



TO: **ALL CABINET MEMBERS**
(Copy to recipients of Cabinet Papers)

Our reference CS
Your reference N/A
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19 March 2015

Dear Councillor

ST EDMUNDSBURY CABINET - TUESDAY 24 MARCH 2015

I am now able to enclose, for consideration at next Tuesday's 24 March 2015 meeting of the St Edmundsbury Cabinet, the following reports that were unavailable when the agenda was printed.

Agenda No **Item**

4. **Suffolk Business Park/Eastern Relief Road, Bury St Edmunds: Update (Pages 1 - 6)**

Report No: **CAB/SE/15/021**

Cabinet Member: John Griffiths

Lead Officer: Steven Wood

5. **Transfer of Land to Suffolk County Council for New High School at Moreton Hall, Bury St Edmunds (Pages 7 - 14)**

Report No: **CAB/SE/15/022**

Cabinet Members: Peter Stevens

and Sarah Stamp

Lead Officer: Richard Combes

7. **Leisure Development Proposals for West Stow Country Park: Update (Pages 15 - 24)**

Report No: **CAB/SE/15/024**

Cabinet Member: Sarah Stamp

Lead Officer: Richard Hartley

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9. **West Suffolk Safeguarding Policy (Pages 25 - 48)**

Report No: **CAB/SE/15/026**

Cabinet Member: Sara Mildmay-White Lead Officer: Simon Phelan

Yours sincerely

Claire Skoyles
SEBC Cabinet Officer/Committee Administrator
Legal and Democratic Services

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Suffolk Business Park/Eastern Relief Road, Bury St Edmunds: Update	
Report No:	CAB/SE/15/021	
Report to and dates:	Cabinet	24 March 2015
	Special Council	25 March 2015
Portfolio holder:	Cllr John Griffiths Leader of the Council Tel: 01284 757001 Email: john.griffiths@stedsbc.gov.uk	
Lead officer:	Steven Wood Head of Planning and Growth Tel: 01284 757306 Email: steven.wood@westsuffolk.gov.uk	
Purpose of report:	To provide an update with regard to the Eastern Relief Road project since the last report (Report No: CAB/SE/15/017 refers) dated 24 February 2015 was presented to Cabinet and Council. The report requested (among other requests) authority to forward fund electricity costs up to £4.5m. To request authority to enter in a loan agreement for the delivery of the electricity infrastructure.	
Recommendations:	<p>Cabinet is asked to <u>NOTE</u> that negotiations are ongoing with a number of parties regarding the funding of the electricity infrastructure required to deliver the Suffolk Business Park and that due to timing issues,</p> <p>Cabinet is asked to <u>RECOMMEND</u> to Council that:</p> <p>(1) the Section 151 Officer allocates £4,528,871 within the Council’s capital programme, initially financed from capital receipts, with a view to the project being funded by a combination of £1.4m from Taylor Wimpey, a £1.4m loan from New Anglia Local Enterprise Partnership (NALEP), and a loan from Suffolk County Council. Following the conclusion of the negotiations with these parties and the outcome of the NALEP application, if there is any shortfall, this will be funded by the Council and recovered through the loan repayments by</p>	

	<p>Taylor Wimpey, as set out in 2.9 and 2.10 of Report No: CAB/SE/15/021;</p> <p>(2) all of the above be subject to the satisfaction of the Section 151 and Monitoring Officers, in consultation with the Leader of the Council; and</p> <p>(3) subject to Recommendations (1) and (2) above, delegated authority be granted to the Head of Planning and Growth, in consultation with the Leader of the Council, to enter into a loan agreement with Taylor Wimpey to commission the electricity infrastructure works.</p>
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p> <p>The decisions require full Council approval.</p>
<p>Consultation:</p>	<p>The development of the Eastern Relief Road (ERR) and Suffolk Business Park is a long established policy of St Edmundsbury Borough Council (SEBC). Most recently the Vision 2031 documents confirm the allocation of the residential, commercial and leisure/community uses along with the ERR and junction 45 of the A14 Trunk Road upgrade.</p> <p>In June 2010 the Masterplan for the extension to Suffolk Business Park was adopted following the due consultation phase.</p> <p>A series of meetings have also been held with Rougham Parish Council; Moreton Hall Residents' Association; and local business representative organisations.</p>
<p>Alternative option(s):</p>	<p>Not to commission the electricity works would result in a delay to the programme such that electricity may not be available in time for the first occupiers of the school, homes or commercial land.</p>
<p>Implications:</p>	
<p><i>Are there any financial implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> As detailed in the report
<p><i>Are there any staffing implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> Time and resources of existing staff to enable the project to progress
<p><i>Are there any ICT implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none">
<p><i>Are there any legal and/or policy implications? If yes, please give details</i></p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> As detailed in the report
<p><i>Are there any equality implications? If yes, please give details</i></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>

Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Growing Places Fund application is refused	Low	Early consultation with GPF officers. We could seek an alternative loan fund or make use of Council balances	Low
Taylor Wimpey is unable to provide its £1.4m contribution	Medium	Include security for the loan in the legal agreement to enable the funding to be recovered anyway.	Low
The costs increase throughout the programme or costs exceed the estimates	Low	Fix the prices in the legal agreement with the electricity provider.	Low
The commercial lets do not come forward within the timescale to repay the loan	Medium	Engage a commercial developer to promote the land.	Low
Ward(s) affected:	All Wards		
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	Report CAB/SE/15/017 to Cabinet and Council 24 February 2015 Report F97 to Cabinet: 2 September 2015 Report F120 to Council: 23 September 2015 Suffolk Business Park Masterplan dated June 2010		
Documents attached:	None		

Key issues and reasons for recommendation(s)

1. Background

- 1.1 Report CAB/SE/15/017, 'Eastern Relief Road, Bury St Edmunds: Update' made recommendations to Cabinet which were approved by Council on 24 February 2015. The recommendation was as follows:

"Subject to the approval of full Council and the satisfaction of the Section 151 and Monitoring Officers, a commitment be made to the full £4,528,871 million programme of works for the provision of electricity to serve Suffolk Business Park, including an immediate financial allocation of £356,186 currently due on 27 February 2015, as detailed in Section 3 of Report No: CAB/SE/15/017"

2. Electricity Infrastructure Funding

- 2.1 An application for £4,528,871 of Growing Places Fund towards electricity infrastructure works has been sent to New Anglia Local Enterprise Partnership (NALEP). Initial discussions with NALEP have indicated that this amount is a significant proportion of their remaining fund and they are more likely to look favourably upon a loan of £1.4m. Also, the indication is that the decision would be likely to be made at the May 2015 NALEP board meeting. Originally, it had been hoped that the decision would be taken in March 2015, however applications for funding now have to be scrutinised by another group before being recommended to the board. There is no NALEP board meeting in April and therefore the next available opportunity would be May.
- 2.2 Council has already committed £4,528,871 of funding for the electricity works at its meeting on 24 February 2015. At that time it was considered that NALEP would be able to provide a loan for this full amount and therefore Council agreed to take on responsibility for the repayment of the loan and also for the immediate shortfall (which at that time was £356,186). It is now clear that NALEP will consider a loan of £1.4m instead. Therefore, this paper is seeking authority from Council to commit the full amount of funding from the Council's unallocated capital receipts to enable the electricity infrastructure works to be committed.
- 2.3 There are similarities between the electricity works and the Eastern Relief Road (ERR) itself. Both require high levels of upfront funding that make bringing the development forward unviable for a commercial developer. Without the injection of funds for the electricity works, the whole scheme will be delayed indefinitely. It could be argued that the role of councils and Local Enterprise Partnerships is to step in at the point of market failure – to make sure that developments succeed against the normal commercial odds.
- 2.4 In order for SEBC to realise the allocations set out in its Vision 2031 documents it needs to be proactive and provide support in cases such as this. This isn't new territory for SEBC as it has shown considerable commitment to this scheme already, including providing a loan to progress the design and preparation works for the ERR itself; and then subsequently committing to invest £3m towards the construction costs of the ERR. To commit to the funding for the electricity works at this point in time, will help to enable this

key strategic development of homes, jobs and education to come forward.

- 2.5 Whilst it is the role of councils to "enable" development it remains essential that any commitment of funding is subject to due diligence and accords with proper accounting principles. Should Members agree the recommendations to commit the funding for the electricity works, the Section 151 Officer and Monitoring Officer will have to be satisfied that the principles of the SEBC loan policy is being considered and the funds are not put at unnecessary risk.
- 2.6 The total remaining costs of the electricity works is £4,528,871. If NALEP agrees to loan SEBC £1.4m and Taylor Wimpey contributes £1.4m there would be a £1,728,871 cash shortfall.
- 2.7 Officers have been discussing this shortfall with Suffolk County Council (SCC) as it is reliant on infrastructure being in place to serve the new secondary school and lighting for the Eastern Relief Road. Initial discussions have been positive although no formal agreement to fund is currently in place.
- 2.8 The electricity infrastructure provider requires a commitment to the programme of works and therefore a commitment to fund these works to enable it to commence. As stated above, in the worst case scenario, SEBC could be required to fund the total amount. The payments would be required in stages starting with a payment of £359,572 at the end of April. The last payment would be required in the first quarter of 2017.
- 2.9 The electricity infrastructure works would be commissioned by Taylor Wimpey and therefore a loan agreement will need to be prepared between SEBC and Taylor Wimpey. Due diligence will be undertaken to the satisfaction of the Section 151 Officer and the Monitoring Officer prior to the loan being signed.
- 2.10 It is proposed that the £4,528,871 funding would be repaid firstly from the contribution from Taylor Wimpey (£1.4m) and then the remainder either from the commercial lets as they come forward for Suffolk Business Park or by the commercial developer who will be appointed to bring the land forward. Traditionally, such a commercial developer would raise finance for the upfront costs associated with providing services to the site; this includes the internal access road, utilities etc.
- 2.11 There is a significant lead in time to ensure that the electricity will be available in time for the first phases of development including the school. It is therefore essential that the infrastructure works are commissioned by the end of April. This date has changed since first reported; however for the reasons set out above it cannot be delayed further.
- 2.12 To enable the electricity works to be secured, Members are requested to commit to the programme of electricity works at a cost of £4,578,271.

