

Cabinet



Forest Heath
District Council

Title:	Agenda																
Date:	Tuesday 31 March 2015																
Time:	6.00 pm																
Venue:	Council Chamber District Offices College Heath Road Mildenhall																
Membership:	<p>Leader James Waters</p> <p>Deputy Leader Nigel Roman</p> <table border="0"> <thead> <tr> <th>Councillor</th> <th>Portfolio</th> </tr> </thead> <tbody> <tr> <td>David Bowman</td> <td>Economic Development and Tourism</td> </tr> <tr> <td>Rona Burt</td> <td>Planning, Housing and Transport</td> </tr> <tr> <td>Stephen Edwards</td> <td>Resources, Governance and Performance</td> </tr> <tr> <td>Warwick Hirst</td> <td>Health, Leisure and Culture</td> </tr> <tr> <td>Robin Millar</td> <td>Families and Communities</td> </tr> <tr> <td>Nigel Roman</td> <td>Deputy Leader/Environment and Waste</td> </tr> <tr> <td>James Waters</td> <td>Leader</td> </tr> </tbody> </table>	Councillor	Portfolio	David Bowman	Economic Development and Tourism	Rona Burt	Planning, Housing and Transport	Stephen Edwards	Resources, Governance and Performance	Warwick Hirst	Health, Leisure and Culture	Robin Millar	Families and Communities	Nigel Roman	Deputy Leader/Environment and Waste	James Waters	Leader
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Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.																
Quorum:	Three Members																
Committee administrator:	Sharon Turner FHDC Cabinet Officer/Committee Administrator Tel: 01638 719237 Email: sharon.turner@westsuffolk.gov.uk																

Agenda

Page No

Procedural Matters

Part 1 - Public

1. Apologies for Absence

2. Public Participation

Members of the public are invited to put questions/statements of not more than 3 minutes duration relating to items to be discussed in Part 1 of the agenda only.

3. Minutes

1 - 12

To approve as a correct record the minutes of the Cabinet meeting held on 17 February 2015 (attached).

4. Minutes of Joint Committees, Working Groups and Other Groups

To receive and consider the recommendations arising from the proceedings of the following (herewith):

(a) West Suffolk Joint Staff Consultative Panel - 26 January 2015

13 - 16

(b) Local Plan Working Group - 28 January 2015

17 - 22

(c) West Suffolk Joint Emergency Planning Panel - 12 February 2015

23 - 30

(d) West Suffolk Joint Health and Safety Panel - 16 February 2015

31 - 34

KEY DECISIONS

5. Revenues Collection and Performance Write-Offs

35 - 38

Report No: CAB/FH/15/017

Cabinet Member: Stephen Edwards

Lead Officer: Rachael Mann

6. Sponsorship and Advertising Policy for West Suffolk

39 - 48

Report No: CAB/FH/15/018

Cabinet Member: Stephen Edwards

Lead Officer: Richard Hartley

NON KEY DECISIONS

- 7. West Suffolk Safeguarding Policy - Guidelines for Working with Children, Young People and Vulnerable Adults** **49 - 72**
Report No: CAB/FH/15/019
Cabinet Member: Robin Millar Lead Officer: Simon Phelan
- 8. Policy for Providing Loans to External Organisations** **73 - 82**
Report No: CAB/FH/15/020
Cabinet Member: Stephen Edwards Lead Officer: Rachael Mann
- 9. Urgent Business**
Such other business, which in the opinion of the Leader and as set out Paragraphs 15 and 16 of Part 4E of the Access to Information Rules, should be considered as a matter of urgency to be specified in the minutes.
- 10. Exclusion of the Press and Public**
To consider whether the press and public should be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against each item and, in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Part 2 - Exempt

KEY DECISIONS

- 11. Revenues Collection Performance and Write-Offs (paras 1 and 2)** **83 - 84**
Appendix 1 to Report No: CAB/FH/15/017
Cabinet Member: Stephen Edwards Lead Officer: Rachael Mann
- (This item is to be considered under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972, as it contains information relation to an individual(s) and information which is likely to reveal the identity of an individual)*
- (No representations have been received from members of the public regarding this item being held in private)*

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Cabinet



Forest Heath
District Council

Minutes of a meeting of the **Cabinet** held on
Tuesday 17 February 2015 at 6.00 pm at the **Council Chamber, District**
Offices, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Leader James Waters

Deputy Leader Nigel Roman

David Bowman

Warwick Hirst

Rona Burt

Robin Millar

Stephen Edwards

In attendance:

Colin Noble

Tony Simmons

22. **Apologies for Absence**

There were no apologies for absence.

23. **Public Participation**

Queensbury Lodge, Cottage and Stables, Newmarket (Report No CAB/FH/15/010)

Mr Stephen Walsh, representing the Gredley Charitable Trust (owners of Queensbury Lodge), provided clarification to the Cabinet of the work which had been undertaken in relation to this site.

Mr Walsh explained that following the ASDA planning appeal, the Trust had met with both the Chief Executive and the Leader of the Council, where it was impressed upon the Trust that the Council did not want the site to continue to remain in its current state and were keen for the Trust to come forward with further development proposals.

Follow-up meetings were then held with the Trust and the Council's Planning Officers which led to the Trust submitting, for discussion purposes, two pre-application submissions. These submissions had been made some months ago, but no comments on these submissions had yet been received from the Council's Planning Officers.

Mr Walsh also referred to Report No CAB/FH/15/010 and the proposed recommendations contained within that report. Mr Walsh explained that the Trust had agreed for the Council's Consultant to undertake a survey to draw up a Schedule of Works on the Listed Buildings on the site and this had been

carried out in October 2014. However, the Trust were still waiting to be informed of the recommendations from this survey, therefore, making the Trust unable to determine and undertake any required works.

Mr Walsh reiterated that the Gredley Charitable Trust continued to be willing to enter into discussions regarding the future development of the site and were keen to propose solutions that would be acceptable to both the Trust and to the Council.

24. Minutes

The minutes of the Cabinet meeting held on 9 December 2014 were unanimously accepted as an accurate record and signed by the Leader.

25. Minutes of Joint Committees, Working Groups and Other Groups

The minutes of the following Joint Steering Group and Joint Committee were received:

West Suffolk Joint Growth Steering Group – 27 October 2014
Anglia Revenues and Benefits Partnership Joint Committee – 11 December 2014

Items the subject of formal report or proposition were as follows:-

(a) West Suffolk Joint Growth Steering Group - 27 October 2014

Minute Number 033 - Review and Update on 'Raising the Bar' – Suffolk County Council

The Cabinet were requested to consider the recommendation, as listed under Action 4.

(b) Anglia Revenues and Benefits Partnership Joint Committee - 11 December 2014

There were no items the subject of formal report or proposition.

26. Approval of Minutes

It was moved, duly seconded and unanimously

RESOLVED:

That the minutes of the respective Joint Steering Group and Joint Committee, be approved and that authority is hereby given for such action to be taken, as necessary, to give effect thereto.

**27. West Suffolk Operational Hub
(Report No CAB/FH/15/001)**

The Head of Operations presented this report which provided an update on the progress of the joint West Suffolk and Suffolk County Council project to

review the feasibility and deliverability of a West Suffolk Operational Hub at Hollow Road Farm in Bury St Edmunds, to deliver a combined depot, waste transfer and Household Waste Recycling Services for West Suffolk.

This report had also been considered and approved by St Edmundsbury Borough Council Cabinet on 10 February 2015. This report was also due for consideration by the Suffolk County Council Cabinet on 24 February 2015.

With the vote being unanimous, it was

RESOLVED:

That:-

1. The contents of Report No CAB/FH/15/001 be noted.
2. The next stage of the project be agreed to proceed to seek planning consent for a West Suffolk Operational Hub at Hollow Road Farm, Bury St Edmunds.

**28. Anglia Community Leisure - Changes to Governance
(Report No CAB/FH/15/002)**

The Cabinet Member for Health, Leisure and Culture presented this report which sought approval for the novation of the current legal agreements between Forest Heath District Council and Anglia Community Leisure (ACL) to reflect changes it had agreed to make to its own governance and also to clarify the position regarding the pensions of staff of the Trust, who transferred from the Council when ACL was established.

With the vote being unanimous, it was

RECOMMENDED:

That:-

1. The existing management and funding agreements between Forest Heath District Council and Anglia Community Leisure be novated on 1 April 2015 to Abbeycroft Leisure, to allow the formation of a single merged trust.
2. Forest Heath District Council agree to act as guarantor for the pension scheme applicable only to its own former employees who transferred to Anglia Community Leisure.

**29. Revenues Collection Performance and Write-Offs
(Report No CAB/FH/15/003)**

The Cabinet Member for Resources, Governance and Performance presented this report which sought approval for the write-off of uncollectable amounts in respect of Council Tax and Business Rates. The specific reasons for recommending these write-offs, was included within the exempt Appendix 1 and 2 to Report No CAB/FH/15/003.

The Cabinet Member also reported on the collection rates for Business Rates and Council Tax, as set out in paragraphs 3.2 and 3.3 of the report.

With the vote being unanimous, it was

RESOLVED:

That the write-off of the amounts detailed in the exempt appendices to Report No CAB/FH/15/003, be approved as follows:

1. Exempt Appendix 1 – Council Tax totalling £10,049.96
2. Exempt Appendix 2 – Business Rates totalling £3,953.90

30. **Mid Year Treasury Management Monitoring Report 2014/2015
(Report No CAB/FH/15/004)**

The Cabinet Member for Resources, Governance and Performance presented this report which provided Members with a review of the Treasury Management activities for the period April to September 2014.

The Monitoring Report and supporting documents were attached as Appendix 1, 2 and 3 to Report No CAB/FH/15/004.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL:

That:-

1. The Mid Year Treasury Management Monitoring Report 2014/2015 be noted.
2. The Mid Year Treasury Management Monitoring Report 2014/2015 be referred to Council for consideration.

