young people, wider family members and the perpetrator. The MARAC protocol signed up by SBC can be found on the North Yorkshire Safeguarding Children Board website www.safeguardingchildren.co.uk. The Protecting Vulnerable Persons Unit within North Yorkshire Police and/or designated safeguarding officer will support staff with this process.

6.2 **Multi Agency Public Protection Arrangements (MAPPA)** provides a framework for the assessment and management of risk posed by sexual and violent offenders. The Housing Services Manager will be the Council representative at MAPPA. Information from MAPPA will be kept on secure system.

7.0 RECRUITMENT, EMPLOYMENT AND TRAINING

7.1 All recruitment and human resource issues will be managed in line with Ryedale District Council's policies and procedures to ensure safe practice and develop an

environment where the risk of abuse is managed. This will include code of conduct, robust arrangements for Data Barring Services and whistle-blowing.

- 7.2 The Council will provide appropriate awareness and training opportunities for staff, volunteers and members to equip them to carry out their responsibilities effectively. This will include general awareness, service-specific and specialist training as appropriate, and will link into the training framework developed through the North Yorkshire Safeguarding Boards.
- 7.3 All staff will be made aware of the Council's arrangements for safeguarding and promoting the welfare of children and adults at risk and their responsibilities at the induction stage

8.0 ALLEGATIONS AGAINST STAFF, ELECTED MEMBERS AND VOLUNTEERS

- 8.1 All allegations of abuse made against members of staff, volunteers and members who work with children or adults at risk will be managed in line with the Council's employment policies and procedures.
- 8.2 These procedures apply to a wide range of allegations, including those that indicate a person may be unsuitable to work with children or adults at risk in their present position, or in any capacity. They are, therefore, to be followed in respect of allegations that a person who works with children and/or adults at risk has:
- Behaved in a way that has harmed, or may have harmed a child or adult at risk
 - Possibly committed a criminal offence against, or related to, a child or adult at risk
 - Behaved towards a child, children or adult at risk in a way that indicates they are unsuitable to work with children.
- 8.3 Where you have concerns about a colleague, you should report these concerns to the Human Resources Manager or their named deputy, who will manage the allegations in line with the agreed policy.

The Human Resources Manager will discuss allegations against staff, volunteers or elected members with the NYCC Local Authority Designated Officer (LADO). The purpose of this discussion is to consider the nature, content and context of the allegation and to agree what further action, if any, is necessary.

This may include:

- a. Child / adult at risk safeguarding investigation- this will assess whether the child/adult is in need of protection or in need of services – led by NYCC Social Care.
- b. Criminal investigation – led by North Yorkshire Police
- c. A disciplinary investigation in line with SBC disciplinary procedures.
- d. No further action.

In the first two instances Social Care and/or Police will lead on any investigations.

8.4 Human Resources will notify the Data Barring Services where -

- RDC have permanently removed a member of staff, volunteer or elected member from regulated activity
- RDC thinks that the person has either:
 - Engaged in relevant conduct or
 - Satisfied the harm test or
 - Received a caution for, or been convicted of, a relevant offence
- For most cases, the Data Barring Service only has the power to bar a person who **is, has been** or **might in future** engage in regulated activity

The Corporate Director will act as the Named Senior Manager to provide high-level support to the Human Resources Manager in handling any allegations of abuse made against members of staff or volunteers in line with the current RDC policy.

9.0 PHOTOGRAPHY, FILM AND MEDIA

9.1 The Council will take appropriate action to protect children and young people from the inappropriate use of photographic images.

Whilst it is accepted that the majority of the photographs taken by or on behalf of the Council will be anonymous group shots in public places, it should be remembered, however, that photographs can be used as a means of identifying children and young people especially when they are accompanied with personal information. This information can make children vulnerable e.g. to an individual who may wish to groom that child for abuse. The content of an image can be adapted for inappropriate use and there is evidence of adapted material finding its way on to child pornography sites. Staff, members and volunteers should be vigilant at all times regarding the use of cameras, camera phones or videos at events, which involve children and young people. Council officers will act on all concerns of any child, young person or carers regarding inappropriate use of photographic equipment/images.

9.3 For any event an officer will be identified who has responsibility for:

- Communicating that photographers may be in attendance at an event
- Ensuring that so far as it is practicable to do so, where photographs are to be taken, there is a registration process for the event which includes provision permitting consent for the use of images taken at the event. Such process must allow individuals to opt out of consent whilst still registering for the event.
- Ensuring that consent/registration forms and images are stored safely and any future use of images seeks further permissions from child and parents/carers for their use at a later date.
- Where parents/carers have agreed to photography, providing a mechanism to identify those children who may be photographed, such as a badge or marker. A simple form is available to copy in Appendix J.

- Where publicity in relation to an event includes photographs of a child all efforts are taken to minimise the use of information that may lead to the identification of the child unless it is necessary to do so.

10.0 LICENSING

10.1 The Council, as the Licensing Authority, has a duty of care to children and vulnerable adults who use Taxi or Private Hire transport that is licensed by the Council. We recognise that all children and adults at risk have a right to be safe and protected from abuse and harm. We take seriously our duty to safeguard and protect children and adults at risk and will take all reasonable steps to ensure that the operators and drivers of Taxi and Private Hire vehicles and any other licence holders pose no threat to children or persons at risk.

The Council has the power to refuse, revoke or suspend licences after convictions for various offences, or failure to comply with the relevant provisions of The Local Government (Miscellaneous Provisions) Act, 1976, Part 11, or any other reasonable cause. The power to refuse, suspend or revoke with immediate effect where it appears in the interests of public safety was introduced by the Road Safety Act 2006.

The Council has a Taxi/Private Hire Policy that determines our procedure for dealing with applications. This includes provisions to ensure that the safety of children and adults at risk is safeguarded.

These provisions provide that:

- All drivers on first application are required to undertake a Criminal Records Bureau (CRB) check and every 3 years thereafter on renewal applications.
- Any application that returns a negative safeguarding related CRB disclosure will be refused a license.
- The licensee has a right of appeal to the Council's Licensing Committee and the Magistrate's Court.

All licensed drivers must comply with the Council's "Code of Conduct for Hackney Carriage and Private Hire Drivers" (Appendix 7). Any breaches of this code will be taken seriously and could result in the license being suspended or revoked.

Where the Licensing Authority receives a complaint regarding the moral, physical, sexual harm or neglect of a child or adult at risk the license holder will be contacted and where the matter is considered to be a serious breach of the Code of Conduct the Licensing Authority will issue a precautionary suspension of the license pending an investigation by the appropriate authority. The license holder will be advised that an allegation into his/her professional conduct has been received.

The allegation will be reported to the Designated Safeguarding Officer or their relevant Deputy Officer who will ensure that all the appropriate actions are taken in line with the Council's Safeguarding Procedures both in regard to the subject of the alleged abuse and the perpetrator.

All allegations will be referred to the Police and/or the Local Authority Designated Officer at NYCC (LADO) and/or the Police Authority Designated Officer (PADO) by the Council's Designated Safeguarding Officer or their relevant Deputy Officer.

Following the investigation a decision will be made regarding any further action to be taken which could include the revocation of the license and/or criminal proceedings.

11.0 LEISURE SERVICES

- 11.1 Children and young people and adults at risk are users of the leisure services, including parks, swimming pools, leisure centres and theatres. Leisure services also organise courses for young children.
- 11.2 Any leisure facility which young people attend provides an environment in which staff need to be vigilant to protect children and adults at risk from abuse. Such risks can arise from unsupervised access to children and adults at risk, however, there is also an opportunity to protect where indicators of abuse are noted (i.e. bruises on a child coupled with observed inappropriate parental chastisement in a swimming pool, bullying of an adult with learning disabilities by a carer etc).
- 11.3 Leisure facilities are operated on the Council's behalf by Everyone Active (Sports and Leisure Ltd). The company have a Safeguarding Policy.

12.0 HOUSING AUTHORITIES AND HOMELESS SERVICES

- 12.1 Housing and homelessness services in local authorities and others at the front line such as environmental health organisations are subject to the section 11 duties set out in paragraph 2.2 of this document.
- 12.2 Professionals working in these services may become aware of conditions that could have an adverse impact on children. Under Part 1 of the Housing Act 2004, authorities must take account of the impact of health and safety hazards in housing on vulnerable occupants, including children, when deciding on the action to be taken by landlords to improve conditions.
- 12.3 Housing authorities also have an important role to play in safeguarding vulnerable young people, including young people who are pregnant or leaving care.

13.0 COMMISSIONED SERVICES

13.1 Working with Contractors and Partner Organisations

Any contractor or sub-contractor, engaged by the Council in areas where workers are likely to come into contact with children, young people or adults at risk should have their own Safeguarding Children, Young People and Adults At Risk Policy or, failing this, must comply with the terms of this policy. Any policy must include requirements which ensure that workers with the potential to come into contact with children, young people or adults at risk are subject to the necessary data barring checks. In any contract let by the Council, the Council must make provision allowing for the investigation, report and/or inspection of any agency/organisation acting on or behalf of them where there is a cause for concern in relation to safeguarding.

- 13.2 This requirement must form part of any service level agreement, contract or license.

13.3 Letting of Facilities/Events

Where facilities are let to external groups or events organised, which involve children, young people or adults at risk when parents/carers are not present, the Council will include provision within its conditions of hire requiring:

- include within their risk register for the event consideration of the management of risks related to safeguarding children
- public liability insurance (£5 million minimum)
- either agreement to work within the expectations of this policy unless the event organiser has in place an alternate suitable safeguarding children, young people and adults at risk policy
- retain a register for the recording of medical information or special needs
- ensure staff who will have significant unsupervised involvement with children and young people over the course of the event have data barring checks where appropriate for the role they are undertaking.