3. Finance/Budget/Resource Implications

- 3.1 If Members are minded to agree the recommendation above, SEBC will need to commit a total of £4,578,271 towards this project within its capital programme. This is considered to be the worst case scenario once other contributions such as the Taylor Wimpey and the NALEP loan is taken into

account. Officers are also working with SCC to share the responsibility for the funding to enable the electricity works to be commissioned.

- 3.2 SEBC will be taking responsibility for repaying the Growing Places Fund loan from NALEP including the interest payments. There is a risk that the NALEP board decides not to loan £1.4m or reduces the loan offer again, however in this scenario the Council will continue to fund the electricity works from its capital programme, based on the recommendation proposed, to enable the infrastructure to be completed.
- 3.3 The loan agreement between SEBC and Taylor Wimpey will clearly detail (inter alia) the nature of the security for the loan; the instalment dates/triggers for paying the loan; interest costs and the repayment schedule.

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Transfer of Land to Suffolk County Council for New School at Moreton Hall, Bury St Edmunds	
Report No:	CAB/SE/15/022	
Report to and dates:	Cabinet	24 March 2015
	Special Council	25 March 2015
Portfolio holder:	Peter Stevens Portfolio Holder for Waste and Property Tel: 01787 280284 Email: peter.stevens@stedsbc.gov.uk ;	
Portfolio holder:	Sarah Stamp Portfolio Holder for Leisure, Culture and Heritage Tel: 01284 769360 Email: sarah.stamp@stedsbc.gov.uk	
Lead officer:	Richard Combes Valuation and Estates Manager Tel: 01284 757361 Email: richard.combes@westsuffolk.gov.uk	
Purpose of report:	<p>(1) To seek Cabinet and Council approval to transfer 11.38 acres of land to Suffolk County Council for the construction of a new upper school at Moreton Hall, which will serve all of Bury St Edmunds, for the sum of £193,460.</p> <p>(2) To seek Cabinet and Council approval to make a capital contribution of £1,366,460 towards shared sports facilities within the site to be leased back to the Council and operated by Abbeycroft Leisure under a sub-lease with an operator's agreement.</p>	
Recommendations:	<p>It is RECOMMENDED that, subject to the approval of full Council:</p> <p>(1) 11.38 acres of land be transferred to Suffolk County Council for the construction of a new upper school at Moreton Hall, Bury St Edmunds, as detailed in Section 1 of Report No: CAB/SE/15/022, for the sum of £193,460 subject to a 125 year lease back of the land</p>	

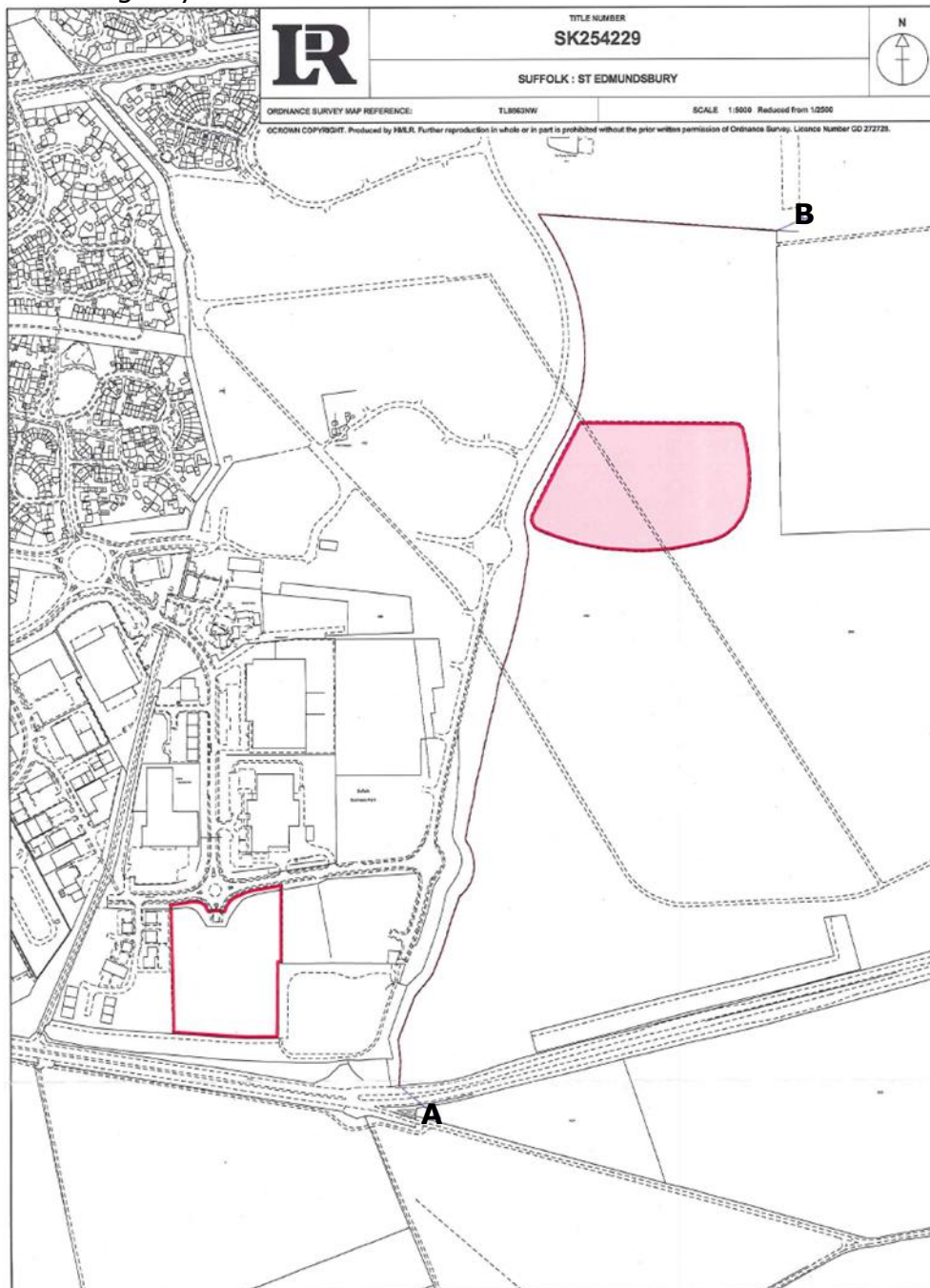
	<p>forming part of the shared community sports provision and an accompanying dual use agreement, whilst ensuring the commercial advantage of the Council's ransom strip is maintained;</p> <p>(2) a capital contribution of £1,366,460 be made to Suffolk County Council towards a shared community sports provision within the site made up of the balance of:</p> <p>(a) £813,000 capital allocation for Bury Town FC relocation;</p> <p>(b) £360,000 anticipated future s106 contributions for sporting facilities at Moreton Hall;</p> <p>(b) the capital receipt of £193,460 detailed in (1) above; and</p> <p>(3) delegated authority be given to the Head of Operations, in consultation with the Portfolio Holders for Waste and Property, and Leisure, Culture and Heritage, Chief Executive, s151 Officer and Monitoring Officer, to agree the terms of all legal agreements necessary to give effect to the above.</p>
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p> <p>(as it is a decision of full Council)</p>
<p>Consultation:</p>	<p>Extensive discussions have taken place with Suffolk County Council (SCC) and the School Organisation Review (SOR) team within Children and Young People's Services for the previous 18 months involving a shared site in this location at Moreton Hall. These discussions were initially with Community and FA Football provision and now with community leisure use. SCC has consulted the public on these proposals and will submit a planning application on 16 March 2015.</p>
<p>Alternative option(s):</p>	<p>To deliver the school within a constrained site further north, the terms for which could not originally be agreed with developers; or risk not delivering the new school in time for September 2016 and instead rely upon renovating an existing school site in the town centre.</p>
<p>Implications:</p>	

Are there any financial implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • As detailed in the report	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> •	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • As detailed in the report	
Are there any equality implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> • As detailed in the report	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
School does not receive planning permission	low	Public consultation for planning process as part of SOR	low
Indicative build costs for community elements are higher than anticipated	medium	Competitive tendering of contract	low
s106 funding remains undelivered in the absence of a residential planning consent	high	Delivery of Eastern Relief Road and associated infrastructure removes uncertainty	medium
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None.	
Documents attached:		None.	

1. Key issues and reasons for recommendation(s)

Brief History

Land Registry Plan



- 1.1 The Council acquired the 11 acre "lozenge site", denoted by the pink shaded area in the plan above, as one element of the negotiation of access rights to Taylor Wimpey (TW). These negotiations were concluded in 2003, which provided for monetary payments and freehold property in kind, including:
- (a) a new one metre cordon or 'ransom strip' around the remaining TW land ownership east of Lady Miriam Way (points A –B on the above plan);

- (b) site E2, Suffolk Park – approximately seven acres of development land, based on its market value, subsequently sold by St Edmundsbury Borough Council (SEBC) to Sealeys; and
- (c) 11 acre recreation site.