31. **Annual Treasury Management and Investment Strategy Statements 2015/2016 and Treasury Management Code of Practice
(Report No CAB/FH/15/005)**

The Cabinet Member for Resources, Governance and Performance presented this report which provided Members with explained that the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management required that, prior to the start of the financial year, that the Council formally approved an Annual Treasury Management and Investment Strategy, setting out the Council's treasury management policy and strategy statements for the forthcoming year.

The Cabinet were also informed that, since the publication of the agenda papers, there would be a requirement for the inclusion of an additional recommendation, as the Council needed to consider the implications regarding changes to credit ratings, following the recent implied removal of sovereign support in the Bank of England's 'bail-in' regulations.

The Annual Treasury Management and Investment Strategy was attached as Appendix 1 to Report No CAB/FH/15/008, along with supporting documents at Appendix 2, 3 and 4.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL:

That:-

1. The Annual Treasury Management and Investment Strategy Statements 2015/2016 (as set out in Appendix 1 and 2 of Report No CAB/FH/15/005) be approved.
2. The Treasury Management Code of Practice (as attached in Appendix 3 and 4 of Report No CAB/FH/15/005) be approved.
3. The Head of Resources and Performance, in consultation with the Portfolio Holder for Resources, Governance and Performance, be given delegated authority to make amendments to the Treasury Management Investment Strategy 2015/2016, taking into account advice of the Council's Treasury Management Advisors in response to changes to credit ratings resulting from the implied removal of sovereign support in the Bank of England's 'bail-in' regulations.

32. Budget and Council Tax Setting: 2015/2016 and Medium Term Financial Strategy (Report No CAB/FH/15/006)

The Cabinet Member for Resources, Governance and Performance presented this report which set out the details of the Council's proposed revenue and capital budget for 2015/2016.

The Council continued to face considerable financial challenges as a result of uncertainty in the wider economy and constraints in public sector spending. The approach for delivering the 2015/2016 budget had been that the Council's resources should be allocated according to its strategic priorities. In practice, this meant prioritising the projects, actions and themes outlined in the West Suffolk Strategic Plan for 2014-2016, as well as the essential work that the Council needed to do (including its statutory functions).

The Government had, once again, offered to subsidise all councils which agreed to freeze council tax levels by providing a grant equivalent to 1% council tax increase for one year only.

The Cabinet Member had great pleasure in recommending to the Cabinet and the Council, a 0% increase on council tax for 2015/2016. The Cabinet Member also expressed his thanks to the Performance and Audit Scrutiny Committee for their involvement and input into the budget discussions for 2015/2016 and for all Members and Staff in the development of the 2015/2016 budget.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL:

That:-

1. The revenue and capital budget for 2015/2016 attached at Attachment A to Report No CAB/FH/15/006 and as detailed in Attachment D, Appendix 1-5 be approved.
2. Having taken into account the conclusions of the Head of Resources and Performance's report on the adequacy of reserves and the robustness of budget estimates (Attachment C) and the Medium Term Financial Strategy (MTFS) (Attachment D), particularly the Scenario Planning and Sensitivity Analysis (Attachment D and Appendix 5) and all other information contained in this report, Cabinet recommends a 0% increase in Council Tax for 2015/2016.
3. The Head of Resources and Performance, in consultation with the Portfolio Holder for Resources and Performance, be authorised to transfer any surplus from the 2014/2015 revenue budget to the Invest to Save Reserve as detailed in paragraph 1.8.5, and to vire funds between existing Earmarked Reserves (as set out at Attachment D, Appendix 3) as deemed appropriate throughout the year.
4. The use of the Council's discretionary power (S47 Local Government Finance Act) to provide the transitional relief be approved and delegated authority be given to the Head of Resources and Performance, in consultation with the Portfolio Holder for Resources and Performance, to determine the final guidelines for the operation of the transitional relief for 2015/2016 and 2016/2017 following the current scheme and guidance issued by Government, as set out in paragraphs 1.4.3 to 1.4.7 of Report No CAB/FH/15/006.

33. Pension Discretions Policy (Report No CAB/FH/15/007)

The Cabinet Member for Resources, Governance and Performance presented this report which explained that the Local Government Pension Scheme (LGPS) changed to a career average scheme in April 2014.

The new pension regulations provided employers with a number of discretionary options. The Council was required to agree and publish its decisions in relation to these discretions in a written Statement of Policy, that had to be agreed by Council.

The proposed Policy was set out in Appendix A to Report No CAB/FH/15/007, with the Summary of Recommendations attached at Appendix B.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL:

That the Pension Discretions Policy, as contained in Appendix A to Report No CAB/FH/15/007, be approved.

34. **West Suffolk Homelessness Strategy 2015 - 2018
(Report No CAB/FH/15/008)**

The Cabinet Member for Planning, Housing and Transport presented this report which explained what Forest Heath District Council and St Edmundsbury Borough Council, along with their partners, would do over the next three years to address and prevent homelessness, ensuring that there was sufficient support for those who were homeless or threatened with homelessness.

The proposed joint Strategy was attached as Appendix A to Report No CAB/FH/15/008.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL:

That the West Suffolk Homelessness Strategy 2015-2018, as contained in Appendix A to Report No CAB/FH/15/008, be adopted.

35. **West Suffolk Shop Front and Advertisement Design Guide:
Consultation Responses and Adoption
(Report No CAB/FH/15/009)**

The Cabinet Member for Planning, Housing and Transport presented this report which considered the consultation responses and proposed modifications to the West Suffolk Shop Front and Advertisement Design Guide, for adoption as a Supplementary Planning Document.

This report had also been considered by the Local Plan Working Group on 28 January 2015, where it was recommended that the Guide be adopted.

The proposed Guide was attached as an Appendix to Report No CAB/FH/15/009.

The Cabinet commended the Officers on the work which had been undertaken in the production of this Guide.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL:

That:-

1. The content of the report be noted.
2. The West Suffolk Shop Front and Advertisement Design Guide with suggested amendments, as contained in the Appendix to

Report No CAB/FH/15/009, be adopted as a Supplementary Planning Document, subject to it being noted in the Glossary on page 28 in respect of the second item 'Building of Local Interest', reference to 'Birmingham' be deleted and 'the areas' inserted therefore.

3. The Head of Planning and Growth be given delegated authority to edit/insert appropriate images as part of the final document publishing process.

36. **Queensbury Lodge, Cottage and Stables, Newmarket
(Report No CAB/FH/15/010)**

The Head of Planning, Housing and Transport presented this report which sought approval to take appropriate action to secure the preservation of the Listed Buildings at Queensbury Lodge Stables.

The Cabinet acknowledged that the redevelopment of this prominent site at the entrance to Newmarket had been a consideration for both the owner and the Council for some time. The Council's approach to the site has had two primary aims; to protect the Listed Building and its setting and to keep the use of the site as a race horse training establishment, in line with its established horseracing policies or a use ancillary to the horse racing industry.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL:

That:-

1. The content of this report be noted.
2. The Head of Planning and Growth, subject to approval of costs and regular reports, be given delegated authority to:
 - a) Continue to negotiate with the owners with the aim of securing the preservation of the buildings and an acceptable end use for the site.
 - b) Commence action under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990, if necessary, to secure the preservation of the buildings.
 - c) Take action under Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990, if necessary, to secure the preservation of the buildings.
 - d) Appoint consultants to undertake a feasibility study and development brief for the site (after a tender process) in order to establish a viable use which meets the Council's objectives.
 - e) Begin compulsory purchase proceedings, if necessary, to secure the preservation of the buildings.
 - f) Serve a Notice to require tidying of the site under Section 215 of the Town and Country Planning Act 1990.

37. **Newmarket Market Licence Regulations - Post Consultation
(Report No CAB/FH/15/011)**

The Cabinet Member for Economic Development and Tourism presented this report which considered new Draft Market Licence Regulations for Newmarket Market and agreed proposals to improve the Market in Newmarket, including plans for a re-launch of the Market after May 2015.

These proposed Regulations had been considered by the Market Traders. A number of minor amendments were suggested and these had been incorporated within the Regulations, which were attached as Appendix A to Report No CAB/FH/15/011.

With the vote being unanimous, it was

RECOMMENDED TO COUNCIL:

That:-

1. The Draft Market Licence Regulations (attached as Appendix A to Report No CAB/FH/15/011), for implementation from 1 March 2015 on Newmarket Market.
2. The proposed approach to improve Newmarket Market be agreed.

38. **Revised Local Development Scheme Programme Chart - January 2015
(Report No CAB/FH/15/012)**

The Cabinet Member for Planning, Housing and Transport presented this report which explained following the Cabinet decision on 9 December 2014, to prepare the Core Strategy Single Issue Review and Site Specific Allocations Local Plans in tandem, a further update to the Local Plan timetable was now required and it was also necessary to roll forward the programme to 2017.

The revised Local Development Scheme timetable was attached as Working Paper 1 to Report No CAB/FH/15/012).

This report had also been considered by the Local Plan Working Group on 28 January 2015, where it was recommended that the updated Scheme be published.

With the vote being unanimous, it was

RESOLVED:

That the updated West Suffolk Local Development Scheme programme chart (attached as Working Paper 1 to Report No CAB/FH/15/012), be agreed for publication.

39. **West Suffolk Equality Scheme
(Report No CAB/FH/15/013)**

The Cabinet Member for Families and Communities presented this report which provided Members with an updated Equality Scheme to be operational across both Forest Heath District Council and St Edmundsbury Borough Council.

The proposed West Suffolk Equality Scheme was attached as Appendix 1 to Report No CAB/FH/15/013, along with the Equality Impact Assessments (EqIA) Guidance and Forms at Appendix 2.

With the vote being unanimous, it was

RESOLVED:

That the West Suffolk Equality Scheme 2015-2020, attached at Appendix 1 to Report No CAB/FH/15/013 and the Equality Guidance and Forms at Appendix 2, be approved.