14.0 SAFE MANAGEMENT OF THE USE OF ELECTRONIC MEDIA

14.1 Children and young people can be abused in their homes, community settings, and educational settings through the use of digital technology by adults, other children or strangers. We therefore have to raise awareness and educate those involved in a child's/young person's welfare and development about the dangers that children/young people can face in the online world. For many children / young people in North Yorkshire, the online 'virtual' world is as real to them as the 'real' world; however the digital world needs to be seen in the same context as the real world in that it also has dark alleys and dangerous places which children and others would be unwise to venture into. Children / Young people do not always recognise the inherent dangers of the internet and often do not understand that online behaviour may have offline consequences. Despite this, digital technologies can offer children and young people opportunities to learn and develop, communicate, be creative and be entertained.

14.2 It is not possible to completely control use of internet, gaming, and social media and a risk management approach is therefore required.

14.3 Children and young people must be encouraged to develop as responsible online citizens. Such citizens will recognise their responsibility to keep themselves and their peers safe online as well as accepting the responsibility they have to present themselves as positive role models. It is only through the development of a sense of online responsibility that the safety and well-being of today's children and young people can be ensured.

The District Council working together with the North Yorkshire Safeguarding Board have established a team of E Safety Ambassadors who are able to provide training and guidance in relation to E Safety to those whose work brings them into contact with young people.

Where as a consequence of the Local Authority's decisions children or young people are provided with access to electronic media, a risk assessment should be undertaken to determine whether safeguards should be considered.

This should take regard of the County wide E Safety Strategy, procedures and training provided by the Safeguarding Board Ambassadors.

Ryedale District Council does not have its own E Safety Ambassador further information can be sought from Scarborough Borough Council.

15.0 SEXUAL EXPLOITATION AND TRAFFICKING

15.1 The sexual exploitation of children can involve exploitative situations, contexts and relationships where young people (or a third person or persons) receive "something" (e.g., food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of their performing, and/or another or others performing on them, sexual activities.

It can occur through the use of technology without the child's immediate recognition; e.g., being persuaded to post sexual images on the internet/mobile phones without immediate payment or gain.

In all cases, those exploiting the child have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources.

Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

Everyone should be alert to the possibility that a child for whom they have concerns may be sexually exploited. They should discuss their concerns with their service unit manager or designated safeguarding officer or children's social care if they are concerned that a child falls into the following categories.

Category 1 (at risk): a vulnerable child who is at risk of being targeted and groomed for sexual exploitation;

Response required - In a case where there are indications that a child is at risk of being groomed for abuse through sexual exploitation, staff, volunteers, members should consult their Line Manager or Designated Safeguarding Officer.

Category 2 (medium risk): a child who is targeted for opportunistic abuse through the exchange of sex for attention, accommodation, food, gifts and drugs. The likelihood of coercion and control is significant;

Response required - Where a child is considered to be at medium risk of sexual exploitation, a referral should be made to Children's Social Care following the procedure at section 3.

Category 3 (high risk): a child, whose sexual exploitation is habitual, often self-defined and where coercion/control is implicit.

Response required - Where a child is considered to be at high risk of sexual exploitation, a referral should be made to Children's Social Care following the procedure at section 3.

These categories include situations where:

- A child is at immediate risk of significant harm and has other additional vulnerabilities;
- The sexual exploitation may be being facilitated by a child's parent;
- The sexual exploitation may be facilitated by a child's parent failing to protect;
- A related or unrelated adult in a position of trust or responsibility to a child may be organising or encouraging the sexual exploitation.

15.2 Trafficking

Trafficking is defined as 'the recruitment, transportation, transfer, harboring or receipt of children by means of threat, force or coercion for the purpose of sexual or commercial sexual exploitation or domestic servitude'

A number of factors identified may indicate that a child or young person has been trafficked. In all such cases the first priority is to ensure the safety of the child or young person

15.3 Indicators

- The child or young person may present as unaccompanied;
- Child or young person may go missing;
- Multi use of the same address may indicate that this is a sorting house;
- Contracts, consent and financial inducement with parents may become apparent;
- The child or young person may hint at threats to family in their country of origin;
- Talk of financial bonds and the withholding of documents;
- Befriending of a vulnerable child or young person;
- False hopes of improvement in their lives;

If any suspicions are raised that a child or young person is being trafficked, or at risk of this, immediate action to safeguard the child or young person is required.

Staff, volunteers and members should consult their Line Manager or Designated Safeguarding Officer.

The Line Manager and/or Designated Safeguarding Officer will undertake urgent liaison with the Police.

In the absence of a Line Manager the Designated Safeguarding Officer a referral should be made to Children's Social Care following the procedure at section 3.

16.0 **PREVENT**

- 16.1 Prevent is one of the four main strands of the government's counter terrorist strategy, CONTEST. Prevent has five main objectives, objective 3 of which is "Supporting vulnerable individuals who are being targeted and recruited to the cause of violent extremism."

The Prevent strategy promotes a multi-agency approach which emphasises the need to recognise the vulnerability of children, young people and vulnerable adults to radicalisation, work to safeguard those at risk, and work together to provide the skills, understanding and support to children and young people to make critical choices and develop strategies to resist the narratives of extremists and exploitative relationships.

Radicalisation is defined as the process by which people come to support terrorism and violent extremism and, in some cases, to then participate in terrorist groups.

There is no obvious profile of a person likely to become involved in extremism or a single indicator of when a person might move to adopt violence in support of extremist ideas.

The process of radicalisation is different for every individual and can take place over an extended period or within a very short time frame.

No research has identified a definitive list of indicators which would show that someone is vulnerable to radicalisation to violent extremism. People can be drawn into violence or they can be exposed to the messages of extremist groups by many means. These can include family members or friends, direct contact with members groups and organisations or, increasingly, through the internet.

This can put a person at risk of being drawn into criminal activity and has the potential to cause significant harm. Potential diagnostic indicators identified in the Channel Guidance include:

- use of inappropriate language,
- possession of violent extremist literature,
- behavioural changes,
- the expression of extremist views,
- advocating violent actions and means,
- association with known extremists,
- seeking to recruit others to an extremist ideology.

If any suspicions are raised about individuals who may be vulnerable to being drawn into terrorism or at risk of this, immediate action to safeguard the child or young person is required.

Staff, volunteers and members should consult their Service Unit Manager or Designated Safeguarding Officer who will report this to the Police.

The Police will refer it to the most appropriate of the multi-agency arrangements.

17.0 CONFIDENTIALITY AND STORAGE OF INFORMATION

- 17.1 The identity, information and/or suspicions about the welfare of a child or adult at risk should be treated in strictest confidence and discussed only with your line manager or designated safeguarding officer, appropriate NYCC Social Care Officers or the Police. In sharing information with NYCC Social Care or the Police the welfare of the child, young person or adult at risk is paramount and overrides all other considerations regarding the sharing of information.

- 17.2 Any confidential notes, records, written complaints or allegations, should be forwarded as soon as possible to Designated Safeguarding Officer in a sealed envelope marked "*Private and Confidential (Addressee Only)*".
- 17.3 The Designated Safeguarding Office officer is responsible for maintaining accurate secure records of all concerns received, and action taken in response, including ensuring the completion of the Child Protection Incident Reporting Form and Safeguarding Adults Alert/Referral Form.
- 17.4 The Human Resources Manager is responsible for keeping secure records of all allegations of abuse against staff and volunteers, and management action taken.
- 17.5 Access to the secure records will be given to service unit manager level and above and to the designated Safeguarding Officer and line manager.

DEFINITIONS/GLOSSARY

TERM	MEANING
Adult & Children's Social Care	North Yorkshire County Council. Further details and multi agency procedures can be obtained at www.safeguardingchildren.co.uk and www.northyorks.gov.uk/safeguarding
Child/Children/Young Person	Anyone under the age of 18
Data Barring Service	The DBS is a national organisation conducting checks to enable an assessment to be made on the suitability of a person to care for or work with children or vulnerable adults.
Designated Safeguarding Officer	The council employee with overall responsibility for overseeing the Safeguarding Policy and Procedures. In the absence of the Designated Safeguarding Officer, the Deputy Chief Executive will take on this role.
Employees/Member of staff	Those employed by the Council, whether permanent or temporary. This includes paid and voluntary staff, and also elected Councillors.
North Yorkshire Local Safeguarding Children's Board (NYLSCB)	The Children Act 2004 required each local authority to establish a Local Safeguarding Children Board (LSCB). The North Yorkshire Safeguarding Children Board (NYSCB) is the key statutory mechanism for agreeing how relevant organisations in North Yorkshire will cooperate to safeguard and promote the welfare of children in the county, and for ensuring the effectiveness of their arrangements for safeguarding.
North Yorkshire Safeguarding Adults Board (NYSAB)	The North Yorkshire Safeguarding Adults Board (NYSAB) oversees multi-agency work on safeguarding vulnerable adults.
Parent	Generic term to include birth parents, stepparents and carers. The term will specify parental responsibility where necessary.
Safeguarding	The process of protecting from abuse, neglect or maltreatment, preventing impairment of health and development, and ensuring the provision of safe and effective care to enable optimum life chances and successfully progression to adulthood with independence.
Adult At Risk	An adult who has needs for care and support (whether or not the local authority is meeting any of those needs) and; is experiencing, or at risk of, abuse or neglect; and as a result of those needs, is unable to protect himself or herself against the abuse or neglect or the risk of it.
Multi Agency Risk Assessment Conferences (MARAC).	Are for high risk victims of domestic abuse.
Multi Agency Public Protection Arrangements (MAPPA)	Provide a framework for the assessment and management of risk posed by sexual and violent offenders.

LEGISLATIVE FRAMEWORK

Children Act 1989 Children Act 2004

Section 10 requires each Local Authority (i.e. Children's Services Authority) to make arrangements to promote co-operation between the Authority, each of the Authority's relevant partners (including District Councils) and such other persons or bodies working with children in the Local Authority area as the Authority considers appropriate. The arrangements are to be made with a view to improving the wellbeing of children in the Authority's area that includes protection from harm or neglect alongside other outcomes. This section is the legislative basis for Children's Trust arrangements.