1.2 The recreation site

- 1.2.1 The negotiations centred on the Council's proposed relocation of Bury Town Football Club (BTFC). The value attributed to the 11 acre site was based on what it would otherwise cost the Council to create additional car parking at current site at Ram Meadow.
- 1.2.2 The actual siting of the 11 acres (the estimated land area needed for the relocation of BTFC and community football facilities) was agreed in relation to the flight path for the Rougham airfield and where it could best continue the open space corridor at the Moreton Hall extension to the residential areas.
- 1.2.3 The freehold transfer states the uses to which the land can be put – recreation, community and educational. The Council does not, as landowner, have to consult with TW if the use is any of these.
- 1.2.4 The Council is free to develop the land for alternative residential and commercial uses. If it does so, there is an overage and pre-emption agreement (28 November 2003) which sets down the exact proportions which are payable to TW as clawback. In the case of residential development, the amount paid is prohibitive and it would not be worthwhile the Council pursuing this whilst development for industrial purposes would attract a lesser clawback sum.

1.3 The school site

- 1.3.1 Vision 2031 intended that the current upper school proposal, required as part of the School's Organisation Review (SOR) programme, was to sit entirely within TW's ownership to the north of the Council's "lozenge".
- 1.3.2 However, earlier negotiations with TW failed to produce agreement for the terms to transfer the necessary land and site constraints meant the school and associated pitches were a sub optimal fit, giving rise to concerns about the ability to future proof the design.
- 1.3.3 Suffolk County Council's SOR team then approached SEBC in connection with the stalled relocation of BTFC, due principally to cost, promoting an option to provide a shared site for a new school and community football facilities.
- 1.3.4 During the period 2013/2014, extensive design and investigation work was undertaken between SCC and the Football Association (FA) but ultimately the expectations of the FA could not be met, leading to the Suffolk FA withdrawing their funding from the initiative. However, ongoing discussions with the National Football Association and Bury Town FC are providing the necessary reassurance for BTFC's continual occupation at Ram Meadow.

- 1.3.5 The importance of a shared community use of the site was still considered paramount and accordingly discussions began with the Council and Abbeycroft Leisure (AL) around shared community access sports/gym facilities as part of the new school site.

Consultation plan



- 1.3.6 Design work recommenced with Concertus, SCC's in house consultancy, and the consultation plan above was produced with a view to a planning application being submitted in March 2015. The basis of the shared use is that the 'sports centre' shown below will be operated by AL on behalf of SEBC, who will have a lease back of the red shaded area to include the 3G pitch and associated car park. AL will operate it as one facility for the public and pupils alike save for the need to have separate changing facilities and access to accord with safeguarding requirements. This model is designed to benefit from economies of scale of providing dual facilities, which the school will require in any event, augmented by additional community focused requirements including a football pitch (to 3G standards), to be funded by the Council. A lease will be entered into giving long term control of these facilities to the Council with an

associated agreement for them to be run by a leisure provider such as AL.

Sports Centre Plan



2. Finance/Budget/Resource Implications

- 2.1 Costings provided by a Quantity Surveyor at Concertus for the community element has estimated the cost for the additional 'extra over' facilities (shaded red) at **£1,552,392** to include a new full sized 3G football pitch.
- 2.2 Concertus on behalf of SCC have agreed terms in principle for the transfer of the TW land around the perimeter of the 'lozenge' at £17,000 per acre and the same value can be attributed to the Council's land, on the basis of twice its current agricultural value, to give a value of **£193,460**. The question remains however how the Council's 'ransom strip', which runs north-south to the east of Lady Miriam Way (points A and B on Land Registry plan above) and prevents any further development taking place, should be dealt with.
- 2.3 SCC accepts a principle exists in this regard in terms of the Council's s123 (Local Government Act 1972) obligation and its wider negotiations to safeguard the Council's future hope value through the use of its strategic ransom strip with TW and others. Accordingly, SCC has indicated it would be prepared to make a contribution towards the community facilities equal to the shortfall the Council's available budget for the sporting facilities of **£185,932** in recognition of the need for the Council to demonstrate value for money and preserve and preserve the commercial advantage of the 'ransom strip'.

- 2.4 The current TW planning application does provide for a fully funded s106 contribution at present to include approximately **£360,000** of sports facilities, which could be utilised to contribute towards the community facilities. However, this would require front-end funding by SEBC in the first instance until planning consent is granted to TW.

Budget Summary		
Current SEBC share of community element	-£1,552,392	
Land receipt for 11.38 Acres @£17k per acre for recreational land		£193,460
s106 allocation for sports facilities		£360,000
SCC community facilities contribution		£185,932
Remaining SEBC budget allocation for BTFC following possible FA match funding capital contribution to improved Ram Meadow facilities		£813,000
	-£1,552,392	£1,552,392

3. Legal implications

- 3.1 Suffolk County Council will be entering into a 125 year lease with the Academy provider following completion of the land transfer, together with a separate lease for 125 years to SEBC for the land forming part of the sports facilities and car park which the Council have financially contributed towards, to which a dual use agreement will be annexed. SEBC will then grant a sub-lease to Abbeycroft Leisure with an associated operator's agreement, the terms of which they will covenant to adhere to within their sub-lease.

4. Revenue implications

- 4.1 The Council's leasehold interest will be included as an operation asset as part of its portfolio with provision for repairs accounted for via a percentage of the insurance value into a sinking fund, managed through the Asset Management Plan process.

Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	Leisure Development Proposals for West Stow Country Park: Update	
Report No:	CAB/SE/15/024	
Report to and date:	Cabinet	24 March 2015
Portfolio holder:	Sarah Stamp Portfolio Holder for Leisure, Culture and Heritage Tel: 01284 769360 Email: sarah.stamp@stedsbc.gov.uk	
Lead officer:	Richard Hartley Commercial Manager Tel: 01284 757055 Email: richard.hartley@westsuffolk.gov.uk	
Purpose of report:	To seek approval for officers to progress with the 'lots' as described in Section 2.2 of this report, by launching an 'Application to Bid' process. Final recommendations to implement any of the proposals received will require Cabinet and full Council approval in June-July 2015.	
Recommendation:	<p>Cabinet is asked to:</p> <p>(1) note the progress made on the further leisure development of West Stow Country Park; and</p> <p>(2) approve the proposed lots, as set out in Section 2.2 of Report No: CAB/SE/15/024, with the outcome of the 'Application to Bid' process to be reported back to Cabinet and full Council in June-July 2015.</p>	
<p>Key Decision:</p> <p><i>(Check the appropriate box and delete all those that do not apply.)</i></p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p> <p>The later decision to implement any of the proposals will be a decision of full Council.</p>	

Consultation:	<ul style="list-style-type: none"> • A market engagement exercise has been undertaken to establish the level of interest in West Stow Country Park. This was publicised through a range of methods including through Suffolk Sourcing, the local media and other tendering systems. • Staff that may be affected by the Transfer of Undertaking (Protection of Employment) (TUPE) Regulations 2006 (as amended) will be formally consulted at the appropriate time. • The West Stow Anglo Saxon Village Trust has been and will continue to be consulted about the options for development. • The Ward Member has been consulted individually prior to the market engagement event.
Alternative option(s):	The process has looked at a range of options for future development. The alternative to these is that the Council continues with the existing business arrangements at West Stow at an annual cost to the Council of approximately £130,000.
Implications:	
<i>Are there any financial implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (not yet)
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> See section 2.2 below.
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> (not yet) The lots referred to in this report will be awarded as leases, which may result in the TUPE (Transfer of Undertakings Protection of Employment) transfer of council employees and/or employees engaged in the provision of services currently outsourced at West Stow.
<i>Are there any equality implications? If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> The equality impacts will be assessed as part of the process for allocating the lots and will be reported to Members in due course.

Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Planning application for camping/caravan site is unsuccessful	Medium	Extensive work has been undertaken to ensure that all of the planning requirements have been met for a camping/caravan site	Low
TUPE implications	Medium	The council has extensive experience of TUPE transfers	Low
Substation causing delay	High	It may be necessary to take a small amount of financial risk in order to prevent delay (see 3.1 below)	Medium
No interest in any of the lots	Medium	Significant work has been undertaken both to publicise the potential widely, and to create lots which bidders will find attractive	Low
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		Cabinet Report No: CAB/SE/14/015 2 December 2015 https://democracy.westsuffolk.gov.uk/documents/s3938/CAB.SE.14.015.pdf	
Documents attached:		Appendix 1 - Map of proposed camping/caravanning site, as submitted with the planning application.	

1. Background

- 1.1 Cabinet will recall that on 2 December 2014 (Report No: CAB/SE/14/015 refers), Members agreed to:
- (1) consider a range of proposals for appropriate further leisure development of part of West Stow Country Park to complement the existing attractions;
 - (2) consider minimising the risk of the preferred option by seeking planning permission in advance of selecting a partner to work with;
 - (3) take the business plan to the market in order to secure a suitable operating partner for the preferred option, as contained in Exempt Appendix 1 to Report No. CAB/SE/14/015.
- 1.2 This report gives an update on the progress made since December.