40. **Review of the Decisions Plan
(Report No CAB/FH/15/014)**

The Cabinet was asked to review the Decisions Plan for the period February to May 2015, as attached as an Appendix to Report No CAB/FH/15/014).

With the vote being unanimous, it was

RESOLVED:

That the Decisions Plan for the period February to May 2015, attached as an Appendix to Report No CAB/FH/15/014, be noted.

41. **Exemption to Contract Procedure Rules - Rooftop Solar Voltaic
Installation - 23-28 Putney Close, Brandon**

Section 4.3 of the Contract Procedure Rules state that between £50,001 and the EU Threshold any exemption must be approved by the Officer and Head of Service in consultation with the Head of Resources and Performance. The Officer must produce evidence to support the request for any exemption. The Head of Service shall prepare a report for the next Cabinet to support the action taken. The exemption, being a Contracting Decision, the reason for it (together with supporting evidence) shall be forwarded to the Head of Resources and Performance.

This exemption was exercised on 23 December 2014 for a contract to Kingspan Energy Ltd valued at £83,305.97 for the supply of specialised photo voltaic roofing panels to industrial units in Putney Close (as part of their refurbishment and re-roofing). The investment decision to provide photo voltaic panels at Putney Close was approved by Council on 10 December 2014. The proposal had been accepted as a good financial investment by Forest Heath District Council and Kingspan Energy were the sole installer of

PV panels that allowed the Council to retain the 25 year warranty of the roof covering below.

The exemption was made on the basis that:

- The goods or services were supplied at a fixed price or the prices were wholly controlled by trade organisations and the relevant Head of Service was satisfied that no satisfactory alternative was available;
- The works to be executed consisted of repair or supply of parts of existing propriety machinery or plant; and
- The specialised nature of the goods, services to be supplied or the works to be executed meant that only one suitable supplier had been identified or was available.

With the vote being unanimous, it was

RESOLVED:

That this exemption to the Contract Procedure Rules be noted.

42. Urgent Business

There were no items of Urgent Business raised.

43. Exclusion of the Press and Public

Refer to Minute Numbers 44. and 45. below.

**44. West Suffolk Operational Hub (para 3)
(Appendix A and B to Report No CAB/FH/15/001)**

The Cabinet considered Exempt Appendix A and B to Report No CAB/FH/15/001, however, as no reference was made to specific detail, this item was not held in private session.

**45. Revenues Collection Performance and Write-Offs (paras 1 and 2)
(Appendix 1 and 2 to Report No CAB/FH/15/003)**

The Cabinet considered Exempt Appendix 1 and 2 to Report No CAB/FH/15/003, however, as no reference was made to specific detail, this item was not held in private session.

The Meeting concluded at 7.00 pm

Signed by:

Chairman

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West Suffolk Joint Staff Consultative Panel



Minutes of a meeting of the **West Suffolk Joint Staff Consultative Panel** held on **Monday 26 January 2015** at **3.00 pm** at **Room GFR13, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present:

Chairman Mark Johnson
Vice Chairman Cllr Angela Rushen

<u>St Edmundsbury Borough Council</u> (Employers' Side)	<u>Forest Heath District Council</u> (Employers' Side)	<u>Staff Representatives</u> (Employees' Side)
Cllr Bob Cockle Cllr Angela Rushen	Cllr Stephen Edwards Cllr Tony Simmons	Mark Johnson Jane Orton Julie Roberts

By Invitation

Cllr David Ray

1. **Apologies for Absence**

Apologies for absence were received from Councillor Geoffrey Jaggard (Forest Heath District Council – Employers' Side), Councillor Clive Springett (St Edmundsbury Borough Council – Employers' Side) as well as from Lizzi Cocker and Claire McKenna (Staff Representatives – Employees' Side).

It was also noted that Samantha Rackham (Staff Representatives – Employees' Side) no longer worked for either West Suffolk authority having left for alternative employment.

2. **Substitutes**

There were no substitutes at the meeting.

3. **Minutes**

The minutes of the meeting held on 15 September 2014 were received and noted.

Mark Johnson made reference to Minute No 034 and the reference therein to the requirement for individuals who made mileage claims to retain their receipts for fuel purchases. He inquired as to how long these receipts needed to be kept.

The Head of HR, Legal and Democratic Services explained that the HMRC advised a period of 7 years, however, scans or photographs of the receipts would suffice.

Mark Johnson also made comment with regard to Minute No 039 which concerned the Member Development Charter.

The Head of HR, Legal and Democratic Services explained that certificates for achieving the Charter had been presented to meetings of both authorities and they were now displayed in West Suffolk House and the District Offices.

4. **Employee Volunteering Scheme (Report No. JSP/JT/15/001)**

The Head of HR, Legal and Democratic Services presented this report which set out a Joint Employee Volunteering Scheme designed to support West Suffolk employees that already volunteered and to encourage new volunteers to get involved in opportunities to share their skills and experience, to develop new skills and to contribute to the local community.

The Panel were advised that Forest Heath District Council had previously operated a similar scheme which specified that a maximum of 10 days would be permitted as time off from work towards volunteering (St Edmundsbury Borough Council had never adopted a volunteering scheme in the past). However, whilst the proposed joint scheme was not as prescriptive in this respect (in that no maximum limit was set), the scheme would need to be effectively managed with the support of HR to ensure that there was no detriment to the service delivery of the West Suffolk authorities.

The Panel as a whole spoke in support of the scheme and asked a number of questions which were responded to by the Officers present.

With the vote being unanimous, it was

RESOLVED:

That the West Suffolk Employee Volunteering Scheme, attached as Appendix A to Report No JSP/JT/15/001, be noted and supported.

5. **Question from Unison West Suffolk Branch with regard to the Anglia Revenues Partnership Employment Model and Response from the Head of HR, Legal & Democratic Services**

Jane Orton presented the question from Unison West Suffolk Branch which concerned the Anglia Revenues Partnership employment model and highlighted some of the anomalies concerning the terms and conditions of staff who undertook the exact same role but which were employed by different authorities.

Whilst the branch appreciated there was no 'quick fix' for this, they just wanted to raise awareness with the Panel.

The Head of HR, Legal and Democratic Services then spoke on her response to this question, as made on behalf of the West Suffolk Councils. She highlighted the considerable work which had been undertaken over the years

to align the employment models such as Flexible Working and Sickness/Absence Policies.

However, the ARP staff were employed by seven different authorities and each received parity and equal pay based on comparison with the other employees of their specific Council.

The Head of HR, Legal and Democratic Services requested that the branch advise her of any specific employment policy (similar to those which had already been addressed) that the ARP staff would like to be considered by HR in order to achieve further alignment, where possible.

With the vote being unanimous, it was

RESOLVED:

That the question and response was noted by the Panel.

6. Workforce Data

The HR Business Partner delivered a presentation to the Panel which set out the West Suffolk workforce data for the period 1 April – 30 September 2014. It contained various information including; age and gender analysis, reasons for leaving and staff turnover.

Reference was made to a recent article which had appeared in the local press which stated that West Suffolk staff's sickness absence had increased due to stress. To quantify, the Officer explained that the figures quoted by the journalist concerned just 27 employees, of which 72% were suffering stress caused by entirely non-work related matters. Overall, the average West Suffolk sickness level was still far below the average nationally for Local Government employees.

The Head of HR, Legal and Democratic Services outlined the proactive and comprehensive way the authorities supported members of staff in sickness absence. Mark Johnson also spoke in support of the way in which the Unison West Suffolk Branch worked closely with HR.

The Panel requested that the headline figures from the workforce data presentation be forwarded to them for their reference and Officers agreed to action this.

Lastly, elected Members were reminded of the Member Development Session that was being arranged for 16 April 2015 which would include focus on Shared Services and corporate working practices.

With the vote being unanimous, it was

RESOLVED:

That the verbal report be noted.

7. **Any Other Business**

Changes to Parental Leave – 5 April 2015

The HR Business Partner advised the Panel that nationally the law was changing with regard to Parental Leave on 5 April 2015; a new system of shared parental leave would be introduced which would allow parents to share leave and pay and which would replace additional paternity leave and pay.

This legislative change would, therefore, be incorporated into all relevant West Suffolk policies.

With the vote being unanimous, it was

RESOLVED:

That the update be noted.

The meeting concluded at 3.52pm

Signed by:

Chairman

Local Plan Working Group



Forest Heath
District Council

Minutes of a meeting of the **Local Plan Working Group** held on
Wednesday 28 January 2015 at 4.00 pm at the **Council Chamber, District
Offices**, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Chairman Rona Burt
Vice Chairman Robin Millar

Bill Bishop
Michael Jefferys

Carol Lynch
Tony Simmons

1. **Apologies for Absence**

Apologies for absence were received from Councillors Warwick Hirst and Rachel Hood.

Councillor Bill Sadler was also unable to attend the meeting.

2. **Substitutes**

There were no substitutes at the meeting.

3. **Schedule of Recommendations**

The Schedule of Recommendations from the meeting held on 16 October 2014 were received.

The Strategic Planning Manager explained that Councillor Hood considered that there were three specific and important omissions from these Schedule of Recommendations which had not been reflected, as follows:

1. It had been agreed that the horseracing industry was a unique and specific constraint in Forest Heath District Council.
2. In the documentation provided to this meeting, it was confirmed that the word 'growth' (in the context of the SIR documentation), meant 'housing' growth and not 'economic' growth. (Councillor Hood stated that she had specifically asked for this to be recorded within the Schedule of Recommendations).
3. With regard to the discussions on infrastructure, it was confirmed that infrastructure would be assessed/re-assessed as part of the whole process going forward. (Councillor Hood stated that she had

specifically asked for this to be recorded within the Schedule of Recommendations).

The Working Group considered these matters, as raised by Councillor Hood and, with 4 voting for the motion and with 1 abstention, it was

RESOLVED:

That the Schedule of Recommendations from the meeting held on 16 October 2014 be noted, as presented, with no further amendment.