Section 11 requires a range of organisations (including District Councils) to make arrangements for ensuring that their functions, and services provided on their behalf, are discharged with regard to the need to safeguard and promote the welfare of children.

Section 13 requires each Children's Services Authority to establish a Local Safeguarding Children Board. It also requires a range of organisations (including District Councils) to take part in Local Safeguarding Children Boards.

Section 17(10) states that a child shall be taken to be in need if:

- a. He is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority under this Part.
- b. His health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services, or
- c. He is disabled.

There are two specific duties on District Councils to co-operate in the interests of children in need.

Section 27 provides that a Children's Services Authority may request help from any local authority in exercising the local authority's functions under Part 3 of the Act. Part 3 places a duty on local authorities to provide support and services for children in need. The authority whose help is requested in these circumstances has a duty to comply with the request, provided it is compatible with its other duties and functions.

Section 47 places a duty on any local authority to help a Local Authority (i.e. Children's Services Authority) with its enquiries in cases where there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm.

POLICIES AND PROCEDURES SUPPORTING SAFEGUARDING
--

Human Resources Policies, Procedures and Regulations including:

- Code of Conduct
- Disciplinary Procedure and Rules
- Disclosure Policy and Procedure
- Employment of Ex-Offenders
- Equality Statement and Equality Scheme
- Grievance Policy and Procedure
- Harassment and Bullying Policy
- Recruitment and Selection – Code of Practice (including CRB procedure)
- References – Guidance on providing and obtaining References

Health & Safety Policies, Procedures and Regulations including:

- Risk Assessments:
- New and Expectant Mothers
- Young People at Work
- Accident Reporting
- Corporate Policy Statement
- Personal Safety
- Guidance on Young People at Work

Whistleblowing Policy

Complaints Procedure

Corporate Customer Care Policy and Procedure

Data Protection Policy, Procedure and Guidance

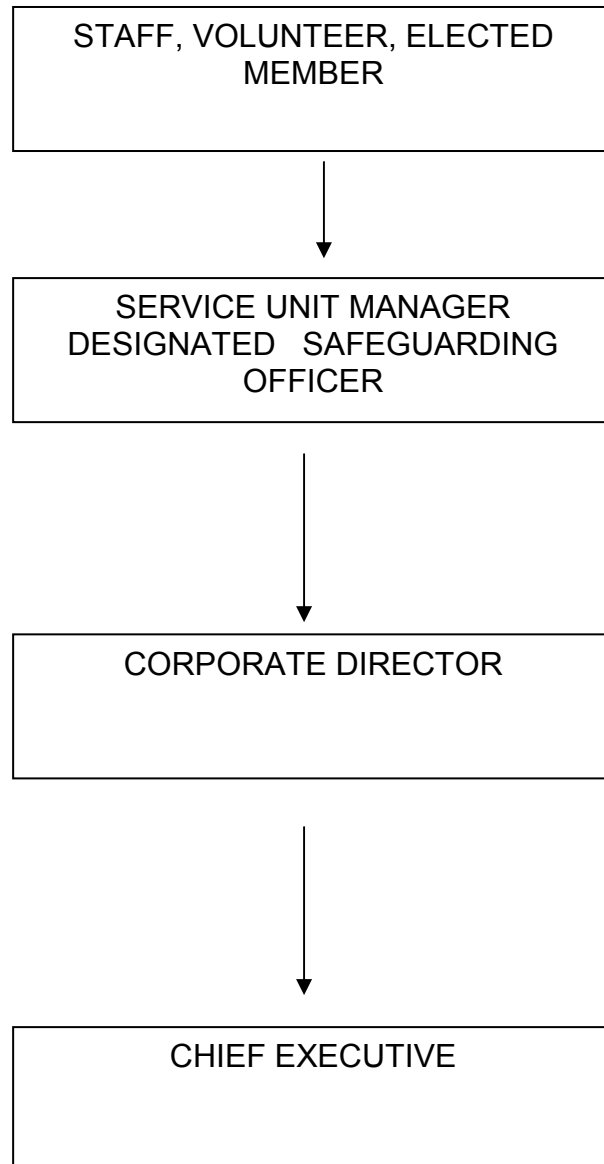
ICT User Policy

Licensing Policy

Multi Agency Risk Assessment Conference Protocol

Service-specific policies and procedures

ACCOUNTABILITY AND MANAGEMENT FOR SAFEGUARDING



ROLES AND RESPONSIBILITIES

Chief Executive	<ul style="list-style-type: none"> • Ensures the Council fulfils its statutory duties
Corporate Director	<ul style="list-style-type: none"> • Safeguarding overall Lead for the Council • Endorses Safeguarding Arrangements
Heads of Service	<ul style="list-style-type: none"> • Ensures Safeguarding Arrangements are implemented
Safeguarding Panel	<ul style="list-style-type: none"> • Agrees Corporate Safeguarding priorities and actions • Supports Designated Safeguarding Officer • Leads and co-ordinates safeguarding work throughout the District Council. • Maintains and updates the Council's Safeguarding Policy providing quality assurance checks.
Designated Safeguarding Officer	<ul style="list-style-type: none"> • Acts as Designated Safeguarding Officer. • Represents the Council on Locality Safeguarding Forums and ensures appropriate links to NY Children and Adults Safeguarding Boards. • Acts as point of contact for raising safeguarding concerns within the Council in the absence of the relevant Service Unit Manager. • Ensures that appropriate action is taken in response to concerns raised, and that lines of responsibility are clear. • Provides advice and support to Service Unit Managers, staff and elected members where necessary. • Provides a central secure record system of all reported safeguarding concerns, allegations or suspicions.
Human Resources Manager	<ul style="list-style-type: none"> • Acts as Named Senior Manager in relation to allegations of abuse against staff and volunteers
Service Unit Managers	<ul style="list-style-type: none"> • Ensures the Council's Safeguarding Policy is followed in managing all safeguarding concerns, allegations or suspicions. • Collects details of allegations, suspicions or concerns from staff within their service area. • Acts as a point of contact for staff within their service area for raising safeguarding concerns. • Ensures that appropriate action is taken in response to concerns raised, and that lines of responsibility are clear. • Seeks advice from, and liaises with, safeguarding agencies where required. • Makes appropriate referral to safeguarding agencies and ensure referrals are followed up. • Refers any allegations of abuse against staff and volunteers to the Named Senior Officer (Human Resources Manager, or deputy). • Ensures accurate and secure records of all safeguarding concerns, allegations or suspicions reported to them and ensure completion of the appropriate referral forms. • Ensures secure records of all safeguarding concerns, allegations or suspicions are sent to the Designated Safeguarding Officer. • Monitor action to safeguard and promote welfare of children and adults at risk within their areas of responsibility • Ensure delivery of safe services and safe working practices
All those involved in developing and delivering services	<ul style="list-style-type: none"> • Deliver services with regard to safeguarding and promoting the welfare of children and adults at risk • Raise any safeguarding issues, concerns or allegations as set out in the policy.