2. Update on Progress

2.1 Market Engagement

- 2.1.1 The Market engagement exercise was designed to draw out expressions of interest for the site, or parts of it. The exercise was publicised in the press and through Suffolk Sourcing (and therefore automatically linked through to a national website advertising the opportunities).
- 2.1.2 As part of the market engagement exercise we received a range of responses suggesting a series of different uses. Using this information, a series of draft 'lots' were developed and presented at a market engagement event held in West Stow on 26 February 2015. Information about each proposed lot and legal route was presented at the event and opinion sought on their viability or desirability to potential bidders. Useful feedback was received about what was included in different lots, for example whether the café would be linked to the camping lot or visitor centre lot (there are obvious synergies in terms of the customer base of each, and the café is important financially to each – hence the option to offer it as an alternative in both lots and assess the outcome during the evaluation process).
- 2.1.3 Using the information gathered following the market engagement exercise and event, the final lots have been drawn up, and are set out in 2.2 below.

2.2 Proposed Lots

- 2.2.1 The lots, along with the legal route to completion, length of time, minimum opening hours and earliest possible start dates are set out in Table 1.

Table 1 – Proposed lots

LOT	Route	Length (years)	Minimum opening dates each year	Earliest possible date to sign lease
1a: Camping and caravan site and/or alternative use of land e.g. activities.	Lease	20 -25	01/03 to 30/10	08/15
1b: Camping and caravan site and/or alternative use of land e.g. activities <u>AND</u> Café	Lease	20 -25	01/03 to 30/10	08/15
2a: Visitor centre/museum with gift shop with offices*	Lease	7 plus 3	362 days/year	10/15
2b: Visitor centre/Museum with gift shop with offices <u>AND</u> Café*	Lease	7 plus 3	362 days/year Café 01/03 – 30/10	10/15
3: Pump House	Lease	3 (minimum)	N/A	Tbc

Those lots marked * may have TUPE implications for SEBC employees.

- 2.1.2 Bidders will be able to submit responses for some or all of the lots. The evaluation process will then determine the best solution for the council, based on a combination of cost and quality. The preferred solution will need to be presented to full Council for approval before any leases are entered into. In the event of no acceptable bids for any of the lots, West Stow will continue to operate and pursue further efficiencies/income generation internally.
- 2.1.3 There may be additional options for smaller activities within West Stow and this will be highlighted within the 'Application to Bid', to inform potential bidders that the council is keen not to exclude any future viable propositions. Such options will not form part of any of the lots and will not be evaluated as part of the process described above but rather to advise potential bidders that their interest may be considered separately.

2.3 **Timetable**

2.3.1 The timetable for delivering the project is set out in Table 2.

Table 2 - timetable

Stage	Date(s)/Time
Distribution of application to bid	By Friday 10 April 2015
Deadline for receipt of applications	15:00 on Monday 11 May 2015
Consideration and evaluation of applications	By Tuesday 26 May 2015
Final recommendations of the proposed lease breakdown (allocation and distribution of lots) to be taken to Cabinet and full Council	Cabinet: 23 June 2015
	full Council: 7 July 2015
Successful bidders finalised and notification to applicants	Following full Council meeting in July
Commencement agreement	To be negotiated following Council approval

3. **Potential Issues**

3.1 This is both a complex and exciting project, and the level of interest to date has been very encouraging. Naturally there are some issues which may potentially cause delay or need to be carefully addressed throughout the process, and a summary of these is set out below.

Electricity supply

3.1.1 Application for planning permission for a campsite was submitted on 6 March 2015 and it is expected to be considered by the Development Control Committee on 4 June 2015. The drawing submitted is attached at Appendix 1 for information. As noted in the previous Cabinet report, uncertainty around the power supply to the campsite could cause a potential delay to the campsite opening. UK Power Networks require a lead in time of 'up to one year' from instruction to installation of the supply. If it becomes clear that this lead in time will cause an unacceptable delay (for example the risk of losing a significant proportion of the 2016 camping season) it may be sensible for the Council to place this order, with the view to novating the order (either formally or through some other arrangement) once a lessee is in place. This would have the effect of transferring the liability for cost of the supply to the lessee. Should there be no bids for this lot, the only cost would be the work already undertaken by the date of cancellation of the order with UK Power Networks, which would be minimal, given that this information would be known by early summer 2015. Depending on committee timetables, this might need to be done using the Chief Executive's urgency powers, although this would obviously be a last resort.

Protection of West Stow Anglo Saxon Village

3.1.2 West Stow Anglo-Saxon Village is both an archaeological site and an open air museum. The principle aim of the West Stow Anglo Saxon Village Trust is to

protect the integrity of the Anglo Saxon Village. To maintain the integrity of the West Stow Anglo Saxon Village, the Trust will continue to monitor and provide direction on its management. Any new activities proposed for the wider country park will need to complement the Trust's existing aims and activities. The council's Commercial Manager has attended a recent Trust meeting and shown the Trustees a concept design. The Trust is supportive, in principle, of a sensitively designed campsite which does not visually impact on the site for which they are responsible.

Protection of the Site of Special Scientific Interest (SSSI)

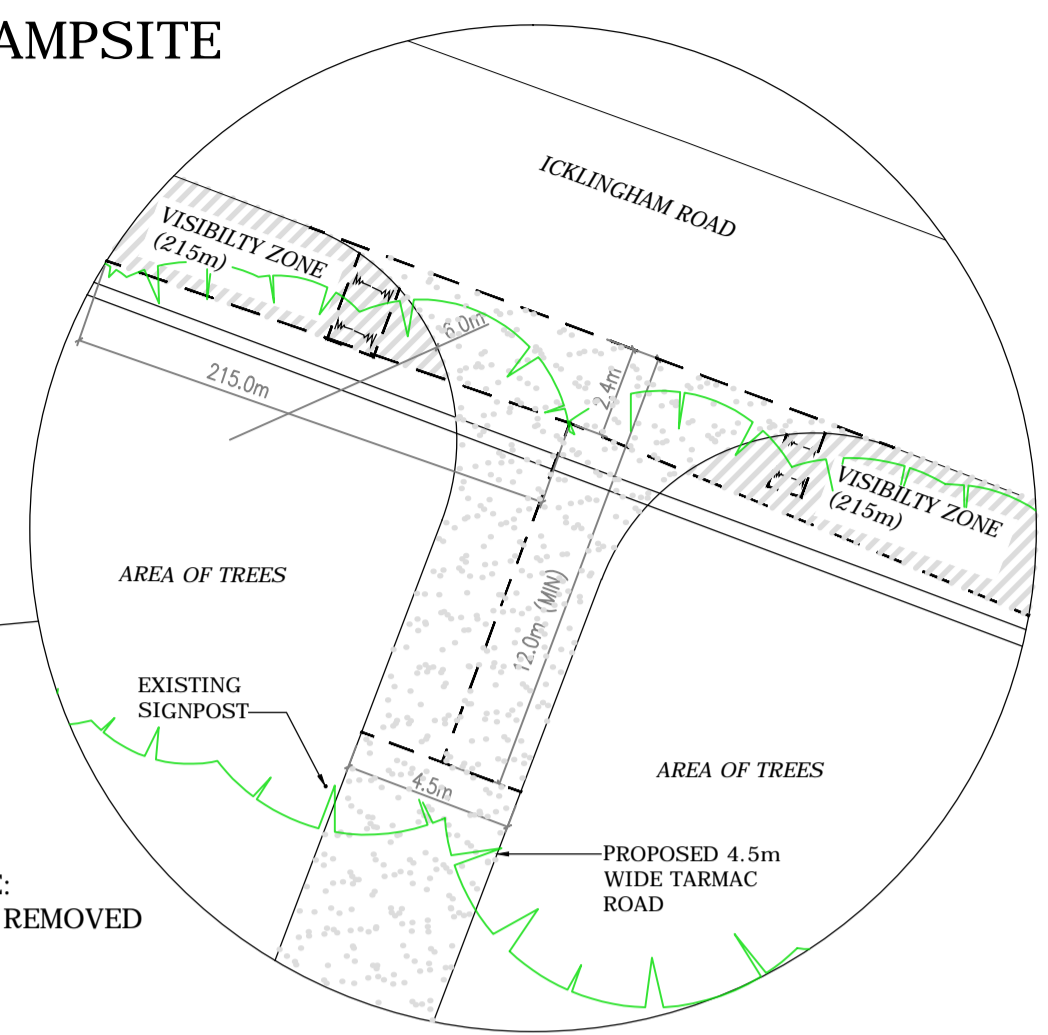
- 3.1.3 SSSIs are protected by law to preserve their special wildlife or geology. The proposed campsite development is located close to two SSSIs - West Stow Heath and Lackford Lakes. Given the proximity of the proposed development to the SSSIs, Natural England will be consulted on what is proposed as part of the planning process.
- 3.1.4 The typology of West Stow Heath is Breckland heath. Nearly a quarter (24%) of this country's rarest plant species (Biodiversity Action Plan 'BAP' priority species) are to be found growing on Breckland heath.
- 3.1.5 As well as the development control process, the impact on the SSSI will be considered as part of the qualitative scoring during the evaluation process. Advice was sought from a suitably qualified ecologist prior to the proposed campsite design being submitted for planning permission and certain features have been incorporated into the design to help mitigate the development's impact on the surrounding landscape.
- 3.1.6 The suitability of the non-camping activities referred to in the proposed Lots 1a, 1b, 2a and 2b will need to be carefully considered to ensure that they do not adversely affect the neighbouring flora and fauna.