4. **Joint Development Management Policies Document - Planning Inspector's Report and Adoption (Report No LOP/FH/15/001)**

The Strategic Planning Manager presented this report which explained that following the adoption of the Core Strategies for both Forest Heath District Council (FHDC) and St Edmundsbury Borough Council (SEBC) in 2010, work had commenced on a joint document of Development Management Policies. Two consultations were held in early/late 2012, leading to both Councils submitting the document for examination in 2013.

Examination hearings into certain matters were called and conducted by an independent Planning Inspector during July 2014. During this time, objectors were able to put to the Inspector why the document should be changed. Following these hearings, the Inspector asked that his recommended main modifications be the subject of public consultation and this was conducted for a period of six weeks, which ended in November 2014.

The Council received the Inspector's report into the examination in January 2015 (attached as Appendix A). The receipt of this report formally closed the examination and was the penultimate stage in the preparation of the Joint Development Management Policies Document.

The Inspector's role was to consider whether the Document complied with relevant legislation and was 'sound'. The Inspector's report concluded that the document was 'sound', provided that a number of modifications were made. Therefore, the document presented for adoption was attached as Appendix B to the report, which included the main modifications as required by the Planning Inspector, along with the additional modifications as suggested by Officers.

This document was also being considered by SEBC's Sustainable Development Working Party on 28 January 2015 and also by the Joint Development Management Policies Committee on 11 February 2015. Subject to the outcome of these meetings, formal adoption would be proposed at the Council meetings on 24 February 2015 (SEBC) and 27 February 2015 (FHDC).

Therefore, the Strategic Planning Manager requested that the Working Group considered the content of Appendix B. However, it was also explained that the Working Group would be unable to make any further modifications to this Document.

Whilst considering Appendix B, various comments were made on the document and it was requested that the following be specifically recorded:

1. Policy DM3 – Masterplans ((p) page 11 of Appendix B)

Councillor Jefferys queried as to why the references to the provision of "*... composting unit and water butt per dwelling... and litter and dog waste bins on areas of amenity/open space*" had been removed from the Document by the Inspector.

The Strategic Planning Manager explained that these specific references had been removed as these were not Community Infrastructure Levy (CIL) compliant and, therefore, were not necessary infrastructure required for the development to commence. Therefore, the Inspector considered that it was inappropriate for the Council to require these types of infrastructure to be provided.

Councillor Jefferys wished it to be recorded that he considered that the provision of litter and dog bins on areas of amenity/open space seemed to be good practice and expressed his disappointment that these requirements had been removed from this Policy, by the Inspector.

Councillor Mrs Lynch also stated that one of her Parish Councils within her Ward had also expressed disappointment that this requirement had been removed from the Policy.

2. Policy DM8 – Low and Zero Carbon Energy Generation- Solar Farms (page 25 of Appendix B)

Councillor Jefferys referred to the installation of solar farms and wished it to be recorded that he considered that this Policy needed to be further strengthened in relation to the screening of such developments in rural settings.

The Strategic Planning Manager confirmed that these comments would be reported to the Joint Development Management Policies Committee at their meeting on 11 February 2015.

With the vote being unanimous, it was

RESOLVED:

That:-

1. The content of the Inspector's report be noted.

and

RECOMMENDED TO THE JOINT DEVELOPMENT MANAGEMENT POLICIES COMMITTEE:

2. That the following documents be recommended for adoption by full Council:

- The Joint Development Management Policies Document (Appendix B).
- The Habitats Regulations Screening Assessments for Joint Development Management Policies Document, (Appendix C).
- The Sustainability Appraisal for Joint Development Management Policies Document (Appendix D).
- The District Policies Map and Town Centre Maps (Appendix E).

(Councillor Millar joined the meeting at 4.20 pm, during the discussion of this item)

5. **Single Issue Review (SIR) and Site Specific Allocations (SSA) Local Plan (LP) - Update (Verbal) (Verbal)**

The Strategic Planning Manager provided an update on progress with the development, in tandem, of the Single Issue Review (SIR) and Site Specific Allocations (SSA) Local Plan.

Counsel's advice had now been received with regard to the Sustainability Appraisal (SA) and the Strategic Environmental Assessment (SEA). This advice had confirmed that the Council would not be required to undertake any additional consultation on these documents.

Also, as part of the consultation documents on the SIR and SSA, 'Topic Papers' would also be prepared to cover the areas of:

- Environmental constraints
- Housing and affordable housing
- Past trends and developments within the District
- Updated employment land assessments.

Consultation documents would also be prepared on the Sustainability Appraisal Scoping Report. This consultation would be undertaken with the three statutory providers, over a four week period, on the Infrastructure Delivery Plan, with regard to constraints, deliverability and options.

The Strategic Planning Manager also explained that the consultation documents for the SIR and SSA would be considered by the Local Plan Working Group and by the Cabinet, prior to the commencement of the consultation in June 2015.

With the vote being unanimous, it was

RESOLVED:

That the update be noted.

6. **Revised Local Development Scheme Programme Chart - January 2015
(Report No LOP/FH/15/002)**

The Strategic Planning Manager presented this report which explained that a Joint Local Development Scheme was agreed by both Cabinets of Forest Heath District Council and St Edmundsbury Borough Council in July 2013.

Following the Forest Heath District Council Cabinet decision on 9 December 2014, to prepare the Core Strategy Single Issue Review and the Site Specific Allocations Local Plans in tandem, a further update to the Local Plan timetable was now required and it was also necessary to roll forward the programme to 2017.

The proposed updated Local Development Scheme for publication, was attached as Working Paper 1 to Report No LOP/FH/15/002.

With the vote being unanimous, it was

RECOMMENDED TO CABINET:

That the West Suffolk Local Development Scheme programme chart 2014-2017, as set out in Working Paper 1 to Report No LOP/FH/15/002, be published.

7. **West Suffolk Shop Front and Advertisement Design Guide:
Consultation Responses and Adoption
(Report No CAB/FH/15/003)**

The Principal Planner presented this report which explained that the public consultation on the Guide took place between 24 November 2014 and 9 January 2015. Nine responses had been received to the consultation and these had been summarised within paragraph 1.2.3 of the report, along with the suggested Council response.

This Guide was also being considered by St Edmundsbury Borough Council's Sustainable Development Working Party on 28 January 2015. The Guide would then be considered by both Cabinets in February 2015. Subject to the outcome of these meetings, formal adoption of the Supplementary Planning Guidance would be proposed at both Council meetings on 24 February 2015 (SEBC) and 27 February 2015 (FHDC).

A statement of adoption would then be prepared and sent to any interested parties and the adopted Guide would also be published on the Councils' website and in paper copy. Once adopted, the Guide would be used as a material consideration when determining applications for new shopfronts and advertisements.

With the vote being unanimous, it was

RESOLVED:

That:-

1. The content of this report be noted.

and

RECOMMENDED TO CABINET:

2. That:-

- The West Suffolk Shop Front and Advertisement Design Guide with suggested amendments be recommended to Full Council for adoption as a Supplementary Planning Document.
- Officers be given delegated power to edit/insert images as part of the final document publishing process.

8. Any Other Business

There were no items of Other Business raised.

The Meeting concluded at 5.10 pm

Signed by:

Chairman

West Suffolk Joint Emergency Planning Panel



Minutes of a meeting of the **West Suffolk Joint Emergency Planning Panel**
held on

Thursday 12 February 2015 at **5.00pm** in the **Council Chamber, Forest Heath District Council Offices**, College Heath Road, Mildenhall

Present: **Councillors**

Chairman Jim Thorndyke
Vice Chairman David Bowman

Andy Drummond

Patricia Warby

Substitutes attending:
Patrick Chung

1. **Apologies for Absence**

Apologies for absence were received from Councillors Trevor Beckwith, Rona Burt, Nigel Roman and Sarah Stamp.

2. **Substitutes**

The following substitution was declared:

Councillor Patrick Chung substituting for Councillor Sarah Stamp.

3. **Minutes**

The minutes of the meeting held on 29 October 2014 were confirmed as a correct record and signed by the Chairman.

4. **Flooding**

The Chairman welcomed Jane Burch, Flood and Coastal Policy Manager and Guy Smith, Assistant Area Highways Manager from Suffolk County Council, who had been invited to the meeting to help facilitate discussions on various flooding issues across West Suffolk, which had previously been raised by the Panel at its meeting held on 14 November 2014:

- 1) Specific flooding incidents within members wards and difficulties encountered in getting the appropriate authority to take action;
- 2) What works were planned currently in respect of flooding problems both in Forest Heath and St Edmundsbury Bough; and

- 3) Who was responsible for keeping rivers and watercourse (including ditches) clear to prevent flooding incidents.

Jane advised the Panel that Suffolk County Council (SCC) was the lead authority on flooding issues in the county. As the lead authority it was responsible for co-ordinating a partnership approach to flood and coastal risk management with all risk management authorities in Suffolk through the Suffolk Flood Risk Management Partnership. The Suffolk Flood Risk Management Partnership managed significant flooding incidents and targeted areas where properties were flooded internally. The team managed by Jeff Horner was responsible for investigating and finding solutions to significant flooding problems. SCC was also the risk management authority with responsibilities for dealing with flooding from surface water, groundwater and ordinary watercourses.

Guy advised the Panel that SCC as the Highways Authority had a programme of annual maintenance along with a reactive programme to deal with flooding issues as they occurred. The Highways Authority in 2014/15 had a capital programme budget in West Suffolk of £100,000 for drainage improvement schemes. It had also secured through the On-Street Parking Account, £125,000 to be used in West Suffolk specifically for local issues and draining works.

It was reported that SCC had no powers in making organisations carry out flood preventative works, but if necessary could take enforcement action against landowners, but this was rarely used as it was a long and costly process.