CODE OF CONDUCT FOR SAFEGUARDING

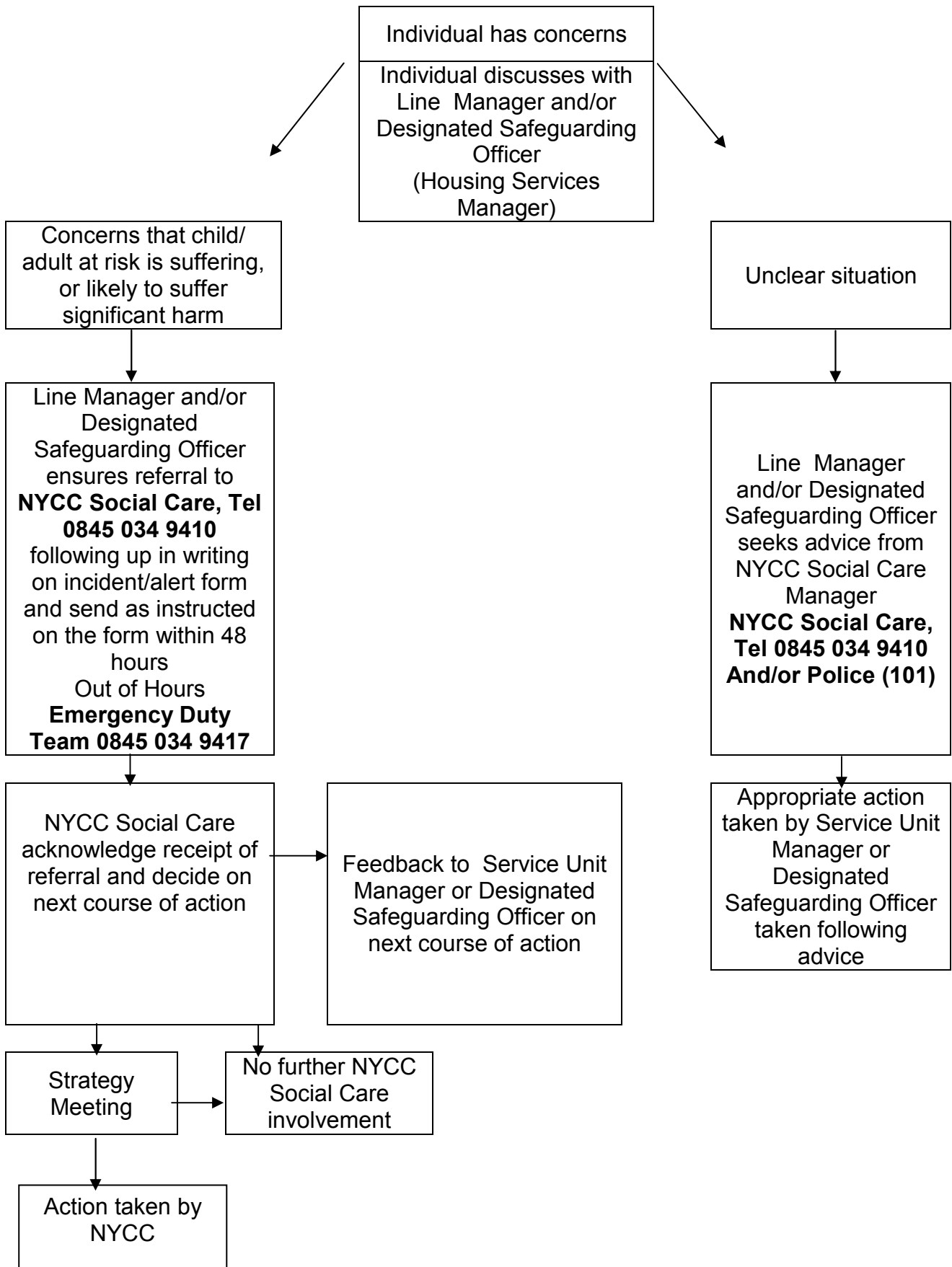
DO

- Treat all children and adults at risk fairly and with respect.
- Be aware of the procedures for reporting concerns and how to contact the Designated Safeguarding Officer.
- Be aware that physical contact with a child or adult at risk may be misinterpreted. There may be occasions when this is unavoidable, such as comfort at times of distress, or physical touch in sport (*see NGB Guidelines*). In all such cases contact should only take place with the consent of the child or vulnerable adult.
- Respect the right of a child or adult at risk to personal privacy.
- Make others (for example your line manager) aware if you find yourself the subject of inappropriate affection or attention from a child or adult at risk.
- Report to the Designated Safeguarding Officer any safeguarding concerns including allegations or suspicions of abuse.

DO NOT

- Spend time alone with children or adults, away from others. Meetings with individuals should be avoided or take place within sight of others. If privacy is needed, the door should remain open and other staff or volunteers should be aware of the meeting.
- Take children or adults at risk alone in a car, however short the journey. Where this is unavoidable it should be with full knowledge and consent of the parents/carer and the manager responsible for the service/activity.
- Meet children or adults at risk outside of organised activities, unless it is with the knowledge and written consent of the parents/carer and the manager responsible for the service/activity.
- Start an investigation or question anyone after an allegation or concern regarding abuse has been raised. You should just record the facts and report these to the Service Unit Manager and/or Designated Safeguarding Officer.
- Allow any allegations made to go without being reported and addressed, or either trivialise or exaggerate abuse issues.
- Make promises to keep any disclosure confidential from relevant authorities.
- Show favouritism to any one, or threaten/carry out any form of physical punishment.
- Never:
 - Initiate or engage in sexually provocative conversations or activity
 - Allow the use of inappropriate language to go unchallenged
 - Do things of a personal and intimate nature that individuals can do for themselves.

REPORTING ARRANGEMENTS



CHILD PROTECTION INCIDENT REPORTING FORM

CHILD PROTECTION INCIDENT REPORTING FORM	
Date of Report:	
Site / Service:	
Name of person making the report:	
Role / Position:	
Contact details:	
Telephone (Work):	
(Mobile):	
(Home):	
Email:	
Name of Child(ren):	Date of Birth:
	Date of Birth:
	Date of Birth:
	Date of Birth:
Address:	
Name of Parent (s)/ Guardian(s):	
Contact details:	
Telephone (Work):	
(Mobile):	
(Home):	
Email:	
Details of any special needs or communication needs of child and/or parent / guardian:	

(Please turn over to complete the form)
--

Details of Incident / Disclosure / Observation

Please give an accurate record of the incident / disclosure / observation that has lead you to make this report in as much detail as possible.

- **Why do you feel the child is suffering, or is likely to suffer, significant harm**
- **Share your knowledge and involvement of the child(ren)**
- **Share your knowledge of any other agency involved**
- **Indicate the child's parent/guardian's knowledge of the referral and their expectations**

If you have made a referral by telephone follow this up in writing within 48 hours.

Date of Incident/Disclosure/Observation:

Time:

Details of what took place: (please continue on a separate sheet if required)

Signed:

Date:

**North Yorkshire Safeguarding Adults Board
Inter-agency Safeguarding Adults Concerns Form**

STRICTLY CONFIDENTIAL

This form should be completed in accordance with the Multi-Agency Policy and Procedures which can be found at www.nypartnerships.org.uk/sab

You should complete this form with as much detail as possible. Lack of access to the necessary information should NOT delay reporting the alert.

You should first contact North Yorkshire County Council Customer Services Centre on **01609 780780**.

You should then send the completed form as a confidential document to: North Yorkshire County Council, Customer Services Centre, County Hall, Racecourse Lane, Northallerton, North Yorkshire DL7 8AD. Fax number: 01609 532009

The form can also be e-mailed to social.care@northyorks.gov.uk or using the secure e-mail address social.care@northyorks.gcsx.gov.uk with 'Safeguarding adults concern' as the subject.

REMEMBER: If you suspect that someone is being abused and they are in **immediate** danger you should ring the Police on **999**.

Date of the concern:

PART A

1 Tell us about the adult at risk that you are concerned about: <i>(please complete as much of this as is known – if not known put N/K)</i>

Name:

Gender:

Home address:

Telephone No:

Age:	Date of Birth:
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Ethnic Origin/Nationality:	Religion:
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Primary support needs of the adult at risk (refer to guidance notes):
--

Is the adult at risk aware of the safeguarding concern? Yes <input type="checkbox"/> No <input type="checkbox"/>

If No, why not?

--

Is the adult at risk involved with any other agencies? Yes No Not Known

If Yes, please provide details:

--

2 Tell us about the main contact for the adult at risk

Name:

Relationship to adult at risk:

Are they the relative/carer? Yes No

Are they aware that this concern has been raised? Yes No

Contact address:

Telephone No:

Mobile No:

Email:

County:

Postcode:

Are they willing to be contacted? Yes No Not Known

3a Tell us about the concern (s) being raised

Location of alleged incident/concern
(please give details):

Date and Time of alleged incident/concern:

Date:

Time:

Type of location (refer to guidance)

What type of abuse is suspected? (Tick all that apply):

- | | | | | |
|--|--|--|--|--|
| <input type="checkbox"/> <i>Neglect</i> | <input type="checkbox"/> <i>Psychological</i> | <input type="checkbox"/> <i>Financial & material</i> | <input type="checkbox"/> <i>Physical</i> | <input type="checkbox"/> <i>Sexual</i> |
| <input type="checkbox"/> <i>Discriminatory</i> | <input type="checkbox"/> <i>Organisational</i> | <input type="checkbox"/> <i>Modern slavery</i> | <input type="checkbox"/> <i>Self-neglect</i> | <input type="checkbox"/> <i>Domestic abuse</i> |

And do you consider this abuse is also:

- | | |
|--|---|
| <input type="checkbox"/> <i>Hate Crime</i> | <input type="checkbox"/> <i>Sexual exploitation</i> |
|--|---|

3a Tell us about the alleged incident/concern(s) being raised - continued

Factual details of the alleged incident/concern:

*This should be **concise** and include a clear factual outline of the concern being raised with details of times, dates, people and places where appropriate.*

Remember to:-

Describe what happened;

Make it clear what is fact and what is opinion;

Record whether there were any witnesses to the incident; who they were and how they can be contacted.

(Please continue on a separate sheet if required)

3b Tell us what actions have been taken to reduce the risk of harm or abuse to the adult at risk.

Tell us what actions have been taken to ensure the safety of the adult at risk.

Where is the adult at risk now? (Include where they are in relation to the person alleged to have caused harm)

Is anyone else at risk of abuse? Yes No Not Known

If so give name(s) and details

In your opinion, does the adult at risk have the mental capacity to understand the risks within this safeguarding concern?

Yes No Not Known

If you are concerned about the welfare of the adult at risk have you contacted their GP or the ambulance service? Yes No

If No, why not

If you think that a crime has been committed have Police been contacted? Yes

No

If Yes, what was the outcome?

If No, why not?

Who did you speak to?

What was the Police Crime/Ref No?

Who else has been informed of this concern?

4 Details of person(s) alleged to have caused harm (if known)
(please complete as much of this as is known and continue on a separate sheet if more than one is involved)

Name:

Address:

Occupation/Position/Title/Organisation:

Date of Birth:

Gender:

What is the relationship of the person alleged to have caused harm to the adult at risk?

(please see list of options at the end of this form)

Does the adult at risk know the person alleged to have caused harm?

Yes No Not sure

Is the person alleged to have caused harm a person with care and support needs?

Yes No Not Known

Is the person alleged to have caused harm the main family carer?

Yes No Not Known

Is the person alleged to have caused harm aware of this alert?

Yes No Not Known

If yes, what is their response, and are there any hazards to be aware of?