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PROPOSED SITE PLAN
SCALE 1:750

PROPOSED CAMPSITE ENTRANCE
SCALE 1:200



DO NOT SCALE FROM THIS DRAWING
ASK FOR DIMENSION
USE ONLY FOR PURPOSE
INDICATED BELOW

ASSOCIATED DWGS	
DWG NO.	TITLE
10399/007	SITE LOCATION PLAN
008	EXISTING SITE PLAN
010	PROPOSED RECEPTION BLOCK
011	PROPOSED SERVICE BLOCK

TREES AT NORTHERN BOUNDARY	
EXISTING TREES	395
TREES TO BE REMOVED:	
WEST OF ENTRANCE	8
ENTRANCE	2
EAST OF ENTRANCE	19
TOTAL REMOVED	29
(7.3% OF EXISTING TREES)	

NOTES

- EXISTING FENCES TO NORTHERN BOUNDARY TO BE ADJUSTED AND REPOSITIONED (WHERE APPLICABLE) TO 0.5m INSIDE THE LINE OF SITE VISIBILITY SPLAY. THIS INCLUDES CURVED TIMBER FENCING AT MAIN COUNTRY PARK ENTRANCE (SEE PHOTO BELOW).



LEGEND	
SYMBOL	DESCRIPTION
DW □	DRINKING WATER POINT
○	LIGHTING BOLLARD
F □	FIRE POINT
WWD □	WASTE WATER DISPOSAL
2 □	2 POINT POWER POST (UNLIT)
---	ELEC.
---	WATER
⊗	WATER STOPCOCK
---	DRAINAGE RUN
▨	ROAD PLANINGS
○	TREE TO BE REMOVED
---	'PUMPHOUSE ROUTE' FOOTPATH

REVISIONS	
A-D	ALL REVISIONS MADE DUE TO RE-DESIGN OF CAMPSITE LAYOUT

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WEST SUFFOLK PROPERTY SERVICES

Head of Service: Mark Walsh
West Suffolk House, Western Way, Bury St. Edmunds, Suffolk, IP33 3VU
Tel: 01284 703233, Fax: 01284 757386, E-Mail: property.services@westsuffolk.gov.uk

Project: **WEST STOW CAMPSITE**

Title: **PROPOSED SITE PLAN**

Scale: 1:200 1:750	Drawing Size: A1
Date: 25 FEB 15	Drawn By: KLS
File No.: 10399 009	Revision: D

- SANDY SOIL BUND TO BENEFIT RARE PLANTS
- SHORT GRASSLAND SWARD TO BENEFIT WOODLARK, RARE PLANTS AND INSECTS. (INFORMAL RECREATIONAL USE)
- LONG GRASS SWARD TO BENEFIT REPTILES AND BARN OWL

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Cabinet



St Edmundsbury
BOROUGH COUNCIL

Title of Report:	West Suffolk Safeguarding Policy - Guidelines for Working with Children, Young People and Vulnerable Adults	
Report No:	CAB/SE/15/026	
Report to and dates:	Cabinet	24 March 2015
	Council	7 July 2015
Portfolio holder:	Sara Mildmay-White Portfolio Holder for Health and Communities Tel: 01359 270580 Email: sara.mildmay-white@stedsbc.gov.uk	
Lead officer:	Simon Phelan Head of Housing Tel: 01638 719440 Email: simon.phelan@westsuffolk.gov.uk	
Purpose of report:	To set out an updated and revised Safeguarding Policy and Guidelines for working with children, young people and vulnerable adults to ensure compliance with the new duties placed upon the Council by the Care Act 2014.	
Recommendation:	It is <u>RECOMMENDED</u> that, subject to the approval of full Council, the revised Safeguarding Policy and Guidelines for working with Children, Young People and Vulnerable Adults, as set out in Appendix A to Report No: CAB/SE/15/026, be adopted.	
Key Decision: (Check the appropriate box and delete all those that <u>do not</u> apply.)	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p> <p>(As it's a full Council decision)</p>	

Consultation:		<ul style="list-style-type: none"> Consultation has taken place internally along with consultation with both the Suffolk Children's and Adult's Safeguarding Boards. 	
Alternative option(s):		<ul style="list-style-type: none"> None – failure to update and revise the existing policy would result in the Council being none compliant with the changes in legislation. 	
Implications:			
Are there any financial implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> The Council currently pay a subscription of £5,000 per annum to the Suffolk Children's Safeguarding Board and currently £1,000 to the Adult Safeguarding Board, both of which are met from within existing budgets. 	
Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> 	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> Requires that the existing Children's and Young Persons Safeguarding Policy be revoked. Compliance with Children's Act 2004 and Care Act 2014. 	
Are there any equality implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> The Council's approach to Safeguarding has been the subject of an Equality Impact Assessment and no negative consequences have been identified. 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Council fails to protect vulnerable children and adults, and are judged to be negligent.	Medium	Policy, procedures and training in place.	Low
Ward(s) affected:		All Ward/s	
Background papers:		None	
Documents attached:		Appendix A: West Suffolk Safeguarding Policy – Guidelines for Working with Children, Young People and Vulnerable Adults	

1. Key issues and reasons for recommendation(s)

- 1.1 Local authorities have had a statutory responsibility under the Children's Act 2004 to safeguard children and young people. The West Suffolk councils adopted a revised joint Safeguarding Policy in December 2012 so that they had the necessary policy and procedures in place to ensure that they could meet these duties.
- 1.2 The Care Act 2014 extended these safeguarding duties from April 2015 to also include vulnerable adults and also required the establishment of a countywide Adult Safeguarding Board.
- 1.3 The revised and updated joint safeguarding policy will enable West Suffolk to fulfil its statutory obligations under the Children Act 2004 and Care Act 2014 by establishing effective arrangements to safeguard and promote the welfare of children, young people and vulnerable adults. The features of effective arrangements as identified under the two Acts are:
 - Senior management commitment to the importance of safeguarding and promoting welfare.
 - A clear statement of the agency's responsibilities towards children and vulnerable adults.
 - A clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children and vulnerable adults.
 - Service development that takes account of the need to safeguard and promotes welfare and is informed, where appropriate, by the views of children or vulnerable adults.
 - Staff training on safeguarding and promoting the welfare of children and vulnerable for all staff working within or in direct contact with children, vulnerable adults and their families.
 - Safe recruitment procedures that undertake the necessary checks where required
 - Effective inter-agency working to safeguard and promote the welfare of children and vulnerable adults.
 - Effective information sharing, the legislation places a statutory to co-operate over the sharing of relevant information.

Suffolk Safeguarding Children (SSCB) and Adult Boards (SSAB)

- 1.4 Both the Children's and Adult Safeguarding Boards are independent bodies set up under the relevant legislation to advise, monitor and evaluate what is done by the local authorities and board partners individually and collectively to safeguard and promote the welfare of children and vulnerable adults. They are made up of representatives from the various statutory sector partners, including local authority representatives and have an independent Chair.

- 1.5 In their monitoring role, the Boards are required to undertake audits to ensure that partners are meeting and complying with the necessary requirements as set out in Section 1.1.3 above. Both councils will be undergoing a full Section 11 Audit by the SSCB in April 2015 and an initial audit by the SSAB is anticipated later in the year.

Training

- 1.6 The West Suffolk councils jointly deliver internal safeguarding training to all public facing staff; the three hour Introduction to Safeguarding Training is quality assured by the SSCB and is being revised to include vulnerable adults.



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Safeguarding Policy

Guidelines for Working with Children Young People and Vulnerable Adults

Joint Policy - Version 1
March 2015

Contents

Section 1: Safeguarding Children Young People and Vulnerable Adults Policy

Section 2: Guidelines for Working with Children Young People and Vulnerable Adults

Appendix 1: Recording allegations or concerns about the welfare of a child, young person or vulnerable adult.

Appendix 2: Events – Information Form

For further information:

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Section 1:

Safeguarding Children, Young People and Vulnerable Adults Policy

1. Introduction

- 1.1 Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC) provide a range of services and facilities to the community. The nature of the provision means inevitably employees, (permanent, temporary or contracted) volunteers and councillors will come into contact with children, young people, vulnerable adults and their families in a variety of settings. Both Councils acknowledge their shared responsibility for the protection and safety of children, young people and vulnerable adults.
- 1.2 Safeguarding is the term that describes the function of protecting children, young people and vulnerable adults from potential abuse or neglect. It is an important shared priority of many public services and a key responsibility of local authorities. Safeguarding relates to the need to protect certain people who may be in vulnerable circumstances. These are people who may be at risk of abuse or neglect, due to the actions (or lack of action) of another person. In these cases, it is critical that services work together to identify people at risk and put in place interventions to help prevent abuse or neglect and to protect those people.
- 1.3 The purpose of this policy is to ensure that in discharging their functions the Councils have due regard for the need to safeguard and promote the welfare of children, young people and vulnerable adults. This policy establishes the roles and responsibilities of staff, volunteers and councillors in relation to safeguarding the welfare of children, young people and vulnerable adults. It also outlines procedures for reporting concerns and recording information.
- 1.4 The accompanying guidance provides more detailed good practice advice for those working directly with children, young people and vulnerable adults.
- 1.5 For the purpose of this policy and accompanying guidance, 'a child or young person' means anyone up to 18 years of age and a vulnerable adult is someone aged 18 or over who is, or may be, in need of community services due to age, illness or a mental or physical disability, who is, or may be, unable to take care of himself/herself, or unable to protect himself/herself against significant harm or exploitation.
- 1.6 This policy applies to all FHDC and SEBC services and activities and applies to:
- employees;
 - councillors;
 - volunteers; and
 - partners and contractors working on the Councils behalf.