The Panel asked a number of detailed questions and highlighted several "hotspot" flooding incidents across West Suffolk, to which Jane and Guy provided comprehensive responses. In particular, responses were provided as follows:

- 1) Attached as an addendum to the minutes were the contact details and roles of the various agencies involved in responding to flooding.
- 2) The Suffolk Flood Risk Management Partnership had produced a Flood Risk Strategy, which identified those areas most at risk of flooding, including surface water. Detailed studies were undertaken in flood risk areas, then added to a priority works list.
- 3) SCC had a communications plan and published articles in various farming magazines reminding landowners of their responsibility in clearing ditches and cutting hedgerows. Ditches and watercourses should be maintained by the adjoining landowner and annual letters were about to be sent out reminding them of their responsibilities.

On behalf of the Panel the Chairman thanked Jane and Guy for attending the meeting.

5. **Date of next meeting**

The Joint Panel had previously agreed the following date for its future meeting:

Thursday 22 October 2015 at 5.00pm at West Suffolk House.

The Meeting concluded at 5.44pm

Signed by:

Chairman

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The Roles and Responsibilities of Various Agencies Involved with Flooding

In 2010, Suffolk County Council took on the role of 'Lead Local Flood Authority' as defined in the Flood and Water Management Act. Our key duty is to lead a partnership approach to managing all forms of flooding which we do through the Suffolk Flood Risk Management Partnership.

Suffolk Flood Risk Partnership

[Suffolk's Local Flood Risk Management Strategy](#) sets out the risk of flooding in Suffolk and the ways in which we, and the other organisations that form the Suffolk Flood Risk Partnership, manage that risk.

The activities identified in the strategy can only manage flood risk. It would not be possible, even if there was unlimited money available, to protect all properties from any flood risk. Instead efforts need to be made by all involved, organisations and householders alike, to reduce flood risk in practical ways. Sometimes this involves focussing not just on decreasing the probability of flooding but also its impact, making sure that properties and households can recover quickly after a serious flood.

The more we know about incidences of localised flooding, the more we can understand about which areas are at risk from this type of flooding and target activities to help accordingly. Anyone wishing to report localised flooding should complete the [online form](#) giving as much detail as possible.

For general information about flooding, visit the [Green Suffolk website](#) or e-mail floods@suffolk.gov.uk

Suffolk County Council

The county council's Highways service is responsible for maintaining the drainage systems to reduce the risk of standing water on roads, pavements and cycle ways. Gullies are used to collect and drain water off the road or pavement into a piped system or roadside ditch. Gullies are sometimes blocked by a build-up of silt or mud coming off the road or washed off adjoining land.

To reduce the risk of flooding, highway gullies are usually cleaned once a year by a mechanical gully emptying machine. Any gullies which are prone to regular silting or blocking are cleaned more often. Other forms of drainage (catchpits, soakaways, pipes, highway ditches etc.) are checked and cleaned or repaired as required, or when a problem is reported.

Reporting a problem

If there is any danger to life as a result of flooding, always phone 999. To report flooding from sewers and water pipes contact Anglian Water on 0800 771 881 (24 hours).

Flooding on trunk roads is the responsibility of the Highways Agency. In Suffolk this includes:

- **A11** from Newmarket to Thetford and Norwich
- **A12** (north) from Lowestoft (River Waveney/Bascule lifting bridge) to Great Yarmouth
- **A12** (south) from Ipswich to Colchester and London
- **A14** from the Midlands to Felixstowe

Telephone the Highways Agency Information Line on 0300 123 5000 (24 hours).

Where flooding on any other highway in Suffolk presents an immediate danger, for example a collapsed or damaged manhole cover, the county council's Customer Service Centre should be contacted on **0345 606 6171**, or for outside normal working hours **01473 433444**.

All other maintenance problems with highway drainage should be reported via the [county council's website](#).

When flooding incidents are reported we prioritise them according to the severity and extent of the impact – giving highest priority where homes are flooded internally. We have a duty to investigate (and publish the findings) significant flooding events, identifying possible solutions and indicating where responsible organisations should take action. However, we have no powers to enforce others to act.

For less serious flooding events we will look to identify the reasons for the flooding and provide advice about how they could be resolved to prevent future problems. Unfortunately, many problems are not easily resolved and require the co-operation of many partners including private land/home owners and therefore can take time and funding to resolve.

House/land owners

Drainage from private houses, private roads and on private land (including incoming service, waste/surface water and foul) - are the responsibility of the house/land owner or [Anglian Water](#). Any enquiries relating to sewage problems should also be directed to the sewage authority, which in Suffolk is [Anglian Water](#)

Drainage ditches are usually the responsibility of the adjacent home or land owners, who must not impede water flow and should keep them maintained. For further information see [Living on the Edge](#)

Environment Agency

The Environment Agency has a strategic overview for all flooding and coastal erosion, and is the lead agency for matters relating to flooding from rivers and the sea. It provides public information on flood risks and provides warnings for river and sea flooding. Details of flood warnings are listed on [their website](#).

The risk of flooding from rivers or the sea is generally more predictable, with current flood warnings focussed on this risk. The value of these warnings was clearly seen during the December 2013 surge when evacuation prevented any loss of life. To sign up for warnings [click here](#)

Suffolk Fire and Rescue Service (SFRS)

The principles below are a *general* guide to SFRS attendance to flooding calls:
In flooding situations SFRS will attend if:

- There is a life at risk
- Your property is severely affected by flooding
- Flooding is affecting electrics or other circumstances that present an additional hazard to the public

In flooding situations SFRS will not *normally* attend if:

- There is no life at risk and flooding has not severely affected a property
- There are no exceptional circumstances

In the event of an emergency, dial 999 and talk to the Fire Control operators – individual circumstances will be taken into account as will the demands on the wider SFRS, for example, if the service is responding to many flooding calls across the county then they will prioritise those that are attended.

Emergency Planning

In the event of severe flooding, the county council's [Emergency Planning Unit](#), will deal with issues such as plans for temporary accommodation and evacuation of houses and helps people and businesses to recover from a devastating event.

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West Suffolk Joint Health and Safety Panel



Minutes of a meeting of the **West Suffolk Joint Health and Safety Panel**
held on
Monday 16 February 2015 at **4.00pm** in the **Council Chamber, Forest
Heath District Council Offices**, College Heath Road, Mildenhall, IP28 7EY

Present: **Councillors**

Chairman Tony Simmons

Forest Heath District
Council
Rona Burt
Andy Drummond

St Edmundsbury
Borough Council
Patrick Chung
Derek Redhead

Officers

Phil Clifford
David Cowley
Nigel Dulieu
Paul Goodspeed

Substitutes attending:
None

13. **Apologies for Absence**

Apologies for absence were received from Councillor Frank Warby and Lance Alexander.

14. **Substitutes**

No substitutions were declared.

15. **Minutes**

The minutes of the meeting held on 10 November 2014, were confirmed as a correct record and signed by the Chairman.

16. **Minutes of the meeting of the Joint Health and Safety Group held 20 January 2015**

The Joint Panel received and noted Report HSP/JT/15/001, which incorporated the minutes of the Joint Health and Safety Group meeting held on 20 January 2015.

17. Health and Safety Policy : Amendments - Issue 3

The Joint Panel considered Report HSP/JT/15/002, which contained amendments to reflect the new structure (*reference to Head of Property and Waste Services changed to Head of Operations*) to Issue 3 of the Joint Health and Safety Policy as set out in Appendix A to D to the report:

Appendix A – Instruction 4 (Fire Safety Arrangements)

Appendix B – Instruction 28 (Asbestos)

Appendix C – Instruction 29 (Construction Design Management)

Appendix D – Instruction 30 (Legionella Bacteria)

Current legislation required the organisation to have a health and safety policy, which was periodically reviewed for suitability. There was also a legal requirement for employees to co-operate with their employer so far as was necessary to enable the employer to comply with his duties under the legislation, which included the compliance of the policy.

The Panel considered the report and with the vote being unanimous, it was

RESOLVED:

That the amendments to Issue 3 of the Joint Health and Safety Policy, as contained in Appendix A to D of Report HSP/JT/15/002, be approved.

18. Accidents/Incidents involving Employees and Members of the Public from 1 April 2014 to 31 December 2014

The Joint Panel received and noted Report HSP/JT/15/003, which provided statistics relating to accidents/incidents involving employees and members of the public from 1 April 2014 to 31 December 2014 for both Forest Heath District Council and St Edmundsbury Borough Council.

The Health and Safety Manager drew relevant issues to the attention of the Joint Panel, including providing details on the type and location of incidents/accidents experienced by employees and members of the public during the reporting period. The quarterly update also included, where available, comparative data for the previous two years financial years.

The Joint Panel considered the report and asked a number of questions to which comprehensive responses were provided.

19. Christmas Fayre Debriefing

The Health and Safety Manager debriefed the Joint Panel on the Christmas Fayre event held between 27 and 30 November 2014. The Fayre attracted over 120,000 people over the three-half days. Over 300 stallholders were spread over different venues around the town, including Angel Hill; Abbey Gardens; Athenaeum; Apex; Hatter Street; Cathedral; Moyse's Hall; Charter Square and the Cornhill/Butter Market.

The Fayre was a well-planned event with an organising group made up of all areas of the community, chaired by the Market Development Officer who was the Event Manager. A review would be carried out to highlight health and safety aspects of the Fayre and make recommendations to ensure future events continued to be safe.

The Health and Safety Manager then provided a summary of the events held in each of the zones, including stewards; car parks; park and ride; police support; security; infrastructure; electrical supply; trip hazards; traffic management plan and first aid (St John's Ambulance).

20. **Driving**

The Health and Safety Manager reported that as from 8 June 2015, the photocard licence (paper counterpart) would no longer be issued by the DVLA. The DVLA was developing new digital enquiry services, to be launched later in the year, which would allow organisations and businesses (such as employers and car hire companies) to view information they could currently see on the driving license counterpart. Driving licence information via these services would only be made available to those who had a right to see it and with the knowledge of the driving licence holder.