5 Details of person raising the concern	
Name:	Job title (if applicable):
Organisation (if applicable):	Type of organisation: (delete those that do not apply) Health/Housing/District Council/NYCC/ Other/Police/Private /Voluntary
Contact address:	Telephone No: Mobile No: Email:
County:	Postcode:
Relationship to the adult at risk: (please see list of options at the end of this form)	
Who raised the concern with you?	
Date completed:	

Guidance Notes for completing this form

Section 1 - Primary Support Reasons: Please enter one of the following:-

Physical support	Mental Health support
Sensory support	Social support
Support with memory and cognition	No support reason
Learning Disability support	Not known

Section 3a - Location of alleged incident/concern: Please enter one or more of the following:

Residential care	Hospital
Nursing care	Community service
Own Home	Other

Section 4 - Details of person alleged to have caused harm

Please enter one or more of the following:-

Social Care Support or Service Provider - public sector
Social Care Support or Service Provider - private sector
Social Care Support or Service Provider - voluntary (3rd sector)
Relative / Family Carer
Individual - known but not related
Individual – unknown/stranger
Primary Health Care staff
Secondary Health Care staff
Community Health Care staff
Social Care Staff - care management & assessment
Police
Regulator, e.g. Care Quality Commission
Other public sector staff
Other private sector staff
Other voluntary

Section 5 – Details of the person raising the concern: Please enter one of the following:-

Domiciliary Care Staff	Self Referral
Residential Care Staff	Family member
Day Care Staff	Friend/neighbour
Social Worker/Care Manager	Other service user
Self -Directed Care Staff	Care Quality Commission
Other Social Care Staff	Housing
NHS - Primary/Community Health Staff	Education/Training/Workplace Establishment
NHS - Secondary Health Staff	Police
NHS - Mental Health Staff	Other

USEFUL CONTACTS

RYEDALE DISTRICT COUNCIL

Any Safeguarding concerns, allegations and suspicions

Designated Safeguarding Officer:
Kim Robertshaw
Housing Services Manager
Ext 383

Deputy Safeguarding Officer
Beckie Bennett
Head of Environment, Streetscene & Facilities
Ext 249

Allegations of abuse against staff and volunteers

Phil Long
Corporate Director
Ext 461

Denise Hewitt
Human Resources Manager
Ext 394

NORTH YORKSHIRE COUNTY COUNCIL

Customer Service Centre:
01904 780780

Email: social.care@northyorks.gov.uk

For general questions and enquiries about safeguarding, please contact the safeguarding adults team: safeguardingadultsteam.enquiries@northyorks.gov.uk

Please note this e-mail address is NOT for reporting abuse or making referrals.

Local Authority Designated Officer (LADO) for North Yorkshire

Contact via: Customer Service Centre: 0845 0349410

NORTH YORKSHIRE POLICE

Child Abuse Investigation Team	101
MASH Multi Agency Safeguarding Hub	101

NATIONAL ORGANISATIONS

NSPCC Child Protection Helpline:	0808 8005000
Childline:	0800 1111
Care Quality Commission:	0300 0616161
Action on Elder Abuse:	0808 8088141
Victim Support:	0808 1689111
The Samaritans	0845 7909090
Help The Aged	0207 2781114
Domestic Abuse Services	01723 365609
Women's Aid Nationally	0808 2000247
Age Concern	0800 009966
Shelterline	0808 8004444

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	26 NOVEMBER 2015
REPORT OF THE:	FINANCE MANAGER (s151) PETER JOHNSON
TITLE OF REPORT:	LOCALISATION OF COUNCIL TAX SUPPORT 2016/2017 SCHEME
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 This report seeks approval of the scheme for 2016/17. There are two changes proposed to the scheme which has operated in 2015/16.

2.0 RECOMMENDATIONS

2.1 That members recommend to Council

- (i) a Local Council Tax Support Scheme for 2016/17 to include a minimum payment of 8.5%, and with the changes proposed to limit the backdating of claims to one month instead of six months and to remove the family premium from 1 May 2016.
- (ii) to authorise the Finance Manager in consultation with the Chairman of Policy and Resources Committee to undertake the necessary consultation work to design a scheme for 2017/18, in light of the experience in previous years, to be presented to Policy and Resources Committee in December 2016.

3.0 REASON FOR RECOMMENDATIONS

3.1 The Council must approve a scheme of its choice for 2016/17.

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks in approving the scheme as recommended.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 The Council will need to approve a Local Scheme for Council Tax Support (CTS). Consultation is undertaken annually through the Councils website.

6.0 REPORT DETAILS

- 6.1 At Council on the 18 December 2014 members approved a scheme for Localised Council Tax for 2015/16. This followed the Government's decision to terminate Council Tax Benefit and allow Local Authorities to establish their own local schemes from 1 April 2013. Council Tax Support (CTS) is a discretionary means-tested reduction to help residents on low incomes to pay their Council Tax bill.

The current scheme provides that all working age customers have a maximum award of 91.5% of their Council Tax liability, which means that every working age household is required to pay at least 8.5% of their Council Tax bill.

- 6.2 The main feature of the Council's scheme was that working age claimants saw an 8.5% reduction in benefit and many people who had never paid Council Tax were now doing so. Whilst the sums were often low (most were £64 to £130), there were residents on low incomes and/or benefits. The decision to make a cut of 8.5% did attract transitional grant funding from Government of £11k for RDC in 2013/14 (and proportionate amounts for the other major preceptors). This grant was available for 2013/14 only. In 2013/14 and 2014/15 and 2015/16 the Council received new burdens funding for the additional work around local schemes and these grants have been taken into the Councils budget. At this stage it is not known whether funding will be available in 2016/17, however it is believed that a financial contribution towards additional costs may be possible from the major preceptors, in particular the County Council, should the new burdens funding be no longer available. This in part is because of the greater financial benefit NYCC would see from any extension of the scheme.
- 6.3 The scheme affects all precepting authorities (District Councils, County Councils, Fire Authorities, Police Authorities and Parish Councils) through the Council Tax Base (CTB) which is reduced by the cost of the scheme.
- 6.4 The following table sets out the estimated claimant breakdown for 2015/16:

Claimant Type	Number	Annual Cost	% total spend
1. Over Pension Age	1874	£1771k	62%
2. Working Age – Household Vulnerable	288	£242k	8%
3. Working Age: Vulnerable	457	£465k	15%
4. Working Age: Employed	270	£158k	5%
5. Working Age: - Other	399	£320k	10%
	3288	£2956k	

1. Pensionable age – where claimant or partner meet the criteria.
2. Working Age Household Vulnerable – there is a child under 5 in the household.
3. Working age Vulnerable – where disability premiums are included in the assessments.
4. Working age Employed – Working 16 hours or over.
5. Working Age Other – All other working age claimants.

- 6.5 Council must now consider a scheme for 2016/17. In order to inform this process consultation has again taken place on the preferred maximum liability for Council Tax and options for aligning the scheme with two changes to Housing Benefit. Public consultation took place between 7 October 2015 and 11 November 2015 via the Council's web site. No responses were received to the questionnaire.

The scheme for Pension Age applicants is set by Government.

- 6.6 The Government has announced its intention to remove the family premium and limit the backdating of Housing Benefit claims to one month instead of six months. The Family Premium is awarded in Housing Benefit and Council Tax Support if the claimant or partner has at least one child living with them in which they receive Child Benefit for. It currently increases the applicable amount by £17.45. The recommendation is to make similar amendments to the Local Council Tax Support Scheme for 2016/17. All of the North Yorkshire authorities are considering this.
- 6.7 For 2016/17, year 4, there is again a mixed picture of approaches from Local Authorities. Proposed 2016-17 schemes within the North Yorkshire Districts are as follows:

	2016/17	2015/16	Working Age Recipient Collection Rate 2014/15
Craven	10%	10%	81.80%
Hambleton	20%	20%	78.18%
Harrogate	0%	0%	Not available
Richmondshire	10%	8.5%	84.70%
Ryedale	8.5%	8.5%	82.23%
Scarborough	12.5%	10%	81.04%
Selby	10%	10%	74.60%
York	18%	30%	Not available

- 6.8 Those with the greater cuts have generally seen the greatest impact on collection rates and increased administrative costs, as well as the impact on claimants. The billing authority (RDC) alone bears these increased administrative costs.
- 6.8 Should RDC lower the rate of discount from 91.5% to 80% to claimants it would mean the additional amount which would be billed to working age claimants would be c.£150k for a rate of 20%. RDC's share of this additional income after considering collection rates would be c.£10k. There would potentially be additional costs facing the Council from such a decision. Claimant payments would increase such that the majority would be £150 - £300 per annum.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:

a) Financial

There are no significant new financial implication of the recommendation. There may however be an impact on staff resources and the time taken to process applications. The Council is currently operating two schemes, one for Housing Benefit and one for Local Council Tax Support, but with the same principles. There would be a significant impact on the time taken to process applications if required to operate two schemes with significant differences. The recommended approach would maintain the alignment of operating principles.

b) Legal

The scheme is a detailed legal document of the Council which will only require minor amendment as a result of changes to legislation. The amendments over which the Council has discretion are included in the report.

c) Other

An impact assessment has been undertaken of previous claims which found that the majority of those backdated include requests for up to a month. Of the total number of claims, 1.8% requested a backdated claim, of these 67% were for less than one month. It is not possible to predict the impact of the removal of the family premium as this will only affect new claimants from 2016 and demand cannot be anticipated.

Clare Slater
Head of Corporate Services

Author: Clare Slater, Head of Corporate Services
Telephone No: 01653 600666 ext: 347
E-Mail Address: clare.slater@ryedale.gov.uk

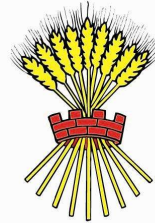
Background Papers:

[Ryedale District Council Council Tax Reduction Scheme - S13A and Schedule 1a of the Local Government Finance Act 1992](http://www.ryedale.gov.uk/attachments/article/795/Ryedale_S13a_Scheme_Complete_v1.93.pdf)

http://www.ryedale.gov.uk/attachments/article/795/Ryedale_S13a_Scheme_Complete_v1.93.pdf

[The Housing Benefit \(Abolition of the Family Premium and date of claim\) \(Amendment\) Regulations 2015](http://www.legislation.gov.uk/uk/si/2015/1857/made) <http://www.legislation.gov.uk/uk/si/2015/1857/made>

**RYEDALE
DISTRICT
COUNCIL**



Local Council Tax Support Scheme Questionnaire

Ryedale District Council is currently consulting on its Local Council Tax Support Scheme for the 2016/17 financial year.

Council Tax Support (CTS) was implemented on 1 April 2013 and replaced the former national Council Tax Benefit scheme with a discount scheme. It is a discretionary means-tested reduction to help residents on low incomes to pay their Council Tax bill.