2. Roles and responsibilities

- 2.1 Both Councils are committed to ensuring that any child, young person or vulnerable adult who comes into contact with an employee, volunteer or any aspect of the council's activities feels safe and protected, is listened to and has their views taken into account.
- 2.2 Both Councils acknowledge it is not their responsibility to investigate whether a child, young person or vulnerable adult is in need or that abuse has taken place, but that all employees, volunteers and councillors act upon any concerns they have, by referring to the appropriate authority and by accurately recording their concerns. Those with concerns are required to co-operate with the Local Safeguarding Children or Adult Boards who may be dealing with any referrals.
- 2.3 The Councils will endeavour to ensure the suitability of all employees and volunteers who work with children, young people and vulnerable adults through robust recruitment and selection procedures, appropriate training and other working practices and procedures.
- 2.4 The Councils provide support and advice services to adults, some of whom may pose a risk to children and young people. The Councils are committed to managing any such risk.
- 2.5 As a licensing authority, both Councils comply with the terms of the Licensing Act 2003 in relation to protecting children and vulnerable adults from harm. The Act requires that robust mechanisms are in place to ensure licensing applications are examined by the appropriate agencies.
- 2.6 Both Councils require all employees, volunteers and councillors in the organisation to understand their responsibility to share concerns about the welfare of any child, young person or vulnerable adult with the designated Safeguarding Officer or the deputy designated officer(s). Designated officers are there essentially to provide advice, guidance and support when a referral or allegation is made. The Council will endeavour to equip appointed officers with the necessary skills, information and confidence to carry out this role.
- 2.7 Both Councils accept responsibility for ensuring its employees, volunteers, councillors, partners and contractors are aware of this policy and the related guidance. They are also responsible for ensuring that employee, volunteer and councillor concerns about the welfare of children, young people and vulnerable adults are received and acted upon.

3. Information security

- 3.1 The ICT Security Policy is intended to ensure that technology provided to employees and councillors and which is available for use by the public in our facilities is used appropriately. It outlines expectations on data protection and acceptable use of the internet and electronic media.
- 3.2 As a precaution, employees are asked not to email identifiable information relating to a safeguarding referral. Instead staff are asked to seek advice from the Designated Safeguarding Officer in the first instance.

4. Sharing your concerns

- 4.1 From time to time staff may come across a child, young person or vulnerable adult in the normal course of their work that gives rise to concern. Concerns about a child's, young person's or vulnerable adult's safety and welfare may vary in seriousness and in nature and staff/councillors may be unsure about whether or not their concerns warrant reporting. It is everyone's responsibility to act upon their concerns, but often it is only when information from different sources is put together that a clear picture of the risks and needs of the child, young person or vulnerable adult emerges. Sharing concerns with a designated officer who has been trained to support and advise staff and councillors will help to focus on exactly what the concerns are and ensure the best possible outcomes for the child, young person or vulnerable adult.
- 4.2 Whilst it is appropriate to respond to events, staff and councillors should never set out to interview or investigate themselves, because doing so is likely to make it difficult for police officers and social workers to investigate and act to protect the individual. Children, young people and vulnerable adults should be listened to and not silenced, but they should not be interviewed.
- 4.3 When receiving a disclosure of abuse from a child, young person or vulnerable adult, it is important that the member of staff or councillor behave and act in ways which reassure the child, young person or vulnerable adult and that they do not impede any future investigations. In particular staff and councillors should:
- a) recognise signs of a child, young person's or vulnerable adult's willingness or need to speak with them;
 - b) never promise confidentiality, instead telling the child, young person or vulnerable adult that they may have to pass on information they disclose;
 - c) encourage the child, young person or vulnerable adult to explain their distress without pressuring them to discuss or disclose more than they want, need or are able to;
 - d) repeat back to a child, young person or vulnerable adult what they have said to ensure that what has been said has been understood;
 - e) remain calm and not show any anger or distress at what may have happened;
 - f) reassure the child, young person or vulnerable adult that they have done the right thing in telling someone and that the events they describe are not their fault;
 - g) make an assessment of the immediate threat to the child, young person or vulnerable adult and tell them what they intend to do next; and
 - h) record the conversation away from the child, young person or vulnerable adult, using direct quote where possible.
- 4.4 It is important to keep an open mind about the possibility of abuse and to avoid giving the benefit of the doubt to an adult without having a sound basis for so doing.

5. Recording and reporting concerns

- 5.1 In the event that an employee, volunteer or councillor has grounds to be concerned about the welfare of a child, young person or vulnerable adult, they should act immediately. They should implement the councils' recording and reporting procedure as outlined below in paragraph 5.3.

5.2 When a child, young person or vulnerable adult is making a disclosure, they will be informed of their right to talk to an independent person, for example, social services, about any possible abuse. This is of particular importance where the allegation concerns a council employee.

5.3 The Councils' procedure for reporting concerns about the safety of a child, young person or vulnerable adult is as follows:

Step one: Employee, volunteer or councillor concerns should be discussed with the designated safeguarding officer or where they are not available with one of the deputy designated officers at the earliest opportunity and details recorded on the relevant form entitled *recording allegations or concerns about children, young people or vulnerable adult* (see Appendix 1). This form is available on the intranet or from the designated safeguarding officer (DSO).

If there is not the opportunity to discuss with the DSO or deputy and there are potentially significant concerns, then the employee should call Customer First on 0808 800 4005 to report these concerns.

Step two: The completed form should be sent, as soon as possible, to the designated safeguarding officer (Head of Housing). In his/her absence, the form should be sent to one of the deputy designated safeguarding officer(s). This form can be sent either in a sealed envelope marked confidential or via email, but must be password protected.

Step three: The designated officer will then forward the information to the police and/or Children's Services via Customer First.

Step four: The designated safeguarding officer (Head of Housing) will follow up their report to Children's Services and/or the police within 24 hours.

If a child, young person or vulnerable adult is at immediate risk of significant harm, dial 999 as in any emergency.

5.4 Any reported concerns will be kept secure and only made available to the designated officer, the deputy designated officer(s), other authorised staff (Chief Executive, Directors, the Head of Human Resources, Legal and Democratic Services, or the countywide Multi Agency Safeguarding Hub (MASH)).

5.5 Should an employee, volunteer or councillor be dissatisfied with how the councils have responded to an incident, allegation or concern, they may report their concerns directly to the MASH or the police.

5.6 Where an employee, volunteer or councillor is dissatisfied with how a professional in a partner agency has dealt with their concerns regarding a child or young person they may raise these by using the Suffolk Local Safeguarding Children's Board (SCB) Escalation Policy, details of which can be found at www.suffolkscb.org.uk. At the time of writing this policy an escalation policy has not yet been agreed for Vulnerable Adults.

- 5.7 The first step when considering escalating concerns should be to discuss the matter with the Council's designated safeguarding officer. However, the first key principle in any dispute should be that it is everyone's professional responsibility to problem solve and come to an agreed resolution at the earliest opportunity, always keeping in mind the child or vulnerable adults safety and welfare.

6. Confidentiality

- 6.1 The legal principle that 'the welfare of the child or vulnerable adult is paramount' means that considerations of confidentiality that might apply to other situations within the council should not be allowed to override the right of the child or vulnerable adult to be protected from harm. Neither employees, volunteers nor councillors can give absolute guarantees of confidentiality, or promise that the information will not be shared. If a child or vulnerable adult is at risk of significant harm the "normal" rules of confidentiality do not apply.
- 6.2 All concerns will be treated in confidence. At the appropriate time, however, the individual may need to come forward as a witness.

7. Equal Opportunities

- 7.1 The Councils are fully committed to taking effective action to eliminate discrimination and to advance equality of opportunity and foster good relations in all that we do as an employer, a service provider and as a community leader. We believe that all people are entitled to be treated with dignity and respect and we are determined to ensure that both our employees and everyone entitled to use our services receive fair and equitable treatment. We are committed to working with our partners and communities to promote good relations and to combat prejudice, discrimination and harassment.
- 7.2 How the Councils will work to meet the duties under the Equality Act 2010, are set out in the West Suffolk Equality Scheme. Where there are any concerns relating to equal opportunities issues as well as safeguarding concerns, then reference should be made to the Council's Equality Scheme for guidance.

8. Recruitment and selection

- 8.1 Both Councils will take all reasonable steps to ensure unsuitable people are prevented from working or volunteering in settings that bring them into close direct contact with children or vulnerable adults. The Protection of Freedoms Act 2012 has scaled back the requirement to undertake disclosure and barring service (DBS) criminal record checks, to focus on those working unsupervised or in regular close contact with vulnerable people.
- 8.2 Where a post is identified as requiring a DBS check and the new employee does not already hold a valid DBS check, the Councils will undertake DBS check as part of its recruitment process. From 2013 individuals have been able to apply for their own DBS check, for which there is a fee, which they can take with them to new employers or when volunteering. The Councils retain the right to request a new DBS Check to make sure that the check is up-to-date and to check the most recent records.
- 8.3 DBS criminal record checks are free of charge to volunteers. The DBS defines a volunteer as:

'A person engaged in an activity which involves spending time, unpaid (except for travel and other approved out-of-pocket expenses), doing something which aims to benefit some third party other than, or in addition to, a close relative.'