Finally, on the lead up to Christmas the Council undertook a number of random breathalyser tests to support the National Drink Drive Campaign. The Health and Safety Manager was pleased to report that out of the operational drivers and office based staff tested, no levels of alcohol were found.

21. **Health and Safety Training**

The Health and Safety Manager reported on the following training events:

- (i) An IOSH Managing Safely Course had been arranged for 27-28 April 2015 and 11-12 May 2015; and
- (ii) The on-line health and safety training modules on the Intranet had been re-launched. The on-line training now included the following modules:
 - General Health, Safety and Environment Awareness
 - Stress Management Awareness
 - Driving for Work Awareness
 - Display Screen Equipment Training
 - Display Screen Equipment Risk Assessment
 - Manual Handling Training
 - Fire Training

The training had been rolled out across West Suffolk and ARP with 74% of staff having completed the courses.

22. **First Aid**

The Health and Safety Manager reported that a public defibrillator was about to be installed at West Suffolk House, Bury St Edmunds. Training would be provided to custodians and volunteer first aiders on its use.

23. **Health and Safety - Update**

The Health and Safety Manager reported as follows:

- (i) New Approved Codes of Practice were issued during September, November and December 2014 on:
 - Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)
 - Provision and Use of Work Equipment Regulations 1998 (PUWER)
 - Confined Spaces Regulations 1997
 - Use of Work Equipment Regulations 1998
- (ii) The Health and Safety Executive (HSE) had published the draft Construction Design and Management Regulations (CDM) 2015, which would come into force on 6 April 2015.
- (iii) Health and Safety fines would increase drastically under tougher guidelines. The Sentencing Council announced that the review of guidelines was taking place in part due to concerns that some sentences imposed for these offences had been too low, particularly in relation to large organisations convicted of the most serious health and safety and food safety offences.
- (iv) Launched in October 2010, the "three-year intervention with local authority waste and recycling services" initiative sought to assess the role of local authorities when procuring and managing municipal waste and recycling contracts, or delivering in-house waste and recycling services. 14% of local authorities were found to be non-compliant in relation to managing and procuring waste services; and 59 enforcement notices had been issued. The HSE now intended to repeat the three-year programme of inspection interventions in 2015/16.

24. **Date of next meeting**

The Joint Panel had previously agreed the following date for its future meeting:

Monday 15 June 2015, at 2.00pm at West Suffolk House.

The Meeting concluded at 5.08pm

Signed by:

Chairman

Cabinet



Forest Heath
District Council

Title of Report:	Revenues Collection Performance and Write-Offs	
Report No:	CAB/FH/15/017	
Report to and date:	Cabinet	31 March 2015
Portfolio holder:	Stephen Edwards Portfolio Holder for Resources, Governance and Performance Telephone: 07711 457657 Email: stephen.edwards@forest-heath.gov.uk	
Lead officer:	Rachael Mann Head of Resources and Performance Telephone: 01638 719245 Email: rachael.mann@westsuffolk.gov.uk	
Purpose of report:	To consider the current revenue collection performance and to consider writing off outstanding debts, as detailed in the exempt appendices.	
Recommendation:	The write-off of the amounts detailed in the exempt appendices to this report be approved, as follows: 1. Exempt Appendix 1: Business Rates totalling £69,855.80	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p> <p>Decisions which would result in any expenditure or reduction in expenditure of £25,000, if not specifically mentioned within the approved Revenue Budget or Capital Programme</p>	
<i>The key decision made as a result of this report will be published within 48 hours and cannot be actioned until seven working days have elapsed. This item is included on the Decisions Plan.</i>		
Consultation:	Leadership Team and the Portfolio Holder for Resources and Performance have been consulted with on the proposed write-offs.	
Alternative option(s):	See paragraphs 2.1 and 2.2	

Implications:			
Are there any financial implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • See paragraphs 3.1 to 3.3	
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"/> The recovery procedures followed have been previously agreed; writing off uncollectable debt allows staff to focus recovery action on debt which is recoverable.	
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 application of predetermined recovery procedures ensures that everybody is treated consistently. • Failure to collect any debt impacts on either the levels of service provision or the levels of charges. • All available remedies are used to recover the debt before write off is considered. • The provision of services by the Council applies to everyone in the area. 	
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)
	Low/Medium/ High*		Low/Medium/ High*
Debts are written off which could have been collected.	Medium	Extensive recovery procedures are in place to ensure that all possible mechanisms are exhausted before a debt is written off.	Low
Ward(s) affected:		All wards will be affected	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		1. Exempt – Appendix 1 - Business Rates Write- offs	

1. Key issues and reasons for recommendation(s)

- 1.1 The Revenues Section collects outstanding debts in accordance with either statutory guidelines or Council agreed procedures.
- 1.2 When all these procedures have been exhausted the outstanding debt is written off using the delegated authority of the Head of Resources and Performance for debts up to £2,499.99 or by Cabinet for debts over £2,500.00.
- 1.3 It is best practice to monitor the recovery procedures for outstanding debts regularly and, when appropriate, write off irrecoverable debts.
- 1.4 Provision for irrecoverable debts is included both in the Collection Fund and the General Fund and writing off debts that are known to be irrecoverable ensures that staff are focussed on achieving good collection levels in respect of the recoverable debt.

2. Alternative options

- 2.1 The Council has appointed a firm of bailiffs to assist in the collection business rates and Council Tax and also has on line tracing facilities. It is not considered appropriate to pass the debts on to another agency.
- 2.2 It should be noted that in the event that a written-off debt become recoverable, the amount is written back on, and enforcement procedures are re-established. This might happen, for example, if someone has gone away with no trace, and then they are unexpectedly 'found' again, through whatever route.

3. Financial implications and collection performance

- 3.1 Provision is made in the accounts for non recovery but the total amount to be written off for Business Rates is £69,855.80 and full details are shown in Exempt Appendix 1.
- 3.2 As at 28 February 2015, the total National Non Domestic Rates (NNDR) billed by Anglia Revenues Partnership on behalf of Forest Heath District Council (as the billing Authority) is £22.59m per annum. The collection rate as at 28 February 2015 was 94.44% against a profiled target of 94.91%
- 3.3 As at 28 February 2015, the total Council Tax billed by Anglia Revenues Partnership on behalf of Forest Heath District Council (includes the County, Police and Parish precept elements) is just over £25m per annum. The collection rate as at 28 February 2015 was 94.80% against a profiled target of 94.16%.

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Cabinet



Forest Heath
District Council

Title of Report:	Sponsorship and Advertising Policy for West Suffolk	
Report No:	CAB/FH/15/018	
Report to and date:	Cabinet	31 March 2015
Portfolio holder:	Stephen Edwards Portfolio Holder for Resources, Governance and Performance Tel: 07711 457657 Email: stephen.edwards@westsuffolk.gov.uk	
Lead officer:	Richard Hartley Commercial Manager Tel: 01284 757055 Email: richard.hartley@westsuffolk.gov.uk	
Purpose of report:	The draft policy lays out the definitions, general principles and procedures for entering into agreements for sponsorship and advertising, so as to maintain propriety and transparency within the councils. This is an updated version of the previous St Edmundsbury Borough Council (SEBC) policy, adopted in 2007. A new policy is needed because of moving forward with the shared services agenda and also because we are trying to behave more commercially in maximising the use of our assets.	
Recommendation:	It is <u>RECOMMENDED</u> that the Sponsorship and Advertising Policy for West Suffolk, as contained in Appendix 1 to Report No CAB/FH/15/018, be approved.	
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 checked="" type="checkbox"/></p> <p>No, it is not a Key Decision - <input type="checkbox"/></p> <p>Decisions which would result in any expenditure or reduction in expenditure of £25,000, if not specifically mentioned within the approved Revenue Budget or Capital Programme.</p>	
<p><i>The key decision made as a result of this report will be published within 48 hours and cannot be actioned until seven working days have elapsed. This</i></p>		

<i>item is included on the Decisions Plan.</i>	
Consultation:	<ul style="list-style-type: none"> • This is an updated version of the previously adopted policy in SEBC produced in 2007. • There has been internal consultation with different council services on this document.
Alternative option(s):	<p>There were several options open to us:</p> <p>Do Nothing – This was not recommended as there would not be a policy covering all of West Suffolk.</p> <p>Open approach – A more open approach without safeguards is not recommended as this would risk non-compliance with the codes of conduct and advertising codes (See Appendix 1, section 2.4)</p>
Implications:	
<i>Are there any financial implications? If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> • Potential for income generation.
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> • This will be managed within existing resources.
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <ul style="list-style-type: none"> • This will be managed within existing resources.
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <ul style="list-style-type: none"> • The councils are permitted to accept appropriate sponsorship and to sell advertising space • Advertising Standards Authority standards should also be followed as noted in the new policy document and links to the appropriate guidance are referenced.
<i>Are there any equality implications? If yes, please give details</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> An Equalities Impact Assessment has been undertaken. Fairness and equality are fundamental to a sustainable society. This is reflected in the proposed policy.
Risk/opportunity assessment:	The purpose of the new policy is to highlight the income opportunity available from sponsorship and advertising. By not promoting the assets of the Councils there is a potential risk of cuts to services. On the other hand, should advertising or sponsorship be accepted in an uncontrolled manner there is the risk to reputation of the Councils.

Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
Loss of income opportunity	Medium	Transfer to commercial team and promote more rigorously	Low
Potential reputational damage	Medium	Centralise and consult prior to approval	Low
Ward(s) affected:		All Wards	
Background papers: <i>(all background papers are to be published on the website and a link included)</i>		<p>The current adopted sponsorship Policy document can be found here.</p>  <p>Adopted Sponsorship Policy 051207.doc</p> <p>The recently adopted fees and charges policy which mentions sponsorship can be found here http://www.westsuffolk.gov.uk/Council/Policies Strategies and Plans/upload/WSFeesAndChargesPolicy.pdf</p>	
Documents attached:		Appendix 1: Sponsorship and Advertising Policy for West Suffolk	

1. Key issues and reasons for recommendation(s)

1.1 Current offer

- 1.1.1 The current sponsorship policy is considered outdated and is no longer fit for purpose as it takes a narrow approach. The councils' 'behaving more commercially' agenda has opened up more opportunities for sponsorship through other elements of the councils' business, which requires a broader approach. There is also no policy covering Forest Heath District Council so there is an opportunity for a revised policy to cover the whole of West Suffolk.