The current scheme provides that all working age customers have a maximum award of 91.5% of their Council Tax liability, which means that every working age household is required to pay at least 8.5% of their Council Tax bill.

Proposed changes to the Local Council Tax Support Scheme for 2016/17

Local Authorities must review their schemes annually and the Council is considering its options for the maximum Council Tax liability we use for 2016/17.

The scheme for Pension Age applicants is set by Government and is not affected by any of the changes set out in this consultation.

The Government has also announced its intention to remove the family premium and limit the backdating of Housing Benefit claims to four weeks instead of six months. The Council proposes to do the same for its Local Council Tax Support Scheme for 2016/17.

Have your say

We welcome your views on the proposals outlined by completing the following short questionnaire.

It is important to get the views of all Council Taxpayers, regardless of whether you receive any discounts or reductions, as the scheme is paid for through Council Tax payments.

The consultation is open from Wednesday 7 October to Wednesday 11 November 2015

Some sections are optional, but please continue to the end of the questionnaire in order to complete and submit.

Q1 **MAXIMUM AWARD**

Currently all working age customers can apply for a maximum reduction of 91.5% of their Council Tax Bill. For 2016/17, we are considering keeping the reduction against the bill at 91.5% or changing the reduction against the bill to 85% or 80%:

The effect of the different options we are considering is illustrated in the table below. The example below is based on the Band D charge of £1554.06 (without any Parish Charges) across the Ryedale District for the 2015/16 year.

	Under the current scheme 91.5% charges would be:	Under the proposed scheme 85% charges would be:	Under the proposed scheme 80% charges would be:
Annual Cost	£132.10	£233.11	£310.81
Monthly Cost over 10 months	£13.21	£23.31	£31.08
Weekly Cost	£2.53	£4.46	£5.94

I believe that all eligible working age customers should have the maximum award of Council Tax Support restricted to:

- 91.5% (current)
- 85%
- 80%
- Don't know

If you have any comments or alternative suggestions to this proposal please detail below:

Q2 BACKDATING COUNCIL TAX SUPPORT

From 1st April 2016 Housing Benefit will be backdated for a maximum of four weeks from the present maximum of six months. It is proposed that the Council Tax Support Scheme be aligned with the changes for Housing Benefit (maximum four weeks) from 1st April 2016. Do you agree?

- I agree with limiting the backdating of Council Tax Support to a maximum of four weeks
- I disagree with limiting the backdating of Council Tax Support to a maximum of four weeks
- I have no opinion

If you have any further comments or alternative suggestions, please detail below:

Q3 REMOVAL OF FAMILY PREMIUM

From 1 April 2016 the Government has announced that the Family Premium element will be removed for new Housing Benefit claims made after 1st April 2016. This premium will also be removed from tax credits and universal credit from April 2017.

It is proposed that the Council Tax Support Scheme be aligned with this. Please note this change would not affect those claimants on Income Support, Income Related Employment and Support Allowance, or Income Based Jobseeker's Allowance.

Do you agree?

- I agree with removing the Family Premium from the Council Tax Support Scheme
- I disagree with removing the Family Premium from the Council Tax Support Scheme
- I have no opinion

If you have any further comments or alternative suggestions, please detail below:

Equalities Monitoring Form (optional)

Section A

To help us understand what different people think about the proposed local council tax support scheme for Ryedale, please provide us with the following information. If you are responding on behalf of an organisation, please go to Section B.

Are you a Council Tax payer in the Ryedale area?

- Yes
 No
 Prefer not to answer

If you ticked 'Yes', which of the following towns do you live in or closest to?

- Helmsley
 Kirkbymoorside
 Malton
 Norton
 Pickering
 Prefer not to answer

Are you receiving Council Tax Support?

- Yes
 No
 Prefer not to answer

Are you...?

- Female
 Male
 Prefer not to answer

Date of birth: (DD/MM/YYYY)

Do you consider yourself to be a person with a disability?

- Yes No Prefer not to answer

Section B - Organisation details

Q10 Are you responding to this consultation as an individual or on behalf of an organisation?

- Individual
 On behalf of an Organisation

Are you responding to this consultation in your capacity as a representative of any of the following?

	Yes	No
Voluntary Organisation	<input type="radio"/>	<input type="radio"/>
Housing Association	<input type="radio"/>	<input type="radio"/>
Landlord	<input type="radio"/>	<input type="radio"/>
Any other, please specify:		
<input type="text"/>		

Please complete your contact details below (optional):

Name

Address

E-mail address

Telephone number

Next steps

We will consider the views of everyone who responds to this questionnaire.

The Council's Policy & Resources Committee will meet on 26 November 2015 to review the consultation results and make final recommendations.

The new scheme will be approved by full Council in December 2015 for implementation from 1st April 2016.

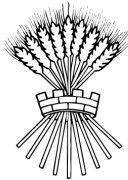
Following the final decision by Council in December 2015, we will let people know about the new scheme.

Further information

If you would like to contact someone about the possible changes you can telephone 01653 600666 or email benefits@ryedale.gov.uk

Thank you for your time.

Please select 'Submit' below to complete.



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	26 NOVEMBER 2015
REPORT OF THE:	FINANCE MANAGER (s151) PETER JOHNSON
TITLE OF REPORT:	REQUEST FROM THE NORTH YORKSHIRE MOORS NATIONAL PARK AUTHORITY FOR NEW HOMES BONUS FUNDING.
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To present to members a request from the North Yorkshire Moors National Park Authority for a share of New Homes Bonus (NHB) Funding.

2.0 RECOMMENDATION

- 2.1 That Members recommend to Council their preferred option in relation to the request for Funding.
- 2.2 Should Members agree that a payment is appropriate, the recommendation is that this is made on the basis of a one off contribution from the New Homes Bonus Reserve in line with paragraph 6.11 of this report.

3.0 REASON FOR RECOMMENDATION

- 3.1 This funding for RDC is not ring fenced.

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant risks in receiving this report.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 This report is in line with existing policies. No further consultation has taken place on the content of this report.

REPORT

6.0 REPORT DETAILS

- 6.1 The “New Homes Bonus” is a Government scheme, administered through the Department for Communities and Local Government, which is aimed at encouraging local authorities to grant planning permissions for the building of new houses in return for additional revenue. Local authorities are not obliged to use the Bonus funding for housing development. NHB earned is split in 2 tier areas with 20% allocated to the County Council and 80% to the District Council.
- 6.2 Under the current system, when families move into new houses built in an area, the local authority receives additional council tax receipts from these properties. However, in addition to having to fund the extra services and infrastructure for these new residents and properties, **local authorities that acquire larger council tax bases as a result of house building in their areas will in many cases find that the amount of formula grant they receive from central government is reduced by the equalisation process. To tackle this deficiency, the Government undertook to match the additional council tax raised by each council for each new house built for each of the six years after that house is built.**
- 6.3 In practice NHB is calculated from the CTB1 Government return, along with Housing Statistics relating to affordable housing. The specific calculation of NHB is not publicised, however the CTB1 reflects the net movement on the council tax base which includes reductions to the base (resulting from properties being removed from the banding list or reductions to existing council tax bands) as well as new properties.
- 6.4 The North Yorkshire Moors National Park Authority has requested a share of the Council's New Homes Bonus, to reflect the value of NHB earned from dwellings completed following planning approval in the National Park area. The table below highlights the *estimated* value of NHB earned in the National Park area since the inception of the NHB scheme.

Description	2011-12	2012-13	2013-14	2014-15	2015-16	Cumulative/ Total
(1) NHB Received by RDC	214,540	225,240	268,160	419,310	260,170	1,387,420
(2) NYMNPA Est. proportion	25,868	21,815	22,767	15,053	23,571	109,074
(3) NYMNPA Cumulative proportion	25,868	47,683	70,450	85,503	109,074	338,578
(4) Cumulative proportion @ 50%	12,934	23,842	35,225	42,751	54,537	156,355

- 6.5 Council agreed to a payment to the National park of £12,934 from the 2011/12 NHB allocation, which reflected 50% of their share of NHB grant received for planning approvals within the area. For information, Scarborough Borough Council do not share any of their NHB with the National Park.
- 6.6 Members will recall that the Council operates a New Homes Bonus Reserve which holds the unallocated balance of NHB earned to date, the unallocated balance in this account currently stands at £986k.
- 6.7 The current Medium Term Financial Plan is predicated around a drip feed of NHB to support the Council's revenue budget plus a fixed sum to support the capital programme, by 2019/20 the balance of annual unallocated NHB is forecast to be only £145k, the remainder being used to support the Council's Revenue Budget and Capital programme (Annex B).

Options:

- 6.8 Having regard to paragraph 6.2 of this report and on the basis that the National Park is predominantly funded through sources other than the DCLG (70% funded by DEFRA) members may decide that no payment should be made, although it may be deemed that a precedent was set in 2011-12 when £13k of the NHB was given to the National park.
- 6.9 Should Members wish to make a payment to the NYMNPA, there are a number of options available including the options to either make a one off payment or to make an ongoing payment in line with the calculation used for the payment of NHB to this authority.
- 6.10 The Council receives NHB each year for 6 years for new properties. On this basis the table at paragraph 6.4 highlights the estimated amount of NHB applicable to the National Park area. Line 3 represents the estimated full amount applicable to date and shows a backdated figure of £339k and a minimum of £110k ongoing, line 4 represents a 50% share and highlights a backdated figure of £156k and a minimum of £55k ongoing, in both instances the backdated figure would be reduced by the £13k already paid from the 2011-12 NHB allocation. **Based on the current mtrf (annex B), 100% allocation is likely to be unaffordable and, although a 50% allocation may be affordable based on the current forecast, it carries significant financial risk when taking into account the uncertainty over future Government funding. Both options would reduce the amount of unallocated NHB available for Member priorities and may require the Council to make additional cuts over and above those already forecast. Officers therefore do not recommend this approach.**
- 6.11 A one off payment from the NHB reserve could be accommodated, however members need to be aware that at the time of producing this report the level of future Government funding is not known, additionally members may wish to prioritise the balance within this reserve to include other projects.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

Any decision to provide funding on an ongoing basis may increase the amount of savings required by this Council going forward. Any one off funding made will affect the balance available within the NHB reserve and result in less money being available for other member priorities.

b) Legal

There are no new legal issues arising out of this report.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)

There are no significant issues arising out of this report.