8.4 Training for officers with recruitment and selection responsibilities will ensure adherence to recruitment and selection best practice. The disclosure procedures ensure information is provided to assess a potential employee's/volunteer's suitability for a post that may bring them into contact with children, young people or vulnerable adults. Guidelines have been issued to recruiting managers and posts identified that are subject DBS enhanced disclosure checks. These posts are defined as Regulated Posts whose "**work involves close and unsupervised contact with vulnerable groups**".

8.5 Regulated activity relating to children or vulnerable adults can be due to either WHAT THEY DO (activity), WHERE THEY WORK (establishment), WHO THEY ARE (specific post) and are defined by the following:

- (i) **Unsupervised activities:** teaching, training, instructing, caring for or supervising children/vulnerable adults or providing advice/guidance on well-being, or driving a vehicle only for children/vulnerable adults. If under reasonable day to day supervision by another engaging in regulated activity is not undertaking a regulated activity;
- (ii) Working for a limited range of establishments (**'specified places'**), with opportunity for contact: for example, schools, children's homes, childcare premises. Not work by supervised volunteers;

Work under (i) or (ii) is regulated activity only if done regularly.

- (iii) Relevant personal care, for example washing or dressing; or health care by or supervised by a professional; (does not include workplace first aiders).
- (iv) Registered childminding and foster-carers.
- (v) Day to day **management/supervision** of individuals carrying out Regulated Activity.

A Regulated Post checklist has been produced to assist Managers with identifying posts that would fall into this category.

9. **Training**

9.1 Both Councils recognise the important contribution that staff, councillors and volunteers make to the process of safeguarding. The Councils' will encourage staff and volunteers to contribute appropriately to the safeguarding process, particularly in respect of attendance at safeguarding conferences and core groups, involvement in formal protection plans and information exchange.

9.2 All employees, volunteers and councillors will receive suitable information during their induction process or via staff briefings to raise awareness of their role in recognising, understanding and safeguarding children and vulnerable adults.

9.3 Designated officers and all those staff and volunteers who have been identified by their Head of Service as being likely to come into direct contact with children, young people or vulnerable adults will receive suitable approved training to enable them to identify and deal with reporting concerns.

10. Supervision and support for staff

10.1 Designated officers and the managers of those staff identified as being likely to come into direct contact with children, young people and vulnerable adults will receive training to enable them to support staff reporting concerns.

10.2 Both Councils will ensure that:

- any concerns about abuse are acted upon at an early stage;
- support, from an appropriately trained individual, is offered to those who report concerns; and
- confidentiality is maintained and that information is only shared with appropriate people or agencies.

10.3 Specialist counselling support is available for staff and volunteers supporting child or vulnerable adult protection cases, to help deal with any significant emotional demands they may face.

11. Allegations against employees/volunteers/councillors

11.1 Any allegations about staff will be dealt with in accordance with the Council's Disciplinary and Capability Policy, the Grievance Procedure and/or the Whistleblowing (Anti-Corruption) Policy, which will include referral to Disclosure and Barring Service (DBS) for consideration for barring in relevant circumstances. A senior member of the human resources team will investigate such allegations with a suitable colleague and consult with the Council's Designated Officer and Head of Human Resources, Legal and Democratic Services and the County Council's Local Authority Designated Officer (LADO) prior to making a request for Barring.

11.2 Any allegations against volunteers will be investigated following guidelines for employees in consultation with the Council's designated officer and Head of Human Resources, Legal and Democratic Services.

11.3 Any allegations against councillors will be dealt with under the local code of conduct and subsequently considered by the local Standards Committee if appropriate in consultation with the designated safeguarding officer.

In each case, Children's Services and/or the police will determine whether child protection or criminal investigations will take place. If the employee/volunteer /councillor resigns a referral to DBS will still be made if appropriate.

12. Working in partnership with others

12.1 Both Councils work in partnership with a range of organisations and the Councils expect them to have in place appropriate safeguarding policies.

- 12.2 Organisations which receive grant-aid from either Council and work with children, young people or vulnerable adults will be expected to have an appropriate safeguarding policy in place. Their staff and volunteers must also receive appropriate safeguarding training. The Council will ask to see a copy of the relevant safeguarding policy before any funding is awarded.
- 12.3 Volunteers who work with children, young people or vulnerable adults and who are carrying out Regulated Activities on behalf of either Council will be subject to a DBS check and will be provided with training and support.
- 12.4 Both Councils will ask all commissioned organisations that deliver services directly with children, young people or vulnerable adults to sign a declaration form to declare that all staff and volunteers working with them hold current Disclosure and Barring Service (DBS) checks that are no older than three years and have completed the appropriate training.

13. Photography and filming

- 13.1 Both Councils recognise the positive contribution that photography can make, highlighting group and individual achievement and promoting services. The Councils also recognise the risk posed directly and indirectly to children, young people and vulnerable adults through the misuse of photographic images. Increased use of digital cameras, video recorders, mobile phones and social media make pictures instantly available for distribution and not subject to regulation that commercial developing provides. It is, therefore, necessary to have procedures in place to safeguard children, young people and vulnerable adults against inappropriate use of their photographic image.
- 13.2 The Councils expect all employees, councillors and volunteers to follow the best practice outlined in the guidance, which accompanies this policy (see section 2 of the 'Guidelines for working with Children, Young People and Vulnerable People'); failure to do so will be deemed a disciplinary offence and dealt with in accordance with the Councils' Disciplinary Policy.

14. Work experience and employment under the age of 18

- 14.1 Managers are required to follow the 'Work Experience Management Guidance and Induction Checklist' which directs them to considering the guidance which accompanies this policy before agreeing a work experience placement.
- 14.2 Managers are asked to demonstrate their duty of care towards employees under the age of 18 through offering the employee the opportunity to disclose any relevant safeguarding information, which should be shared with their manager or alternatively with a member of the Human Resources team.

15. Conclusion

- 15.1 Through the production of this policy both FHDC and SEBC have demonstrated their commitment to safeguarding children, young people and vulnerable adults. The policy recognises the diverse nature of the services and facilities provided by both councils and the duty upon all employees and councillors to act upon their concerns relating to the welfare of children, young people and vulnerable adults.

Section 2:

Guidelines for Working with Children, Young People and Vulnerable Adults.

1. Purpose of these guidelines

These guidelines provide good practice advice for staff and councillors working with children, young people and vulnerable adults. The guidelines also provide advice about what to do if you are worried about the welfare of a child, young person or vulnerable adult. *This guidance must be read in conjunction with the Councils' Safeguarding Children, Young People and Vulnerable Adults Policy.*

These good practice guidelines are designed not only to protect children, young people and vulnerable adults, but to protect staff and councillors working for, and on behalf of, the council from situations where false allegations may occur.

2. Good practice

When working with children, young people and vulnerable adults good practice means:

- a) always working in an open environment (e.g. avoiding private or unobserved situations) and encouraging an open environment (e.g. no secrets);
- b) treating children, young people and vulnerable adults fairly, and with respect and dignity;
- c) always putting the welfare of each child, young person or vulnerable adult first, before achieving goals;
- d) maintaining a safe and appropriate distance from a child, young person or vulnerable adult;
- e) building suitable balanced relationships based on mutual trust which empowers children, young people or vulnerable adults to share in the decision-making process;
- f) making activities fun and enjoyable and promoting fair play;
- g) ensuring that if any form of physical contact is required, it should be provided openly. The Child, young person or vulnerable adult should always be consulted and their agreement gained;
- h) keeping up to date with the technical skills, qualifications and insurance required;
- i) involving parents/carers wherever possible. If parents are not present, staff should always work with at least one co-worker.
- j) ensuring that mixed groups are accompanied by a male and female member of staff;
- k) giving enthusiastic and constructive feedback rather than negative criticism;
- l) recognising the developmental needs and capacity of the children, young people or vulnerable adult;
- m) securing parental consent in writing to act in their place if the need arises to give permission for the administration of emergency first aid and/or other medical treatment;
- n) awareness of any medicines being taken by participants, or existing injuries, and where appropriate, a record must be kept if medication is taken or administered to a child, young person or vulnerable adult; and

- o) keeping a written record of any injury that occurs, or incidents where a child, young person or vulnerable adult has become upset, along with the details of any treatment given or action taken.

A degree of physical contact may be used appropriately to instruct, encourage, protect or comfort. When physical contact is required both the child, young person or vulnerable adult and the member of staff should be clear about the context and appropriateness of that contact. Physical contact with children, young people and vulnerable adults should only be used when the aim is to:

- a) develop skills or techniques;
- b) treat an injury or respond to discomfort;
- c) prevent an injury; or
- d) meet the requirements of the particular activity.

In addition, physical contact should:

- a) never be in ways, or parts of the body, that may be considered inappropriate;
- b) meet the needs of the child, young person or vulnerable adult and not the needs of the adult;
- c) be fully explained to the child, young person or vulnerable adult and, with the exception of an emergency, permission be sought; and
- d) not take place in secret or out of sight of others.

3. Practices to be avoided

The following should be avoided except in emergencies. If cases arise where these situations are unavoidable they should only occur with the full knowledge and consent of someone in charge in the organisation or the child's, young person's or vulnerable adult's carer. For example, a child sustains an injury and needs to go to hospital, or a parent fails to arrive to pick a child up at the end of a session. Staff and councillors should:

- a) be aware that there are very few instances when one-to-one working is appropriate. If in doubt they should avoid spending excessive amounts of time alone with a child, young person or vulnerable adult;
- b) never take a children, young people or vulnerable adult to your home where they will be alone with you; and
- c) avoid giving children, young people or vulnerable adults lifts in your car.