2. New Sponsorship and Advertising Policy

- 2.1 The new draft policy makes clear to potential advertisers and sponsors how their request will be dealt with. It will help avoid doubt and potential disagreements when dealing with future requests or approaches by either the sponsors or advertisers or by members of council staff.
- 2.2 The draft policy, attached at Appendix 1, lays out the proposed principles, definitions and procedures for adoption without which the council would be leaving itself exposed to fraud, error or loss of reputation in accepting any sponsorship and advertising. The draft policy also aims to increase transparency and accountability.
- 2.3 Attracting appropriate external funding will remain the responsibility of all frontline teams. However, the draft policy also includes a proposal to transfer central oversight and support for advertising and sponsorship activities from the councils' communications department to the commercial team, in order to seize the opportunity for income generation. Together, Forest Heath and St Edmundsbury Councils have received around thirty thousand pounds in sponsorship income in 2014/2015 which includes notable sponsorship of benches in the parks and contributions towards the Bury St Edmunds Festival. By transferring this to the commercial team it is hoped that by highlighting the opportunities, income will increase in the year 2015/2016.
- 2.4 By taking the proposed actions, the aim is to drive a middle course between being commercial and light touch, and making sure the council staff behave impartially and as good stewards of public resources.

Sponsorship and Advertising Policy for West Suffolk
Forest Heath District Council and St Edmundsbury Borough Council
(the councils)
March 2015

1 DEFINITION

'Sponsorship' - is a contract between parties in which one party meets all or part of the costs of the project or activity, usually in exchange for commercial benefit.

'Advertising' – is a contract between parties promoting a product (or service) to potential and current customers. Advertising is typically displayed on signs, brochures, websites, direct mailings or e-mail messages etc.

2 GENERAL PRINCIPLES

- 2.1 In entering into agreements for sponsorship or advertising, there must be transparency of process in order to protect the councils' reputation and to manage expectations.
- 2.2 The councils' constitutions and policy frameworks, and in particular, the codes of conduct for councillors and employees must be observed. Sponsorship and advertising agreements must also comply with the councils' equality and diversity policies.
- 2.3 The councils actively seek local and national opportunities of mutual benefit and welcome sponsorship and advertising where:
 - a) the opportunity aligns with the councils' values;
 - b) it does not, and could not reasonably be perceived as, influencing the way the councils exercise a statutory function;
 - c) it does not, and could not reasonably be perceived as, attempting to influence the outcome of a decision to be made by the councils;
 - d) it does not, and could not reasonably be perceived as, influencing the councils' allocation of resources; and
 - e) it could not reasonably be perceived as being used by the sponsor to gain favourable terms.
- 2.4 Therefore the councils will not consider sponsorship or advertising which:
 - a)
 - i) is against the Advertising Standards Authority's advertising code; www.asa.org.uk
 - ii) does not uphold the rules laid out in the UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing (CAP Code) www.cap.org.uk/Advertising-Codes/Non-broadcast-HTML.aspx

iii) does not follow the Code of Recommended Practice on Local Authority publicity
www.gov.uk/government/publications/recommended-code-of-practice-for-local-authority-publicity

- b) creates legal or financial conflict with the interests of the councils;
- c) has party-political associations;
- d) conflicts with the councils' branding;
- e) involves unlawful prejudice and/or discrimination;
- f) promotes smoking;
- g) promotes irresponsible consumption of alcohol;
- h) involves sexual content;
- i) involves violent content; or
- j) could otherwise bring the councils into disrepute or conflict with contractual obligations.

This is not an exhaustive list and any approach can be declined at the councils' sole discretion by an officer of the councils.

- 2.5 While it is expected that most sponsorship will be offered on the basis that it is in return for publicity or an advertising platform, the councils will of course welcome any sponsorship that is offered with no expectation of any benefit to the donor.

3 CO-ORDINATION AND APPROVAL PROCEDURE

- 3.1 Approaches to or by potential sponsors/advertisers must be co-ordinated through the councils' Commercial Team. The value of the sponsorship or advertising and the criteria for selection of a sponsor must be agreed with the Commercial Team.

3.2 Depending on the value of the sponsorship or advertising, different approval and thresholds apply, as shown in the table below.

Value		Level of approval				
	Publicise	Commercial Manager*	Head of Service	Leadership Team	Portfolio Holder	Cabinet
£1 - £1,000	No	Yes	No	No	No	No
£1,001 - £10,000	Open invitation through e.g Suffolk sourcing	Yes	No	No	No	No
£10,001 - £50,000	Open invitation through e.g Suffolk sourcing	Yes	Yes	Yes possible referral to Cabinet	Yes	Possibly
£50,001 and above	Open invitation through e.g Suffolk sourcing	Yes	Yes	Yes possible referral to Cabinet	Yes	Possibly

*In the absence of the Commercial Manager the Commercial Manager's line manager will be available for approvals.

3.3 The councils will agree with the sponsor/advertiser the nature and content of the publicity and will retain the right to approve all advertising material and to remove any material which has not received such approval.

3.4 Where a request for sponsorship or advertising is connected to a matter of current policy with particular sensitivity (for example, a current council decision) the officer handling the request is required to consult the Leadership Team who may recommend a referral to the relevant Cabinet.

3.5 For significant sponsorship or advertising a named officer must be nominated as the sponsor/advertiser's contact.

3.6 All potential sponsors and advertisers must sign a declaration (as part of the financial form – see paragraph 4.2 below) to say that they are not in arrears on any payments to the councils or the subject of investigation or enforcement by the councils or any other statutory body. The councils reserve the right to refuse sponsorship if the potential sponsor does not fulfil these requirements.

4 FINANCIAL PROCEDURE

- 4.1 Payment terms must be agreed by the commercial team on a case by case basis and in line with other payment policies.
- 4.2 An account (Sponsorship-Customer info request) form is available on request. The description of any agreement must be attached to this form. This must be completed and signed by both parties before any agreement starts.
- 4.3 When the councils incur any direct costs payment must be received in advance.

5 TRANSPARENCY

A list of sponsors and details of what they have sponsored will be published on the councils' website except where the donor wishes to remain anonymous (and the councils agree to the anonymity).

6 MARKETING AND MEDIA RELATIONS

- 6.1 Sponsors should refer all media enquiries about sponsorship and advertising to the councils' Corporate Communications Team.
- 6.2 Any use of West Suffolk's corporate branding must be approved by the Corporate Communications Team.

7.0 DISCLAIMER

- 7.1 Acceptance of advertising or sponsorship does not imply endorsement by the councils of products and services. In order to make this clear all publications, or other media, with advertising or sponsorship should carry the following disclaimer:

'Whilst every effort has been made to ensure advertising within this publication complies with all relevant legislation, West Suffolk councils cannot accept any liability for errors or omissions contained in any material provided by an advertiser. The councils do not accept any liability for any information or claims made by the advertisement or by the advertisers. Any inclusion of the councils' name on a publication should not be taken as an endorsement by the councils.

- 7.2 Where it is not possible to print a disclaimer, for example in the case of an advertising hoarding, the material should identify the West Suffolk councils as being the owner and that this policy is available on the councils' website.

8. COUNCILLORS AS SPONSORS OF COUNCIL EVENTS AND ACTIVITIES

- 8.1 There is no bar on county, district and parish councillors offering sponsorship to the councils either by sponsoring council events or activities as individuals or through a business. However, apart from the conditions that apply to all potential sponsors, care must be taken that the sponsorship would not contravene the councillors' Code of Conduct or the restrictions on council publicity, particularly during the sensitive pre-election period. The advice of the Monitoring Officer will therefore be sought when a councillor puts forward a sponsorship proposal.

9 CONTACTS

- 9.1 Getting started, general advice:
Commercial Manager
01284 757055
commercial@westsuffolk.gov.uk
- 9.2 Media relations and corporate identity:
Corporate Communications Team
01284 757034
communications@westsuffolk.gov.uk

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Cabinet



Forest Heath
District Council

Title of Report:	West Suffolk Safeguarding Policy - Guidelines for Working with Children, Young People and Vulnerable Adults	
Report No:	CAB/FH/15/019	
Report to and dates:	Cabinet	31 March 2015
	Council	15 April 2015
Portfolio holders:	Robin Millar Portfolio Holder for Families and Communities Tel: 07939 100937 Email: robin.millar@forest-heath.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 Full Council, the revised Safeguarding Policy and Guidelines for working with Children, Young People and Vulnerable Adults, as set out in Appendix 1 to Report CAB/FH/15/019, be adopted.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<i>Is this a Key Decision and, if so, under which definition?</i> Yes, it is a Key Decision - <input type="checkbox"/> No, it is not a Key Decision - <input checked="" type="checkbox"/>	
<i>The decision made as a result of this report will be published within 48 hours and cannot be actioned until seven working days have elapsed. This item is included on the Decisions Plan.</i>		
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 councils 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"/>	
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"/> <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: <i>(all background papers are to be published on the website and a link included)</i>		None	
Documents attached:		Appendix A: West Suffolk Safeguarding Policy – Guidelines for Working with Children, Young People and Vulnerable Adults	

1.0 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 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 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.



Forest Heath • St Edmundsbury



West Suffolk
working together

Safeguarding Policy

Guidelines for Working with Children Young People and Vulnerable Adults

Joint Policy - Version 1
March 2015

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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:

Designated Officer
Simon Phelan – Head of Housing
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Deputy Designated Officer
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Deputy Designated Officer
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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

Appendix 1

**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:		

APPENDIX A

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.