Peter Johnson

Finance Manager (s151)

Author: Peter Johnson, Finance Manager (s151)

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Background Papers:None.

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Briefing

There are a number of factors which support the case that the North York Moors National Park should receive a share of any future funding through the New Homes Bonus for development which takes place in the National Park but in particular Helmsley.

New Homes Bonus Receipts for Housing Delivered in the National Park

The New Homes Bonus was a successor to the Planning Delivery Grant, which the Authority did receive. The detail of how New Homes Bonus monies should be distributed amongst National Park Authorities in their role as Local Planning Authorities has been left for the NPAs to negotiate with their constituent authorities.

The New Homes Bonus guidance is clear that it is an incentive to Planning Authorities to bring forward land for development, which the National Park as the Planning Authority is doing. It is clear from the consultation stages that the New Homes Bonus was intended to be an inducement to planning authorities and stated that “for the incentive to be most powerful, it must be strongest where the planning decision sits – the lower tier in two areas”. This was further backed up by the government response to the consultation which states that New Homes Bonus should be targeted at “the authority responsible for planning decisions and closest to communities”. A senior minister within the last government also expressed great surprise at discovering that the funding was not directly allocated to National Park Authorities.

There is a clear requirement to recognise the NPA’s role in a formal manner. The Authority acknowledges that Councillors agreed that £13,000 of New Homes Bonus funding was given to the National Park in 2013, however this is only a small proportion of the total New Homes Bonus figure which Ryedale District Council will receive for dwellings completed to date in the National Park, which already amounts to approximately £220,000 over the total 6 year period.

Delivery of Affordable Housing in the National Park

Although the National Park has not had to meet specific housing targets, the delivery of affordable housing in the National Park has been a priority for the Authority. The average number of completions in the Park is around 35 units per year, however around 10 or 12 of these units each year is delivered as affordable housing on exception sites. In the Ryedale area the National Park has successfully delivered 12 dwellings through a highly contentious scheme at Thornton le Dale. In addition to the financial contribution to the Rural Housing Enabler Partnership the Authority also supports the programme by dedicating Officer time to identify sites, develop plans, facilitate open days and also encourage developers to come forward by not charging the legal costs associated with the drafting of s106 agreements to the developers. This is all funded by core National Park resources which could quite easily be dedicated elsewhere on the achievement of our statutory purposes.

Provision of Housing through the Helmsley Plan

The significant levels of development which will be delivered through the Helmsley Plan is considered to warrant further discussion on the levels of New Homes Bonus to be distributed to the National Park. Through the Helmsley Plan a total of 115 dwellings will be brought forward on sites allocated in the National Park plus a 60 unit extra care facility, which will

meet the wider housing needs of the District. Work on the Helmsley Plan has been led by the National Park Authority at significant cost to the Authority.

To date planning approval has already been granted for 20 units at Linkfoot Lane which includes 5 affordable units and Members have recommended approval for 21 dwellings at the Black Swan, which includes 4 affordable units and 60 units at Carlton Road, which includes 24 affordable units. All these units help Ryedale District Council to meet their housing land supply requirements.

The level of development which has come forward as a result of the Helmsley Plan is unprecedented in the North York Moors National Park. The effective joint work on the plan will enable Ryedale District Council to meet a significant proportion of the housing requirements set out in the adopted Local Plan Strategy. Officers at the National Park have provided an instrumental role in bringing forward the site allocations not only in the National Park area but also in the Ryedale area. Once completed these dwellings and those at the remaining allocated site in the National Park will amount to a value worth £1.3million in New Homes Bonus funding based on Band D Council Tax rates.

Costs to the Authority in the provision of Housing

As the National Park is the statutory planning authority the costs of operating the planning service within the Park boundary does not fall to the District and the net cost of the service is entirely borne by the National Park Authority from its Core Funding. This means that the District Council has a lesser financial burden in relation to the delivery of the development management, strategic planning and enforcement functions than those Districts which operate in an area where there is no National Park designation. However the Districts benefit from the results of these planning decisions particularly in relation to additional Council Tax receipts.

In addition to the provision of the statutory planning functions and support to the housing agenda the increase in the population does have an impact on the provision of our other services in particular, there is an increased usage of the rights of way which are maintained to a higher standard within the national park than without under the delegation agreement with NYCC, our Education Service Strategy focuses on reaching out to local schools and the biannual newsletter distributed to all residents and will have an increased cost of publication and postage.

Implications of financial cuts

The National Park Authority is continuing to face significant cuts to its DEFRA grant, which amounts to a 40% reduction since 2010 and it should be noted that this grant represents 70% of the Park's total income. This has meant that the Authority has already had to reduce its contribution to the Rural Housing Enabler Programme by 50% to £2,500. The reduction in funding has led to reduced numbers of staff and it is looking increasingly unlikely that the Authority will have the capacity to focus on the delivery of affordable homes in the future.

The receipt of a proportion of future New Homes Bonus funding resulting from development in Helmsley and the wider National Park could go a long way in ensuring that the Authority can continue to resource the provision of affordable housing development.

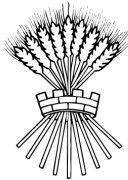
Conclusion

The National Park Authority believes that in the light of the comments set out above that receipts from New Homes Bonus funding for development which takes place in the National Park area of Helmsley should primarily be passed onto the National Park Authority.

Medium Term Revenue Forecast 2015/16 - 2019/20

	2015/16 Budget £'000	2016/17 Projection £'000	2017/18 Projection £'000	2018/19 Projection £'000	2019/20 Projection £'000	
Base Budget and Inflation						
Base Budget	7,175	6,823	6,515	6,385	6,383	
Pay Increase & General Inflation	150	165	165	165	165	
	7,325	6,988	6,680	6,550	6,548	
Add Future Cost Increases						
Budget Pressures	330	250	340	150	150	
Capital Programme Borrowing	22	0	0	0	0	
Deduct Future Savings						
Efficiency Savings	-178	-135	-100	-100	-100	
Service Cuts/Additional Income	-224	-250	-150	-100	-100	
NHB Applied to Revenue (Additional)	-413	-338	-385	-117	-47	
Council Tax Freeze Grant	-39					
Net Revenue Budget	6,823	6,515	6,385	6,383	6,451	
Financing						
RSG	1,315	882	592	397	266	
Business Rates	1,775	1,811	1,847	1,884	1,921	
Collection Fund Surplus	104	50	25	25	25	
Council Taxpayers	3,549	3,702	3,848	4,000	4,159	
CT Base Growth	80	71	74	77	80	
Budget Requirement	6,823	6,515	6,385	6,383	6,451	
NHB Note						
2011/12 Earned	215	215				
2012/13 Earned	225	225	225			
2013/14 Earned	268	268	268	268		
2014/15 Earned	419	419	419	419	419	
2015/16 Estimate	260	260	260	260	260	
2016/17 Estimate		300	300	300	300	
2017/18 Estimate			300	300	300	
2018/19 Estimate				300	300	
2019/20 Estimate					300	
NHB Earned	1,387	1,687	1,772	1,847	1,879	
Applied to Revenue cumulative	559	897	1,282	1,399	1,446	
Applied to Capital	288	288	288	288	288	
To be allocated	540	502	202	160	145	1,549

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	26 NOVEMBER 2015
REPORT OF THE:	CORPORATE DIRECTOR PHIL LONG
TITLE OF REPORT:	LIVING WAGE MOTION
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 This report considers the following motion presented to Council on the 9 July 2015 as follows:

That Members consider the following motion referred from Council on the 9 July 2015 to this Committee:

Ryedale Council has an objective of increasing the average wage level in Ryedale. So as to set an example and show sound leadership this Council resolves to:

- i) "Pay all RDC employees at the Living Wage or above";
- and
- ii) "That preference will be given to external contracts where the applicant pays the Living Wage or above."

Any cost of the above to be financed in 2015/16 year from the reserves.

2.0 RECOMMENDATION

2.1 Members are recommended:

- i. To pay RDC employees who currently earn less than the living wage at the rate of £7.85 hr with effect from 1 November 2015 retrospectively until such time as this is naturally overtaken by the National Living Wage.
- ii. Not to sign up to the Living Wage Foundation concept for the reasons outlined in the report.

3.0 REASON FOR RECOMMENDATION

3.1 Implementation of the Living Wage principle has nominal impact on the Councils budget at a projected cost of £5,091 per year excluding on-costs (based on the hourly

rate of £7.85). As a low wage economy the implementation of the recommendation by Ryedale District Council would potentially encourage local employers to follow by example.

3.2 Whilst the living wage foundation has recently increased the UK living wage for outer London to £8.25 from 1 November 2015, it is recommended that we do not follow this principle as it would erode pay differentials over grades 1, 2 and 3. By comparison the previous figure of £7.85 has affect over only grades 1 and 2.

3.3 It is for this reason that it is recommended that the Council does not sign up to the Living Wage Foundation concept for the reasons outlined in the main body of the report. In summary the Council would be handing over pay decisions to a third party over which it would have no input or influence. Such increases could impact on future budgets and significantly erode the differentials within the Council's job evaluation system.

4.0 SIGNIFICANT RISKS

4.1 Implementation of the Living Wage hourly rate brings risk regarding Equal Pay Claims as it introduces a new factor in determining pay and a two tier system of pay/remuneration.

- Any benefit of increase in the cost of earnings could be off set by a loss or reduction in any state benefits.
- The perception and effect on morale of employees not receiving a pay increase could have a negative effect on team relations.