4. Practice not sanctioned

The following are never sanctioned. Staff and councillors should never:

- a) engage in rough or sexually provocative games (including horseplay), or those requiring extended physical contact;
- b) allow or engage in any form of inappropriate touching;
- c) make sexually suggestive comments to anyone, even in fun;
- d) humiliate, put-down or degrade a child, young person or vulnerable adult as a form of control;
- e) allow allegations made by a child, young person or vulnerable adult to go unrecorded;

- f) do things of a personal nature for children, young people or vulnerable adult that they can do for themselves; and
- g) invite or allow children, young people or vulnerable adult to stay with you at your home unsupervised.

5. Incidents requiring immediate reporting

If any of the following incidents should occur, staff/councillors should report them immediately to another colleague and make a written note of the event. Carers should also be informed of the incident:

- a) if the staff/councillor accidentally hurts a child, young person or vulnerable adult;
- b) if a child, young person or vulnerable adult in your care seems distressed in any manner;
- c) if an individual appears to be sexually aroused by your actions; or
- d) if an individual misunderstands or misinterprets something the staff/councillor has done.

6. Children, young people and vulnerable adults – adult ratios

The councils' general guidelines are set as follows:

- a) children over the age of 8 may be left unaccompanied by parents/carers for the duration of an event, subject to the type of event;
- b) all children under the age of 8 will have to be accompanied by a carer at all times;
- c) individuals with special needs (e.g. behavioural condition, disability) may have to be accompanied by a carer subject to the assessment of the event leaders; and
- d) when necessary, an information form must be completed by participants, under the age of 18 or by vulnerable adult. An example form is provided in Appendix 2.

The participant adult ratios guidelines are set out below:

- a) low risk events: a minimum of 2 members of staff or appropriate adults to a maximum of 20 participants;
- b) higher risk events: a minimum of 2 members of staff or appropriate adults to a maximum of 10 participants; and
- c) family events (children will not be allowed unaccompanied): a minimum of 1 member of staff. The maximum number of families is variable and will depend on the location and nature of event.

Furthermore, the council will ensure that:

- a) a male and female member of staff will accompany any mixed group; and
- b) individuals whose behaviour is considered inappropriate or dangerous by the event leaders will be prevented from continuing the activity. Their parents/carers will be contacted immediately and requested to pick them up. Furthermore, they may be banned from participating in further activities. The same applies to organised groups using council facilities where members of staff deem that the quality or quantity of supervision is not sufficient.

7. Confidentiality and information sharing

In principle, all personal information will be treated as confidential. However, confidential information may be disclosed to social care services or the police if a child, young person or vulnerable adult's health and welfare need protecting, or where a criminal activity has or may be committed. If a disclosure of abuse is made by a vulnerable individual it is important for everyone to understand that they may not promise confidentiality.

In cases of medical or other sensitive information being held, staff and councillors will only be informed on the 'need to know' basis and in accordance with the Data Protection Act 1998.

If in doubt, advice should be sought from the council's legal section and/or the designated safeguarding officer.

8. Photography and filming guidance

In order to prevent the inappropriate use and distribution of photographic and film material the council will follow these guidelines:

- a) parents and guardians/carers will be asked to concentrate their photography or filming on the people in their charge;
- b) signs will be displayed and/or information will be printed on tickets, leaflets etc to ensure that participants are aware that filming and photography will be taking place;
- c) Both councils will only use limited details, such as a child's name and age, if a picture/film is used for the council's publicity purposes, unless written permission is given by a parent, guardian or carer for more details to be released;
- d) photographers employed by either council will be required to make a declaration that they have no safeguarding-related convictions;
- e) photographers employed by either council will not be allowed to photograph or film children, young people or vulnerable adults without a council member of staff being present.

This guidance applies to any equipment capable of capturing a still or moving image, such as cameras and mobile phones.

Media photographers follow their own code of practice, set nationally by the Press Complaints Commission, which stipulates that young people under the age of 16 or vulnerable adult may not be photographed without the permission of a parent or responsible adult (such as a schoolteacher).

9. Procedure for reporting concerns

If staff/councillors are concerned about the safety or welfare of a child, young person or vulnerable adult they have seen during the course of their work, they should follow the reporting procedure outlined below.

Step one: Employee, volunteer or councillor concerns should be discussed with the designated safeguarding officer (Head of Housing) or if not available one of the deputy designated safeguarding officers at the earliest opportunity and details recorded on the relevant form entitled *recording allegations or concerns about children, young*

people and vulnerable adults (see Appendix 1). This form is available on the intranet or from the designated safeguarding officer (DSO).

If there is not the opportunity to discuss with the DSO or deputy and there are potentially significant concerns, then the employee should call Customer First on 0808 800 4005 to report these concerns.

Step two: The completed form should be sent, as soon as possible, preferably within 24 hours, to designated safeguarding officer (Head of Housing). In his/her absence, the form should be sent to one of the deputy designated safeguarding officer(s)

Step three: The designated officer will then forward the information to the police and/or social care services.

Step four: The designated safeguarding officer (Head of Housing) will follow up their report to social services and/or the police within 24 hours.

If a child, young person or vulnerable adult is at immediate risk of significant harm, dial 999 as in any emergency.

10. Recording concerns and actions on the designated form

It is important to record accurately and in detail, especially regarding what a child, young person or vulnerable adult actually says and what has actually been observed. Clear distinctions must be made between fact and opinion, and between what is known from first hand experience and what has been told by someone else.

It is important to note that staff and councillors will not suffer any adverse legal consequences if they pass on information and concerns honestly and in good faith, and in accordance with agreed procedures.

11. Further information

Further advice and guidance can be found at the following website:

www.education.gov.uk/childrenandyoungpeople/safeguardingchildren

Suffolk Local Safeguarding Children Board (LSCB) procedures and guidance for safeguarding children from harm are available at <http://suffolkscb.org.uk>

March 2015

Forest Heath District Council

St Edmundsbury Borough Council

Recording allegations or concerns about the welfare of a child, young person or vulnerable adult

Please use this form as a prompt, recording any additional information on the back or on another sheet of paper.

REMEMBER – your job is not to investigate, but to record accurately all information you receive or signs and symptoms you observe.

Child/young person, vulnerable adult's details (name, address, tel. no. etc.):	Child/young person/vulnerable adults parents, guardian's or carer's details: (where known)	Details of person <u>reporting</u> suspicion/allegation/ concern (this may be the child/young person/vulnerable adult):
Describe what the suspicion/allegation/concern is:		
Describe fully any signs, symptoms you or others have observed (include here what the child/young person/vulnerable adult has told you):		
<u>Where</u> did this occur (as far as you know)?		
<u>When</u> did this happen (as far as you know)?		
If some earlier signs/symptoms were noticed before today, <u>when and where</u> was this?		
Record details of anyone else who may have been present or have relevant information:		

Record who has been informed (You must inform the designated safeguarding officer or your line manager immediately and the child/young person's/vulnerable adults parents /guardian /carers unless it is possible that they may be responsible.)	
Signed	Dated
Job title	Telephone number:

THIS FORM SHOULD BE SENT (IN AN ENVELOPE MARKED PRIVATE & CONFIDENTIAL OR VIA A PASSWORD PROTECTED EMAIL) TO THE DESIGNATED SAFEGUARDING OFFICER (Head of Housing) AS SOON AS POSSIBLE

EVENTS - INFORMATION FORM

IF PARTICIPANT IS UNDER 18, PARENT OR GUARDIAN MUST COMPLETE THIS FORM.

NAME OF PARTICIPANT(S):			
DATE OF BIRTH: (IF UNDER 18)			
CONTACT TELEPHONE NO:			
ADDRESS:			
EMERGENCY CONTACT:		TELEPHONE NO:	

Please delete as appropriate:

- I agree to taking part in the activities.
- I agree to being photographed by the media or Forest Heath District Council /St Edmundsbury Borough Council - approved photographers for publicity purposes.
- I have no special medical/dietary/cultural needs.
- I have the following dietary/medical/cultural needs, including *any* disability or behaviour that may require extra supervision or specialist medical knowledge (*please complete the box below*).

Details:

- I authorise the supervising staff to: allow me to take any medication specified on this form; call a registered medical practitioner to prescribe treatment or medication if required; administer emergency first-aid treatment as necessary.

Please note: any participant with any disability or behaviour which may require extra supervision or specialist medical knowledge will have to be accompanied by an adult at all times during all events. We may ask for further details with regards to some medical needs or behaviour management. This is to ensure that all participants can enjoy our activities as safely as possible.

NOTE: CONFIDENTIALITY & INFORMATION SHARING POLICY

- In general, all personal information will be treated as confidential.
- The details on this form are used both for health and safety reasons and to add participants to our mailing list. If you would like not to be added to the mailing list, **please tick here** .
- Confidential information may be disclosed to social care services or the police if a the health or welfare of a vulnerable individual needs protecting, or when a crime has or may be committed.
- In cases of medical or other sensitive information being held, members of staff will only be informed on the 'need to know' basis.

We will retain these details while you continue to participate in our activities, unless instructed to destroy them.

SIGNATURE: (PARENT/GUARDIAN IF UNDER 18)	
NAME (PLEASE PRINT):	
DATE:	

Please return to:
The Head of Housing, West Suffolk House, Western Way, Bury St Edmunds, Suffolk IP33 3YU

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