APPENDIX A

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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Cabinet



Forest Heath
District Council

Title of Report:	Policy for Providing Loans to External Organisations	
Report No:	CAB/FH/15/020	
Report to and dates:	Cabinet	31 March 2015
	Council	15 April 2015
Portfolio holder:	Stephen Edwards Portfolio Holder for Resources, Governance and Performance Telephone: 07711 457657 Email: stephen.edwards@forest-heath.gov.uk	
Lead officer:	Rachael Mann Head of Resources and Performance Telephone: 01638 719245 Email: rachael.mann@westsuffolk.gov.uk	
Purpose of report:	To set out a proposed policy for providing loans to external organisations.	
Recommendation:	It is <u>RECOMMENDED</u> that : Subject to Full Council, the Policy for Granting Loans to External Organisations, as set out in Appendix 1 to Report No CAB/FH/15/020, be adopted.	
Key Decision: <i>(Check the appropriate box and delete all those that do not apply.)</i>	<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>	
<i>The decision made as a result of this report will be published within 48 hours and cannot be actioned until seven working days have elapsed. This item is included on the Decisions Plan.</i>		
Consultation:	<ul style="list-style-type: none"> • None associated with this report • To be considered as part of any loan application 	
Alternative option(s):	None associated with this report.	
Implications:	<p>Are there any financial implications? <i>If yes, please give details</i></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <ul style="list-style-type: none"> • None associated with this report • To be considered as part of any loan application 	

Are there any staffing implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> • None associated with this report	
Are there any ICT implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> • None associated with this report	
Are there any legal and/or policy implications? If yes, please give details		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> • Local Government Act 1972 (Sc 111) - power to lend money • Local Government Act 2000 (Sc 2) - well being powers • Localism Act 2011 - general power of competence	
Are there any equality implications? If yes, please give details		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> • None associated with this 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)
	Low/Medium/ High*		Low/Medium/ High*
The absence of a loan policy creates inconsistencies with considering loan requests	Medium	Adoption of this policy will support the Council in the adoption of a suitable risk-based policy for Members to make reference to on consideration of any future loan application.	Low
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:		Appendix 1 - Policy for Granting Loans to External Organisations	

1. Key issues and reasons for recommendation(s)

- 1.1 The District Council has provided loans to external organisations for a number of reasons, including promotion of economic development; and enhancement of sports, leisure or community facilities within the District.
- 1.2 At present there is no set criteria or policy for the granting of loans to external organisations as each proposal is judged on its own merits, which includes consideration of:
 - The purpose of the loan and its contribution to the achievement of the Council's priorities;
 - The financial stability and viability of the organisation to which the loan is made; and
 - The level of security offered.
- 1.3 The attached policy at Appendix 1 is based on a similar policy adopted at St Edmundsbury Borough Council, following extensive research of policies operated by other local authorities, advice from an expert in the field, and scrutiny by SEBC's Overview and Scrutiny Committee. Adoption of this policy will offer a West Suffolk approach to providing loans to external organisations.
- 1.4 As part of its development (a draft version of the policy went through an external review and proposed changes from that review are included within the attached Appendix 1).
- 1.5 Adoption of this policy will support the Council in the adoption of a suitable risk-based policy to which Councillors can refer when considering any future loan application.

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Forest Heath District Council

Policy for Granting Loans to External Organisations

Contents

- 1. Introduction**
- 2. Considering a loan request**
- 3. Loan Agreement**
- 4. Approval Process**

1. Introduction

- 1.1 Loans to external organisations may be provided under the Council's general power of competence, as contained within Section 1 of the Localism Act 2011, which allows Councils to do "anything that individuals generally may do." This general power replaces the well being powers set out in the Local Government Act 2000 which allowed local authorities to "do anything which they consider is likely to achieve the promotion or improvement of the economic, social or environmental well being of their area".
- 1.2 The Council does not routinely provide loans to external organisations, and requests for loan finance will only be considered in the context of the Council's wider strategic aims and objectives. As such each proposal for loan finance needs to be judged on its own merit, which includes consideration of:
 - a) The purpose of the loan and its contribution to the achievement of the Council's strategic objectives.
 - b) The financial stability and viability of the organisation to which the loan is made.
 - c) The nature / level of security an organisation can provide to support the loan amount.
- 1.3 Loans made to external organisations under this policy do not form part of the Council's investment or treasury management strategy. Decisions regarding the granting of loans are based on a wider concept of the strategic benefit of each proposal rather than the narrower treasury management investment criteria which is driven by consideration of the security and liquidity of funds as well as financial yield. As such, decisions on the different levels of risk and financial return involved in each loan agreement may vary depending on the

nature / purpose of the loan and its wider strategic impact. Factors that may affect the level of risk involved in a particular proposal include:

- a) Whether the Council already has an interest in the asset / project (e.g. owns the land / buildings to which the loan finance relates)
- b) Whether loans are offered under Government sponsored schemes (e.g. loans financed from the Government's Growth Area Initiative funding); and
- c) The type of organisation that the funding is provided to (e.g. a private company, a not for profit organisation or other public body). It should be noted that this policy does not apply to loans to private individuals.

1.4 This policy applies to all new loan approvals (including top up loans to existing loan agreements) with effect from its date of approval (XXX).

2. Considering a loan proposal

2.1 When considering proposals for loan finance, the following factors should to be taken into account:

- a) Applications will only be considered to support projects / initiatives within the Forest Heath District Council area.
- b) There should be an assessment of the degree of correlation of the loan purpose with the Council's corporate priorities.
- c) The Council should also consider whether it is appropriate to analyse total support given to an organisation or a single project. For example, the Council may determine that it is inappropriate to lend monies where a grant from the Council has been agreed for the same project.
- d) The relevant organisation requesting a loan should be able to demonstrate that it has sought funding from other sources and that loans from such sources are either not available or the terms are materially unfavourable or unaffordable and therefore detrimental to the project / initiative.
- e) The request for a loan should be in relation to capital expenditure projects (i.e. the Council will not consider applications for loans to support revenue expenditure).
- f) A detailed financial appraisal will be required to be carried out by the Council on receipt of any loan request. This appraisal will also consider the financial standing of the relevant organisation and will provide due diligence over the project's / initiative's business case. The following

information will be required to be made available to the Council alongside the request for a loan:

- i. Copy of the latest approved annual accounts (audited where applicable), plus the previous year's financial annual accounts including, where relevant, an assessment of company structures and governance arrangement.
 - ii. The Business Case for the project / initiative including project / initiative risks and deliverability.
 - iii. Information on proposed security to support the loan, including evidence of security of tenure of land / buildings and nature of other calls upon the assets (e.g. other secured bank loans).
 - iv. Adequacy of the relevant organisation's insurance arrangements, including insurance of assets offered as security.
 - v. Details of how the project/initiative will be funded including details of all other loans / grants / support sought or given (including reasons for any refusal of funding and / or unacceptable terms offered).
- g) An assessment of each loan application should be carried out against the accounting code of practice criteria of a soft loan i.e. at lower than market rates loan, including consideration of any financial cost to the Council and consideration against item h) below on state aid implications.
- h) An assessment of any state aid implications will be required to be carried out by the Council on receipt of any loan request. If a loan application includes the features of state aid then the loan is prohibited unless it is covered by an exemption under state aid rules.
- i) An assessment of the Council's overall cash flow position, spending requirements and overall prudential controls will be carried out by the Council on receipt of any loan application. The Council must ensure that the issuing of any loan does not have any negative impact on its own cash flow and spending requirements.

3. Loan Agreement

- 3.1 The granting of a loan will be subject to a written contractual loan agreement in a form approved by the Council's Head of Legal and Democratic Services and entered into by the relevant organisation and the Council. The loan agreement will include details of the agreed terms upon which the loan is granted, including:
- a) Conditions of loan (e.g. delivery of the Project / Initiative).
 - b) Loan duration and repayment details, including repayment of principal, interest and other costs (as appropriate).
 - c) Loan security, including fixed and floating legal charges.
 - d) Insurance requirements.
 - e) Recovery and enforcement arrangements in case of default of loan terms and conditions.
 - f) Provision for recovery of any fees incurred for items including, but not limited to, validation of financials, legal advice on loan security arrangements etc.'
- 3.2 The period of the loan should be consistent with the loan purpose, i.e. the asset life but with a maximum of 20 years.
- 3.3 Where appropriate, interest should be charged on loans and apply until the principal of the loan is fully discharged. The rate of interest to be charged should reflect the nature of the Project / Initiative for which loan finance is sought (including its contribution to the Council's strategic objectives), the outcome of the business case (including ability of the Project / Initiative to generate financial return), the prevailing market rates (including rates of return achieved on Council investments and treasury management activities). The Council may offer either a fixed or variable rate facility, as determined by the Council having taken into account the advice of the Council's Head of Resources and Performance.
- 3.4 Where possible, loans should be secured via a fixed or floating charge over assets. Ideally loans should be secured via a fixed charge on substantive assets such as freehold land and buildings, but where this is not possible, a floating charge relating to a group of assets may also be considered.

4. Approval Process

- 4.1 Requests for loan finance up to £25,000 should be subject to approval by Cabinet, with loans greater than £25,000 requiring approval by full Council. The report accompanying each application should include an officer recommendation in respect of acceptance or rejection of the loan application. Any resolution for the approval of a loan should also include an acknowledgement of any exceptional risks (for example, approval in spite of inadequate security) and also include clear written reasons for any approval given in spite of such risks associated with the proposed loan.

- 4.2 Requests from relevant organisations to materially change the terms of Loan Agreements (including applications for top up loans or repayment holidays) should also be considered by Cabinet / full Council (i.e. amendments to loans up to £25,000 to be approved by Cabinet, and amendments to loans greater than £25,000 to be approved by full Council).

Policy Approval: XXX

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

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