4.2 Inclusion of preference in contracting for those organisations who pay the living wage may result in increased costs and delays to service delivery and this is not recommended.

4.3 Adverse press and public reaction to what could be portrayed as 'excessive' pay increases for Local Government employees during a period of austerity.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 Council Aim 5: To Transform the Council. To deliver future improvements and build capacity.

REPORT

6.0 REPORT DETAILS

6.1 At Council on the 9 July 2015 it was moved by Councillor Clark and seconded by Councillor Thornton:

Ryedale Council has an objective of increasing the average wage level in Ryedale.

So as to set an example and show sound leadership this Council resolves to:

iii) "Pay all RDC employees at the living wage or above";

and

iv) "That preference will be given to external contracts where the applicant pays the living wage or above."

Any cost of the above to be financed in 2015/16 year from the reserves.

- 6.2 The Chairman referred the motion to the Policy and Resources Committee under Council Procedure Rule 11.4. and this report allows members consideration of the motion.

Background

- 6.3 The Living Wage Campaign in the UK was launched by London Citizens in 2001 and calls for every worker in the country to earn enough to provide their family with the essentials of life. Following a series of successful campaigns, various interested parties joined together and formed the Living Wage Foundation in 2011. The Foundation is now the lead body and provides accreditation, advice and support to potential and accredited Living Wage Employers.
- 6.4 The Living Wage hourly rate outside of London has been calculated for the Living Wage Foundation by the Centre for Research in Social Policy (CRSP) at Loughborough University. The calculation is based on Minimum Income Standards for the United Kingdom, the product of research by CRSP funded by the Joseph Rowntree Foundation. The research looks in detail at what households need in order to have a minimum acceptable standard of living. Decisions about what to include in the standard are made by groups comprising members of the public. The Living Wage is therefore rooted in social consensus about what people need to make ends meet. The updating of the Living Wage each year takes account of rises in living costs and any changes in what people define as a 'minimum'. It also takes some account of what is happening to wages in general.
- 6.5 The Living Wage rate (outside of London) was £7.85 per hour which equates to an annual full time salary of £15,145 (37 hr weeks). The new Living wage rate has recently changed - as from 1 November 2015 - equates to £15,917 (37hr week). In contrast the Adult National Minimum Wage has increased to £6.70 as recommended by the Low Pay Commission (LPC).
- 6.6 There are currently 15 established employees (2 male, 13 female) to whom this would apply within the Council, all part time. In full time equivalents, this equates to 3.9 FTE per week. The jobs which fall within this group of staff are cleaning staff, canteen assistants, toilet cleaners and toilet key holders.
- 6.7 Implementation of the Living Wage would currently cost £5,091per year excluding on-costs as such it would effectively put all grade 1 employees midpoint on grade 2.

Living Wage Foundation Concept

- 6.8 The Council can implement the Living Wage rate with or without signing up to the Living Wage Foundation, however there are a number of implications of fully signing up to the Living Wage Foundation concept:
- If the Council signed up to the Living Wage Foundation ultimately the Council would be handing over some of its pay decisions. It would be bound to a third party over which it would have no input and any future increases in the living wage would have to be met by the Council. Such increases could further erode the differentials within the Council's job evaluation system, especially during times where increases in pay for employees are low.
 - It could undermine the integrity of the Council's established and agreed job evaluation scheme. The payment of the Living Wage artificially increases the pay beyond that which job evaluation and the pay structure have deemed appropriate. This in turn could lead to claims from other officers to ensure that differentials are maintained. Any changes to the agreed grading structure makes the Council vulnerable to Equal Pay claims. There is no statutory requirement to

- implement the living wage.
- Such a change would require consultation with the recognised trade unions
- The grading structure may need to be redesigned and thus require renegotiation of collective agreement and lifting all of the grading structure sufficiently high enough to lift the lower grades above the Living Wage.
- If the Council implemented the living wage without signing up to the Living Wage Foundation, the issue would need to be considered by Council on each occasion an increase in the living wage was made.
- There would be immediate increased and uncontrolled costs to the wage bill in a difficult financial climate.

That preference will be given to external contracts where the applicant pays the living wage or above

- 6.9 In procuring goods and services officers are bound by the Constitution, which basically tiers purchases into different categories, with the overall proviso that officers should seek to ensure best value and operate within budgets:
- For purchases under £5k officers should proceed in a manner most expedient to the efficient management of the service.
 - For purchases between £5k and £50k officers should seek 3 written quotes.
 - For purchases over £50k formal tendering with specification is required with various permitted procurement routes.
- 6.10 In 2014/15 the Council made payments to nearly 915 different suppliers.
- 6.11 It would be relatively straightforward in tendering contracts over £50k to give preference, through a weighting in the tender evaluation criteria. Below this there is major concern that checking will increase administration cost and delay service delivery. Often such purchases do not have formal evaluation criteria and therefore giving preference to the living wage would be difficult. Therefore should members wish to implement this part of the motion the officer recommendation is that it applies only to contracts of over £50k.

New National Minimum Living Wage

- 6.12 In the summer budget it was announced that the existing minimum wage for over 25's will rise to £7.20 an hour with effect from 1 April 2016 and increasing to £9 an hour by 2020 through the concept of the new National Minimum Living Wage. Ryedale District Council is under obligation to implement this. There is currently no indication of the % increase year on year to 2020.
- The change will not affect people aged 24 and under currently on the minimum wage.
 - The national minimum wage is £6.70.
 - 18-20 year olds' current rate has increased by 17 pence to £5.30 per hour.
 - The rate for 16 to 17 year olds has increased by 8p to £3.87 per hour.
- 6.13 The current estimated cost on implementing the New National Minimum Living Wage of £7.20 per hour on 1 April 2016 for a full year is an additional £202 excluding on-costs for the same 15 people.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified for the Living Wage:
- a) Financial
The cost of implementing the Living Wage at the rate of £7.85 per annum is

currently £5,092 for a full year.

The cost of implementing the new National Minimum Living Wage in April 2016 is £202 for a full year.

- b) Legal
There are no significant Legal issues.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
Payment of the Living Wage or new National Minimum Living Wage artificially increases the pay of some staff beyond that which job evaluation and the pay structure have determined is appropriate.

Phil Long
Corporate Director

Author: Denise Hewitt, HR Manager
Telephone No: 01653 600666 ext: 394
E-Mail Address: denise.hewitt@ryedale.gov.uk

Background Papers:
Ryedale District Council salary scales 1 and 2

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	26 NOVEMBER 2015
REPORT OF THE:	COUNCIL SOLICITOR ANTHONY WINSHIP
TITLE OF REPORT:	TIMETABLE OF MEETINGS 2016-2017
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 This report presents the draft timetable of meetings for 2016-2017 for approval.

2.0 RECOMMENDATION

2.1 That Council is recommended to approve the timetable of meetings for 2016-2017, attached as Annex A to this report.

3.0 REASON FOR RECOMMENDATION

3.1 To provide a timetable for all decision making, advisory and overview and scrutiny meetings for use by Members, officers, the public and other interested parties.

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks relating to this recommendation.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 A timetable of meetings is agreed and published for each municipal year. This is an essential part of making the Council's decision making process open and accessible to all interested parties. Management Team have been consulted on the draft timetable of meetings for 2016-2017.

REPORT

6.0 REPORT DETAILS

6.1 The draft timetable of meetings, attached as Annex A of the report, has been based on the meeting cycle used in 2015-16.

- 6.2 The schedule at Annex A takes account of particular reporting requirements relating to the Annual Governance Statement and Statement of Accounts. No meetings have been scheduled to coincide with Maundy Thursday (13 April 2017), the Ryedale Show (26 July 2016) and the County Council Elections (4 May 2017). Mondays have also been kept free of meetings as this is when the majority of parish and town councils meet.
- 6.3 Members have the option to approve, amend or reject the draft timetable of meetings attached at Annex A. If the current draft timetable is not acceptable to Members, an alternative will need to be agreed.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:
- a) Financial
The costs of meetings within the Council are built into existing budgets.
 - b) Legal
None.
 - c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
None. An equality impact assessment was carried out five years ago when start times to meetings were reviewed.

8.0 NEXT STEPS

- 8.1 Once the timetable of meetings has been approved it will be published on the Council's website using the Modern.gov committee management system.

Anthony Winship Council Solicitor

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Background Papers:

None.



TIMETABLE OF MEETINGS MAY 2016 TO MAY 2017

COMMITTEE	MAY 2016	JUN	JULY	AUG	SEPT	OCT	NOV	DEC	JAN 2017	FEB	MAR	APR	MAY	Day
Council	19*		7		1	6		8		21 Tues	2**	6	18*	Thurs
Policy & Resources		16			22		24			2	23			Thurs
Scrutiny		23			29			1		16	30			Thurs
Audit			28		21 Wed		3		26			20		Thurs
Planning Committee and Licensing Committee		7	5	2 & 31 Wed	27	25	22	20	17	14	14	11	9	Tues (6pm)
Resources Working Party					8		10		19		16			Thurs
Parish Liaison Meeting		8				19								Wed (7pm)
Member Development					7	12	9	7	11***		8	5		Wed

All meetings start at 6.30pm unless otherwise indicated.

NOTES

- * Annual Council at 3 pm
- ** Reserve date for business not transacted on 21 February 2017
- *** Budget Briefing

ELECTIONS

4 May 2017 – North Yorkshire County Council Election

Bank Holidays

Spring Bank Holiday	- Monday 30 May 2016
Late Summer Bank Holiday	- Monday 29 August 2016
Christmas Bank Holiday	- Monday 26 & Tuesday 27 December 2016
New Year's Day Holiday	- Monday 2 January 2017
Council Offices closed	- Saturday 24 Dec 2016 to Monday 2 Jan 2017 inclusive
Easter	- Friday 14 and Monday 17 April 2017
May Day	Monday 1 May 2017

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